

A G E N D A
BIG BEAR MUNICIPAL WATER DISTRICT

BOARD OF DIRECTORS
Adjourned Regular Meeting
August 23, 2012

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

Next Resolution Number: 2012-15

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 August 2, 2012
 - B. Warrant List Dated August 17, 2012 for \$89,519.91
 - C. Consider approval of a Special Event Permit for the Antique and Classic Boat Show to be held August 23rd – 26th
- 6. BUSINESS**
 - A. Candidate Interviews for BBMWD Division 2 appointment
- 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, September 6, 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.bbmwd.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, AUGUST 2, 2012***

CALL TO ORDER

President Eminger called the Open Session to order at 1:00 PM. Those in attendance included Director Murphy, 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 welcomed Jack Williams and Maryann Lewis. He reported that we have completed much of the taping needed to produce the video about the dam and our work associated with it. He explained that so far we have segments on tape about the diver's inspection of the dam, the surveyors checking for dam movement, our remote operation of the spillway gates and security cameras, Don Evenson on the in-lieu agreement, inspection of Station A, releases for Bear Creek fisheries, and our connection to the Sacramento/San Joaquin Delta. He added that next week we should complete the taping with an explanation of the 1988 seismic retrofit by Mike Rogers and Mike Stephenson. Mr. Heule reported that as far as the Dam 100 year anniversary celebration is concerned, we have secured Miss Liberty. He explained that the reserved ticket invitations will be mailed on Monday. He added that we have a price from one caterer and have spoken with several others. He reported that the grouting at the dam has done a good job of nearly eliminating seepage through the left abutment. He explained that Caltrans at this point in time anticipates that they will not be performing the second row of holes perpendicular to the end of the bridge.

Lake Manager, Mike Stephenson reported on the weed treatment so far for the year. He stated that the natives are doing well commenting that they did a good job with milfoil also. He added that they did a liquid injection experiment applying liquid herbicides in the water killing milfoil quicker and better than ever before. He explained that we will not know about re-growth until next year. Mr. Stephenson reported that carping is slowing down explaining that it is down to 1000 lbs a day instead of the 2000 lbs a day that was previously done. He commented that because of the carp removal the water quality is good. He reported that the fish for Kool Kids have arrived adding that he is counting on the Directors participation. He reported that Caltrans is working on some designs for the north and south sides of the dam and we should see them soon. Director Suhay commented that he and Director Smith (Lake Improvement Committee) got to visit the Boardwalk yesterday commenting that staff has done a good job with the sample repairs.

APPROVAL OF CONSENT CALENDAR

Upon a motion by Director Murphy, seconded by Director Suhay, with Director Smith abstaining from the vote on Minutes of July 19, 2012, the following consent items were unanimously approved:

- Minutes of a Regular Meeting of July 19, 2012
- Warrant List Dated July 30, 2012 for \$48,376.11
- Reimbursement for Director Suhay's Spring 2012 ACWA expenses

CONSIDER AWARD OF BEAR VALLEY DAM STEEL SUPPORT PAINTING PROJECT

Mr. Heule reported on the Bid Results for Dam Strut Painting Project. He stated the bid for the painting of the struts at the dam were opened on Tuesday July 24, 2012 and the results were as follows:

1.	Cor-Ray Painting	\$257,000
2.	Everlast Builders Inc.	\$270,000
3.	CT Georgiou Painting	\$340,000
4.	Techno Coatings	\$377,720
5.	Industrial Coating Restorations	\$377,730
6.	Painting Décor LTD	\$415,000
7.	Olympus Painting	\$424,000

