

SPECIAL MEETING AGENDA
BIG BEAR MUNICIPAL WATER DISTRICT

BOARD OF DIRECTORS
Special Meeting
February 1, 2012

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

OPEN SESSION: 1:00 P.M.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. REPORTS**
 - A. General Manager
 - B. Lake Manager
 - C. Legal
 - D. Committee
 - E. Other
- 4. CONSENT CALENDAR**
 - A. Minutes of a Regular Meeting of January 19, 2012
 - B. Warrant List Dated January 25, 2012 for \$25,427.75
 - C. Consider approval of a Special Event Permit for the Big Bear Lake Rotary Club's annual 4th of July Fireworks Display
 - D. Consider approval of a Special Event Permit for Big Bear Paddlefest 2012 to be held on July 7th & 8th
- 5. BUSINESS**
 - A. Consider approval of a Resolution of the Board of Directors of Big Bear Municipal Water District re-establishing fees effective February 1, 2012 and repealing Resolution No. 2011-01
 - B. Consider approval of a Social Networking Policy for the employee handbook
- 6. PUBLIC FORUM**

(The Board will receive comments from the public on items not on the agenda; no action is permitted on these items. Time set aside not to exceed 30 minutes total by all participants)
- 7. ANNOUNCEMENTS**
- 8. DIRECTOR COMMENTS**

9. ADJOURNMENT

NEXT MEETING: Open Session at 1:00 P.M.
Thursday, February 16, 2012
Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA

PLEASE 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.

Agenda related writings or documents provided to the Board of Directors are available for public inspection at www.bbmqd.org or in the District office during business hours, 8:00 am – 4:30 pm Monday – Friday.

Big Bear Municipal Water District wishes to make all of its public meetings accessible to the public. If you need special assistance to participate in this meeting, please contact the Board Secretary. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting

**MINUTES OF A REGULAR MEETING OF
BIG BEAR MUNICIPAL WATER DISTRICT
HELD ON THURSDAY, JANUARY 19, 2012**

CALL TO ORDER

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

REPORTS

General Manager Scott Heule thanked the Directors for allowing him to take a few days off and travel to North Carolina to be with his mother who developed pneumonia. He reported that she is feeling better but will need to be in a rehabilitation facility for some time to regain her strength. He reported that this past Monday the stairway was installed at the dam. He commented that signage is being looked at to prevent the public from accessing the area. He added that the Department of Safety of Dams seems to be satisfied with the stairs but we are still working with Caltrans to try and get them to complete their obligations. Mr. Heule reported that the Air Quality Management District test results and analysis of air bourn mercury is complete. He explained they will make a presentation reporting their findings at our Board Meeting on February 16th. He added that the other stakeholders will be invited commenting that it should prove to be an interesting meeting. He stated that the seasonal employee recruiting process has begun. Lake Manager, Mike Stephenson reported on the recruiting process adding that we will be filling 7 total positions including 3 ramp attendants, 1 clerical/dispatcher/data entry, 1 lake patrol officer, and 2 maintenance positions. He explained the application process stating that first there will be a preliminary screening, then a written test, then a second screening, then an interview. Mr. Stephenson reported that electrical connections for the dam spillway gates are being cleaned-up and the work should be finished by the end of the week. He reported that the boom line near the dam is broken and staff will begin repair work as soon as possible. He commented that *Mountain Waters Dispatch* is in process and lake permits are on order. He reported on a meeting he had with Marina Point yesterday commenting on the progress towards securing permits from other agencies. Mr. Stephenson reported on a meeting Wednesday with USFS Air Operations Fire Suppression. He explained that he and Jim Weber would be traveling to San Diego Friday to meet with Mike Rogers (MWH) regarding an analysis of lake releases to prevent flooding in the valley. Vice President Smith asked if Marina Point had obtained the necessary permits from the other entities. Mr. Stephenson explained that they did obtain permits for grading and storm water but not from Fish & Game or ACOE.

