

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
August 6, 2009

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

Next Resolution Number: 2009-09

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
 - C. Legal
 - D. Committee
 - E. Other
- 5. CONSENT CALENDAR**
 - A. Minutes of an adjourned regular Meeting of July 20, 2009
 - B. Warrant List Dated 7/31/09 for \$131,360.32
 - C. Consider approval of a request from Big Bear Marina to grant a concession permit to Ruth Fawley of Big Kahuna Hot Dogs
 - D. Consider adoption of a replacement resolution for the 2009 employee compensation resolution
 - E. Consider approval of the ratification of the sale of surplus property – weed transporter
- 6. BUSINESS**
 - A. Consider approval of a Resolution of the Board of Directors of Big Bear Municipal Water District amending Resolution No. 2008-02 as it relates to headwalks
 - B. 3D Map Demonstration – information only, 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

NEXT MEETING: Open Session at 1:00 P.M.
Thursday, August 20, 2009
Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA

***MINUTES OF AN ADJOURNED REGULAR
MEETING OF BIG BEAR MUNICIPAL WATER
DISTRICT HELD ON MONDAY, JULY 20, 2009***

CALL TO ORDER

President Murphy called the Open Session to order at 1:00 PM. Those in attendance included Director Suhay, Director Smith, Director Fashempour, and General Manager Scott Heule

REPORTS

Mr. Heule reported that the July 4th holiday weekend was very busy but probably not a record breaker for number of boats on the water. He added that there were upwards of 900 boats for the morning count. He added that Carrie Shirreffs and Victoria Moore helped with permit sales at the East Ramp on Friday and Saturday. He stated that Jim Weber and John Tuttle helped with decontaminating boats Friday and Saturday. He added that both he and Mike Stephenson worked all weekend in response to heavy lake use and in response to the drowning and search efforts. He explained that there was lots of overtime by lake patrol as a result of the search. Mr. Heule reported that in response to the lake level dropping, more dock placement issues are being responded to. He added that one in particular was an Operations Committee workshop on Saturday July 11 with the property owners on Eagle Drive north of swim beach. He reported that a proposal for a community dock system was rejected by the homeowners explaining that they are interested in exploring a dredge or maybe combining docks to reduce impacts on the lake in exchange for placement farther out into the water. He added that their dock placement violations have been suspended for the balance of the summer while they explore options that they will present to the Committee in September or October. Mr. Heule reported that new pontoon logs have been installed on the work pontoon. He added that Mr. Stephenson is experimenting with weed cutting prior to applying herbicide explaining that it seems to be working well and meanwhile the weed harvester has been put back into service to rake up dead and dying weeds before they have a chance to collect and smell in the usual places. He stated that the collected weeds are being disposed free of charge to the District to a landscaper who is mulching them for soil amendment. Mr. Heule reported that two new trees have been planted at the marsh corner replacing ones that have died. He added that staff has also planted two new trees around the edge of the office parking lot. He reported that the office parking lot has been repaired and sealed and new asphalt has been placed between Paine Road and the edge of the launch ramp area behind the shop building. Mr. Heule stated that asphalt that had been removed to repair a broken water pipe has also been replaced in the RV park. He explained that, as it turned out, the new asphalt behind the shop over to Paine was scheduled for FY 2009-10 but because of the good price the District was able to do it before the scheduled time adding that all work was done by local contractors. Mr. Heule reported that the East Ramp office building is nearly finished explaining that carpet and desks are in place. He added that we will be getting bids to install a coffee sink because it was left off the plans and the contractor wants to charge too much to put it together.

He stated that a window is also being replaced in order for it to open the other direction allowing conversation from inside through the screen with customers. He added that staff hopes to move into the building about August 1st. Mr. Heule reported that consolidation of the San Bernardino Valley Water Conservation District with San Bernardino Valley Municipal Water District was denied at the LAFCO hearing on a 3 to 4 vote last Wednesday and therefore the Conservation District will remain on the Watermaster Committee. He reported that Congressman Lewis added \$800K to the house appropriations bill for the Santa Ana River and Tributaries for the FY 2010 budget and Walter Yep is asking for stimulus funding this year to get a head start on FY 2010.

Director Suhay asked if the District should meet with the Army Corps of Engineers regarding the Santa Ana River project. Mr. Heule stated that Walter Yep will advise the District soon.

Lake Operations Supervisor, Travis Carroll, introduced two new seasonal ramp attendants; Bill Evans and Andrew Crane. He gave some details of their past work experience and complimented them both for their hard work.

APPROVAL OF CONSENT CALENDAR

President Murphy reported that item 5C, consider approval of a Resolution of the Board of Directors of Big Bear Municipal Water District amending Resolution No. 2008-02 as it relates to headwalks, will be removed from the consent calendar for further discussion.

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

- Minutes of a Regular Meeting of June 18, 2009
- Warrant List Dated July 8, 2009 for \$1,448,716.78
- Approval of a Resolution of the Board of Directors of Big Bear Municipal Water District amending Resolution No. 2003-02 as it relates to commercial marina and private dock specifications

Mr. Larry Cooke, Big Bear Dock Systems, expressed his objection to item 5C. He commented that many dock owners would be affected by the passage of this Resolution. He stated that headwalks strengthen the dock system and aid in the transition from the property to the dock. He expressed his concerns with ADA compliance (Americans with Disabilities Act). Mr. Cooke stated that he feels this item needs to be discussed further and to have a public hearing scheduled. Director Suhay asked the difference between headwalks and headpiers. Mr. Heule responded that they are the same. Director Suhay commented that dock owners are allowed to follow the water as lake levels drop and he believes headwalks would limit this. Mr. Cooke states that he doesn't believe that headwalks would limit this. Mr. Roy Brownie, Pleasure Point Marina, commented that he feels that, in order to operate, dock owners and marinas have to be able to chase the water and he also stated that commercial marinas have to conform to ADA requirements. He stated that he feels a public hearing to discuss headwalks is a good idea. Mr. Heule stated that no dock needs a headwalk to be ADA compliant. Director Suhay stated that he has no problem in sending this item back to committee for further discussion.

Upon a motion by Director Fashempour, seconded by Director Suhay, item 5C, a Resolution of the Board of Directors of Big Bear Municipal Water District amending Resolution No. 2008-02 as it relates to headwalks, is being sent back to committee for further discussion.

PUBLIC FORUM

No comments were made

ANNOUNCEMENTS

Mr. Heule reported that a live demonstration of the 3D beneficial use map is scheduled for the August 6th meeting.

DIRECTOR COMMENTS

Director Fashempour reported on the workshop held on Saturday, July 11 with the property owners on Eagle Drive. She thanked them and District staff for their cooperation commenting that that even though no decisions were agreed on, the meeting ended up on a positive note.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:43 P.M.

NEXT MEETING

Open Session at 1:00 P.M.
Thursday, August 6, 2009
Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA

Scott Heule
General Manager
Big Bear Municipal Water District

(SEAL)

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, After 07/08/09
 Account 10010-00-001, Sessions 000000 to 001647**

Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
Checking Account:		10010-00-001					
147218	ATT785 / AT&T	07/10/09	2	06242009	001624	PHONE-LD	29.35
147218		07/10/09	2	06282009	001624	PHONE-LD	30.24
147218		07/10/09	2	06302009	001624	PHONE-LD	29.78
ATT785 Subtotal :							89.37
147219	BAUMGA / Richard A. Baumgartner, M.D.	07/10/09	2	0609	001624	OSHAFIRSTA	365.00
BAUMGA Subtotal :							365.00
147220	BBDSPL / Big Bear Disposal	07/10/09	2	207966	001624	UTIL-MAIN	323.83
BBDSPL Subtotal :							323.83
147221		07/10/09	2	207748	001624	UTIL-RAMPS	164.97
BBDSPL Subtotal :							164.97
147222	BBSHET / Big Bear Sheet Metal	07/10/09	2	10835	001624	FACILMAINT	32.63
147222		07/10/09	2	10905	001624	EQUIIPMAIN	570.94
BBSHET Subtotal :							603.57
147223	BMARIN / Big Bear Marina	07/10/09	2	10311076	001624	PETRO-BOAT	1527.78
BMARIN Subtotal :							1527.78
147224	BVELEC / Bear Valley Electric	07/10/09	2	06302009	001624	UTIL-DAM	50.22
BVELEC Subtotal :							50.22
147225	BVFABR / Bear Valley Fabricators	07/10/09	2	146577	001624	PATROLMAIN	53.29
BVFABR Subtotal :							53.29
147226	CNTYSV / Water & Sanitation	07/10/09	2	06302009	001624	UTIL-RAMPS	99.18
147226		07/10/09	2	06302009B	001624	06302009	99.18
CNTYSV Subtotal :							198.36
147227	COMPVI / Computer Village	07/10/09	2	114627	001624	COMPMAINT	577.93
147227		07/10/09	2	114722	001624	PROFSVCS	450.00
COMPVI Subtotal :							1027.93
147228	COMSER / ComSerCo	07/10/09	2	MA50218672	001624	RADIOSVCCO	265.00
COMSER Subtotal :							265.00
147229	CONNEY / Conney Safety Products	07/10/09	2	3488767	001624	OSHASUPPLS	348.66
CONNEY Subtotal :							348.66
147230	DIVERS / Diversified Products, Inc.	07/10/09	2	8238924	001624	PATROLMAIN	568.49
DIVERS Subtotal :							568.49
147231	ENDURA / Endura Steel, Inc.	07/10/09	2	5380154	001624	EASTMAINT	43.77

