

A G E N D A
BIG BEAR MUNICIPAL WATER DISTRICT

BOARD OF DIRECTORS
Regular Meeting
March 1, 2012

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

Next Resolution Number: 2012- 02

OPEN SESSION: 1:00 P.M.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. DISCUSSION AND ACTION ON CLOSED SESSION ITEMS**
- 4. REPORTS**
 - A. General Manager
 - B. Lake Manager
 - C. Legal
 - D. Committee
 - E. Other
- 5. CONSENT CALENDAR**
 - A. Minutes of a Regular Meeting of February 16, 2012
 - B. Warrant list dated February 27, 2012 for \$10153.60
 - C. Consider approval of a special event permit for the Jim Hall Memorial May Trout Classic to be held May 19th & 20th
 - D. Consider approval of a special event permit for the Rotary July 4th Barbeque
- 6. BUSINESS**
 - A. Consider approval of modifications to the Seasonal Employee Handbook
 - B. Consider approval of a Fishing Event Fisheries Enhancement Fee Policy
- 7. PUBLIC FORUM**

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

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

NEXT MEETING: Open Session at 1:00 P.M.
Thursday, March 15, 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.bbwwd.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, FEBRUARY 16, 2012**

CALL TO ORDER

President Eminger called the Open Session to order at 1:00 PM. Those in attendance included Director Fashempour, Director Suhay, 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 he and Mike Stephenson met with Mike Rogers (MWH) to discuss ongoing engineering services associated with the Dam. He explained that Mr. Rogers will be preparing proposals for: (1) developing a lake operations plan that will help the District decide when to lower the lake in anticipation of an overtopping storm; (2) onsite visits during abutment grouting; (3) design services for diversion walls at the abutments to prevent erosion (he explained that Caltrans refuses to prepare the necessary drawings and has asked us to do this then they would construct. He added that he asked for an agreement that would reimburse us for the design work and assure that construction would actually take place commenting that he has not heard back); (4) finalize documents and specifications for painting reinforcing struts on the dam. Director Suhay inquired regarding the struts asking if they could interfere if the gates were open (will they be in the way). Mr. Heule explained that they would interfere with the gates opening but not with water releases. Mr. Heule reported that he will be going to a CEQA Public Scoping Meeting for a Statewide Mercury Control Program for Reservoirs on March 12th. He stated that the District is the only reservoir in San Bernardino and Riverside Counties to be on the list. He explained that we still do not know what the ramifications might be for the District. Lake Manager, Mike Stephenson reported that testing was conducted for prospective seasonal employees today. He stated that we had 182 applications and out of those we tested 112 adding that many of the applicants look very good. He explained that the next step is to grade the tests and then select applicants for interviews and boat tests. Mr. Stephenson reported on the lake level commenting that even with all the snow we received yesterday the lake only came up 1/10th of 1 inch. Director Fashempour asked about Snow Summit and Bear Mountain water sales. Mr. Stephenson reported that they have taken around 700AF at last report. He stated that we purchased new cameras and spike strips for the ramps explaining that some people have been illegally covering and driving over the spike strips.

APPROVAL OF CONSENT CALENDAR

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

- Minutes of a Special Meeting of February 1, 2012
- Warrant list dated February 13, 2012 for \$44,427.64

CONSIDER APPROVAL FOR SPENDING UNBUDGETED MONEY IN THE DAM REPAIR FUND FOR SECURITY FENCING AT THE DAM

Mr. Heule reported that at the Facilities meeting on January 31st when the Committee visited the dam they were concerned about the ease of access onto the dam, especially from the south (east) abutment area. He commented that with the mild winter so far access to the dam by the public is a critical concern and Caltrans has no intention of addressing it on any permanent basis until sometime in the spring. He explained that the Committee went to the dam again on February 6th and laid out a plan to install fencing on top of District facilities that would provide the security needed. Mr. Heule made a PowerPoint presentation showing photos of the proposed fence explaining that six foot high fencing topped with barbed wire would be placed on both the left and right abutment of the dam and would cantilever out over the water to prevent access from the fishing rocks on either side. He added that gates would be installed at either end of the catwalk to provide access by District personnel. He explained that because we would be installing the fencing on District facilities no permissions would be needed from either Caltrans or USFS. He reported that on Friday February 10th Mike Stephenson and Eric Turney met three fence contractors at the Dam (eight contractors were notified and asked to be at the site walk). He explained that the desired fence alignment and specifications were described and the Contractors all said that they would bid the job based on the contractors Green Book standards for industrial fencing. He stated that the fencing will all be placed on the dam structure itself excepting an eight foot section that extends from the left abutment of the dam over to the new bridge retaining wall. He explained that the fence will all be six feet in height with three strands of barbed wire on top. He added that at both the left and right abutments on the water side the fence will cantilever out over the water with coils of razor wire attached. Mr. Heule reported that all three contractors that visited the site on Friday returned bids for the work as follows:

