
**CITY OF BIG BEAR LAKE CITY COUNCIL
MINUTES FOR REGULAR MEETING
AUGUST 12, 2002**

A Regular Meeting of the City Council of the City of Big Bear Lake was called to order by Mayor Cortez at 4:00 p.m., Monday, August 12, 2002, at the Civic Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

PUBLIC FORUM FOR CLOSED SESSION

None.

At the hour of 4:05 p.m., Council adjourned to Closed Session.

At the hour of 6:35 p.m., Council adjourned to Open Session.

OPEN SESSION

Invocation: Chaplain Don Crider, Bear Valley Hospital Chaplain

Flag Salute: Mayor Pro Tem Mellen

Councilmembers Present: Mayor Mary Cortez
Mayor Pro Tem Bill Mellen
Councilmember Liz Harris
Councilmember Hertzmann
Councilmember Darrell Mulvihill

Councilmember Excused: None

Others Present: Michael Perry, City Manager
Steve Deitsch, Best Best & Krieger LLP, City Attorneys
Katherine E. Jefferies, City Clerk
Molly Bogh, Community Development Director
Kathleen Smith, Finance Manager

RESULTS OF CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code Section 54956.9(a)
Name of Parties: Cordova Lake Properties LLC v. City of Big Bear Lake
Case Number: San Bernardino County Superior Court, Case No. BBC00564

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.

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

Name of Negotiators: City Attorney, Human Resources Manager, and Fire Chief
Name of Organization: Big Bear Lake Fire Employees

No reportable action.

AGENDA APPROVAL

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

ANNOUNCEMENTS

Upcoming events scheduled for the Performing Arts Center - Tickets are available at the box office at 866-4970.

The City of Big Bear Lake and Lou Sanman present “The Magic Castle’s Award-Winning Magicians” – August 24 & 25.

CATS presents the 8th annual “Picnic at the PAC” – September 1.

The nomination period for three seats on the City Council has been extended to August 14, 2002. To qualify you must be a resident and a registered voter of Big Bear Lake. For those interested in filing, please make an appointment with the City Clerk at 866-5831.

A town hall meeting will be held on Wednesday, August 14, 2002, from 7 – 9 p.m. in the Performing Arts Theatre, regarding the Valley’s water supplies and future growth.

A PUC public meeting has been scheduled for Tuesday, August 13, 2002, at 7:00 p.m., in the Performing Arts Theatre, regarding Southwest Gas rates.

PRESENTATIONS

Film Office Manager Kresse Armour gave an update on recent filming activities in the Valley.

City Administrative Analyst Scott Arenella and Big Bear Disposal representative Frank Forbes gave an overview and update on the residential curbside pickup service, the Clean Bear Program, recycling services that are available, the Household Hazardous Waste Program, enforcement activities, and community outreach programs.

COMMITTEE REPORTS

SANBAG Committee Report - Councilmember Hertzmann reported that Councilmember Hunter from the City of Victorville has resigned as a member of the Southern California Association of Governments (SCAG) Regional Council representing District 11. He stated that SANBAG, in cooperation with SCAG, plans to conduct an election for a new District 11 Representative on September 7, 2002, at 5:00 p.m., via teleconference sites. All Councilmembers are eligible to vote.

Economic Development Committee Report - Councilmember Harris announced that the Big Bear Valley Economic Development Partnership has arranged for the San Bernardino Community College to offer several Professional Development Workshops to our Valley. She reported that a special Training Kick-Off will be held on Tuesday, August 20 from 5-7 p.m. at Union Bank in Big Bear Lake and encouraged Council, the business industry, and the public to attend.

PUBLIC FORUM

Karen Sargent Rachels, CATS Representative: announced that the 8th annual "Picnic at the PAC" will be held on Sunday, September 1. She stated that the Los Angeles Police Concert Band will be performing, and asked if the City Council could present a plaque of appreciation to the Band.

Shirley Bard, Government Watch: presented a copy of an article from the *San Diego Union-Tribune*, dated October 18, 1998, about San Diego's proposal to purify sewage water and add it to Colorado River water in a reservoir southeast of San Diego, to be used for tap water. She stated that safe drinking water in the Valley will depend on the decisions made by the various agencies in the Big Bear Valley and discussed her concerns with how the Community Services District is handling the issue of recycled water.

Laura Koepke, Government Watch: discussed her disappointment regarding the fact that the residents who live in the east valley are prohibited from bringing their trash to the City of Big Bear Lake Clean Bear sites, or to our recycling center.

Bob Harris, Old Miners' Days President: stated that the Old Miner's Days events were a great success and thanked the Council, staff, and the community for their support.

PUBLIC FORUM RESPONSE

City Manager Perry thanked Ms. Bard for the information that she presented to Council and explained that what San Diego has proposed to do is different than what has been discussed here, which is to take the advanced treated wastewater and recharge it into the ground to be mixed with the native water. He explained that, only after it meets the State and EPA requirements, would it then be used for public use. He encouraged the public to attend the town hall meeting scheduled for Wednesday, August 14th at the PAC, to hear the first in a series of discussions regarding options related to future water supplies and growth in the Big Bear Valley. He responded to Ms. Koepke's concern regarding trash recycling and explained that the citizens of Big Bear Lake pay for curbside trash pick up and for the Clean Bear Program. The people who live in the Community Services District pay for curbside pick up in their area, and have the ability to use the CSD recycling facilities. He announced that the eagle artwork displayed in Hofert Hall had been donated by a local citizen in the memory of Arra Moon, who passed away earlier in the year.

1. CONSENT CALENDAR

Motion by Councilmember Mulvihill, seconded by Councilmember Harris to approve the Consent Calendar as follows:

1.1 Approval of Demands – Check Issue Date 07/18/02 through 08/7/02 – Check Nos. 14869 through 15148, in the amount of \$937,570.91

Approved.

1.2 Approval of the Minutes from the Regular Meeting of June 24, 2002

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

1.3 Acceptance of Parcel Map No. 15873

Council consideration of approving Parcel Map No. 15873, located at the southwest corner of Fox Farm Road and Scandia Road.

Approved.

1.4 Professional Services Agreement for Engineering Consultant Services

Council consideration of approving an amendment to the Professional Services Agreement between the City and Willdan to provide services as Interim City Engineer for an extended period of time, to be determined by the City, but no later than June 30, 2003; and authorize staff to transfer funds from Account 110-4310-0010 to account 110-4310-2243.

Approved.

1.5 Tree Conservation Ordinance

Council consideration of second reading and adoption of an ordinance repealing Ordinance No. 92-224 and Section C.4 of Appendix C of Ordinance No. 85-115 establishing procedures for Tree Conservation within the City of Big Bear Lake.

Adopted the following ordinance, entitled:

ORDINANCE NO. 2002-325

AN ORDINANCE OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, REPEALING ORDINANCE NO. 92-224 AND SECTION C.4 OF APPENDIX C OF ORDINANCE NO. 85-115 ESTABLISHING PROCEDURES FOR TREE CONSERVATION WITHIN THE CITY OF BIG BEAR LAKE

1.6 Business License Fees, Business License Application Fees, and Inspection Fees for Business Licenses

Council consideration of second reading and adoption of an ordinance amending various provisions of Titles 5, 6 and 8 of the Big Bear Lake Municipal. Code pertaining to Business License Fees, Business License Application Fees, and Inspection Fees for Business Licenses.

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

1.7 Moonridge Sidewalk Project

Council consideration of a resolution based on the finding that the project is categorically exempt from CEQA, authorizing the use of Improvement Agency funding for the construction of the Project, and directing the City Manager to execute the contract; award the contract for the Moonridge Sidewalk Project to Southland Construction in the amount of \$114,801.00, and authorizing staff to execute an agreement for materials testing and surveying.

Adopted the following resolution, entitled:

RESOLUTION NO. 2002-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AUTHORIZING THE BIG BEAR LAKE IMPROVEMENT AGENCY TO SPEND IMPROVEMENT AGENCY FUNDS TO CONSTRUCT SIDEWALK IMPROVEMENTS WITHIN THE BIG BEAR REDEVELOPMENT PROJECT AREA PURSUANT TO SECTION 33445 OF THE CALIFORNIA HEALTH AND SAFETY CODE, AND AUTHORIZING AWARD OF CONTRACT FOR SAID PROJECT

1.8 Lakeview Road Reconstruction Project

Council consideration of awarding the contract for the Lakeview Road Reconstruction Project to Laird Construction in the amount of \$282,229,92 based on the finding that the project is categorically exempt from CEQA.

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

1.9 Performing Arts Center Policy Revisions

Council consideration of approving revisions to the Performing Arts Center Policy related to scheduling of performances by user groups, and accounting for City production costs.

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

1.10 General Permit Conditions and Specifications for Trench Resurfacing

Council consideration of approving the General Permit Conditions and Specifications for Trench Resurfacing Policy, and direct staff to implement the Policy in all future work for which an encroachment/street cut permit is issued.

Approved.

1.11 Revised Cooperation Agreement with San Bernardino for Community Development Block Grant Program

Council consideration of approving the revised Cooperation Agreement that allows the City to participate in the County of San Bernardino CDBG Program as a sub-recipient city, and receive funding for local eligible public service and construction projects.

Approved.

The Consent Calendar was approved by the following vote:

AYES:	Cortez, Harris, Hertzmann, Mellen, Mulvihill
NOES:	None
ABSENT:	None
ABSTAIN	None

2. ITEMS REMOVED FROM THE CONSENT CALENDAR

1.2 Approval of the Minutes from the Regular Meeting of June 24, 2002

Motion by Councilmember Harris, seconded by Councilmember Mulvihill to approve the Minutes as presented.

Said motion was approved by the following vote:

AYES:	Cortez, Harris, Mellen, Mulvihill
NOES:	None
ABSENT:	None
ABSTAIN	Hertzmann

1.6 Business License Fees, Business License Application Fees, and Inspection Fees for Business Licenses

Council consideration of second reading and adoption of an ordinance amending various provisions of Titles 5, 6 and 8 of the Big Bear Lake Municipal Code pertaining to Business License Fees, Business License Application Fees, and Inspection Fees for Business Licenses.