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						ENDURA Subtotal :	43.77
147232	GALLS / GALLS, AN ARAMARK COMPANY	07/10/09	2	510038592	001624	VEHIC-ONRO	132.59
						GALLS Subtotal :	132.59
147233	LEMIEU / Lemieux & O'neill A Professional	07/10/09	2	20999M-118	001624	LEGALRETAI	3000.00
						LEMIEU Subtotal :	3000.00
147234	MASTER / FIRST BANKCARD CENTER	07/10/09	2	0630098541	001624	MASTER102	562.02
						MASTER Subtotal :	562.02
147235		07/10/09	2	0630092328	001624	MASTER320	4465.19
						MASTER Subtotal :	4465.19
147236	MCOYBR / Mountain Water Company	07/10/09	2	16513	001624	UTIL	145.85
						MCOYBR Subtotal :	145.85
147237	PERS / Public Employees' Retirement Syst	07/10/09	2	0720093	001624	PERS	4553.64
						PERS Subtotal :	4553.64
147238	RISKSC / Risk Sciences	07/10/09	2	BBTMDL09-4	001624	TMDLTASKFO	4607.63
						RISKSC Subtotal :	4607.63
147239	SCOTTE / Scott Equipment, Inc.	07/10/09	2	E39017	001624	VEHIC-OFFR	674.45
147239		07/10/09	2	E39300	001624	VEHIC-OFFR	389.92
						SCOTTE Subtotal :	1064.37
147240	UPS / UPS	07/10/09	2	F33Y11269	001624	SHIPWATER	408.80
						UPS Subtotal :	408.80
147241	VERIZO / Verizon California	07/10/09	2	06252009	001624	PHONE-WS	31.89
147241		07/10/09	2	06282009	001624	PHONE-DAM	46.93
						VERIZO Subtotal :	78.82
147242	YEP / Walter Yep, Inc.	07/10/09	2	575	001624	PROFSVCS	2184.00
						YEP Subtotal :	2184.00
147243	CONNEY / Conney Safety Products	07/10/09	2	3490779	001628	OSHASUPPLE	70.81
						CONNEY Subtotal :	70.81
147244	DIVERS / Diversified Products, Inc.	07/10/09	2	8276665	001628	PATROLMAIN	56.27
						DIVERS Subtotal :	56.27
147245	IDEARC / Idearc Media Corp.	07/10/09	2	07012009	001628	PHONESMAIN	60.50

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						IDEARC Subtotal :	60.50
147246	QUILL / Quill Corporation	07/10/09	2	7775349	001628	OFFICSUPPL	63.41
						QUILL Subtotal :	63.41
147247	SBCNTY / Auditor/Controller	07/10/09	2	3097	001628	LAFCO	10000.00
						SBCNTY Subtotal :	10000.00
147248	SQUEEG / Squeegee Clean Window Service	07/10/09	2	32	001628	FACILMAINT	50.00
						SQUEEG Subtotal :	50.00
147249	STICKI / Stickies Office Supplies	07/10/09	2	902238	001628	OFFICSUPPL	39.39
						STICKI Subtotal :	39.39
147250	VARGAS / Barbara Vargas	07/10/09	2	6949	001628	PERMIT	80.00
						VARGAS Subtotal :	80.00
147251	WRIGHT / James Wright	07/10/09	2	7794	001628	PERMIT	90.00
						WRIGHT Subtotal :	90.00
147252	STEPHE / Mike Stephenson	07/12/09	2	13900	001631	FACILMAINT	132.63
						STEPHE Subtotal :	132.63
147253	BMARIN / Big Bear Marina	07/23/09	2	10311077	001646	PETRO-BOAT	181.65
						BMARIN Subtotal :	181.65
147254	COLA / Los Angeles Coca Cola BTL CO	07/23/09	2	2205054907	001646	FISHPLANT	159.28
						COLA Subtotal :	159.28
147255	DIVERS / Diversified Products, Inc.	07/23/09	2	8066824	001646	WORKBOAT	84.35
147255		07/23/09	2	8196152	001646	WORKBOAT	694.16
						DIVERS Subtotal :	778.51
147256	KENDAL / Kendall/Adams Group, Inc.	07/23/09	2	K2931	001646	CONTAMINAT	7563.82
						KENDAL Subtotal :	7563.82
147257	NATIVE / Nativescapes, Inc.	07/23/09	2	88991	001646	MARSHMITIG	2875.00
						NATIVE Subtotal :	2875.00
147258	STANDA / Standard Industries	07/23/09	2	725099	001646	FACILMAINT	149.40
						STANDA Subtotal :	149.40
147259	TRINIT / Trinity Construction Company	07/23/09	2	2009-758	001646	EASTBUILD	18705.51
						TRINIT Subtotal :	18705.51
147260	UNIQUE / Unique Awards	07/23/09	2	05222009	001646	CARPROUNDU	497.53

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						UNIQUE Subtotal :	497.53
147261	WASTE / Solid Waste Management	07/23/09	2	042236	001646	FACILMAINT	299.04
						WASTE Subtotal :	299.04
147262	ACWAHB / ACWA Health Benefits Authority (H	07/24/09	2	09012009	001647	HEALTHINSU	17349.32
						ACWAHB Subtotal :	17349.32
147263	ALIBER / Nick Aliberti	07/24/09	2	2080	001647	PUBLICINFO	525.00
						ALIBER Subtotal :	525.00
147264	ALLPRO / All Protection Alarm Co.	07/24/09	2	25702	001647	MAINT-WEST	45.00
147264		07/24/09	2	25778	001647	FACILMAINT	135.00
147264		07/24/09	2	25779	001647	FACILMAINT	30.00
147264		07/24/09	2	25853	001647	FACILMAINT	60.00
147264		07/24/09	2	25897	001647	FACILMAINT	35.00
147264		07/24/09	2	26174	001647	FACILMAINT	100.00
147264		07/24/09	2	26411	001647	DAMMAINT	120.00
						ALLPRO Subtotal :	525.00
147265	ATT785 / AT&T	07/24/09	2	07132009	001647	PHONE-LD	29.78
						ATT785 Subtotal :	29.78
147266	BMARIN / Big Bear Marina	07/24/09	2	10311078	001647	PETRO-BOAT	1779.59
147266		07/24/09	2	10311079	001647	PETRO-BOAT	1242.36
						BMARIN Subtotal :	3021.95
147267	BRP / BRP US INC.	07/24/09	2	1298133	001647	ELECTROBOA	105.53
						BRP Subtotal :	105.53
147268	BVELEC / Bear Valley Electric	07/24/09	2	07082009A	001647	UTIL-MAIN	2747.52
147268		07/24/09	2	07082009B	001647	UTIL-MAIN	15.18
147268		07/24/09	2	07082009C	001647	UTIL-RV	2757.65
						BVELEC Subtotal :	5520.35
147269	CCONNE / CONNELLY PUMPING SERVICES	07/24/09	2	8301	001647	SSRELIEFS	165.00
						CCONNE Subtotal :	165.00
147270	COMSER / ComSerCo	07/24/09	2	50390005	001647	HANDRADIOS	77.21
						COMSER Subtotal :	77.21
147271	CONTAI / Container Storage Solutions	07/24/09	2	07072009	001647	FACILMAINT	108.75
						CONTAI Subtotal :	108.75

