



MANAGING RESOURCES FOR A BETTER FUTURE

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

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

**Minutes of the Meeting of the Board of Directors  
Root Creek Water District  
held on  
February 12, 2024**

**1. Call to Order**

The board meeting for the Root Creek Water District (RCWD) was called to order at 11:17 a.m. by President Nick Bruno. Board members present were Matthew Cerniglia, Jeffrey Coulthard, and Henk Griffin. Board members absent were Eric Bream, Shannon Simonian, and Mike DeLaGuerra. Members of the public included Julia Stornetta, Al Solis, Nicole Stornetta, Shay Bakman, Heather Bashian, Lauren Layne, Brian Ehlers, and Jessica Johnson.

**2. Public Comment**

The district received no public comment.

**3. Potential Conflicts of interest**

There were no potential conflicts of interest identified.

**4. Consent Calendar**

A motion was made by Director Coulthard, seconded by Director Cerniglia to approve the minutes from the December 11, 2023 board meeting, to accept the November and December 2023 financials. The motion carried.

**5. Correspondence**

There was no correspondence.

**6. Board Action Items**

- a. **Accounting Services Contract** – Director Coulthard made a motion, seconded by Director Cerniglia, to approve a contract for accounting services with Cuttone and Mastro, CPAs in the amount of \$9,190 per month for the period of January 2024 – June 30, 2024. *Budget item 620.01*. The motion carried.
- b. **Amendment to Water Supply Agreement** – Director Coulthard made a motion, seconded by Director Griffin, to adopt an eleventh amendment to the Water Supply Agreement between Wonderful Nut Orchards and Root Creek Water District. The motion carried.

- c. **Wastewater Treatment Facility** – Director Griffin made a motion, seconded by Director Cerniglia, to direct the District Engineer to design a 1.2 MGD wastewater treatment facility. The motion carried.
- d. **Water Treatment Facility Scope Adjustment No. 2** – Director Coulthard made a motion, seconded by Director Cerniglia, to approve contract scope adjustments for the Groundwater Blending and Arsenic Treatment Project, incorporating the Well 277 equipping as the overall project and adding services from BSK to the budget in the amount of \$84,712. *Budget item 900.09-2 Connection Fees.* The motion carried.
- e. **Water Treatment Facility Scope Adjustment No. 3** – Director Cerniglia made a motion, seconded by Director Coulthard, to approve contract scope adjustment for the Groundwater Blending and Arsenic Treatment Project, for project staking in the amount of \$27,000 and construction surveying in the amount of \$190,000. *Budget Item 900.09-2 Connection Fees.* The motion carried.
- f. **Water Treatment Facility Scope Adjustment No. 4** – Director Cerniglia made a motion, seconded by Director Coulthard, to approve contract scope adjustments for the Groundwater Blending and Arsenic Treatment Project, for project management in the amount of \$921,596.13 *Budget Item 900.09-2 Connection Fees.* The motion carried.
- g. **Emergency Declaration** – Director Cerniglia made a motion, seconded by Director Griffin, to declare an emergency due to increased water use in approaching summer months, to direct staff to obtain bids, and to purchase equipment required to retrofit Well 277 for municipal use. The motion carried. Staff were directed to present the lowest bidder to the board of directors at the March 11, 2024 meeting.
- h. **Legal Services** – The board of director gave general direction to staff to circulate a Request for Qualifications (RFQ) for General Counsel Legal Services. Baker, Manock and Jensen will resign as general counsel effective May 31, 2024.

## 7. **District Engineers Report**

There are a total of 1,900 connections to the RCWD system currently. The 2-million-gallon Groundwater Blending and Treatment facility is on schedule for completion in August 2025. Plans for Riverstone Village C are expected to be submitted for review to the District Engineer by the end of March. With the last rain, the potential surface water supply came up to 70% but may be expected to reach 100% by the end of the rainy season. Weather reports show normal snowpack levels to date.

## 8. **Legal Counsel Report**

SB 937 – Mitigation Fee Act – Unable to collect connection fees until development projects are completed. ACWA position is to oppose this.

AB 805 – Sponsored by Arambula; State Water Board would take over management and control of sewer systems belonging to public agencies.

AB 817 – Zoom meetings are allowed under emergency conditions; ACWA position is in favor of this.

AB 828 – Creates exemptions for fees and groundwater pumping under SGMA for wetlands; ACWA position opposes this.

AB 2257 – Establishes a process prohibiting a lawsuit against a government agency unless the petitioner has historically presented the issue at a public meeting.

**9. General Manager's Report**

Road 40 construction to repair asphalt commenced the morning of the meeting (2-14-24). Form 700s are due by April 1, 2024. Will contact Madera County on how they need to be submitted. RCWD forwarded \$100,000 to MID to satisfy the yearly option payment requirement, per the contract. SB 998 training will be held at Baker, Manock, Jensen with RT Diversified staff in attendance. GM Stornetta recently attended a Wilson Homes sales meeting to inform on water quality issues. President Bruno suggested updating the district's fact sheet for distribution.

**10. Closed Session**

Closed session was called to order at 12:40 p.m. and closed at 12:57 p.m. There were no reportable actions from Closed Session.

**11. Adjournment**

The meeting was adjourned unanimously at 1:00 pm.



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Julia D. Stornetta, District Secretary