

NOTE: If you wish to address the MWD Board of Directors during discussion of an agenda item, or during the PUBLIC FORUM, please complete a Speaker Request card (blue in color) and give it to the Board Secretary. Unless a detailed presentation of an agenda item is required by the Board of Directors, it is requested that each speaker limit comments to FIVE MINUTES. All testimony given before the Board of Directors is tape recorded.

A G E N D A
BIG BEAR MUNICIPAL WATER DISTRICT

BOARD OF DIRECTORS
Regular Meeting
June 4, 2009

PLACE: Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA 92315

Next Resolution Number: 2009-06

OPEN SESSION: 1:00 P.M.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. DISCUSSION AND ACTION ON CLOSED SESSION ITEMS**
- 4. REPORTS**
 - A. General Manager
 - B. Lake Manager
 - (1) Introduction of seasonal employees
 - C. Legal
 - D. Committee
 - E. Other
- 5. CONSENT CALENDAR**
 - A. Minutes of a Regular Meeting of May 7, 2009
 - B. Warrant List Dated May 28, 2009 for \$139,023.03
 - C. Consider approval for a Special Event Permit for the Antique Classic Boat Show to be held August 20 – 23, 2009
 - D. Consider approval for a Special Event Permit for Bear Valley Recreation & Park District to allow boat parking in the swimming area at Swim Beach for the Lou Gramm Concert to be held on July 4, 2009
 - E. Consider approval for a Special Event Permit for USARC (United States Adaptive Recreation Center) Summer Program to be Headquartered at B's Backyard BBQ on various weekday dates throughout the summer months

- F. Consider approval of request from US Forest Service to assign the Juniper Point Marina Permit to the San Bernardino National Forest Association
- G. Consider approval of a concession permit to Ruth Fawley for Big Kahuna Hot Dog concession at the East Ramp

6. BUSINESS

- A. Approval of Commercial Marina Permit for Boulder Bay Marina
- B. Consider approval of a Resolution of the Board of Directors of Big Bear Municipal Water District amending Resolution No. 2006-13 (Administrative Code) as it pertains to permits for nonprofit organizations and approval of a proposal from Tom Dodson for preparing and filing the categorical exemption
- C. Cable wakeboard system concession – information only, no action
- D. Discussion and public comment on proposed fiscal year 2009-10 budget– no action

7. PUBLIC FORUM

(The Board will receive comments from the public on items not on the agenda; no action is permitted on these items. Time set aside not to exceed 30 minutes total by all participants)

8. ANNOUNCEMENTS

9. DIRECTOR COMMENTS

10. ADJOURNMENT TO CLOSED SESSION

- A. General Manager Performance Evaluation

11. ADJOURNMENT

NEXT MEETING: Open Session at 1:00 P.M.
Thursday, June 18, 2009
Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA

***MINUTES OF A REGULAR MEETING OF
BIG BEAR MUNICIPAL WATER DISTRICT
HELD ON THURSDAY, MAY 7, 2009***

CALL TO ORDER

President Murphy called the Open Session to order at 1:00 PM. Those in attendance included Director Eminger, Director Suhay, Director Smith, Director Fashempour, District Counsel Wayne Lemieux, General Manager Scott Heule, Lake Manager Mike Stephenson, and Board Secretary Vicki Sheppard.

REPORTS

Mr. Heule reported on the Big Bear Marina Dredge Project stating that Moffett and Nichol is waiting for survey and bathymetry data and Hicks and Hartwick's field work is complete and they will be processing the air photo imagery to develop the topo map. He added that he contacted Aquatechnex regarding their field work and is waiting to hear back after a phone call regarding their progress. He reported on Tuesday's Watermaster Meeting that he attended with Directors Fashempour and Suhay. Mr. Heule stated that prior to the meeting he and Director Suhay toured the base of Seven Oaks Dam to see the diversion facilities for Bear Valley Mutual, San Bernardino Valley Conservation District, and other down-stream water rights holders. He added that they are draining the debris pond and Conservation District is able to spread all of the flow they are getting explaining that water quality is not a problem for them right now. Mr. Heule reported that ACOE still needs to install the stream gaging station upstream of the Dam so all flows entering the reservoir can be timed and measured adding that only outflows can be accurately measured now. He explained that LAFCO will make a decision on July 15 regarding the consolidation of San Bernardino Valley Water Conservation District and San Bernardino Valley Municipal Water District. He added that Bob Neufeld anticipates the consolidation will go through and then Muni would become the third member of the Watermaster Committee. He reported that Mutual was able to use nearly all fish release flows during 2008, (540 of 576 acre-feet). Mr. Heule reported on Flatiron Construction and new Highway Bridge explaining that Flatiron is not diverting water from Bear Creek in spite of stories that are rumored. He added that muddy water from spring flow on the slope south of the dam was pumped into a water truck to avoid discharge into the lake or Bear Creek and the water was used for fill control on the access road on the downstream side of the dam. He reported that the latest word is that blasting will take place on Monday May 11th between 1:00 PM and 3:00 PM. Mr. Heule reported that the flow meter and butterfly valve for the 2-inch discharge pipe has been delivered to Flatiron and they will deliver it to Jim Weber who needs to do some welding before Flatiron can install on the outlet works. He added that they expect to be able to begin installation next week. He stated that the value of this arrangement to District taxpayers amounts to about \$2,000 per acre foot. Mr. Heule reported that the articles and layout have been drafted for the 2009 *Lakeviews* explaining that the publication was delayed due to launching of the new District web page. He added that Staff anticipates its arriving in valley mailboxes in June. He updated the Board on Property Taxes reporting that he noticed that the State Department of Finance has prepared a Budget

Revision option for the Governor that includes suspension of Proposition 1A. He added that it specifically proposes to “borrow” eight percent of Fiscal Year 2008-09 local government property tax revenue to help fill the budget hole. Mr. Heule reported on a proposed food concession explaining that the Operations Committee has discussed a summer hot dog concession at the East Ramp. He added that there is a need to revise our concession permit and insurance requirements for this situation based on advice from counsel. He explained that the applicant is still trying to get the pieces lined up that would allow her to move on this issue.

The Lake Manager, Mike Stephenson, reported that the RV Park has opened for the season. He stated that the East Ramp construction looks good adding that the Contractor, Trinity Construction, is doing a great job. He reported that a small amount of algae is beginning however the water clarity remains at 14 feet. He added that there is very little milfoil so far this year but treatment will begin next week for the few patches that are showing. He explained that the lake is beginning to stratify and this means that algae blooms will probably not happen this year to any great degree. Mr. Stephenson reported that staff is de-winterizing the island tomorrow and will assess and determine what planting will be needed. He reported that the Carp Roundup response has been good so far, adding that the May Trout Classic is coming up next weekend.

District Counsel Wayne Lemieux reported on the Conroy case explaining that it was released with prejudice and the case is over.

Director Suhay reported on the trip to Seven Oaks Dam commenting that it was an informative tour. Director Smith reported that the East Ramp Building project contractors are doing a very good job. Director Eminger agreed.

Lake Operations Supervisor, Travis Carroll, reported that the Adopt-A-Shoreline Kick Off is this weekend adding his thanks to the *Grizzly* for reporting on the program so thoroughly.

APPROVAL OF CONSENT CALENDAR

Upon a motion by Director Suhay, seconded by Director Eminger, the following consent items were unanimously approved:

- Minutes of a Regular Meeting of April 16, 2009
- Warrant List Dated April 29, 2009 for \$237,839.85
- Approval for a Special Event Permit for the Big Bear Lake Annual Hobie Cat Regatta scheduled for June 20 & 21, 2009
- Approval for a Special Event Permit for Discovery Center Canoe & Kayak Educational Tours for May 22 – June 19, 2009

SPECIAL PRESENTATION

Lake Operations Supervisor Travis Carroll made a presentation introducing the two new Lake Patrol Officers; David Henderson and Adam Williams. He briefly covered their background and training. He awarded them both a Lake Patrol pin.

Director Smith complimented Staff on the success of the Quagga Prevention Program. He added that their diligence is definitely making a difference.

PRESENTATION BY JEFF MATHIEU, CITY MANAGER AND DAVID LAWRENCE, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER, CITY OF BIG BEAR LAKE REGARDING LAKE ACCESS POINTS – NO ACTION

Mr. Heule introduced Jeff Mathieu, City Manager, and David Lawrence, Director of Public Works/City Engineer. Mr. Mathieu stated that they wanted to speak to the District before even going to their City Council. He said it is their intent to provide greater access points to the lake. Mr. Mathieu and Mr. Lawrence made a Power Point presentation reviewing several proposed lake access points and breaking them down into two categories:

Full Development

- Fisher Road
- Red Ant Hill Landing
- Eagle Point Lot A
- Widgeon Landing

Low Impact

- East Landing
- Metcalf Bay Landing
- Meadow Landing
- Mallard Landing

Mr. Mathieu explained the proposed upgrades to the various areas. He stated that they do not want to disturb the existing plant life, just improve the areas. He showed the proposed signage. Director Suhay expressed his concern regarding parking at the Eagle Point site. Mr. Mathieu stated that it currently is listed as a lake access point and parking should not be a problem because they are looking at walking or bicycling areas more than parking areas. Mr. Lawrence stated that there are at least three public parking spots at each site. Director Fashempour asked if area residents are aware of the lake access points. Mr. Mathieu stated that the neighbors should be aware of the access points but prior to beginning the improvements they will notify each area homeowner.

Director Fashempour asked what the City wanted the District to do. Mr. Mathieu responded stating they want the Districts endorsement. He added that possibly they would be looking at applying for grants and perhaps they could collaborate on some aspect of that process. Mr. Heule suggested that the Lake Improvement Committee visit the access points with Mr. Mathieu and Mr. Lawrence to view the areas.

CONSIDER THE SELECTION OF TODD MURPHY FOR ALTERNATE SPECIAL DISTRICT MEMBER OF LAFCO

Mr. Heule reported that the District has received a ballot measure from the Local Agency Formation Commission (LAFCO) for the selection of an Alternate Special District member. He explained the instructions for the election and the candidate statements for each candidate. He added that at the meeting of April 2, 2009, the nomination of President Murphy for this position was approved. He commented that the District may vote for only one candidate and the Executive Committee is recommending that the Board vote to elect President Todd Murphy.

Director Eminger moved approval of the selection of Todd Murphy for Alternate Special District Member of LAFCO. Director Suhay seconded the motion and a roll call vote was taken and the vote for Director Murphy was unanimously approved.

PRESENTATION AND DISCUSSION ON PROPOSED FISCAL YEAR 2009-10 BUDGET – NO ACTION

Mr. Heule made a power point presentation go over the proposed budget. He covered Fiscal Year Revenue, Historic Tax Revenue, In-Lieu Payment Calculation, In-Lieu Payment History, Salaries and Benefits, and the Capital Improvement Fund.

President Murphy excused himself and left the meeting at 2:15 pm. Vice President Fashempour took the gavel. After the PowerPoint presentation, Mr. Heule and Ms. Shirreffs went through the Budget page by page.

Director Eminger asked about the bridge project. Mr. Heule stated that he will be meeting with Bryce Johnson from Caltrans regarding the project presenting the expenses to date. Director Smith commented that we need a firm commitment from Caltrans as to the amount of funds available for the project.

PUBLIC FORUM

No comments were made

ANNOUNCEMENTS

Mr. Heule reported that he will be on vacation Friday the 15th and Monday the 18th. He stated that Director Eminger will be attending JPIA Conference on May 18th to the 20th and he and Director Suhay will be attending the ACWA Conference the 19th to the 22nd in Sacramento.

DIRECTOR COMMENTS

Vice President Fashempour announced that the next regularly scheduled meeting will be adjourned due to lack of a quorum. The next meeting will be June 4th.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:42 P.M.

