

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
October 6, 2011

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

Next Resolution Number: 2011-07

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 September 15, 2011
 - B. Warrant list dated September 29, 2011 for \$104,828.18
 - C. Consider approval of a Resolution of the Board of Directors of Big Bear Municipal Water District establishing Employee Compensation and amending Resolution No. 2011-04
- 6. BUSINESS**
 - A. Consider approval of a written statement of decision as proposed in the matter of the appeal of Crisann Conroy
 - B. Receive Watershed Committee Report on the Trout Pond and provide direction to staff
- 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)

AGENDA - Board of Directors – October 6, 2011

8. ANNOUNCEMENTS

9. DIRECTOR COMMENTS

10. ADJOURNMENT

NEXT MEETING: Open Session at 1:00 P.M.
Thursday, October 20, 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, SEPTEMBER 15, 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.

REPORTS

General Manager, Scott Heule reported that everyone seemed to have a great time at the District Barbeque last Sunday. He added that he was sorry that Director Eminger could not attend. He commented that there were no mishaps that he heard about and staff participation was nearly 100%. He reported that the Santa Ana Sucker lawsuit has been getting lots of good press and strong support. He added that the most recent was a very supportive letter from the Latino Water Coalition commenting that the Directors should have all gotten a copy of the letter. He stated that he should be getting an update next week at the Task Force meeting. Mr. Heule reported on the progress of the old highway bridge demolition on the dam. He explained that they are now finishing up the last pieces on Bay 7 adding that the chain link fencing is now in place across bays 8, 9, and 10. He reported that the District is partnering with the City of Big Bear Lake on a TMDL grant application that, if awarded, would provide funding to build sediment capture structures in tributaries at the forest/City boundary. He added that the preliminary screening grant application paperwork will be submitted later today or tomorrow. He explained that if selected a more detailed submittal will be prepared. He reported that Mr. Stephenson has had conversations with Fish and Game about de-watering and excavating the sediment from the Trout Pond. He explained that they were supposed to provide some approval for the work this week but we have not heard anything as yet. He commented that if we can get their approval, Karl Klouzer (Bear Mountain Resorts) has said that they are willing and anxious to help remove and dispose of the sediment (they can distribute it on the slopes).

Lake Manager, Mike Stephenson reported that the lake has flipped but unlike past years, there is no visible algae. He commented that he feels good about the condition of the lake adding that there are some weeds but they are not extensive at all. He reported that today is the last day the harvester will be out on the lake this season. He commented on his conversations with Fish & Game regarding the trout pond maintenance work adding that he has not heard back from them as yet so staff is just going to keep doing what they have been doing. President Suhay inquired about the Stanfield area asking if it has any problems with dying weeds. Mr. Stephenson reported that there are not a lot of dying weeds like there were before. He stated that the boating season is winding down and today they laid-off two seasonal lake patrol officers and one ramp attendant. He reported on the upcoming delivery of trout for the October Troutfest event (October 1 & 2). He explained that the event has experienced low sign-ups this year. Mr. Stephenson thanked Mr. Heule and his wife Jackie for all their hard work for the staff BBQ last Sunday. He also thanked the Directors for their participation and hard work. He announced that he is going on a fishing trip into Mexican waters tomorrow and coming back on Monday.

APPROVAL OF CONSENT CALENDAR

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

- Minutes of a Regular Meeting of September 1, 2011
- Consider approval for the President to cast a vote for the ACWA Region 9 Board ballot
- Consider approval of a proposal from Tom Dodson & Associates to provide on-call CEQA/NEPA consulting services

CONSIDER APPROVAL OF PROPOSED STAFFING REORGANIZATION AND SALARY AND WAGE SCALE

Mr. Heule reported that for the past several weeks Staff has been analyzing job descriptions and duties with the specific intent to reduce costs, streamline customer service, improve after hours Lake Patrol response and place a higher level decision maker in the front office to administer all aspects of private docks and follow through on marina compensation. He explained that to accomplish this Staff proposes to eliminate the Customer Service Clerk and Launch Ramp Supervisor positions and add a new position, Lake Operations Analyst. He reported that Staff proposes that the Lake Operations Supervisor position be changed from salary to hourly, from exempt to non-exempt, and that certain private dock management responsibilities be eliminated from the job description. He added that Staff also proposes that the pay scale for the Lake Operations Supervisor also be reduced. He explained that in order to backfill the tasks left open by the Customer Service Clerk, cover the pieces removed from the Lake Operations Supervisor and Launch Ramp Supervisor, a new position is proposed; Lake Operations Analyst. He stated that the pay scale would be the same for this new position as the proposed pay scale for the Lake Operations Supervisor position. Mr. Heule summarized the rationale and operational approach for this reorganization as follows:

Rationale:

1. Salary savings on the order of \$35,000 in current fiscal year after adjusting the salary for Lake Manager upwards.
2. Supplies higher level of technical/analytical expertise necessary to fully manage and implement
 - a. Private dock insurance
 - b. Private dock licensing renewals
 - i. Invoicing
 - ii. Collections
 - c. Private dock plan review and approval
 - d. Private dock inspection failure enforcement notifications
3. More responsive to private dock owners inquiries because position has authority to fully manage program
4. Highly trained and knowledgeable person available nearly all the time for customer inquiry at the counter
5. Increases the number of available full time/year round Lake Patrol Officers
6. Reduces some of the turnover on Lake Patrol staff
7. Still places responsibility of managing Launch Ramp Attendants with year round employee

Approach:

1. Both Lake Operations Supervisor and Lake Operations Analyst wage scale will be somewhat lower than current schedule for Lake Operations Supervisor.

2. Hire one Seasonal Customer Service Clerk/Dispatch employee for three weekdays for permit sales and data entry, and weekends for dispatch and data entry and possibly a part time seasonal office clerk/dispatch employee for two weekdays.
3. Lake Operations Analyst will assist with Lake Patrol weekends seasonally and both the Analyst and Supervisor positions will be assigned to the top of the on-call list duties on a rotating schedule instead of the Lake Manager.

Mr. Heule explained that because the Customer Service Clerk position is being eliminated, Eric Gonzales would be laid off. He added that in the case of the elimination of the Launch Ramp Supervisor position, Tyler Cockrell would be offered the new Lake Operations Analyst position in-lieu of being laid off. He reported that another item discussed by the Committee was the salary and wage scale for the Supervisor and Analyst positions as well as an increase in the salary for the Lake Manager. He stated that Mike Stephenson's service to the District has become more valuable and his responsibilities have increased as a result of District personnel performing aquatic plant mapping and chemical control, GIS mapping and analysis, and Quagga Mussel prevention and training among other things (current and proposed salary and wage scales are attached as is a proposed revised organization chart).

Director Fashempour asked if the Lake Operations Supervisor position would be filled soon. Mr. Heule reported that it would be filled very soon. Director Murphy stated "good job Administrative Committee". Director Smith concurred. Director Fashempour asked for clarification of insurance for dock owners. Mr. Heule explained that dock owners need to have liability insurance naming the District as additionally insured. Director Smith asked if the Committee is confident that they will be saving \$35,000 with these salary adjustments. Mr. Heule responded that they are confident. President Suhay stated that we will need to make sure that we know what the dock rules are because once something is said to the public it is hard to go back on it. Mr. Heule stated that detail will be worked on and will be carefully checked. Director Smith commented that we will be eliminating people in the decision making process and will have a trail to follow as far as responsibility for any decisions made to dock builders and owners.

Director Murphy moved approval of the proposed staffing reorganization and salary and wage scale. Director Smith seconded the motion and it was unanimously approved.

PUBLIC FORUM

No comments were made

ANNOUNCEMENTS

Mr. Heule reported that he, President Suhay, and Director Fashempour would be representing the District at the ACWA JPIA meeting in November.

DIRECTOR COMMENTS

Director Eminger commented that he was sorry to have missed the Barbeque. President Suhay stated that the games were fun and thanked Director Murphy for organizing them. He also thanked Mike Stephenson and Scott & Jackie Heule for all their hard work.

ADJOURNMENT TO CLOSED SESSION

The meeting was adjourned to Closed Session at 1:30 P.M to:
Conference with Legal Counsel

Potential litigation: Conroy vs. BBMWD

Government Code Section 54957: Public Employee Release, Customer Service Clerk position

RECONVENE TO OPEN SESSION

The meeting was reconvened to Open Session at 1:54 P.M.

Director Eminger moved approval of a written statement of decision as proposed in the matter of the appeal of Crisann Conroy. Director Fashempour seconded the motion and it was unanimously approved.

No reportable action on Government Code Section 54957, Public Employee Release.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:00 P.M.

NEXT MEETING

Open Session at 1:00 P.M.
Thursday, October 6, 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 LAKE OPERATIONS SUPERVISOR

JOB CONCEPT:

Under direction, performs a variety of tasks involved with the administration and oversight of Lake operations, and District safety programs. Organizes and implements Lake Patrol functions. Incumbent provides supervision of the Lake Patrol Ranger unit.

SUPERVISION RECEIVED AND EXERCISED:

This position receives direction from the Lake Manager. This position receives only occasional instruction or assistance in new or unusual situations, and is fully aware of lake operation procedures and policies. Responsibilities include the direct supervision of Lake Patrol Rangers.

EXAMPLES OF DUTIES:

Duties may include, but are not limited to the following:

- Plans, supervises, schedules, and participates in Lake operations; coordinates and plans work for Lake Patrol Rangers.
- Serves as District Safety Officer.
- Oversees and trains staff for proper radio dispatch procedures.
- Directs facility and maintenance activities in the Lake Manager's absence.
- Patrols lake to enforce State, local laws, and regulations as needed to support the work force.
- Responds to emergency situations and after hours call outs as necessary.
- Investigates boating complaints and boating accidents; provides assistance to the public; issues citations; investigates accidents and appears in court as a witness.
- Serves as liaison to the State and other agencies with respect to the investigation and reporting of boating accidents.
- Coordinates with the San Bernardino County Sheriffs' Department for joint patrol activities.
- Ensures compliance regulations with OSHA, SB 198, and Illness and Injury Prevention Program for the District
- Participates in Mountain Mutual Aid activities.

- Assumes responsibilities designated under SEMS.
- Oversees publication and distribution of annual Mountain Waters Dispatch.
- Provides training to staff and public in the areas of boating safety, first aid and boating laws.
- Plans and assigns work for personnel; trains new employees as required; prepares performance evaluations; recommends disciplinary action as necessary.
- Prepares and produces data to assist in the distribution of Lake use permits and public information handouts.
- Prepares special reports and analyzes impact on various lake data such as, lake use trends, citations, boat permit totals, commercial marina operations, and limnological reports.
- Coordinates and supervises commercial and private dock inspections.
- Gathers and prepares data to assist in the preparation and administration of operational expenditures and financial objectives.
- Establishes positive working relationships with representatives of community organizations, MWD Board of Directors, management and staff, and the public.
- Attends training sessions and meetings.
- Performs a variety of operational and administrative duties.
- Assists others in the completion of assigned duties as necessary.

KNOWLEDGE, SKILLS AND ABILITIES:

KNOWLEDGE OF:

- Operational and administrative procedures to manage District safety programs.
- California boating laws.
- Compliance regulations and requirements for OSHA and SB 198.
- Boating safety practices and procedures.
- Boating equipment and supplies used in Lake Patrol operations.
- District dispatch radio protocol.
- Techniques of training and safety rules and regulations.
- Laws and regulations pertaining to safe boating; water safety programs.
- First aid and CPR.
- Good customer relation techniques and skills.
- District policies and procedures

SKILL/ABILITY TO:

- Plan, schedule and supervise Lake Patrol Ranger operations.
- Read and understand laws and regulations.
- Enforce applicable State and local laws and regulations.
- Investigate accidents.
- Draw valid conclusions and report findings.
- Gather and prepare data for a variety of reports using MS Office.

- Recommend and implement new policies and procedures.
- Perform mathematical and statistical techniques.
- Ability to forecast, plan and implement department budgets.
- Ability to direct and organize department staffing.
- Exceptional written and oral communication skills.
- Give and follow verbal and written communication.
- Respond to requests and inquiries from the general public.
- Maintain effective working relationships with co-workers and the public; use patience, tact and courtesy in dealing with personnel and the public.
- Operate a variety of motorized equipment including patrol vehicles and boats.

TYPICAL QUALIFICATIONS:

Experience: A minimum of two years experience in boating enforcement or related field; public agency supervision experience desirable. Extensive background in boating and public relations required.

Education: Equivalent of two year college degree or any combination of training or education in progressive experience which demonstrates the ability to perform the duties of the position, and a high school diploma or equivalent.

Licenses and Certificates: Valid California driver's license, good driving record; PC 832 Law Enforcement training, Basic Boating training; current National Safety Council, American Red Cross or American Heart Association first aid and CPR certificates. EMT certified desirable.

SPECIAL REQUIREMENTS

Essential functions and duties require the following physical ability and work environment.

Ability to sit, stand, walk, run, kneel, crouch, stoop, squat, crawl, twist, climb, and lift up to 100 lbs; endure exposure to cold, heat, noise, outdoors, and chemicals; ability to travel to different work locations.



BIG BEAR MUNICIPAL WATER DISTRICT LAKE OPERATIONS ANALYST

JOB CONCEPT:

Under direction, performs a variety of tasks involved with the administration and implementation of invasive species prevention, private dock program, marina compensation, RV Park, public launch ramps and lake patrol duties. Incumbent provides supervision of the Launch Ramp Attendants. Evaluates and reports statistical stream flow, water quality and climatological data.

SUPERVISION RECEIVED AND EXERCISED:

This position receives direction from the Lake Manager. This position receives only occasional instruction or assistance in new or unusual situations, and is fully aware of Lake operating procedures and policies. Responsibilities include the direct supervision of Launch Ramp Attendants.

EXAMPLES OF DUTIES:

Duties may include, but are not limited to the following:

- Plans, supervises, schedules and participates in Lake operations; coordinates and plans work for Launch Ramp Attendants.
- Patrols lake to enforce State, local laws and regulations as needed to support the workforce.
- Responds to emergency situations and after hours call outs as necessary.
- Manages Adopt -a-Shoreline program and coordinates annual clean-up days.
- Assumes responsibilities designated under SEMS.
- Provides training to staff and public in the areas of boating safety, first aid and boating laws.
- District's primary radio dispatcher.
- Manages and implements operational and administrative duties of District dock program; which includes inspections; supervising; administration; compliance with safety regulations and insurance requirements; trains the public on dock regulations and standards.
- Provides administrative assistance to the public; responds to customer inquiries and complaints according to District policies and procedures.

- Prepares and produces data to assist in the distribution of Lake use permits and public information handouts.
- Prepares special reports and analyzes impact on various Lake data such as, limnological reports, water quality data, lake releases and compliance with Bear Creek stream flow obligations; statistical support for Watermaster reports.
- Coordinates and trains District and private marina employees in accordance with invasive species inspection.
- Plans and assigns work for personnel; trains new employees as required; prepares performance evaluations; recommends disciplinary action as necessary.
- Gathers and prepares data to assist in the preparation and administration of operational expenditures and financial objectives.
- Establishes positive working relationships with representatives of community organizations, MWD Board of Directors, management and staff, and the public.
- Attends training sessions and meetings.
- Performs a variety of office administrative duties.
- Assists others in the completion of assigned duties as necessary.

KNOWLEDGE, SKILLS AND ABILITIES:

KNOWLEDGE OF:

- Operational and administrative procedures to manage District private dock program.
- Boating safety practices and procedures.
- Boating equipment and supplies used in Lake Patrol operations.
- District dispatch radio protocol.
- Techniques of training and safety rules and regulations.
- Laws and regulations pertaining to safe boating.
- First aid and CPR.
- Good customer relation techniques and skill.
- District policies and procedures

SKILL/ABILITY TO:

- Plan, schedule and supervise Launch Ramp Attendant operations.
- Read and understand laws and regulations.
- Exceptional written and oral communication skills.
- Draw valid conclusions using organizational and analytical skills.
- Gather and prepare data for a variety of reports using MS Office.
- Ability to develop and organize spreadsheets in Excel.
- Ability to forecast, plan and implement department budgets.
- Ability to direct and organize department staffing.
- Give and follow verbal and written communication.

- Perform mathematical and statistical techniques.
- Assist customers at front counter.
- Respond to requests and inquiries from the general public.
- Maintain effective working relationships with co-workers and the public; use patience, tact and courtesy in dealing with personnel and the public.
- Operate a variety of motorized equipment including patrol vehicles and boats.
- Investigate accidents.

TYPICAL QUALIFICATIONS:

Experience: A minimum of two years experience in boating enforcement and customer service; public agency supervision experience desirable.

Education: Equivalent of two year college degree or any combination of training or education in progressive experience which demonstrates the ability to perform the duties of the position, and a high school diploma or equivalent.

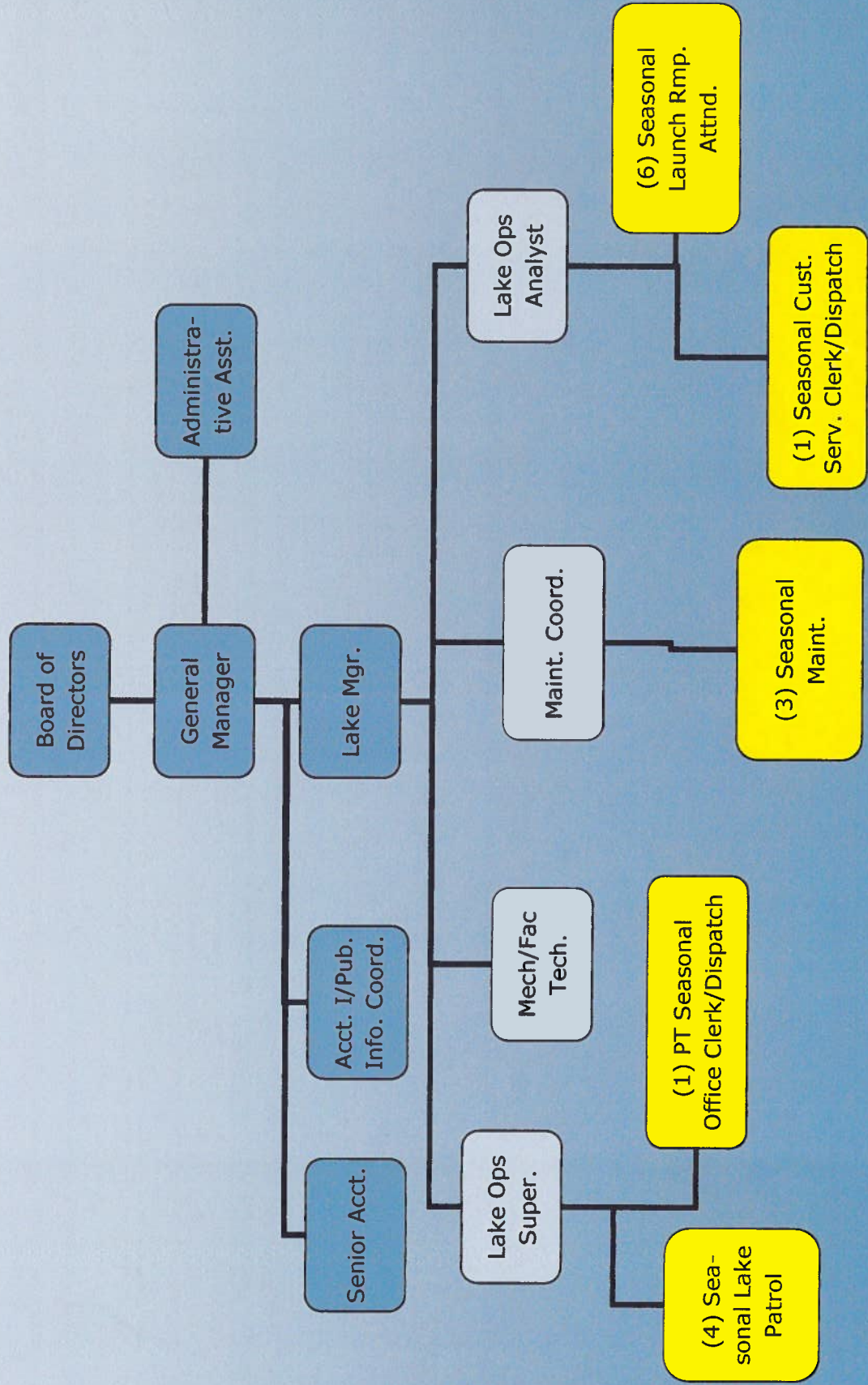
Licenses and Certificates: Valid California driver's license, good driving record; PC 832 Law Enforcement training, Basic Boating training; current National Safety Council, American Red Cross or American Heart Association first aid and CPR certificates. EMT certified desirable.

