

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**  
**April 7, 2011**

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

Next Resolution Number: 2011- 03

**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 a Regular Meeting of March 17, 2011
  - B. Minutes of a Special Meeting held March 28, 2011
  - C. Warrant List Dated April 1, 2011 for \$51,325.73
  - D. Consider Approval of a Special Event Permit for Big Bear Paddlefest to be held on July 9th & 10th, 2011
  - E. Consider Approval of a Special Event Permit for the Old Miners' Big Bear Heritage Parade to use our parking facility on July 23, 2011 for parade float disbanding
- 6. 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)

- 7. ANNOUNCEMENTS**
- 8. DIRECTOR COMMENTS**
- 9. ADJOURNMENT**

**NEXT MEETING:** Open Session at 1:00 P.M.  
Thursday, April 21, 2011  
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, MARCH 17, 2011***

**CALL TO ORDER**

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

**REPORTS**

Mr. Heule reported that it seems that trout are everywhere except where they belong, in the Lake (he passed out a map showing the location of the fish). He explained that the unusually high lake level coupled with the snowmelt runoff has been ideal for fish spawning in essentially every natural and man-made tributary to the Lake. He added that as in past years District Staff has, at Fish and Games request printed, laminated and posted dozens of signs at tributary mouths regarding Fish and Game laws and penalties for illegally taking fish during the spawn. He stated that the District, using its licenses from Fish and Game, has also netted stranded fish from isolated ponds and returned them to the lake, again at the request of Fish and Game. He explained that there is a situation in Big Bear City south of the airport where, because of the high lake level, fish are swimming up the ditch next to the runway that is currently flooded, up a flooded dead-end dirt road, under a culvert at Fairway, along a shallow cement lined ditch on Bowles Drive, and under a culvert on West Aeroplane to an asphalt paved swale along the west and south side of the residential street. He added that water flowing in this channel is drainage from between Moonridge and Sugarloaf that flows under the highway at Pine View Drive. Mr. Heule reported that the fish in the drainage swale on Aeroplane are nearly 3/4 mile from the main body of the lake at Division Drive. He added that along this path are many dozens if not a hundred or more fish explaining that there is no telling how long the Pine View Drive stream is going to keep flowing. He reported that it is possible to net these fish and with several trips with a container in the back of a pickup truck we could relocate fish to Big Bear Marina or the West Ramp, the effort would need to continue daily or more often for many days if not weeks. Mr. Heule explained that for every fish we would rescue others would continue their journey from the lake to the airport etc. He stated that the legal authority and obligation for caring for and protecting fish in Big Bear Lake resides with the California Department of Fish and Game and while they can delegate implementation of that obligation at times, as they have to the District in the past, the District must consider how involved it is willing to get in this particular instance. He explained that we are currently a little less than two weeks away from opening the season and there is a great deal that must be done before then to prepare. He added that if the District were to take on the additional obligation of caring for spawning trout he has concerns that we may fail in our other obligations. He stated that possibly Fish and Game could coordinate a rescue operation using local volunteers or the COPs. Director Murphy asked if we could put up some nets to prevent the trout from swimming up-stream. Mr. Heule stated that they were concerned that if they did that the nets might collect debris and cause flooding. Director Murphy asked if the spawn could be successful if the trout could get back down to the lake. Mr. Stephenson explained that it would most likely not be successful. President Suhay stated that he has received offers

