
**CITY OF BIG BEAR LAKE CITY COUNCIL
MINUTES FOR REGULAR MEETING
MARCH 22, 2010**

A Regular Meeting of the City Council of the City of Big Bear Lake was called to order by Mayor Harris at 5:00 p.m., Monday, March 22, 2010, at the Civic Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

PUBLIC FORUM FOR CLOSED SESSION: None.

At the hour of 5:05 p.m., Council adjourned to Closed Session.

At the hour of 6:30 p.m., Council adjourned to Open Session.

Moment of Silence

Flag Salute: Led by City Manager Mathieu

Councilmembers Present: Mayor Liz Harris
Mayor Pro Tem Bill Jahn
Councilmember Rick Herrick
Councilmember Michael Karp
Councilmember Darrell Mulvihill

Councilmembers Excused: None.

Others Present: Jeff Mathieu, City Manager
Steve Deitsch, City Attorney
Katherine E. Jefferies, City Clerk
Kathleen Smith, Chief Operations Officer
Rod Ballard, Fire Chief

RESULTS OF CLOSED SESSION:

City Council

1. CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6

Name of Negotiators: City Manager, City Attorney and Human Resources Manager
Name of Organization: San Bernardino Public Employees Association

No reportable action.

Fire Protection District

2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code Section 54959.9(a)**

Name of Parties: Big Bear Lake Fire Protection District and San Bernardino County Professional Firefighters, IAFF Local No. 935

Case Number: SMCS Case No. ARB 08-0105

No reportable action.

ANNOUNCEMENTS & UPCOMING EVENTS

Event Calendar for the Performing Arts Center – (For tickets please contact the box office at (909) 866-4970 or visit www.citybigbearlake.com unless noted otherwise)

- C.A.T.S. presents “The Odd Couple” March 26 – 28, March 31, April 2, 3, 7, 9, 10 & 11
- Big Bear High School Spring Musical will be held April 23, 24, 25, 30 & May 1

PRESENTATIONS

Dennis Green, Caltrans Liaison briefed the Council on the status of the Highway 330 road closure.

PUBLIC COMMUNICATIONS:

None.

1. **CONSENT CALENDAR**

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

1.1 **Approval of Demands – Check Issue Date 3/15/10 through 03/15/10 – Check Nos. 50277 through 50440 in the amount of \$904,039.79**

Approved.

1.2 Continuance of the Declaration of Local State of Emergency

Council consideration of continuing the Declaration of the Local State of Emergency due to the drought and Bark Beetle infestation.

Approved.

1.3 Cancellation of the April 12, 2010 City Council Meeting

Council consideration of cancelling the April 12, 2010 City Council meeting.

Approved.

1.4 Public Works Facility Change Order for Leadership in Energy and Environmental Design (LEED) Certification

Council consideration of approving a change order to Mapco/Transtech in the amount of \$46,400 to prepare the LEED application and complete the certification process for the new Public Works Facility; and authorize staff to pay related LEED fees to the U.S. Green Building Council.

This item was removed from the Consent Calendar for separate discussion.

1.5 Healthy Eating Active Living Cities Campaign

Council consideration of discussing the Healthy Eating Active Living Cities Campaign and authorization for staff to develop a program applicable to our community, including a formal resolution for adoption.

This item was removed from the Consent Calendar for separate discussion.

1.6 Designation of Authorized Agents for State Disaster Assistance Request Applications

Council consideration of a resolution designating the City Manager, Chief Operations Officer, Fire Chief, Assistant Fire Chief, Director of Administrative Services and the Community Services Director as its agents for the execution of OES and FEMA Public Assistance documentation.

Adopted the following Resolution, entitled:

RESOLUTION NO. 2010-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AMENDING ITS AUTHORIZED AGENTS FOR THE EXECUTION OF STATE DISASTER ASSISTANCE REQUEST APPLICATIONS

The Consent Calendar was approved by the following vote:

AYES: Harris, Herrick, Jahn, Karp, Mulvihill
NOES: None
ABSENT: None
ABSTAIN: None

ITEMS REMOVED FROM THE CONSENT CALENDAR

1.4 Public Works Facility Change Order for Leadership in Energy and Environmental Design (LEED) Certification

Council consideration of approving a change order to Mapco/Transtech in the amount of \$46,400 to prepare the LEED application and complete the certification process for the new Public Works Facility; and authorize staff to pay related LEED fees to the U.S. Green Building Council.

Motion by Mayor Pro Tem Jahn, seconded by Councilmember Karp to approve a change order to Mapco/Transtech in the amount of \$46,400 to prepare the LEED application and complete the certification process for the new Public Works Facility; and authorize staff to pay related LEED fees to the U.S. Green Building Council.

Said Motion was approved by the following vote:

AYES: Harris, Jahn, Karp, Mulvihill
NOES: Herrick
ABSENT: None
ABSTAIN: None

1.5 Healthy Eating Active Living Cities Campaign

Council consideration of discussing the Healthy Eating Active Living Cities Campaign and authorization for staff to develop a program applicable to our community, including a formal resolution for adoption.

Motion by Mayor Pro Tem Jahn, seconded by Councilmember Karp to authorize staff to develop a Healthy Eating Active Living Cities Program applicable to our community.

Said Motion was approved by the following vote:

AYES: Harris, Herrick, Jahn, Karp, Mulvihill
NOES: None
ABSENT: None
ABSTAIN: None

2. PUBLIC HEARINGS

2.1 Planning Appeal 2010-005

Council consideration of an appeal of Planning Commission approval of Plot Plan Review Application 2009-380, an application of David and Carolyn Kitchen, property owners of 149 Lagunita Lane, to alter an existing nonconforming residence with the construction of an approximately 1,620 square foot, 2-story addition.