He explained that the engineers' estimate of probable cost for this work was \$68,000 with a possible range of between \$50,000 and \$100,000. He added that Mike Rogers apologized on behalf of MWH for the significant disparity between their estimate and the bid results explaining that they have identified at least two reasons for their estimators missing the mark but they do not account for the entire amount. Mr. Heule explained that MWH estimators missed two sets of cross braces and they significantly underestimated the cost for the full containment of the work area to prevent debris falling into Bear Creek. He added that Mr. Rogers suggested that it now appears that the District could probably save some costs on the work if the project was re-bid with a performance specification that allows the bidder to determine how they want to perform the work, including the containment, rather than the way the engineer designed the work. Mr. Heule reported that the Committee also discussed the need for the painting work and concluded that because the steel struts provide some additional lateral strength to the buttresses they should remain and if they remain they still should be recoated to stop their deterioration from corrosion. He stated that the Committee recommends that the Board reject all bids due to the high cost and direct Staff to prepare revised bid documents that are performance based in anticipation of an award in the spring of 2013. Director Murphy asked what MWH charged to do this estimate and contract documents. Mr. Heule explained that it is included in their contract with the District. Director Suhay stated that we may ask contractors to come up with ideas and submit their bids that way. Director Smith asked if MWH was going to do any more investigation as to why the bids were so far off the engineers estimate. Mr. Heule reported that they were. Mr. Stephenson explained that the scaffolding costs alone were more than the total engineers estimate. Mr. Heule asked District Counsel Lemieux how we should handle this. Mr. Lemieux explained that we should write a letter and return the bid bonds.

Director Suhay moved that the Board reject all bids due to the high cost and direct Staff to prepare revised bid documents that are performance based in anticipation of an award in the spring of 2013. Director Smith seconded the motion and it was unanimously approved.

CONSIDER APPROVAL OF TUITION REIMBURSEMENT POLICY

Mr. Heule advised everyone to look at the corrected yellow version of the Tuition Reimbursement Policy Resolution that added an eligibility line stating "they are year-round employees working for the District at least one year" (see attached). He reported that the Administrative Committee recognizes the value of a well-educated staff and one that continues to learn job skills that can be put to use in current or potential future District jobs. He added that when employees are encouraged to pursue job related continuing education the pool of qualified future District job applicants deepens. He commented that in anticipation of a variety of District

positions becoming vacated due to retirement it is important that the District consider how it can best prepare. He reported that in order to encourage this job related continuing education a policy of tuition reimbursement has been drafted. He commented that the policy would be applicable to year round employees who have worked for the District at least one year. He added that eligible course work would be approved by the General Manager and would be limited to \$2000 per calendar year. He explained that reimbursement would require receipts for all eligible expenses and would not include travel time or expenses adding that the study would be conducted on the employees own time outside of regular business hours at an approved accredited institution. Director Murphy asked if it would make more sense to have a yearly limit on the total reimbursement for all students and not just a \$2000 per student limit. Director Smith said perhaps a yearly limit not to exceed \$6000 on a first come first serve basis. Mr. Heule stated that sometimes it is hard to know your total expenses before hand and this might discourage some employees from participating. Director Smith stated that we could approve this as is and then if necessary modify it next year.

Director Murphy moved approval of the tuition reimbursement policy. Director Suhay seconded the motion and it was unanimously approved.

Mr. Heule reported that the District is still going to adhere to the old version of the Brown Act. District Counsel Wayne Lemieux briefly explained that in June, California cities and counties were given the option of not posting meeting agendas and other reports to save money as the state will no longer reimburse the agencies for the costs. Mr. Lemieux advised that posting meetings is very important even though the State isn't mandating it. He explained that if we pull these we would have to change our Administrative Code adding that if what we are doing works, stay with it.

PUBLIC FORUM

No comments were made

ANNOUNCEMENTS

Mr. Heule announced that Kool Kids is coming up Tuesday and Wednesday August 14th & 15th. He reported that the current plan for the next Regular Board of Directors Meeting is to adjourn the meeting of August 16 to August 23rd. He added that we have posted announcements regarding Division 2 vacancy on KBHR and in the Grizzly.

DIRECTOR COMMENTS

President Eminger stated that he attended a meeting last week regarding the recent drowning of a Jet Ski rider without a life vest. He added that the group had 5 life vests in the car but the rider didn't have one on. Mr. Stephenson explained that lake patrol stops anyone they see riding a jet ski without a life vest and either cites or terminates them. He added "it is the law".

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:31 P.M.

NEXT MEETING

Open Session at 1:00 P.M.
Thursday, August 16, 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)

RESOLUTION NO. _____

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
BIG BEAR MUNICIPAL WATER DISTRICT
AMENDING THE ADMINISTRATIVE CODE
(RESOLUTION NO. 2006-13)
BY ADDING PROVISIONS CONCERNING
TUITION REIMBURSEMENT POLICY**

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

1. Purpose.

This resolution amends the Administrative Code to add provisions for a tuition reimbursement policy for employees.