a.	Ross Fence Inc.	\$6488
b.	Leoco Fence	\$7493
c.	Trini Estrada Const.	\$6200

Mr. Heule explained that based on the bid results the Committee recommends award of the fencing contract to Trini Estrada Construction in the amount of \$6,200 also recommending that this unbudgeted expense be paid with Dam Repair fund dollars.

Director Fashempour moved approval of awarding a Dam security fence contract to Trini Estrada Construction and spending unbudgeted money from the Dam Repair fund.
Director Suhay seconded the motion and it was unanimously approved.

CONSIDER APPROVAL OF A SPECIAL EVENT PERMIT FOR BIG BEAR LAKE BIG BASS TOURNAMENT

Mike Stephenson, Lake Manager reported that an application has been received from Aaron Armstrong for six one day bass fishing events. He explained that the events will be staged at B's Backyard Barbeque on the following Saturdays this year; April 28, May 26, June 16, July 28, August 25 and September 22. He commented that Mr. Armstrong sponsored two bass tournaments last year but each event attracted fewer than 10 anglers explaining that this year it is proposed that each event will be limited to 100 anglers. He reported that the Committee recommends the Board approve this application with the following conditions:

- a. \$100 non refundable application fee
- b. A \$1000 deposit to be used to pay the hourly rate for inspection of live wells by Lake Patrol prior to the shotgun start of each event. Any unused deposit amount will be refunded. District costs in excess of the deposit amount will be invoiced after the event.

- c. \$500 or \$15 per angler fee whichever is greater for the District to purchase and plant bass (size and weight will be at the discretion of the Lake Manager). Angler count that exceeds \$500 will be invoiced after the event.
- d. A 7:00 AM shotgun start will be permitted at the 5 mph buoy line adjacent to the staging area as approved by the District.
- e. Game Fish Contest Permit from the State of California, Department of Fish and Game and proof of liability insurance naming the District as additionally insured must be submitted to the District at least 30 days prior to the event.

Mr. Stephenson explained that the Committee will be meeting soon to discuss standardizing the rules and regulations for fishing events. Director Suhay commented that when Director Murphy returns from vacation, the Committee will be meeting to develop a set of boilerplate rules and regulations for all fishing events. Mr. Stephenson explained that bass events are catch & release and to date no bass have been killed in any of these bass tournaments.

Director Fashempour moved approval of a special event permit for Big Bear Lake Big Bass Tournament. Director Smith seconded the motion and it was unanimously approved.

PUBLIC FORUM

No comments were made

ANNOUNCEMENTS

Mr. Heule announced that the District will be closed this coming Monday for Presidents Day Holiday.

DIRECTOR COMMENTS

Director Smith commented on the security fencing at the Dam explaining that it is unattractive but that fact may cause Caltrans to replace it. Mr. Stephenson commented that it was intended to keep the public off of the Dam explaining that it may not be permanent. He stated that it was the best product we could come up with explaining that he was not concerned with aesthetics but only with safety. Mr. Heule added that when it is complete it will be secure.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:40 P.M.

