

***MINUTES OF A REGULAR MEETING OF
BIG BEAR MUNICIPAL WATER DISTRICT
HELD ON THURSDAY, SEPTEMBER 3, 2009***

CALL TO ORDER

President Murphy called the Open Session to order at 1:00 PM. Those in attendance included Director Eminger, Director Suhay, Director Smith, Director Fashempour, General Manager Scott Heule, Lake Manager Mike Stephenson, and Board Secretary Vicki Sheppard.

REPORTS

Mr. Heule commented that Carrie Shirreffs reported that the final reimbursement payment on the Proposition 13 Grant for TMDL work was received explaining that the amount is \$286,782.85. He stated that he met with Caltrans District 8 representatives yesterday and a reimbursement agreement or possibly a construction change order for the replacement "cat walk" on the dam is actively being discussed. He explained that he emphasized the importance of moving forward with a resolution on this due to the District's obligations to come to agreements with USFS, finalize a design, and satisfy CEQA. He added that everyone there promised that Caltrans would perform. Mr. Heule reported that planning for parking during October TroutfesT has begun adding that letters have been sent to the owners of the two vacant lots that we used last year. Mr. Heule went over two thank you letters that the District received praising employees Dee Ivey and Eric Gonzales for their help and professionalism. He also read several letters from elementary school teachers and students thanking the District for the Kool Kids program stating that they all had lots of fun and learned a lot.

Lake Manager, Mike Stephenson reported on the Kool Kids program stating 250 children and numerous teachers and parents attended the two day event. He commented that it went very smoothly and again thanked the Board for their help. He reported on the recent algae bloom explaining that staff assessed the bloom and they are treating some of the algae strains. He reported that dissolved oxygen is good and that the aerator is still being run part time. Mr. Stephenson reported that staff is not treating weeds at this time but is doing some limited harvesting in problem areas. He reported that TroutfesT has 200 spots left. He commented that the fish for the event have been ordered and that staff has requested help from the City of Big Bear Lake with parking.

Director Eminger commented that the new East Ramp office is very nice suggesting that anyone who hasn't seen it should go visit.

APPROVAL OF CONSENT CALENDAR

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

- Minutes of a regular Meeting of August 20, 2009
- Warrant List Dated 8/25/09 for \$88,397.67
- Approval to cast a vote for ACWA Region 9 recommended slate of officers/board members for the 2010-2011 term and approval to cast a vote for Jack Curtis for CSDA Region 5 seat A

WORKSHOP PLANNING

Mr. Heule reported that the Administrative Committee has spent considerable time deliberating issues associated with the rental of kayaks and canoes from businesses unaffiliated with commercial marinas. He commented that because of the numerous complicating and competing interests on the lake the Committee determined that it would be better to address the issue at a workshop where input could be solicited from marina owners and community business owners. He stated that due to the complexity of issues involved the Committee wanted to have a discussion prior to the workshop to define an agenda and identify a desired workshop outcome. Mr. Heule explained that at the workshop staff will be making a presentation outlining the following considerations: use of kayaks and canoes by organizational camps, vessel permitting requirements for vendors that have a working relationship with a commercial marina, vessel permitting requirements and business license requirements for businesses renting vessels without any association with a commercial marina, insurance and carriage requirements and jurisdictional issues. Mr. Heule made a PowerPoint presentation (see attached) highlighting the following:

- Objective of today's meeting
- Boat permit application
- Off lake kayak rentals
- Discounts for kayak rentals
- Big Bear Lake Mountain Resort "Adventure" Hostel
- Big Bear Paddling Website
- Non-profit limited use marina permit
- Topics
- Invitees
- Possible workshop date and time

President Murphy stated that Lagonita Lodge needs to be added to the invitees list. Director Suhay stated that he feels Camp Oaks and Camp Whittle need to be added also. Mr. Heule stated that he will amend the list. Mr. Heule stated that he would like to schedule the workshop after a regular Board meeting, possibly November 5th. Director Smith stated that he would prefer October 15th because he feels a second workshop may be needed. Director Suhay stated the sooner the better. Mr. Heule suggested that the workshop be 2:00 pm on October 15th. All Directors agreed.

PUBLIC FORUM

Larry Cooke, Big Bear Dock Systems, stated that some areas of concern were missed in the presentation: (1) there are 2 ski and wakeboard businesses operating outside of the marinas control (he will get the names and report later), (2) previous litigation on the subject of competition with commercial marinas, (3) off the lake marine service agreements. Mr. Heule stated that vessel permits is the issue at this time. Mr. Cooke suggested that the Board tackle other issues at the workshop such as insurance and Boating and Waterways training for commercial operators on the lake. Jory Pearson, Big Bear Paddling, stated that he wants to supply a kayak service to Big Bear with quality equipment. He added that poor equipment is a big concern and much of the rental equipment available at marinas is in terrible shape. He stated that he purchased permits for all of his kayaks adding that he is opting for a non-marina permit process for other than commercial marina businesses. He commented that there are a lot of off the mountain rental companies that rent kayaks and canoes that boaters bring to Big Bear stating that local companies are the ones that suffer from restrictions on non-marina rentals. Director Eminger stated that discussion of these issues is why the District is going to have the workshop.

Director Smith asked Mr. Pearson how he interprets item 2 on the boat permit (the boat shall not be used for commercial purposes. It shall only be operated for the personal and private use of the owners, owner's family, and for reasonable accommodations of guests). Mr. Pearson stated that he feels that the commercial permit is not specific enough and that the District should allow a limited use permit for other businesses. He stated that the commercial marinas have "The Good Ol Boy" mentality and it is time for a change. Mr. Heule stated that the purpose of today's meeting is to identify subjects for the workshop and specifics can be discussed in detail at the workshop. Jim Dooley, North Shore Trading Company, stated that he feels that Mr. Pearson is correct. He added that Mr. Pearson started a business that enhances the community with non-motorized boats and they both want to become more involved in instruction and paddling. He stated that the commercial marinas have benefitted from the kayak and canoe rentals as it brings more people to the Big Bear Valley. He stated that he has nothing against the marinas but he doesn't want to just sell boats but wants to be involved in boat activities and instruction. He added that he feels that the commercial marinas are a monopoly. He stated that kayakers are more concerned with the environment than power boaters or fishermen who leave the shore littered with debris. Mr. Scott Cordner, paddling instructor, explained that he feels that instruction should be addressed at the workshop adding that he believes the marinas have faulty, broken, and unsafe equipment. Mr. Cooke stated that he feels that small sailboats and rowing skulls should also be added to the list of topics to be discussed.

ANNOUNCEMENTS

Mr. Heule announced that he will be joining a webinar on California Communities Prop 1A Securitization Program September 10. He reported that he will be attending the California Special Districts Association conference the end of September and will learn more about the Securitization program at that time. He stated that any Directors interested in attending the ACWA conference on December 2, 3, 4th should let him or Vicki Sheppard know as soon as possible so arrange.

DIRECTOR COMMENTS

Director Fashempour stated that she would have liked to have been around when the ski rental shops first competed with Snow Summit on equipment rentals. Director Eminger stated that we want to increase and improve boating on the lake and that is why we are having the workshop; to try and iron out some of the issues discussed today.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:53 P.M.

NEXT MEETING

Open Session at 1:00 P.M.
Thursday, September 17, 2009
Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA



Vicki Sheppard
Secretary to the Board
Big Bear Municipal Water District

SEAL

Kayak and Canoe Rental Workshop Planning

September 3, 2009

BIG BEAR MUNICIPAL WATER DISTRICT

Objective of Today's Meeting

- ◆ Review of District rules
- ◆ Identify non-marina businesses renting vessels
- ◆ Review the myriad issues related to potential commercial use of District lake boat permits
- ◆ Identify parties to specifically invite to workshop
- ◆ Set date for workshop on kayak and canoe rentals

Boat Permit Application

- ◆ **Conditions for Issuance of Boat Permit**

- ◆ *2. The boat shall not be used for commercial purposes. It shall only be operated for the personal and private use of the owners, owner's family, and for reasonable accommodations of guests.*

- ◆ **Ordinance 38, Section 2-2.105**

- ◆ *The General Manager may suspend or revoke a permit whenever the permittee, owner, or operator violates the terms and conditions of the permit,*

Off Lake Kayak Rentals

- ◆ Johnny's Ski & Board
- ◆ Getboards.com Ride Shop
- ◆ Cabins 4-Less
- ◆ Big Bear Sporting Goods
- ◆ Big Bear Paddling

Discounts for Kayak Rentals

- ♦ 2009 SPECIAL! - Book a Timberline Cabin and get **50% off** Bike and Kayak rentals at GetBoards during your stay
- ♦ Robinhood Resort - Book any room (non-Holiday period) get 50% off kayak and bike rentals at Getboards.
- ♦ Castle Wood Cottages - Book a Castle Wood cottage and get 50% off bike and kayak rentals at GetBoards during your stay.

Big Bear Lake Mountain Resort "Adventure" Hostel

- ♦ **KAYAK RENTALS!**
- ♦ Kayak rentals are available at the marinas on Big Bear Lake.
- ♦ Kayak Rentals are also available at:
Getboards.com - Ski, Snowboard, Bike, Kayak & sporting goods!
BigBearPaddling.com - meets you at the shoreline with kayak rentals!
If you are staying at the Big Bear Hostel we have kayak rental discounts!

Big Bear Paddling Website

- ◆ *"Other rental shops in in Big Bear Valley are either Marina based or make you pickup the boats and put them in the water yourself. Big Bear Paddling offers delivery service for all of our boats. We will meet you at the location that YOU want to paddle. We will launch your boats for you, then return to pick up the boats when you are done."*

Non-Profit Limited Use Marina Permit

- ◆ Valid commercial marina license suspended while non-profit permit is in use
- ◆ Designated public access property only
- ◆ Non-motorized
- ◆ Hand launch vessels only
- ◆ No mooring
- ◆ No docks
- ◆ No ramps
- ◆ Insurance and fees defined by District

Topics

- ◆ Marina concessions and vessel lake permits
- ◆ Organization camps/events and vessel lake permits
- ◆ Vessel rental businesses and lake permits
- ◆ Special events and vessel lake permits
- ◆ District legal obligations to commercial marina permit holders
- ◆ Permits for non-profits

Invitees

- ◆ Commercial Marinas
- ◆ Kayak Rental Businesses
- ◆ City of Big Bear Lake
- ◆ Resort Association
- ◆ Big Bear Chamber of Commerce

Possible Workshop Date and Time

- ♦ After Board meeting at 2:00 PM
 - Thursday October 1st
 - Thursday October 15th
 - Thursday November 5th