



MANAGING RESOURCES FOR A BETTER FUTURE

DIRECTORS
NICK BRUNO, PRESIDENT
JEFFREY D. COULTHARD, VICE PRESIDENT
SHANNON SIMONIAN, TREASURER
ERIC BREAM
MATT CERNIGLIA
MIKE DELAGUERRA
HENK GRIFFIN

JULIA D. STORNETTA, GENERAL MANAGER/SECRETARY
MIKE CUTTONE, ASSISTANT TREASURER
BRIAN EHLERS, DISTRICT ENGINEER
LAUREN D. LAYNE, LEGAL COUNSEL

REGULAR MEETING OF THE BOARD OF DIRECTORS

will be held on

Monday, August 14, 2023

11:00 a.m.

at

**The Lodge at Riverstone
370 Lodge Road South
Madera, California 93636**

1. CALL TO ORDER

2. PUBLIC COMMENT

Members of the public may address the Board on any matter related to the District that is not included on the Agenda. Comments are limited to five (5) minutes per person.

3. CLOSED SESSION Closed Session items not concluded prior to Regular Session may be continued at the end of the Regular Session.

- a. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9 (two cases)

4. POTENTIAL CONFLICT(S) OF INTEREST

(Any Board member who has a potential conflict of interest may now identify the item and recuse himself or herself from discussing and voting on the matter.)

5. CONSENT CALENDAR – Review and Consider for Action:

- a. Approval of minutes of the Board Meeting on July 10, 2023.
- b. Acceptance of the financial statements for the month of June 2023.
- c. Approval of customer installment payment plans for delinquent accounts.

6. CORRESPONDENCE

(Members of the Board or Staff may provide comment on any timely matter related to the District that is not included on the agenda.)

7. BOARD ACTION ITEMS - The Board may take action on any of the following items:

- a. **Hauling Services** – Review and take action to enter into contract with Holloway for wastewater hauling services.
- b. **Agricultural System Expansion** – Review and consider action to approve a change order from Lawrence Backhoe Service in the amount of \$19,759.82.
- c. **Agricultural System Expansion** – Review and consider action to approve a change order from Provost and Pritchard in the amount of \$48,000.
- d. **Water Treatment and Blending Facility** – Review and consider action to award a contract for services to construct a water treatment and blending facility.
- e. **Contract for Services** – Review and consider action to enter into contract with Best, Best and Kreiger for legal services in the amount of \$26,000.
- f. **Contract for Services** – Review and consider action to enter into contract with Backer, Manock and Jensen for legal services in an amount not to exceed \$10,000.

8. DISTRICT ENGINEER’S REPORT - The Board may take action on any of the following items:

- a. Operations Monthly Report
- b. Ag System Expansion Public Outreach efforts
- c. Other District Matters

9. LEGAL COUNSEL REPORT – The Board may take action on any of the following items:

- a. Legislation
- b. Other District Matters

10. GENERAL MANAGER’S REPORT – The Board may take action on any of the following items:

- a. Monthly Operations
- b. Other District Matters

11. COMMUNITY FACILITIES DISTRICT (CFD) – The Root Creek Water District Board of Directors acting as the Board of Directors of the Community Facilities District may take action on any of the following items:

PUBLIC HEARING

- a. REVIEW AND CONSIDER ACTION TO ADOPT A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROOT CREEK WATER DISTRICT ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2023-1 OF THE ROOT CREEK WATER DISTRICT, IMPROVEMENT AREA NO. 1 THEREIN, AND FUTURE ANNEXATION AREA, AUTHORIZING THE LEVY OF SPECIAL TAXES AND CALLING AN ELECTION THEREIN.

- b. REVIEW AND CONSIDER ACTION TO ADOPT A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROOT CREEK WATER DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2023-1 OF THE ROOT CREEK WATER DISTRICT, DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS WITHIN SAID COMMUNITY FACILITIES DISTRICT AND CALLING ELECTIONS THEREIN.
- c. REVIEW AND CONSIDER ACTION TO ADOPT A RESOLUTION OF THE BOARD OF DIRECTORS OF ROOT CREEK WATER DISTRICT, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2023-1 OF ROOT CREEK WATER DISTRICT, CERTIFYING THE RESULTS OF THE AUGUST 14, 2023 SPECIAL TAX AND BOND ELECTIONS WITHIN IMPROVEMENT AREA NO. 1 THEREOF.
- d. REVIEW AND CONSIDER ACTION TO ADOPT AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE ROOT CREEK WATER DISTRICT, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2023-1 OF THE ROOT CREEK WATER DISTRICT, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 2023-1 OF THE ROOT CREEK WATER DISTRICT

12. ADJOURN

- Items on the Agenda may be taken in any order.
- Action may be taken on any item listed on the Agenda.
- Writings relating to open session Agenda items that are distributed to members of the Board of Directors will be available for inspection at the District office, excluding writings that are not public records or are exempt from disclosure under the California Public Records Acts.
- ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

A person with a qualifying disability under the Americans With Disabilities Act of 1990 may request the District to provide a disability-related modification or accommodation in order to participate in any public meeting of the District. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meetings of the District. Requests for such assistance and for agendas and agenda packets shall be made in person, by telephone, or by written correspondence to the District at (559) 970-8778 or P.O. Box 27950, Fresno, California 93729, at least 48 hours before a District meeting.