
**CITY OF BIG BEAR LAKE CITY COUNCIL
MINUTES FOR REGULAR MEETING
OCTOBER 9, 2006**

A Regular Meeting of the City Council of the City of Big Bear Lake was called to order by Mayor Jahn at 6:33 p.m., Monday, October 9, 2006, at the Civic Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

Moment of Silence

Flag Salute: Led by City Manager Mathieu

Councilmembers Present: Mayor Bill Jahn
Mayor Pro Tem Shed Conklin
Councilmember Ken Dally
Councilmember Liz Harris
Councilmember Darrell Mulvihill

Councilmembers Excused: None

Others Present: Jeff Mathieu, City Manager
Stephen P. Deitsch, City Attorney
Katherine E Jefferies, City Clerk
Dave Martinez, Development Services Director

RESULTS OF CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code Section 54956.9 (a)

Name of Parties: Center for Biological Diversity; San Bernardino Valley Audubon Society; Sierra Club; Friends of Big Bear Valley; and Christians for the Earth v. City of Big Bear Lake; City Council for the City of Big Bear Lake; and Does 1-10

Case Number: Superior Court Case No. SCVSS140492

No reportable action.

2. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION pursuant to Government Code Section 54956.9 (b) (1)

Number of Cases: 1

No reportable action.

AGENDA APPROVAL

Motion by Councilmember Dally, seconded by Mayor Pro Tem Conklin to approve the Agenda as presented. Motion carried 5-0.

ANNOUNCEMENTS

Upcoming events scheduled for the Performing Arts Center – For ticket information please contact the box office at 866-4970

- The Performing Arts Center Foundation presents *Carmen* by the State Street Ballet on October 14
- Big Bear High School Presents *When You Wish Upon A Star* – a Tribute to Walt Disney October 26 – 28
- CATS presents *A Christmas Carol* – November 19 – December 3

PRESENTATIONS

Mayor Jahn presented a Proclamation to DOVES for Domestic Violence Awareness Month.

Mayor Jahn presented a Proclamation proclaiming October 9 – 15, 2006 as Fire Prevention Week.

PUBLIC FORUM (City Council, Fire Protection District and Improvement Agency)

Dr. David Foltz, Big Bear Lake: discussed the Global Warming Solutions Act (AB 32), which calls for a 25 percent reduction in California's greenhouse gas emissions by the year 2020, and urged the Council to join a growing coalition of cities throughout the United States who are making changes in their communities in the fight against global warming.

Heidi Lemmon, Founder of Skate Park Association of the United States: stated that she spoke before the City Council on August 14th asking for the City's assistance in getting a public skate park for our Valley. She stated that she was told at that time that the City would contact her to discuss the matter, however, she has not heard from the City. She stated that she brought several young skateboarders to the meeting who wanted to talk to Council about the need for a skate park.

Jacob Wheeler, Big Bear City: spoke in support of a skate park.

Mark Mortenson, Big Bear City: spoke in support of a skate park because there are many young people who would like to be involved in an activity besides school sports.

Levi Helmuth, Big Bear City: spoke in support of a skate park because the only place to skateboard is on the streets, where it is illegal and unsafe.

Clifton Helmuth, Big Bear City: spoke in support of a skate park in order to allow the skateboarders a place to skate without fear of being arrested by the Sheriff.

Eduardo Barreda, Big Bear City: spoke in support of a skate park.

Cynthia Ellis, Big Bear Lake: stated that she works for Bear Valley Unified School District as campus security and has gotten to know many of the students. She stated that some of the students join team sports or cheerleading but it tends to become very expensive. Many of the students like to ride their skateboards, however, there are few places that they can ride without fear of being asked to leave by homeowners, business owners, or the local sheriff. She stated that a public skate park would contain all of the devices that skateboarders need to practice their skills to reach a competitive level, and would have proper supervision.

Alex Hulett, Big Bear Lake: urged the Council to support a public skate park.

Roman Vasquez, Big Bear City: discussed the importance of a public skate park.

Brian Solis, Big Bear Lake: discussed the need for a skate park for those who would like to learn the skills needed to compete at skateboarding competitions.

Andrew Burluson, Sugarloaf: discussed the need for a skate park because the young people in town have no place to skate and need some form of an outlet to stay active and out of trouble.

Daniel Hess, Big Bear City: stated that a public skate park would solve the problem of parents having to drive their children to the nearest skate park, which is an hour away.

PUBLIC FORUM RESPONSE

City Manager Mathieu responded that staff had contacted Ms. Lemmon regarding a concept that might develop into a skate park. He stated that staff has been looking at potential locations, alternatives, and other entities in the Valley to partner together for a park. He stated that it is anticipated that the matter will come before the Council in the spring for discussion and possible recommendation.

1. CONSENT CALENDAR

Motion by Mayor Pro Tem Conklin, seconded by Councilmember Harris to approve the Consent Calendar as follows:

1.1 Approval of Demands – Check Issue Date 09/19/06 through 10/03/06 – Check Nos. 34188 through 34353, in the amount of \$848,792.81

Approved.

1.2 Continuance of the Declaration of Local State of Emergency

Continued the Declaration of the Local State of Emergency due to the drought and Bark Beetle infestation.

1.3 Elks Lodge Bus Stop and Sidewalk Project

Council consideration of awarding the construction contract for the Elks Lodge Bus Stop and Sidewalk Project to Trinity Construction, Inc., in the amount of \$137,542.00; authorize additional funding from Street Reserves in the amount of \$17,242.00; and authorize staff to contract for inspection services.

Approved.

1.4 2006 Cape Seal Project

Council consideration of accepting the 2006 Cape Seal Project as complete; determine the final contract to be \$161,382.82; direct staff to file the Notice of Completion; and, release the remaining amount of \$16,138.29, thirty-five days after the recordation of the notice of completion; provided that no stop payment notices are filed with the City.

Approved.

1.5 Village Sign Project

Council consideration of accepting the Village Sign Project as complete; determine the final contract to be \$89,934.54; direct staff to file the Notice of Completion; and, release the remaining amount of \$8,993.45, thirty-five days after the recordation of the notice of completion; provided that no stop payment notices are filed with the City.

Approved.

1.6 Traffic Signal at Paine Road and SR 18 Project

Council consideration of accepting the Traffic Signal at Paine Road and SR 18 Project as complete; determined the final contract to be \$588,537.41; direct staff to file the Notice of Completion; and, release the remaining amount of \$66,741.90, thirty-five days after the recordation of the notice of completion; provided that no stop payment notices are filed with the City.

Approved.

1.7 Second Reading and Adoption of Development Code Amendment 2005-097 - Outdoor Display of Retail Merchandise

Council consideration of waiving second reading and adopting an ordinance amending Title 17 (Development Code) of the City of Big Bear Lake Municipal Code by amending Section 17.35.090.D (Performance Standards) for Outdoor Display, and Table 17.35.040A of the Development Code relating to accessory uses applying to properties Citywide.

Adopted the following ordinance, entitled:

ORDINANCE NO. 2006-366

AN ORDINANCE OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AMENDING TITLE 17 (DEVELOPMENT CODE) OF THE CITY OF BIG BEAR LAKE MUNICIPAL CODE BY AMENDING SECTION 17.35.090.D (PERFORMANCE STANDARDS) FOR OUTDOOR DISPLAY AND TABLE 17.35.040.A OF THE DEVELOPMENT CODE RELATING TO ACCESSORY USES APPLYING TO PROPERTIES CITY-WIDE

1.8 Approval of the Minutes from the Regular Meeting of August 14, 2006

Approved as presented.

The Consent Calendar was approved by the following vote:

AYES: Conklin, Dally, Harris, Jahn, Mulvihill
NOES: None
ABSENT: None
ABSTAIN: Conklin on Item 1.1 Check No. 34217 in the amount of \$201.47
Harris on Item 1.8

2. DISCUSSION/ACTION ITEMS

2.1 City Council Committee Assignment – Private Home Rentals

Council consideration of appointing two Councilmembers to a task force related to Private Home Rentals.

Mayor Jahn and Councilmember Harris were appointed to a task force related to Private Home Rentals.

2.2 Outdoor Fire Permits for Barbecues/Smokers

Council consideration of introduction and first reading of an ordinance amending the Big Bear Lake Municipal Code allowing outdoor fire permits for barbecues and smokers.

Motion by Councilmember Dally, seconded by Mayor Pro Tem Conklin to waive first reading and pass to second reading an ordinance, entitled:

ORDINANCE NO. 2006-367

AN ORDINANCE OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AMENDING THE BIG BEAR LAKE MUNICIPAL CODE CONCERNING OUTDOOR FIRE PERMITS FOR EMBER PRODUCING FUELS AND BARBECUES/SMOKERS FOR RESTAURANTS OR OTHER COMMERCIAL FOOD PREPARATION BUSINESSES

Said Motion was approved by the following vote:

AYES: Conklin, Dally, Harris, Jahn, Mulvihill
NOES: None
ABSENT: None
ABSTAIN: None

At the hour of 7:25 p.m., Council adjourned to the Fire Protection District.

FIRE PROTECTION DISTRICT DISCUSSION/ACTION ITEMS

Fire Protection District proceedings are contained in separate minutes.

At the hour of 7:26 p.m., the Fire Protection District adjourned to City Council session.

3. **ITEMS REMOVED FROM THE CONSENT CALENDAR**

FUTURE AGENDA ITEMS

None.

CITY COUNCIL REPORTS AND COMMITTEE REPORTS

Councilmember Mulvihill asked for a status report on the Public Works Yard Project.

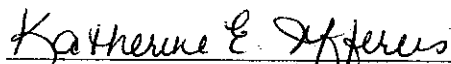
Development Services Director Martinez responded that staff has completed the Request for Proposals. It is anticipated that the matter will be brought before the Council in December to award the Professional Services Contract for the preparation of a Public Works Yard Master Plan.

CITY MANAGER REPORTS

City Manager Mathieu introduced the City's new Code Enforcement Officer Shawn Black.

City Manager Mathieu reported that a Veterans Day ceremony has been scheduled for November 11th at Veterans Park.

There being no further business to come before the Council at this session, Mayor Jahn adjourned the meeting at 7:43 p.m.



Katherine E. Jefferies, *CMC*
City Clerk

APPROVED AT THE MEETING OF: December 11, 2006