SPECIAL REQUIREMENTS

Essential functions and duties require the following physical ability and work environment.

Ability to sit, stand, walk, run, kneel, crouch, stoop, squat, crawl, twist, climb, and lift up to 100 lbs; endure exposure to cold, heat, noise, outdoors, and chemicals; ability to travel to different work locations.

Proposed—Big Bear Municipal Water District



POSITION	CURRENT WAGE AND SALARY	MINIMUM (Monthly)	MAXIUM (Monthly)
GENERAL MANAGER		\$8,714	\$11,678
	8,714 - 9,150 - 9,607 - 10,088 - 10,592 - 11,122 - 11,678		
LAKE MANAGER		\$5,947	\$7,970
	5,947 - 6,245 - 6,557 - 6,885 - 7,229 - 7,591 - 7,970		
SR. ACCOUNTANT/HUMAN RESOURCES		\$4,481	\$6,004
	4,481 - 4,705 - 4,940 - 5,187 - 5,446 - 5,718 - 6,004		
LAKE OPERATIONS SUPERVISOR		\$4,481	\$6,004
	4,481 - 4,705 - 4,940 - 5,187 - 5,446 - 5,718 - 6,004		
MECHANICAL AND FACILITY TECHNICIAN		\$3,649	\$4,890
	3,649 - 3,831 - 4,023 - 4,224 - 4,435 - 4,657 - 4,890		
MAINTENANCE COORDINATOR		\$3,334	\$4,469
	3,334 - 3,501 - 3,676 - 3,860 - 4,053 - 4,256 - 4,469		
ADMINISTRATIVE ASSISTANT		\$3,246	\$4,350
	3,246 - 3,408 - 3,579 - 3,757 - 3,945 - 4,143 - 4,350		
ACCOUNTANT I/PUBLIC INFORMATION COORDINATOR		\$3,246	\$4,350
	3,246 - 3,408 - 3,579 - 3,757 - 3,945 - 4,143 - 4,350		
CUSTOMER SERVICE CLERK		\$2,564	\$3,436
	2,564 - 2,692 - 2,827 - 2,968 - 3,117 - 3,273 - 3,436		
LAUNCH RAMP SUPERVISOR		\$2,564	\$3,436
	2,564 - 2,692 - 2,827 - 2,968 - 3,117 - 3,273 - 3,436		

POSITION	PROPOSED WAGE AND SALARY							MINIMUM (Monthly)	MAXIMUM (Monthly)				
	6-Sep-11												
Proposed changes shown in red.													
GENERAL MANAGER								\$8,714	\$11,678				
	8,714	-	9,150	-	9,607	10,088	10,592	11,122	11,678				
LAKE MANAGER								\$6,245	\$8,901				
	6,245	-	6,557	-	6,885	-	7,229	-	7,970	-	8,477	-	8,901
SR. ACCOUNTANT/HUMAN RESOURCES								\$4,481	\$6,004				
	4,481	-	4,705	-	4,940	-	5,187	-	5,446	-	5,718	-	6,004
LAKE OPERATIONS SUPERVISOR								\$4,091	\$5,482				
	4,091	-	4,296	-	4,511	-	4,735	-	4,973	-	5,222	-	5,482
LAKE OPERATIONS ANALYST								\$4,091	\$5,482				
	4,091	-	4,296	-	4,511	-	4,735	-	4,973	-	5,222	-	5,482
MECHANICAL AND FACILITY TECHNICIAN								\$3,649	\$4,890				
	3,649	-	3,831	-	4,023	-	4,224	-	4,435	-	4,657	-	4,890
MAINTENANCE COORDINATOR								\$3,334	\$4,469				
	3,334	-	3,501	-	3,676	-	3,860	-	4,053	-	4,256	-	4,469
ADMINISTRATIVE ASSISTANT								\$3,246	\$4,350				
	3,246	-	3,408	-	3,579	-	3,757	-	3,945	-	4,143	-	4,350
ACCOUNTANT I/PUBLIC INFORMATION COORDINATOR								\$3,246	\$4,350				
	3,246	-	3,408	-	3,579	-	3,757	-	3,945	-	4,143	-	4,350

Proposed 2011-12 SALARY & BENEFITS WITH REORGANIZATION

POSITION - Full-Time	2011-12		2011-12		2011-12		2011-12		2011-12		Totals
	Hourly	Annual Salary	FICA	PERS	WC	Totals	WC	Totals			
General Manager	\$ 67.36	\$ 140,108.80	\$ 8,686.75	\$ 26,240.98	\$ 1,947.51	\$ 176,984.04	\$ 1,947.51	\$ 176,984.04			
Lake Manager	\$ 48.91	\$ 101,732.80	\$ 6,307.43	\$ 19,053.54	\$ 1,414.09	\$ 128,507.86	\$ 1,414.09	\$ 128,507.86			
Sr. Accountant/HR	\$ 32.65	\$ 67,912.00	\$ 4,210.54	\$ 12,719.24	\$ 943.98	\$ 85,785.76	\$ 943.98	\$ 85,785.76			
Lake Operations Supervisor	\$ 23.60	\$ 49,088.00	\$ 3,043.46	\$ 9,193.69	\$ 682.32	\$ 62,007.47	\$ 682.32	\$ 62,007.47			
Accountant/Public Info Coor.	\$ 23.90	\$ 49,712.00	\$ 3,082.14	\$ 9,310.56	\$ 561.75	\$ 62,666.45	\$ 561.75	\$ 62,666.45			
Mechanical Technician	\$ 29.62	\$ 61,609.60	\$ 3,819.80	\$ 11,538.86	\$ 7,183.68	\$ 84,151.94	\$ 7,183.68	\$ 84,151.94			
Facility Technician	\$ 29.62	\$ 61,609.60	\$ 3,819.80	\$ 11,538.86	\$ 7,183.68	\$ 84,151.94	\$ 7,183.68	\$ 84,151.94			
Maintenance Coordinator	\$ 22.04	\$ 45,843.20	\$ 2,842.28	\$ 8,585.97	\$ 5,345.32	\$ 62,616.77	\$ 5,345.32	\$ 62,616.77			
Administrative Assistant	\$ 25.09	\$ 52,187.20	\$ 3,235.61	\$ 9,774.14	\$ 589.72	\$ 65,786.66	\$ 589.72	\$ 65,786.66			
Lake Operations Analyst	\$ 23.60	\$ 49,088.00	\$ 3,043.46	\$ 9,193.69	\$ 682.32	\$ 62,007.47	\$ 682.32	\$ 62,007.47			
Customer Service Clerk	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
		Position eliminated									
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			
	\$ 678,891.20	\$ 678,891.20	\$ 42,091.25	\$ 127,149.53	\$ 26,534.36	\$ 874,666.35	\$ 26,534.36	\$ 874,666.35			

2011-12 w/o reorg. \$913,857.49

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, 08/25/11 to 09/29/11
 Account 10010-00-001, Sessions 000000 to 002436**

Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
Checking Account: 10010-00-001							
149644	ACWAHB / ACWA Health Benefits Authority (H	09/15/11	2	10012011	002422	HEALTHINS	20086.25
ACWAHB Subtotal :							20086.25
149645	BBCHAR / BIG BEAR CHARTER FISHING	09/15/11	2	09152011	002422	SPEVNTDEPO	500.00
BBCHAR Subtotal :							500.00
149646	BBDSPL / Big Bear Disposal	09/15/11	2	261583	002422	UTIL-MAIN	303.42
BBDSPL Subtotal :							303.42
149647	BMARIN / Big Bear Marina	09/15/11	2	10311150	002422	PETRO-BOAT	1430.95
BMARIN Subtotal :							1430.95
149648		09/15/11	2	10311151	002422	PETRO-BOAT	1354.65
BMARIN Subtotal :							1354.65
149649	BVELEC / Bear Valley Electric	09/15/11	2	08232011	002422	UTIL-DAM	9.68
149649		09/15/11	2	08232011A	002422	UTIL-MAIN	9.92
149649		09/15/11	2	08232011B	002422	UTIL-DAM	251.17
149649		09/15/11	2	08232011D	002422	UTIL-AERAT	1294.17
149649		09/15/11	2	08242011	002422	UTIL-RAMPS	210.18
149649		09/15/11	2	08312011	002422	UTIL-DAM	70.75
149649		09/15/11	2	09072011	002422	UTIL-RV	1899.16
149649		09/15/11	2	09072011B	002422	UTIL-MAIN	1765.66
149649		09/15/11	2	09072011C	002422	UTIL-MAIN	93.69
BVELEC Subtotal :							5604.38
149650	BVPRIN / Bear Valley Printing	09/15/11	2	Q12993	002422	PRNTLKMATS	792.19
BVPRIN Subtotal :							792.19
149651	BVUSD / Bear Valley Unified School Distri	09/15/11	2	12001	002422	KOOL	250.00
BVUSD Subtotal :							250.00
149652	CALMS / California Lake Management Societ	09/15/11	2	2011	002422	TRAVELMGMT	180.00
CALMS Subtotal :							180.00
149653	CASH / Victoria Moore /Petty Cash	09/15/11	2	09152011	002422	PETTYCASH	244.72
CASH Subtotal :							244.72
149654	CCONNE / CONNELLY PUMPING SERVICES	09/15/11	2	11051	002422	SSPUMP	180.00
149654		09/15/11	2	11064	002422	SSPUMP	180.00
149654		09/15/11	2	11078	002422	PORTSPEVNT	480.00

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, 08/25/11 to 09/29/11
 Account 10010-00-001, Sessions 000000 to 002436**

Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
149654		09/15/11	2	11101	002422	SSPUMP	180.00
						CCONNE Subtotal :	1020.00
149655	CHEMPA / CHEM PAK PRODUCTS	09/15/11	2	73934	002422	JANITSUPPL	221.14
						CHEMPA Subtotal :	221.14
149656	CLEVEL / JACK CLEVELAND	09/15/11	2	PER8158	002422	PERMIT	90.00
						CLEVEL Subtotal :	90.00
149657	CLUBTO / CLUB TOWING	09/15/11	2	10714	002422	ON ROAD	135.00
						CLUBTO Subtotal :	135.00
149658	CNTYSV / Water & Sanitation	09/15/11	2	08312011A	002422	UTIL-RAMPS	108.38
149658		09/15/11	2	08312011B	002422	UTIL-RAMPS	108.38
						CNTYSV Subtotal :	216.76
149659	COLA / Los Angeles Coca Cola BTL CO	09/15/11	2	2285097011	002422		200.45
						COLA Subtotal :	200.45
149660	COMPVI / COMPUTER VILLAGE	09/15/11	2	122609	002422	COMPMAINT	1151.85
149660		09/15/11	2	122664	002422	COMPCONSLT	400.00
						COMPVI Subtotal :	1551.85
149661	COMSER / ComSerCo	09/15/11	2	5MA502381	002422	RADSVCCONT	255.00
						COMSER Subtotal :	255.00
149662	DIRECTV / DIRECTV	09/15/11	2	5859104847	002422	UTIL-RV	157.49
						DIRECTV Subtotal :	157.49
149663	DISH / Dish Network	09/15/11	2	09042011	002422	UTIL-MAIN	55.99
						DISH Subtotal :	55.99
149664	DWP / Department of Water and Power	09/15/11	2	08312011A	002422	UTIL-TROUT	80.22
149664		09/15/11	2	08312011B	002422	UTIL-MAIN	48.12
149664		09/15/11	2	08312011C	002422	UTIL-RAMPS	19.47
149664		09/15/11	2	08312011D	002422	UTIL-RAMPS	309.95
149664		09/15/11	2	08312011E	002422	UTIL-MAIN	14.60
149664		09/15/11	2	08312011F	002422	UTIL-MAIN	199.56
						DWP Subtotal :	671.92
149665	FEDRAL / Federal Express, Corp.	09/15/11	2	762328126	002422	SHIPPING	125.11
						FEDRAL Subtotal :	125.11
149666	GEI / GEI Consultants, Inc	09/15/11	2	504008	002422	WTRSHDTEST	2677.76

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, 08/25/11 to 09/29/11
 Account 10010-00-001, Sessions 000000 to 002436**

<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>
						GEI Subtotal :	2677.76
149667	HARRIS / RICHARD HARRIS	09/15/11	2	09132011	002422	RVREFUND	40.00
						HARRIS Subtotal :	40.00
149668	HAUPT / Ralph W. Haupt	09/15/11	2	7343	002422	PETRO-AUTO	244.04
						HAUPT Subtotal :	244.04
149669	IDEARC / SUPERMEDIA LLC	09/15/11	2	09012011	002422	PHONE	65.50
						IDEARC Subtotal :	65.50
149670		09/15/11	2	08192011	002422	PHONE-EMAI	29.95
						IDEARC Subtotal :	29.95
149671	JIMPUR / JIM PURDUM PHOTOGRAPHY	09/15/11	2	FILM201102	002422	FILM201102	60.00
						JIMPUR Subtotal :	60.00
149672	LAHAYE / KATHLEEN LAHAYE	09/15/11	2	09022011	002422	PROFSVCS	712.50
						LAHAYE Subtotal :	712.50
149673	LEMIEU / LEMIEUX & O'NEILL	09/15/11	2	20022M-12	002422	LEGALCC	4140.00
						LEMIEU Subtotal :	4140.00
149674		09/15/11	2	20999M-145	002422	LEG RET	3500.00
						LEMIEU Subtotal :	3500.00
149675	LUDECK / Ludecke's Electric Service	09/15/11	2	6324	002422	DAM MAINT	2921.25
						LUDECK Subtotal :	2921.25
149676	MASTER / FIRST BANKCARD CENTER	09/15/11	2	0831113378	002422	MASTER102	862.65
						MASTER Subtotal :	862.65
149677		09/15/11	2	0831112328	002422	MASTER320	4362.42
						MASTER Subtotal :	4362.42
149678	MCMSTR / McMaster-Carr Supply Co.	09/15/11	2	94851501	002422	SHOPMAINT	28.17
149678		09/15/11	2	94930565	002422	FACILMAINT	44.70
						MCMSTR Subtotal :	72.87
149679	MCOYBR / Mountain Water Company	09/15/11	2	19777	002422	UTIL-RAMPS	67.15
149679		09/15/11	2	19861	002422	UTIL-RAMPS	125.00
149679		09/15/11	2	19863	002422	UTIL-RAMPS	100.00
149679		09/15/11	2	19944	002422	UTIL-RAMPS	100.00
						MCOYBR Subtotal :	392.15

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, 08/25/11 to 09/29/11
 Account 10010-00-001, Sessions 000000 to 002436**

Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
149680	MWH / MWH America, Inc.	09/15/11	2	1416798	002422	WTRMSTRMTG	3628.94
						MWH Subtotal :	3628.94
149681		09/15/11	2	1416838	002422	DAMREPAIR	12996.65
						MWH Subtotal :	12996.65
149682		09/15/11	2	1407520	002422	DAMREPAIR	501.85
						MWH Subtotal :	501.85
149683	PITNEY / Purchase Power	09/15/11	2	08022011	002422	POSTAGE	1060.72
						PITNEY Subtotal :	1060.72
149684	QUILL / Quill Corporation	09/15/11	2	6467273	002422	OFFICSUPPL	120.95
						QUILL Subtotal :	120.95
149685	RDIOSH / RadioShack	09/15/11	2	035916	002422	WTRSHDSUPP	96.96
149685		09/15/11	2	041761	002422	CREEKCAMER	17.01
						RDIOSH Subtotal :	113.97
149686	ROTARY / Rotary Club of Big Bear Lake	09/15/11	2	08312011	002422	MEMBERSHIP	105.00
						ROTARY Subtotal :	105.00
149687	SITEDE / SITE DESIGN ASSOC. INC.	09/15/11	2	09142011	002422		500.00
						SITEDE Subtotal :	500.00
149688	SUN / San Bernardino County Sun	09/15/11	2	10032011	002422	SUBSCRIPTI	208.80
						SUN Subtotal :	208.80
149689	TURNEY / ERIC TURNEY	09/15/11	2	09072011	002422	PHONE-CELL	50.00
						TURNEY Subtotal :	50.00
149690	UPS / UPS	09/15/11	2	F33Y11371	002422	SHIPPING	10.22
						UPS Subtotal :	10.22
149691		09/15/11	2	F33Y11361	002422	SHIPWATER	508.68
						UPS Subtotal :	508.68
149692	USARC / USARC	09/15/11	2	09152011	002422	SPEVNTDEPO	500.00
						USARC Subtotal :	500.00
149693	VALERO / Valero Marketing and Supply Co.	09/15/11	2	08222011	002422	PETRO-BOAT	1397.43
						VALERO Subtotal :	1397.43
149694	VERIZO / Verizon California	09/15/11	2	08252011	002422	PHONE-WS	30.60
149694		09/15/11	2	08282011	002422	PHONE-DAM	40.61
149694		09/15/11	2	09012011A	002422	PHONE-RAMP	44.12

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, 08/25/11 to 09/29/11
 Account 10010-00-001, Sessions 000000 to 002436**

Check	Payment / Vendor Information	Ck Date	Prity	Invoice	Session	Reference	Amount
149694		09/15/11	2	09012011B	002422	PHONE-RAMP	53.59
149694		09/15/11	2	09012011C	002422	PHONE-MAIN	419.01
149694		09/15/11	2	09012011D	002422	PHONE-RAMP	56.30
						VERIZO Subtotal :	644.23
149695	VERWIR / VERIZON WIRELESS	09/15/11	2	1009367927	002422	PHONE-CELL	235.12
						VERWIR Subtotal :	235.12
149696	XEROX / Xerox Corporation	09/15/11	2	057038561	002422	COPIERLEAS	570.45
						XEROX Subtotal :	570.45
149697	ALLPRO / All Protection Alarm Co.	09/24/11	2	191656	002436	FACILMAINT	37.00
149697		09/24/11	2	191855	002436	WESTMAINT	81.00
149697		09/24/11	2	191969	002436	FACILMAINT	33.00
149697		09/24/11	2	192133	002436	FACILMAINT	175.00
						ALLPRO Subtotal :	326.00
149698	ALLVAL / ALL VALLEY ENVIRONMENTAL	09/24/11	2	25197	002436	PETRO-WAST	245.00
						ALLVAL Subtotal :	245.00
149699	BMARIN / Big Bear Marina	09/24/11	2	10311152	002436	PETRO-BOAT	1840.28
						BMARIN Subtotal :	1840.28
149700	BROWNJ / JEFFREY BROWN	09/24/11	2	0357	002436	PERMITS	70.00
						BROWNJ Subtotal :	70.00
149701	BUTCHR / Butcher's Block & Building Materi	09/24/11	2	86153	002436	SHOPMAINT	16.01
149701		09/24/11	2	86701	002436	WESTMAINT	7.31
149701		09/24/11	2	87038	002436	RVMAINT	7.31
149701		09/24/11	2	88429	002436	SHOPMAINT	3.29
149701		09/24/11	2	89005	002436	SHOPMAINT	13.99
149701		09/24/11	2	89189	002436	RADIOBASE	46.26
149701		09/24/11	2	89448	002436	DAMMAINT	6.77
149701		09/24/11	2	89625	002436	SHOPMAINT	13.02
149701		09/24/11	2	90350	002436	SMALLTOOLS	32.52
						BUTCHR Subtotal :	146.48
149702		09/24/11	2	88328	002436	DAMMAINT	50.55
						BUTCHR Subtotal :	50.55
149703	BVPRIN / Bear Valley Printing	09/24/11	2	Q12993-2	002436	PRINTING	792.06
						BVPRIN Subtotal :	792.06
149704	BYRDIN / Byrd Industrial	09/24/11	2	717-11	002436	DAMMAINT	778.92

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, 08/25/11 to 09/29/11
 Account 10010-00-001, Sessions 000000 to 002436**

Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
	Electronics						
						BYRDIN Subtotal :	778.92
149705	CCONNE / CONNELLY PUMPING SERVICES	09/24/11	2	11144	002436	SSPUMP	320.00
						CCONNE Subtotal :	320.00
149706	COMPVI / COMPUTER VILLAGE	09/24/11	2	122774	002436	PROFSVCS	75.00
						COMPVI Subtotal :	75.00
149707	DWP / Department of Water and Power	09/24/11	2	09212011	002436	UTIL-TROUT	81.32
						DWP Subtotal :	81.32
149708	EADIEP / Eadie & Payne	09/24/11	2	117643	002436	PROFSVCS	700.00
						EADIEP Subtotal :	700.00
149709	EAGLE / EAGLE CABINETS	09/24/11	2	208759	002436	EASTMAINT	945.00
						EAGLE Subtotal :	945.00
149710	HAVASU / HAVASU EMBROIDERY INC	09/24/11	2	14992	002436	UNIF-SEAS	256.00
						HAVASU Subtotal :	256.00
149711	JOBSAV / Jobs Available	09/24/11	2	2011	002436	SUBSCRIPT	39.00
						JOBSAV Subtotal :	39.00
149712	KENDAL / Kendall/Adams Group, Inc.	09/24/11	2	K3018	002436		4922.00
						KENDAL Subtotal :	4922.00
149713	KNIGHL / LARAINA KNIGHT	09/24/11	2	1394	002436	RVREFUND	40.00
						KNIGHL Subtotal :	40.00
149714	MATTUC / SILVANA MATTUCCI	09/24/11	2	3405	002436	PERMIT	90.00
						MATTUC Subtotal :	90.00
149715	MCMSTR / McMaster-Carr Supply Co.	09/24/11	2	95212586	002436	SHOPMAINT	598.52
149715		09/24/11	2	95368270	002436	SMALLTOOLS	66.90
						MCMSTR Subtotal :	665.42
149716	MCOYBR / Mountain Water Company	09/24/11	2	20024	002436	UTIL-RAMPS	100.00
						MCOYBR Subtotal :	100.00
149717	MNTROP / Mountain Trophy & Awards	09/24/11	2	092201101	002436	PRINTING	38.79
						MNTROP Subtotal :	38.79

**Big Bear Municipal Water District
 Computer & Manual Check Register
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 Account 10010-00-001, Sessions 000000 to 002436**

Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
149718	NAPA / McConnell Motor Parts Inc.	09/24/11	2	041587	002436	PATROL	32.32
149718		09/24/11	2	041666	002436	OFFROAD	30.66
149718		09/24/11	2	041718	002436	OFF ROAD	20.64
149718		09/24/11	2	041724	002436	OFF ROAD	11.43
149718		09/24/11	2	041753	002436	PATROL	-59.26
149718		09/24/11	2	041762	002436	PATROL	47.49
149718		09/24/11	2	043233	002436	PATROL	3.23
149718		09/24/11	2	043234	002436	PATROL	3.23
149718		09/24/11	2	045651	002436	OFF ROAD	136.24
149718		09/24/11	2	046464	002436	PATROL	236.71
149718		09/24/11	2	046597	002436	FACILMAINT	111.58
149718		09/24/11	2	047845	002436	OFF ROAD	111.13
						NAPA Subtotal :	685.40
149719	PERS / Public Employees' Retirement Syst	09/24/11	2	081103	002436	PERS	4882.71
						PERS Subtotal :	4882.71
149720		09/24/11	2	091103	002436	PERS	4882.71
						PERS Subtotal :	4882.71
149721	PITNY / PITNEY BOWES (RENTAL)	09/24/11	2	SP11	002436	POSTAGE	121.00
						PITNY Subtotal :	121.00
149722	QUILL / Quill Corporation	09/24/11	2	6831586	002436	OFFICSUPPL	91.08
						QUILL Subtotal :	91.08
149723	SWSTGS / Southwest Gas Corp	09/24/11	2	09152011A	002436	UTIL-MAIN	11.00
149723		09/24/11	2	09152011B	002436	UTIL-RV	21.19
						SWSTGS Subtotal :	32.19
149724	TUTTLE / JOHN TUTTLE	09/24/11	2	09112011	002436	PHONE-CELL	50.00
						TUTTLE Subtotal :	50.00
149725	UPS / UPS	09/24/11	2	F33Y11381	002436	SHIPWATER	524.08
						UPS Subtotal :	524.08
149726	VALERO / Valero Marketing and Supply Co.	09/24/11	2	09212011	002436	PETRO-AUTO	1359.25
						VALERO Subtotal :	1359.25
149727	VERIZO / Verizon California	09/24/11	2	09132011	002436	PHONE-MAIN	47.07
						VERIZO Subtotal :	47.07
149728	VERWIR / VERIZON WIRELESS	09/24/11	2	1011327794	002436	PHONE-CELL	248.42

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, 08/25/11 to 09/29/11
 Account 10010-00-001, Sessions 000000 to 002436**

<u>Check</u>	<u>Payment / Vendor Information</u>	<u>Ck Date</u>	<u>Prity</u>	<u>Invoice</u>	<u>Session</u>	<u>Reference</u>	<u>Amount</u>
						VERWIR Subtotal :	248.42
149729	VOLVOP / Volvo Penta of the Americas, Inc.	09/24/11	2	105258	002436	PATROL	334.73
						VOLVOP Subtotal :	334.73
149730	WASTE / Solid Waste Management	09/24/11	2	006034	002436	FACILMAINT	316.35
						WASTE Subtotal :	316.35
149731	WEBER / JAMES WEBER	09/24/11	2	09062011	002436	PHONE-CELL	50.00
						WEBER Subtotal :	50.00
						Total For Check Account: 10010-00-001	104828.18
						Check Register Total :	104828.18

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

MEETING DATE: *October 6, 2011*

AGENDA ITEM: *5C*

SUBJECT:

CONSIDER APPROVAL OF A RESOLUTION OF THE BOARD OF DIRECTORS OF BIG BEAR MUNICIPAL WATER DISTRICT ESTABLISHING EMPLOYEE COMPENSATION AND AMENDING RESOLUTION NO. 2011-04

RECOMMENDATION:

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

DISCUSSION/FINDINGS:

At the Board of Directors meeting held on September 15th several personnel changes and salary adjustments were approved. The decision was made to eliminate the Customer Service Clerk and Launch Ramp Supervisor positions. In order to backfill the tasks left open by the Customer Service Clerk and cover the pieces removed from the Lake Operations Supervisor and Launch Ramp Supervisor, a new position was added, Lake Operations Analyst. The Lake Operations Supervisor position was changed from salary to hourly, from exempt to non-exempt, and the pay scale for this position was also reduced. The pay scale will be the same for both the Lake Operations Supervisor and the new Lake Operations Analyst positions. Another item approved at the meeting was an increase in the salary for the Lake Manager. Due to these position changes and salary adjustments, the attached Resolution amending the Compensation scale is recommended.

OTHER AGENCY INVOLVEMENT: None

FINANCING: Will be charged against Salaries & Benefits.

Submitted by: Scott Heule, General Manager

RESOLUTION NO. 2011-07

A RESOLUTION OF THE BOARD OF DIRECTORS OF BIG BEAR MUNICIPAL WATER DISTRICT ESTABLISHING EMPLOYEE COMPENSATION AND AMENDING RESOLUTION NO. 2011-04

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

Section 1. Purpose

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

Section 2. Amends

Resolution No. 2011-04 is hereby amended.

PASSED, APPROVED AND ADOPTED this 6th day of October, 2011

Skip Suhay, President

ATTEST:

Vicki Sheppard, Secretary to the Board

(SEAL)

**RESOLUTION NO. 2011-07
EXHIBIT "A"
2011 COMPENSATION PLAN**

FULL-TIME EMPLOYEES

POSITION	MINIMUM (Monthly)	MAXIMUM (Monthly)
GENERAL MANAGER	\$8,714	\$11,678
8,714 - 9,150 - 9,607 - 10,088 - 10,592 - 11,122 - 11,678		
LAKE MANAGER	\$6,642	\$8,901
6,642 - 6,974 - 7,322 - 7,689 - 8,073 - 8,477 - 8,901		
SR. ACCOUNTANT/HUMAN RESOURCES	\$4,481	\$6,004
4,481 - 4,705 - 4,940 - 5,187 - 5,446 - 5,718 - 6,004		
LAKE OPERATIONS SUPERVISOR	\$4,091	\$5,482
4,091 - 4,296 - 4,511 - 4,735 - 4,973 - 5,222 - 5,482		
LAKE OPERATIONS ANALYST	\$4,091	\$5,482
4,091 - 4,296 - 4,511 - 4,735 - 4,973 - 5,222 - 5,482		
MECHANICAL AND FACILITY TECHNICIAN	\$3,649	\$4,890
3,649 - 3,831 - 4,023 - 4,224 - 4,435 - 4,657 - 4,890		
MAINTENANCE COORDINATOR	\$3,334	\$4,469
3,334 - 3,501 - 3,676 - 3,860 - 4,053 - 4,256 - 4,469		
ADMINISTRATIVE ASSISTANT	\$3,246	\$4,350
3,246 - 3,408 - 3,579 - 3,757 - 3,945 - 4,143 - 4,350		
ACCOUNTANT I/PUBLIC INFORMATION COORDINATOR	\$3,246	\$4,350
3,246 - 3,408 - 3,579 - 3,757 - 3,945 - 4,143 - 4,350		

*** RESOLUTION NO. 2004-08 Section 4.104 Step Raises**

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

RESOLUTION NO. 2011-07

**EXHIBIT "B"
2011
COMPENSATION PLAN**

SEASONAL EMPLOYEES

POSITION	MINIMUM (Hourly)	MAXIMUM (Hourly)
LAKE RANGER AIDE	legal minimum wage	legal minimum wage
LAKE RANGER I	\$11.60	\$15.54
	11.60 - 12.18 - 12.78 - 13.42 - 14.09 - 14.80 - 15.54	
LAKE RANGER II	\$14.10	\$18.89
	14.10 - 14.80 - 15.54 - 16.32 - 17.14 - 17.99 - 18.89	

TEMPORARY EMPLOYEES

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

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

MEETING DATE: *October 6, 2011*

AGENDA ITEM: *6A*

SUBJECT:

CONSIDER APPROVAL OF A WRITTEN STATEMENT OF DECISION AS PROPOSED IN THE MATTER OF THE APPEAL OF CRISANN CONROY

DISCUSSION/FINDINGS:

In 2002, Crisann M. Conroy ("Conroy") acquired improved property contiguous to Big Bear Lake ("Lake"). In 2005, she subdivided her property into two parcels, severing one from the lakefront. She obtained a dock permit from Big Bear Municipal Water District ("District") for the lakefront property, then sold the lakefront property. The current owner of the lakefront parcel holds a District dock permit. Acting through its General Manager, the District, which owns the lake bottom, refused to issue a dock permit for the divided parcel which is no longer contiguous to the Lake. Conroy appealed the decision of the General Manager. The Board conducted an Administrative Hearing on June 16, 2011. On September 15, 2011 during a closed session meeting the Board of Directors deliberated this matter. After reconvening to open session the Board reported that they had approved a Written Statement of Decision in the matter of the appeal of Crisann Conroy. For the reasons stated in the attached Record of Decision, the General Manager's decision to deny Conroy's request for a dock permit for the parcel without lake frontage is sustained.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager

1 Conroy contends two easements entitle the non-lakefront parcel to have docks on the
2 Lake, or alternatively, a right to use the lakefront property's dock. Conroy also contends the
3 District's regulations, on their face and as applied, constitute an unconstitutional taking of
4 private property, and they discriminate, entitling her to compensation for an alleged decrease
5 in the value of her property.²

6 The Board finds that Conroy is not entitled to an additional dock or slip for her
7 landlocked parcel under District regulations. The Board rejects Conroy's claim for damages
8 because the District's regulations did not cause a taking of her property and the District's
9 rules reasonably classify applications for dock permits.

10 **FACTS**

11 Bear Valley Mutual Water Company ("Mutual"), North and Fisher were property
12 owners in Bear Valley at the turn of the century. North granted Fisher lakefront property in
13 1900.³ North reserved a right of way for public access across the land conveyed, reserved a
14 right to construct a trail and wagon road and reserved the right to lay a water pipe. The deed
15 also reserved the right to overflow lands below the level of the top of the then 55-foot dam.
16 Fisher was granted a right to pass over a portion of section 28, which was still owned by
17 North, and to lay a water pipe, but he was not granted a docking easement.⁴

18 Big Bear Lake was developed at the turn of the 20th century by Mutual. Mutual
19 acquired Lake bottom in 1909. In 1909, Mutual entered into agreements with North, an
20 adjacent property owner, so Mutual could flood his property to build a higher dam, expected
21 to be 65 feet. North granted to Mutual land below the 65-foot contour and the right to flood
22 his property by the construction of a dam, expected to be 65 feet but built to 72.4 feet.⁵
23 Mutual created and sold lakefront lots. The lakefront lots were not contiguous to the lake
24 while the lake was being filled and thereafter as lake elevation receded due to operating

25 _____
26 ² Conroy's October 22, 2009 Appeal, p. 5.

27 ³ Respondent's Exhibit 38.

28 ⁴ *Ibid.*

⁵ Appellant's Exhibit B, "1909 easement Deed".

1 conditions. In 1909, Mutual sold North lakefront property above the 65-foot line which was
2 subject to overflow by Mutual.⁶ In 1909, Mutual granted an easement across the dry strip of
3 land between the Lake and "lakefront" property so the property would enjoy Lake access
4 when the Lake did not touch the property.⁷ The 1909 easement deed grants:

5 "…a right of way to pass over any and all portions of the said land lying
6 between the margin of the said lake and the line of the lands of the said
7 party of the second part now owned by him or conveyed to him hereby."

8 Fisher then began subdividing his property in 1919. In 1922, as part of a land
9 exchange, Fisher granted to Mutual the land between the 65-foot and 72.4-foot contour. He
10 did not reserve an easement.⁸ Fisher apparently continued to use the same form deed he
11 used prior to 1922, which contained "right of way language," even though he had already
12 conveyed away his right to the land between the 65-foot and 72.4-foot contour. Thus, the
13 1927 deed from Fisher to McWhinney and Brown, Appellant's Exhibit C, contains "right of
14 way" language:

15 "A right of way from the frontage line of Big Bear Valley Lake (or reservoir)
16 and of the width of said frontage, extending from said frontage toward and
17 into the water of said reservoir to a sufficient depth of water for boating
18 purposes, as the water level of said reservoir may fall or the water line
19 recede or vary, maintaining and using thereon such ways, landings or other
20 works or structures as may be necessary or convenient for boating."

21 From the documents presented, it appears Fisher did not have the right to convey this right
22 of way.

23 The District acquired the Lake from Mutual on January 20, 1977, subject to existing
24 rights, including easements (and various marina permits).⁹ The District regulates Lake
25 usage by requiring boat permits and dock permits.¹⁰ Currently, the District issues dock
26 permits only to parcels with Lake frontage and parcels created before 1981 which have a

27 ⁶ *Ibid.*

28 ⁷ *Ibid.*

⁸ Respondent's Exhibit 29.

⁹ Respondent's Exhibits 30-31.

¹⁰ Respondent's Exhibits 1-6; Resolutions 2009-02, 2009-08, 2008-04.

1 docking easement that existed before 1981. However, a few dock permits were issued to
2 parcels without lake frontage under circumstances not applicable here.¹¹ For example, the
3 District provided permits for parcels created when the regulations were under
4 consideration.¹²

5 Since 1981, the District's regulations provide that only the owner of a lakefront
6 parcel may obtain a dock license. The owner of a pre-1981 parcel that no longer abuts the
7 lake due to a land division may obtain a dock license if the parcel is the beneficiary of an
8 easement to dock on the lake created before 1981.¹³

9
10 In 2002, Conroy acquired lakefront property legally described as:

11 Lot 4, Block A, North Estates Subdivision Number 1, in the City of Big
12 Bear Lake, County of San Bernardino, California, as per map recorded in
13 Book 21, Pages 7 to 11, inclusive of Miscellaneous Maps, in the Office of
14 the County Recorder of said County.¹⁴

15 In 2005, Conroy divided the land into two parcels, one with lake frontage, one without.
16 Conroy was given a permit for a three-slip dock appurtenant to the parcel with frontage. She
17 sold the lakefront parcel and the new owner holds a dock permit. She requests a dock
18 permit for the non-lakefront parcel.¹⁵

19 **THE DISTRICT'S REGULATIONS DO NOT ALLOW CONROY TO HAVE A**
20 **DISTRICT DOCK LICENSE OR A SLIP ON ANOTHER PERSON'S PROPERTY**

21 The District's regulations provide that only the owner of a lakefront parcel may obtain
22 a dock license. The owner of a pre-1981 parcel that no longer abuts the lake due to a land

23 ¹¹ The "Shelter Landing" parcels severed from the Lake by the highway were allowed to have dock permits.
24 These parcels had been riparian prior to the State highway's construction before 1981. Respondent's Exhibits
25 28, 35.

26 ¹² See Respondent's Exhibits 25, 26, 27. Further, the Kimball and Malcus parcels, which obtained permits,
27 had pre-1981 easements. They were also part of a different subdivision (Gilner Point) containing different right
28 of way language. Respondent's Exhibits 36, 37 indicate they were subdivided before 1981.

¹³ Resolution 2009-02(4)(c), 2009-02(2)(r)(6); Resolution 2002-16, §1.01(r), Respondent's Exhibit 5. Since
1982, "old parcel" has been defined as "any parcel existing prior to January 16, 1981." Respondent's Exhibits
42, 5; Resolution 2009-02.

¹⁴ Respondent's Exhibit 32.

¹⁵ Respondent's Exhibits 39-41.

1 division may obtain a dock license if the parcel is the beneficiary of an easement to the lake
2 created before 1981. The District's rules do not allow a non-lakefront owner without such an
3 easement to have a slip on a lakefront owner's dock.¹⁶ It is undisputed that Conroy does not
4 own lakefront property.¹⁷ Therefore, Conroy does not qualify for a dock license.

5 Further, the parcel without frontage does not have dock rights based on the 1909 and
6 1927 easements. Appellant relies on two easements to establish dock rights for the parcel
7 without frontage: the 1909 easement deed by Mutual to Fisher and the 1927 easement by
8 Fisher to McWhinney and Brown. The 1909 easement does not mention dock rights.¹⁸
9 Further, the record shows Fisher did not own the right to grant dock rights on the Lake in
10 1927. The appellant did not establish rights for a dock under the 1909 or 1927 easement.

11 Conroy cannot expand the scope of her alleged easements. When Conroy's first
12 dock was installed, this fixed the location and manner of the use of the dock referred to in
13 her alleged easement. (*Goubert v. Pomona Valley Water Co.* (1955) 137 Cal.App.2d Supp.)
14 She cannot expand that scope by adding docks or slips.

15 At the hearing, Conroy cited cases in which property with an access road was
16 subdivided; thereafter each new property could use the access road. However, in these
17 cases, the new parcels were not permitted to each construct their own separate access
18 road. Where a grant of an easement is general as to the extent of the burden to be imposed
19 on the servient tenement, an exercise of the right, fixes and limits it to the particular manner
20 in which it has been enjoyed. (*Goubert, supra*, 137 Cal.App.2d Supp.) When Conroy's dock
21 was installed, this fixed the location and the manner of use of the dock referred to in the
22 easement. Her easement does not give her the right to install an unlimited number of docks
23 or slips.

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26 ¹⁶ Respondent's Exhibits 1-6; Resolutions 2009-02, 2009-08, 2008-04.

27 ¹⁷ Respondent's Exhibits 17, 22, 24; Appellant's October 22, 2009 Request for Appeal Hearing.

28 ¹⁸ A copy of the 1909 right of way is attached as Appellant's Exhibit "B." Although, several documents offered by Appellant were not authenticated, they were received as evidence and made part of the record.

1 For example, an easement to construct water “pipes” covers the described set of
2 pipes only. (*Winslow v. Vallejo* (1906) 148 Cal. 723.) The number and type are fixed when
3 initial installation is completed. (*Id.*; see also *Goubert, supra*, 137 Cal.App.2d Supp
4 (easement to install “wells” means one well”); *Woods Irrigation Co. v. Klein* (1951) 105
5 Cal.App.2d 266 (court allowed one canal system only).)

6 Here, a dock was constructed on the lakefront property before Conroy subdivided it.
7 The manner of the use of the easement was fixed when the dock was installed. There is no
8 right to go beyond the scope of the easement by installing an unlimited number of docks or
9 slips. (*Id.*; *Miller & Starr* (2010) 2 Cal.Real.Est. Digest 3d Easement & Licenses, § 7.)

10 **THE DISTRICT REJECTS CONROY’S CLAIM THAT SHE IS ENTITLED TO**
11 **DAMAGES FOR AN UNCONSTITUTIONAL TAKING**

12 **A. The Rules of Which Conroy Complains Existed When She Bought and**
13 **Subdivided Her Property; Therefore the District Did Not Take Her**
14 **Property**

15 California law holds that when the conditions of which homeowners complain already
16 existed when they bought their property, they cannot claim an unconstitutional taking.

17 In *Ridgewater Associates LLC v. Dublin San Ramon Services Dist.* (2010) 184
18 Cal.App.4th 629, a sanitation district periodically flooded a property. Ridgewater bought that
19 property anyway. The court found that Ridgewater could not claim that the value of their
20 property decreased due to flooding because (1) Ridgewater knew of the flooding when it
21 purchased, and (2) the appraisal of the property before purchase would have taken into
22 account the circumstances of the periodic flooding.

23 Similarly, in *County of Los Angeles v. Berk* (1980) 26 Cal.3d 201, the California
24 Supreme Court held a party who purchases property knowing of the problem of which he
25 later complains, cannot recover. (*County of Los Angeles, supra*, 26 Cal.3d 201; *Los Angeles*
26 *v. Ricards* (1973) 10 Cal.3d 385.) The court held a taking claim only resides with the person
27 owning the property when the taking occurs—i.e. the owner when the regulations were

1 passed. A claim is not transferable to a new owner; the new owner buying the property after
2 the regulations were passed took the property with knowledge of the existing rules. (*Id.*)

3 Similarly, here Ms. Conroy bought her property after the dock regulations at issue
4 were already in effect.¹⁹ She chose to subdivide her property knowing that the dock
5 regulations were in effect. She could have chosen to not buy the property, or prior to
6 subdividing her property, she could have asked a court to adjudicate the matter.

7 An interested party, such as a property owner, may be presumed to know of all
8 resolutions, ordinances and decisions of their local public agencies, enacted at a public open
9 meeting. (*Resource Defense Fund v. Local Agency Formation Commission of Santa Cruz*
10 *County* (1987) 191 Cal.App.3d 866.)

11 **B. The District Did Not Take Conroy's Property**

12 Conroy alleges she is entitled to damages for a decrease in her property values. She
13 alleges the District's regulations caused a "taking" of property protected by the Fifth
14 Amendment. She has failed to present evidence of a taking.

15 Government has inherent police power to subject property rights to reasonable
16 regulation for the general welfare. (*Ag. Lab. Rel. Bd. v. Superior Court* (1976) 16 Cal.3d
17 392; *House v. L.A. Co. Flood Control Dist.* (1944) 25 Cal.2d 384; *Churchill v. Parnell* (1985)
18 170 Cal.App.3d 1094 [216 Cal.Rptr. 876]; Witkin, Summary of Cal. Law (9th Ed.)
19 Constitutional Law ["Witkin"], §§ 784-785, 788.)

20 An effort by the District to promote safety on the Lake is a valid exercise of the
21 District's police power. Section 71660 of the Water Code allows a municipal water district to
22 construct, maintain, improve and operate public recreational facilities appurtenant to facilities
23 operated or contracted to be operated by the District: "It may by ordinance provide
24 regulations binding upon all persons to govern the use of such facilities, including
25 regulations imposing reasonable charges." For safety and navigation, and to accommodate

26
27 ¹⁹ Respondent's Exhibits 1-6, 42, 43. See 2002 deed to Crisann Maurer (Conroy), Respondent's Exhibit 32.

1 Lake levels, the District reserves the right to determine placement of any dock or mooring
2 buoy.²⁰

3 Eminent domain law requires compensation where a regulation denies all beneficial
4 or economical use of land, or unfairly singles out a property owner in a matter that should be
5 borne by the public. (*Lucas v. South Carolina Coastal Council* (1992) 505 U.S. 1003, 112
6 S.Ct. 2886; *Loretto v. Teleprompter Manhattan* (1982) 458 U.S. 419, 102 S.Ct. 3161.) For a
7 taking claim, the issue is whether a regulation imposes so severe a burden on individual
8 property (i.e. it denies the property of all economical and beneficial uses) as to be a taking of
9 private property for public use. (See *Lucas v. South Carolina Coastal Commission, supra*,
10 505 U.S. 1003.) When a land owner owns a bundle of property rights, such as a parcel and
11 an easement, the court examines whether the government denied the owner all beneficial
12 use of the entire bundle, not just one segment (such as an easement). (*Yee v. Mobilehome*
13 *Park Rental Review Board* (1998) 62 Cal.App.4th 1409, 1419-20.)

14 Conroy, by her own allegations, was not denied all economically beneficial use of her
15 property. Her appeal letter alleges the absence of a dock decreases property value. Even
16 this allegation is not supported by the evidence. The District's rules were in effect when she
17 bought her property; therefore, the District's rules did not decrease her property value. The
18 initial valuation would have taken into account existing regulations. She severed half of her
19 property from the Lake after rules had been established by the District that only pre-1981
20 dock easements on old (pre-1981) parcels and lakefront land are entitled to dock licenses.

21 Thirteen factors are considered in determining whether a public agency's regulations
22 caused a taking of private property. (*Cwynar v. City and County of San Francisco* (2001) 90
23 Cal.App.4th 637.) All such factors weigh in favor of denying Conroy's appeal. These factors
24 are discussed briefly below:

25
26 _____
27 ²⁰ Resolution 2009-02; Resolution 2002-16 § 2.02(c)-(d), Respondent's Exhibit 5.

1 1. *The economic impact of the regulation on the claimant:* Here,
2 there is none because the regulations were in effect at the time Conroy bought
3 her property and when she subdivided. There was no decrease in value
4 because the valuation of the property at the time she purchased it took into
5 account the conditions and regulations existing at the time.

6 2. *The extent to which the regulation has interfered with reasonable*
7 *investment-backed expectations:* The reasonable expectation is that property
8 owners will sell their homes for market value given conditions existing at the
9 time. At the time Conroy acquired her parcel, at the time she subdivided it, the
10 District regulations existed. They still exist. Thus, there has been no change in
11 the regulatory environment that could have decreased the property value.

12 3. *The character of the government action:* The type of regulation
13 at issue is expressly authorized under the Water Code. Further, ensuring
14 safety on the lake is a valid exercise of police power, as discussed above.

15 4. *Whether the regulation interferes with interests that are*
16 *sufficiently bound up with the reasonable expectations of the claimant to*
17 *constitute property for 5th amendment purposes:* It is reasonable to assume
18 that the regulations in existence at the time she bought her property and at the
19 time she subdivided her property apply to her property.

20 5. *Whether the regulation affects the existing or traditional use of*
21 *the property and thus interferes with the property owner's primary expectation:*
22 The traditional use of Conroy's parcel is for a single family home. The property
23 can still be used as such.

24 6. *The nature of the government interest in the regulation, and*
25 *whether it is reasonably necessary to the effectuation of a substantial public*
26 *purpose:* The nature of the interest is safety and management of the lake.
27 Regulation of the number of docks is reasonably necessary to preserve public
28 safety. If all similarly situated parcels built new docks, this would create
crowding of docks, slips and boats on the lake.

 7. *Whether the property owner's holding is limited to the specific*
interest the regulation abrogates or is broader. She is claiming her easement
has been impaired. Her bundle of property rights is broader; it is a parcel
containing a single family home and alleged easements.

 8. *Whether the government is acquiring resources to permit or*
facilitate uniquely public functions, such as government's entrepreneurial
operations: The management of the lake is a public function; however, the
district has not taken any resources from Conroy.

 9. *Whether the regulation permits the property owner to profit and to*
obtain a reasonable return on investment: The property can be sold for market

1 value; she wants to increase the market value by changing the application of
2 rules that were in place when she bought the property.

3 10. *Whether the regulation provides the property owner benefits or*
4 *rights that mitigate whatever financial burdens the law has imposed:* The
5 District's regulations benefit Conroy because if all landlocked parcels were
6 granted the right to install docks, this would cause crowding, adversely impact
7 safety, and could adversely impact Conroy's property value.

8 11. *Whether the regulation prevents the best use of the land:* The
9 best use of land that is zoned residential and contains a dwelling is a
10 residence; it is already being used in that manner. It may be sold for that use.

11 12. *Whether the regulation extinguished a fundamental aspect of*
12 *ownership:* No aspect of ownership was extinguished. Conroy still has the
13 right to use, enjoy, and sell her land.

14 13. *Whether the government is demanding the property as a*
15 *condition of granting a permit:* This is not applicable here; there is no request
16 for a dedication as a condition of getting a building permit, for example.

17 Conroy has failed to establish a taking in violation of the 5th Amendment.

18 **C. District Rules Reasonably Differentiate Between Lakefront and Non-**
19 **Lakefront Parcels and Pre-1981/Post-1981 Parcels**

20 Appellant claims discriminatory application of District rules. She has not presented
21 evidence showing an unreasonable classification of parcels.

22 Under the Fourteenth Amendment, the government may reasonably classify, as long
23 as the classification bears a rational relationship to a legitimate state interest. (*Reed v. Reed*
24 (1971) 404 U.S. 71, 92 S.Ct. 251; Witkin, Section 599.) It is presumed that a classification is
25 based on legislative experience and will not be rejected unless it is plainly arbitrary.
26 (*American G.I. Forum v. Mills* (1990) 218 Cal.App.3d 859 [267 Cal.Rptr. 371]; Witkin, § 601.)

27 The District adopted regulations to protect the public and manage the recreational use
28 of the Lake.²¹ Among other things, the regulations provide for dock permits for lakefront
parcels consistent with riparian rights. Under the regulations, a dock permit may be issued
only for the parcel with frontage.

1 In 1981, the District adopted a policy against granting dock permits to non-contiguous
2 parcels. The District purchased property from Mutual and entered an agreement effective
3 1981. The 1981 date was selected to acknowledge the easements and parcels created prior
4 to that date. The District's ordinances and resolutions clearly state that post-1981
5 easements and parcels will not be the basis of an application for a dock license. The District
6 may conclude that its property would be overly burdened if all of the parcels in lot one and
7 other lots conveyed before the 1922 subdivision were determined to have dock rights.
8 (*Leggio v. Haggerty* (1965) 231 Cal.App.2d 873, 882 [42 Cal.Rptr. 400].)

9 The District's legitimate interest is in promoting safety on the Lake by not allowing an
10 excessive number of boats and docks on the Lake. Restricting dock rights to lakefront
11 owners (and those with pre-"1981 rule" parcels and easements) rationally relates to
12 promoting that interest.²² Further, the District's regulations allowing parcels contiguous to
13 the lake to obtain a dock license is reasonable because parcels contiguous to the Lake have
14 riparian rights, including dock rights, unless they are "severed" from the body of water.
15 (*Yorba v. Anaheim Union Water Co.* (1953) 41 Cal.2d 265.) When appellant divided her
16 property into two parcels, a severed parcel was created without frontage.²³ The severed
17 parcel without frontage has no riparian right to place a dock on the Lake.

18 There is no evidence the District granted dock permits to non-contiguous parcels
19 created after 1981, except for a parcel being subdivided when the policy was changed, and
20 parcels severed from the lake by construction of a highway. Appellant has failed to establish
21 discriminatory application of the regulations.

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27 ²¹ Respondent's Exhibits 1-6; Resolutions 2009-08, 2008-04, 2009-02.

28 ²² *Ibid.*

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CONCLUSION

For the foregoing reasons, the general manager's decision to deny the appellant's request for a dock permit for the parcel without frontage is sustained. Nothing contained herein affects the dock permit issued for the parcel with frontage.

Under California Code of Civil Procedure ("CCP") section 1094.6, the time within which judicial review of an agency's decision under CCP §1094.6(e) must be sought is ninety (90) days from the date of the decision set forth below.

Dated: _____, 2011

By: _____
Skip Suhay, President
Big Bear Municipal Water District

²³ Respondent's Exhibit 24. Appellant attempted to secure a lot line adjustment from the City of Big Bear Lake which would have given the non-contiguous parcel frontage on the Lake. The City denied the lot line adjustment. Respondent's Exhibit 22.

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

MEETING DATE: *October 6, 2011*

AGENDA ITEM: *6B*

SUBJECT:

RECEIVE WATERSHED COMMITTEE REPORT ON THE TROUT POND AND PROVIDE DIRECTION TO STAFF

RECOMMENDATION:

The Watershed Committee (Directors Eminger & Fashempour) recommend the full Board discuss the various options and provide direction to staff.

DISCUSSION/FINDINGS:

During a previous Watershed Committee meeting Staff was asked to:

1. Research potential listing/sales prices with realtors for the Trout Pond house
2. Speak with Reese Troublefield about Recreation and Park District interest in collaboration at the site, and
3. Research what costs there would be for creating a new parcel with just the house on it (see the attached concept lot layout).

The General Manager spoke/met with two realtors to discuss the sale of the house. Dan Bathurst, Exit Realty said the District could market the house for a little more than \$200,000. He also said that he had an investor that would probably be interested in buying the house, even though a subdivision recordation is in process. Christy Nelsen, Sunshine Realty, researched recent sales, listings and pending sales in the area and concluded it should be listed for \$199,900. She felt it could move pretty quickly at that price. Real estate sales commission fees and other sales expenses will likely be on the order of \$12,000 to \$18,000.

The General Manager also secured a price for the subdivision process from Bob Carlisle at Transtech/MAPCO. Engineering fees to process a tentative tract map and final tract map would be \$8,000. Fees for the City permits/hearings etc would be about \$3,700 and a title report (parcel map guarantee) would be about \$500. Mr. Carlisle said that if the City had any special conditions that they wanted to add, the associated engineering fees would be billed on a time and materials basis. The process will take about one year to complete with the planning commission hearings and other meetings. So, the parcel map process will cost at least \$12,200.

The General Manager spoke to Reese Troublefield and briefly described the property suggesting that the District was interested in exploring potential partners for future development/use of the property. Mr. Troublefield said that Recreation and Parks would be interested in further discussions and asked for a copy of the mapping of the site. He said they would be hiring a full time educator and use of the trout pond might fit in well with some ideas they had.

It was further discovered that any remaining parcel after the house is sold will need a sewer connection (\$4,500) for restrooms, meeting space and secure and weather proof storage space. In addition, any permits for new construction at the property will have to satisfy engineering calculations showing it will not make the flooding problem worse for adjacent properties.

After discussing these factors staff thought the Board might like to discuss the possible sale of the house. Staff also thought that with a bit of interior remodeling a meeting room and men's and women's restrooms could be constructed at a reasonable cost. That would result in plenty of secure storage and a facility that could almost immediately be put to use for a variety of public purposes. Also, some additional work could be done on the bait shack/ticket office to create a three sided open air classroom without too much effort. After hearing all of this information the Committee thought it would be best to discuss these matters in detail with the rest of the Board in order to provide clear direction to staff

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager

