



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. BERRY, GENERAL MANAGER  
MIKE CUTTONE, ASSISTANT TREASURER  
BRIAN EHLERS, DISTRICT ENGINEER  
FRANK SPLENDORIO, LEGAL COUNSEL

**Minutes of the Meeting of the Board of Directors  
Root Creek Water District  
held on  
Monday October 14<sup>th</sup>, 2024**

**1. Call to Order**

The board meeting for the Root Creek Water District (RCWD) was called to order at 11:01 a.m. by President Nick Bruno. Board members present were Nick Bruno, Jeffrey Coulthard, Shannon Simonian, Mike DelaGuerra, Eric Bream, Matthew Cerniglia, and Henk Griffin. Members of the public included Steve Pickens, Al Solis, and Frank Splendorio.

**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 Griffin, seconded by Director Cerniglia to approve the minutes from the September 9, 2024, to accept the August 2024 financials and approve the customer payment plan. The motion carried.

**5. Correspondence**

There was no correspondence.

**6. Board Action Items**

- a. **RCWD 2025 Annual Budget** – Director DelaGuerra made a motion, seconded by Director Coulthard, to adopt a budget for the 2025 Fiscal Year, commencing January 1, 2025. The motion carried.
- b. **Agreement for Services** – Director Cerniglia made a motion, seconded by Director Simonian, to authorize the board president to enter into a Restated and Amended Independent Contractor Agreement in a form approved by General Counsel with First Water Partners, Inc., (formerly The Stornetta Group, Inc. The motion carried.

- c. **Lodge Road Repair** – Director Simonian made a motion, seconded by Director Cerniglia, to Review and take action to approve a scope of work to investigate road settling at Lodge Road and Avenue 12 and make the necessary repairs, in accordance Madera County Franchise Agreement in an amount not to exceed \$110,000.00. The motion carried.
- d. **California Uniform Public Construction Cost Account Act (CUPPCAA)** – Director Griffin made a motion, seconded by Director DelaGuerra, to adopt a Resolution Declaring the District’s Intent to Become Subject to the CUPPCAA and Introduce and Adopt Ordinance Establishing the Informal Bidding Procedures pursuant to Public Contract Code section 22032(b) for Projects between \$600,000 and \$200,000. The motion carried.
- e. **November Board Meeting Date** – Director Simonian made a motion, seconded by Director DelaGuerra, to reschedule November’s regular board meeting date from November 11<sup>th</sup> to November 18<sup>th</sup> at 11 am. The motion carried.

**7. District Engineers Report**

Wastewater flows are averaging 322000 gallons per day (gpd) and peak flows have been at 388,000 gpd. Staff is investigating an expansion of the plant to process 600,00 gpd. Flushing and bacteriological (BacT) testing continues in Village E to admit newly constructed water lines to the live system. Systems South of the parkway have struggled to pass BacT testing. Riverstone Village C plans have been submitted to the County and to RCWD by the builder. Village C is 312 acres North of Avenue 12 – therefore much time is spent looking at the crossings required at Avenue 12 as it relates to storm drain systems.

Approximately one month ago, the in-lieu pipeline was damaged by a subcontractor during construction. The line will be repaired by the district and reimbursed by the contractor but using field joints. Ultimately, this line will need to be moved to accommodate the future construction of Road 40. Until the line is repaired, the flow is limited to approximately 7 cfs until pressurized. Once repaired, the line will run at 35-27 cfs.

There was a sewer spill in the Riverstone Development due to unauthorized dumping of concrete in the manhole. The situation was cleaned up by Central Cal Waterworks at Pine and Mission Drive. The concrete was then jack hammered and the line was video to ensure flow could resume.

**8. Legal counsel Report**

SB 1072 – If a plaintiff challenges rates assessed by a public agency, rate payers are not entitled to a refund but may be eligible for credits into the future.

AB 2257 – Mike is difficult to challenge Prop 218 fees. There is a formal complaint process, which is not complied with, challengers may lose standing in a challenge.

**9. District Manager’s Report**

GM Berry reported that 100 building permits were issued in September 2024. The administrative office is soon to go out to bid for the Ultimate Wastewater Treatment Facility. 283 AF of water has been delivered to Root Creek on behalf of Vulcan Materials as a result of the conditions of approval for the Madera Quarry by the County of Madera.

Three potential contractors were contacted to obtain bids for Item 6c.: RT Diversified, American Paving and Cal Valley Paving. Cal Valley Paving was the sole bidder for the project.

GM Berry will attend a meeting of the Nitrate Coalition Membership – Valley Water Collaborative (VWC) Meeting October 22, 2025. The District is responsible for Nitrate discharge, albeit minimal in the RCWD system. GM Berry will attend and advise at the next meeting as to next recommended steps for the District.

**10. Community Facilities District (CFD)**

Tabled for the next meeting scheduled for November 18<sup>th</sup>.



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Julia D. Berry, District Secretary