

**Yosemite Alpine Community Services District**  
**July 3, 2018**  
**Special Board Meeting - draft**

**CALL TO ORDER.** Chair Dick Ryon called the meeting to order at 1:05 pm, on the deck at 7635 Forest Drive, Fish Camp.

**INTRODUCTIONS and ROLL CALL.** Board today: Chair Dick Ryon, vice chair Patti Frey, Karen Green and Karen Glendenning, Darlene Swenson is excused.

Self-Introductions were performed: Rob Peters, Pat Luther, Brenda McGinty, Tim McGinty, Dennis Phillip, Donn Harter, Barry Green, Anne Hertwig, Thorn Hertwig, John Luther, Brian Johnson, Bob Keller, and Gretchen Hewlett. Doris Ryon and Dave Melikian arrived during the meeting.

**PUBLIC FORUM FOR ITEMS NOT ON AGENDA.** Tim McGinty raised questions about the contract with the bank regarding the "Conveyance", paying back the loan, and did the district get answers raised at the June 23, meeting?

Dick Ryon replied that the District is pledging the net proceeds from the water enterprise as collateral. State law does not allow pledging "the District".

Gretchen Hewlett asked why her family was receiving the emails that were going around. She wasn't aware of what was going on. The Hewlett home is a Fish Camp Mutual property. Karen Gl. responded that there were folks who were sharing information about the district with property owners in Fish Camp.

Dick Ryon gave an overview of the contentious relationship with the county and the developer. How the lack of cooperation caused the district to sue the County and Palm Springs Village 309, LLC (PSV) to protect the district's right to drill wells. Banks don't usually give loans on legal expenses but on infrastructure. YACSD is funding the legal bills incurred and the potential bills going into litigation. The Irrevocable Offer to Dedicate (IOD) Real Estate does not give the District the right to drill new wells. The IOD was filed with Mariposa County and never given to YACSD. The Board only found out about the IOD by looking at the Mariposa County website.

Concerns were raised as to having an attorney, with the same firm that includes the district's litigant, review the loan documents. The district's attorney had deferred to other attorneys in the firm so as to not be biased.

Bob Keller asked for input regarding the February and June rulings from the judge in Merced.

Patti Frey responded that in the June ruling, the judge felt that PSV had satisfied the Silvertip EIR Conditional Use Permit (CUPs) 25, 26 & 27. She asked how an entity can satisfy something if the District was never given the offer of the irrevocable offer to dedicate.

Comments were made to have alternate well sites researched. Donn Harter reported that he had explored alternate sites – Murphy's, Mountain Ranch, and on his land over the years. Donn said he had exhausted the various locations. Karen Gl. reported that she had contacted the Forest Service several years ago about the feasibility. It was good at that time, but then the drought hit very hard and the Forest Service rescinded current well permits and potential users.

YOSEMITE ALPINE COMMUNITY SERVICES DISTRICT  
BOARD MEETING AGENDA

Saturday August 11, 2018 at 10:00 AM  
Tenaya Lodge, 1122 Highway 41, Fish Camp CA

1. Call to Order and Roll call to establish quorum:
2. Introductions, board and audience members:
3. Public Forum: Any person who wishes to address the Board regarding any item **not on the agenda**, but within the jurisdiction of this Board, may do so during the public comment period. However, the Board is not permitted to take action or engage in discussion on topics that are not on the agenda. All items on the agenda will be open for public comments before final action is taken. The Board requests public commenters state your name and association for the record before you speak. The Chairman may specify time limits at his discretion. The Chair also has the discretion to limit the total discussion time on any item.
4. Possible negotiated settlement proposal from Palms Springs Resort-309  
A representative from PSV may be present to make a presentation
5. Recess to Closed Session regarding existing litigation
  - a. Small claims suit against parties of interest for costs due to water line break
  - b. Ongoing lawsuit against Mariposa County and party of interest Palms Springs Resort-309 to protect our water rights for domestic and firefighting needs.

Audience members will be asked to adjourn to the hotel lobby during closed session discussions. Advisors may remain at the discretion of the Board. Audience members will be notified to return when discussion is complete. Any action decided upon will be announced when the open meeting resumes.
6. Return to Open Session – Announcement of any action(s) taken in closed session
7. Loan Application Documents Approval  
We are about to receive a loan through California Special Districts Financial Corporation to pay for ongoing legal expenses and/or to acquire water from sources outside the District. There are several legal documents that need approval to proceed. Expected date of funding is July 10, 2018.
  - a. RESOLUTION NO. 2018-002 Approving UMPQUA Bank as the YACSD Bank of Choice  
Affirm decision at June 23, 2018 meeting
  - b. Conveyance Agreement
  - c. Umpqua Bank Installment Purchase Contract
  - d. RESOLUTION. NO. 2018-003 Private Placement IPC
8. Minutes for last board meetings on June 23, 2018 and its continuation on July 3, 2018
9. Treasurer's Report
10. Alternate water sources
11. District Board Elections
12. Old Business:
  - a. Bad tasting water at McGinty home
  - b. Googledocs instead of web site?
13. Items by Directors:
14. Next regular meeting: \_\_\_\_\_  
Suggest regular meeting Saturday October 6, 2018 at 10:00 AM. It may be necessary to call a special meeting due to litigation.
15. Adjournment

In compliance with the American Disabilities Act, if you need special assistance to participate in this meeting, please contact the Secretary of the District by telephone (559-301-8719) or e-mail (yacsd@hotmail.com) prior to the meeting. The Tenaya Lodge, where the meeting will be held, is ADA-compliant.