NEXT MEETING

Open Session at 1:00 P.M.
Thursday, May 21, 2009
Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA

Vicki Sheppard
Secretary to the Board
Big Bear Municipal Water District

(SEAL)

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, After 04/29/09
 Account 10010-00-001, Sessions 000000 to 001550**

Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
Checking Account: 10010-00-001							
146948	ACWAHB / ACWA Health Benefits Authority (H)	05/10/09	2	07012009	001537	HEALTHINS	17349.32
ACWAHB Subtotal :							17349.32
146949	ATT785 / AT&T	05/10/09	2	04242009	001537	PHONECOMM	30.24
146949		05/10/09	2	04282009	001537	PHONECOMM	29.35
146949		05/10/09	2	05012009	001537	PHONECOMM	29.36
ATT785 Subtotal :							88.95
146950	BAUMGA / Richard A. Baumgartner, M.D.	05/10/09	2	0409	001537	PHYSICALS	155.00
BAUMGA Subtotal :							155.00
146951	BBDSPL / Big Bear Disposal	05/10/09	2	205587	001537	UTILITIES	210.22
146951		05/10/09	2	205800	001537	UTILITIES	312.98
BBDSPL Subtotal :							523.20
146952	BCHOSE / BCH Medical & Survival	05/10/09	2	1396	001537	QUAGGA	65.00
BCHOSE Subtotal :							65.00
146953	BMARIN / Big Bear Marina	05/10/09	2	10311067	001537	PETROLEUM	267.40
BMARIN Subtotal :							267.40
146954	BRUCE / Stephen Bruce	05/10/09	2	05082009	001537	PERMITRFUN	60.00
BRUCE Subtotal :							60.00
146955	BUTCHR / Butcher's Block & Building Materi	05/10/09	2	245527	001537	QUAGGA	9.10
146955		05/10/09	2	245642	001537	QUAGGA	66.81
146955		05/10/09	2	246474	001537	QUAGGA	70.07
146955		05/10/09	2	246558	001537	QUAGGA	11.28
146955		05/10/09	2	246711	001537	QUAGGA	5.52
146955		05/10/09	2	246996	001537	QUAGGA	7.90
146955		05/10/09	2	247336	001537	QUAGGA	5.44
146955		05/10/09	2	247854	001537	QUAGGA	2.02
146955		05/10/09	2	248475	001537	QUAGGA	30.04
146955		05/10/09	2	249192	001537	QUAGGA	2.94
BUTCHR Subtotal :							211.12
146957		05/10/09	2	244928	001537	FACILMAINT	9.48
146957		05/10/09	2	245256	001537	FACILMAITN	14.37
146957		05/10/09	2	245268	001537	FACILMAINT	21.17
146957		05/10/09	2	245605	001537	FACILMAINT	8.66
146957		05/10/09	2	245885	001537	WTRMSTRRES	17.95

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 Account 10010-00-001, Sessions 000000 to 001550**

Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
146957		05/10/09	2	246087	001537	FACILMAINT	6.49
146957		05/10/09	2	246284	001537	FACILMAINT	9.79
146957		05/10/09	2	246365	001537	FACILMAINT	14.05
146957		05/10/09	2	246866	001537	FACILMAINT	13.90
146957		05/10/09	2	247621	001537	WTRMSTRRES	32.92
146957		05/10/09	2	247642	001537	FACILMAINT	31.42
146957		05/10/09	2	247649	001537	SMTOOLS	6.46
146957		05/10/09	2	248084	001537	EQUIPMAINT	18.48
146957		05/10/09	2	248381	001537	EQUIPMAINT	9.40
146957		05/10/09	2	248850	001537	EQUIPMAINT	35.85
						BUTCHR Subtotal :	250.39
146958	BVELEC / Bear Valley Electric	05/10/09	2	04222009A	001537	UTILITIES	406.60
146958		05/10/09	2	04222009B	001537	UTILITIES	185.34
146958		05/10/09	2	04242009A	001537	UTILITIES	118.70
146958		05/10/09	2	04242009B	001537	UTILITIES	468.86
146958		05/10/09	2	04242009C	001537	UTILITIES	8.07
146958		05/10/09	2	04242009D	001537	UTILITIES	8.07
						BVELEC Subtotal :	1195.64
146959	CARROL / Travis Carroll	05/10/09	2	04272009	001537	TRAVEL	1056.46
						CARROL Subtotal :	1056.46
146960		05/10/09	2	04232009	001537	TRAVEL	131.44
						CARROL Subtotal :	131.44
146961	CASH / Victoria Moore /Petty Cash	05/10/09	2	05082009	001537	PETTYCASH	181.42
						CASH Subtotal :	181.42
146962	CCONNE / CONNELLY PUMPING SERVICES	05/10/09	2	7992	001537	SSRELIEFS	255.33
146962		05/10/09	2	8014	001537	SSRELIEFS	220.00
146962		05/10/09	2	8015	001537	SSRELIEFS	290.28
146962		05/10/09	2	8018	001537	SSRELIEFS	290.28
						CCONNE Subtotal :	1055.89
146963	CNKLIN / Conklin Paints	05/10/09	2	79458	001537	FACILMAINT	371.44
						CNKLIN Subtotal :	371.44
146964	CNTYSV / County of San Bernardino	05/10/09	2	04302009A	001537	UTILITIES	99.18
146964		05/10/09	2	04302009B	001537	UTILITIES	99.18
						CNTYSV Subtotal :	198.36
146965	COMSER / ComSerCo	05/10/09	2	5038807	001537	RADIOCOMM	192.88

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146965		05/10/09	2	5MA5021851	001537	RADIOCOMM	250.00
						COMSER Subtotal :	442.88
146966	CONTAI / Container Storage Solutions	05/10/09	2	05072009	001537	FACILMAINT	108.75
						CONTAI Subtotal :	108.75
146967		05/10/09	2	05252009	001537	QUAGGA	67.97
146967		05/10/09	2	05262009	001537	QUAGGA	67.97
						CONTAI Subtotal :	135.94
146968	CTTSPO / CT&T Sports	05/10/09	2	3560	001537	UNIFORMS40	18.00
						CTTSPO Subtotal :	18.00
146969	DIRCTV / DIRECTV	05/10/09	2	998140484	001537	UTILITIES	137.89
						DIRCTV Subtotal :	137.89
146970	DIVERS / Diversified Products, Inc.	05/10/09	2	1231473	001537	BOATMAINT	-77.71
146970		05/10/09	2	7678516	001537	BOATMAINT	137.69
146970		05/10/09	2	7723662	001537	BOATMAINT	68.46
146970		05/10/09	2	7846781	001537	BOATMAINT	88.25
						DIVERS Subtotal :	216.69
146971	DWP / Department of Water and Power	05/10/09	2	04292009A	001537	UTILITIES	29.89
146971		05/10/09	2	04292009B	001537	UTILITIES	30.18
146971		05/10/09	2	04292009C	001537	UTILITIES	95.92
146971		05/10/09	2	04292009D	001537	UTILITIES	22.63
146971		05/10/09	2	04292009E	001537	UTILITIES	93.25
						DWP Subtotal :	271.87
146972	ESSCO / Essco Pumps & Controls	05/10/09	2	9489	001537	FACILMAINT	301.95
						ESSCO Subtotal :	301.95
146973	GALLS / ARAMARK	05/10/09	2	3450087	001537	UNIFORMS40	49.83
146973		05/10/09	2	510030386	001537	UNIFORMS40	232.44
						GALLS Subtotal :	282.27
146974	GEIGER / Geiger Supply	05/10/09	2	S1083099	001537	QUAGGA	13.35
						GEIGER Subtotal :	13.35
146975	GRNWOD / Greenwood's Uniforms	05/10/09	2	71643	001537	UNIFORMS40	201.82
						GRNWOD Subtotal :	201.82
146976	GRZZLY / Grizzly	05/10/09	2	660180	001537	PUBLICINFO	280.00

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						GRZZLY Subtotal :	280.00
146977	IDEARC / Idearc Media Corp.	05/10/09	2	3600026934	001537	PHONECOMM	29.95
146977		05/10/09	2	4900142038	001537	PHONECOMM	60.50
						IDEARC Subtotal :	90.45
146978	KENDAL / Kendall/Adams Group, Inc.	05/10/09	2	K2928	001537	CONTAMPROJ	4575.00
						KENDAL Subtotal :	4575.00
146979	LEMIEU / Lemieux & O'neill A Professional	05/10/09	2	20999M-116	001537	RETAINER	3000.00
						LEMIEU Subtotal :	3000.00
146980	LITTLE / The Little Green House	05/10/09	2	5032	001537	EMPLRECOG	124.00
						LITTLE Subtotal :	124.00
146981	MASTER / FIRST BANKCARD CENTER	05/10/09	2	0430092328	001537	MASTER320	3036.17
						MASTER Subtotal :	3036.17
146982		05/10/09	2	0430098541	001537	MASTER102	888.44
						MASTER Subtotal :	888.44
146983	MCMSTR / McMaster-Carr Supply Co.	05/10/09	2	27638277	001537	FACILMAINT	43.61
146983		05/10/09	2	27733881	001537	FACILMAINT	289.42
						MCMSTR Subtotal :	333.03
146984	MCOYBR / Mountain Water Company	05/10/09	2	16276	001537	UTILITIES	55.00
146984		05/10/09	2	16299	001537	UTILITIES	134.70
						MCOYBR Subtotal :	189.70
146985	NAPA / McConnell Motor Parts Inc.	05/10/09	2	797246	001537	SMTTOOLS30	109.87
146985		05/10/09	2	797736	001537	VEHICMAINT	18.82
146985		05/10/09	2	797937	001537	VEHICLMAIN	7.06
146985		05/10/09	2	801314	001537	VEHICMAINT	41.63
146985		05/10/09	2	803285	001537	BOATMAINT	40.80
146985		05/10/09	2	803579	001537	VEHICMAINT	48.38
146985		05/10/09	2	803686	001537	VEHICMAINT	41.26
						NAPA Subtotal :	307.82
146986		05/10/09	2	796143	001537	QUAGGA	101.18
146986		05/10/09	2	797852	001537	QUAGGA	20.42
						NAPA Subtotal :	121.60
146987	NOS / NOS Communications,	05/10/09	2	04182009	001537	PHONECOMM	295.59

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Check	Payment / Vendor Information	Ck Date	Prity	Invoice	Session	Reference	Amount
	Inc.						
						NOS Subtotal :	295.59
146988	ORION / Orion Radiology	05/10/09	2	540207371	001537	PHYSICALS	52.00
146988		05/10/09	2	540212691	001537	PHYSICALS	52.00
						ORION Subtotal :	104.00
146989	PERRY / Michael Perry	05/10/09	2	05062009	001537	BRDRMDEPOS	55.00
						PERRY Subtotal :	55.00
146990	PITNEY / Purchase Power	05/10/09	2	04192009	001537	POSTAGE	952.32
						PITNEY Subtotal :	952.32
146991	QUILL / Quill Corporation	05/10/09	2	6230631	001537	OFFICSUPPL	270.21
146991		05/10/09	2	6235728	001537	OFFICSUPPL	32.59
						QUILL Subtotal :	302.80
146992	RIFFEN / Riffenburgh Lumber Co.	05/10/09	2	238256	001537	FACILMAINT	200.64
						RIFFEN Subtotal :	200.64
146993	ROTARY / Rotary Club of Big Bear Lake	05/10/09	2	04302009	001537	MEMBRSHIPS	130.00
						ROTARY Subtotal :	130.00
146994	RVRSD / Riverside Community College	05/10/09	2	20091574	001537	TRAINING	30.00
						RVRSD Subtotal :	30.00
146995	SIMONW / Simon Wong Engineering	05/10/09	2	10907	001537	DAMBRIDGE	647.00
146995		05/10/09	2	11267	001537	DAMBRIDG09	4931.00
						SIMONW Subtotal :	5578.00
146996	STICKI / Stickies Office Supplies	05/10/09	2	902174	001537	SUPPLIES	277.21
						STICKI Subtotal :	277.21
146997	TERMIN / TERMINIX INTERNATIONAL	05/10/09	2	285989017	001537	FACILMAINT	37.00
146997		05/10/09	2	286076207	001537	FACILMAINT	45.00
						TERMIN Subtotal :	82.00
146998	TIFCO / Tifco Industries	05/10/09	2	70530479	001537	FACILMAINT	91.07
						TIFCO Subtotal :	91.07
146999	TRICNT / Tri-County Fire Equipment Co.	05/10/09	2	76901	001537	OSHA	551.39
						TRICNT Subtotal :	551.39
147000	TRINIT / Trinity Construction	05/10/09	2	2009-527	001537	EASTBUILD	23794.38