from people who want to volunteer to help collect/rescue the fish and he added that possibly we could relocate the fish to our fish rearing cages. He explained that when the stranded fish die they will smell. Director Smith stated that this is the first time he has seen fish coming up by Riffenburgh Lumber adding that they are very large trout. He also asked if the District could relocate them to fish cages. He explained that if they remain upstream they will become coyote or raccoon food. Mr. Heule stated that Fish and Game could solicit help from groups like COP's but we could not (Mr. Stephenson explained that the local game warden was out of town). Director Fashempour asked if the COP's would need guidance. Mr. Stephenson reported that anyone other than the District would have to have a permit from Fish and Game to collect fish or they could get a citation. President Suhay asked if the fish run upstream more in the PM. Mr. Stephenson explained that they react to sunlight (sunlight triggers spawning). Director Murphy asked if they return to the same stream year after year. Mr. Stephenson explained that is normal for certain lakes but probably not for Big Bear Lake. Director Smith asked if we could divert water so the fish would not have a channel to go up. Mr. Stephenson explained that jurisdictionally we could not. Director Fashempour asked if Fish and Game could do something with the COP's when the warden got back in town. Mr. Heule explained that would be up to him. Director Fashempour stated that the District spends a lot of money on fish and could we not take advantage by collecting some of these fish. Mr. Heule replied that we would have to hire more staff. Mr. Stephenson explained that if we just leave them alone, most of them would make it back to the lake. Director Eminger commented that we now have a full lake and therefore the fish try to swim up the creeks and tributaries adding that having a full lake is good but one thing leads to another. Mr. Heule commented that the Lake Improvement Committee will discuss it at next week's meeting. Mr. Heule reported that we have received the final topographic mapping for District owned property at the Trout Pond. He added that the maps are available for everyone to look over. He explained that the Watershed Committee meeting next week will take a closer look at the map and, weather permitting, will visit the site again in preparation for a future Board workshop on a strategic plan for the property. He reported that we have received copies of review letters from the Santa Ana Regional Water Quality Control Board concerning the submittal last August of the Big Bear Lake TMDL Action Plan. He explained that they are requiring additional submittals that provide date specific action items without reference to considerations associated with availability of funding. He stated that they want to see specific plans to implement specific tasks as described in the Action Plan. He added that they also want to see an updated Beneficial Use Map submitted no later than August 31, 2011 and a Plant Management contingency plan that addresses non-emergence of native plants and/or over proliferation of native plants also by August 31, 2011. He stated that he is sure the Task Force will be meeting to discuss these matters soon.

Lake Manager, Mike Stephenson reported on trout spawning explaining that it is a three to four week process. He added that the chance of a successful spawn in Big Bear Lake is not good and typically does not happen here. Director Fashempour asked if we could put something on our website asking people to leave the fish alone. Mr. Stephenson explained that he has a notice in his weekly fishing report on the website telling people to leave the spawning fish alone. He reported that Paul Fetterhoff and Ryan Petty (seasonal maintenance) are back to work starting today and are busy cleaning up debris. He stated that ramp attendant interviews are scheduled for next week adding that there are six candidates that were selected out of the group that tested. He reported that the Shoreline Cleanup kick off meeting is scheduled for May 7th adding that the shirts came in today.

### **APPROVAL OF CONSENT CALENDAR**

Upon a motion by Director Smith, seconded by Director Eminger, with Director Murphy abstaining from the vote, the following consent items were unanimously approved:

- Minutes of a Regular Meeting of March 3, 2011
- Warrant List Dated March 14, 2011 for \$104,123.84