2. Amendment.

Section 4.304 is hereby added to Resolution No. 2006-13 to read as follows:

"Section 4.304 Education Reimbursement.

It is the policy of the District to promote continuing education of employees. Employees may be reimbursed for authorized education and training at an accredited educational institution within the constraints listed herein and within budget constraints. For the purpose of this policy, an accredited educational institution shall be defined as any technical, vocational, college, university, business or high school which has been accredited by a recognized governmental or professional accrediting body and has been approved by the General Manager:

(a) Eligibility: Employees of the District shall be eligible to receive reimbursement for General Manager approved courses at an accredited institution provided:

- (1) They are year-round employees working for the District at least one year.
- (2) Courses are satisfactorily completed. (Grade of "C" or better.)
- (3) Appropriate proof of successful completion is submitted to the Human

Resources department.

(4) The course of instruction will enable the employee to perform their present duties more effectively, or will prepare them for future opportunities into which they could reasonably expect promotion or transfer within the District.

(5) The hours of instruction for the course do not conflict with the employee's regular work schedule.

(b) Reimbursement:

(1) Employees shall be eligible for reimbursement up to \$2,000.00 per calendar year of tuition, textbooks, registration fees, parking fees and laboratory fees related to an approved course of instruction.

(2) Employees shall not be eligible for reimbursement of late registration penalties or fees, transportation costs, interest or any other charge not specified as reimbursable above.

(3) Employees who successfully complete an approved course shall submit a

request for reimbursement to the Human Resources department. Such request must include receipts for all items for which the employee wishes to be reimbursed and a copy of the final grade report with a grade of "C" or better. The Human Resources department must prepare a report with supporting documentation for submittal to the General Manager for approval of payment."

3. Other.

Except as provided herein, Resolution 2006-13 is hereby reaffirmed and reenacted.

PASSED, APPROVED AND ADOPTED on _____, 2012.

John Eminger, President

ATTEST:

Vicki Sheppard, Secretary to the Board

[SEAL]

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, 07/30/12 to 08/17/12
 Account 10010-00-001, Sessions 000000 to 002735**

Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
Checking Account:		10010-00-001					
150630	LINCON / Lincoln Financial Group	08/02/12	2	08022012	002712	DEFERDCOMP	1345.00
LINCON Subtotal :							1345.00
150631	ALPINE / Alpine Fishery	08/07/12	2	31449	002726	FISHMGMT	3232.50
ALPINE Subtotal :							3232.50
150632	COLTON / COLTON TRUCK TERMINAL GARAGE INC	08/07/12	2	PO15693	002726	ONROADMAIN	4733.12
COLTON Subtotal :							4733.12
150633	MWH / MWH AMERICAS, INC.	08/09/12	2	1470155	002729		3475.43
MWH Subtotal :							3475.43
150634	ACWAHB / ACWA/JPIA	08/10/12	2	09012012	002731	HEALTHINS	22980.57
ACWAHB Subtotal :							22980.57
150635	AFLAC / AFLAC	08/10/12	2	630442	002731	PREMIUM	284.18
AFLAC Subtotal :							284.18
150636	ALLPRO / All Protection Alarm Co.	08/10/12	2	309305	002731	FACILMAINT	95.00
ALLPRO Subtotal :							95.00
150637	BAUMGA / Richard A. Baumgartner, M.D.	08/10/12	2	110780	002731	VACCINATIO	240.00
BAUMGA Subtotal :							240.00
150638	BBDSPL / Big Bear Disposal	08/10/12	2	281587	002731	UTIL-MAIN	348.36
BBDSPL Subtotal :							348.36
150639	BMARIN / Big Bear Marina	08/10/12	2	10311174	002731	PETRO-BOAT	1491.66
BMARIN Subtotal :							1491.66
150640		08/10/12	2	10311175	002731	PETRO-BOAT	1500.98
BMARIN Subtotal :							1500.98
150641		08/10/12	2	10311173	002731	PETRO-BOAT	2728.86
BMARIN Subtotal :							2728.86
150642	BUTCHR / Butcher's Block & Building Materi	08/10/12	2	141419	002731	SHOP MAINT	6.55
150642		08/10/12	2	143571	002731	SHOPMAINT	5.76
150642		08/10/12	2	143879	002731	PATROL	21.51
150642		08/10/12	2	144311	002731	KOOL	24.23
150642		08/10/12	2	144349	002731	KOOL	7.78
150642		08/10/12	2	144911	002731	SSMAINT	4.01
BUTCHR Subtotal :							69.84