APPROVAL OF CONSENT CALENDAR

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

- Minutes of a Regular Meeting of January 5, 2012
- Warrant List Dated January 12, 2012 for \$117,179.95
- Approval for the President to cast a vote for the ACWA Health Benefits Authority Board of Directors

CONSIDER APPROVAL OF MODIFICATIONS TO THE YEAR ROUND EMPLOYEE HANDBOOK

Mr. Heule reported that the Administrative Committee reviewed four edits to the year round Employee Handbook; use of compensatory time before vacation time, vacation hour accrual limitation, the method of designation of District paid holidays, and defining the medical insurance plan the District will pay for employees and their families. He stated that instead of paying employees for overtime the District provides compensatory time off. He reported that the proposed modification to the handbook requires an employee to use all accrued compensatory time over 40 hours before using vacation hours. He explained that this helps to limit the Districts financial obligation to pay off unused compensatory time when an employee terminates employment with the District. Mr. Heule reported that currently the District policy is to limit carry-over vacation time to 240 hours annually. He commented that this practice results in a difficult bookkeeping process and payouts of unused vacation hours over the 240 hour limit each year. Mr. Heule explained that the new policy will limit the accrual of vacation time to 320 hours adding that once an employee accrues 320 hours of vacation no further accrual will be posted until the employee uses vacation time. He stated that this change will encourage employees to use the vacation hours they are given and eliminates the added cost to buy out unused vacation hours at the end of each year. He reported that the change to the District holiday policy will make it clear that only holidays specifically designated by the Board of Directors will be compensable to District employees. Mr. Heule explained that the medical insurance benefit will stipulate that the District will pay the premium of the Association of California Water Agencies Health Benefit Agency HMO for the employee and employee family adding that if employees what a more expensive insurance policy they will have to pay the cost difference out of their own pocket. He commented that these modifications will only affect the year-round employee handbook adding that the seasonal handbook will be addressed in the near future. Mr. Heule stated that he would like to change the Thanksgiving holiday notation from "the Thursday in November designated each year as Thanksgiving Day" to "the 4th Thursday in November". District Counsel Lemieux explained that notation is part of the Government Code so we are stuck with it the way it is. Vice President Smith explained that these modifications were more cleaning up issues rather than changes.

Director Suhay moved approval of the modifications to the year round employee handbook. Director Murphy seconded the motion and it was unanimously approved.

CONSIDER APPROVAL OF WITHDRAWING FROM CALIFORNIA STATE DISABILITY INSURANCE PLAN AND CONTRACTING WITH A PRIVATE COMPANY FOR BOTH SHORT-TERM AND LONG-TERM DISABILITY INSURANCE

Mr. Heule reported that staff received a presentation by Keenan Associates, an Insurance and Employee Assistance Insurance Broker, concerning alternatives to the Districts' State Disability insurance program. He introduced Laurie Lofranco, Account Executive with Keenan Associates explaining that she made a presentation to staff yesterday. Ms. Lofranco gave a brief overview of her background and explained that government agencies are not required to participate in State Disability programs. She reported that MWD does participate however explaining that for a slightly lower annual premium the District can replace short-term State Disability Insurance with a private plan that also includes long-term disability. She commented that the Directors would be included in this plan. She reported that the long-term disability insurance would extend coverage

until age 65 compared to only 12 months for the State Disability program. She added that the premium rates are guaranteed for two years. Director Murphy asked how staff felt about the proposal. Mr. Stephenson explained that some were upset that they hadn't heard about it before it appeared on the agenda adding that after Ms. Lofranco came to the staff meeting and explained it to them they were all on-board with it. Ms. Lofranco explained that the savings would be to the employees since it is paid out of their paychecks. Director Suhay asked if the rates were guaranteed for 2 years. Ms. Lofranco stated that they were and after 2 years she doesn't see a rate increase unless there were lots of claims submitted. She commented that she is available for all questions and problems and she appreciates the opportunity to serve the District. Mr. Heule commented that it will save some money and provide long term coverage that we don't have now. He stated that the Committee is recommending the Board make this change, however they note that if after two years the costs for the private plan escalate substantially, the District might need to go back to the State Disability program and the long-term disability coverage would be eliminated as an employee benefit. He explained that this caveat would need to be memorialized in the employee handbook so there are not expectations that the long-term disability is a guarantee should circumstances change in the future. He reported that making this change will reduce District expenses by about \$850 per year.

Director Suhay moved approval of withdrawing from California State Disability Insurance Plan for all employees and contracting with Keenan & Associates for both short-term and long-term disability insurance. Director Murphy seconded the motion and it was unanimously approved.