NEXT MEETING

Open Session at 1:00 P.M.
Thursday, March 1, 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, 02/14/12 to 02/26/12
 Account 10010-00-001, Sessions 000000 to 002583**

Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
Checking Account: 10010-00-001							
150103	LINCON / Lincoln Financial Group	02/16/12	2	02162012	002578	DEFEREDCOM	1200.00
LINCON Subtotal :							1200.00
150104	PSTMST / U.S. POSTMASTER	02/14/12	2	02132012	002580	PERMPOSTAG	1422.13
PSTMST Subtotal :							1422.13
150105	ALLPRO / All Protection Alarm Co.	02/24/12	2	246897	002583	FACILMAINT	38.85
150105		02/24/12	2	247188	002583	FACILMAINT	34.35
150105		02/24/12	2	247346	002583	FACILMAINT	183.75
150105		02/24/12	2	247449	002583	EASTMAINT	116.55
ALLPRO Subtotal :							373.50
150106	BBMMAA / BIG BEAR VALLEY MNT MUTUAL AID AS	02/24/12	2	02242012	002583	MEMBERSHIP	25.00
BBMMAA Subtotal :							25.00
150107	BUTCHR / Butcher's Block & Building Materi	02/24/12	2	113778	002583	SHOPMAINT	12.93
150107		02/24/12	2	113862	002583	FACILMAINT	109.74
150107		02/24/12	2	113972	002583	SHOPMAINT	10.31
150107		02/24/12	2	114333	002583	FACILMAINT	21.05
150107		02/24/12	2	115034	002583	FACILMAINT	18.27
150107		02/24/12	2	115211	002583	SMALLTOOLS	11.90
BUTCHR Subtotal :							184.20
150108	CASH / Victoria Moore /Petty Cash	02/24/12	2	02242012	002583	PETTYCASH	65.21
CASH Subtotal :							65.21
150109	CHARTE / CHARTER COMMUNICATIONS	02/24/12	2	02162012	002583	PHONE-NET	274.99
CHARTE Subtotal :							274.99
150110	CHEMPA / CHEM PAK PRODUCTS	02/24/12	2	76099	002583	FACILMAINT	38.95
CHEMPA Subtotal :							38.95
150111	COMPVI / COMPUTER VILLAGE	02/24/12	2	124046	002583	COMPCONSULT	600.00
COMPVI Subtotal :							600.00
150112	EVANS / BILL EVANS	02/24/12	2	02122012	002583	TRAINING	439.15
EVANS Subtotal :							439.15
150113	FEDRAL / Federal Express, Corp.	02/24/12	2	778713542	002583	SHIPPING	38.18

**Big Bear Municipal Water District
Computer & Manual Check Register
Current and History Files, 02/14/12 to 02/26/12
Account 10010-00-001, Sessions 000000 to 002583**

<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>
						FEDRAL Subtotal :	38.18
150114	GLOBLW / Global Water	02/24/12	2	135986	002583	DAMMAINT	584.27
						GLOBLW Subtotal :	584.27
150115	IDEARC / SUPERMEDIA LLC	02/24/12	2	02192012	002583	EMAIL.ORG	29.95
						IDEARC Subtotal :	29.95
150116	LMW / LMW CONSULTING, LLC	02/24/12	2	120077	002583	PROSVCSAGE	46.25
						LMW Subtotal :	46.25
150117	PITNY / PITNEY BOWES (RENTAL)	02/24/12	2	1098706F12	002583	POSTAGE	121.00
						PITNY Subtotal :	121.00
150118	QUILL / Quill Corporation	02/24/12	2	1244438	002583	OFFICSUPPL	25.41
						QUILL Subtotal :	25.41
150119	RDIOSH / RadioShack Corporation	02/24/12	2	032345	002583	WTRSHDSUPP	29.50
150119		02/24/12	2	039255	002583	EQUIPMAINT	32.84
						RDIOSH Subtotal :	62.34
150120	SPCOMP / Standard Printing Company, Inc.	02/24/12	2	232070	002583	PRINTING	1295.07
						SPCOMP Subtotal :	1295.07
150121	SQUEEG / Squeegee Clean Window Service	02/24/12	2	02222012	002583	FACILMAINT	50.00
						SQUEEG Subtotal :	50.00
150122	SUPCIR / SUPER/CIRCUITS	02/24/12	2	760016A	002583	QUAGGAEQUP	1446.28
						SUPCIR Subtotal :	1446.28
150123	SWSTGS / Southwest Gas Corp	02/24/12	2	02162012A	002583	UTIL-RV	41.99
150123		02/24/12	2	02162012B	002583	UTIL-MAIN	317.98
						SWSTGS Subtotal :	359.97
150124	TUTTLE / JOHN TUTTLE	02/24/12	2	02112012	002583	PHONE-CELL	50.00
						TUTTLE Subtotal :	50.00
150125	VALERO / Valero Marketing and Supply Co.	02/24/12	2	02222012	002583	PETRO-AUTO	1042.95
						VALERO Subtotal :	1042.95
150126	VERIZO / Verizon California	02/24/12	2	02132012	002583	PHONE-MAIN	47.50
						VERIZO Subtotal :	47.50
150127	VERWIR / VERIZON WIRELESS	02/24/12	2	1055876038	002583	PHONE-CELL	243.80

Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, 02/14/12 to 02/26/12
 Account 10010-00-001, Sessions 000000 to 002583

<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 :	243.80
150128	WELSCH / Laura Marino Welsch	02/24/12	2	2010806	002583	PROSVCSAGE	87.50
						WELSCH Subtotal :	87.50
						Total For Check Account: 10010-00-001	10153.60
						Check Register Total :	10153.60

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

MEETING DATE: March 1, 2012

AGENDA ITEM: 5C

SUBJECT:

**CONSIDER APPROVAL OF A SPECIAL EVENT PERMIT FOR THE JIM HALL
MEMORIAL MAY TROUT CLASSIC TO BE HELD MAY 19 & 20, 2012**

RECOMMENDATION:

The General Manager, Lake Manager and Operations Committee (Directors Fashempour & Murphy) recommend approval of this annual special event.

DISCUSSION/FINDINGS:

The Jim Hall Memorial May Trout Classic is scheduled for Saturday and Sunday May 19 and 20, 2012. This will be the 30th year for the event. Check in will be in the District Board room on Friday night May 18 and pre-registration will limit the participants to 500. The event will be held at Big Bear Marina. The week prior to the event the applicant purchases and stocks several thousand dollars worth of trout in the lake. The Committee recommends approval of this permit application and a waiver of the \$500 deposit for District services as none will be required. A condition requiring payment of a minimum fee for fish purchases by the District or by spending the equivalent amount on a fish plant by the applicant after approval by the Lake Manager is recommended. The fee will be \$500 or \$15 per angler whichever is greater.

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.

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.

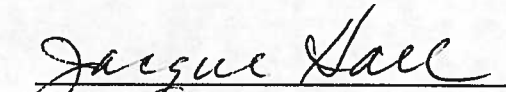
Section 6. Conditions

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

Accepted by:

02/15/2012

Date



Permittee

JACQUE HALL, TREASURER

REGISTRAR/JIM HALL MEMORIAL MAY TROUT CLASSIC, INC

Date

General Manager

EXHIBIT A

DESCRIPTION OF EVENT

1. Name of Event: **2012 JIM HALL MEMORIAL MAY TROUT CLASSIC**
2. Location: **BIG BEAR MARINA & MWD PARKING LOT**
3. Date(s): **MAY 19 AND 20 - 2012**
4. Describe Event: **TROUT TOURNAMENT**
5. Estimated Number of Participants: **500**
6. Estimated Number of Spectators: **NOT KNOWN**
7. Method of Limiting Attendance: **PRE-REGISTRATION, ONLY**
8. Method of Trash Collection and Disposal: **SITE SERVICES**
9. Proposed First-Aid Services: **NORMAL SERVICE**
10. Proposed Security Services: **SITE SERVICES**
11. Proposed Fire Protection Services: **NORMAL SERVICES**
12. Proposed Sanitation Facilities: **SITE SERVICES**
13. Parking Arrangements: **SITE SERVICES**
14. Name, Address and Telephone Number of Person Available Before and During Event with Authority to Control Event: **JASON HALL/PRESIDENT, TOURNAMENT DIRECTOR
909-585-7352
JACQUE HALL/TREASURER, REGISTRAR
909-585-4007**
15. Perimeter control, if applicable: **N/A
OR MAY TROUT CLASSIC COMMITTEE AT MWD
SITE ON 5/18/2012 AND TOURNAMENT SITE ON
5/19/2012 AND 5/20/2012**
**(WE CONTROL THE WEIGH
STATION, ONLY)**