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Check	Payment / Vendor Information	Ck Date	Prity	Invoice	Session	Reference	Amount
150643	BVELEC / Bear Valley Electric	08/10/12	2	07252012	002731	UTIL-RAMP	277.37
150643		08/10/12	2	07272012	002731	UTIL-DAM	59.08
150643		08/10/12	2	08012012A	002731	UTIL-MAIN	12.12
150643		08/10/12	2	08012012B	002731	UTIL-AERAT	1414.02
150643		08/10/12	2	08012012C	002731	UTIL-DAM	147.03
150643		08/10/12	2	08012012D	002731	UTIL-RAMP	224.19
150643		08/10/12	2	08012012E	002731	UTIL-DAM	12.12
						BVELEC Subtotal :	2145.93
150644	CALMS / CALMS	08/10/12	2	OCT2012	002731	TRAINING	250.00
						CALMS Subtotal :	250.00
150645	CASH / Victoria Moore /Petty Cash	08/10/12	2	08102012	002731	PETTYCASH	95.76
						CASH Subtotal :	95.76
150646	CAUGHE / PAM CAUGHEY	08/10/12	2	12635	002731	RVREFUND	30.00
						CAUGHE Subtotal :	30.00
150647	CCONNE / CONNELLY PUMPING SERVICES	08/10/12	2	12450	002731	SSPUMP	180.00
150647		08/10/12	2	12456	002731	RENTAL	510.02
150647		08/10/12	2	12469	002731	PUMPING	440.00
150647		08/10/12	2	12471	002731	RENTAL	640.00
150647		08/10/12	2	12476	002731	RENTAL	640.00
150647		08/10/12	2	12541	002731	SSPUMP	180.00
						CCONNE Subtotal :	2590.02
150648	COLA / Los Angeles Coca Cola BTL CO	08/10/12	2	2215092103	002731	MACHINE	171.23
						COLA Subtotal :	171.23
150649	COLONI / COLONIAL LIFE	08/10/12	2	0705709	002731	PREMIUMS	281.06
						COLONI Subtotal :	281.06
150650	COMPVI / COMPUTER VILLAGE	08/10/12	2	125478	002731	EQUIPMAINT	107.75
						COMPVI Subtotal :	107.75
150651	COMSER / ComSerCo	08/10/12	2	61569	002731	RADSVCCONT	260.00
						COMSER Subtotal :	260.00
150652	DIRCTV / DIRECTV	08/10/12	2	1829599507	002731	UTIL-RV	163.37
						DIRCTV Subtotal :	163.37
150653	DIY / DIY HOME CENTER	08/10/12	2	2948	002731	SHOPMAINT	35.85
150653		08/10/12	2	3035	002731	RAMPSUPPL	7.74
150653		08/10/12	2	3036	002731	TROUTHOUSE	63.15

