



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 SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
DIABLO WATER DISTRICT
HELD ON DECEMBER 10, 2025

The Special Meeting of the Board of Directors of Diablo Water District was held on December 10, 2025, at 2:30 pm at the District’s Corporation Yard, 3990 Main Street, Oakley, California and via conference call / web as noticed in the posted agenda.

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

The Special Meeting of the Board of Directors of Diablo Water District (District) was called to order by President Tiernan at 2:32 p.m. on December 10, 2025.

Directors Present: Tiernan, Shaw, Seger, Kovalick, Moats
Staff Present: Dan Muelrath, Kait Knight, Jennifer McCoy
General Counsel: Wes Miliband (Miliband Water Law)
Others Present: Bill Brick (CDM Smith), Juan Galvan (Anzel Galvan LLP), Wing-See Fox (Urban Futures, Inc.), Nicki Tallman (Oppenheimer), 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.

Resolution of Appreciation

3. Christine Belleci Resolution.

Moved to future meeting.

Action Items

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 a vote.*

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

Staff Recommendation: Approve.

It was moved by Vice President Shaw, seconded by President Tiernan, and approved by the following vote to approve the consent calendar.

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

5. Sale of Water Revenue Certificates of Participation.

Staff Recommendation: Adopt Resolution No. 2025-18 approving the execution, delivery and sale of Water Revenue Certificates of Participation in the principal amount not to exceed \$6,000,000 to finance the acquisition and construction of improvements to the water system and approving the execution and delivery of an Installment Sale Agreement, an Official Statement, a Continuing Disclosure Certificate and a Certificate Purchase Contract, and approving other related documents and actions.

It was moved by Director Kovalick, seconded by President Tiernan, and approved by the following vote to adopt Resolution No. 2025-18 approving the execution, delivery and sale of Water Revenue Certificates of Participation in the principal amount not to exceed \$6,000,000 to finance the acquisition and construction of improvements to the water system and approving the execution and delivery of an Installment Sale Agreement, an Official Statement, a Continuing Disclosure Certificate and a Certificate Purchase Contract, and approving other related documents and actions, with revision of the cap to 4% instead of 4.5%.

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

6. Urban Water Management Plan Contract Award.

Staff Recommendation: Authorize the General Manager to execute a Task Order with CDM Smith to prepare the District's 2025 Urban Water Management Plan (UWMP) and related submittals in an amount no to exceed \$138,808, plus a 10% contingency.

It was moved by Director Kovalick, seconded by Vice President Shaw, and approved by the following vote to authorize the General Manager to execute a Task Order with CDM Smith to prepare the District's 2025 Urban Water Management Plan (UWMP) and related submittals in an amount no to exceed \$138,808, plus a 10% contingency.

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

7. Financial Reports.

Staff Recommendation: Approve warrant register 2025-11, ACH and wire transactions for November 2025 and monthly financial report for October 2025.

It was moved by Director Seger, seconded by President Tiernan, and approved by the following vote to authorize the General Manager to approve warrant register 2025-11, ACH and wire transactions for November 2025 and monthly financial report for October 2025.

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

8. Acceptance of Annual Audit for Fiscal Year Ending June 30, 2025.

Staff Recommendation: Accept the audit report.

It was moved by President Tiernan, seconded by Vice President Shaw, and approved by the following vote to accept the audit report.

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

9. Distinguished Budget Presentation Award – GFOA.

Staff Recommendation: Receive.

Received.

10. 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.

The Board directed Staff to bring back additional information at a future meeting, including nonprofit status considerations, cost impacts, and definitions of charges included in the program.

11. Directors’ Regulation 101 Potential Amendment to the Three-Month Period for Officer and Committee Positions.

Staff Recommendation: Discuss potential amendments to the recently updated Regulation 101 regarding the three-month period for Officer and Committee Positions. Provide direction as appropriate, and if an amendment is duly approved by the Board, then adopt Resolution No. 2025-19 to incorporate such amendment.

Vice President Shaw requested an amendment to Section 2 of the regulation for the Board to remain in compliance with legally mandated trainings and to require proof of training to the satisfaction of the Board.

It was moved by Vice President Shaw, seconded by President Tiernan and approved by the following vote to amend Regulation 101 as presented in the packet, as well as adding compliance with legally mandated trainings and proof of training to the satisfaction of the Board to Section 2.

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

12. District Officers and Committee Positions.

Staff Recommendation: Perform confirmations or reassignments in accordance with Regulation 101 in its current form as of this agenda item.

Director Kovalick requested to reopen the nominations for Officer and Committee positions and to revisit the committee assignments.

It was moved by Director Kovalick, seconded by Director Moats and approved by the following vote to appoint Director Seger as President.

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

It was moved by Director Tiernan, seconded by Vice President Shaw and the motion was denied by the following vote to appoint Director Shaw as Vice President.

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

It was moved by Director Moats, seconded by President Seger and approved by the following vote to appoint Director Kovalick as Vice President.

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

It was moved by Vice President Kovalick, seconded by Director Moats and approved by the following vote to assign the below committees as follows:

- CCWD – Director Tiernan
- ECWMA – President Seger
- ACWA JPIA – Director Moats
- SGMA – President Seger
- CCSDA – Director Shaw
- Jersey Island Ad Hoc – President Seger and Vice President Kovalick

- Recycled Water Ad Hoc – President Seger and Vice President Kovalick
- Public Relations Ad Hoc – Director Tiernan and Director Shaw

AYES: Moats, Seger, Kovalick, Shaw, Tiernan

NOES: None

ABSENT: None

Discussion Items

13. General Manager’s Report.

- Water Supply Charts

Received.

14. District Engineer’s Report.

Received.

15. District Counsel’s Report.

Received.

16. Directors’ Reports.

- Representative verbal reports.
- Other items as needed.
 - City of Oakley – Director Tiernan – provided a report out on the meeting at the end of October.
 - Ironhouse Sanitary District – Director Seger reported out on the November meetings.
 - Contra Costa Water District – Director Kovalick – meeting was the same day as District meetings.
 - ECWMA – Director Shaw – meeting cancelled.
 - City of Oakley Planning Commission – Director Moats – did not attend.

- ACWA/JPIA Fall Member Summit – Director Moats – attended the conference and received the President’s Special Recognition awards on behalf of the District.

17. Future Agenda Items.

- Preliminary list of items for the next two months.
- Other items being tracked and awaiting a scheduled date.
- The following items were requested to be added to future agendas:
 - General Manager Muelrath: Christine Belleci Resolution of Appreciation, the Carbon Assessment Contract Award, and ACWA JPIA presentation.
 - Director Tiernan – bringing water service to South Oakley.

18. Next Meetings of the Board of Directors.

- January 12, 2026 Special Meeting (Strategic Planning) – 1:00 pm
- January 28, 2026 Regular Meeting – 6:30 pm
- February 25, 2026 Regular Meeting – 6:30 pm

19. Adjournment.

President Tiernan adjourned the meeting at 5:36 pm.



Kait Knight, Board Secretary