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 JIM HALL MEMORIAL MAY TROUT CLASSIC

1. All boating participants will pay the established boat permit fees. The Jim Hall Memorial Trout Classic will sell Special Event daily boat permits through the tournament headquarters and will be responsible for any lost or missing permits.
2. Payment of a minimum fee for fish purchases by the District or by spending the equivalent amount on a fish plant by the applicant after approval by the Lake Manager is required. The fee will be \$500 or \$15 per angler whichever is greater.
3. Game Fish Contest Permit from the State of California, Department of Fish and Game and proof of liability insurance naming the District as additionally insured must be submitted to the District at least 30 days prior to the event.
4. It is understood that the Jim Hall Memorial Trout Classic is a non-profit organization and, therefore, the District will waive the \$500 refundable deposit.

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

MEETING DATE: *March 1, 2012*

AGENDA ITEM: *5D*

SUBJECT:

CONSIDER APPROVAL OF A SPECIAL EVENT PERMIT FOR THE ROTARY JULY 4TH BARBEQUE

RECOMMENDATION:

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

DISCUSSION/FINDINGS:

The Rotary Club of Big Bear Lake puts on a barbeque at Marina Resort annually as a fund raiser in conjunction with the 4th of July Fireworks show. A permit from the City of Big Bear Lake for the event requires fencing to contain all alcoholic beverage sales and use. The fencing must extend across public property to the edge of the water. The Committee recommends waving all fees and approval of this special event permit with a condition stating that fencing of public property is only permitted at the Rotary event and not on public property elsewhere in front of the resort property.

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:

2-1-12
Date

Ronald Peary, Rotarun, Big Bear Lake
Permittee
Ronald Peary

Date

General Manager

EXHIBIT A

DESCRIPTION OF EVENT

1. Name of Event: *Rotary Club of Big Bear Lake Barbecue, July 4th*
2. Location: *Marina Resort, Lakeview Dr*
3. Date(s): *Wednesday, July 4, 2012*
4. Describe Event: *meals plus viewing on premises of Marina Resort*
5. Estimated Number of Participants: *1,200*
6. Estimated Number of Spectators: *1,200*
7. Method of Limiting Attendance: *ticket sales plus security*
8. Method of Trash Collection and Disposal: *partnership between Rotary and Big Bear Disposal*
9. Proposed First-Aid Services: *minor injuries treated with First Aid kit*
10. Proposed Security Services: *BB Sheriff's Posse plus club members*
11. Proposed Fire Protection Services: *onsite fire extinguishers*
12. Proposed Sanitation Facilities: *Big Bear Disposal*
13. Parking Arrangements: *offsite*
14. Name, Address and Telephone Number of Person Available Before and During Event with Authority to Control Event: *Ron Peavy, Rotary, 909.563.0331 or 909.866.7420*
Rotary of Big Bear Lake and Rotary International
15. Perimeter control, if applicable: *temporary fencing plus security*

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 ROTARY BARBEQUE

1. All District fees will be waived.
2. Proof of Liability Insurance naming the District as additionally insured must be submitted to the District at least 30 days prior to the event.
3. Fencing of public property is only permitted at the Rotary event and not on public property elsewhere in front of the resort property.

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

MEETING DATE: *March 1, 2012*

AGENDA ITEM: *6A*

SUBJECT:

CONSIDER APPROVAL OF MODIFICATIONS TO THE SEASONAL EMPLOYEE HANDBOOK

RECOMMENDATION:

The General Manager and the Administrative Committee (Directors Eminger & Smith) recommend approval of these modifications.

DISCUSSION/FINDINGS:

- Seasonal Sick Leave policy

Over the past couple of years some seasonal employees have abused the existing sick leave policy causing the District extra expenses and complicating summer staffing. In order to reward those who do not abuse the sick leave benefit and still provide it when it is needed the Committee is recommending that the following policy replace the existing policy in the Seasonal Employee Handbook:

Commencing January 1, 2012, and on January 1st of each year thereafter, seasonal employees shall accrue 0.0288 hours of sick leave for each hour actually worked up to 40 hours per year. Seasonal employees shall be paid for sick leave unused as of their last day of work each calendar year. Sick leave shall not be carried over from year to year. As used herein, "seasonal employee" means a District employee hired as a Lake Ranger I or Lake Ranger II."

