



Public service is at the heart of everything we do.

Board Of Directors:

Paul Seger – *President*

Joe Kovalick – *Vice President*

Marilyn M. Tiernan | Jason Shaw | Conan Moats

General Manager: Dan Muelrath

General Counsel: Wes Miliband

Board Secretary: Kait Knight

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF
DIABLO WATER DISTRICT
HELD ON JANUARY 28, 2026

The Regular Meeting of the Board of Directors of Diablo Water District was held on January 28, 2026, at 6:30 pm at the District’s Corporation Yard, 3990 Main Street, Oakley, California, as noticed in the posted agenda.

1. Call to Order and Roll Call and Pledge of Allegiance.

The Regular Meeting of the Board of Directors of Diablo Water District (District) was called to order by President Seger at 6:30 p.m. on January 28, 2026.

Directors Present: Seger, Kovalick, Tiernan, Shaw, Moats

Staff Present: Dan Muelrath, Kait Knight, Jennifer McCoy

General Counsel: Wes Miliband (Miliband Water Law)

Others Present: Diego Verduzco (Ironhouse Sanitary District), Reagan Ballo (Five Star Bank), Bill Brick (CDM Smith), Additional District Staff, Members of the General Public

2. Public Input.

Anyone present may address the Board of Directors on any subject within the jurisdiction of Diablo Water District. If the subject item is on this Agenda, please hold public comment until the appropriate item.

None.

Action Items

3. Annual Good Governance Refresher.

Staff Recommendation: Receive.

The Board received the Good Governance Refresher from General Manager Muelrath.

4. Consent Calendar.

It is recommended by the General Manager that these items, which are expected to be routine in nature and without controversy, be received and acted upon by the Board without discussion. If any Board member or interested party requests that an item be removed from the Consent Calendar for discussion, it will be considered separately. *The consent calendar may be approved by a single motion to approve, followed by a second and then a call for vote.*

A. Minutes of the Special Meeting of December 10, 2025.

Staff Recommendation: Approve.

B. Minutes of the Special Meeting of January 12, 2026.

Staff Recommendation: Approve.

C. Minutes of the Emergency Meeting of January 12, 2026.

Staff Recommendation: Approve.

It was moved by Director Moats, seconded by Director Shaw, and approved by the following vote to approve the Consent Calendar.

AYES: Tiernan, Shaw, Moats, Kovalick, Seger

NOES: None

ABSENT: None

5. Transition Banking Services from BMO to Five Star Bank.

Staff Recommendation: Authorize the General Manager to execute the contract with Five Star Bank for the District's Banking Services.

It was moved by Director Tiernan, seconded by Vice President Kovalick, and approved by the following vote to authorize the General Manager to execute the contract with Five Star Bank for the District's Banking Services.

AYES: Tiernan, Shaw, Moats, Kovalick, Seger

NOES: None

ABSENT: None

6. Financial Reports.

Staff Recommendation: Approve warrant register 2025-12, ACH and wire transactions for December 2025 and monthly financial report for November 2025.

It was moved by Director Tiernan, seconded by Vice President Kovalick, and approved by the following vote to approve warrant register 2025-12, ACH and wire transactions for December 2025 and monthly financial report for November 2025.

AYES: Tiernan, Shaw, Moats, Kovalick, Seger
NOES: None
ABSENT: None

7. Income Assistance Program with Consideration for Adding Non-Profits.

Staff Recommendation: Consider an expansion of the Monthly Service Charge Discount Program to allow participation by qualifying nonprofit organizations operating in commercially zoned areas.

It was moved by Vice President Kovalick, seconded by Director Shaw, and approved by the following vote to expand the Monthly Service Charge Discount Program to a 50% discount, and allow participation by qualifying nonprofit organizations operating in commercially zoned areas.

AYES: Tiernan, Shaw, Moats, Kovalick, Seger
NOES: None
ABSENT: None

8. Creation of Security Ad hoc.

Staff Recommendation: Consider the creation of a Security ad hoc of the Board of Directors.

It was moved by President Seger, seconded by Director Shaw, and approved by the following vote to create a Security ad hoc and assign Director Shaw and Vice President Kovalick to serve.

AYES: Tiernan, Shaw, Moats, Kovalick, Seger
NOES: None
ABSENT: None

Discussion Items

9. District Regulation 107 Purchasing Update.

The Board discussed the regulation update, and the final regulation will be agendized for approval at the February Regular Meeting.

10. General Manager's Report.

- Water Supply Charts

General Manager Muelrath reported on the current water supply.

11. District Engineer's Report.

Bill Brick, CDM Smith, reported on the status and progress of active projects.

12. District Counsel's Report.

General Counsel Miliband reported out on legislation as it pertains to the interests of the District.

Director Kovalick requested an update on the 3M class-action lawsuit to be agendized for the February meeting.

13. Directors' Reports.

- Representative verbal reports.
- Other items as needed.

Director Tiernan reported out on the City of Oakley and Contra Costa Water District meetings.

Director Moats reported out on the City of Oakley Planning Commission meeting and the upcoming conference for ACWA JPIA.

Director Shaw was unable to attend the CCSDA meeting, so General Manager provided a report out on the meeting.

Director Seger reported on the Ironhouse Sanitary District meetings.

14. Future Agenda Items.

- Preliminary list of items for the next two months.
- Other items being tracked and awaiting a scheduled date.

General Manager Muelrath added that there will be a presentation from ACWA JPIA at The February regular meeting as well as information on funding mechanisms for how developers pay fees.

15. Next Meetings of the Board of Directors.

- February 25, 2026 Regular Meeting – 6:30 pm
- March 25, 2026 Regular Meeting – 6:30 pm
- April 22, 2026 Regular Meeting – 6:30 pm

Closed Session Items

16. Conference with Real Property Negotiations

(Government Code § 54956.8)

Property Description: Jersey Island located in Contra Costa County

Negotiation: Diablo Water District General Manager Dan Muelrath and Jean-Marc Petit Ironhouse/Reclamation District 830 Representative.

Under Negotiation: Terms and Price

Conference with Legal Counsel - Anticipated Litigation


(Government Code § 54956.9(d)(4))

One Potential Case

Nothing to report.

17. Adjournment.

President Seger adjourned the meeting at 10:24 pm.


Kait Knight, Board Secretary