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147272		07/24/09	2	07252009	001647	QUAGGA	67.97
147272		07/24/09	2	07262009	001647	QUAGGA	67.97
CONTAI Subtotal :							135.94
147273	DISH / Dish Network	07/24/09	2	07042009	001647	UTIL-MAIN	50.98
DISH Subtotal :							50.98
147274	DIVERS / Diversified Products, Inc.	07/24/09	2	8301567	001647	ELECTRBOAT	62.69
DIVERS Subtotal :							62.69
147275	FEDRAL / Federal Express, Corp.	07/24/09	2	925804524	001647	SHIPPING	18.22
FEDRAL Subtotal :							18.22
147276	HSBC / HSBC Business Solutions	07/24/09	2	20214229	001647	QUAGGA	19.97
HSBC Subtotal :							19.97
147277	LEGACY / Legacy Directories	07/24/09	2	2009	001647	PHONESMAIN	532.00
LEGACY Subtotal :							532.00
147278	MELTON / Melton Sign Service	07/24/09	2	3974	001647	WORKBOAT	30.00
MELTON Subtotal :							30.00
147279	MOFFAT / MOFFATT & NICHOL ENGINEERS	07/24/09	2	49052	001647	LKIMPDESGN	7265.50
MOFFAT Subtotal :							7265.50
147280	MWH / MWH America, Inc.	07/24/09	2	1280735	001647	DAMENGINEER	3551.78
MWH Subtotal :							3551.78
147281	NETC / Northwest Environmental Training	07/24/09	2	INV-5766	001647	TRAINING	395.00
NETC Subtotal :							395.00
147282	NOS / NOS Communications, Inc.	07/24/09	2	07182009	001647	PHONE-LD	479.02
NOS Subtotal :							479.02
147283	PERS / Public Employees' Retirement Syst	07/24/09	2	07094	001647	PERS	4804.57
PERS Subtotal :							4804.57
147284	PINEKN / Pine Knott Marina	07/24/09	2	1734-2009	001647	QUAGGA	183.86
PINEKN Subtotal :							183.86
147285	PITNY / PITNEY BOWES (RENTAL)	07/24/09	2	JY09	001647	POSTAGE	121.00
PITNY Subtotal :							121.00

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147286	SQUEEG / Squeegee Clean Window Service	07/24/09	2	39	001647	FACILMAINT	50.00
SQUEEG Subtotal :							50.00
147287	SWSTGS / Southwest Gas Corp	07/24/09	2	07162009A	001647	UTIL-MAIN	14.46
147287		07/24/09	2	07162009B	001647	UTIL-RV	20.53
SWSTGS Subtotal :							34.99
147288	TERMIN / TERMINIX INTERNATIONAL	07/24/09	2	287678937	001647	FACILMAINT	47.00
147288		07/24/09	2	287973308	001647	FACILMAINT	39.00
TERMIN Subtotal :							86.00
147289	TIFCO / Tifco Industries	07/24/09	2	70547500	001647	FACILMAINT	358.29
TIFCO Subtotal :							358.29
147290	TOMDOD / Tom Dodson & Associates	07/24/09	2	BB-143-1	001647	PROFSVCS	1544.00
TOMDOD Subtotal :							1544.00
147291	TRINIT / Trinity Construction Company	07/24/09	2	2009-994	001647	EAST BUILD	12463.69
TRINIT Subtotal :							12463.69
147292	UPS / UPS	07/24/09	2	F33Y11289	001647	SHIPWATER	420.39
UPS Subtotal :							420.39
147293	VALERO / Valero Marketing and Supply Co.	07/24/09	2	07212009	001647	PETRO-VEHI	1148.64
VALERO Subtotal :							1148.64
147294	VERIZO / Verizon California	07/24/09	2	007012009A	001647	PHONE-MAIN	55.47
147294		07/24/09	2	07012009B	001647	PHONERAMPS	41.57
147294		07/24/09	2	07012009C	001647	PHONERAMPS	48.01
147294		07/24/09	2	07012009D	001647	PHONERAMPS	46.45
147294		07/24/09	2	07012009E	001647	PHONEMAIN	414.09
147294		07/24/09	2	07132009	001647	PHONEMAIN	48.45
VERIZO Subtotal :							654.04
147295	VERONL / Verizon Online	07/24/09	2	79293847	001647	DSL-CREEK	89.99
VERONL Subtotal :							89.99
147296	VERWIR / Verizon Wireless	07/24/09	2	776541504	001647	PHONESCELL	197.18
147296		07/24/09	2	778625059	001647	PHONESCELL	457.04
VERWIR Subtotal :							654.22
147297	WAXIE / WAXIE	07/24/09	2	71395340	001647	JANITSUPPL	91.75
WAXIE Subtotal :							91.75

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

MEETING DATE: August 6, 2009

AGENDA ITEM: 5C

SUBJECT:

CONSIDER APPROVAL OF A REQUEST FROM BIG BEAR MARINA TO GRANT A CONCESSION PERMIT TO RUTH FAWLEY OF BIG KAHUNA HOT DOGS

RECOMMENDATION:

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

DISCUSSION/FINDINGS:

Big Bear Marina has requested permission to grant a concession to Ruth Fawley of Big Kahuna Hot Dogs. She will sell hot dogs, soft drinks and snow-cones to customers at the marina. The Marina will be named an additional insured on the Big Kahuna Hot Dog liability insurance policy in the amount of \$500,000. The concession would run through November 1, 2009. In accordance with the Districts lease agreement with the marina, Board action and written permission must be granted by the District to allow the concession on District property. The Operations Committee recommends approval of this request.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager

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

MEETING DATE: August 6, 2009

AGENDA ITEM: 5D

SUBJECT:

**CONSIDER ADOPTION OF A REPLACEMENT RESOLUTION FOR THE 2009
EMPLOYEE COMPENSATION RESOLUTION**

RECOMMENDATION:

The General Manager and the Administrative Committee (Directors Smith and Eminger) recommend approval of this resolution.

DISCUSSION/FINDINGS:

An error was made in the 2009 Compensation Plan adopted on June 18, 2009 by Resolution 2009-06. Adoption of a new Resolution, No. 2009-09, is necessary to correct the error and return wages to the correct compensation levels.

OTHER AGENCY INVOLVEMENT: None

FINANCING: Reduction in the budgeted amount for salaries in FY 2009-10

Submitted by: Scott Heule, General Manager

RESOLUTION NO. 2009-09

A RESOLUTION OF THE BOARD OF DIRECTORS OF BIG BEAR MUNICIPAL WATER DISTRICT ESTABLISHING EMPLOYEE COMPENSATION, REPEALING RESOLUTION NO. 2007-08, AND REPLACING RESOLUTION NO. 2009-06

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

Section 1. Purpose

The purpose of this resolution is to establish positions of employment and employment compensation as stated in Exhibits "A" and "B" attached hereto.

Section 2. Repeals

Resolution No. 2007-08 is hereby repealed.

PASSED, APPROVED AND ADOPTED this 6th day of August, 2009

Todd Murphy, President

ATTEST:

Vicki Sheppard, Secretary to the Board

(SEAL)

**RESOLUTION NO. 2009-09
EXHIBIT "A"
2009 COMPENSATION PLAN**

FULL-TIME EMPLOYEES

POSITION	MINIMUM (Monthly)	MAXIMUM (Monthly)
GENERAL MANAGER 8,190 - 8,600 - 9,030 - 9,481 - 9,955 - 10,453 - 10,976	\$8,190	\$10,976
LAKE MANAGER 5,590 - 5,869 - 6,162 - 6,471 - 6,794 - 7,134 - 7,490	\$5,590	\$7,490
SR. ACCOUNTANT/HUMAN RESOURCES 4,376 - 4,595 - 4,825 - 5,066 - 5,319 - 5,585 - 5,865	\$4,376	\$5,865
LAKE OPERATIONS SUPERVISOR 4,376 - 4,595 - 4,825 - 5,066 - 5,319 - 5,585 - 5,865	\$4,376	\$5,865
MECHANICAL AND FACILITY TECHNICIAN 3,429 - 3,601 - 3,781 - 3,970 - 4,169 - 4,377 - 4,596	\$3,429	\$4,596
MAINTENANCE COORDINATOR 3,256 - 3,419 - 3,590 - 3,770 - 3,958 - 4,156 - 4,364	\$3,256	\$4,364
ADMINISTRATIVE ASSISTANT 3,051 - 3,203 - 3,364 - 3,532 - 3,708 - 3,894 - 4,089	\$3,051	\$4,089
ACCOUNTANT I/PUBLIC INFORMATION COORDINATOR 3,051 - 3,203 - 3,364 - 3,532 - 3,708 - 3,894 - 4,089	\$3,051	\$4,089
CUSTOMER SERVICE CLERK 2,410 - 2,531 - 2,657 - 2,790 - 2,929 - 3,076 - 3,230	\$2,410	\$3,230

* RESOLUTION NO. 2004-08 Section 4.104 Step Raises

(b) Employees who are at the top or above the approved pay scale and who have not received a step (merit) increase in three (3) years, shall be eligible for a five percent (5%) merit raise after performing three years of satisfactory service. Performance evaluation(s) with a satisfactory or higher rating shall be required for this merit increase. Employees at the top of the pay scale shall only be eligible for this merit increase once in any three (3) year period.