### **DISCUSSION AND POSSIBLE ACTION ON REPLACEMENT BRIDGE ON DAM**

Mr. Heule reported that in a phone call from Syed Raza at Caltrans he indicated that the Flatiron bids for the replacement bridge on the dam will run on the order of \$2.4M for the 9 foot option and \$1.8M for the 6 foot option. He asked him to provide the details on the bids in an email message as soon as they have them formally submitted from the contractor. He added that considering Caltrans' offer to fund about \$600,000 worth of a replacement bridge it is apparent that an alternative must be used to build a replacement bridge. Mr. Heule explained that we have been told in the past that if we wanted to do something other than construction under a change order scenario we would need to present a ready to award bid project to the California Transportation Commission, including CEQA, to get funding. He stated that Mr. Wolfe said he was confident that he could get \$600,000 from the Commission. He reported that the Facilities Committee believes that the District should not spend any more money on trying to get a maintenance bridge on the dam. He explained that the District has done all that it can and satisfied its obligations to design a bridge with the submittal that was presented by Simon Wong Engineers to Caltrans in early February. He reported that the money that was spent secured a bid from Flatiron for a contract change order on the new highway bridge project that shows that neither a six foot wide bridge nor a nine foot wide bridge is feasible under the current Caltrans project. Mr. Heule reported that he has not received any further information from Caltrans therefore the Facilities Committee is recommending that Caltrans be told to construct a six foot wide bridge on the dam using their environmental document, designs and specifications and construction inspection services using whatever mechanism they want and they should be told that the District will not spend any more money on this effort.

Director Smith commented that the Committee spent hour upon hour working on this project and Caltrans wouldn't even work with the District a little. President Suhay stated that everything had changed from the beginning (the first meeting) and none of the original Caltrans participants remained involved. Director Fashempour stated that she wanted to make it very clear that they exhausted every possibility, even speaking to Senator Dutton's office, to try and come to a reasonable solution but received little help from anyone. Director Smith added that people don't seem to care that they won't be able to walk across the old bridge and he feels that there is no point in throwing good money after bad commenting that promises were broken and the District has been left with no choice. Director Murphy asked if Caltrans has to replace what was originally there. Mr. Heule explained that they are obligated to replace what was on the dam before the highway was built, which was a small walkway. He added that the District wants to be able to maintain access to the dam and be able to raise and lower materials with a small crane.

Director Fashempour moved approval that Caltrans be notified to construct a six foot wide bridge on the dam using their environmental document, designs, specifications, and construction inspection services using whatever mechanism they want and notify them that the District will not spend any more money on this effort. Director Murphy seconded the motion and it was unanimously approved.

**PUBLIC FORUM**

No comments were made.

**ANNOUNCEMENTS**

Mr. Heule announced that there are several committee meetings scheduled for next week. He reported that he will be off tomorrow (Friday) on a family trip adding that Mr. Stephenson will be in charge.

**DIRECTOR COMMENTS**

Director Fashempour stated that she is anxious to hear what Caltran's response will be to the District's decision.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 1:46 P.M.

**NEXT MEETING**

Open Session at 1:00 P.M.  
Thursday, April 7, 2011  
Big Bear Municipal Water District  
40524 Lakeview Drive, Big Bear Lake, CA

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Vicki Sheppard  
Secretary to the Board  
Big Bear Municipal Water District

(SEAL)

***MINUTES OF A SPECIAL MEETING OF  
BIG BEAR MUNICIPAL WATER DISTRICT  
HELD ON MONDAY, MARCH 28, 2011***

**CALL TO ORDER**

President Suhay called the Open Session to order at 2:20 PM. Those in attendance included Director Fashempour, Director Smith, Director Murphy, Director Eminger, District Counsel Wayne Lemieux, General Manager Scott Heule, and Board Secretary Vicki Sheppard.

**PUBLIC FORUM**

No comments were made

**ANNOUNCEMENTS**

No announcements were made

**DIRECTOR COMMENTS**

No comments were made

**ADJOURNMENT TO CLOSED SESSION**

The meeting was adjourned to Closed Session at 2:23 PM to:  
Confer with District Counsel regarding Labor Negotiator, Government Code Section 54957.6  
Unrepresented Employee

**RECONVENE TO OPEN SESSION**

The meeting was reconvened to Open Session at 3:52 PM  
No reportable action.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:53 PM

**NEXT MEETING**

Open Session at 1:00 P.M.  
Thursday, April 7, 2011  
Big Bear Municipal Water District  
40524 Lakeview Drive, Big Bear Lake, CA

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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, 03/15/11 to 03/31/11  
 Account 10010-00-001, Sessions 000000 to 002268**

**Active Sessions (Not Included in Report)  
 002197**

Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
<b>Checking Account: 10010-00-001</b>							
149123	VERWIR / VERIZON WIRELESS	03/17/11	M	0940125132	002245		611.23
<b>VERWIR Subtotal :</b>							611.23
149124	ALLPRO / All Protection Alarm Co.	03/24/11	2	131810	002253	FACILMAINT	37.00
149124		03/24/11	2	132021	002253	WESTMAINT	81.00
149124		03/24/11	2	132136	002253	FACILMAINT	33.00
149124		03/24/11	2	132300	002253	FACILMAINT	175.00
<b>ALLPRO Subtotal :</b>							326.00
149125	BMARIN / Big Bear Marina	03/24/11	2	10311129	002253	PETRO-BOAT	179.14
<b>BMARIN Subtotal :</b>							179.14
149126	BUTCHR / Butcher's Block & Building Materi	03/24/11	2	57409	002253	SMTTOOLS	142.08
149126		03/24/11	2	57612	002253	DAM MAINT	31.27
149126		03/24/11	2	58758	002253	SHOPMAINT	8.31
149126		03/24/11	2	58958	002253	QUAGGA	91.83
149126		03/24/11	2	59082	002253	EQUIPMAINT	36.95
149126		03/24/11	2	59217	002253	QUAGGA	8.17
149126		03/24/11	2	59385	002253	QUAGGA	9.23
149126		03/24/11	2	59641	002253	FACILMAINT	22.84
149126		03/24/11	2	59809	002253	QUAGGA	10.74
149126		03/24/11	2	59963	002253	SHOPMAINT	14.94
149126		03/24/11	2	60259	002253	QUAGGA	77.75
149126		03/24/11	2	60426	002253	QUAGGA	25.99
<b>BUTCHR Subtotal :</b>							480.10
149127	BVELEC / Bear Valley Electric	03/24/11	2	03091011B	002253	UTIL-MAIN	51.48
149127		03/24/11	2	03092011A	002253	UTIL-MAIN	2566.98
149127		03/24/11	2	03092011C	002253	UTIL-MAIN	70.92
<b>BVELEC Subtotal :</b>							2689.38
149128	CENTUR / CENTURY FORMS, INC.	03/24/11	2	69787	002253	PRINTING	582.59
<b>CENTUR Subtotal :</b>							582.59
149129	COMPVI / Computer Village	03/24/11	2	120988	002253	COMPCONSLT	500.00
149129		03/24/11	2	121001	002253	EQUIPMAINT	71.95
<b>COMPVI Subtotal :</b>							571.95



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149130	COMSER / ComSerCo	03/24/11	2	504179	002253	RADIOMOBIL	36.89
						<b>COMSER Subtotal :</b>	<b>36.89</b>
149131	DISH / Dish Network	03/24/11	2	03042011	002253	UTIL-MAIN	60.99
						<b>DISH Subtotal :</b>	<b>60.99</b>
149132	DIVERS / Diversified Products, Inc.	03/24/11	2	11098803	002253	QUAGGA	34.55
149132		03/24/11	2	11106145	002253	WORKBOAT	23.32
						<b>DIVERS Subtotal :</b>	<b>57.87</b>
149133	EQUIPC / EQUIPCO	03/24/11	2	S45000	002253	WATRTESTIN	1390.93
						<b>EQUIPC Subtotal :</b>	<b>1390.93</b>
149134	FEDRAL / Federal Express, Corp.	03/24/11	2	742326835	002253	SHIPPING	17.67
						<b>FEDRAL Subtotal :</b>	<b>17.67</b>
149135	FEDXFR / Fed Ex Freight	03/24/11	2	2242358661	002253	FACILMAINT	126.43
149135		03/24/11	2	2242367142	002253	FACILMAINT	56.50
						<b>FEDXFR Subtotal :</b>	<b>182.93</b>
149136	HAVASU / HAVASU EMBROIDERY INC	03/24/11	2	14745	002253	SHORCLEANU	728.58
						<b>HAVASU Subtotal :</b>	<b>728.58</b>
149137	HSBC / HSBC Business Solutions	03/24/11	2	23536763	002253	QUAGGA	35.95
						<b>HSBC Subtotal :</b>	<b>35.95</b>
149138	MCMSTR / McMaster-Carr Supply Co.	03/24/11	2	78595824	002253	FACILMAINT	1291.74
149138		03/24/11	2	78819028	002253	FACILMAINT	280.36
149138		03/24/11	2	79575128	002253	SMTTOOLS	98.55
149138		03/24/11	2	79979718	002253	FACILMAINT	165.02
						<b>MCMSTR Subtotal :</b>	<b>1835.67</b>
149139	PERS / Public Employees' Retirement Syst	03/24/11	2	02114	002253	PERS	4376.16
						<b>PERS Subtotal :</b>	<b>4376.16</b>
149140		03/24/11	2	0320113	002253	PERS	4376.16
						<b>PERS Subtotal :</b>	<b>4376.16</b>
149141	PHILIP / Philips Medical Systems	03/24/11	2	922375510	002253	OSHASUPPLS	220.55

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						<b>PHILIP Subtotal :</b>	<b>220.55</b>
149142	PINEKN / Pine Knot Marina	03/24/11	2	CM20109505	002253	WORKBOAT	215.68
						<b>PINEKN Subtotal :</b>	<b>215.68</b>
149143	PITNY / PITNEY BOWES (RENTAL)	03/24/11	2	MARCH2011	002253	POSTAGE	121.00
						<b>PITNY Subtotal :</b>	<b>121.00</b>
149144	PSTMST / U.S. POSTAL SERVICE	03/24/11	2	2011PERMIT	002253	POSTAGE	185.00
						<b>PSTMST Subtotal :</b>	<b>185.00</b>
149145	QUILL / Quill Corporation	03/24/11	2	2963048	002253	OFFSUPPLS	87.10
149145		03/24/11	2	3089370	002253	OFFSUPPLS	500.90
						<b>QUILL Subtotal :</b>	<b>588.00</b>
149146	SWSTGS / Southwest Gas Corp	03/24/11	2	03182011B	002253	UTIL-MAIN	390.01
149146		03/24/11	2	03182011S	002253	UTIL-RV	46.26
						<b>SWSTGS Subtotal :</b>	<b>436.27</b>
149147	UNITRA / United Traffic Services & Supplie	03/24/11	2	29434	002253	QUAGGA	959.31
						<b>UNITRA Subtotal :</b>	<b>959.31</b>
149148	UPS / UPS	03/24/11	2	F33Y11121	002253	SHIPPING	17.17
						<b>UPS Subtotal :</b>	<b>17.17</b>
149149	USBANK / US Bank	03/24/11	2	2749245	002253	PROFSVCS	2750.00
						<b>USBANK Subtotal :</b>	<b>2750.00</b>
149150	VALERO / Valero Marketing and Supply Co.	03/24/11	2	03212011	002253	PETRO-AUTO	1307.91
						<b>VALERO Subtotal :</b>	<b>1307.91</b>
149151	VERIZO / Verizon California	03/24/11	2	03012011A	002253	PHONE-MAIN	399.27
149151		03/24/11	2	03012011B	002253	PHONE-RAMP	44.61
149151		03/24/11	2	03012011D	002253	PHONE-RAMP	46.42
149151		03/24/11	2	03022011C	002253	PHONE-RAMP	45.43
149151		03/24/11	2	03132011	002253	PHONE-MAIN	47.28
						<b>VERIZO Subtotal :</b>	<b>583.01</b>
149152	VERWIR / VERIZON WIRELESS	03/24/11	2	0948988112	002253	PHONCOMM	585.36
149152		03/24/11	2	955922046	002253	PHONE-CELL	250.52
						<b>VERWIR Subtotal :</b>	<b>835.88</b>