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Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
	Company						
						TRINIT Subtotal :	23794.38
147001	VALERO / Valero Marketing and Supply Co.	05/10/09	2	04212009	001537	PETROLEUM	1056.47
						VALERO Subtotal :	1056.47
147002	VERIZO / Verizon California	05/10/09	2	04252009	001537	PHONECOMM	31.89
						VERIZO Subtotal :	31.89
147003	VILAGE / Village Printing	05/10/09	2	23735	001537	PRINTING	199.01
						VILAGE Subtotal :	199.01
147004	VILPLU / Village Plumbing	05/10/09	2	4012	001537	FACILMAINT	389.00
						VILPLU Subtotal :	389.00
147005	WHITMO / Norman Whitmore	05/10/09	2	RV1245	001537	RVDEPOST	100.00
						WHITMO Subtotal :	100.00
147006	WILLIA / Adam Williams	05/10/09	2	03162009	001537	TRAINING	88.05
						WILLIA Subtotal :	88.05
147007	XEROX / Xerox Corporation	05/10/09	2	40264043	001537	COPIER	484.43
						XEROX Subtotal :	484.43
147008	ALLPRO / All Protection Alarm Co.	05/27/09	2	23830	001549	FACMAINT10	30.00
147008		05/27/09	2	23985	001549	FACMAINT10	35.00
147008		05/27/09	2	24245	001549	FACMAINT10	100.00
						ALLPRO Subtotal :	165.00
147009	ALLVAL / ALL VALLEY ENVIRONMENTAL	05/27/09	2	22133	001549	PETROWASTE	1060.00
						ALLVAL Subtotal :	1060.00
147010	AQUAMA / Aquamarine Corporation	05/27/09	2	8074	001549	HARVSMANT	665.41
						AQUAMA Subtotal :	665.41
147011	ATT785 / AT&T	05/27/09	2	05132009	001549	PHONERAMPS	29.36
						ATT785 Subtotal :	29.36
147012	BERRY / Brad Berry	05/27/09	2	PER6940	001549	PERMIT	90.00
						BERRY Subtotal :	90.00
147013	BMARIN / Big Bear Marina	05/27/09	2	10311068	001549	PETRO-BOAT	966.22
147013		05/27/09	2	10311069	001549	PETRO-BOAT	2366.54
						BMARIN Subtotal :	3332.76
147014	BVELEC / Bear Valley Electric	05/27/09	2	04302009	001549	UTIL-DAM	49.86

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, After 04/29/09
 Account 10010-00-001, Sessions 000000 to 001550**

Check	Payment / Vendor Information	Ck Date	Prity	Invoice	Session	Reference	Amount
147014		05/27/09	2	05062009A	001549	UTIL-MAIN	2528.14
147014		05/27/09	2	05062009B	001549	UTIL-MAIN	15.76
147014		05/27/09	2	05062009C	001549	UTIL-RV	48.77
						BVELEC Subtotal :	2642.53
147015	CAVARE / Gary Cavarette	05/27/09	2	PERM7401	001549	PERMIT	90.00
						CAVARE Subtotal :	90.00
147016	CDDATA / CD-DATA	05/27/09	2	295952009	001549	MEMBERSHIP	538.31
						CDDATA Subtotal :	538.31
147017	COLA / Los Angeles Coca Cola BTL CO	05/27/09	2	2205050908	001549	COKEMACHIN	663.25
						COLA Subtotal :	663.25
147018	COMPVI / Computer Village	05/27/09	2	114146	001549	COMPMAINT	85.00
						COMPVI Subtotal :	85.00
147019	COMSER / ComSerCo	05/27/09	2	5038854	001549	RADIOMOBIL	408.73
						COMSER Subtotal :	408.73
147020	DALEYH / Daley & Heft LLP	05/27/09	2	34644	001549	LEGAL	548.00
						DALEYH Subtotal :	548.00
147021	DISH / Dish Network	05/27/09	2	05042009	001549	UTIL-OFFIC	50.98
						DISH Subtotal :	50.98
147022	FEDRAL / Federal Express, Corp.	05/27/09	2	918700600	001549	SHIPPING	47.17
						FEDRAL Subtotal :	47.17
147023	GALLS / ARAMARK	05/27/09	2	510032621	001549	UNI40-SEAS	226.23
						GALLS Subtotal :	226.23
147024	GORMLE / Chuck Gormley	05/27/09	2	REIMBURSEM	001549	REIMBURSEM	89.84
						GORMLE Subtotal :	89.84
147025	GRNWOD / Greenwood's Uniforms	05/27/09	2	73051	001549	UNI40-SEAS	11.00
						GRNWOD Subtotal :	11.00
147026	HACKNE / Rick Hackney	05/27/09	2	CF5361PJ	001549	PERMIT	75.00
						HACKNE Subtotal :	75.00
147027	HSBC / HSBC Business Solutions	05/27/09	2	19905515	001549	FACILMAINT	29.55
						HSBC Subtotal :	29.55
147028	IDEARC / Idearc Media Corp.	05/27/09	2	05192009	001549	OFFICEWEB	29.95
						IDEARC Subtotal :	29.95

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, After 04/29/09
 Account 10010-00-001, Sessions 000000 to 001550**

Check	Payment / Vendor Information	Ck Date	Prity	Invoice	Session	Reference	Amount
147029	JASPER / Jasper Engines & Transmissions	05/27/09	2	4144399	001549	MAINT-PATR	2648.73
JASPER Subtotal :							2648.73
147030	MCMSTR / McMaster-Carr Supply Co.	05/27/09	2	28114015	001549	FACILMAINT	167.27
147030		05/27/09	2	28707576	001549	FACIL-EAST	85.53
MCMSTR Subtotal :							252.80
147031	NATIVE / Nativescapes, Inc.	05/27/09	2	88712	001549	FACILMAINT	338.39
NATIVE Subtotal :							338.39
147032	NOS / NOS Communications, Inc.	05/27/09	2	05182009	001549	PHONE-LD	459.49
NOS Subtotal :							459.49
147033	ORION / Orion Radiology	05/27/09	2	FETTERHO09	001549	PHYS30-SEA	52.00
ORION Subtotal :							52.00
147034	PERS / Public Employees' Retirement Syst	05/27/09	2	0420094	001549	PERS	4553.64
PERS Subtotal :							4553.64
147035		05/27/09	2	0520093	001549	PERS	4553.64
PERS Subtotal :							4553.64
147036		05/27/09	2	0520094	001549	PERS	4553.64
PERS Subtotal :							4553.64
147037	PITNEY / Purchase Power	05/27/09	2	05192009	001549	POSTAGE	1018.99
PITNEY Subtotal :							1018.99
147038	PITNY / Pitney Bowes Inc	05/27/09	2	1098706MY9	001549	POSTAGE	121.00
PITNY Subtotal :							121.00
147039	RDIOSH / RadioShack	05/27/09	2	469408	001549	COMPMAINT	67.40
RDIOSH Subtotal :							67.40
147040	ROBERT / Robertson's	05/27/09	2	407508	001549	FACIL40-RV	143.55
147040		05/27/09	2	413355	001549	FACILMAINT	107.66
ROBERT Subtotal :							251.21
147041		05/27/09	2	409807	001549	QUAGGA	295.00
147041		05/27/09	2	409808	001549	QUAGGA	145.34
147041		05/27/09	2	411885	001549	QUAGGA	107.66
ROBERT Subtotal :							548.00
147042	SQUEEG / Squeegee Clean Window Service	05/27/09	2	49	001549	FACILMAINT	50.00

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, After 04/29/09
 Account 10010-00-001, Sessions 000000 to 001550**

<u>Check</u>	<u>Payment / Vendor Information</u>	<u>Ck Date</u>	<u>Prty</u>	<u>Invoice</u>	<u>Session</u>	<u>Reference</u>	<u>Amount</u>
						SQUEEG Subtotal :	50.00
147043	SUHAY / Skip Suhay	05/27/09	2	05192009	001549	TRAVSEMINA	68.00
						SUHAY Subtotal :	68.00
147044	SWSTGS / Southwest Gas Corp	05/27/09	2	05152009	001549	UTIL-RV	16.38
147044		05/27/09	2	05152009B	001549	UTIL-MAIN	69.28
						SWSTGS Subtotal :	85.66
147045	TERMIN / TERMINIX INTERNATIONAL	05/27/09	2	286560525	001549	FACMAINT40	39.00
147045		05/27/09	2	286567436	001549	FACMAINT40	47.00
						TERMIN Subtotal :	86.00
147046	TIFCO / Tifco Industries	05/27/09	2	70534563	001549	VEHIC-ONRD	231.10
						TIFCO Subtotal :	231.10
147047	TRINIT / Trinity Construction Company	05/27/09	2	2009-542	001549	EASTRAMP	28277.02
						TRINIT Subtotal :	28277.02
147048	TUTTLE / John Tuttle	05/27/09	2	05122009	001549	TRAVSEMINA	630.72
						TUTTLE Subtotal :	630.72
147049	UNITRA / United Traffic Services & Supplie	05/27/09	2	23090	001549	VEH-OFFROD	17.26
						UNITRA Subtotal :	17.26
147050	UPS / UPS	05/27/09	2	F33Y11199	001549	SHIP-WATER	414.00
						UPS Subtotal :	414.00
147051	VERIZO / Verizon California	05/27/09	2	04282009	001549	PHONE-DAM	41.98
147051		05/27/09	2	05012009A	001549	PHONE-MAIN	410.71
147051		05/27/09	2	05012009B	001549	PHONE-RAMP	41.21
147051		05/27/09	2	05012009C	001549	PHONE-RAMP	47.71
147051		05/27/09	2	05012009D	001549	PHONE-RAMP	48.74
147051		05/27/09	2	05012009E	001549	PHONE-MAIN	53.32
147051		05/27/09	2	05132009	001549	PHONE-MAIN	48.49
						VERIZO Subtotal :	692.16
147052	VERONL / Verizon Online	05/27/09	2	55727660	001549	DSL-CREEK	89.99
147052		05/27/09	2	56319304	001549	DSL-OFFICE	159.95
						VERONL Subtotal :	249.94
147053	VERWIR / Verizon Wireless	05/27/09	2	760887631	001549	PHONE-CELL	448.43
						VERWIR Subtotal :	448.43
147054		05/27/09	2	758824310	001549	PHONE-CELL	218.92

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, After 04/29/09
 Account 10010-00-001, Sessions 000000 to 001550**

<u>Check</u>	<u>Payment / Vendor Information</u>	<u>Ck Date</u>	<u>Prity</u>	<u>Invoice</u>	<u>Session</u>	<u>Reference</u>	<u>Amount</u>
						VERWIR Subtotal :	<u>218.92</u>
147055	WASTE / San Bernardino County	05/27/09	2	041432	001549	FACILMAINT	736.15
						WASTE Subtotal :	<u>736.15</u>
147056	WAXIE / WAXIE	05/27/09	2	71282766	001549	FACILMAINT	120.63
						WAXIE Subtotal :	<u>120.63</u>
147057	WELSCH / Laura Marino Welsch	05/27/09	2	2009169	001549	EQU-F-9	1100.00
						WELSCH Subtotal :	<u>1100.00</u>
147058		05/27/09	2	2009170	001549	PROF-SAGE	2143.75
						WELSCH Subtotal :	<u>2143.75</u>
147059	WINZER / Winzer Corporation	05/27/09	2	3464838	001549	OSHASUPPLI	124.39
						WINZER Subtotal :	<u>124.39</u>
						Total For Check Account: 10010-00-001	<u>139023.03</u>
						Check Register Total :	<u>139023.03</u>

**BIG BEAR MUNICIPAL WATER DISTRICT
REPORT TO BOARD OF DIRECTORS**

MEETING DATE: June 4, 2009

AGENDA ITEM: 5C

SUBJECT:

CONSIDER APPROVAL OF A SPECIAL EVENT PERMIT FOR THE 2009 ANTIQUE AND CLASSIC BOAT SHOW TO BE HELD AUGUST 20th THROUGH 23rd, 2009

RECOMMENDATION:

The Lake Manager and the Operations Committee (Director Suhay and Alternate Eminger) recommend approval of this permit.

DISCUSSION/FINDINGS:

This very popular event has been held for many years on Big Bear Lake and is scheduled for the dates of August 20th through 23rd and will be held at B's Backyard BBQ docks. All the normal permit requirements shall apply and approval of this event is recommended.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager



Big Bear Municipal Water District

Lake Management

Board of Directors

Todd Murphy – Division 1
Paula Fashempour – Division 2
Skip Suhay – Division 3
John Eminger – Division 4
Vince Smith – Division 5

SPECIAL EVENT PERMIT FOR BIG BEAR LAKE

As of 2009 Big Bear Municipal Water District (hereinafter "District") grants a Special Event Permit to (hereinafter "Permittee") as follows:

Section 1. Event Described

Permittee may conduct only the event described on Exhibit "A", attached hereto and hereby incorporated by this reference. Permittee shall comply with laws, rules and regulations applicable to the event.

Section 2. Fees and Deposits

Within 30 days before the event: the Permittee shall pay the District \$100.00 to cover the cost of processing this Permit, and the Permittee shall deposit \$500.00 with the District to cover the cost of clean-up and other added expenses incurred by the District if Permittee fails to comply with this Permit. The part of the deposit, if any, not used by the District shall be refunded to the Permittee within 30 days after the event. The attached Fee Schedule (Exhibit "B") details rates for special services.

Section 3. Indemnification

A. Permittee shall indemnify and hold harmless and defend District, its officers, agents, employees and volunteers from and against: cost, liability and damages, including attorney's fees and litigation costs, arising out of any act or omission to, including any negligent act, or omission to act, by Permittee, its officers, agents, employees or volunteers arising out of activities permitted herein.

B. Permittee shall reimburse District and its directors, officers, employees, agents and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

Section 4. Insurance

A. Permittee shall cause the District, its officers, agents and employees to be named as an additional or co-insurance under policies of commercial general liability insurance as broad as the following:

1. General Liability - one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the project/location (with the ISO CG 2501 or insurer's equivalent endorsement provided to the District) or the general aggregate limit shall be twice the required occurrence limit.

2. The coverage shall contain no special limitations on the scope of protection afforded to the District, its officers, employees, agents and volunteers.
3. The permittee's insurance shall be primary insurance as respects the District, its officers, employees, agents and volunteers. Any insurance, pooled coverage or self-insurance maintained by the District, its officers, employees, agents and volunteers shall not contribute to it.
4. Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage.
5. The permittee's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
6. Such liability insurance shall indemnify the permittee against loss from liability imposed by law upon, or assumed under contract by, the permittee for damages on account of such bodily injury (including death), property damage, personal injury and completed operations and products liability.
7. Such insurance shall be provided on a policy form written by underwriters through an agency satisfactory to the District which includes a cross-liability clause, and covers bodily injury and property damage liability, blanket contractual liability and completed operations liability.
8. Any deductible or self-insured retention must be declared to and approved by the District. At the option of the District, either the insurer shall reduce or eliminate such deductibles or self-insured retentions.
9. The insurer shall have a current A.M. Best's rating of no less than A-VII or equivalent.

B. If applicable, the permittee shall cover or insure under the applicable laws relating to:

1. Workers' compensation insurance, all of their employees working on or about the event, regardless of whether such coverage or insurance is mandatory or merely elective under the law, and the permittee shall defend, protect and save harmless the District, its officers, employees, agents and volunteers from and against all claims, suits, and actions arising from any failure of the permittee to maintain such insurance. Before beginning work, permittee shall furnish to the District satisfactory proof that he has taken out for the period covered by the event, full compensation insurance for all persons employed directly by him in the event contemplated under this contract, has been obtained in accordance with the "Workers' Compensation and Insurance Act".
2. The permittee shall provide employer's liability insurance in the amount of, at least, \$1,000,000 per accident for bodily injury and disease.

C. Prior to execution of the contract, the permittee shall file with the District evidence of insurance from an insurer or insurers certifying to the coverage of insurance required herein. Such evidence shall include original copies of the ISO CG 2010 (endorsement form or insurer's equivalent) signed by the insurer's representative and certificate of insurance (Accord Form 25-S or equivalent). If such proof is not received 30 days prior to the event, the event may be canceled by the District's General Manager. All evidence of insurance shall be certified by a properly authorized officer, agent or qualified representative of the insurer and shall certify the names of the insured, any additional primary insurers, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, the expiration date. The insurer will give by certified mail, written notice to the District at least thirty (30) days prior to the effective date of any cancellation, lapse or material change in the policy.

Section 5. Safety Regulations

The Permittee shall conduct the event with due care for the safety and welfare of participants and spectators, and in compliance with all laws, rules and regulations of federal, state, county or local agencies asserting jurisdiction. The Permittee shall attend two meetings with District representatives prior to the event described as follows:

A. Permit compliance meeting: Permittee shall demonstrate that all permit conditions have been met.

B. Skipper's and/or Safety meeting: Event organizers and participants shall meet with District representatives to have any questions answered and to receive an update of current Lake conditions which may affect event activities.

Section 6. Conditions

The Permittee shall comply with the conditions set forth on Exhibit C attached hereto and hereby incorporated by this reference.

Date

General Manager

Accepted by:

5/11/09
Date

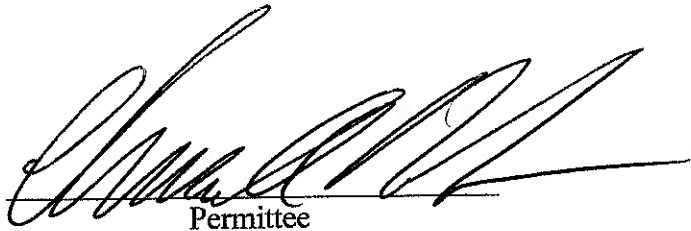

Permittee

EXHIBIT A

DESCRIPTION OF EVENT

1. Name of Event: ANTIQUE CLASSIC BOAT SHOW
2. Location: B' BACK YARD BAN-B-QUE
3. Date(s): AUG 20, 21, 22, 23
4. Describe Event: SHOWING* (FOR FREE) OF ANTIQUE CLASSIC BOATS
POKER RUN
5. Estimated Number of Participants: 30-35 BOATS
6. Estimated Number of Spectators: 3000
7. Method of Limiting Attendance: ENTER THROUGH DOCK RAMPS
8. Method of Trash Collection and Disposal: EXISTING TRASH CONTAINERS
9. Proposed First-Aid Services: LOCAL FIRST AID
10. Proposed Security Services:
11. Proposed Fire Protection Services: BBLAKE FIRE.
12. Proposed Sanitation Facilities: EXISTING PORTABLE TOILETS
13. Parking Arrangements: TRAILERS IN BARTON LOT) CAMS AT ROBINHOOD & B'S B-B-QUE
14. Name, Address and Telephone Number of Person Available Before and During Event with Authority to Control Event:
CHARLES A BREWSTER 909-844-5337
CRAIG A BREWSTER 909-844-5338
JOHN GORZIK 909 866-5400
15. Perimeter control, if applicable:
N/A

EXHIBIT C
SPECIAL CONDITIONS

2009 ANTIQUE & CLASSIC BOAT SHOW

1. Permittee is responsible for the sale of the reduced fee Special Event Permits, and must contact the District five (5) days prior to the event date to pick up these permits and coordinate the sale.
2. The organizers shall submit the \$100 non-refundable application fee and the \$500 refundable deposit.

**BIG BEAR MUNICIPAL WATER DISTRICT
REPORT TO BOARD OF DIRECTORS**

MEETING DATE: June 4, 2009

AGENDA ITEM: 5D

SUBJECT:

CONSIDER APPROVAL OF A SPECIAL EVENT PERMIT FOR BEAR VALLEY RECREATION & PARK DISTRICT TO ALLOW BOAT PARKING IN THE SWIMMING AREA AT SWIM BEACH FOR THE LOU GRAMM CONCERT TO BE HELD ON JULY 4, 2009

RECOMMENDATION:

The Lake Manager and the Operations Committee (Director Suhay and Alternate Eminger) recommend approval of this permit.

DISCUSSION/FINDINGS:

The Parks and Recreation Department plans to sell spots for up to 20 boats in the swimming area at Swim Beach for a Lou Gramm rock concert. The Lake Operations Supervisor advises that the number of boats proposed is relatively small on that date and believes that if they follow certain rules no Lake Patrol presence will be needed. In addition to the standard conditions the following event specific rules will apply: boats cannot have more persons in the boat than are indicated on the capacity plate; there must be enough PFD's on board for every person on board; the guard at the entrance to the area must check each boat for the above; and all other lake rules shall apply.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager



Big Bear Municipal Water District

Lake Management

Board of Directors

Todd Murphy – Division 1
Paula Fashempour – Division 2
Skip Suhay – Division 3
John Eminger – Division 4
Vince Smith – Division 5

SPECIAL EVENT PERMIT FOR BIG BEAR LAKE

As of 2009 Big Bear Municipal Water District (hereinafter "District") grants a Special Event Permit to (hereinafter "Permittee") as follows:

Section 1. Event Described

Permittee may conduct only the event described on Exhibit "A", attached hereto and hereby incorporated by this reference. Permittee shall comply with laws, rules and regulations applicable to the event.

Section 2. Fees and Deposits

Within 30 days before the event: the Permittee shall pay the District \$100.00 to cover the cost of processing this Permit, and the Permittee shall deposit \$500.00 with the District to cover the cost of clean-up and other added expenses incurred by the District if Permittee fails to comply with this Permit. The part of the deposit, if any, not used by the District shall be refunded to the Permittee within 30 days after the event. The attached Fee Schedule (Exhibit "B") details rates for special services.

Section 3. Indemnification

A. Permittee shall indemnify and hold harmless and defend District, its officers, agents, employees and volunteers from and against: cost, liability and damages, including attorney's fees and litigation costs, arising out of any act or omission to, including any negligent act, or omission to act, by Permittee, its officers, agents, employees or volunteers arising out of activities permitted herein.

B. Permittee shall reimburse District and its directors, officers, employees, agents and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

Section 4. Insurance

A. Permittee shall cause the District, its officers, agents and employees to be named as an additional or co-insurance under policies of commercial general liability insurance as broad as the following:

1. General Liability - one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the project/location (with the ISO CG 2501 or insurer's equivalent endorsement provided to the District) or the general aggregate limit shall be twice the required occurrence limit.

2. The coverage shall contain no special limitations on the scope of protection afforded to the District, its officers, employees, agents and volunteers.
3. The permittee's insurance shall be primary insurance as respects the District, its officers, employees, agents and volunteers. Any insurance, pooled coverage or self-insurance maintained by the District, its officers, employees, agents and volunteers shall not contribute to it.
4. Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage.
5. The permittee's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
6. Such liability insurance shall indemnify the permittee against loss from liability imposed by law upon, or assumed under contract by, the permittee for damages on account of such bodily injury (including death), property damage, personal injury and completed operations and products liability.
7. Such insurance shall be provided on a policy form written by underwriters through an agency satisfactory to the District which includes a cross-liability clause, and covers bodily injury and property damage liability, blanket contractual liability and completed operations liability.
8. Any deductible or self-insured retention must be declared to and approved by the District. At the option of the District, either the insurer shall reduce or eliminate such deductibles or self-insured retentions.
9. The insurer shall have a current A.M. Best's rating of no less than A-:VII or equivalent.

B. If applicable, the permittee shall cover or insure under the applicable laws relating to:

1. Workers' compensation insurance, all of their employees working on or about the event, regardless of whether such coverage or insurance is mandatory or merely elective under the law, and the permittee shall defend, protect and save harmless the District, its officers, employees, agents and volunteers from and against all claims, suits, and actions arising from any failure of the permittee to maintain such insurance. Before beginning work, permittee shall furnish to the District satisfactory proof that he has taken out for the period covered by the event, full compensation insurance for all persons employed directly by him in the event contemplated under this contract, has been obtained in accordance with the "Workers' Compensation and Insurance Act".
2. The permittee shall provide employer's liability insurance in the amount of, at least, \$1,000,000 per accident for bodily injury and disease.

C. Prior to execution of the contract, the permittee shall file with the District evidence of insurance from an insurer or insurers certifying to the coverage of insurance required herein. Such evidence shall include original copies of the ISO CG 2010 (endorsement form or insurer's equivalent) signed by the insurer's representative and certificate of insurance (Accord Form 25-S or equivalent). If such proof is not received 30 days prior to the event, the event may be canceled by the District's General Manager. All evidence of insurance shall be certified by a properly authorized officer, agent or qualified representative of the insurer and shall certify the names of the insured, any additional primary insurers, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, the expiration date. The insurer will give by certified mail, written notice to the District at least thirty (30) days prior to the effective date of any cancellation, lapse or material change in the policy.

Section 5. Safety Regulations

The Permittee shall conduct the event with due care for the safety and welfare of participants and spectators, and in compliance with all laws, rules and regulations of federal, state, county or local agencies asserting jurisdiction. The Permittee shall attend two meetings with District representatives prior to the event described as follows:

A. Permit compliance meeting: Permittee shall demonstrate that all permit conditions have been met.

B. Skipper's and/or Safety meeting: Event organizers and participants shall meet with District representatives to have any questions answered and to receive an update of current Lake conditions which may affect event activities.

Section 6. Conditions

The Permittee shall comply with the conditions set forth on Exhibit C attached hereto and hereby incorporated by this reference.

Date

General Manager

Accepted by:

5/1/09

Date

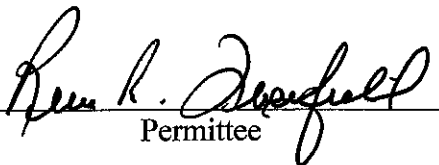

Permittee

EXHIBIT A

DESCRIPTION OF EVENT

1. Name of Event: Lou Gramm Concert
2. Location: Swim Beach
3. Date(s): July 4, 2009
4. Describe Event: Rock concert
5. Estimated Number of Participants: 20 boats
6. Estimated Number of Spectators: 160
7. Method of Limiting Attendance: guard at lagoon entrance
8. Method of Trash Collection and Disposal: individuals responsibility
9. Proposed First-Aid Services: certified and trained personnel
10. Proposed Security Services: Contracted Security Co
11. Proposed Fire Protection Services: Local Services
12. Proposed Sanitation Facilities: Portapotties on Beach
13. Parking Arrangements: N/A
14. Name, Address and Telephone Number of Person Available Before and During Event with Authority to Control Event:
Reese Troublefield
PO Box 2832 BBL 92315
(909) 936-3130
15. Perimeter control, if applicable: Contracted Security Co.

EXHIBIT B

FEE SCHEDULE

1. APPROVED SPECIAL EVENTS (except filming/photos):

Lake usage fee:	Non-commercial	-0-
	Commercial	\$200/event (or 5% of gross, whichever is greater)

*Lake Patrol or work boat services (one hour minimum):

Boat with operator	\$110/hour
Each additional staff person	\$ 30/hour

Other services: actual cost

*These fees will be deducted from the deposit where it is determined that additional Lake Patrol, weed harvesting or similar services will be necessary in the interest of health and safety.

2. GROUP SPECIAL EVENT PERMITS

A discounted boat permit fee for approved special events will be available for \$10.00 per day for the term of the event to those entrants not already having a boat permit. Any entrant participating for less than the full term of the event shall pay the normal daily permit fees. A minimum number of twenty-five special event boat permits shall be issued for the approved event to qualify for this special group rate. A group special event permit shall not be issued for major holidays or holiday weekends. Permittee shall be responsible for the sale of the special event boat permits. Proper remittance from the sale of these permits must be delivered to the District within three (3) days of the conclusion of the special event. Permittee shall be responsible for all permits including any missing permits. All other special event permit processing fees shall apply. Participants may upgrade the special event discounted boat permit to an annual boat permit by paying the difference between the special event permit fee and the annual permit fee. Upgrades to annual permits shall be handled at the District Administration office only.

**EXHIBIT C
SPECIAL CONDITIONS**

**2009 BEAR VALLEY RECREATION & PARK DISTRICT PARKING FOR
LOU GRAMM CONCERT**

1. Boats cannot have more persons in the boat than are indicated on the capacity plate
2. There must be enough PFD's on board for every person on board
3. The guard at the entrance to the area must check each boat for the above
4. All other lake rules shall apply

**BIG BEAR MUNICIPAL WATER DISTRICT
REPORT TO BOARD OF DIRECTORS**

MEETING DATE: *June 4, 2009*

AGENDA ITEM: *5E*

SUBJECT:

CONSIDER APPROVAL OF A SPECIAL EVENT APPLICATION FOR USARC (UNITED STATES ADAPTIVE RECREATION CENTER) SUMMER PROGRAM TO BE HEADQUARTERED AT B'S BACKYARD BBQ ON VARIOUS WEEKDAY DATES THROUGHOUT THE SUMMER MONTHS

RECOMMENDATION:

The General Manager and the Operations Committee (Directors Suhay & Alternate Eminger) recommend approval of this event.

DISCUSSION/FINDINGS:

The USARC Summer Program (United States Adaptive Recreation Center) involves adaptive water skiing, jet skiing, fishing, kayaking and sailing. Their home base will be at B's Backyard BBQ. They propose weekday sessions beginning in June and continuing through August. Their staff members are CPR, First Aid, and Lifeguard certified.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager



Big Bear Municipal Water District

Lake Management

Board of Directors

Todd Murphy – Division 1
Paula Fashempour – Division 2
Skip Suhay – Division 3
John Eminger – Division 4
Vince Smith – Division 5

SPECIAL EVENT PERMIT FOR BIG BEAR LAKE

As of 2009 Big Bear Municipal Water District (hereinafter "District") grants a Special Event Permit to (hereinafter "Permittee") as follows:

Section 1. Event Described

Permittee may conduct only the event described on Exhibit "A", attached hereto and hereby incorporated by this reference. Permittee shall comply with laws, rules and regulations applicable to the event.

Section 2. Fees and Deposits

Within 30 days before the event: the Permittee shall pay the District \$100.00 to cover the cost of processing this Permit, and the Permittee shall deposit \$500.00 with the District to cover the cost of clean-up and other added expenses incurred by the District if Permittee fails to comply with this Permit. The part of the deposit, if any, not used by the District shall be refunded to the Permittee within 30 days after the event. The attached Fee Schedule (Exhibit "B") details rates for special services.

Section 3. Indemnification

A. Permittee shall indemnify and hold harmless and defend District, its officers, agents, employees and volunteers from and against: cost, liability and damages, including attorney's fees and litigation costs, arising out of any act or omission to, including any negligent act, or omission to act, by Permittee, its officers, agents, employees or volunteers arising out of activities permitted herein.

B. Permittee shall reimburse District and its directors, officers, employees, agents and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

Section 4. Insurance

A. Permittee shall cause the District, its officers, agents and employees to be named as an additional or co-insurance under policies of commercial general liability insurance as broad as the following:

1. General Liability - one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the project/location (with the ISO CG 2501 or insurer's equivalent endorsement provided to the District) or the general aggregate limit shall be twice the required occurrence limit.

2. The coverage shall contain no special limitations on the scope of protection afforded to the District, its officers, employees, agents and volunteers.
3. The permittee's insurance shall be primary insurance as respects the District, its officers, employees, agents and volunteers. Any insurance, pooled coverage or self-insurance maintained by the District, its officers, employees, agents and volunteers shall not contribute to it.
4. Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage.
5. The permittee's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
6. Such liability insurance shall indemnify the permittee against loss from liability imposed by law upon, or assumed under contract by, the permittee for damages on account of such bodily injury (including death), property damage, personal injury and completed operations and products liability.
7. Such insurance shall be provided on a policy form written by underwriters through an agency satisfactory to the District which includes a cross-liability clause, and covers bodily injury and property damage liability, blanket contractual liability and completed operations liability.
8. Any deductible or self-insured retention must be declared to and approved by the District. At the option of the District, either the insurer shall reduce or eliminate such deductibles or self-insured retentions.
9. The insurer shall have a current A.M. Best's rating of no less than A-:VII or equivalent.

B. If applicable, the permittee shall cover or insure under the applicable laws relating to:

1. Workers' compensation insurance, all of their employees working on or about the event, regardless of whether such coverage or insurance is mandatory or merely elective under the law, and the permittee shall defend, protect and save harmless the District, its officers, employees, agents and volunteers from and against all claims, suits, and actions arising from any failure of the permittee to maintain such insurance. Before beginning work, permittee shall furnish to the District satisfactory proof that he has taken out for the period covered by the event, full compensation insurance for all persons employed directly by him in the event contemplated under this contract, has been obtained in accordance with the "Workers' Compensation and Insurance Act".
2. The permittee shall provide employer's liability insurance in the amount of, at least, \$1,000,000 per accident for bodily injury and disease.

C. Prior to execution of the contract, the permittee shall file with the District evidence of insurance from an insurer or insurers certifying to the coverage of insurance required herein. Such evidence shall include original copies of the ISO CG 2010 (endorsement form or insurer's equivalent) signed by the insurer's representative and certificate of insurance (Accord Form 25-S or equivalent). If such proof is not received 30 days prior to the event, the event may be canceled by the District's General Manager. All evidence of insurance shall be certified by a properly authorized officer, agent or qualified representative of the insurer and shall certify the names of the insured, any additional primary insurers, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, the expiration date. The insurer will give by certified mail, written notice to the District at least thirty (30) days prior to the effective date of any cancellation, lapse or material change in the policy.

Section 5. Safety Regulations

The Permittee shall conduct the event with due care for the safety and welfare of participants and spectators, and in compliance with all laws, rules and regulations of federal, state, county or local agencies asserting jurisdiction. The Permittee shall attend two meetings with District representatives prior to the event described as follows:

A. Permit compliance meeting: Permittee shall demonstrate that all permit conditions have been met.

B. Skipper's and/or Safety meeting: Event organizers and participants shall meet with District representatives to have any questions answered and to receive an update of current Lake conditions which may affect event activities.

Section 6. Conditions

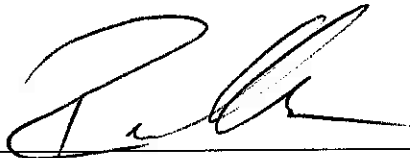
The Permittee shall comply with the conditions set forth on Exhibit C attached hereto and hereby incorporated by this reference.

Date

General Manager

Accepted by:

5/21/09
Date



Permittee

EXHIBIT A

DESCRIPTION OF EVENT

1. Name of Event: USARC Summer Program
2. Location: B's Backyard Bar-b-que 350 Alden Rd. BBL 92315
3. Date(s): Day session: June 26-27
July 8, 9, 15, ~~16~~, ~~17~~, ~~18~~, 20, 21, ~~22~~, ~~23~~, ~~24~~, 29, 30
August 12, 13, 17, 18, 26, 27
4. Describe Event: Adaptive water skiing, Jetskiing, fishing, Kayaking, Sailing.
5. Estimated Number of Participants: 10-20
6. Estimated Number of Spectators: 5-10
7. Method of Limiting Attendance: Reservations through USARC only.
8. Method of Trash Collection and Disposal: Providing own trash pick-up
9. Proposed First-Aid Services: Staff members are CPR/1st Aid Certified + have lifeguard training.
10. Proposed Security Services: N/A
11. Proposed Fire Protection Services: N/A
12. Proposed Sanitation Facilities: Portable Accessable toilet.
13. Parking Arrangements: at B's Backyard BBQ + Boat house
14. Name, Address and Telephone Number of Person Available Before and During Event with Authority to Control Event: Tom Peirce / Ralph Aron
PO BOX 2897
Big Bear Lake CA 92315
909-584-0269
15. Perimeter control, if applicable: N/A

EXHIBIT B

FEE SCHEDULE

1. APPROVED SPECIAL EVENTS (except filming/photos):

Lake usage fee:	Non-commercial	-0-
	Commercial	\$200/event (or 5% of gross, whichever is greater)

*Lake Patrol or work boat services (one hour minimum):

Boat with operator	\$110/hour
Each additional staff person	\$ 30/hour

Other services: actual cost

*These fees will be deducted from the deposit where it is determined that additional Lake Patrol, weed harvesting or similar services will be necessary in the interest of health and safety.

2. GROUP SPECIAL EVENT PERMITS

A discounted boat permit fee for approved special events will be available at prevailing fees for the term of the event to those entrants not already having a boat permit. Any entrant participating for less than the full term of the event shall pay the normal daily permit fees. A minimum number of twenty-five special event boat permits shall be issued for the approved event to qualify for this special group rate. A group special event permit shall not be issued for major holidays or holiday weekends. Permittee shall be responsible for the sale of the special event boat permits. Proper remittance from the sale of these permits must be delivered to the District within three (3) days of the conclusion of the special event. Permittee shall be responsible for all permits including any missing permits. All other special event permit processing fees shall apply. Participants may upgrade the special event discounted boat permit to an annual boat permit by paying the difference between the special event permit fee and the annual permit fee. Upgrades to annual permits shall be handled at the District Administration office only.

**BIG BEAR MUNICIPAL WATER DISTRICT
REPORT TO BOARD OF DIRECTORS**

MEETING DATE: *June 4, 2009*

AGENDA ITEM: *5F*

SUBJECT:

CONSIDER APPROVAL OF A REQUEST FROM US FOREST SERVICE TO ASSIGN THE JUNIPER POINT MARINA PERMIT TO THE SAN BERNARDINO NATIONAL FOREST ASSOCIATION

RECOMMENDATION:

The General Manager and the Operations Committee (Directors Suhay & Alternate Eminger) recommend approval of this request.

DISCUSSION/FINDINGS:

The District has received a request from the US Forest Service to assign the Juniper Point Marina Permit to the San Bernardino National Forest Association. The marina is not currently active. The Committee recommends that the Board consent to the assignment as requested noting that the US Forest Service reserves the right to withdraw this assignment for any purpose, at any time. Any special conditions associated with this permit including marina compensation, will be considered at a future Board meeting subsequent to more detailed discussion with the San Bernardino National Forest Association.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager



United States
Department of
Agriculture

Forest
Service

San Bernardino National Forest
Mountaintop Ranger District

P.O. Box 290
Fawnskin, CA 92333
909-382-2600 #2 (Voice)
909-866-2867 (FAX)

File Code: 2720

Date: April 30, 2009

Scott Heule
General Manager
Big Bear MWD
P.O. Box 2863
Big Bear Lake, CA 92315

Dear Scott:

The USDA Forest Service, San Bernardino National Forest, would like to assign its rights under the Juniper Point Landing Permit dated May 14, 1976, as amended July 16, 2001, to the San Bernardino National Forest Association. Please approve this assignment.

The Forest Service also reserves the right to withdraw this assignment for any purpose, at any time.

Sincerely,

/s/ Scott Tangenberg
SCOTT TANGENBERG
Acting District Ranger

cc: Denis R Thomas



**CONSENT TO ASSIGNMENT
JUNIPER POINT
COMMERCIAL BOAT LANDING PERMIT**

1. PURPOSE:

Big Bear Municipal Water District (District) is the "Company" under a certain "Commercial Boat Landing Permit" dated May 14, 1976. The original Permitee was United States Department of Agriculture, Forest Service (USDA, Forest Service). An Addendum to Commercial Boat Landing Permit was approved on July 16, 2001.

2. ASSIGNMENT:

District hereby consents to the assignment of all interests, rights, privileges, obligations and duties under the permit, as amended, to the San Bernardino National Forest Association subject to the right of the USDA Forest Service to withdraw this assignment at anytime.

BIG BEAR MUNICIPAL WATER DISTRICT

By: _____
Todd Murphy, President

San Bernardino National Forest Association hereby agrees to be bound by the terms and conditions of the Juniper Point Commercial Boat Landing Permit as amended.

Denis R. Thomas, San Bernardino National Forest Association

Executed at Big Bear Lake, California, this 4th day of June 2009.

Attested by:

Vicki Sheppard, Secretary

**BIG BEAR MUNICIPAL WATER DISTRICT
REPORT TO BOARD OF DIRECTORS**

MEETING DATE: June 4, 2009

AGENDA ITEM: 5G

SUBJECT:

CONSIDER APPROVAL OF A CONCESSION PERMIT TO RUTH FALEY FOR BIG KAHUNA HOT DOG CONCESSION AT THE EAST RAMP

RECOMMENDATION:

The General Manager and the Operations Committee (Directors Suhay & Alternate Eminger) recommend approval of this concession.

DISCUSSION/FINDINGS:

The Committee reviewed a final draft of an agreement between the District and Ruth Fawley, owner of Big Kahuna Hot Dogs. The permit fee will be \$300 for a full or partial month of operation payable in advance. The permit is valid for the period June 6, 2009 through October 31, 2009. The Committee recommends that the Board approve this special use permit.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager

CONCESSION PERMIT

As of June 4, 2009, Big Bear Municipal Water District, hereinafter "District", grants a permit to Ruth Fawley, hereinafter called "Permittee", upon the following terms and conditions:

Section 1. Purpose.

Permittee may use Big Bear Lake to operate a hot dog concession from Carol Morrison East Launch Ramp from June 6, 2009 to October 31, 2009.

Section 2. Permit Fee.

Permittee shall pay District \$300 per month payable in advance for each full or partial month of concession operation.

Section 3. Operation and Maintenance.

Permittee shall:

- a) maintain equipment under its control in a good and workmanlike manner, and in compliance with laws, and regulations;
- b) Comply with all the rules and regulations which District may from time to time adopt
- c) Maintain in full force and effect, and pay all premiums for public liability insurance with insurance company or companies approved by the District naming the District as additional insured. The minimum liability limits of the policy or policies shall be three hundred thousand dollars (\$300,000) combined single limit policy. Concurrent with the date of this Permit, and each succeeding year, Permittee shall deliver to the District, a policy of such insurance and a certificate of insurance (with the ISO CG 2501 or insurer's equivalent endorsement provided to the District), which shall designate District as additional or co-insured. Insurance policies shall not be amended or terminated without thirty (30) days prior written notice to District.

Section 4. Reserved Rights.

- a) District may issue additional permits for the use of District property;
- b) District does not warrant or agree the Lake will be maintained as a Lake or that water will be maintained therein at any particular level or at all.

Section 5. Indemnification of District.

Permittee shall save and hold District, its officers, agents and employees free and harmless from any and all costs, liability or damages including attorney fees arising out of any act or omission to act including any negligent act or omission to act by Permittee, its officers, agents or employees arising out of or connected with Permittee's activities under this permit.

Section 6. Default.

- a) If Permittee breaches any term of this Permit, District may declare this Permit terminated if Permittee fails to cure the breach within thirty (30) days after written notice thereof from District;

- b) Every right and remedy given to District by this Permit is cumulative and no right or remedy shall be exclusive of any other right or remedy in law or equity. The exercise of one right or remedy by District shall not impair the right of District to exercise any other right or remedy;
- c) If either party hereto shall institute any legal action to enforce any of the terms or conditions of this Permit, the prevailing party in such action shall be entitled to attorney's fees adjudged by the Court in such action to be reasonable.

Section 7. Notice.

All notices required under this permit or given in connection therewith shall be in writing and shall comply with the provisions of this Section. Notices may be delivered personally, in which event the effective date shall be the date of delivery, or may be sent by United States mail, registered or certified, return receipt requested, in which event the effective date shall be the date of deposit in the United States mail, addressed as hereinafter set forth:

- a) Until otherwise directed by notice in writing, Permittee shall deliver or mail as aforesaid all notices to District as follows:
 Big Bear Municipal Water District
 P.O. Box 2863
 Big Bear Lake, CA 92315
- b) Until otherwise directed by notice in writing, District shall deliver or mail as aforesaid all notices to Permittee:

BIG BEAR MUNICIPAL WATER DISTRICT

By: _____
 Date: _____

PERMITTEE NAME

By: _____
 Date: _____

PERMITTEE NAME

By: _____
 Date: _____

**BIG BEAR MUNICIPAL WATER DISTRICT
REPORT TO BOARD OF DIRECTORS**

MEETING DATE: *June 4, 2009*

AGENDA ITEM: *6A*

SUBJECT:

APPROVAL OF COMMERCIAL MARINA PERMIT FOR BOULDER BAY MARINA

RECOMMENDATION:

The General Manager and the Operations Committee (Directors Suhay & Alternate Eminger) recommend approval of the marina permit.

DISCUSSION/FINDINGS:

The City of Big Bear Lake now holds the marina permit for Boulder Bay Marina. The General Manager and the Operations Committee have revised and updated the standard language and conditions for the City. Under the new permit the City will now be responsible for all docks that are associated with interior lots in Big Bear Lake Tract 10583. Because there are docks on the water associated with the tract the City marina permit requires payment of compensation, District indemnification and insurance. Both District counsel and the City Attorney have approved the language in the contract and it has already been signed by the City Manger.

OTHER AGENCY INVOLVEMENT: City of Big Bear Lake

FINANCING: None

Submitted by: Scott Heule, General Manager

**COMMERCIAL MARINA PERMIT
BOULDER BAY MARINA**

As of _____, 2009 BIG BEAR MUNICIPAL WATER DISTRICT, hereinafter "District" and CITY OF BIG BEAR LAKE, hereinafter "Operator" agrees as follows:

1. PURPOSE

The District owns Bear Valley Dam and property lying below the surface of Big Bear Lake. District's predecessor issued a marina permit to Operator's predecessor on February 23, 1995, "original permit". The original permit was amended on December 5, 1976 and January 17, 1978. This agreement terminates and replaces the original permit, as amended, with the following:

2. DEFINITIONS

The following terms are defined for the purposes of this permit:

(a) "Marina Site" or "Landing Site": means real property situated in Big Bear Lake, County of San Bernardino, State of California, on which or adjacent to which is located, Boulder Bay Park.

(b) "Commercial Marina Business" means the business of mooring boats, renting boats, operating boats for hire, renting slips, granting slip privileges to non-lakefront property owners of Big Bear Lake Tract 10583, and other income-producing activities involving boats and the use of the surface of the Lake;

(c) "Related Activities" means the sale of food, beverages, fishing tackle and other sundries, the provision of automobile parking facilities and similar services and kindred like concessions related to but apart from the commercial marina business as above defined;

(d) "Year" means twelve consecutive months beginning on October 1st and ending on the next succeeding September 30th.

3. PERMIT

Operator may conduct a commercial marina business on Big Bear Lake in accordance with the terms of this permit.

4. TERM

The District confers upon Operator the perpetual right, license, and privilege to operate a commercial boat marina business subject to the terms of this permit at the Marina Site or Landing Site described herein.

5. CONSIDERATION

(a) Operator shall pay the District the greater of the following:

(1) \$2,500.00 per year, or

(2) A total of the following:

(i) \$50.00 per slip;

(ii) \$30.00 per mooring buoy;

(iii) \$200.00 per rental dock (i.e. boat rental, fun dock)

(iv) \$100.00 per other dock (i.e. courtesy dock, fuel dock, tour boat dock, day use dock)

(b) The amount of consideration shall be determined by the total number of moorings in the Lake on August 15th of each year. All slips, mooring buoys, and docks in the Lake on that date, whether used for rental purposes or for use by the Operator, and whether occupied or not, shall be included in the calculation. Interest of 1/2 percent per month shall accrue on any unpaid balance following the sixty-day notice of default until such time as the balance is paid in full.

(c) The consideration shall be reviewed every two years, beginning on August 1, 2009, and to reflect the change in the Consumer Price Index published by the United States Department of Labor, Bureau of Labor Statistics, for Los Angeles/Riverside/Orange County Area (Consumer Price Index) during the previous two-year period ending June 30. If the parties cannot agree upon an adjustment by October 1, the matter shall be submitted to binding arbitration. Such arbitration shall be conducted according to the commercial rules of the American Arbitration Association (or its successors) then in effect.

(d) Operator may collect boat permit fees levied by District from private boat owners. Boat permit fees collected by Operator shall be remitted to the District no later than Tuesday next following the collection by Operator. The Operator shall submit sales records with the fees. If the Operator remits the fees in a timely manner as set forth above, the District shall pay an administrative fee to the Operator equal to ten percent (10%) of the remittance. The Operator may deduct said 10% from the remittance. If the Operator fails to remit the fees within 30 days of collection, the Operator shall also pay a late charge to the District of 1% per month, or fraction thereof. Should Operator's delinquency continue for more than sixty (60) days, Operator's right to collect boat permit fees may be subject to revocation by District.

6. PERMITTED USES

(a) Operator may use and occupy the area below the high water line adjacent to and around the Marina Site to conduct a Commercial Marina Business;

(b) The Lake surface adjacent to and around the Marina Site, and improvements thereon, shall be used for the use specified herein and for no other use or purpose.

(c) Operator shall not allow any nuisance to exist and shall comply with public laws, ordinances, and regulations applicable thereto.

7. RESERVED RIGHTS

(a) District may issue additional permits for the use of the Lake and the property of the District or any part thereof.

(b) District may operate and maintain the Lake in its sole discretion and is not obligated to maintain a particular water level or any water level.

(c) No warranty, covenant, or agreement is or shall be deemed to be made by District except as directly expressed herein and none is or shall be implied.

8. RULES AND REGULATIONS

(a) Operator shall comply with rules and regulations the District may from time to time adopt concerning the operation and maintenance of the Lake, navigation on the Lake, identification of boats on the Lake, safe use and operation of boats on the Lake, construction and maintenance of boat docks on the Lake and similar matters, including Federal, State and local regulations.

(b) Operator shall use reasonable diligence to prevent a boat which requires a boat permit from being placed on the Lake from the Marina Site until a permit has been obtained. Operator shall post the premises with signs warning against walking on Lake ice from the Marina Site or the Commercial Marina Business.

(c.) The District may enter upon the property during normal business hours to inspect the facilities below the high water line to ensure compliance with regulations.

9. MAINTENANCE OF MARINA SITE

(a) Operator shall keep and maintain the Marina Site, including improvements, in good order, repair, and condition.

(b) Operator shall not alter the area below the high water line, except as allowed by this permit or by the District.

10. LOW WATER AT MARINA SITE

When the level of water in the Lake prevents the normal marina operation, the District shall designate a substitute marina site and route of ingress and egress to the Lake. The District may change the substitute site or route. The District shall act reasonably and shall give due regard to the locations and routes practical for the operation of the marina and such locations and routes of access historically used by Operator in times when the water level of the Lake has been low.

Operator may extend utility lines below the high water line of the Lake for conducting electricity and other utilities to the operation. If use of the substitute site conflicts with adjacent commercial landings or private docks, the District may require temporary modifications to the mooring and docking plan.

11. INSURANCE AND INDEMNIFICATION

(a) Operator shall maintain in full force and effect and pay all premiums for public liability insurance with an insurance company or companies licensed to sell insurance in the State of California. For the first year the minimum liability limits of the policy or policies shall be \$1,000,000 combined single limit policy. The minimum liability limit may be changed by the Board of Directors of the District, provided the change shall be reasonable and take into consideration the availability and cost of such limits.

(b) Operator shall deliver to the District, at District's request and expense, a copy of the additional insured endorsement (ISO CG 2501 or insurer's equivalent) which shall designate the District as additionally insured and which shows that insurance policies shall not be canceled or terminated without ten (10) days prior written notice from the insurance carrier to the District.

(c) The Operator is a municipal corporation and charter city and in lieu of purchasing an insurance policy from a private or commercial insurance provider, Operator may be self-insured or obtain insurance coverage from a joint powers insurance authority formed by public entities in the State of California.

(d) Operator shall save and hold the District, its officers, agents and employees, free and harmless from any and all costs, liability, or damages including attorney fees arising out of any act or omission to act, including any negligent act or omission to act, by Operator, its officers, agents or employees arising out of or connected with Operator's activities under this permit.

12. DEFAULT

(a) If Operator fails to pay any compensation when due, and such default shall continue for sixty (60) days thereafter, or if any other violation shall continue for more than thirty (30) days after a Court shall finally determine such other violation exists, then at any time thereafter and during the continuance of such default or violation, the District may at its option terminate this Permit by serving upon Operator, by mail or otherwise, written notice of such termination, unless Operator has taken action and is in process of correcting such violations.

(b) Every right and remedy given to District by this permit is cumulative and no right or remedy shall be exclusive of any other right or remedy in law or equity. The exercise of one right or remedy by the District shall not impair the right of the District to exercise any other right or remedy.

(c) If either party hereto shall institute any legal action or enforce any of the terms or conditions of this permit, the prevailing party in such action shall be entitled to attorney's fees adjudged by the Court in such action to be reasonable.

13. MISCELLANEOUS

(a) Notices required under this permit or given in connection therewith shall be in writing and may be delivered personally, in which event the effective date shall be the date of delivery, or may be sent by United States mail, registered or certified, return receipt requested, in which event the effective date shall be two days after the date of deposit in the United States Mail, addressed as hereinafter set forth.

Until otherwise directed by notice in writing, Operator shall deliver or mail as aforesaid all notices to the District as follows:

Big Bear Municipal Water District

P. O. Box 2863

Big Bear Lake, CA 92315

Until otherwise directed by notice in writing, Operator shall deliver or mail as aforesaid all notices to the District as follows:

City of Big Bear Lake

P. O. Box 10000

Big Bear Lake, CA 92315

Attn: City Manager

(b) This permit may not be assigned, transferred, sublicensed, hypothecated or extended in whole or in part without the prior written consent of the District. The District will not unreasonably withhold consent to the assignment of this permit to any person, firm, corporation, or

entity which is entitled to possession of the Marina Site or this permit. Renegotiation of the terms and conditions of this permit shall not be deemed a reasonable reason to withhold consent.

(c) Every provision in this permit shall be binding on the successors and assignees of the respective parties to this permit, and all the rights arising under this permit in favor of either party shall inure to the successors and assignees of each party.

(d) This permit supersedes the permit dated February 23, 1955 issued by Bear Valley Mutual Water Company to Charles R. Tayles, recorded March 11, 1955 in Book 3590, page 111, amendment dated December 5, 1976 recorded March 4, 1977 in Book 9127, Page 1468, in the records of San Bernardino County, California, as amended on December 5, 1976 and January 17, 1978.

(e) This agreement may be recorded.

.....

Executed this _____, 2009

BIG BEAR MUNICIPAL WATER DISTRICT

BY: _____
Todd Murphy, President

BY: _____

ATTEST:

BY: Vicki Sheppard, Board Secretary

APPROVED AS TO FORM:

BY: District Counsel

BOULDER BAY MARINA

CITY OF BIG BEAR LAKE

BY: Jeff Mathieu
Jeff Mathieu, City Manager

ATTEST:

BY: _____
City Clerk

APPROVED AS TO FORM:

BY: Jeff Boley
City Attorney

**BIG BEAR MUNICIPAL WATER DISTRICT
REPORT TO BOARD OF DIRECTORS**

MEETING DATE: June 4, 2009

AGENDA ITEM: 6B

SUBJECT:

CONSIDER APPROVAL OF A RESOLUTION OF THE BOARD OF DIRECTORS OF BIG BEAR MUNICIPAL WATER DISTRICT AMENDING RESOLUTION NO. 2006-13 (ADMINISTRATIVE CODE) AS IT PERTAINS TO PERMITS FOR NONPROFIT ORGANIZATIONS AND APPROVAL OF A PROPOSAL FROM TOM DODSON FOR PREPARING AND FILING THE CATEGORICAL EXEMPTION

RECOMMENDATION:

The General Manager and the Operations Committee (Directors Suhay & Alternate Eminger) recommend approval of this Resolution and proposal.

DISCUSSION/FINDINGS:

A mechanism has been developed that would allow the District to issue a special use permit to non-profit organizations, Section 501(c)(3), if an owner of an existing marina permit agrees to forego operating a marina. The activities cannot involve the use of motorized boats or construction of launch ramps or any on the water facilities. Marina compensation will be collected for these special permits and standard indemnification and insurance will be required. A copy of the proposed resolution is attached. In order to implement the resolution a CEQA document must be prepared. A proposal from Tom Dodson in the amount of \$2000 (copy attached) has been received for preparing and filing a categorical exemption. The Committee recommends the Board approve resolution 2009-06 and authorize Tom Dodson and Associates to commence CEQA work in accordance with his proposal.

OTHER AGENCY INVOLVEMENT: None

FINANCING: This expense is not budgeted. Funding would come from the Lake Improvement Fund.

Submitted by: Scott Heule, General Manager

RESOLUTION NO. 2009-_____

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
BIG BEAR MUNICIPAL WATER DISTRICT
AMENDING RESOLUTION NO. 2006-13
("ADMINISTRATIVE CODE")
PERTAINING TO PERMITS FOR NONPROFIT ORGANIZATIONS**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BIG BEAR MUNICIPAL
WATER DISTRICT as follows:**

1. Purpose and Scope.

This resolution amends Resolution No. _____ concerning the issuance of permits to nonprofit organizations for activities on Big Bear Lake.

2. Amendment.

Section _____ is added to Resolution No. 2006-13 to read as follows:

"Section _____, Nonprofit Activities.

(a) The General Manager may issue a permit for nonprofit activities on the Lake if the following conditions are satisfied:

(1) The applicant/permittee is a nonprofit corporation, organized and existing under Section 501(c)(3) of the Internal Revenue Code or a public agency.

(2) The activities do not involve the use of motorized boats or the construction of launch facilities.

(3) The owner of a commercial boat landing permit shall agree to forego operating a marina for the duration of the applicant's permit.

(4) The permitted activity will take place at the Lake and at a location along the shore designated for public access and approved by the District and the owner of the boat landing permit which has agreed to forego activities.

(b) The permittee shall mitigate adverse environmental impacts and compensate the District in an amount to be determined when the application is filed.

(c) The permittee shall indemnify the District from costs and liabilities which may occur as a result of the permittee's activities and provide liability insurance to cover such liability or cost."

3. Other.

Except as provided herein, Resolution No. 2006-13 is reaffirmed and readopted.

PASSED, APPROVED AND ADOPTED on _____, 2009.

Todd Murphy, President

ATTEST:

Vicki Sheppard, Secretary

[SEAL]

TOM DODSON & ASSOCIATES
2150 N. ARROWHEAD AVENUE
SAN BERNARDINO, CA 92405
TEL (909) 882-3612 • FAX (909) 882-7015
E-MAIL tda@tdaenv.com



MEMORANDUM

May 22, 2009

From: Tom Dodson

To: Scott Heule

Subj: Proposal to provide environmental support Nonprofit Organization activities at Big Bear Lake

Scott,

In accordance with our previous communications, I am forwarding this proposal to prepare an environmental document for the Nonprofit Organization activities at Big Bear Lake. Before modifying permit regulations for use of the lake, the District must comply with the California Environmental Quality Act (CEQA). Using the District's Lake Management Plan, Tom Dodson & Associates (TDA) will prepare environmental documentation to support the adoption of a Categorical Exemption (CE), Class 5 for this project. This documentation can be completed within 30 days for District review and a final package will be submitted for action by the District Board.

The fee for this effort is a not-to-exceed amount of \$2,000. TDA will invoice work for this project on a time and materials basis and will not exceed the \$2,000 limit. This fee includes payment of the County filing fee for the CE assuming it is adopted. If this proposal is acceptable, TDA will initiate our work effort immediately upon authorization. Should you have any questions, please contact me.

A handwritten signature in blue ink that reads "Tom Dodson".

Tom Dodson

**BIG BEAR MUNICIPAL WATER DISTRICT
REPORT TO BOARD OF DIRECTORS**

MEETING DATE: June 4, 2009

AGENDA ITEM: 6C

SUBJECT:

**DESIGNATED WAKESPORTS CABLE WAKEBOARD SYSTEM CONCESSION –
INFORMATION ONLY**

RECOMMENDATION:

The General Manager and the Operations Committee (Directors Suhay & Alternate Eminger) recommend approval of this concession.

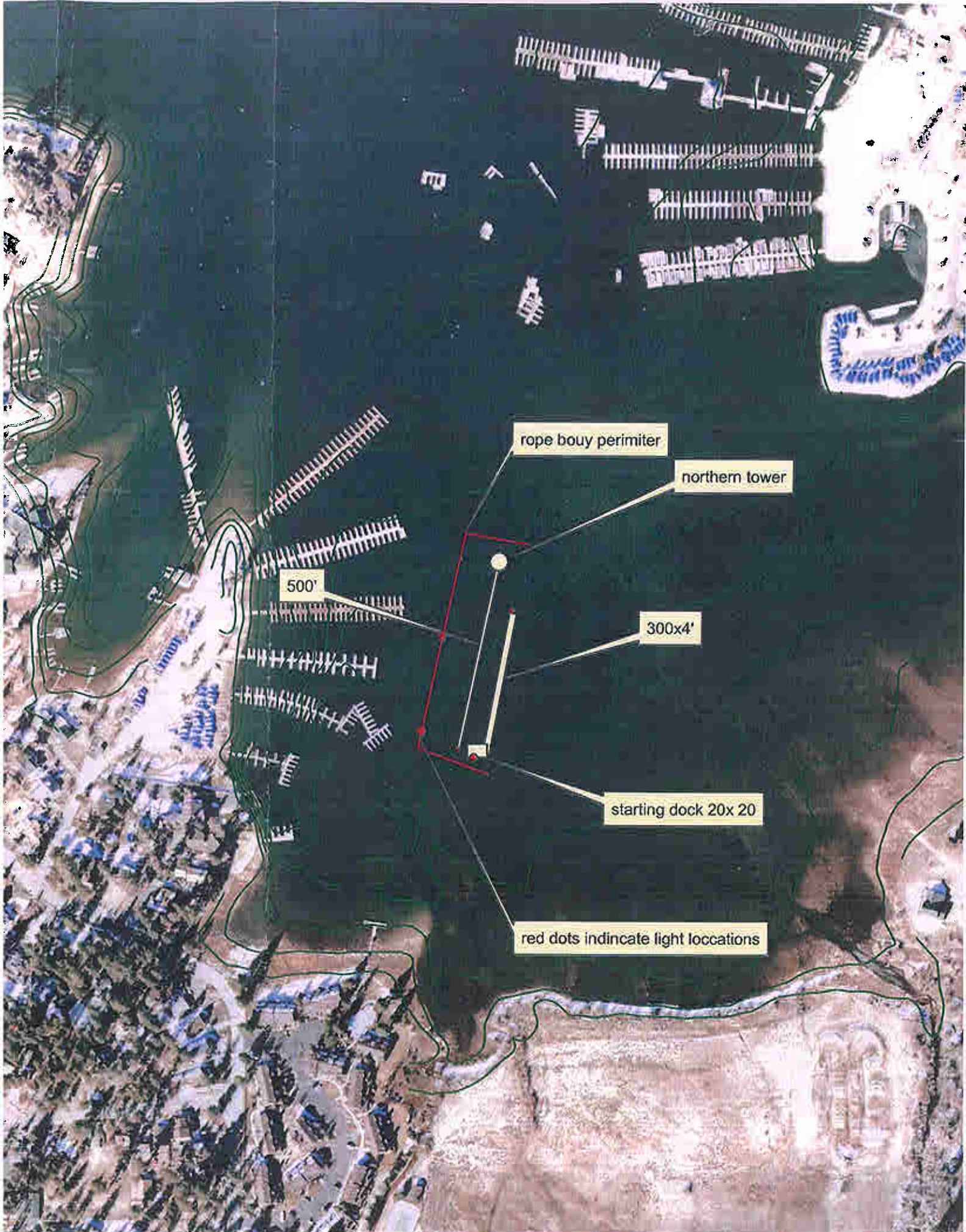
DISCUSSION/FINDINGS:

Desi Hauer of Designated Wakesports has received written approval from the owners/operations of Pleasure Point Marina to conduct his cable wakeboard concession at their marina. The marina will receive \$5 for each paying customer. Travis Carroll has directed Desi Hauer regarding marking of wakeboard concession hazards with lighted buoys and buoys with ropes (on three sides) to clearly mark the course as a hazard to boaters. A layout of the course and related facilities is shown on the attached figure. The Operations Committee approved the concession on behalf of the District and this item is being presented for information only.

OTHER AGENCY INVOLVEMENT: Pleasure Point Marina

FINANCING: None

Submitted by: Scott Heule, General Manager



rope bouy perimeter

northern tower

500'

300x4'

starting dock 20x20

red dots indicate light locations

Designated Wakesports, Inc
603 Landlock Landing Rd.
Big Bear Lake, Ca 92315



Proposed Cable Ski System 2.0 on Big Bear Lake

What we are proposing: A system 2.0 cable wakeboarding system that is affordable to the average person and will expose more people to the sport of wakeboarding in a safe, controlled environment.

Location: On Big Bear Lake operating out of Pleasure Point Marina. The Cable Ski Lake will be located approximately 150 feet east of the member docks, in the middle of Metcalf Bay. The course will run north to south, approximately 500' long and 75' wide.



Why a cable: System 2.0 is a cable powered by a small electric motor. It eliminates the need for a high horse power boat, fuel for the boat, wake from the boat, and the large area a boat needs to get up to speed and turn around. Wakeboarding without a boat allows more people to afford to enjoy the sport and the lake.

How it works: Two stanchions are setup using one anchor each and the overhead cables are strung between them over a lake, pool or body of water. A quiet electric motor drives the cable. The carrier pulling the rope slows at one end and reverses direction rather than passing through a pulley. This makes a big difference for a couple of reasons: When the carrier slows, the rider can edge out from the cable, basically making a wide circle to keep tension on the rope, and continue riding. The carrier is also supported by two overhead cables (as opposed to one cable running in a circle) giving riders a more consistent pull while retaining maximum cable tension. Better tension gives riders smoother rail rides and the ability to do air tricks. But the turnaround is beginner level, so anyone can easily ride System 2.0.

System 2.0 also has an automatic mode and can be used with Sesitec's exclusive Lake Control system. You can set up the system for maximum length (700 feet), and manually adjust the turn around point to anywhere on the running length of the cable, allowing you to ride only in the area you choose. This means the stanchions can be setup recessed from the shoreline so it can fit in many existing bodies of water with little to no preparation. Sesitec even built ladders into the sides of the System 2.0 stanchions making it easy to climb up and add ropes for doubles, or lengthen your line for a customized ride. (View enclosed DVD for additional information and to see cable in operation.)

Power Source: Designated Wakesports will provide a 3 phase generator to assure the operation of the cable is completely self-sufficient, therefore, not passing on any electrical costs to the marina.

Space required: System 2.0 is a small portable system that requires a 400' - 700' long and 50' wide area of water. Perimeter of course will be marked off by buoys. A 20' x 20' piece of shoreline will be ideal for start of course.



Insurance: Designated Wakesports will be responsible for providing the proper insurance with Pleasure Point Marina and the Municipal Water District listed as additional insured.

Who and how will be running and operating the 2.0: Trained employee(s) hired by Designated Wakesports will be manning and operating the cable system at all hours of operation. Designated Wakesports will be responsible for maintaining equipment and surrounding areas to keep area clean and function able. All employees will be CPR certified.

Safety: Riders will be required to wear appropriate equipment such as a coast guard approved personal floatation device (pfd), helmet and will wear a wristband with a bar code showing they have signed the proper paperwork and read the safety rules. All riders will be required to fill out and sign an assumption of risk waiver. If needed, all staff will be able to give instruction on using the cable properly.

Hours of Operation: Monday – Sunday, 8 a.m.- 6 p.m. Any and all obstacles and/or obstructions will be removed from the course during non-operating hours. During the seasons we are not in operation we will remove the entire cable system from the premises.

Traffic: Up to 10 riders can ride on the cable per hour.


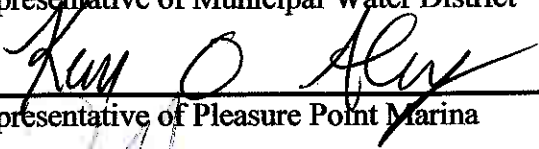

Parking: On average, riders will arrive in groups of 2-5 for their appointments. With a 10 person per hour max with appointment, that will be 2-5 parking spots in use per hour if operating at 100% capacity.

Who would be interested and Target Market: Experienced riders to progress in their skills in a controlled and consistent environment. Photo shoots and wakeboard/wakeskate competitions. Beginner lessons and instruction. Kids camps and groups. Park district and community programs. Having the consistent and controlled environment allows for us to host local events bringing attention to the marina and Big Bear Lake. Since we are centrally located to Los Angeles, San Diego and Las Vegas we can reach a large market and since we will be the only cable park on the west coast it will be a draw. Southern California is the Action Sports capital so there will be many families and individuals interested in visiting.

Benefits to marina: This will be the first location on the West coast to operate ANY cable park bringing attention and publicity from the industry to Big Bear Lake, especially Pleasure Point Marina. National television, print and internet media exposure. Added benefit to current and possible new members as an added attraction. Sole seller of food and snacks to riders and their families. Rentals of fun boats, canoes, kayaks, paddle boats and pontoon boats to riders and their families. Designated Wakesports will charge each customer a \$5 marina use fee per day or \$50 per season pass holder. In the event that Designated Wakesports gives out free or comped passes, marina use fee will still be charged to guest.

Project location and operations have been discussed and approved by the Municipal Water District (MWD) Board of Operations for one trial year. Designated Wakesports has taken the appropriate measures to notify and address all concerned parties.

Signature authorizes Designated Wakesports to continue on with the Cable Ski project as presented.

	5/28/09
Representative of Municipal Water District	Date
	5/18/09
Representative of Pleasure Point Marina	Date
	5/18/09
Owner, Designated Wakesports, Inc	Date

For all questions and concerns please contact Desi Hauer, Owner of Designated Wakesports at (909) 556-7611. I look forward to discussing this new and exciting opportunity with you.