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Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
						DIY Subtotal :	106.74
150654	DWP / Department of Water and Power	08/10/12	2	07302012	002731	UTIL-RV	224.13
150654		08/10/12	2	07302012B	002731	UTIL-MAIN	14.60
150654		08/10/12	2	07302012C	002731	UTIL-MARSH	255.21
150654		08/10/12	2	07302012D	002731	UTIL-RAMPS	355.58
150654		08/10/12	2	07302012E	002731	UTIL-RAMPS	19.47
150654		08/10/12	2	07302012F	002731	UTIL-TROUT	80.22
						DWP Subtotal :	949.21
150655	FRESHW / Freshwater Fish Company	08/10/12	2	10589	002731	FISHPURCH	10000.00
						FRESHW Subtotal :	10000.00
150656	HATTJE / JOSEPH HATTJE	08/10/12	2	12819	002731	BOATPERMIT	90.00
						HATTJE Subtotal :	90.00
150657	HAUPT / Ralph W. Haupt	08/10/12	2	2285	002731	PETRO-AUTO	256.32
						HAUPT Subtotal :	256.32
150658	HICKSH / Hicks & Hartwick	08/10/12	2	5812	002731	REDISTRIC	2713.50
						HICKSH Subtotal :	2713.50
150659	IDEARC / SUPERMEDIA LLC	08/10/12	2	08012012	002731	PHONE-MAIN	66.50
						IDEARC Subtotal :	66.50
150660	LEMIEU / LEMIEUX & O'NEILL	08/10/12	2	20999M-156	002731	LEGAL RET	3500.00
						LEMIEU Subtotal :	3500.00
150661	MCOYBR / Mountain Water Company	08/10/12	2	21252	002731	UTIL-RAMPS	67.15
150661		08/10/12	2	21316	002731	UTIL-RAMPS	131.00
150661		08/10/12	2	21362	002731	UTIL-RAMPS	131.00
						MCOYBR Subtotal :	329.15
150662	MELTON / Melton Sign Service	08/10/12	2	4249	002731	PUBINFOPRI	280.00
						MELTON Subtotal :	280.00
150663	MERITO / Merit Oil Company	08/10/12	2	179121	002731	QUAGGAKERO	306.57
						MERITO Subtotal :	306.57
150664	MIDAME / MidAmerica Administrative Solutio	08/10/12	2	08022012	002731	APPLEPLAN	975.65
						MIDAME Subtotal :	975.65
150665	MWH / MWH AMERICAS, INC.	08/10/12	2	1475924	002731		3806.55
						MWH Subtotal :	3806.55
150666		08/10/12	2	1476041	002731		8740.96

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						MWH Subtotal :	8740.96
150667	NAPA / MCCONNELL MOTOR PARTS INC.	08/10/12	2	090600	002731	PATROL	36.07
150667		08/10/12	2	093312	002731	PATROL	78.80
150667		08/10/12	2	093433	002731	PATROL	195.63
150667		08/10/12	2	093494	002731	PATROL	49.66
150667		08/10/12	2	094248	002731	PATROL	270.75
150667		08/10/12	2	095140	002731	PATROL	9.79
150667		08/10/12	2	095152	002731	ONROAD	69.70
150667		08/10/12	2	095323	002731	PATRO;	81.87
						NAPA Subtotal :	792.27
150668	QUILL / Quill Corporation	08/10/12	2	4537675	002731	OFFICSUPPL	74.15
150668		08/10/12	2	4734620	002731	OFFICSUPPL	403.05
						QUILL Subtotal :	477.20
150669	SQUEEG / Squeegee Clean Window Service	08/10/12	2	07262012	002731	FACILMAINT	50.00
						SQUEEG Subtotal :	50.00
150670	TIFCO / Tifco Industries	08/10/12	2	70786247	002731	SHOPMAINT	242.57
						TIFCO Subtotal :	242.57
150671	TURNEY / ERIC TURNEY	08/10/12	2	08062012	002731	PHONE-CELL	50.00
						TURNEY Subtotal :	50.00
150672	UPS / UPS	08/10/12	2	F33Y11302	002731	SHIPPING	9.30
						UPS Subtotal :	9.30
150673	VERIZO / Verizon California	08/10/12	2	07252012	002731	PHONE-WS	40.78
150673		08/10/12	2	07282012	002731	PHONE-DAM	42.09
						VERIZO Subtotal :	82.87
150674	VOLVOP / Volvo Penta of the Americas, Inc.	08/10/12	2	173293	002731	PATROL	294.38
150674		08/10/12	2	178868	002731	PATROL	353.80
150674		08/10/12	2	181568	002731	PATROL	146.73
150674		08/10/12	2	184963	002731	PATROL	133.03
						VOLVOP Subtotal :	927.94
150675	XEROX / Xerox Corporation	08/10/12	2	063114804	002731	COPIERLEAS	584.24
						XEROX Subtotal :	584.24
150676	MASTER / FIRST BANKCARD CENTER	08/10/12	M	0731124484	002733	MASTER320	4185.00
						MASTER Subtotal :	4185.00