Mr. Stephenson reported on the eye-care vision insurance plan that Ms. Lofranco presented to staff. He explained that it would be a voluntary employee paid program. He added that it would be beneficial for most but for some it would not prove to be a cost savings.

PUBLIC FORUM

No comments were made

ANNOUNCEMENTS

Mr. Heule reported that on February 2nd (the regularly scheduled date of the next Board Meeting) he and several Directors are going to attend JPIA Ethics and Brown Act training in Rancho Cucamonga. He explained that meeting will need to be adjourned due to lack of a quorum. He added that he would like to have the President schedule a special meeting February 1st (the day before).

Mr. Stephenson reported that he has been doing some interesting calculations: Using a 42 square mile watershed (26,880 acres) and the lake being at 70.08 lake level, you would need 6,536 acre feet of runoff to fill. If 50% of the rain water makes it to the lake, it would have to rain 13,000 acre feet in the entire watershed or 5.14 inches of rainfall in the entire valley.

DIRECTOR COMMENTS

No comments were made

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:51 P.M.

NEXT MEETING

Open Session at 1:00 P.M.
Thursday, February 2, 2012
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, 01/12/12 to 01/25/12
 Account 10010-00-001, Sessions 000000 to 002550**

Check	Payment / Vendor Information	Ck Date	Prity	Invoice	Session	Reference	Amount
Checking Account: 10010-00-001							
150022	WILLIA / Adam Williams	01/19/12	2	01192012	002541	TRAINING	741.66
						WILLIA Subtotal :	741.66
150023	ALLPRO / All Protection Alarm Co.	01/24/12	2	232951	002550	FACILMAINT	38.85
150023		01/24/12	2	232959	002550	DAMMONITOR	135.45
150023		01/24/12	2	233156	002550	FACILMAINT	153.45
150023		01/24/12	2	233223	002550	FACILMAINT	34.35
150023		01/24/12	2	233276	002550	SHOPMAINT	66.15
150023		01/24/12	2	233676	002550	FACILMAINT	183.75
						ALLPRO Subtotal :	612.00
150024	ASBCSD / ASSOCIATION SAN BERNARDINO COUNTY	01/24/12	2	192	002550	MEMBERSHIP	25.00
						ASBCSD Subtotal :	25.00
150025	BBARWA / Big Bear Area Regional	01/24/12	2	357	002550	EASTRAMP	4160.00
						BBARWA Subtotal :	4160.00
150026	BUTCHR / Butcher's Block & Building Materi	01/24/12	2	108303	002550	FACILMAINT	43.29
150026		01/24/12	2	108396	002550	SHOPMAINT	14.45
150026		01/24/12	2	108458	002550	ICESIGNAGE	45.26
150026		01/24/12	2	109376	002550	FACILMAINT	19.20
150026		01/24/12	2	110080	002550	FACILMAINT	41.41
150026		01/24/12	2	110240	002550	FACILMAINT	20.39
150026		01/24/12	2	110532	002550	FACILMAINT	37.14
150026		01/24/12	2	110825	002550	FACILMAINT	4.93
150026		01/24/12	2	110827	002550	FACILMAINT	57.19
150026		01/24/12	2	110881	002550	FACILMAINT	8.50
						BUTCHR Subtotal :	291.76
150027	BVELEC / Bear Valley Electric	01/24/12	2	01102012	002550	UTIL-RV	27.12
						BVELEC Subtotal :	27.12
150028	CALCHA / California Chamber of Commerce	01/24/12	2	10576568	002550	OSHA	172.79
						CALCHA Subtotal :	172.79
150029	CHARTE / CHARTER COMMUNICATIONS	01/24/12	2	01162012	002550	INTERNET	274.99
						CHARTE Subtotal :	274.99
150030	CHEMPA / CHEM PAK PRODUCTS	01/24/12	2	75710	002550	FACILMAINT	45.90

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, 01/12/12 to 01/25/12
 Account 10010-00-001, Sessions 000000 to 002550**