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149153	WARRIN / NOLAN WARRINER	03/24/11	2	03142011	002253	OPSTRAINIG	476.25
<b>WARRIN Subtotal :</b>							476.25
149154	WDCONT / Warren Duncan Contracting	03/24/11	2	3737B	002253	CONTAMINAT	18791.10
<b>WDCONT Subtotal :</b>							18791.10
149155	WOLTER / WOLTERS KLUWER LAW & BUSINESS	03/24/11	2	76523594	002253	SUBSCRIPTN	85.52
149155		03/24/11	2	76659399	002253	SUBSCRIPTN	371.00
<b>WOLTER Subtotal :</b>							456.52
149157	CASH / Victoria Moore /Change Banks	03/29/11	2	03292011	002265	CHANGEFUND	4705.00
<b>CASH Subtotal :</b>							4705.00
149158	NOCONT / NO CONTRACT VOIP	03/31/11	2	1527	002268	PHONE-MAIN	136.89
<b>NOCONT Subtotal :</b>							136.89
<b>Total For Check Account: 10010-00-001</b>							51325.73
<b>Check Register Total :</b>							51325.73

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

**MEETING DATE:** *April 7, 2011*

**AGENDA ITEM:** *5D*

**SUBJECT:**

**CONSIDER APPROVAL OF THE SPECIAL EVENT PERMIT FOR BIG BEAR PADDLEFEST TO BE HELD ON JULY 9th & 10th, 2011**

**RECOMMENDATION:**

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

**DISCUSSION/FINDINGS:**

Jim Dooley, owner of North Shore Trading Company, has organized this event and it is scheduled for July 9 and 10, 2011. They anticipate between 150 and 200 participants and 200 spectators for the event. It will be held as in the past at Captain Johns Fawn Harbor marina. The first day of the event will include vendors, clinics and exhibits and the races will be held on Sunday the 10<sup>th</sup>. Four races are planned including a 5K inside Grout Bay, 10K inside the 5 mile an hour buoys to the Dam and back, a 30K inside the buoy line around the lake counter clock wise and a 3K paddleboard race inside Grout Bay. The event will require support from Lake Patrol and the placement of two starting line buoys and two buoys at Garstin Island. The \$500 deposit will be collected and whatever time is required for Patrol Services will be deducted from this deposit. The Committee recommends approval of this event subject to the following conditions in addition to standard event conditions:

- a. Five escort boats to follow the main race group and one boat to follow stragglers equipped with water safety equipment and cell phone communication.
- b. All racers will be required to have proper California Department of Boating and Waterways safety carriage requirements in place prior to starting to race.
- c. All racers will check in at a designated inspection boat to assure that proper carriage requirements are on board each vessel prior to starting the race.

**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  
Permit to

Big Bear Municipal Water District (hereinafter "District") grants a Special Event (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.

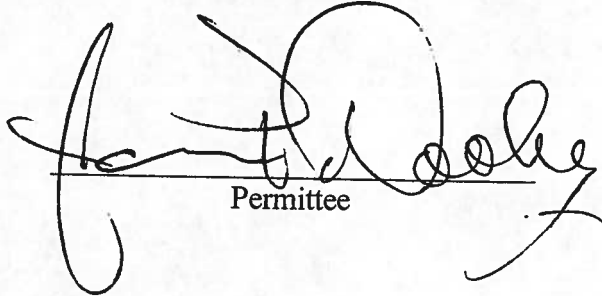
B. Skipper's and/or Safety meeting: Event organizers and participants shall meet with District representatives to have any questions answered and to receive an update of current Lake conditions which may affect event activities.

Section 6. Conditions

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

Accepted by:

3/22/11  
Date

  
Permittee

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Manager

## EXHIBIT A

### DESCRIPTION OF EVENT

1. Name of Event: Big Bear PaddleFest 2011
2. Location: North Shore Trading Company and Captain John's Fawn Harbor & Marina
3. Date(s): July 9-10, 2011
4. Describe Event:
  - a. July 9 – vendors, clinics, exhibits at Captain John's Fawn Harbor & Marina
  - b. July 10 – races, awards
    - i. 5K inside Grout Bay
    - ii. 10K inside buoy markers from Grout Bay to dam and back
    - iii. 30K inside buoy markers around lake counterclockwise
    - iv. 3K paddleboard inside Grout Bay
5. Estimated Number of Participants: ~~100-150~~ 150-200
6. Estimated Number of Spectators: ~~150~~ 200
7. Method of Limiting Attendance: Entry Fee
8. Method of Trash Collection and Disposal: We will provide volunteers
9. Proposed First-Aid Services: We will provide station at Fawn Harbor
10. Proposed Security Services: We will provide volunteers
11. Proposed Fire Protection Services: We will alert Fawnskin Fire Department Station 49 of activity
12. Proposed Sanitation Facilities: We will provide temporary portables
13. Parking Arrangements: Provided
14. Name, Address and Telephone Number of Person Available Before and During Event with Authority to Control Event:

Jim Dooley, Janet Dooley  
39130 North Shore Drive  
Fawnskin, CA 92333  
909-866-3414
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 \$115/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.

**EXHIBIT C**  
**SPECIAL CONDITIONS**

**2011 PADDLEFEST**

1. The organizers shall submit the \$100 non-refundable application fee and the \$500 refundable deposit. The District feels the event will require Lake Patrol services and the \$500 deposit will be collected and whatever time is required for Patrol Services will be deducted from this deposit.
2. Five escort boats to follow the main race group and one boat to follow stragglers equipped with water safety equipment and cell phone communication.
3. All racers will be required to have proper California Department of Boating and Waterways safety carriage requirements in place prior to starting to race.
4. All racers will check in at a designated inspection boat to assure that proper carriage requirements are on board each vessel prior to starting the race.
5. The liability insurance requirements as noted in the Special Event Permit will apply.

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

**MEETING DATE:** April 7, 2011

**AGENDA ITEM:** 5E

**SUBJECT:**

**CONSIDER APPROVAL OF A SPECIAL EVENT PERMIT FOR THE OLD MINERS' BIG BEAR HERITAGE PARADE TO USE OUR PARKING FACILITY ON JULY 23, 2011 FOR PARADE FLOAT DISBANDING**

**RECOMMENDATION:**

The General Manager and the Operations Committee (Directors Suhay & Murphy) recommend approval of this permit.

**DISCUSSION/FINDINGS:**

At an Operations Committee meeting, Dayan Anderson, President of the Old Miners' Association, described the purpose and proposal to use the District Administrative Building parking lot for a special event after the parade on Saturday July 23, 2011. The parade will be a smaller, shorter version of past Old Miners' parades and the parking lot would be used to decommission some of the floats from the parade and allow float riders to get off floats and stage post event transportation. The parade will start at 10:00 AM and the last entry will finish about 11:30 AM. Organizers do not believe there will be more than 15 floats and the decommissioning will not require use of the entire parking lot. The first parade participants will probably reach the lot by 10:30 AM and is likely to be completed by noon. The Committee recommends approval of the Old Miners' Association special event subject to the following conditions in addition to standard conditions detailed in the special event application.

- a. Event organizers must meet with District Staff at least one month prior to the event to identify reserved areas and ingress/egress lanes from the parking lot.
- b. The decommissioning area in the lot shall be secured with traffic cones and or barricades to prevent the general public from interfering with the space reserved for the parade activities.
- c. At least two parking lot attendants supplied by the sponsor will be assigned the lot to direct traffic, both general public going to Big Bear Marina and parade participants.
- d. Signs shall be posted to inform the public and parade participants that a portion of the lot has been reserved for the decommissioning of parade floats.

No fees will be charged however proof of liability insurance will be required.

**OTHER AGENCY INVOLVEMENT:** None

**FINANCING:** None

Submitted by: Scott Heule, General Manager



# OLD MINERS' ASSOCIATION

BRINGING HISTORY ALIVE and FAMILIES TOGETHER SINCE 1949

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Vicki Sheppard  
Executive Assistant  
Big Bear Municipal Water District  
40524 Lakeview Drive  
Big Bear Lake, CA 92315

March 31, 2011

Dear Vicki,

Thank you for meeting with us yesterday. As per our discussion, please find our permit application to use the BBMWD parking lot as a disbanding area for the Old Miners' Big Bear Heritage Parade to be held on the morning of Saturday July 23, 2011 (pending special event permit approval by the City of Big Bear Lake). We have attached a map of the proposed parade route for your reference. It is our understanding you must first hold a special committee meeting to review this application, and that you expect to reach a final decision at your upcoming Board Meeting next week.

Please feel free to contact me if you have any questions, or require additional information to complete our application.

Sincerely,

Dayan J. Anderson  
President  
Old Miners' Association



# 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 \_\_\_\_\_, 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.

Accepted by:

3/31/2011  
Date

Wayan J. Anderson  
Permittee  
PRESIDENT, OLD MINERS' ASSOCIATION

\_\_\_\_\_  
Date

\_\_\_\_\_  
General Manager

## EXHIBIT A

### DESCRIPTION OF EVENT

1. Name of Event: OLD MINERS' BIG BEAR HERITAGE PARADE
2. Location: SEE ATTACHED MAP
3. Date(s): JULY 23<sup>rd</sup>
4. Describe Event: SEE ATTACHED MAP
5. Estimated Number of Participants: 50 to 60 ENTRIES, APPROX 15 FLOATS
6. Estimated Number of Spectators: ~2000
7. Method of Limiting Attendance: NONE, FREE TO PUBLIC
8. Method of Trash Collection and Disposal: IN-KIND SERVICES PROVIDED BY CITY & VOLUNTEERS
9. Proposed First-Aid Services: IN-KIND SERVICES PROVIDED BY CITY
10. Proposed Security Services: IN-KIND SERVICES PROVIDED BY CITY
11. Proposed Fire Protection Services: IN-KIND SERVICES PROVIDED BY CITY
12. Proposed Sanitation Facilities: USE OF EXISTING PUBLIC FACILITIES ALONG PARADE ROUTE
13. Parking Arrangements: ONLY PARADE PARTICIPANTS WILL BE DIRECTED TO USE BBMWD LOT FOR DISBANDING OF FLOATS
14. Name, Address and Telephone Number of Person Available Before and During Event with Authority to Control Event: DAYAN J. ANDERSON (PRESIDENT, OLD MINERS' ASSOC)  
PO BOX 1044  
BIG BEAR LAKE CA, 92315
15. Perimeter control, if applicable:



## 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 \$115/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.

**EXHIBIT C**  
**SPECIAL CONDITIONS**

**2011 Old Miners' Big Bear Heritage Parade**  
**Use of District parking lot facility**

1. Event organizers must meet with District Staff at least one month prior to the event to identify reserved areas and ingress/egress lanes from the parking lot.
2. The decommissioning area in the lot shall be secured with traffic cones and or barricades to prevent the general public from interfering with the space reserved for the parade activities.
3. At least two parking lot attendants supplied by the sponsor will be assigned the lot to direct traffic, both general public going to Big Bear Marina and parade participants.
4. Signs shall be posted to inform the public and parade participants that a portion of the lot has been reserved for the decommissioning of parade floats.
5. The liability insurance requirements as noted in the Special Event Permit will apply.

