

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

CALL TO ORDER

President Eminger called the Open Session to order at 1:00 PM. Those in attendance included Director Murphy, Director Suhay, 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 it has been a complex couple of weeks since the last Board meeting. He commented that things in the office have stacked up but by next Monday they should be pretty much back on schedule. He reported that he is submitting the first lake wide aquatic plant census tomorrow. He added that Mike Stephenson and his staff conducted a survey of plant species and density at 321 locations last summer. He explained that the survey is a requirement of the TMDL and the District volunteered to perform the sampling and then write the report. Mr. Heule reported that the City, County, and Forest Service are anxious to get the report because they are obligated to submit it by end of business tomorrow. He added that the report will show that dramatic progress has been made on reducing the Eurasian Watermilfoil infestation and as a result, native aquatic plants are thriving. He commented that there will be no need to take extra measures to foster new plant growth. On the contrary, the survey indicates that a return to more extensive use of the harvester or less expensive herbicide treatment on native plant beds will be needed. Mr. Heule reported that the General Managers Special District Leadership Conference that he attended earlier this week was a valuable time of learning and networking. He commented that having some one-on-one time with other special district general managers was really valuable and he is hoping that he will be able to attend again next year. He added that reminders about the role the GM plays in carrying out the policies of the Board and that the role of the Board is to direct and protect the agency was valuable. He reported that updates on pension reform provided additional insight into what might be coming down the road. He added that many other districts are doing exactly what we are in the process of doing regarding a two tiered pension system. Mr. Heule stated that there was also an interesting piece on public engagement and when it is most effective ... not in a "regular" board or committee meeting adding that public engagement happens best and is most productive outside of regular meetings in a "round table" setting. Mr. Heule reported that he spoke with Caltrans this morning. He explained that they said they would be preparing a reimbursement agreement to repay District expenses for the stairs and fencing at the dam. He added that they also said that they would pay for a new stairway from the catwalk to the control building at the right abutment of the dam. He reported that Mr. Stephenson will be securing a cost estimate for this work and we can expect to see a draft version of the agreement in a couple of weeks. He reported that we just finished being audited by the State for our Prop 13 Grant that included dredging the east end. He added that the auditors are satisfied with the backup for all but about 2% of the reimbursement requests, which amount to \$47,000. He explained that we believe these expenses

are employee wages for sample collection and monitoring work. He commented that he and Carrie Shirreffs will be doing some additional research on this in order to attempt to avoid a requirement to repay the money.

Lake Manager, Mike Stephenson reported that massive weed treatments are complete with good results. He commented that the water quality and clarity are a big factor in the natives coming back. He stated that night treatments were successful explaining that windy conditions were a challenge during the day and sometimes at night as well. He reported that there were a few areas that they went out and did contact treatments. He added that they will continue with harvester treatments for a few more weeks. Mr. Stephenson reported that carp eradication will be starting shortly. He explained that he is not seeing as many carp as usual adding that the water clarity and quality is a big factor. He reported that the trout pond renovation has begun. He stated that Kool Kids is scheduled for August 14th and 15th. Director Suhay asked about predictions for water temperatures and algae blooms. Mr. Stephenson reported that he feels it will be very similar to last year where algae blooms were non-existent adding that he does not predict any algae blooms. Director Murphy asked how the fishing is. Mr. Stephenson reported that the water is too warm for good trout fishing adding that they can be caught at certain water depths in various parts of the lake (mostly at the west end). He added that warm water species are booming however. Director Suhay reported on yesterdays Watermaster meeting that he and Mr. Heule attended commenting that it was an interesting meeting.

APPROVAL OF CONSENT CALENDAR

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

- Minutes of a Regular Meeting of July 5, 2012
- Warrant List Dated July 16, 2012 for \$36,327.60

CONSIDER PROCESS FOR FILLING UNEXPIRED TERM FOR DIVISION 2 DIRECTOR VACANCY

Mr. Heule reported that due to the sad loss of Director Paula Fashempour, the Division 2 seat on the Board of Directors is vacant. He added that the Board has a 60 day timeframe to take action on a replacement. He commented that because the last day to add a Director election to the November 6, 2012 ballot was June 29, 2012 and the Board was informed of the loss on July 9, the seat cannot be on the November 6th ballot. He explained that the Board can either call an election for the next established election or they can appoint a replacement to complete Director Fashempour's unexpired term which runs through calendar year 2014. He stated that if the Board appoints, the person must reside within the boundaries of the most recent Division 2 boundary. He explained the process as follows:

1. District was notified of Director Fashempour's death on Monday July 9, 2012.
2. Last day to notify County elections official to place another office on the ballot was June 29, 2012. The position cannot be placed on the November 2012 ballot.
3. Board can appoint a replacement to fill the balance of the term of Director Fashempour's office, which runs through 2014.
4. The appointee must be an elector within the most recent Division 2 boundary.

5. The District must notify the County Elections Official of the vacancy within 15 days of the date the District was notified.
6. The Board has until Friday September 7, 2012 (60 days) to appoint a replacement or call a special election for the next established election date, which is on August 27, 2013 for a mail in ballot or November 5, 2013 for a regular election.
7. The Board must place a notice in three conspicuous places that a vacancy on the Board will be filled at least 15 days prior to taking action.
8. After an appointment is made the District has 15 days to notify the County Elections Official that an appointment has been made.
9. An appointee cannot use the word "incumbent" in any voter information material until he/she wins an election for the position.

He explained that the Administrative committee met yesterday to discuss how the Board could proceed in filling the vacancy. He added that they considered an approach that begins with soliciting letters of interest from electors within Division 2 to either complete Director Fashempour's term of office or until the next established election date. He commented that the letters of interest could include:

1. Name and physical address
2. Summary of their occupational background
3. Description of their Big Bear history; that is when they moved to Big Bear, what activities they are or have been involved in, any volunteer work etc.
4. What particular interests they have concerning the work the MWD is responsible for
5. Why they would like to become a Director on the MWD Board

He added that the cost of a special election was quoted by the San Bernardino County elections office as costing between \$16,000 and \$34,000. He explained that was a quote for a valley wide election explaining that costs associated with an election for just Division 2 would most likely be less but we don't know how much at this time. He reported that the Administrative Committee came up with the attached proposed methodology for Board selection and appointment of vacant Division 2 seat. Director Murphy stated that he would like to add to this proposed methodology that the Administrative Committee will meet to develop questions that all applicants will be asked. He added that all of the Directors can submit their suggestions for these questions. Mr. Heule reported that the Committee considered the Brown Act closely when discussing options. He explained that they would like to ask candidates to come into the meeting one at a time adding that it will be a public meeting however so they could choose to attend the entire meeting. Director Suhay suggested that we have a timer and a time limit for answering each question so all candidates have equal time. Director Murphy commented that it would depend on the question how much time was allowed. He added that at the Administrative Committee meeting on August 17th the Committee could develop a recommendation on the timing and questions issue.

Director Suhay moved approval of the proposed methodology for Board selection and appointment of vacant Division 2 seat. Director Murphy seconded the motion and it was unanimously approved.

PUBLIC FORUM

No comments were made

ANNOUNCEMENTS

Mr. Heule reported that Kool Kids is scheduled for Tuesday and Wednesday August 14th & 15th. He announced that the August 16th Board Meeting will need to be adjourned to August 23rd.

DIRECTOR COMMENTS

Director Murphy reminded everyone of the Doo Dah Parade in Fawnskin on Saturday July 28th.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:33 P.M.

NEXT MEETING

Open Session at 1:00 P.M.
Thursday, August 2, 2012
Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA



Vicki Sheppard
Secretary to the Board
Big Bear Municipal Water District

(SEAL)

Proposed methodology for Board selection and appointment of vacant Division 2 Seat

- a. Receive letters of interest at the District by August 10th. Staff will screen the letters to determine eligibility regarding residency requirements.
 - i. Full name and physical address
 - ii. Summary of occupational background
 - iii. Description of their Big Bear history; that is when they moved to Big Bear, what activities they are or have been involved in, any volunteer work etc.
 - iv. What particular interests they have concerning the work the MWD is responsible for
 - v. Why they would like to become a Director on the MWD Board
- b. Staff forwards letters of interest to all Board members by August 13th.
- c. If there are more than five candidates Board members individually prioritize the candidates and return their results to the General Manager by August 16th.
 - i. The individual prioritized rankings will be reviewed by the Administrative Committee at a meeting on August 17 at which time the five top ranked candidates will be identified and scheduled for an interview at a special Board meeting on August 23rd.
- d. If there are five or fewer candidates each candidate will be scheduled for an interview at a special Board meeting on August 23rd. Individual Board members will prioritize the candidates and provides their individual results to the General Manager by August 26th.
- e. The Administrative Committee meets on August 29th or 30th to review the prioritized results and prepares a report for Board consideration.
- f. The Board receives the Administrative Report and makes an appointment to fill the vacant Division 2 seat at the regular Board meeting on September 6th.
- g. At the Board meeting on September 6, 2012 the Board makes an appointment to fill the vacancy on the Division 2 Board seat.