

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
February 17, 2011

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

Next Resolution Number: 2011- 01

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 February 3, 2011
- 6. BUSINESS**
 - A. Consider approval of Termination of Rathbun Creek Spreading Facility Acquisition Agreement
 - B. Consider approval of a Resolution of the Board of Directors of Big Bear Municipal Water District re-establishing fees effective February 18, 2011 and repealing Resolution No. 2010-01
- 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 March 3, 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, FEBRUARY 3, 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 Wayne Lemieux (via Skype), General Manager Scott Heule, Lake Manager Mike Stephenson, and Board Secretary Vicki Sheppard.

PRESENTATION BY EXIT REALTY IN HONOR OF THE DISTRICT'S TROUT POND PURCHASE

Dan and Susan Bathhurst, Exit Realty, made a presentation to the Board thanking them for allowing them to represent them in the purchase of the Trout Pond. They presented the Directors with a plaque commemorating the December 6, 2010 purchase.

REPORTS

Mr. Heule reported that he, along with Mike Rogers and Simon Wong, met with DSOD January 24th in Sacramento. He explained that they reviewed District plans for a 9 foot wide replacement bridge on the dam as well as the Caltrans plans for the highway bridge removal. He reported that they also discussed the seepage and need for grouting at the dam left abutment. He stated that DSOD advised that each of these items needed to be included in an application as they all fall within their review requirements as related to alterations to Bear Valley Dam. Mr. Heule reported that the application(s) must come through the District and must be accompanied by a check and confirmation that the proper environmental document includes the work. He explained that after receiving a summery letter about the meeting from Mike Rogers at MWH, he sent it to Caltrans project manager and Mr. Wolfe along with a cover letter explaining what Caltrans needed to do to secure DSOD approvals through the District for the bridge removal and grouting. Director Murphy asked if Caltrans was in sync with the grouting project. Mr. Heule commented that when local Caltrans was given the report they did seem surprised explaining however that they have been put on notice for some time. President Suhay asked how the seepage was going asking if it will still be visible when the grouting project begins. Mr. Heule explained that seepage is no worse than it was but is still existent and will probably be visible when the project begins. He reported that the winds yesterday created large choppy waves at the dam, which overtopped the dam crest and spilled into the creek below. He explained that the cake ice coated portions of the top of the dam and chain link fencing on the bridge adding that the waves also lifted quite a bit of trash over the dam to the creek below (lots of Styrofoam cups and wood debris along with bobbers etc). He stated that while we are talking about the dam, our Station B SCADA system is causing us some problems. He reported that they believe it is related to the high flows in December and early January. He stated that the readings get bad apparently when the sun shines directly on the equipment. He explained that Jim Weber is following up and visiting the site right now.

Lake Manager, Mike Stephenson stated that Lake Patrol Officer applications are still coming in. He reported that Tyler Cockrell is back to work from his break and he and Travis Carroll will be starting to work on ramp schedules. He added that advertising for ramp attendants will begin

shortly. Mr. Stephenson reported that the water temperature is 39 degrees and oxygen is 8 parts per million, both top and bottom. He reported that the Big Bear Marina Remediation Project still needs some electrical work but will be complete this week. He stated that the dam electrical re-routing is moving along adding that he has been in contact with John Ashton of Caltrans regarding the project. He reported that the topographic map of the Trout Pond property being prepared by Mapco should be complete the first of next week.

APPROVAL OF CONSENT CALENDAR

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

- Minutes of a Special Meeting Workshop of January 18, 2011
- Minutes of a Regular Meeting of January 20, 2011
- Warrant List Dated January 27, 2011 for \$56,260.79

REVIEW AND DISCUSS DISTRICT RATES AND FEES - DISCUSSION ONLY NO ACTION

Mr. Heule reported that the Budget & Finance Committee recommended that the Board review and discuss the fee schedule and provide direction to Staff regarding any needed changes. Mr. Heule made a Power Point presentation outlining the Fee Schedule (see attached). He explained that at a Budget & Finance Committee meeting the Committee instructed Staff to evaluate the implementation of a slip-based fee structure for annual dock licensing. He reported that the license fee of \$150 per year has not been revised since it was established in 1991 in spite of the typical increases in cost for the District to conduct its business. He explained that since 1995 regular gasoline prices have gone from \$1.26 per gallon to \$3.35 per gallon and wages paid to District employees along with health care costs have risen along with the miscellaneous expenses associated with materials and services purchased by the District. Mr. Heule commented that the District has been fortunate to have benefited from rising real estate values resulting in increases in property tax revenue. He explained that expenses associated with recreation on the Lake (Lake Patrol, dock inspection and enforcement, stranded boat towing, launch ramp services, Quagga Mussel inspection, floating restroom services etc.) have been subsidized by these higher rates of property tax revenue. He added that now that real estate values have declined resulting in a \$130,000 reduction in tax revenue, fees collected for use of the Lake, by both boaters and Lake front private dock owners should be increased in order to cover recreation related expenses. He gave examples of what an annual dock license fee would have been if it had been adjusted by the annual consumer price index (see below) and explained that in spite of the greater impact of a triple slip dock compared to a single slip dock both have always been charged at the same rate.

Year	CPI	CPI Corrected License Fee
1991	3.9	\$140 (Actual)
1992	3.6	\$150 (Actual)
1993	2.3	\$153 (Rate if adjusted for CPI)
1994	1.2	\$155 "
1995	1.6	\$158 "
1996	1.8	\$161 "
1997	1.4	\$163 "
1998	1.1	\$165 "

1999	2.3	\$168	"
2000	3.3	\$174	"
2001	3.3	\$180	"
2002	2.8	\$185	"
2003	3.0	\$190	"
2004	3.5	\$197	"
2005	4.4	\$206	"
2006	4.2	\$214	"
2007	3.3	\$221	"
2008	3.9	\$230	"
2009	-1.2	\$227	"
2010	1.5	\$231	"

Mr. Heule reported that based on the fair market value of a private dock on the Lake and the burden to the District of administering private docks the Committee recommends that a three tiered dock license fee be established as shown below.

Number of slips in the dock	Annual license fee
1	\$175
2	\$225
3	\$275

He added that the Committee also recommends increases in other dock fees as described below:

- (a) Each slip over 3 slips (hotel, motel etc.) from \$50 to \$75
- (b) Shared dock (dock owner' choice) – each license from \$150 to \$175
- (c) Docks-in-common (easement) – each license from \$100 to \$150
- (d) Docks across a right-of-way, USFS (single slip restriction) from \$100 to \$150

Mr. Heule reported that in addition to increases to dock license fees the Committee recommends increasing seasonal Lake Permit fees for registered vessels from \$85 plus a \$5 Quagga surcharge to \$95 plus a \$5 surcharge. He added that changes to the dock licensing fee and seasonal Lake Permit fee is estimated to net the District an additional \$75,000 annually. Mr. Heule reported that a year ago the District instituted a policy to charge for the direct cost of utilities in the District owned and operated RV Park next to the District office. He explained that during 2010 utility expenses were \$9,438.67 for 2,767 camper days. He compared the District's RV fees with Holloways (daily \$50 - \$60, monthly \$600 - \$700 + electric) and Pine Tree (daily \$49, monthly \$555 winter and \$605-\$705 summer + electric). He added that the Committee recommends increasing the RV park utility fee from \$2.92 per day to \$3.42 per day. He reported that other fee changes are suggested as follows:

- A \$10 penalty for purchase of a boat permit from Lake Patrol
- Inside boat storage from \$550 to \$650
- Harvester, backhoe, patrol boat from \$110 per hour to \$115 per hour
- Processing CEQA Negative Declaration from \$500 to \$750
- Processing CEQA EIR (Environmental Impact Report) from \$1,000 to \$1,800

Director Fashempour asked who usually would ask to rent or hire the harvester. Mr. Heule explained that it would mostly be homeowners or resort areas that request extra weed removal in

front of their lakefront property. Mr. Stephenson reported that in years past people paid for extra harvesting. Mr. Heule reported that it was suggested by staff that the District's non-hook up sites might be priced on the low side. It is suggested the non hook-up sites be raised from \$350 to \$450. Director Murphy asked if the non hook-up sites are the same size as the hook-up sites. Mr. Stephenson stated that one is larger and the others are smaller but they are all parallel to the water and make a solid line of RV's blocking the lake view of other campers. Mr. Stephenson explained that the non hook-up sites are allowed to fill water and use the dump station for free. Director Eminger asked if we are in sync with other lakes around Southern California for all of our fees. Travis Carroll, Lake Operations Supervisor, reported that since we are a public lake it is difficult to compare prices and services explaining that compared to Lake Arrowhead and Canyon Lake (private lakes) we are considerably lower. President Suhay commented that he doesn't like the wording of the Quagga fee because it seems that we are charging the day users more money than we are charging the yearly users explaining that the boats going in and out are paying more. Director Fashempour added that it is everyone's obligation to support the Quagga program. Director Smith commented that the Committee understands that the District will be questioned and it would have been better if we would have considered fees on an annual basis but until now we thought we could absorb the rising costs adding that what a person gets is still a bargain. Director Murphy stated that he feels raising non hook-up site fees makes sense. Mr. Heule stated that he might like to see what it could cost to make them hook-up sites. Mr. Stephenson reported that those sites were initially set up to be transient sites and after a while they became long term sites. Director Fashempour asked if other campers have complained about the non hook-up sites blocking the lake view. Mr. Stephenson stated that most of the campers are friends and he hasn't heard any complaints. Mr. Heule added that in the future the District may want to discuss the reservation system as a whole (day to day, in and out, instead of long term) but not at this time. It was the consensus that we would raise the cost of non hook-up sites from \$350 to \$450 and in the future look into the cost of converting those sites to hook-ups. Mr. Heule reported that the change will be made and then at the next meeting, on February 17th, the new fee schedule will be considered for adoption.

PUBLIC FORUM

No comments were made

ANNOUNCEMENTS

Mr. Heule reported that he will be meeting with Simon Wong Engineers and Caltrans tomorrow. He explained that they will be trying, one last time, to convince Caltrans about the 9 foot bridge. He added that if not, we will need to schedule a special board meeting to consider authorizing Simon Wong Engineers to complete a 6 foot wide design that Caltrans will build without contribution from us. He asked if a Special Board Meeting should be scheduled now for next week just in case. Mr. Lemieux stated that is a common practice. It was decided that a Special Board Meeting would be scheduled for Tuesday, February 8th, at 2:00 PM. Mr. Heule commented that he would try and send an e-mail updating the Board after his meeting.

DIRECTOR COMMENTS

Director Fashempour commented that she appreciated all the efforts in considering the fee schedule changes.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:02 P.M.

NEXT MEETING

Open Session at 1:00 P.M.
Thursday, February 17, 2011
Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA

Vicki Sheppard
Secretary to the Board
Big Bear Municipal Water District

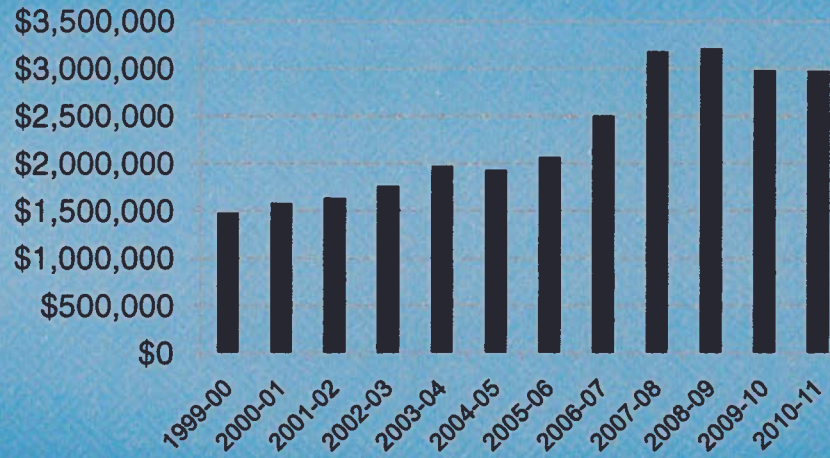
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2011 Fee Schedule

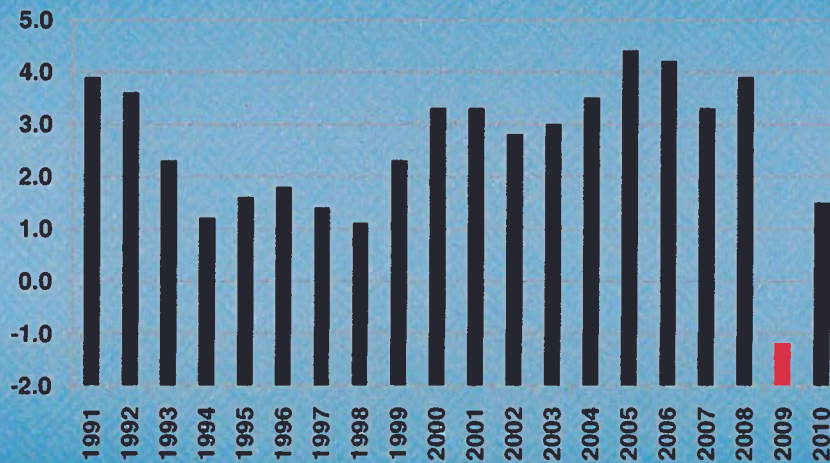
Big Bear Municipal Water District
February 3, 2011

- Contribution to reserve and capital funds declining year to year
- 1999-08 rising housing prices = higher revenue
- 2008-10 Declining housing prices = lower revenue
- FY 2010-11 tax revenue off budget by \$130,000

Fiscal Year Property Tax Revenue



Annual CPI (%)



Dock License Fee Adjusted for CPI



Proposed Dock License Fee

- Platform "T" and Single Slip = \$175
- Two Slip = \$225
- Three Slip = \$275
- Each slip over 3 (motel etc.) = \$75
- Shared dock each license = \$150
- Docks in common each license = \$150
- Docks across right of way = \$150
- Estimated to generate \$14,000+ new revenue

Seasonal Registered Boat Permit Fee

- 2008 actual = \$75
- 2009 actual = \$85 plus \$5 Quagga
- 2011 proposed = \$95 plus \$5 Quagga
- Estimated to generate \$50,000 new revenue

Other Fee Changes

- Penalty for purchase of boat permit from Lake Patrol = \$10
- Inside boat storage from \$550 to \$650
- Harvester, backhoe, patrol boat from \$110 per hour to \$115 per hour
- Processing CEQA Neg. Dec. from \$500 to \$750
- Processing CEQA EIR from \$1000 to \$1800

RV Park

- Propose new daily utility charge, full hookup \$2.92 to ~~\$3.92~~ 3.42
- No changes proposed to daily or monthly charges
- Holloways
 - \$50-\$60 plus electricity daily
 - \$600-\$700 plus electricity monthly
- Pine Tree
 - \$49 plus electricity daily
 - \$555 plus electricity winter month
 - \$605 plus electricity summer month

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

MEETING DATE: February 17 2011

AGENDA ITEM: 6A

SUBJECT:

CONSIDER APPROVAL OF TERMINATION OF RATHBUN CREEK SPREADING FACILITY ACQUISITION AGREEMENT

RECOMMENDATION:

The Administrative Committee (Directors Suhay & Eminger) recommend approval of termination of this agreement.

DISCUSSION/FINDINGS:

Scott Nave at Lemieux and O'Neill prepared the attached "Termination of Rathbun Creek Spreading Facility Acquisition Agreement". The Committee recommended the District approve and record the document subject to the following issues being resolved:

- Will it have any negative impacts on the District as it relates to the current Graybill litigation?
- What parcels does the document need to be recorded on?

Since the Committee meeting, Scott spoke with Robert Gokoo who said the termination document is immaterial to the Graybill case. Scott also spoke with Scott Nave who said we need to include both Trout Pond parcels on the document which have been added.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager

**RECORDING REQUESTED BY AND]
WHEN RECORDED MAIL TO:]**

Big Bear Municipal Water District]
P. O. Box 2863]
Big Bear Lake, CA 92315]

A.P.N.: 2328-202-08-0-0000 and 2328-202-25-0-0000

**TERMINATION OF "RATHBUN CREEK SPREADING
FACILITY ACQUISITION AGREEMENT"**

1. Big Bear Municipal Water District ("District") and Robert H. Ewing ("Ewing") entered into the "Rathbun Creek Spreading Facility Acquisition Agreement," dated June 23, 1982, (the "Ewing Agreement") and recorded on February 25, 1983 as Instrument No. 83-041 093. The Ewing Agreement imposed certain obligations on the District concerning a trout pond owned by Ewing on adjacent property (the "Pond Property"), which obligations are binding on and inure to the benefit of Ewing's successors and assigns.

2. On December 6, 2010, the District acquired the Pond Property from one of Ewing's successors, Big Bear Lake Trout Farm, LLC, the grant deed to which is recorded as Instrument No. 2010-0517156, for the Auditor/Controller – Recorder for the County of San Bernardino.

3. As a result of the District's acquisition of the Pond Property, it is the successor to Ewing, and all parties to the Ewing Agreement now being the District, the District hereby terminates the Ewing Agreement and all conditions, covenants and obligations thereunder.

Date: February __, 2011

Big Bear Municipal Water District

By _____
Frank L. Suhay, Jr., President

STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO

On _____, 2011, before me, _____, Notary Public,
personally appeared,

_____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

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

MEETING DATE: February 17, 2011

AGENDA ITEM: 6B

SUBJECT:

CONSIDER APPROVAL OF A RESOLUTION OF THE BOARD OF DIRECTORS OF BIG BEAR MUNICIPAL WATER DISTRICT RE-ESTABLISHING FEES EFFECTIVE FEBRUARY 18, 2011 AND REPEALING RESOLUTION NO. 2010-01

RECOMMENDATION:

The General Manager, Lake Manager and Budget/Finance Committee (Directors Murphy and Smith) recommend the Board approve the resolution as revised.

DISCUSSION/FINDINGS:

At a Budget & Finance Committee meeting the Committee instructed Staff to evaluate the implementation of a slip based fee structure for annual dock licensing. The license fee of \$150 per year has not been revised since it was established in 1991 in spite of the typical increases in cost for the District to conduct its business. For instance, since 1995 regular gasoline prices have gone from \$1.26 per gallon to \$3.35 per gallon. Wages paid to District employees along with health care costs have risen along with the miscellaneous expenses associated with materials and services purchased by the District. The District has been fortunate to have benefited from rising real estate values resulting in increases in property tax revenue. Expenses associated with recreation on the Lake (Lake Patrol, dock inspection and enforcement, stranded boat towing, launch ramp services, Quagga Mussel inspection, floating restroom services etc.) have been subsidized by these higher rates of property tax revenue. However, now that real estate values have declined resulting in a \$130,000 reduction in tax revenue, fees collected for use of the Lake, by both boaters and Lake front private dock owners should be increased in order to cover recreation related expenses. The table below shows what an annual dock license fee would have been if it had been adjusted by the annual consumer price index. Also, in spite of the greater impact of a triple slip dock compared to a single slip dock both have always been charged at the same rate.

Year	CPI	CPI Corrected License Fee
1991	3.9	\$140 (Actual)
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Based on the fair market value of a private dock on the Lake and the burden to the District of administering private docks the Committee recommends that a three tiered dock license fee be established as shown below.

Number of slips in the dock	Annual license fee
1	\$175
2	\$225
3	\$275

The Committee also recommends increases in other dock fees as described.

- | | |
|---|---------------------|
| (a) Each slip over 3 slips (hotel, motel etc.) | from \$50 to \$75 |
| (b) Shared dock (dock owner' choice) – each license | from \$150 to \$175 |
| (c) Docks-in-common (easement) – each license | from \$100 to \$150 |
| (d) Docks across a right-of-way, USFS (single slip restriction) | from \$100 to \$150 |

In addition to increases to dock license fees the Committee recommends increasing seasonal Lake Permit fees for registered vessels from \$85 plus a \$5 Quagga surcharge to \$95 plus a \$5 surcharge.

Changes to the dock licensing fee and seasonal Lake Permit fee is estimated to net the District an additional \$75,000 annually.

A year ago the District instituted a policy to charge for the direct cost of utilities in the District owned and operated RV Park next to the District office. During 2010 utility expenses were \$9,438.67 for 2767 camper days. The Committee recommends increasing the RV park utility fee from \$2.92 per day to \$3.42 per day.

One additional change is also recommended. The RV Park non-hook-up sites monthly rate will change from \$350 to \$450.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager

RESOLUTION NO. 2011-01

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
BIG BEAR MUNICIPAL WATER DISTRICT
RE-ESTABLISHING FEES COMMENCING
FEBRUARY 18, 2011, AND
REPEALING RESOLUTION NO. 2010-01**

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

1. Purpose.

This resolution establishes fees for District services.

2. Findings.

The fees set forth below are necessary to provide for the continuation of existing District services at existing levels. Accordingly, this resolution is exempt from further environmental analysis under 14 Cal. Code of Regulations Section 15273. Additionally, the District believes that the taxpayer should not subsidize recreation operations on Big Bear Lake and these operations expenses should be solely paid by the users. An added operational expense associated with recreational boaters is protecting the lake from infestation of the invasive Quagga Mussel, the Quagga Mussel Protection Program. The mussel can be transported to Big Bear Lake by vessels that have not been cleaned, drained and dried after leaving infected waters. A Quagga Protection Program Surcharge to protect against the mussel will be collected as long as the threat exists and District funds are expended specifically for this use.

The fees set forth below do not exceed the reasonable cost of providing the services for which the fees are levied.

3. Boat Permits.

The following fees shall be paid as a condition of receiving a boat permit:

- (a) Seasonal permits:
 - (1) Motorized boats of any length and sailboats over eight feet in length: \$95.00 plus Quagga Mussel Protection Surcharge of \$5.00; and
 - (2) Non-motorized boats, sailboats 8 feet or less in length, sailboards and float tubes: \$40.00 plus Quagga Mussel Protection Surcharge of \$5.00.
- (b) Daily permits:
 - (1) Motorized boats and sailboats more than 8 feet in length: \$20.00 plus Quagga Mussel Protection Surcharge of \$5.00:
 - (a) One \$25.00 daily permit fee may be applied toward the cost of a seasonal permit' and
 - (b) Consecutive daily permits: \$20.00 plus \$5.00 Surcharge - 1st day; \$15.00 each consecutive day (consecutive days must be purchased during a single transaction).
 - (2) Float tubes: \$10.00 plus Quagga Mussel Protection Surcharge of \$2.00:
 - (a) One \$12.00 daily permit fee may be applied toward the cost of a seasonal permit; and
 - (b) No reduction for multiple consecutive day use.

- (3) Non-motorized boats and sailboats 8 feet or less in length: \$10.00 plus Quagga Mussel Protection Surcharge of \$5.00:
 - (a) One \$15.00 daily permit fee may be applied toward the cost of a seasonal permit and
 - (b) Consecutive daily permits: \$10.00 plus \$5.00 surcharge first day; \$10.00 each consecutive day (consecutive days must be purchased during single transaction).
- (c) Special Event group rate:
 - (1) Motorized boats and sailboats more than 8 feet in length \$10.00 per day plus \$5.00 Quagga Protection Surcharge for the duration of the approved special event (must comply with special event group rate policy)
 - (2) Non-motorized boats and sailboats 8 feet or less in length \$5.00 per day plus \$5.00 Quagga Protection Surcharge for the duration of the approved special event (must comply with special event group rate policy)
- (d) Refunds:
 - (1) There shall be a \$10.00 charge for any refund of a seasonal boat permit fee because of non-use or duplicate purchase; and
 - (2) There shall be a \$10.00 fee to transfer a seasonal boat permit to a replacement boat with the same owner.
 - (3) There shall be a \$10.00 fee for replacement of a lost boat permit.
- (e) Penalty:
A penalty of \$10.00 shall be charged for the purchase of a Lake Permit from a Lake Patrol Officer while on the water.

4. Dock Licenses.

The following fees shall be paid as a condition of receiving a dock license:

- (a) Application

Application	\$ 50
Application requiring public hearing (multi-slip and variances)	\$300
- (b) License:

(1) Platform 'T' and single slip	\$175
(2) 2 slips	\$225
(3) Up to 3 slips (single owner)	\$275
(4) Each slip over 3 slips (hotel, motel, etc.)	\$ 75
(5) Shared dock (dock owners' choice) - each licensee	\$150
(6) Docks-in-common-(easement) - each licensee	\$150
(7) Docks across a right-of-way, USFS (single slip restrictions)	\$150
- (C) Invasive species management:

(1) Up to 3 slips	\$160
(2) Each slip over 3	\$ 55 per slip
(3) No weed control charge for docks placed in the Lake after Labor Day.	

5. Boat Storage.

- (a) The following fees are established for inside boat storage (includes boat trailer stored either inside or outside): \$650
- (b) The following fees are established for outside storage:
 - Monthly boat or boat trailer storage \$ 35

6. RV Park.

The following fees shall be paid in advance for RV sites:

- (a) Full hook-up sites (including utilities):
 - (1) Daily rate \$ 40
 - (2) Monthly rate \$550
 - (3) Utilities per day \$ 3.42
- (b) Non-hook-up sites (water available; includes dump station):
 - (1) Daily rate \$ 30
 - (2) Monthly rate \$450
- (c) Dump station (per usage by non-guests) \$ 5

7. Miscellaneous.

The following fees are established for miscellaneous Lake-related services and shall be paid in advance of service:

- (a) Aquatic plant control (non-dock owners & marinas for treating all plants except Eurasian water milfoil for which there shall be no charge)
 - (1) Weed harvester (portal to portal) \$115 per hour
- (b) Services requiring patrol boat or work boat (1 hour minimum) (includes special services and boat and dock impounding)
 - (1) Boat with operator \$ 115 per hour
 - (2) Each additional staff person \$ 30 per hour
- (c) Boat and dock storage/impounding daily rate \$ 35
- (d) Heavy equipment rental (1 hour minimum):
 - (1) Forklift with operator \$ 115 per hour
 - (2) Truck tractor with operator \$ 115 per hour
- (e) Special events:
 - (1) Administrative \$ 100
 - (2) Refundable deposit \$ 500
 - (3) Lake use:
 - (a) Non-Commercial \$ -0-
 - (b) Commercial \$ 200 or 5% of Lake activity gross receipts, whichever is greater.
- (f) Commercial filming/photo shooting:
 - (1) Refundable deposit \$ 500

	(2)	Still photo shoot	\$ 110
	(3)	Film/Video production	\$ 170
(g)		Photocopying (per page):	
	(1)	Regular	\$ 0.25
	(2)	Researched material	\$ 0.50
(h)		Dock owners and boat owners database:	
	(1)	CD Production	\$15
		(i) Mountain Water Dispatch ads:	
	(1)	Single ad	\$ 350
	(2)	Double ads	\$ 500
	(3)	Triple ads	\$ 650
	(4)	Full Page	\$1800
(j)		Meeting/Community Room (room available daily between the hours of 7:30a.m. and 10:00 p.m.; no overnight use shall be allowed); fees and deposits are due prior to the event date:	
	(1)	Individually scheduled meetings (fees per use):	
		(a) Security/cleaning refundable deposit (varies by season)	\$ 50 to \$70
		(b) Utility use fee (non-refundable; up to 6 hours of use):	
		(i) May-October	\$ 25 per use
		(ii) November-April	\$ 50 per use
	(2)	Regularly scheduled meetings (at least 12 meetings per year):	
		(a) Security/cleaning refundable deposit	\$ 100 per year
		(b) Utility use fee (non-refundable; up to 6 hours of use)	
		(i) May-October	\$ 25 per use
		(ii) November-April	\$ 50 per use
	(3)	Room key – refundable deposit	\$ 5 per key
(k)		Shorezone Alteration:	
	(1)	Application fee:	
		(a) ministerial project	\$ 250
		(b) project requiring Negative Declaration under CEQA process	\$ 750
		(c) project requiring EIR/EIS under CEQA process	\$1800
		(d) CEQA document review and recommendation by District Consultant	Actual Cost
	(2)	Mitigation fee for lake bottom disturbed:	
		(a) shoreline erosion control project involving no fill other than placement of riprap and installation of toe protection for a seawall.	\$ 500
		(b) non-ministerial projects where additional mitigation may be required to reduce adverse	

impacts (per acre or portion of an acre) capital improvements including, but not limited to, fish structures, aeration systems, habitat and spawning improvements as approved by the Board of Directors.

\$1000

- (3) Legal fees and filing fees incurred as a result of the project shall be borne by the project proponent.
- (4) All consultant costs related to preparation of the environmental document, shall be borne by the project proponent.
- (5) Mitigation fees shall be deposited into the Stanfield Marsh Wildlife Mitigation Account.

(l) Application fees are non-refundable and due upon submission of application.

8. Payments.

Fees shall be paid as follows:

- (a) Dock license and weed control fees shall be due annually on or before April 1st of each year. License fees not paid by April 30th will be increased by 20%. License fees not paid by May 31st will be increased by 50%.
- (b) If a late fee is not established in this resolution, pursuant to contract or otherwise, a late fee of 1 1/2% per month, or fraction thereof, shall be levied if fees are paid late.
- (c) All returned checks shall be subject to a \$25 handling charge and may be subject to other legal actions.

9. Repeals.

Resolution No. 2008-01 is hereby repealed.

PASSED, APPROVED AND ADOPTED on February 17, 2011

Skip Suhay, President

ATTEST:

Vicki Sheppard, Secretary to the Board

[SEAL]

RESOLUTION NO. ~~2010~~2011-01

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
BIG BEAR MUNICIPAL WATER DISTRICT
RE-ESTABLISHING FEES COMMENCING
FEBRUARY 4, 2010, AND
REPEALING RESOLUTION NO. ~~2009~~2010-0401**

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

1. Purpose.

This resolution establishes fees for District services.

2. Findings.

The fees set forth below are necessary to provide for the continuation of existing District services at existing levels. Accordingly, this resolution is exempt from further environmental analysis under 14 Cal. Code of Regulations Section 15273. Additionally, the District believes that the taxpayer should not subsidize recreation operations on Big Bear Lake and these operations expenses should be solely paid by the users. An added operational expense associated with recreational boaters is protecting the lake from infestation of the invasive Quagga Mussel, the Quagga Mussel Protection Program. The mussel can be transported to Big Bear Lake by vessels that have not been cleaned, drained and dried after leaving infected waters. A Quagga Protection Program Surcharge to protect against the mussel will be collected as long as the threat exists and District funds are expended specifically for this use.

The fees set forth below do not exceed the reasonable cost of providing the services for which the fees are levied.

3. Boat Permits.

The following fees shall be paid as a condition of receiving a boat permit:

(a) Seasonal permits:

(1) Motorized boats of any length and sailboats over eight feet in length: ~~\$85~~\$95.00 plus Quagga Mussel Protection Surcharge of \$5.00; and

(2) Non-motorized boats, sailboats 8 feet or less in length, sailboards and float tubes: \$40.00 plus Quagga Mussel Protection Surcharge of \$5.00.

(b) Daily permits:

(1) Motorized boats and sailboats more than 8 feet in length: \$20.00 plus Quagga Mussel Protection Surcharge of \$5.00:

(a) One \$25.00 daily permit fee may be applied toward the cost of a seasonal permit' and

(b) Consecutive daily permits: \$20.00 plus \$5.00 Surcharge - 1st day; \$15.00 each consecutive day (consecutive days must be purchased during a single transaction).

(2) Float tubes: \$10.00 plus Quagga Mussel Protection Surcharge of \$2.00:

(a) One \$12.00 daily permit fee may be applied toward the cost of

a seasonal permit; and

- (b) No reduction for multiple consecutive day use.
- (3) Non-motorized boats and sailboats 8 feet or less in length: \$10.00 plus Quagga Mussel Protection Surcharge of \$5.00:
 - (a) One \$15.00 daily permit fee may be applied toward the cost of a seasonal permit and
 - (b) Consecutive daily permits: \$10.00 plus \$5.00 surcharge first day; \$10.00 each consecutive day (consecutive days must be purchased during single transaction).
- (c) Special Event group rate:
 - (1) Motorized boats and sailboats more than 8 feet in length \$10.00 per day plus \$5.00 Quagga Protection Surcharge for the duration of the approved special event (must comply with special event group rate policy)
 - (2) Non-motorized boats and sailboats 8 feet or less in length \$5.00 per day plus \$5.00 Quagga Protection Surcharge for the duration of the approved special event (must comply with special event group rate policy)
- (d) Refunds:
 - (1) There shall be a ~~\$5.00~~ \$10.00 charge for any refund of a seasonal boat permit fee because of non-use or duplicate purchase; and
 - (2) There shall be a \$10.00 fee to transfer a seasonal boat permit to a replacement boat with the same owner.
~~another boat.~~
 - (3) There shall be a \$10.00 fee for replacement of a lost boat permit.
- (e) Penalty:
A penalty of \$10.00 shall be charged for the purchase of a Lake Permit from a Lake Patrol Officer while on the water.

4. Dock Licenses.

The following fees shall be paid as a condition of receiving a dock license:

- (a) Application
 - Application requiring public hearing (multi-slip and variances) \$ ~~25~~50
\$150300
- (b) License:
 - (1) Platform 'T' and single slip \$175
 - (2) 2 slips \$225
 - (~~1~~3) Up to 3 slips (single owner) \$150275
 - (~~2~~4) Each slip over 3 slips (hotel, motel, etc.) \$ 5075
 - (~~3~~5) Shared dock (dock owners' choice) - each licensee \$125150
 - (~~4~~6) Docks-in-common-(easement) - each licensee \$100150
 - (~~5~~7) Docks across a right-of-way, USFS (single slip restrictions) \$100150

- (C) Invasive species management:
- (1) Up to 3 slips \$160
 - (2) Each slip over 3 \$ 55 per slip
 - (3) No weed control charge for docks placed in the Lake after Labor Day.

5. Boat Storage.

(a) The following fees are established for inside boat storage (includes boat trailer stored either inside or outside): ~~\$650~~\$650

(1)	Six consecutive months (payable in full upon boat arrival)	\$550
(2)	Monthly rate	\$125

- (b) The following fees are established for outside storage:
- Monthly boat or boat trailer storage \$ 35

Section 6. RV Park.

The following fees shall be paid in advance for RV sites:

- (a) Full hook-up sites (including utilities):
- (1) Daily rate \$ 40
 - (2) Monthly rate \$550
 - (3) Utilities per day ~~\$2.92~~3.42
- (b) Non-hook-up sites (water available; includes dump station):
- (1) Daily rate \$ 30
 - (2) Monthly rate ~~\$350~~450
- (c) Dump station (per usage by non-guests) \$ 5

7. Miscellaneous.

The following fees are established for miscellaneous Lake-related services and shall be paid in advance of service:

- (a) Aquatic plant control (non-dock owners & marinas for treating all plants except Eurasian water milfoil for which there shall be no charge)
- (1) Weed harvester (portal to portal) \$115 per hour
- (b) Services requiring patrol boat or work boat (1 hour minimum) (includes special services and boat and dock impounding)
- (1) Boat with operator \$ 115 per hour
 - (2) Each additional staff person \$ 30 per hour
- (c) Boat and dock storage/impounding daily rate \$ 35
- (d) Heavy equipment rental (1 hour minimum):
- (1) Forklift with operator \$ 115 per hour
 - (2) Truck tractor with operator \$ 115 per hour
- (e) Special events:

- (1) Administrative \$ 100
- (2) Refundable deposit \$ 500
- (3) Lake use:
 - (a) Non-Commercial \$ -0-
 - (b) Commercial \$ 200 or 5% of Lake activity gross receipts, whichever is greater.

- (f) Commercial filming/photo shooting:
 - (1) Refundable deposit \$ 500
 - (2) Still photo shoot \$ 110
 - (3) Film/Video production \$ 170

- (g) Photocopying (per page):
 - (1) Regular \$ 0.25
 - (2) Researched material \$ 0.50

- (h) ~~Label production (per set):~~ Dock owners and boat owners database:
 - ~~(1) Private dock owners \$ 25~~
 - ~~(2) Private boat owners \$ 75~~
 - (1) CD Production \$ 15

- (i) Mountain Water Dispatch ads:
 - (1) Single ad \$ 350
 - (2) Double ads \$ 500
 - (3) Triple ads \$ 650
 - (4) Full Page \$ 1800

- (j) Meeting/Community Room (room available daily between the hours of 7:30 a.m. and 10:00 p.m.; no overnight use shall be allowed); fees and deposits are due prior to the event date:
 - (1) Individually scheduled meetings (fees per use):
 - (a) Security/cleaning refundable deposit (varies by season) \$ 50 to \$ 70
 - (b) Utility use fee (non-refundable; up to 6 hours of use):
 - (i) May-October \$ 25 per use
 - (ii) November-April \$ 50 per use
 - (2) Regularly scheduled meetings (at least 12 meetings per year):
 - (a) Security/cleaning refundable deposit \$ 100 per year
 - (b) Utility use fee (non-refundable; up to 6 hours of use)
 - (i) May-October \$ 25 per use
 - (ii) November-April \$ 50 per use
 - (3) Room key – refundable deposit \$ 5 per key

- (k) Shorezone Alteration:
 - (1) Application fee:
 - (a) ministerial project \$ 250

- (b) project requiring Negative Declaration under CEQA process \$ 500~~750~~
- (c) project requiring EIR/EIS under CEQA process \$~~1000~~-1800
- (d) CEQA document review and recommendation by District Consultant Actual Cost
- (2) Mitigation fee for lake bottom disturbed:
 - (a) shoreline erosion control project involving no fill other than placement of riprap, ~~and installation of toe protection for a seawall, launch ramp installation and installation of steps~~ \$500
~~\$-500~~
 - (b) non-ministerial projects where additional mitigation may be required to reduce adverse impacts (per acre or portion of an acre) \$1000 and/or capital improvements including, but not limited to, fish structures, aeration systems, habitat and spawning improvements as approved by the Board of Directors.
- (3) Legal fees and filing fees incurred as a result of the project shall be borne by the project proponent.
- (4) All consultant costs related to preparation of the environmental document, shall be borne by the project proponent.
- (5) Mitigation fees shall be deposited into the Stanfield Marsh Wildlife Mitigation Account.

(l) Application fees are non-refundable and due upon submission of application.

8. Payments.

Fees shall be paid as follows:

(a) Dock license and weed control fees shall be due annually on or before April 1st of each year. License fees not paid by April 30th will be increased by 20%. License fees not paid by May 31st will be increased by 50%.

(b) If a late fee is not established in this resolution, pursuant to contract or otherwise, a late fee of 1 1/2% per month, or fraction thereof, shall be levied if fees are paid late.

(c) All returned checks shall be subject to a \$25 handling charge and may be subject to other legal actions.

9. Repeals.

Resolution No. 2008-01 is hereby repealed.

PASSED, APPROVED AND ADOPTED on ~~January 7, 2010~~ February 3, 2011

~~Paula Fashempour~~ Skip Suhay, President

ATTEST:

Vicki Sheppard, Secretary to the Board

[SEAL]

RESOLUTION NO. 91-15

A RESOLUTION OF THE BOARD OF DIRECTORS OF BIG BEAR MUNICIPAL WATER DISTRICT REESTABLISHING FEES COMMENCING JANUARY 1, 1992 AND REPEALING RESOLUTION 91-05.

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

Section 1. Purpose and Scope

This resolution establishes fees under Water Code 71660 for District services.

Section 2. Findings

The fees set forth below are necessary to provide for the continuation of existing District services at existing levels. Accordingly, this resolution is exempt from further environmental analysis under 14 Cal Code of Regulations Section 15273.

The fees set forth below do not exceed the reasonable cost of providing the services for which the fees are levied.

Section 3. Boat Permits

The following fees shall be paid as a condition of receiving a boat permit:

- (a) Daily Permits: \$15.00
One \$15.00 daily permit fee may be applied toward the cost of a seasonal permit.
- (b) Seasonal Permits:
 - (1) All boats not required to be registered by the State of California: \$25.00
 - (2) All boats required to be registered by the State of California: \$60.00

Section 4. Dock Permits

The following fees shall be paid as a condition of receiving a dock permit:

- (a) Application
 - (1) Regular \$ 25.00
 - (2) Requests requiring public hearing \$100.00
- (b) Permit
 - (1) Up to 3 slips \$150.00
 - Each slip over 3 slips \$ 50.00
 - (2) Dock-in-Common - each permit \$105.00

Section 4. Dock Permits

The following fees shall be paid as a condition of receiving a dock permit:

(a) Application

- (1) Regular \$ 25.00
- (2) Requests requiring public hearing \$100.00

(b) Permit

- (1) Up to 3 slips \$140.00
- Each slip over 3 slips \$ 46.67
- (2) Dock-in-Common - each permit \$105.00

(c) Weed Treatment

- (1) Up to 3 slips \$155.00
- Each slip over 3 slips \$ 51.67

Section 5. Commercial Landing Permits

(a) Owners of commercial landing permits shall pay the same boat permit fees as set forth for the general public.

(b) The amounts paid thereunder by the owner of a commercial landing permit shall not exceed the greater of the fees paid under the commercial landing permit.

Section 6. Boat Storage

The following fees are established for inside boat storage:

- 6 Consecutive months \$500.00
- Monthly Rate \$100.00

The following fees are established for outside storage:

- Monthly Boat or Trailer Storage \$ 35.00

Section 7. Campground Permits

The following fees shall be paid in advance for campground sites:

RESOLUTION NO. 91-05

**A RESOLUTION OF THE BOARD OF DIRECTORS OF BIG BEAR
MUNICIPAL WATER DISTRICT REESTABLISHING FEES AND
REPEALING RESOLUTION 90-12.**

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

Section 1. Purpose and Scope

This resolution establishes fees under Water Code 71660 for District services.

Section 2. Findings

The fees set forth below are necessary to provide for the continuation of existing District services at existing levels. Accordingly, this resolution is exempt from further environmental analysis under 14 Cal Code of Regulations Section 15273.

The fees set forth below do not exceed the reasonable cost of providing the services for which the fees are levied.

Section 3. Boat Permits

The following fees shall be paid as a condition of receiving a boat permit:

- (a) Daily Permits: \$15.00
One \$15.00 daily permit fee may be applied toward the cost of a seasonal permit.
- (b) Seasonal Permits:
 - (1) All boats not required to be registered by the State of California: \$25.00
 - (2) All boats required to be registered by the State of California: \$60.00

Section 4. Dock Permits

The following fees shall be paid as a condition of receiving a dock permit:

- (a) Application
 - (1) Regular \$ 25.00
 - (2) Requests requiring public hearing \$100.00
- (b) Permit
 - (1) Up to 3 slips \$120.00
 - Each slip over 3 slips \$ 40.00
 - (2) Dock-in-Common - each permit \$ 90.00