RESOLUTION NO. 2009-09

**EXHIBIT "B"
2009
COMPENSATION PLAN**

SEASONAL EMPLOYEES

POSITION	MINIMUM (Hourly)	MAXIUM (Hourly)
LAKE RANGER AIDE	legal minimum wage	legal minimum wage
LAKE RANGER I	\$10.90	\$14.61
	10.90 - 11.44 - 12.02 - 12.62 - 13.25 - 13.91 - 14.61	
LAKE RANGER II	\$13.25	\$17.76
	13.25 - 13.92 - 14.61 - 15.34 - 16.11 - 16.91 - 17.76	-

TEMPORARY EMPLOYEES

POSITION	(Hourly)	(Hourly)
GRANT COORDINATOR	\$45.00	\$45.00

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

MEETING DATE: August 6, 2009

AGENDA ITEM: 5E

SUBJECT:

CONSIDER APPROVAL OF THE RATIFICATION OF THE SALE OF SURPLUS PROPERTY – WEED TRANSPORTER

RECOMMENDATION:

The General Manager, the Lake Manager, and the Executive Committee (Directors Murphy and Fashempour) recommend approval.

DISCUSSION/FINDINGS:

The Lake Manager received a call July 16 from a buyer for the District's weed transporter. He was offering \$30,000 and wanted to pick it up in 48 hours. The General Manager and Lake Manager discussed this offer and concluded that the price needed to be much closer to the \$65,000 figure that was mentioned in the FY 2008-09 budget for a surplus price. The Fiscal Year 2008-09 budget also indicated the depreciated value of the transporter was about \$40,000. Over the following weekend the buyer offered \$60,000 and wanted to pick it up on Tuesday July 21. The Lake Manager had previously announced at professional meetings that the District has this piece of equipment for sale but has not had a serious purchase offer. Staff indicated to the buyer that the District could sell the transporter for the \$60,000 price providing there was a consensus on the price from the Executive Committee. Based on the fact that the surplus sale was intentionally mentioned in the 2008-09 budget, and that the price being offered is more than the 2008 depreciated value, the Committee approved the sale of the transporter. The sale amount will be placed in the general fund pending a decision on where to apply the revenue.

OTHER AGENCY INVOLVEMENT: None

FINANCING: Revenue of \$60,000

Submitted by: Scott Heule, General Manager

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

MEETING DATE: *August 6, 2009*

AGENDA ITEM: *6A*

SUBJECT:

CONSIDER APPROVAL OF A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIG BEAR MUNICIPAL WATER DISTRICT AMENDING RESOLUTION NO. 2008-02 AS IT RELATES TO HEADWALKS

RECOMMENDATION:

The General Manager, Lake Manager and Operations Committee (Directors Suhay and alternate Eminger) recommend approval of this resolution.

DISCUSSION/FINDINGS:

At the Board Meeting on July 16, 2009 the Board sent this issue back to Committee for further consideration as a result of testimony from Roy Brownie and Larry Cooke. Several questions were raised during the meeting that had not been fully discussed in Committee. The Operations Committee met on July 31, 2009 to study the issues raised and others that pertain to headwalks on Big Bear Lake. Their findings are enumerated below:

1. Resolutions 2002-03, 2006-04, 2008-02 and 2009-01 all define headwalks as “An uncovered raised walkway constructed on pilings and installed in the Lake Bottom to provide pedestrian access to a dock or gangway.” The public can sometimes become confused with this term. A definition for headwalks has been added to the resolution.
2. Headwalks that are in use at Commercial Marinas Yacht Clubs: Holloways – no; Pleasure Point – no; Grays – no; No. Shore – no; Captain Johns – no; Lighthouse – no; Big Bear Shores – no; Eagles Knoll – no; Pine Knot – no; Big Bear Marina – no; Eagle Point Estates – YES. Headwalks are rarely used for supporting dock systems at commercial locations.
3. Headwalks do provide a transition from flat ground to the sloping gangway. The same transition, if it is needed, should occupy private property not public property.
4. Attaching a gangway to a concrete pad with footings and reinforcement constructed on private property provides more structural integrity than a headwalk that is suspended on piers over the public lake bottom.
5. Winter dock storage is regulated in resolutions adopted by the District. Any ice breaking strength headwalk piers provide could in fact keep the headwalk in place, but it does not provide any protection to stored docks.
6. Electrical utilities running to a dock will always need to be attached in some fashion to a gangway whether the gangway is attached to an anchor structure on private property or to a headwalk. The District relies on the expertise of the Building and Safety departments at the City or County to assure safe electrical installation.

7. The most critical issue related to ADA compliance after smooth surface and width requirements are met, is the pathway grade. ADA requirements are not applicable to private property. Maximum gradient permitted for new construction is 12 feet of gangway for one foot drop in elevation. Additionally, ADA regulations limit lengths to 30 or 40 feet before a landing is required to be constructed. (Additional details on ADA regulations are attached for reference.)
8. A clear distinction must be understood between elevation changes and gradient on a ramp or gangway. Assume a headwalk extends level for 25 feet and is connected to a gangway 45 feet long, which is then connected to a floating dock system 10 feet lower in elevation than the head walk. The elevation change is 10 feet and the distance traveled to drop that 10 feet is 45 feet. The gradient on the gangway is 4.5:1 or 4.5 feet of gangway for every one foot drop in elevation. If the head walk is replaced by an extended gangway, the gradient on the gangway is reduced to something closer to 7:1 or 7 feet of gangway for every one foot drop in elevation. The gradient is less steep without a head walk. District regulations prohibit gangway grades exceeding 3:1 (3 feet of gangway for every one foot drop in elevation). Headwalks result in steeper gangway gradients than longer gangways alone.

Based on these findings the Committee concluded that there is no compelling reason to continue allowing construction of headwalks on public property.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager

ADA Ramp Requirements

4.8 Ramps.

4.8.1* General. Any part of an accessible route with a slope greater than 1:20 shall be considered a ramp and shall comply with 4.8. **Appendix Note**

4.8.2* Slope and Rise. The least possible slope shall be used for any ramp. The maximum slope of a ramp in new construction shall be 1:12. The maximum rise for any run shall be 30 in (760 mm) (see **Fig. 16**). Curb ramps and ramps to be constructed on existing sites or in existing buildings or facilities may have slopes and rises as allowed in **4.1.6(3)(a)** if space limitations prohibit the use of a 1:12 slope or less. **Appendix Note**

4.8.3 Clear Width. The minimum clear width of a ramp shall be 36 in (915 mm).

4.8.4* Landings. Ramps shall have level landings at bottom and top of each ramp and each ramp run. Landings shall have the following features:

(1) The landing shall be at least as wide as the ramp run leading to it.

(2) The landing length shall be a minimum of 60 in (1525 mm) clear.

(3) If ramps change direction at landings, the minimum landing size shall be 60 in by 60 in (1525 mm by 1525 mm).

(4) If a doorway is located at a landing, then the area in front of the doorway shall comply with **4.13.6. Appendix Note**

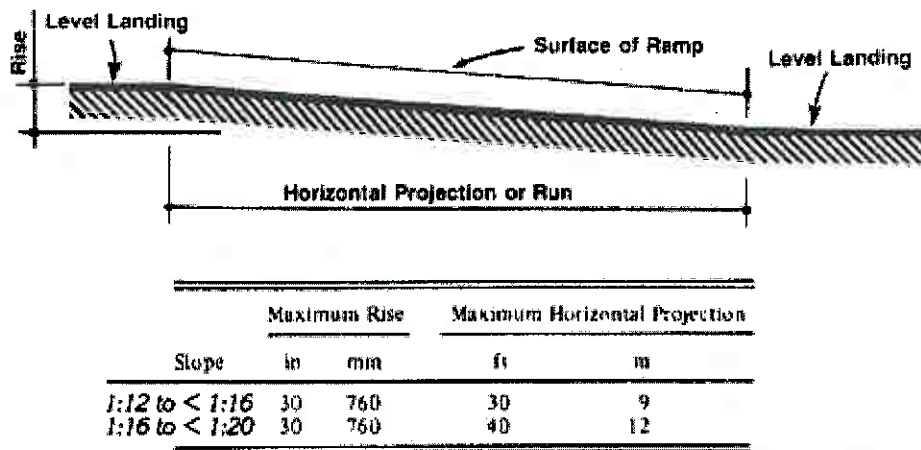


Figure 16
Components of a Single Ramp Run and Sample Ramp Dimensions

If the slope of a ramp is between 1:12 and 1:16, the maximum rise shall be 30 inches (760 mm) and the maximum horizontal run shall be 30 feet (9 m). If the slope of the ramp is between 1:16 and 1:20, the maximum rise shall be 30 inches (760 mm) and the maximum horizontal run shall be 40 feet (12 m).