At the Board Meeting of February 1st the Board approved edits to the Full-Time Employee Handbook and agreed there is a real need to establish the following policies for Seasonal Employees as well:

- Social Networking Policy (see attached)
- Employee Holiday policy (see attached)

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager

leave after the preceding 12-month period has ended. There is no carryover of unused leave from one 12-month period to the next 12-month period.

Paid Sick Leave and Workers' Compensation Benefits

Paid sick leave is a benefit that also covers absences for work-related illness or injury. Employees who have a work-related illness or injury are covered by workers' compensation insurance. However, workers' compensation benefits usually do not cover absences for medical treatment. When you report a work-related illness or injury, you will be sent for medical treatment, if treatment is necessary. You will be paid your regular wages for the time you spend seeking initial medical treatment.

Any further medical treatment will be under the direction of the health care provider. Any absences from work for follow-up treatment, physical therapy or other prescribed appointments will not be paid as time worked. If you have accrued any unused sick leave, the additional absences from work will be paid with the use of sick leave. Deductions to your sick leave account shall be limited to the same percentage not compensated by workers' compensation.

SICK LEAVE

Sick leave is accumulated in order to provide a cushion for incapacitation due to illness. It is to be used only when actually required to recover from illness or non-work related injury; sick leave is not for "personal" absences. Time off for medical and dental appointments will be treated as sick leave. Abuse or misuse of your sick leave privilege will not be tolerated by the District. If desired, accrued sick leave may be used to supplement income received from workers' compensation or disability insurance, so long as it does not exceed the percentage not compensated by either program.

Commencing January 1, 2012, and on January 1st of each year thereafter, seasonal employees shall accrue 0.0288 hours of sick leave for each hour actually worked up to 40 hours per year. Seasonal employees shall be paid for sick leave unused as of their last day of work each calendar year. Sick leave shall not be carried over from year to year. As used herein, "seasonal employee" means a District employee hired as a Lake Ranger I or Lake Ranger II. Seasonal employees shall accumulate no more than 40 hours of sick leave entitlement during a season. Sick leave shall accumulate at the rate of .0462 hours for each hour worked beginning on the date of hire and ending on the date of the end of the season. A seasonal employee who anticipates returning to work during the next following season may carry over up to 40 hours of sick leave from one season to the next. No sick leave shall be taken until at least six (6) months service has been completed. When sick leave is paid, the amount shall be deducted from sick leave entitlement. If the seasonal employee has exhausted all accrued sick leave, the employee shall be placed on unpaid status.

Sick leave shall be paid when: the employee is ill; a member of the employee's immediate family is ill and the employee must care for a family member (child, parent, spouse), for visits to doctors, dentists and optometrists for physicals, treatment or preventative care.

For purposes of sick leave use, a “child” is defined as a biological, foster, or adopted child; stepchild; or a legal ward. A “child” also may be someone for whom you have accepted the duties and responsibilities of raising, even if he or she is not your legal child.

A “parent” is your biological, foster, or adoptive parent; stepparent; or legal guardian.

A “spouse” is your legal spouse according to the laws of California, which do not recognize “common law” spouses (a union that has not been certified by a civil or religious ceremony). All conditions and restrictions placed on an employee’s use of sick leave apply also to sick leave used for care of a child, parent, or spouse.

Required Use of Paid Sick Leave Before Unpaid Leave

You are required to take accrued and unused paid sick leave before taking unpaid leave, or having unpaid absences. Family and Medical Leave (under both state and federal law) is included in this requirement.

If you are absent for a reason that qualifies you for Paid Family Leave (PFL) payments, you are required to use any accrued and unused sick leave during the 7-day waiting period before PFL benefits begin. You must exhaust all paid sick leave before taking any unpaid absences.

PFL benefits do not replace all of your usual wages. Your PFL benefits will be supplemented with any accrued and unused sick leave.

Employees who are absent because of their own disability may be eligible for State Disability Insurance (SDI) benefits. SDI payments do not begin until after you have been absent from work for 7 calendar days. If you have accrued paid sick leave, sick leave will be used for the first 7 days, before SDI payments begin.

SDI benefits do not replace all of your usual wages. Your SDI benefits will be supplemented with any accrued and unused sick leave.

LEAVES OF ABSENCE

The District may grant unpaid and paid leaves of absence to employees in certain circumstances. It is important to request any leave in writing as far in advance as possible, to keep in touch with your supervisor during your leave and to give prompt notice if there is any change in your return date. If your leave expires and you have not contacted your supervisor or the District, it will be assumed that you do not plan to return and that you have terminated your employment. Upon return from a leave of absence, you will be credited with the full employment status which existed prior to the start of the leave. An employee who is exempt from the provisions of the FLSA shall be granted a leave of absence for less than one day without any deduction from pay.

Other leaves of absence may be granted by and at the discretion of the 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 publically 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 judgment 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.
- 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

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.

V EMPLOYEE BENEFITS

HOLIDAYS

The District observes the following paid holidays:

January 1	New Year's Day
3rd Monday in January	Martin Luther King Day
February 12	Lincoln's Birthday
3rd Monday in February	President's Day
Last Monday in May	Memorial Day
July 4	Independence Day
1st Monday in September	Labor Day
November 11	Veterans' Day
The Thursday in November designated each year as Thanksgiving Day	Thanksgiving Day
Friday following Thanksgiving Day	Thanksgiving Friday
December 25	Christmas Day

Any day designated as a paid holiday by the Board of Directors shall be declared a paid holiday for District employees. Lincoln's Birthday is considered a floating holiday and can be taken at the discretion of the employee when approved by their supervisor.

~~Any day designated as a paid holiday by the Board of Directors or any day declared a paid holiday for all public employees by the Governor or the President of the United States shall be declared a paid holiday for District employees.~~

For all eligible employees, the following shall apply: when a paid holiday falls on Sunday, the following Monday shall be deemed the paid holiday; when a paid holiday falls on a Saturday, the previous Friday shall be deemed the paid holiday; however, the District may close on another day or grant compensating time off instead of closing. Holiday observance will be announced in advance. When a paid holiday falls on an employee's scheduled day off, the following workday shall be deemed the paid holiday.

Seasonal employees who work a total of 72 hours in any two-week payroll period shall be eligible for holiday compensation when the holiday falls within that period. All others, including temporary employees are not eligible for holiday compensation, regardless of the number of hours worked.

Any seasonal employee who is required by the District to work on a holiday shall be compensated at the rate of two times the normal rate of pay for the first eight (8) hours worked.

INSURANCE BENEFITS

WORKERS' COMPENSATION

The District, in accordance with state law, provides insurance coverage for employees in case of work-related injury. The workers' compensation benefits provided to injured employees may

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

MEETING DATE: *March 1, 2012*

AGENDA ITEM: *6B*

SUBJECT:

CONSIDER APPROVAL OF A FISHING EVENT FISHERIES ENHANCEMENT FEE POLICY

RECOMMENDATION:

The General Manager, Lake Manager and Operations Committee (Fashempour & Murphy) recommend approval of this policy.

DISCUSSION/FINDINGS:

Over the past several years there has been a variety of methods used to evaluate fishing event impacts on Lake fisheries. Some events purposely fund fish plants intended to enhance the population and variety in the Lake, while others rely on an earlier event to be sure there are large fish for their participants to catch. Also, due to recent revenue declines the District has not been able to financially support fish purchases to the level it has in the past. One thing that has helped to stretch the money the District has used to buy fish is the caged fish rearing program. The District purchases relatively smaller fish in the early fall, feeds them in a cage over the winter and by the time they are tagged or released prior to a fishing event there are hundreds of sub trophy to trophy sized fish that dramatically enhance the fisheries for everyone fishing in the Lake. In order to continue and possibly expand the Districts efforts of fisheries enhancement the Committee recommends that the District adopt a policy requiring every fishing event to pay a \$500 or \$15 per angler fee, whichever is larger, for this purpose. The fee would be collected in cash from the applicant or the applicant could coordinate their own fish purchase and plant under the supervision and with the approval of the Lake Manager. The uniform collection of this fee ensures that special fishing events will be contributors to enhancing the fishing experience for all visiting anglers and will assist the District in its Lake recreation mission.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager