

***MINUTES OF A REGULAR MEETING OF  
BIG BEAR MUNICIPAL WATER DISTRICT  
HELD ON THURSDAY, MAY 15, 2014***

**CALL TO ORDER**

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

Vice President Lewis asked for a moment of silence to honor Director Skip Suhay who passed away on May 5th.

**DISCUSSION AND ACTION ON CLOSED SESSION ITEMS**

Vice President Lewis reported on the closed session meeting held on May 1st explaining that after completing their evaluation the Board of Directors judged Mr. Heule's performance to be satisfactory.

**REPORTS**

General Manager, Scott Heule thanked Lake Manager Mike Stephenson and his staff for taking care of logistics at Director Skip Suhay's celebration of life event last Saturday afternoon. He explained that Eric Turney, Paul Fetterhoff, Trevor Harper, and Shawn Atwell did a wonderful job of setting up tables, chairs, easy-ups, and controlling parking for the event. He added that Lake Patrol also did an excellent salute circling in patrol boats with lights flashing as he spoke from the podium on behalf of the District. Mr. Heule reported that we have signed the escrow instructions for the sale of the small parcel of land in Fawnskin that will fill out the southwest corner of a residential lot. He added that when that effort has been completed the President will need to sign the deed and Budget and Finance can decide where the \$35,000 revenue from the sale will be posted. Mr. Heule reported that the ACWA Conference that he and Director Eminger attended last week was informative as always. He added that it was incredible to hear stories about water agencies having to extend emergency pipeline connections to their neighbors in order for them to keep delivering water to their customers. He commented that the drought was the primary topic at the conference. He explained that the consensus of ACWA leadership is that for a water bond to be effective in helping to solve the State's water problem it must include storage and transmission and ground water recharge. He reported that they talked about surface reservoirs being forebays, capturing water so it can be diverted via transmission lines to recharge basins in the valley. He explained that this concept has traditionally been called conjunctive use where both surface water and ground water are managed to maximize their beneficial use. He added that at the breakfast on Friday morning the speaker from Field Research Opinion Surveying said that for a bond to pass in November it would need to be less than \$10 billion dollars and that the current drought is motivating voters to positively view a water bond. Mr.

Heule reported that one of the speakers at the conference described efforts and plans that have been 40 years in the making adding that he indicated that the reason they were finally accomplished was because of regional partnerships. He added that the projects are just too large and complex for single agencies to build like they have in the past. He also said that typically there is no one individual silver bullet (he used the term silver buckshot), implying that multiple projects must be worked on knowing that not all of them will actually come to fruition. He added that a tiered rate structure to encourage water conservation needed to consider satisfying fixed costs separately from the cost of delivering water. He explained that selling less water because of conservation can be financially critical. Mr. Heule reported that he promised that he would keep everyone informed as we move forward on the Trout Pond Sale. He explained that we have a bit of a rough patch because the City and the IERCD are requiring an indemnification clause in the contract. He stated that Wayne Lemieux is working on this issue on our behalf and is aware of the concerns of all parties.

Lake Operations Supervisor Dave Henderson reported that John Tuttle created a new brace for the pontoon boat crane that locks making it much safer. John received a certificate from JPIA and a check for \$150.

Lake Manager, Mike Stephenson reported that the May Trout Classic is this coming weekend. He explained that they have about 340 anglers registered so far with 60 - 100 more expected. He reported on the STEM "real science" project explaining that the students will be making a limnological profile on the lake on May 21st and then they will be making a presentation to the Board at the June 5th meeting. He reported that yesterday was the beginning of the season breakfast and training session adding that the West Ramp is now open and everyone is on board. He reported that 12 more hazard balls are in place and the floating restrooms are out.

District Counsel Wayne Lemieux reported that he is going to miss Director Suhay very much.

Director Eminger commented that the ACWA Conference was very informative.

#### **APPROVAL OF CONSENT CALENDAR**

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

- Minutes of a Regular Meeting of May 1, 2014
- Warrant List dated May 12, 2014 for \$70,742.94
- Approval of a Resolution of the Board of Directors of Big Bear Municipal Water District requesting the Board of Supervisors of the County of San Bernardino to permit the Registrar-Recorder/County Clerk to render election services for the General District election to be held on November 4, 2014
- Approval of the Proposed CSDA By Laws amendments and authorize the General Manager to cast the vote for the District

**CONSIDER APPROVAL OF SLIVER FILL EASEMENT TO DEBBIE & ANDY BREECH AT 40182 LAKEVIEW DRIVE BIG BEAR LAKE**

Mr. Heule reported that the Administrative Committee recommends the District approve the sale of a sliver fill easement to Breech subject to the price, which is approximately \$6.86 per square foot, and provisions defined in Resolution 2013-10. He explained that the Committee recommends a further condition of the sale to include double wide gates and allow the District vehicular access across the easement in order to access and maintain sliver fill properties north of the proposed Breech sliver fill easement. He added that completion of this easement sale will remain subject to the preparation of and recordation of a legal description and plat map of the property and the sale price will be computed at the time all documents are ready to be signed.

Director Eminger moved approval of sale of a sliver fill easement to Debbie & Andy Breech at 40182 Lakeview Drive Big Bear Lake. Director Smith seconded the motion and it was unanimously approved.

**CONSIDER APPROVAL OF ENGINEERING SERVICES CONTRACT WITH MOFFETT & NICHOL FOR THE BIG BEAR LAKE MARINA PENINSULA RE-CONTOURING PROJECT**

Mr. Heule reported that in order to finalize the Big Bear Lake Marina and Peninsula Re-contouring project and in anticipation of completing California Environmental Quality Act studies and documents the District requested that the design engineer Moffett & Nichol submit a proposal for the following scope of work:

- Prepare pre-final and final layout for Marina Re-contouring – Revise the 100% submittal plans by addressing any comments received from Big Bear MWD and comments addressing the CEQA requirements.
- Calculate quantities and areas – Re-calculate the dredge and fill quantities based on the updated survey for the project site and revise the dredge limits and jetty extension as necessary.
- Estimate costs for project construction – Prepare Engineers cost estimate during the pre-final and update during the final submittal.
- Prepare specifications – Prepare specifications for the pre-final and update during the final submittals.
- Coordinate with the District and CEQA Environmental Consultant – Attend up to a total of two technical meetings the District personnel and environmental/permitting consultant.
- Support during the Contractor Bid process – Assist the District during the Contractors bid process. This work may include attendance at a pre-bid meeting, responding to RFI's from bidders, and assisting in reviewing the bid results.

He explained that the fee for the proposed work is a lump-sum fixed price of \$88,419.

Mr. Larry Cooke, valley resident, stated that he believes we are putting the cart before the horse on this project. He explained that we should have consulted with ACOE, City of Big Bear Lake, County of San Bernardino, and other agencies before we contracted for these engineering

services. He added that we have not looked at other practical alternatives explaining that he believes the jetty is a poor design and in the bad location. He listed his many concerns in detail. Vice President Lewis advised that his comment time is up explaining that we have sent his previous written comments to Moffett & Nichol. Mr. Heule stated that the CEQA process addresses most of Mr. Cooke's comments explaining that the project has no need for utilities on the jetty. He added that Moffett & Nichol and the environmental consultant are working together and the engineer has addressed most of his comments. Director Smith explained that all we are doing at this time is getting things lined up. He added that the project may never be done.

Director Smith moved approval of engineering services contract with Moffett & Nichol for the Big Bear Marina Peninsula Re-Contouring Project. Director Eminger seconded the motion and it was unanimously approved.

### **CONSIDER APPROVAL OF AWARD OF PROGRAM EIR FOR BIG BEAR MARINA DREDGE PROJECT**

Mr. Heule reported that proposals to prepare Program CEQA Documents to provide for permitting of the Big Bear Lake Marina and peninsula re-contouring projects were received from three firms, MWH, Ultra Systems, and Lilburn Corporation. He explained that the request for proposals described the proposed project as follows:

*"The intent of this request is to secure a suitable environmental document to conduct the Big Bear Marina Deepening project in the short term and have a formal reference document that can be used by the District and private parties in order to streamline the CEQA and permitting process in the future. The proposed Big Bear Marina project has three basic objectives. One is to improve public safety by creating a navigable waterway during low lake level conditions for Lake Patrol vessels close to the District emergency dispatch offices. The second objective is to improve navigation for the public who use the District owned but lessee operated Big Bear Marina launch ramp and fueling station. Finally, the project will facilitate a more consistent location for marina dock systems keeping more lake surface available for public use. The District envisions this document to provide the basis for helping to secure resource agency permits for future District projects around the Lake intended to maintain and improve navigation around the Lake and private sediment removal to aid egress and ingress to private boat docks. Additionally, the District would like this document to form the basis for securing MOU's from the Santa Ana Regional Water Quality Control Board and Army Corps of Engineers allowing the District to perform maintenance dredge projects from time to time. The District already has an MOU with California Fish and Wildlife permitting Lake bottom dredging of up to five acres in area and 10,000 cubic yards on an annual basis."*

He reported that after review of the three proposals Staff concluded that two of the submittals best addressed the District's needs and experience working with the Lake environment. He explained that Ultra Systems proposed cost for conducting the work was also substantially more expensive, \$239,855, than Lilburn at \$136,355 or MWH at \$137,603. He reported that Lilburn and MWH have a long history of successful projects both for the District and in Big Bear adding

that Lilburn and MWH have projected an approximately similar time line for completion as well. He stated that after reviewing the proposals from Lilburn and MWH the Committee recommends that the Board award the CEQA contract to Lilburn Corporation. He added that Funding for this work would be provided during FY 2013-14 from undesignated Lake Improvement funds and designated budgeted funds during FY 2014-15.

Mr. Larry Cooke addressed the Board reporting that he has looked at the cost schedules explaining that they don't make any sense. He stated that the two companies are doing opposite things. He added that he believes the District needs to consult with ACOE regarding a 404 permit. Mr. Heule reported that we realize that. Director Smith explained that we want to emphasize that this is just preliminary and can be used for many other projects. Mr. Steve Fengler, Big Bear Marina, commented that he hopes we have looked at alternate plans explaining that he is concerned that if we get an ice flow it could flood into his store. He added that the logistics of the project and the time frame of when it will take place and the operation of his marina is his main concern. Vice President Lewis reported that we are just getting ready so when we can do the project we will be set to go. Mr. Stephenson explained that we can't do the cart before the horse because the two companies will work closely together.

Director Smith moved approval of award of program EIR for Big Bear Marina Dredge Project to Lilburn Corporation for \$136,355. Director Eminger seconded the motion and it was unanimously approved.

## **PUBLIC FORUM**

Susan Hart, valley resident, spoke regarding the Trout Pond. She explained that she believes the Trout Pond is a historic land mark enjoyed by many residents and visitors. She stated that she was hopeful of the different possibilities for its improvement when the District took it over. She added that she was disappointed to see "closed to the public" signs go up barring the public from these public lands. She reported that she was glad when MWD cleaned up the property but then we seemed to wash our hands of it and it was again allowed to gather trash and homeless people were camped out on it. She listed three areas where she feels MWD failed the management of the Trout Pond:

- Failed by miss-management of public funds
- Failed the citizens wishes for the operation of the trout pond property
- Failed good stewardship of the property

Vice President Lewis thanked Mrs. Hart for her comments.

## **ANNOUNCEMENTS**

Mr. Heule stated that review of the FY 2014-15 Budget was not on the agenda today, however it will be on the next agenda at the meeting scheduled for June 5th. He explained that the intent then is to have a final version for your consideration at the meeting on June 19<sup>th</sup>. He reported that he is leaving right after the meeting to fly up to Sacramento to attend a stakeholders meeting at the State Water Resources Control Board to discuss a proposed statewide Mercury TMDL. He added that he will also be sharing our experience with the aeration system at the dam explaining

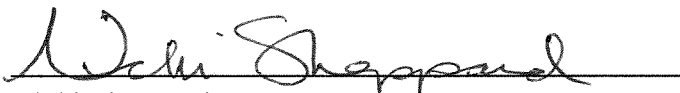
that aeration is one method of reducing available Mercury in reservoirs. He reported that next Wednesday P.M. Don Evenson and he will be meeting with San Bernardino Valley MWD to hopefully finalize the fisheries release amendment to the in-lieu agreement. He reported that on Wednesday May 28<sup>th</sup> BBARWA is celebrating their 40<sup>th</sup> anniversary with tours of the plant and open house. He stated that they will have a social hour from 4:00 PM to 5:00 PM adding that he put a copy of the information flyer in Director's boxes. Mr. Heule reported that the next workshop on June 18<sup>th</sup> will include Watershed Committee issues and also discussing the planned Statewide Mercury TMDL.

#### ADJOURNMENT

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

#### NEXT MEETING

Open Session at 1:00 P.M.  
Thursday, June 5, 2014  
Big Bear Municipal Water District  
40524 Lakeview Drive, Big Bear Lake, CA



Vicki Sheppard  
Secretary to the Board  
Big Bear Municipal Water District

(SEAL)