Jim Miller, Director of Building and Planning presented the staff report and reported that appellant Mr. Cvetanovic had submitted a letter requesting the public hearing be continued as he was unable to attend.

Motion by Councilmember Mulvihill, seconded by Councilmember Karp to postpone the public hearing to April 26, 2010.

Said Motion failed by the following vote:

AYES: Karp, Mulvihill
NOES: Harris, Herrick, Jahn
ABSENT: None
ABSTAIN: None

At the hour of 7:27 p.m., Mayor Harris opened the public hearing.

David Kitchen, Big Bear Lake: urged the City Council to deny the Planning Appeal application and uphold the Planning Commission's action of February 3, 2010.

John Acosta, Project Architect: urged the Council to deny the Planning Appeal application and uphold the Planning Commission's action of February 3, 2010.

At the hour of 7:33p.m., Mayor Harris closed the public hearing.

Motion by Mayor Pro Tem Jahn, seconded by Councilmember Herrick to find the project categorically exempt from the California Environmental Quality Act and adopt the following resolution, entitled:

RESOLUTION NO. 2010-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DENYING APPEAL 2010-005; THEREBY UPHOLDING THE ADOPTION OF PLANNING COMMISSION RESOLUTION PC2010-03 APPROVING PLOT PLAN REVIEW APPLICATION 2009-380 TO ALTER AN EXISTING NONCONFORMING SINGLE FAMILY RESIDENCE WITH THE NEW CONSTRUCTION OF 1,356 SQUARE FEET OF LIVEABLE AREA, 1,673 SQUARE FEET OF NEW DECKING AND A 769 SQUARE FOOT GARAGE ON A 12,800 SQUARE FOOT PARCEL IN THE MULTIPLE FAMILY RESIDENTIAL ZONE (R-3) LOCATED AT 149 LAGUNITA LANE (ASSESSOR'S PARCEL NUMBER 0307-071-30)

Said Motion was approved by the following vote:

AYES: Harris, Herrick, Jahn, Karp, Mulvihill
NOES: None
ABSENT: None
ABSTAIN: None

3. DISCUSSION/ACTION ITEMS

3.1 Local Government Finance Reform Framework

Council consideration of discussing the Local Government Finance Reform Framework and authorize the City Manager to provide input to SCAG and other interested parties if needed.

Received and filed a report by Cheri Haggerty, Director of Intergovernmental/Community Relations.

3.2 Status of Street Maintenance Plan for Spring 2010

Council consideration of receiving and filing a report related to the Street Maintenance Plan for spring of 2010.

Received and filed a report by David Lawrence, Director of Public Works/City Engineer.

3.3 Vehicle Recovery Fee Ordinance and Resolution

Council consideration of a resolution and introduction and first reading of an ordinance establishing a Vehicle Recovery Fee amount and make a finding that the item is exempt from CEQA.

Motion by Mayor Pro Tem Jahn, seconded by Councilmember Karp to introduce, waive first reading and pass to second reading the following ordinance, entitled:

ORDINANCE NO. 2010-XXX

AN ORDINANCE OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ADDING CHAPTER 10.30 TO TITLE 10 OF THE BIG BEAR LAKE MUNICIPAL CODE RELATING TO PROVIDING FOR A VEHICLE RELEASE FEE FOR TOWED VEHICLES

And,

Adopt the following resolution, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, PROVIDING FOR THE ADOPTION OF A REVISED SERVICE FEE SCHEDULE ADDING A VEHICLE RELEASE FEE

Said Motion was approved by the following vote:

AYES: Harris, Herrick, Jahn, Karp, Mulvihill
NOES: None
ABSENT: None
ABSTAIN: None

3.4 Municipal Code Amendment to Raise the Bingo Prize Amount

Council consideration of providing direction to staff in regards to amending the Municipal Code to raise the maximum prize amount from \$250 to \$500.

Motion by Mayor Pro Tem Jahn, seconded by Councilmember Karp to direct staff to prepare an ordinance that provides for a prize amount to be the maximum value permitted by the State Penal Code, rather than a set amount.

Said Motion was approved by the following vote:

AYES: Harris, Herrick, Jahn, Karp, Mulvihill
NOES: None
ABSENT: None
ABSTAIN: None

3.5 Big Bear Valley Master Plan of Trails – Caltrans Grant Application Update

Council consideration of receiving and filing a report on the status of the Big Bear Valley Master Plan of Trails Caltrans Transportation Planning Grant.

Received and filed.

3.6 Public Outreach for Reform Measure

3.6 Public Outreach for Reform Measure

Council consideration of discussing ways in which to participate in outreach in support of the 'Local Taxpayer, Public Safety and Transportation Protection Act of 2010'.

Cheri Haggerty briefed the Council on the status of Local Taxpayer, Public Safety and Transportation Protection Act of 2010' a ballot measure proposed for the November 2010 election. She stated that the Council submitted a resolution of support for the measure in December and the proponents are asking supporters to circulate petitions to obtain the necessary signatures to officially place the item on the ballot as well as conduct educational outreach to the public.

Council discussed their interest in receiving the petitions to circulate among their peers, friends, and various organizations that they belong to.

The Council was reminded that in order to participate, the form of outreach must be done on personal time and not on City related work time.


CITY COUNCIL BUSINESS

Board and Committee Reports

- SANBAG Board Meeting report was presented by Committee Representative Mayor Pro Tem Jahn.
- MARTA Board Meeting report was presented by Committee Representatives, Councilmember Karp and Mayor Pro Tem Jahn.

ADJOURNMENT

There being no further business to come before the Council at this session, Mayor Harris adjourned the meeting at 8:39 p.m., in memory of Bill Speyers.


Katherine E. Jefferies, *CMC*
City Clerk