Check	Payment / Vendor Information	Ck Date	Prity	Invoice	Session	Reference	Amount
						CHEMPA Subtotal :	45.90
150031	COMPVI / COMPUTER VILLAGE	01/24/12	2	123810	002550	SFTWRSUBSC	869.54
150031		01/24/12	2	123882	002550	EQUIPMAINT	100.00
						COMPVI Subtotal :	969.54
150032		01/24/12	2	123917	002550	PROFSVCS	500.00
						COMPVI Subtotal :	500.00
150033	CTTSPO / CT&T Sports	01/24/12	2	3675	002550	UNIFORMS	66.50
						CTTSPO Subtotal :	66.50
150034	ENVIRO / Environ International Corporation	01/24/12	2	1112377	002550	CONTAMINAT	100.00
						ENVIRO Subtotal :	100.00
150035	FEDRAL / Federal Express, Corp.	01/24/12	2	775724530	002550	SHIPPING	10.88
						FEDRAL Subtotal :	10.88
150036	GEI / GEI Consultants, Inc	01/24/12	2	504396	002550	WATERTEST	7959.74
						GEI Subtotal :	7959.74
150037	GRAING / GRAINGER, INC.	01/24/12	2	9723200680	002550	AERATORMNT	875.68
						GRAING Subtotal :	875.68
150038	IDEARC / SUPERMEDIA LLC	01/24/12	2	01192012	002550	EMAIL.ORG	29.95
						IDEARC Subtotal :	29.95
150039	MCMSTR / McMaster-Carr Supply Co.	01/24/12	2	14641245	002550	SHOPMAINT	35.15
150039		01/24/12	2	14795494	002550	SHOPMAINT	130.69
						MCMSTR Subtotal :	165.84
150040	NAPA / McConnell Motor Parts Inc.	01/24/12	2	064358	002550	PATRLMAINT	31.03
150040		01/24/12	2	064924	002550	PATRLMAINT	43.92
150040		01/24/12	2	065189	002550	PATRLMAINT	26.15
150040		01/24/12	2	065190	002550	PATRLMAINT	22.93
150040		01/24/12	2	065348	002550	PATRLMAINT	18.27
150040		01/24/12	2	066053	002550	PATRLMAINT	113.61
150040		01/24/12	2	066203	002550	PATRLMAINT	-69.63
150040		01/24/12	2	066206	002550	PATRLMAINT	67.30
150040		01/24/12	2	066273	002550	PATRLMAINT	31.61
						NAPA Subtotal :	285.19
150041	PAPERCLIP / The Paper Clip	01/24/12	2	045959	002550	OFFICESUPPL	62.93
150041		01/24/12	2	045981	002550	OFFICESUPPL	21.71

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Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
PAPERC Subtotal :							84.64
150042	PERS / Public Employees' Retirement Syst	01/24/12	2	1201204	002550	PERS	5167.14
PERS Subtotal :							5167.14
150043	PITNY / PITNEY BOWES (RENTAL)	01/24/12	2	1098706JAN	002550	POSTAGE	121.00
PITNY Subtotal :							121.00
150044	QUEST / Quest Technologies	01/24/12	2	281200	002550	PATRLMAINT	265.64
QUEST Subtotal :							265.64
150045	QUILL / Quill Corporation	01/24/12	2	9204350	002550	OFFICSUPPL	27.86
150045		01/24/12	2	9251339	002550	OFFICSUPPL	35.38
150045		01/24/12	2	9342899	002550	OFFICSUPPL	53.63
150045		01/24/12	2	9437236	002550	OFFICSUPPL	52.95
QUILL Subtotal :							169.82
150046	SWSTGS / Southwest Gas Corp	01/24/12	2	01182012A	002550	UTIL-MAIN	511.38
150046		01/24/12	2	01182012B	002550	UTIL-RV	51.12
SWSTGS Subtotal :							562.50
150047	TUTTLE / JOHN TUTTLE	01/24/12	2	01112012	002550	PHONE-CELL	50.00
TUTTLE Subtotal :							50.00
150048	UPS / UPS	01/24/12	2	F33Y11012	002550	SHIPPING	21.42
UPS Subtotal :							21.42
150049	VALERO / Valero Marketing and Supply Co.	01/24/12	2	01192012	002550	PETRO-AUTO	488.46
VALERO Subtotal :							488.46
150050	VERIZO / Verizon California	01/24/12	2	01012012A	002550	PHONE-MAIN	403.75
150050		01/24/12	2	01012012B	002550	PHONE-RAMP	47.04
150050		01/24/12	2	01012012C	002550	PHONE-RAMP	48.01
150050		01/24/12	2	01012012D	002550	PHONE-RAMP	42.23
150050		01/24/12	2	01132012	002550	PHONE-MAIN	47.50
VERIZO Subtotal :							588.53
150051	VERWIR / VERIZON WIRELESS	01/24/12	2	01032012	002550	PHONE-CELL	209.21
150051		01/24/12	2	1046957073	002550	PHONE-CELL	234.85
VERWIR Subtotal :							444.06
150052	WEBER / JAMES WEBER	01/24/12	2	01062012	002550	PHONE-CELL	50.00
150052		01/24/12	2	04062011	002550	PHONE-CELL	50.00
150052		01/24/12	2	12062011	002550	PHONE-CELL	50.00

Big Bear Municipal Water District
Computer & Manual Check Register
Current and History Files, 01/12/12 to 01/25/12
Account 10010-00-001, Sessions 000000 to 002550

<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>
						WEBER Subtotal :	150.00
						Total For Check Account: 10010-00-001	25427.75
						Check Register Total :	25427.75

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

MEETING DATE: *February 1, 2012*

AGENDA ITEM: *5C*

SUBJECT:

CONSIDER APPROVAL OF A SPECIAL EVENT PERMIT FOR THE BIG BEAR LAKE ROTARY CLUB'S ANNUAL 4TH OF JULY FIREWORKS DISPLAY

RECOMMENDATION:

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

DISCUSSION/FINDINGS:

The Rotary Club of Big Bear Lake has sponsored the annual 4th of July fireworks for a number of years. The fireworks will be located on a barge north/west of the Pine Knot Landing Fun Dock. July 4th will be on a Wednesday this year and the application for fireworks was considered by the Committee. Based on last years' experience the Committee will be recommending the Board approve this event with an additional condition. The added condition will be that all vessels used during the fireworks event must be inspected prior to moving either of the barges to be sure they can meet all California carriage requirements including PFD's, fire extinguishers, and navigation lights. If the vessels cannot satisfy these requirements they will not be permitted to be used during the special event.

OTHER AGENCY INVOLVEMENT: Big Bear Lake Fire Department

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 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.

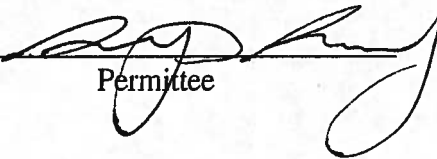
B. Skipper's and/or Safety meeting: Event organizers and participants shall meet with District representatives to have any questions answered and to receive an update of current Lake conditions which may affect event activities.

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:

1-12-12
Date


Permittee

Date

General Manager

EXHIBIT A

DESCRIPTION OF EVENT

1. Name of Event: 4TH OF JULY FIREWORKS SHOW
2. Location: MIDDLE OF BIG BEAR LAKE / NEAR P.K. LNDG
3. Date(s): 7-4-12
4. Describe Event: FIREWORKS SHOW
5. Estimated Number of Participants: 20-40
6. Estimated Number of Spectators: 60,000 TO 80,000
7. Method of Limiting Attendance: NONE
8. Method of Trash Collection and Disposal: ROTARY CLUB OF BIG BEAR LAKE
9. Proposed First-Aid Services:
10. Proposed Security Services: ROTARY CLUB OF BBL
11. Proposed Fire Protection Services: CITY OF BBL
12. Proposed Sanitation Facilities: PORTABLE TOILET
13. Parking Arrangements: ROTARY CLUB BBL
14. Name, Address and Telephone Number of Person Available Before and During Event with Authority to Control Event: SKIP SUTAN PO. BOX 795 BBL 92315
909 744-4383
15. Perimeter control, if applicable:

EXHIBIT B

FEE SCHEDULE

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

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

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

Boat with operator \$115/hour
Each additional staff person \$ 30/hour

Other services: actual cost

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

2. GROUP SPECIAL EVENT PERMITS

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

**EXHIBIT C
SPECIAL CONDITIONS**

YEAR 2012 4th OF JULY FIREWORKS

1. All District fees have been waived.
2. Proof of Liability Insurance is due at least 30 days prior to the event.
3. All vessels used during the fireworks event must be inspected prior to moving either of the barges to be sure they can meet all California carriage requirements including PFD's, fire extinguishers, and navigation lights. If the vessels cannot satisfy these requirements they will not be permitted to be used during the special event.
4. Proponents shall meet with the Lake Manager on the day of the event for approval of show location and appropriate perimeter and safety controls.

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

MEETING DATE: *February 1, 2012*

AGENDA ITEM: *5D*

SUBJECT:

CONSIDER APPROVAL OF THE SPECIAL EVENT PERMIT FOR BIG BEAR PADDLEFEST 2012 TO BE HELD ON JULY 7th & 8th

RECOMMENDATION:

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

DISCUSSION/FINDINGS:

Big Bear Paddlefest 2012 will take place at Meadow Park on July 7th and 8th. The conditions will be essentially the same as last year with the caveat that the deposit will be used for both Lake Patrol and Lake Operations staff support of the event (placing buoys etc.). The Committee recommends approval of this 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 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:

Date

Permittee

Date

General Manager

EXHIBIT A

DESCRIPTION OF EVENT

1. Name of Event: Big Bear PaddleFest 2012
2. Location: North Shore Trading Company and Meadow Park/Swim Beach, Big Bear Lake
3. Date(s): July 7-8, 2012
4. Describe Event:
 - a. July 7 – vendors, clinics, relay races inside Swim Beach bay, exhibits at Meadow Park/Swim Beach, Big Bear Lake
 - b. July 8 – races, awards at Meadow Park/Swim Beach, Big Bear Lake
 - i. 5K inside Swim Beach bay
 - ii. 10K inside buoy markers from Swim Beach bay east towards Stanfield, north and then east to about Meadows Edge Park and back
 - iii. 20K inside buoy markers around lake counterclockwise
5. Estimated Number of Participants: 150-200
6. Estimated Number of Spectators: 200
7. Method of Limiting Attendance: Entry Fee
8. Method of Trash Collection and Disposal: We will provide volunteers
9. Proposed First-Aid Services: We will provide station at Meadow Park/Swim Beach
10. Proposed Security Services: We will provide volunteers, paid SBC Recs and Park personnel on site
11. Proposed Fire Protection Services: We will alert Big Bear Lake Fire Dept. of activity
12. Proposed Sanitation Facilities: We will provide temporary portables along with permanent bathrooms
13. Parking Arrangements: Provided
14. Name, Address and Telephone Number of Person Available Before and During Event with Authority to Control Event:

Jim Dooley, Janet Dooley
39130 North Shore Drive
Fawnskin, CA 92333
909-866-3414
15. Perimeter Control, if applicable: Fencing provided at Meadow Park/Swim Beach, paid SBC Recs and Park personnel on site

EXHIBIT B

FEE SCHEDULE

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

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

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

Boat with operator \$115/hour
Each additional staff person \$ 30/hour

Other services: actual cost

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

2. GROUP SPECIAL EVENT PERMITS

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

EXHIBIT C
SPECIAL CONDITIONS

2012 PADDLEFEST

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

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

MEETING DATE: February 1, 2012

AGENDA ITEM: 6A

SUBJECT:

CONSIDER APPROVAL OF A RESOLUTION OF THE BOARD OF DIRECTORS OF BIG BEAR MUNICIPAL WATER DISTRICT RE-ESTABLISHING FEES EFFECTIVE FEBRUARY 1, 2012 AND REPEALING RESOLUTION NO. 2011-01

RECOMMENDATION:

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

DISCUSSION/FINDINGS:

Only three items on the District fee schedule are being considered for revision.

(a) Trailer Storage

In order to clarify existing District policy reference to outdoor storage for a fee of \$35 per month, language will be added noting that the storage of boat trailers is limited to RV Park guests and trailers of boats already being stored inside the District shop.