Motion by Councilmember Harris, seconded by Mayor Pro Tem Mellen to waive second reading and adopt the following ordinance, entitled:

ORDINANCE NO. 2002-326

AN ORDINANCE OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AMENDING VARIOUS PROVISIONS OF TITLES 5, 6, AND 8 OF THE BIG BEAR LAKE MUNICIPAL CODE PERTAINING TO BUSINESS LICENSE FEES, BUSINESS LICENSE APPLICATION FEES, AND INSPECTION FEES FOR BUSINESS LICENSES

With the understanding that staff will report back to the Council with an ordinance to add language clarifying that the fees may be established from time to time by resolution.

Said motion was approved by the following vote:

AYES: Cortez, Harris, Hertzmann, Mellen
NOES: Mulvihill
ABSENT: None
ABSTAIN None

1.8 Lakeview Road Reconstruction Project

Council consideration of awarding the contract for the Lakeview Road Reconstruction Project to Laird Construction in the amount of \$282,229.92 based on the finding that the project is categorically exempt from CEQA.

Motion by Councilmember Mulvihill, seconded by Councilmember Harris to award the contract for the Lakeview Road Reconstruction Project to Laird Construction in the amount of \$282,229.92 based on the finding that the project is categorically exempt from CEQA.

Said motion was approved by the following vote:

AYES: Cortez, Harris, Hertzmann, Mellen, Mulvihill
NOES: None
ABSENT: None
ABSTAIN None

1.9 Performing Arts Center Policy Revisions

Council consideration of approving revisions to the Performing Arts Center Policy related to scheduling of performances by user groups, and accounting for City production costs.

Motion by Councilmember Mulvihill, seconded by Councilmember Hertzmann to approve in concept Policy Section 23 of the Facility Rental Permit to guarantee up to 18-½ consecutive calendar days prior to an event for rehearsals, and set building activities, so that PAC users can meet future obligations. The subcommittee will meet and discuss additional language amendments to the Policy regarding scheduling of performances by user groups, and accounting for City production costs, which will be brought back to the Council at a future meeting.

Said motion was approved by the following vote:

AYES: Cortez, Harris, Hertzmann, Mellen, Mulvihill
NOES: None
ABSENT: None
ABSTAIN None

RECESS

At the hour of 8:29 p.m., Mayor Cortez declared a recess. At the hour of 8:35 p.m., Council reconvened.

At the hour of 8:35 p.m., Council adjourned to the Improvement Agency.

IMPROVEMENT AGENCY

Improvement Agency proceedings are contained in separate minutes.

At the hour of 8:39 p.m., the Improvement Agency adjourned to Council Session.

3. DISCUSSION/ACTION ITEMS

3.1 Cost Sharing of an Event Manager

Council consideration of approving the City's contribution of \$15,000 towards the cost sharing of an Event Manager, between the County of San Bernardino, the Big Bear Resort Association, and the Big Bear Chamber of Commerce; authorization for staff to increase the Economic Development account #110-4110-2682 by \$15,000, and designate the City Manager as the City's representative to the Event Management Committee.

Motion by Councilmember Mulvihill, seconded by Councilmember Hertzmann to approve the City's contribution of \$15,000 towards the cost sharing of an Event Manager, between the County of San Bernardino, the Big Bear Resort Association, and the Big Bear Chamber of Commerce for a period of one year, authorized staff to increase the Economic Development account #110-4110-2682 by \$15,000, and designated the City Manager as the City's representative to the Event Management Committee.

Said motion carried by the following vote:

AYES: Cortez, Harris, Hertzmann, Mellen, Mulvihill
NOES: None
ABSENT: None
ABSTAIN: None

At the hour of 9:01 p.m., Council adjourned to the Fire Protection District.

FIRE PROTECTION DISTRICT

Fire Protection District proceedings are contained in separate minutes.

At the hour of 9:10 p.m., the Fire Protection District adjourned to Regular Council Session.

FUTURE AGENDA ITEMS

Councilmember Hertzmann suggested that every so often the City Council meetings should be kept light in order to allow the Fire Protection District Board an opportunity to discuss fire related issues.

CITY MANAGER REPORTS

City Manager Perry reported that the City's newsletter was just mailed out to the community, which contains several good articles.

CITY COUNCIL REPORTS

Councilmember Mulvihill thanked Mr. & Mrs. Trautloff for their generous donation of the eagle that is on display in Hofert Hall. He commended staff for cleaning and remounting the plaque at the Bartlett Parking lot, and reported that Rim of the World School District has been awarded an \$800,000 grant to build a sports complex near Running Springs.

Councilmember Hertzmann discussed that the "Reunion" benefit concert, sponsored by the Rotary and the Kiwanis Clubs, was a very successful event.

ADJOURNMENT:

There being no further business to come before the Council at this session, Mayor Cortez declared the meeting adjourned at 9:16 p.m.

Katherine E. Jefferies
City Clerk

APPROVED AT THE MEETING OF: September 23, 2002