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<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>
150677		08/10/12	M	0731123378	002733	MASTER102	1376.75
MASTER Subtotal :							1376.75
Total For Check Account: 10010-00-001							89519.91
Check Register Total :							89519.91

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

MEETING DATE: August 23, 2012

AGENDA ITEM: 5C

SUBJECT:

CONSIDER APPROVAL OF A SPECIAL EVENT PERMIT FOR THE ANTIQUE AND CLASSIC BOAT SHOW TO BE HELD AUGUST 23rd THROUGH AUGUST 26th

RECOMMENDATION:

The Lake Manager and the Operations Committee (Director Murphy and alternate Suhay) recommend approval of this permit.

DISCUSSION/FINDINGS:

This popular event has been held for many years on Big Bear Lake and is scheduled for the weekend of August 23 through the 26, 2012 and will be held at Pine Knot Marina docks. They anticipate 25 to 30 participants and potentially 500 spectators. All normal permit requirements shall apply including taking costs for Lake Patrol services, if necessary, out of the \$500 deposit. The Committee recommends approval of the 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:

8/1/12
Date


Permittee

Date

General Manager

EXHIBIT A

DESCRIPTION OF EVENT

1. Name of Event: ANTIQUE & CLASSIC BOAT SHOW, 29th ANNUAL
2. Location: PINE KNOT LANDING MARINA
3. Date(s): AUGUST 23, 26th
4. Describe Event: FREE SHOWING OF ANTIQUE BOATS - OVEN-THE-BOTTOM
POLICE RUN
5. Estimated Number of Participants: 30 BOATS
6. Estimated Number of Spectators: 500
7. Method of Limiting Attendance: GATE AT PINE KNOT LANDING
8. Method of Trash Collection and Disposal: BIG BEAR DISPOSAL
9. Proposed First-Aid Services:
10. Proposed Security Services: N/A
11. Proposed Fire Protection Services: EXISTING
12. Proposed Sanitation Facilities: BIG BEAR DISPOSAL - PORTABLE TOILETS
13. Parking Arrangements: PINE KNOT, SUN GAS (SM), "OLD" IHOP, CITY LOT
14. Name, Address and Telephone Number of Person Available Before and During Event with Authority to Control Event: CHARLES BREWSTER PO BOX 358 BIG BEAR LAKE CAL
92315 - ROBINHOOD RESORT 909-844-5337
15. Perimeter control, if applicable: EXISTING PINE KNOT FENCING

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.



INSURANCE IS ON ITS WAY

EXHIBIT C
SPECIAL CONDITIONS

2012 ANTIQUE & CLASSIC BOAT SHOW

1. Permittee is responsible for the sale of the reduced fee Special Event Permits, and must contact the District five (5) days prior to the event date to pick up these permits and coordinate the sale.
2. The organizers shall submit the \$100 non-refundable application fee and the \$500 refundable deposit.

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

MEETING DATE: August 23, 2012

AGENDA ITEM: 6A

SUBJECT:

CONSIDER CANDIDATE INTERVIEWS FOR BBMWD DIVISION 2 APPOINTMENT

RECOMMENDATION:

The General Manager and the Administrative Committee (Director Eminger & Smith) recommend consideration of three candidates.

DISCUSSION/FINDINGS:

Six candidates submitted letters of interest to fill the unexpired Division 2 Board position term of Paula Fashempour. They were Michael Beveridge, Larry Cooke, Maryann Lewis, Douglas MacIver, Les Milton and Leo McCarthy. Each of the four Directors prioritized the 6 candidates based on their letters of interest and the results were returned to the Administrative Committee for processing.

Based on the prioritized lists from the four Directors the top three candidates unanimously selected included Michael Beverage, Maryann Lewis and Les Milton. Each of these three candidates will be interviewed during the Board meeting.

Each candidate will have a 15 minute time slot for the interview process. After all interviews are complete each Director will return a prioritized listing of their first, second and third choice to the General Manager. The results will be considered by the Administrative Committee, which will then determine the highest ranked candidate. This candidate will then be considered for appointment at the Board meeting on September 6, 2012.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager