

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
January 20, 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 January 6, 2011
 - B. Warrant List Dated January 14, 2011 for \$35,809.45
- 6. BUSINESS**
 - A. Consider approval of a proposal from MAPCO/Transtech to prepare a topographic map of the Trout Pond property
 - B. Consider approval of a Special Event Permit for 2011 Troutfest to be held on October 1st and 2nd

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 February 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, JANUARY 6, 2011**

CALL TO ORDER

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

APPROVAL OF CONSENT CALENDAR

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

- Minutes of a Regular Meeting of December 16, 2010
- Warrant list dated December 23, 2010 for \$46,468.46
- Approval of a special event permit for Aaron's Spring Big Bear Big Bass Tournament to be held on May 21, 2011

REPORTS

President Fashempour gave her review of 2010 summarizing the following accomplishments: Water levels full (showing a photo of the lake releases), company picnic at the General Manager's house, the Trout Pond purchase (she commented that she is looking forward to serving on the Watershed Committee), the District front office remodel, the repaving of one third of the East Ramp parking lot, completed engineering plans for dredge project in Big Bear Marina, and 49,000 pounds of carp removed from the Lake. President Fashempour thanked the Staff, the Directors, and District Counsel for a successful year.

ADMINISTER OATHS OF OFFICE TO TODD MURPHY, DIVISION 1; PAULA FASHEMPOUR, DIVISION 2; AND SKIP SUHAY, DIVISION 3

Mr. Heule explained that in the November election, Todd Murphy Division 1, Paula Fashempour Division 2, and Skip Suhay Division 3, were appointed by the San Bernardino County Registrar of Voters in lieu of election. Board Secretary, Vicki Sheppard, administered the oath of office to the three Directors who then took their seats on the dais.

APPOINTMENT OF BOARD OFFICERS FOR CALENDAR YEAR 2011

Director Suhay (representing Division 3) took his seat as President of the Board as determined by the automatic rotation of officers by divisions described in the District's Administrative Code. Director Eminger (representing Division 4) will serve as Vice President this year.

President Suhay stated that Item 6F, Dam Bridge Replacement Caltrans Negotiations, will be pulled from the agenda.

APPOINTMENT OF COMMITTEE MEMBERS FOR CALENDAR YEAR 2011 AND PRESIDENT'S GOALS

President Suhay explained that each year, at the first meeting in January, the new Board President announces the Committee Members and distributes the committee descriptions for the upcoming

year. President Suhay announced that he is forming a new Foundation Committee and Mr. Heule explained the duties of the various committees and announced the committee members as follows:

Administrative Committee

John Eminger
Skip Suhay

Alternate: Vince Smith

Budget & Finance Committee

Todd Murphy
Vince Smith

Alternate: Paula Fashempour

Facilities Committee

Vince Smith
Paula Fashempour

Alternate: John Eminger

Foundation Committee

Paula Fashempour
Todd Murphy

Alternate: Skip Suhay

Lake Improvement Committee

Skip Suhay
Vince Smith

Alternate: Paula Fashempour

Operations Committee

Skip Suhay
Todd Murphy

Alternate: Vince Smith

Watermaster Committee

John Eminger
Skip Suhay

Alternate: Todd Murphy

Watershed

John Eminger
Paula Fashempour

Alternate: Skip Suhay

President Suhay thanked Director Fashempour for a good year and stated that he is looking forward to the upcoming year. He also thanked all the Directors and staff for their ongoing support. He explained his goals for 2011 by stating that he wants to continue things pretty much as they are while working on the Trout Pond and the Pedestrian Bridge. He also wants to concentrate on lake weeds.

APPOINTMENT OF THE DISTRICT'S JPIA REPRESENTATIVE FOR CALENDAR YEAR 2011

President Suhay reported that the District utilizes the services of the Joint Powers Insurance Authority (JPIA) for its property and liability insurance requirements. He announced that he is

appointing Director Fashempour as the District's JPIA representative for calendar year 2010 explaining that this will be her second year as JPIA Representative.

CONSIDER PROPOSAL FROM MWH FOR ENGINEERING SERVICES FOR BEAR VALLEY DAM REHABILITATION

Mr. Heule stated that the previous contract for dam engineering work by Mike Rogers and his staff at MWH (San Diego) has been used. He explained that he met with Mr. Rogers in November 2010 and developed a scope of work that will be needed for the balance of fiscal year 2010-11. He reported that the work will not exceed \$84,000 and will include the following:

- a. Ongoing instrumentation reporting to DSOD for underwater inspections and surveying monitoring results
- b. Service Road (pedestrian bridge) coordination consulting with Simon Wong Engineers and Caltrans
- c. Auxiliary spillway assessment to evaluate and define flood routing and the ability of the dam to safely pass the design floods without large, new spillway gates and to argue our case to the DSOD
- d. Coordination with DSOD during all issues related to the removal of the highway bridge and construction of the new pedestrian bridge on the dam.

Director Eminger moved approval of the proposal from MWH for Engineering Services for Bear Valley Dam Rehabilitation at a cost not to exceed \$84,000. Director Murphy seconded the motion and it was unanimously approved.

REPORT ON DECEMBER LAKE RELEASES - INFORMATION ONLY

Mr. Heule made a PowerPoint presentation updating the Board on Lake Releases. He reported that on December 22nd the District began releasing water from the dam for flood control purposes. He explained that the lake level has been maintained at 1 foot from full.

President Suhay explained that 3 years ago the District made a Resolution to maintain the water level 1 foot from full.

PUBLIC FORUM

Debra Stone, Big Bear City resident, reported on a problem that she is experiencing with Western Outdoor News. She explained that she won a GPS at Troutfest (she showed an I.O.U. certificate) but never received the prize itself. She explained that she has communicated numerous times with WON by e-mail with no satisfaction. She added that four people won this prize and none of them have received the GPS. Mr. Heule reported that he has spoken to Chuck at WON registering his dissatisfaction with their handling of this issue. He added that WON is aware of the problem and working on a resolution. Director Fashempour asked if this has ever happened before with Troutfest prizes. Mr. Heule stated that he was not aware of any other problems with contestants receiving their prizes.

ANNOUNCEMENTS

Mr. Heule reported that John Tuttle is working on getting the motor home at the Trout Pond removed from the property. He explained that Tuttle has had conversations with the Sherriff's office (they cannot do anything because it is not on the street) and another conversation with a towing company. Mr. Heule reported that he has spoken with WON about the future of TroutfesT explaining that they are adamant that they won't raise entry fees. He added that they are in discussion with the Resort Association and Events Office as well as Big Bear Marina and it

appears they are considering holding the event at Big Bear Marina. He reported that they have asked if the District would approve the event if we were not a sponsor and he advised that he did not see why we would not do that if the money for trout stocking was part of the process. He told them that other fishing events are obligated to contribute to the District stocking program. He explained that he has received no commitment from them at this time. Mr. Heule reported that there remains a great deal of interest in our Lake release. He explained that he spoke with the new highway bridge contractor and advised that we could increase the release and use the service spillway gates if we get more wet weather. He reported that there was a good chance we would need to do a high level release in the spring if we get rain when there is still snow on the ground. He added that they were considering how to finish removing the temporary bridge structures before a high level release would occur because there was some erosion adjacent and under some of their footings. Mr. Heule stated that he gave him no guarantees one way or another. He added that they also asked if we could lower the Lake level now so that a later high level release would not be needed. He explained that because we cannot predict future runoff into the lake and our obligation is to keep the Lake full as possible we could not consider that as an option. Mr. Heule reported that the finance and planning workshop currently scheduled for January 17 falls on a District holiday asking the Directors when we could reschedule. The consensus was that it could be rescheduled for the next day, January 18th, at 9:00 AM. Mr. Heule reported that Conroy's attorney has asked to change their hearing date from January 20 to a later date in March. District Counsel Scott Nave asked if the Directors had any objection to moving the hearing to March. He explained that they also may be contemplating doing it with a hearing officer rather than a full hearing before the Board. He explained that the District would not need two attorneys if it went this way. The consensus from the Board was that moving it to March was no issue and asked that District Counsel work out the details and get back to them

DIRECTOR COMMENTS

Director Murphy thanked Director Fashempour for her successful year as President and welcomed President Suhay stating that he is looking forward to another year on the Board. Directors Eminger and Smith also thanked Director Fashempour and welcomed President Suhay.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:42 P.M.

NEXT MEETING

Open Session at 1:00 P.M.
Thursday, January 20, 2011
Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA

Vicki Sheppard
Secretary to the Board
Big Bear Municipal Water District

(SEAL)

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, After 12/25/10
 Account 10010-00-001, Sessions 000000 to 002168**

Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
Checking Account:		10010-00-001					
148929	ALLPRO / All Protection Alarm Co.	01/10/11	2	95011	002168	FACILMAINT	37.00
148929		01/10/11	2	95238	002168	WESTMAINT	81.00
148929		01/10/11	2	95361	002168	FACILMAINT	33.00
148929		01/10/11	2	95535	002168	FACILMAINT	175.00
ALLPRO Subtotal :							326.00
148930	ATT785 / AT&T	01/10/11	2	12242010	002168	PHONE-LD	29.72
ATT785 Subtotal :							29.72
148931	BBCANV / Big Bear Canvas Co.	01/10/11	2	1710	002168	WORKBOATS	100.00
BBCANV Subtotal :							100.00
148932	BMCC / BEAR MOUNTAIN COLLISION CENTER	01/10/11	2	JOB6584BAL	002168	08FORDDF250	1068.36
BMCC Subtotal :							1068.36
148933	BVELEC / Bear Valley Electric	01/10/11	2	12272010A	002168	UTIL-RAMP	289.71
148933		01/10/11	2	12272010B	002168	UTIL-RAMP	537.23
BVELEC Subtotal :							826.94
148934	CALCHA / California Chamber of Commerce	01/10/11	2	10490494	002168	SUBSCRIPTI	119.42
CALCHA Subtotal :							119.42
148935	CHARTE / CHARTER COMMUNICATIONS	01/10/11	2	12162010	002168	MAINDSL	274.99
CHARTE Subtotal :							274.99
148936	CNTYSV / Water & Sanitation	01/10/11	2	12312010A	002168	UTIL-RAMP	105.22
148936		01/10/11	2	12312010B	002168	UTIL-RAMP	105.22
CNTYSV Subtotal :							210.44
148937	COMSER / ComSerCo	01/10/11	2	MA50220034	002168	RADSVCCONT	255.00
COMSER Subtotal :							255.00
148938	DIRCTV / DIRECTV	01/10/11	2	1412350947	002168	UTIL-RV	150.24
DIRCTV Subtotal :							150.24
148939	DWP / Department of Water and Power	01/10/11	2	12282010A	002168	MAIN-UTIL	73.60
148939		01/10/11	2	12282010B	002168	UTIL-MAIN	13.40
148939		01/10/11	2	12282010C	002168	UTIL-MAIN	44.15
148939		01/10/11	2	12282010D	002168	UTIL-RAMP	113.70
148939		01/10/11	2	12282010E	002168	UTIL-RAMP	17.87
148939		01/10/11	2	12282010F	002168	UTIL-POND	78.97
DWP Subtotal :							341.69

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, After 12/25/10
 Account 10010-00-001, Sessions 000000 to 002168**

<u>Check</u>	<u>Payment / Vendor Information</u>	<u>Ck Date</u>	<u>Prty</u>	<u>Invoice</u>	<u>Session</u>	<u>Reference</u>	<u>Amount</u>
148940	IDEARC / SUPERMEDIA LLC	01/10/11	2	12192010	002168	PHONE-NET	29.95
						IDEARC Subtotal :	29.95
148941	KENDAL / Kendall/Adams Group, Inc.	01/10/11	2	K2987	002168	CONTAMINAT	812.50
						KENDAL Subtotal :	812.50
148942	LABSAF / Lab Safety Supply, Inc.	01/10/11	2	1016589617	002168	OHSASUPPLS	48.59
148942		01/10/11	2	1016595324	002168	OHSAEQUIPT	31.62
						LABSAF Subtotal :	80.21
148943	LEMIEU / LEMIEUX & O'NEILL	01/10/11	2	20999M-137	002168	RETAINER	3500.00
						LEMIEU Subtotal :	3500.00
148944	NAPA / McConnell Motor Parts Inc.	01/10/11	2	3537	002168	PATROLMANT	27.99
148944		01/10/11	2	6660	002168	ONROADMANT	38.23
						NAPA Subtotal :	66.22
148945	NOCONT / NO CONTRACT VOIP	01/10/11	2	1445	002168	PHONE-NEW	136.66
						NOCONT Subtotal :	136.66
148946	PITNEY / Purchase Power	01/10/11	2	12192010	002168	POSTAGE	1019.99
						PITNEY Subtotal :	1019.99
148947	QUILL / Quill Corporation	01/10/11	2	1061969	002168	OFFICSUPLS	76.33
						QUILL Subtotal :	76.33
148948	ROTARY / Rotary Club of Big Bear Lake	01/10/11	2	01022011	002168	MEMBERSHIP	73.00
148948		01/10/11	2	12012010	002168	MEMBERSHIP	178.00
						ROTARY Subtotal :	251.00
148949	SIMONW / Simon Wong Engineering	01/10/11	2	12749-2582	002168	PEDBRIDGE	23360.00
						SIMONW Subtotal :	23360.00
148950	THOMAS / Thomas Gas Company	01/10/11	2	5604410545	002168	DAM MAINT	453.68
						THOMAS Subtotal :	453.68
148951	VALERO / Valero Marketing and Supply Co.	01/10/11	2	12212010	002168	PETRO-AUTO	1067.49
						VALERO Subtotal :	1067.49
148952	VERIZO / Verizon California	01/10/11	2	12252010	002168	PHONE-WS	31.22
						VERIZO Subtotal :	31.22
148953	VERONL / VERIZON	01/10/11	2	12132010	002168	CREEKDSL	89.99

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, After 12/25/10
 Account 10010-00-001, Sessions 000000 to 002168**

<u>Check</u>	<u>Payment / Vendor Information</u>	<u>Ck Date</u>	<u>Prity</u>	<u>Invoice</u>	<u>Session</u>	<u>Reference</u>	<u>Amount</u>
	COMMUNICATIONS						
148953		01/10/11	2	12132010A	002168	MAINDSL	159.95
						VERONL Subtotal :	249.94
148954	VOICEC / VOICE COMMUNICATIONS	01/10/11	2	28717	002168	PHONE-NEW	445.81
						VOICEC Subtotal :	445.81
148955	XEROX / Xerox Corporation	01/10/11	2	052518356	002168	COPIERLEAS	525.65
						XEROX Subtotal :	525.65
	Total For Check Account:			10010-00-001			35809.45
						Check Register Total :	35809.45

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

MEETING DATE: *January 20, 2011*

AGENDA ITEM: *6A*

SUBJECT:

CONSIDER APPROVAL OF A PROPOSAL FROM MAPCO/TRANSTECH TO PREPARE A TOPOGRAPHIC MAP OF THE TROUT POND PROPERTY FOR AN AMOUNT NOT TO EXCEED \$6,650

RECOMMENDATION:

The Watershed Committee recommends approval of this proposal.

DISCUSSION/FINDINGS:

The Watershed Committee discussed possible uses and needs for the Trout Pond and then made the following two recommendations:

- Authorize MAPCO/Transtech to prepare a topographic map of the property including trees larger than 6-inches in diameter dated December 15, 2010 for a cost of \$6,650.00 (see attached). This will then provide a visual basis for discussing the core mission or objective and priorities for the District's use of the Trout Pond.
- After receipt of the topographic map, the Committee will schedule a workshop to formally adopt an objective(s) for the use of the Trout Pond and prioritize a list of activities and actions that will implement that objective.

OTHER AGENCY INVOLVEMENT: None

FINANCING: Rathbun Creek/Watershed fund

Submitted by: Scott Heule, General Manager



Survey Work Order / PROPOSAL
TOPOGRAPHICAL SITE PLAN

TO: BIG BEAR MUNICIPAL WATER DISTRICT (BBMWD)
Date: Dec. 15, 2010 APN's 2328-202-08, 2328-202-15, 2328-291-27

#P10.177

Subject Property Address: "Trout Pond" perimeter and portion of Rathbun Creek southerly.

Description of Work:

PROVIDE A TOPOGRAPHICAL PLAN OF THE SITE AREA DEPICTING:
CONTOURS FROM A USGS VERTICAL BENCHMARK DATUM, DEPICTING TOP OF BANKS,
FLOWLINES, ETC. REPRESENTED BY 1 FT. CONTOURS.
LOCATE ALL FENCELINES,
TREES (>6" IN DIA.),
STRUCTURES, ETC., THAT FALL WITHIN THE SUBJECT PROPERTY.
ALSO LOCATE SAME ITEMS TO 25' OUTSIDE THE BOUNDARY LINES, AND PROVIDE
TOPOGRAPHICAL INFORMATION ACROSS ELM STREET TO THE SOUTH AND ACROSS CATALINA
DRIVE WHERE THE SUBJECT PROPERTY ABUTS CATALINA DRIVE.

Legal Description:

Parcel 1, PM 13636, PMB 162/89-91
Parcel 1, PM 307, PMB 4/44.
APN 2328-291-27: a portion of the N1/2, Sec 21, T2N, R1E, SBBM

Fees for above services are not to exceed \$6650, 50% of which, to be placed on deposit with Transtech / MAPCO.
(NOTE: IF TREES ARE NOT REQUIRED TO BE LOCATED SUBTRACT \$2,000 FROM THIS PROPOSAL).

Est. start date: 1 to 3 weeks from receipt of deposit. Note: Weather conditions may extend start times.

Prior to proceeding with any extra work , or any additional work or services, the Client will be advised of any additional or new charges and a new Survey Work Order/Agreement would be issued and signed by Client. Any encroachment(s) found during the boundary survey shall incur additional charges based on the time spent tying out and documenting said encroachment(s), such additional charges shall not exceed \$260.00 without the issuance of a new Survey Work Order.

At any time, upon receipt of written termination notice, either party may withdraw from this agreement. In the event that Client withdraws from this agreement prior to completion of work said termination notice must be accompanied by full payment for work completed as of the date of termination. In the event that the Client terminates this agreement prior to any survey work being started, a file set up fee, (approximately \$100.00), will be charged to cover the cost of research, clerical and map reproduction fees.

CLIENT:

MAPCO – Dave Ragland PLS 5173

P.O. Box 4101, Big Bear lake, CA 92315
Office (909) 866-8400 Fax (909) 866-8411

By (Print) Scott Heule _____

Bob Carlisle

Signature _____

Bob Carlisle

Date _____

Date: Dec. 15, 2010

Title _____

Big Bear Manager

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

MEETING DATE: *January 20, 2011*

AGENDA ITEM: *6B*

SUBJECT:

CONSIDER APPROVAL OF A SPECIAL EVENT PERMIT FOR 2011 TROUTFEST TO BE HELD ON OCTOBER 1ST AND 2ND

RECOMMENDATION:

The General Manager, Lake Manager and Operations Committee (Director Suhay & Murphy) recommend approval of this special event.

DISCUSSION/FINDINGS:

Alan Sharp, Big Bear Marina, and Rick Bates from the Events Office at the RA made a presentation to the Operations Committee on January 14, 2011 regarding their co-sponsorship of the Troutfest with Western Outdoor News. Essentially their proposal is to take over all the responsibilities of sponsoring the event with the exception of the standard duties the District would normally be obligated to do during a very busy holiday or special event weekend. They provided the attached application and proposal detailing responsibilities and assignments for Big Bear Marina, Holloways, the Resort Association, and Western Outdoor News. The proposal, if approved, will obligate the District to provide consultation for the event, use of the office parking lot for parking cars and trailers during the event, stocking fish, tagging fish for the event, donation or loan of the District fish cleaning station, Quagga inspection and decontamination on Friday night and early AM Saturday and Sunday Lake Patrol duties. The event sponsors will be responsible for securing all City permits and permissions and insurance for offsite parking. They also propose to guarantee \$15 per entrant for fish stocking. The fish purchase by the District will be made based on the number of entrants registered as of August first. Payment for the \$15 per entrant fish stocking fee will be made to the District after the Troutfest event. Other than the usual staff time and obligations of vessel inspection, tagging and Lake Patrol efforts immediately prior to start of fishing each day there are no financial obligations for the District. Based on these considerations the Operations committee recommends approval of the Troutfest special event.

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 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:

7/14/11
Date

[Signature]
Permittee

Date

General Manager

1-909-866-3846

EXHIBIT A

DESCRIPTION OF EVENT

1. Name of Event: *TROUTFEST*
2. Location: *BIG BEAR MARINA*
3. Date(s): *10/1/11 - 10/2/11*
4. Describe Event: *TROUT FISHING TOURNAMENT*
5. Estimated Number of Participants: *MAX 1000*
6. Estimated Number of Spectators: *1400*
7. Method of Limiting Attendance: *MAX REGISTRATION 1000*
8. Method of Trash Collection and Disposal: *MARINA STAFF + VOLUNTEERS / BIG BEAR DISPOSAL*
9. Proposed First-Aid Services: *911 / HOSPITAL / URGENT CARE / LAKE PATROL*
10. Proposed Security Services: *MARINA STAFF + VOLUNTEERS*
11. Proposed Fire Protection Services: *AS DETERMINED BY BBLFA / FIRE EXT*
12. Proposed Sanitation Facilities: *PORTA - POTTIES / SS RELIEFS*
13. Parking Arrangements: *BMW DAY USE LOT / ELKS LOOSE / HALL LOT BEHIND CHEVRON*
14. Name, Address and Telephone Number of Person Available Before and During Event with Authority to Control Event:

<i>CHUCK BUKAGAIN</i>	<i>ALAN SHARP</i>
<i>185 AVIENDA LA PATA</i>	<i>P.O. Box 1844</i>
<i>SAN CLEMENTE CA</i>	<i>BIG BEAR LAKE, CA</i>
<i>714-749-7319</i>	<i>92673</i>
<i>CELL</i>	<i>909-725-7765</i>
	<i>92315</i>
	<i>CELL</i>
15. Perimeter control, if applicable:
CITY OF BIG BEAR LAKE
PUBLIC WORKS

EXHIBIT B

FEE SCHEDULE

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

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

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

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

Other services: actual cost

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

2. GROUP SPECIAL EVENT PERMITS

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

**EXHIBIT C
SPECIAL CONDITIONS**

- Troutest Proposal Attached

TROUTFEST PROPOSAL

January 14, 2011

To: BBMWD Lake Ops. Comm.

From: Chuck Buhagiar WON Dir. Sales & Mktg.

Objective---

To maintain the event by creating a new partnership between: Western Outdoor News, Big Bear Municipal Water District, Holloway's Marina, Big Bear Marina, Big Bear Lake Resort Association.

Sponsors---

WESTERN OUTDOOR NEWS, BIG BEAR MARINA, HOLLOWAY'S MARINA,
BIG BEAR LAKE RESORT ASSOC.

Roles---

WESTERN OUTDOOR NEWS

*Promotion *Event staffing *Logistics *Event Insurance

*Pre-registration *Site registration *Permits

*\$15/entrant fish plant total based on number of entrants (fish purchase based on registrants as of 8/1/11) Monies paid 10/11 based on total entrants.

BBMWD .

*Consultation *Fish stocking *Fish tagging *AM Lake Patrol

*Day Use Lot *Fish cleaning station *Quagga inspect/decon

BBLRA

*Info call center *Media coverage *Event staffing *Merchant discounts

*Board Room

BIG BEAR MARINA & HOLLOWAY'S MARINA

*Logistics *Site mgmt. *Lake Permit sales *Site registration

*Volunteer staffing *Employee staffing *Facilities