(b) Administrative Services Research

Although the District can charge a per page fee for making copies of requested public records, there is no provision for recouping expenses associated with research and preparation of new reports, lists, or performing analysis to generate a new document requested by the public. Administrative time cannot be charged for searching for existing documents or records no matter how long it takes to provide them to the individual making the request. The Committee recommends that a new item "Administrative Services Research" be added to the fee schedule at the rate of \$35 per hour with a ½ hour minimum and billed in 15 minute increments

(c) RV Park Utility Charge

For the past two years the District has charged a daily utility fee to campers in the RV park. The daily fee is calculated based on the actual number of camper days and the previous seasons' costs for sewer, water, electricity and cable television expense during the months of May through October. For the 2011 season the fee was \$3.42 per day. Actual 2011 costs for the utilities listed above were \$11,804.57 and a total of 2712 camper days. The Committee recommends the Board approve a new RV park daily utility fee of \$4.35.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager

RESOLUTION NO. ~~2011~~2012-01

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
BIG BEAR MUNICIPAL WATER DISTRICT
RE-ESTABLISHING FEES COMMENCING
FEBRUARY ~~18, 2011~~, 2012, AND
REPEALING RESOLUTION NO. ~~2010~~2011-01**

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

1. Purpose.

This resolution establishes fees for District services.

2. Findings.

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

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

3. Boat Permits.

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

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

- (3) Non-motorized boats and sailboats 8 feet or less in length: \$10.00 plus Quagga Mussel Protection Surcharge of \$5.00:
 - (a) One \$15.00 daily permit fee may be applied toward the cost of a seasonal permit and
 - (b) Consecutive daily permits: \$10.00 plus \$5.00 surcharge first day; \$10.00 each consecutive day (consecutive days must be purchased during single transaction).
- (c) Special Event group rate:
 - (1) Motorized boats \$15 per day and sailboats more than 8' in length \$15 per day plus a \$5.00 Quagga Protection Surcharge for the duration of the approved special event (must comply with special event group rate policy).
 - (2) Non-motorized boats and sailboats 8 feet or less in length \$5.00 per day plus \$5.00 Quagga Protection Surcharge for the duration of the approved special event (must comply with special event group rate policy)
- (d) Refunds:
 - (1) There shall be a \$10.00 charge for any refund of a seasonal boat permit fee because of non-use or duplicate purchase; and
 - (2) There shall be a \$10.00 fee to transfer a seasonal boat permit to a replacement boat with the same owner.
 - (3) There shall be a \$10.00 fee for replacement of a lost boat permit.
- (e) Penalty:
A penalty of \$10.00 shall be charged for the purchase of a Lake Permit from a Lake Patrol Officer while on the water.

4. Dock Licenses.

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

- (a) Application

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

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

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

5. Boat Storage.

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

6. RV Park.

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

- (a) Full hook-up sites (including utilities):
 - (1) Daily rate \$ 40
 - (2) Monthly rate \$550
 - (3) Utilities per day \$ ~~3.42~~ \$4.35
- (b) Non-hook-up sites (water available; includes dump station):
 - (1) Daily rate \$ 30
 - (2) Monthly rate \$450
- (c) Dump station (per usage by non-guests) \$ 5

7. Miscellaneous.

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

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

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

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

- (h) Administrative Services Research \$35 per hour

- (i) Dock owners and boat owners database:
 - (1) CD Production \$ 15

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

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

- ~~(k)~~(l) Shorezone Alteration:
 - (1) Application fee:
 - (a) ministerial project \$ 250
 - (b) project requiring Negative Declaration under CEQA process \$ 750
 - (c) project requiring EIR/EIS under CEQA process \$1800
 - (d) CEQA document review and recommendation by District Consultant Actual Cost
 - (2) Mitigation fee for lake bottom disturbed:

- (a) shoreline erosion control project involving no fill other than placement of riprap and installation of toe protection for a seawall. \$ 500
- (b) non-ministerial projects where additional mitigation may be required to reduce adverse impacts (per acre or portion of an acre) capital improvements including, but not limited to, fish structures, aeration systems, habitat and spawning improvements as approved by the Board of Directors. \$1000
- (3) Legal fees and filing fees incurred as a result of the project shall be borne by the project proponent.
- (4) All consultant costs related to preparation of the environmental document, shall be borne by the project proponent.
- (5) Mitigation fees shall be deposited into the Stanfield Marsh Wildlife Mitigation Account.

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

8. Payments.

Fees shall be paid as follows:

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

9. Repeals.

Resolution No. 2008-01 is hereby repealed.

PASSED, APPROVED AND ADOPTED on February ~~17, 2011~~ 1. 2012

~~Skip Suhay~~ John Eminger, President

ATTEST:

Vicki Sheppard, Secretary to the Board

[SEAL]

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

MEETING DATE: *February 1, 2012*

AGENDA ITEM: *6B*

SUBJECT: CONSIDER APPROVAL OF A SOCIAL NETWORKING POLICY FOR THE EMPLOYEE HANDBOOK

RECOMMENDATION:

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

DISCUSSION/FINDINGS:

The District has experienced some situations this past summer that highlighted the need to establish a policy to regulate employee's social networking while on the job and representing the District. An example employee handbook policy for social networking was downloaded from the ACWA JPIA web page and was drafted for District use. A copy of the policy is attached. The Committee agreed that there is a real need to establish this policy and recommends the Board approve adding it to the employee handbook.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager

SOCIAL NETWORKING

The Big Bear Municipal Water District views social networks such as web based discussion or conversation pages and other forms of social networking such as Facebook, Twitter, You Tube etc., as significant new forms of public communication. As such, we hold all of our employees who engage in social networking to the same standards we hold for any public communications. Therefore, all employees have an obligation to the District to ensure that any public communication they make, including social networking communications, must not negatively impact the reputation of the District or bring disrepute in any way to the District, its partners, customers, suppliers, employees, etc. Further, only a select group of employees are authorized to publicly speak on behalf of the District. Violations of this policy will result in discipline which may include termination, depending on the severity of the situation and its impact on the District.

Additionally, engaging in social networking during your workday can negatively impact your productivity and work performance. Therefore, it is your responsibility to regulate your social networking so that it does not impact your productivity or cause performance issues.

Identified below are general guidelines and examples of prohibited communications. Please note that this list shows examples only and is not intended to be, nor is it, an exhaustive list of prohibited communications. The absence of, or lack of explicit reference to a specific site does not limit the extent of the application of this policy. Where no policy or guideline exists, employees should use their professional judgement and take the most prudent action possible. Consult with your manager or supervisor if you are uncertain.

General Guidelines and Examples of Prohibited Communications:

- If your posts on social media mention the District, its services, employees, or customers make clear that you are an employee of the District and that the views posted are yours and do not represent the views of the District.
- Do not mention District employees, clients, customers or partners without their express consent. Information published on social networks or blogs should comply with the Districts confidentiality and disclosure of proprietary data policies.
- You may not use the District logo on your posts unless given written consent by the General Manager. Respect copyright laws, and reference or cite sources appropriately.
- You are responsible for what you write or present on social media. You can be sued by other employees, partners, customers and any individual that views your social media posts as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment.
- Do not link to the Districts website or post District material on social media sites without written permission.

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- All District policies that regulate off-duty conduct apply to social media activity including, but not limited to, policies related to illegal harassment, code of conduct, non-competition, protecting confidential and/or proprietary information. Violation of this policy may lead to discipline up to and including termination.

Violations

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Violations of any guidelines listed above may result in disciplinary action up to and including terminations. If necessary, the District will advise appropriate legal officials of any illegal violations.

COMPUTER SOFTWARE POLICY

It is the policy of Big Bear Municipal Water District to use computer software in strict accordance with the license agreement, and solely for District business.

ACCEPTABLE SOFTWARE FOR DISTRICT USE

- Software procured through normal District purchasing procedures
- Software written in-house for District purposes

UNAUTHORIZED SOFTWARE

The following software is not authorized for District use without the approval of the General Manager. This will help prevent the spread of computer viruses and protect the District and employees from possible civil and criminal proceedings.

- Shareware
- Software electronically copied from a Bulletin Board
- Software obtained as a gratis product, such as games, accompanying a normal purchase
- Software from other sources, organization, friends or unknown origins

Ownership and Privacy

All software and data are the property of the District. Software and data developed by employees may not be taken with them when they leave the District without written permission from the General Manager.

Responsibilities

District employees are responsible for ensuring that all software installed on the personal computers that they use is properly licensed. Software may not be reproduced or used on more than one computer by more than one person at a time, unless authorized by the terms of the license.