



## Mariposa County Department of Public Works

Airport – Cemeteries – Engineering – Facilities  
Fleet Maintenance – Parks & Rec – Plant Operations  
Roads – Solid Waste – Surveyor – Transportation

4639 Ben Hur Road  
Mariposa, CA 95338  
(209) 966-5356 office  
(209) 966-2828 fax

[www.mariposacounty.org](http://www.mariposacounty.org)

*Team, Service, Stewardship*

### YOSEMITE WEST DISTRICT ADVISORY COMMITTEE

#### Minutes of March 11, 2021

**Members Present:** Tom Lambert, John Mock, Art Cormier, Debra Kroon, Jeff Webb, Malcolm Neal

**BOS Ex-Officio Present:** Rosemarie Smallcombe

**County Staff Present:** Mike Healy, Darryl Nielsen, Jean Dordan

**Guests/Public:** Jeff Hornacek, Katie Weber, Ted Williams

#### 1. Call to Order and Introductions 2:04 pm

#### 2. Public Comment None

No Members of the public expressed an interest in speaking under Public Comment.

#### 3. Approval of Minutes

Approve Minutes of September 17, 2020 & December 10, 2020. In the September 17, 2020 minutes Member Mock mentioned in item #4 A to correct the name of Bartle Wells Assoc. (BWA) and the spelling of Art Cormier's name. Motion Member Mock (S) Malcomb Motion Passed Debra Jeff Webb abstain motion passed 4 0 with 2 abstains.

DECEMBER 10, 2020 Minutes correction Bartle Wells (BWA), spelling correction Art Cormier, and Malcom Neal's names in the attendance section. Motion Debra (2) Jeff Webb, passed 3-0 with one abstain.

#### 4. Updates and Reports

a. Operations update – flow rates, maintenance issues (PW Staff).  
Darryl Nielsen gave an Operations Report detailing Maintenance issues due to the recent windstorm causing power issues, a small pump on the lowery system failed and Cascade software repairs due to power bumps resulted in unreported long "well"

run time. For Committee information this was not a computer hack issue but rather just a software error. Chair Lambert asked about problems due to the storm, no additional issues that could not be resolved. TSS is unstable due to fluidizations in flows.

b. Report on digital security of SCADA and other systems in light of recent incident of water system attacked by hackers (PW Staff). Member Mock spoke of State warning of computer hacks. Darryl advised that we are fully updated and Firewall protected. The Chair asked is there is any public comment on items a/b: None

c. Financial update (PW Staff). Member Mock page 2 revenue \$2,069 revenue. Director Healy will update it is an error due to the conversion to the new ERP, Member Kroon identified the revenue in another line.

d. Status of Yosemite West Treatment Plant (WWTP) expansion via the leach-field land purchase (PW Staff). Still in negotiations, no update from previous report. No public comment. Supervisor Smallcombe added that staff and the CAO are continuing negotiations and additional work needs to be done.

e. Status of the Mariposa County Resource Conservation District (MCRCD) grant to pay cost-share needed by CalOES for the tree-felling work on the well-access road (PW Staff). Melinda Barrett of the Resource Conservation District reports (email) that grant was approved. Director Healy spoke regarding grant as there is far more than Yosemite West (Y/W) to determine what she is willing to expend. Director Healy stated that CalOES will only spend money to fall trees endangering infrastructure and made the case that these trees were caused by the fire that put the infrastructure in danger. Member Mock mentioned that the majority will happen in the Park, and he reported that Ms. Barrett stated that 367K is in Y/W, Director Healy and Ms. Barrett are scheduled to discuss soon.

f. Status regarding additional water sources that might add to Yosemite West Maintenance District (YWMD) supply capacity, including both wellheads drilled by YWMD and whether any SB1263 consolidation proposals have been received from Scenic Wonders. Director Healy stated that there is nothing new to report.

### **3. Discussion and Action Items**

a. Discussion of rate study: update on alternatives proposed and responses from engineer and county staff. Chair Lambert stated that he is looking for a way to share information more appropriately as he sometimes talks with people and gives comment but that he is looking for a better way to disseminate information. Member Mock interrupted to say that Mr. Williams emailed him that he has been trying to talk (members noticed that he is muted) he was directed to the chat, other members stated that all other public members have been able to speak and as such it appears to be a problem on his end. Chair Lambert continued to speak about the Bartle Wells Associates (BWA) study the main correction was the count of the

Condos, Chair Tom Lambert and Director Healy spoke with Michael DeGroot loan/loan servicing will be drawn close as possible to the start of a project and they can only be used for projects that will be done in 3 years why have it included in the rate, because rates have to illustrate an ability of repay.

Tiered rates: BWA is of the professional opinion that tiered rates for Yosemite West adds more complexity than worth. Director Healy stated that we really don't have high users when you compare the number of EDU above 1.0. Wastewater Fixed costs are 80% of Base rate already and placing more on volumetric puts you in financial risk and connection fee increase it is true that other districts have higher fees, but those fees are driven by minimally available capacity concerns. Chair Lambert stated that in Fresno for instance they have a higher connection fee as they collect to run the lateral to the house so he concludes that if we charged for what we actually charge for the services included that fees may be reduced. Chair Lambert also stated that they have water supply considerations when connecting new customers as well that explain why the connection fee is so much higher than that of the YWMD.

Member Mock explained the history and background of Fund 755 noting that this fund is controlled by the County Treasurer. Member. Mock asked if there are items in the rate study to effectually reduce rates. Director Healy stated that if a project is considered an appropriate use that Keith Williams of the Treasurer's Office advised that he would be happy to entertain asking County Counsel and the Bond Counsel to see if they are eligible. Mr. Mock looked at Leach field Project. Director Healy stated again that without control of that funding and as such the rate maker cannot use it as an operational offset. Supervisor Smallcombe reported that she spoke with County Treasurer Keith Williams regarding the bond language which calls for the extension of the original use of the bond securing the loan asset. Member Mock asked Supervisor Smallcombe to obtain the bond language as he has attorneys that could look at it, Supervisor Smallcombe agreed. Chair Lambert summarized the discussions with no members having additional questions. Public Comment: Ted Williams asked if we should make our own decision on Tiered Rates and not rely on the consultant or members of the public intervening. Director Healy stated that rate making process under Prop 218 including the Notice of Intent and recommended that under Public Comment and of course this body could recommend anything they wish to their Board of Directors. Member Kroon reminded the committee that rate increases result in lower use which is more of an argument to have a secure base rate. Member Webb supports the base rate being in place to cover the operational costs. Member Kroon stated that she has a concern that due to COVID this may not be a good time for a rate increase. Member Cormier stated support for the BWA study. There was a discussion between tiers and the financial health of the district. Member Mock asked if the grant funding from the RCD and Fund 755 will need answers before acting on recommending rate structures. There was no further action due to the lack of a motion to recommend moving forward with a recommendation on rates.

b. Discussion of possible request to the Board of Directors and County Counsel that the county revise County Code 13.28.010 to bring the rules for rationing in event of water shortage in line with those governing rationing due to capacity shortfall at the WWTP. Chair Lambert discussed his offering a clarification of County Code 13.28.010 on his desire for discussion and possible action on this matter including possible changes bringing water and wastewater together in a similar manner of enforcement to the County Code. Supervisor Smallcombe stated desire is to have County Counsel weigh in with a legal perspective of this change to the Code as opposed to Resolution 88-1 ruling water use. Member. Kroon suggested the vacation/repeal of 88.1 should this change occur. Member. Mock raised provisions of County Code 13.28.10 dictating water availability. Member. Mock also raised the question of content of Resolution 88.1 still being in compliance with current CA law. In summary Chair Lambert is simply trying to bring uniformity to enforcement/administration of water and wastewater systems based upon resource availability. Supervisor Smallcombe will take this matter to County Counsel for review. Mr. Hornacek stated that capacity at full buildout is insufficient. Motion by Member Kroon, Second by Cormier to have Supervisor Smallcombe to have County Counsel and any other County officials deemed necessary weigh in on the proposed revision to County Code 13.28.010 as well as possible repealing or modifying Resolution 88.1 Motion passed 4 – 0 with Member Mock Abstained (phone connection issue).

c. Discussion on possibility of getting a patrolling agreement with the Mariposa Sheriff to prevent tourist trespassing on YW private properties on days when snow is good but the road to Badger Pass is either closed. Chair Lambert described the problem. Member Webb stated the emergency Mutual Aid Law Enforcement Agreement. Supervisor Smallcombe stated that she would be happy to discuss further with the Sheriff if this raises to the level of public safety. Member Mock stated that cars were parking on Henness Ridge Road blocking traffic, secondly that tourists were parking within Yosemite West. Supervisor Smallcombe detailed the parking enforcement issues the County has discovered and have put forward a new ordinance dealing with parking. Supervisor Smallcombe addressed Mr. Williams question about the Park issuing tickets. Mr. Webb stated that all Mr. Williams has to do is call Park Dispatch. Chair Lambert stated that a Park Ranger had been there at least twice.

#### **4. Next Meeting**

- a. Agenda Items
- b. June 10, 2021

#### **5. Meeting Adjournment at 4:03 PM**