A4.8.2 Slope and Rise. Ramp slopes between 1:16 and 1:20 are preferred. The ability to manage an incline is related to both its slope and its length. Wheelchair users with disabilities affecting their arms or with low stamina have serious difficulty using inclines. Most ambulatory people and most people who use wheelchairs can manage a slope of 1:16. Many people cannot manage a slope of 1:12 for 30 ft (9 m).

A4.8.4 Landings. Level landings are essential toward maintaining an aggregate slope that complies with these guidelines. A ramp landing that is not level causes individuals using wheelchairs to tip backward or bottom out when the ramp is approached.

RESOLUTION NO. 2009-10

A RESOLUTION OF THE BOARD OF DIRECTORS OF
BIG BEAR MUNICIPAL WATER DISTRICT
AMENDING RESOLUTION NO. 2008-02 AS IT RELATES TO HEADWALKS

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

1. Purpose and Scope.

This resolution amends regulations for the placement of headwalks on Big Bear Lake.

2. Amendment: Definitions.

Section 2 of Resolution No.2008-02 is amended and reenacted to read as follows:

“2. Definitions.

The following terms are defined for the purposes of this resolution, unless otherwise apparent from context:

- (a) Adjacent Property: Property above the high water line of Big Bear Lake adjacent to and abutting the shorezone.
- (b) CEQA: California Environmental Quality Act.
- (c) District: Big Bear Municipal Water District.
- (d) Headwalk or headpier: An uncovered raised walkway constructed on pilings and installed in the Lake bottom to provide pedestrian access to a dock gangway.
- (e) High Water Line or HWL: Historic contour line within Bear Valley at the Bear Valley Dam spillway elevation of 6743.25' (NGVD-29) mean sea level.
- (f) Lake: Big Bear Lake.
- (g) Ministerial: Permits associated with the following projects:
 - (1) the placement of up to 50 cubic yards of sand or gravel below the high water line, proof of an equal amount of material has been removed, the removal of vegetation and/or willows, the planting of vegetation for slope protection, and the removal of 100 cubic yards of material;
 - (2) the placement of up to 50 cubic yards of riprap below the high water line for shoreline erosion control, may or may not require an equal amount of removal depending upon the District's environmental review of the project;
 - (3) installation of footing protection for construction of a seawall on private property; and
 - (4) construction and installation of a head walk on District property. The standard drawings for the above activities are included in Section XII, Exhibits.
- (h) MSL: mean sea level.
- (i) Seawall: shoreline retaining wall.
- (j) Shorezone: lake bottom area below and including elevation 6743.25' (NGVD-29). In some cases, the shorezone may be above elevation 6743.25' (NGVD-29) due to fill, accretion, land subdivisions or other natural or manmade activities.”

3. Amendment: Shorezone Classifications.

Section 3 of Resolution No.2008-02 is amended and reenacted to read as follows:

“3. Shorezone Classifications.

- (a) Described below are the three shorezone classifications and the types of alterations permitted within each classification:
 - (1) R-Shorezones: are typically adjacent to privately owned residential lakefront property. Motels, hotels, dock clubs or similar residential-oriented lake facilities shall be considered in this classification. No fences, piers, decks, seawalls, headwalks or other permanent structures

may be placed within the shorezone and no part of any structure on the adjacent lakefront property may be cantilevered beyond the high water line.

(2) CR-Shorezones: are commercial recreation areas which shall be dedicated to providing water-oriented recreation facilities to the general public. Specifically included in this zone are the seventeen commercial boat landing licenses. No fences, piers, decks, seawalls, headwalks or other permanent structures may be placed within the shorezone, and no part of any structure on the adjacent lakefront property may be cantilevered beyond the high water line.

(3) PR-Shorezones: shall be dedicated to the construction and maintenance of public facilities. Shorezone areas in this classification are typically located adjacent to lakefront property owned and maintained by a public agency. Permanent docks, piers, headwalks, seawalls or other permanent structures, with size and other restrictions to be determined on a case by case basis may be allowed within this class. No part of any structure on the adjacent lakefront property may be cantilevered beyond the high water line.

(4) In each of the above classifications, the following projects shall be allowed:

- (a) Ministerial projects;
- (b) Dredging per attached drawings and specifications;
- (c) Docks or mooring buoys in accordance with dock standards; and
- (d) Steps constructed of reinforced concrete or other District

approved material.”

4. Amendment: General Specification and Regulations.

Section 5 of Resolution No.2008-02 is amended and reenacted to read as follows:

“5. General Specifications and Regulations

(a) No work shall be authorized between December 1st and March 31st of any year in compliance with eagle habitat restrictions, unless otherwise authorized by the appropriate regulatory agency. On any project not completed by November 30th, project proponent shall have implemented District approved erosion control measures as applicable.

(b) Discharge into the Lake or on the Lake bottom of oil, grease or other lubricants, hydraulic fluid or similar chemicals is specifically prohibited. All appropriate measures shall be taken to prevent such substances from reaching the Lake.

(c) Use of herbicides or other toxic substances as part of a shorezone alteration project is prohibited.

(d) The District’s routine lake maintenance activities shall be exempt from the provisions of these standards. Routine lake maintenance activities include but are not limited to: aquatic weed management, debris removal, emergency erosion control, beach replenishment, dock removal and removal of hazards to navigation.

(e) No project shall be considered that results in a net loss of lake storage capacity or surface acres, unless the District determines there is an overriding public benefit.

(f) Any material placed as part of any shorezone alteration shall not contain asphalt, toxic substances, excessive organic material or any substance that would adversely affect the water quality.

(g) During construction, shorezone alteration projects may be required to provide access to the shoreline for lake maintenance vehicles and equipment.

(h) The applicant for a shorezone alteration permit may be required to present a legal record of survey showing the lakeside boundary of the property to be altered. In these cases, permanent monuments shall be set for the lakeside boundaries by a licensed civil engineer or surveyor.

(i) In an emergency situation, shoreline protection may be accomplished only through the temporary placement of sandbags or other District approved means until such time as an appropriate project can be developed and approved.

(j) In many reaches of the shorezone of Big Bear Lake, sewer systems owned by public agencies exist. The design of any shorezone alteration project shall consider the location and depth of any sewer line and or manholes when designing a project.

(k) A prime concern of the District is a workable compromise between the private property rights of the lake front property owner and the right of access to the lake by the general public. Public accessibility to the particular stretch of shoreline before and after a project will be evaluated. No shorezone alteration project shall be approved if it results in a significant reduction in access by the general public to the affected portion of the Lake.”

5. Amendment: Specifications and Standard Drawings

Section 6 of Resolution No.2008-02 is amended and reenacted to read as follows:

“6. Specifications and Standard Drawings

(a) Dredging and Erosion Control:

(1) Dredge projects shall typically be designed in conformance with the attached Exhibit “A”, in which dredging to the finish elevation of 6728’ (NGVD-29) is recommended. However, projects shall be evaluated on a case-by-case basis, taking into consideration the topography and geography of the area, economics and access. Dredging to elevation 6728’ (NGVD-29) or any other elevation does not guarantee the ability to navigate in perpetuity due to historic fluctuations of the Lake level;

(2) The quantity of all material either placed in or removed from the Lake shall be recorded daily and reported in writing to the District weekly;

(3) The recommended slopes are 3:1. However, other slopes will be considered after reviewing the direction of the prevailing winds and topography. The final protective covering shall be placed as soon as possible after the final slope is established. Slope protection shall be placed before December 1st of each year;

(4) Each applicant shall be given the most recent contour map of Big Bear Lake for use as a guideline to design the project. However, it is the responsibility of the applicant to verify the current depths and distances in the project area when designing the project;

(5) Exhibit “B” is a typical drawing of a dredge project in an area where sewer facilities exist. Generally the manholes are set at elevation 6744’ (NGVD-29) plus. The topography over the sewer line and around the manholes is often below elevation 6744’ (NGVD-29). The project may be designed to fill the that area to a distance of five feet into the Lake from the centerline of the manhole or sewer line, providing property is protected with rock riprap as per Exhibit “B” and also provided no permanent structures are installed on fill area. The fill area shall remain open for public access and may be planted with natural vegetation to protect against erosion. As per the drawing, the top of the dredged slope shall begin a minimum of five feet toward the Lake from the sewer line or center line of the manhole;

(6) Rock riprap, 12” or greater in diameter, or District approved substitute, shall be placed as shown on Exhibit “ A ” over an approved filter fabric material stapled in place, to elevation 6744’ (NGVD-29). The bottom elevation shall be 6728’ (NGVD-29), or the finish grade of dredging;

(7) No work shall be allowed in the water until a satisfactory silt curtain is installed in place surrounding that portion of the project within the Lake. This restriction shall apply during the construction and the removal of coffer dams. The silt curtain shall be capable of withstanding wind and wave action reasonably expected at the site. The silt curtain shall be inspected in place by District personnel prior to the start of construction and prior to its removal upon final acceptance of a project;

(8) Any material removed from dredge site shall be transported in such a manner as to preclude leakage of material onto roadway;

(9) Construction of new private launch ramps or reconstruction of existing private launch ramps is prohibited.

(b) Seawall footing protection specifications (Typical drawing shown on Exhibit “D”):

(1) Seawalls constructed on private property for the purpose of keeping that property from eroding into the Lake shall be built per applicable building codes;

(2) The footing of the wall shall be constructed below elevation 6743.25' (NGVD-29) and on original or compacted ground;

(3) The protection shall consist of two feet by two feet (2' X 2') minimum excavation at the bottom of the wall adjacent to the footing. After lining the excavation with an approved filter material, it shall be backfilled with twelve inch or larger rock.

(c) Head Walk specifications (Typical drawing shown on Exhibit "E")

(1) Class "PR" shorezone areas:

(a) A head walk shall be no more than 8 feet in width, shall be placed perpendicular to the shore, and shall extend no more than 24 feet beyond the lakeside boundary of applicant's property. In the event the applicant's lakeside property boundary is located below the existing high water line, the head walk shall not extend more than 24 feet beyond the existing high water line;

(b) Any access steps to the head walk shall be included in the calculation of the 24 feet maximum;

(c) Steel pilings or plastic pilings with a steel core, approved by the District, shall be driven into the Lake bottom and shall not be anchored in concrete;

(d) A head walk shall have guardrails;

(e) The opening to the gangway shall be gated whenever the dock system is removed;

(f) A head walk shall be uncovered;

(g) The deck portion of the head walk shall be no higher than elevation 6,745' (NGVD-29);

(h) A head walk shall meet applicable building code requirements."

6. Amendment: Violations.

Section 12 is added to Resolution No.2008-02 to read as follows:

"12. Violations

Any person who violates any provisions of this resolution is guilty of an infraction. Such person is guilty of a separate offense for each and every day during any portion of which any violation of these standards is committed, or continued by such person, firm or corporation, and shall be punishable. The District may also seek civil remedies including any injunctive relief which might be appropriate."

7. Amendment: Exhibits.

Section 13 is added to Resolution No.2008-02 to read as follows:

"13. Standard Drawings.

Standards for shorezones alteration are shown on attached Exhibits. "

8. Other

Except as provided herein, Resolution No. 2008-02 is affirmed and readopted.

APPROVED AND ADOPTED on July 20, 2009.

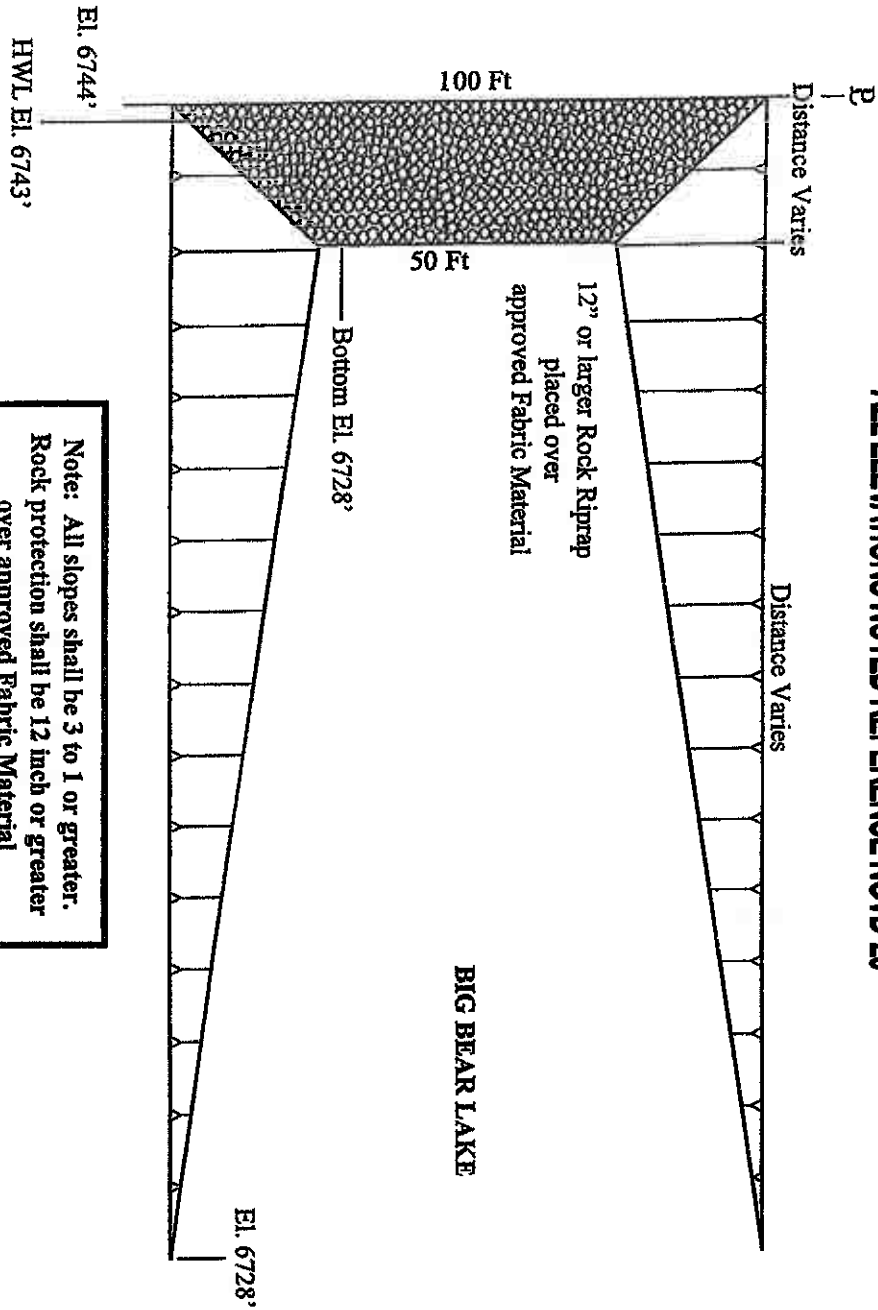
Todd Murphy, President

ATTEST:

Vicki Sheppard, Secretary to the Board

**EXHIBIT A
PLAN VIEW
TYPICAL DREDGE PROJECT**

**NOT TO SCALE
ALL ELEVATIONS NOTED REFERENCE NGVD-29**



**Note: All slopes shall be 3 to 1 or greater.
Rock protection shall be 12 inch or greater
over approved Fabric Material**

EXHIBIT A Cont.
TYPICAL PROFILE SECTION
OF DREDGE PROJECT

NOT TO SCALE
ALL ELEVATIONS NOTED REFERENCE NGVD-29

Note: Example shows water level at El. 6733' Water Level

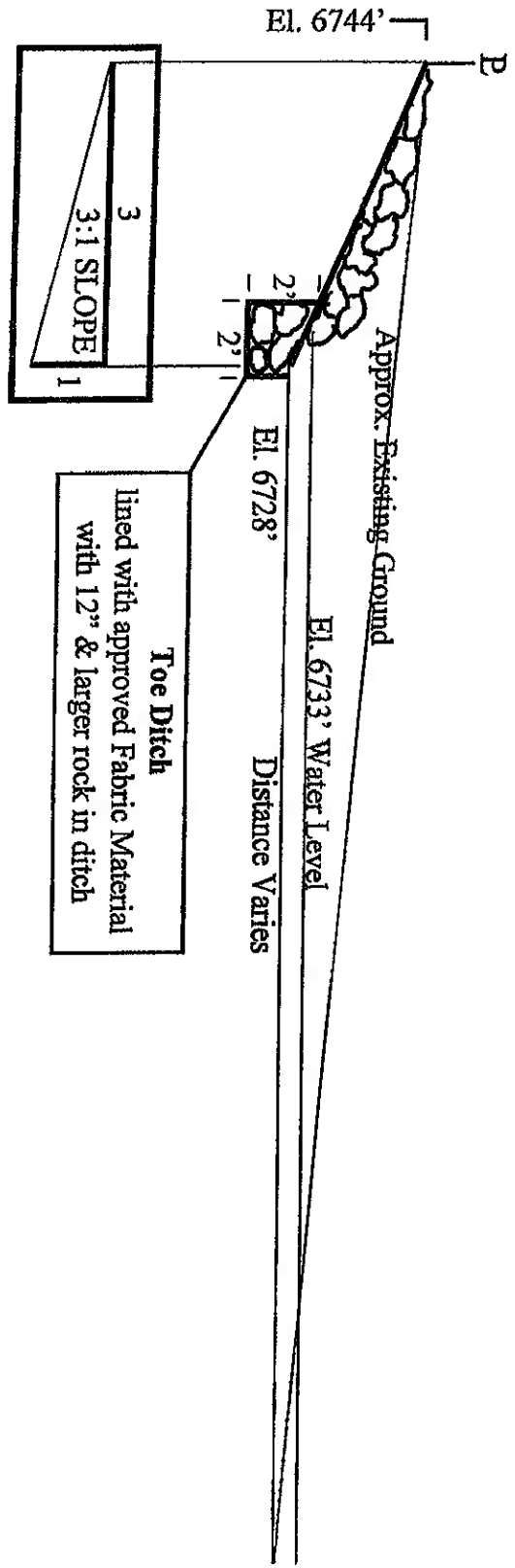


EXHIBIT B
TYPICAL PROFILE SECTION
OF DREDGE PROJECT
WITH SEWER FACILITY

NOT TO SCALE

Note: Example shows water level at El. 6733' Water Level

ALL ELEVATIONS NOTED REFERENCE NGVD-29

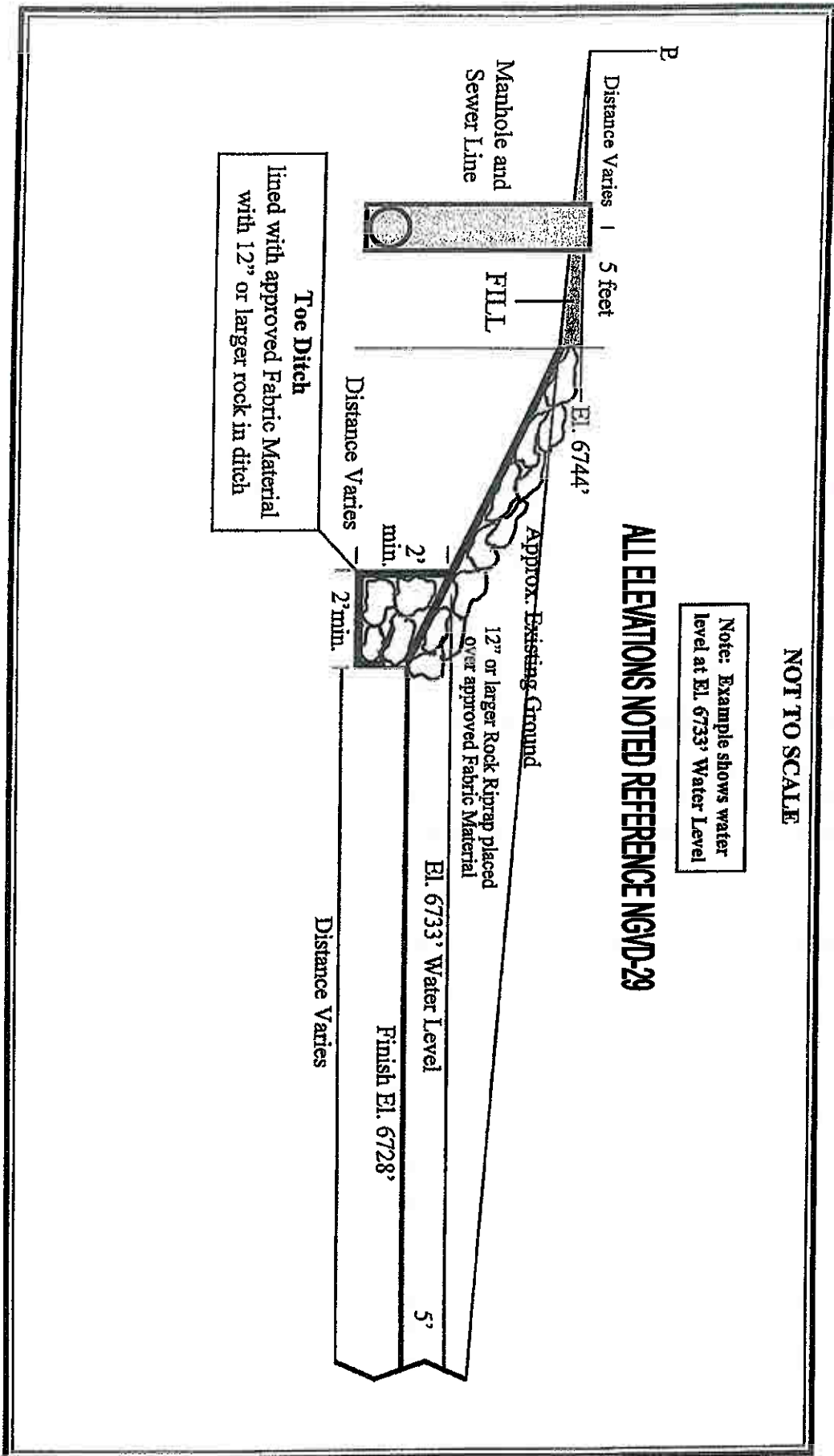
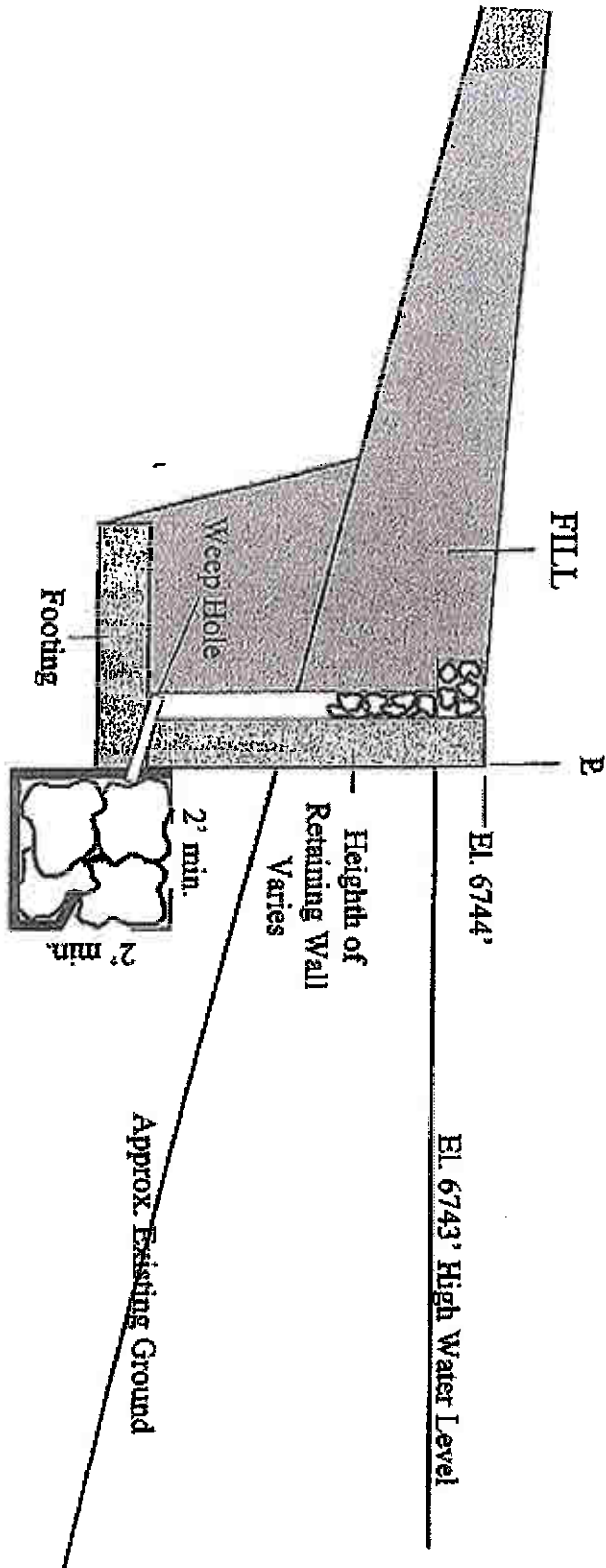


EXHIBIT C
TYPICAL PROFILE SECTION
OF RETAINING WALL ON PRIVATE PROPERTY
WITH FOOTING PROTECTION

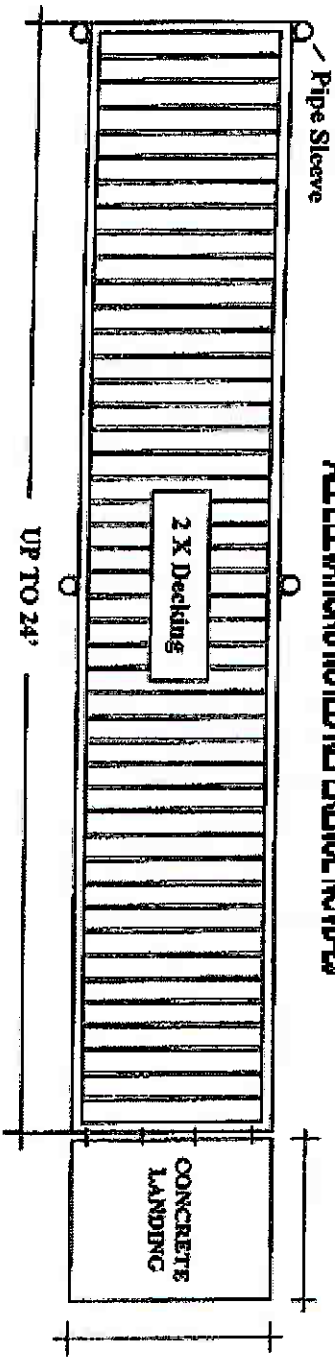
NOT TO SCALE
ALL ELEVATIONS NOTED REFERENCE NGVD-29



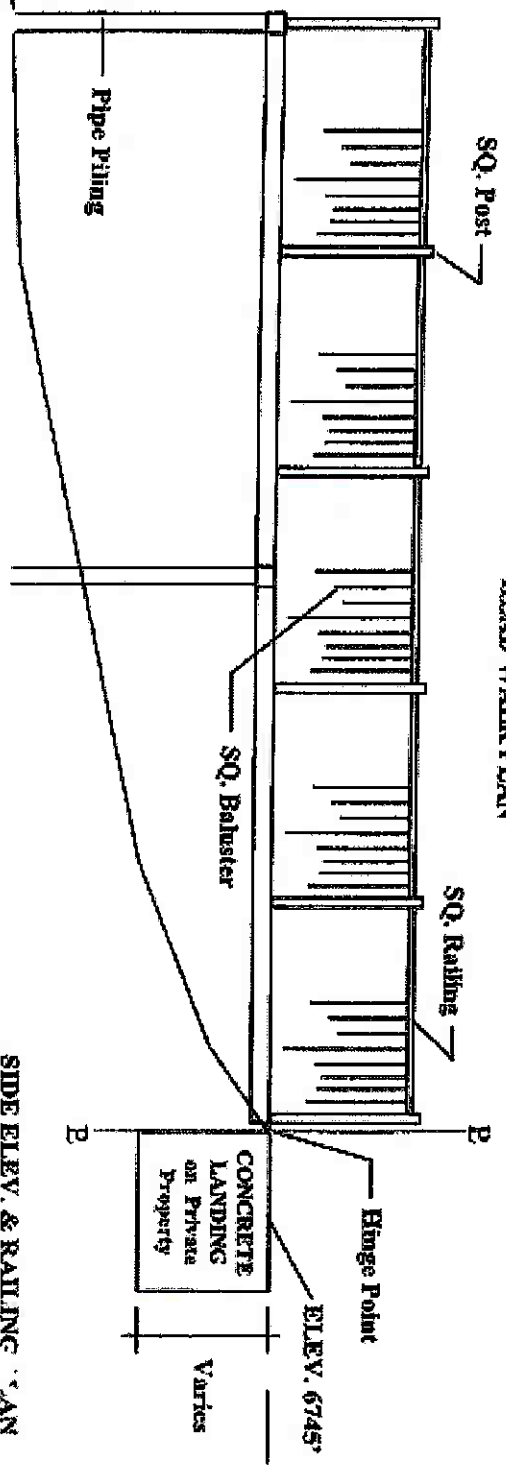
Toe Ditch
 lined with approved Fabric Material
 with 12" or larger rock in ditch

Owner shall Provide for Clean Drainage into Lake

EXHIBIT D
TYPICAL HEAD WALK
PLAN VIEW



NOT TO SCALE
ALL ELEVATIONS NOTED REFERENCE NGVD-29

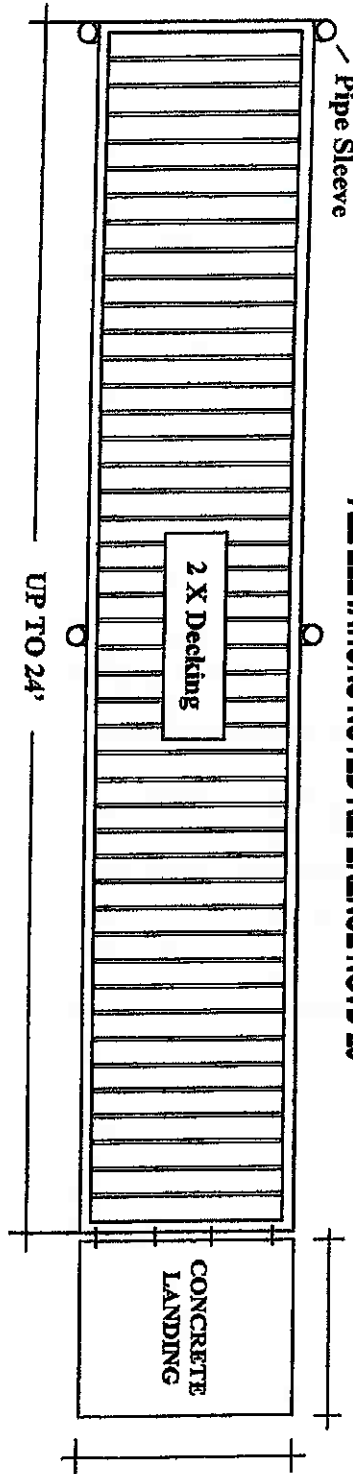


HEAD WALK PLAN

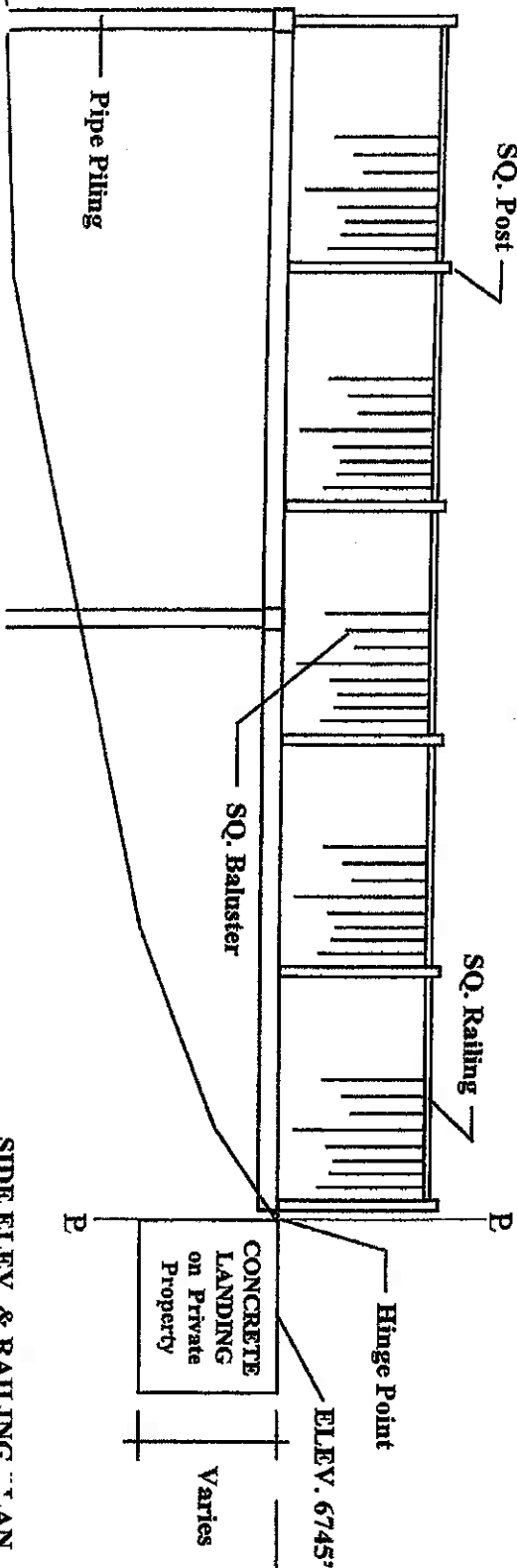
SIDE ELEV. & RAILING PLAN

EXHIBIT E
 TYPICAL AD WALK
 PLAN VIEW

NOT TO SCALE
 ALL ELEVATIONS NOTED REFERENCE NGVD-29



HEAD WALK PLAN



SIDE ELEV. & RAILING PLAN