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

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A Regular Meeting of the City Council of the City of Big Bear Lake was called to order by Mayor Pro Tem Mellen at 5:00 p.m., Tuesday, November 12, 2002, 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.

**OPEN SESSION**

Invocation: Pastor Jerry Reynolds, Big Bear Christian Center

Flag Salute: Councilmember Harris

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

Councilmember Excused: Mayor Mary Cortez

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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957  
Title of Position: City Manager

This item was continued for further discussion following open.

2. 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 Harris, seconded by Councilmember Hertzmann to approve the Agenda as presented. Motion carried 4-0.

**ANNOUNCEMENTS**

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

CATS presents "Inherit the Wind" – November 15, 16, 17, 20, 22, 23, 24, 26, 29 & 30.

Mountain Master Chorale Christmas presentation" – December 6 & 7.

Arts Council holiday celebration – December 8.

Center Stage Performing Arts Studio presents "The Nutcracker" – December 12 – 15.

City offices will be closed Thursday, November 28<sup>th</sup> and Friday, November 29<sup>th</sup> for the Thanksgiving holidays.

City Manager Perry reported that the City Council meeting scheduled for November 25 would not be held due to the Thanksgiving holidays.

**PRESENTATIONS**

City Manager Perry introduced Interim Fire Chief Ken Hammond.

**COMMITTEE REPORTS**

The SANBAG Committee Report was given by Councilmember Hertzmann.

Councilmember Harris reported that an article on the Big Bear Valley Business Seminars, by the San Bernardino Community College District Professional Development Center would be featured in the November 13<sup>th</sup> issue of the *Sun* newspaper.

## **PUBLIC FORUM**

Sandy Acosta, Big Bear Lake: discussed her concerns regarding a notice that she had received from the Fire Department to remove a dead tree on her property. She stated that she had already removed the tree prior to receiving the notice and that the City should have checked with her first before sending out the notice. She reported that there were three dead trees on the City owned parking lot on Village Drive.

Dennis Large', Big Bear Lake: discussed his concerns regarding the Bark beetle infestation that is becoming a big issue throughout the entire mountain area. He presented a copy of a resolution approved by the San Bernardino County Board of Supervisors proclaiming a local state of emergency related to Bark beetle infestation on public and private lands within the San Bernardino national forest, and urged the City to adopt a similar resolution. He also discussed the need for the City to adopt specific regulations to identify and remove trees that have been infested with Bark beetles.

Joe Sanders, Big Bear Lake: discussed his concerns regarding the way a member of the public conducted herself at a recent Planning Commission meeting and the need for a policy that regulates bad behavior.

Laura Koepke, President of Government Watch: suggested that the City contact the desert cities to see what they are doing to conserve water and at the same time keep their golf courses and grass green. She discussed the Bark beetle problems that the Lake Arrowhead area is having, which are placing their properties in jeopardy.

## **PUBLIC FORUM RESPONSE**

City Manager Perry responded that staff would look into the issues addressed in Public Forum. He responded to public forum issues brought before the Council on October 28, 2002, related to the invocation held at our Council meetings and stated that the matter will be discussed at the City Council meeting of December 9, 2002. He discussed the Bear Valley Electric rates, and stated that staff had prepared a comparison analysis of the Bear Valley Electric rates with Southern California Edison rates. He stated that the rates for the full-time residents in Big Bear Valley are slightly less than those served by Edison, however, our part-time residents are charged a slightly higher rate. He discussed the Performing Arts Center subsidy calculation prepared by staff and stated that the net subsidy is \$190,000.

**1. CONSENT CALENDAR**

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

**1.1 Approval of Demands – Check Issue Date 10/24/02 through 11/5/02 – Check Nos. 16155 through 16323, in the amount of \$355,757.41**

Approved.

**1.2 Approval of the Minutes from the Regular Meeting of October 14, 2002**

Approved.

**1.3 Accept as Complete – Modifications to Sewage Lift Station No. 2**

Council consideration of accepting the Sewage Lift Station No. 2 Modifications as complete, determine the final contract cost to be \$127,389.00, and authorize the City Clerk to file the Notice of Completion and release the retention amount of \$12,738.90, thirty-five days after the recordation, provided that no stop notices are filed with the City.

Approved.

**1.4 Accept as Complete – Sewage Lift Station SCADA System**

Council consideration of accepting the Sewage Lift Station SCADA System as complete, determine the final contract cost to be \$264,256.00, and authorize the City Clerk to file the Notice of Completion and release the retention amount of \$19,817.54, thirty-five days after the recordation, provided that no stop notices are filed with the City.

Approved.

**1.5 Accept as Complete – Lakeview Drive Street Rehabilitation**

Council consideration of accepting the Lakeview Drive Street Rehabilitation Project as complete, determine the final contract cost to be \$247,669.51, and authorize the City Clerk to file the Notice of Completion and release the retention amount of \$24,766.95, thirty-five days after the recordation, provided that no stop notices are filed with the City.

Approved.

**1.6 Ordinance amending certain Sections of the Municipal Code regarding Service Fees**

Council consideration of second reading and adoption of an ordinance amending certain sections of the Municipal Code regarding Service Fees to provide technical changes to harmonize the Municipal Code with the Uniform Fee Schedule as adopted by Resolution No. 2002-35.

Council adopted the following ordinance, entitled:

ORDINANCE NO. 2002-329

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 REGARDING SERVICE FEES TO PROVIDE CERTAIN TECHNICAL CHANGES TO HARMONIZE THE MUNICIPAL CODE WITH THE UNIFORM FEE SCHEDULE SET BY RESOLUTION NO. 2002-25

The Consent Calendar was approved by the following vote:

|          |  |
|----------|--|
| AYES:    | Harris, Hertzmann, Mellen, Mulvihill                   |
| NOES:    | None   |
| ABSENT:  | Cortez   |
| ABSTAIN: | Mellen on Item 1.2 as he had not attended that meeting |

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

None.

**3. DISCUSSION/ACTION ITEMS**

**3.1 Accept as Complete – 2002 Sewer Reline Project**

Council consideration of accepting the 2002 Sewer Reline Project as complete, determine the final contract cost to be \$404,590.00, and authorize the City Clerk to file the Notice of Completion and release the retention amount of \$40,459.00, thirty-five days after the recordation provided that no stop notices are filed with the City.

Motion by Councilmember Hertzmann, seconded by Councilmember Harris to approve the staff recommendation.

Said Motion was approved by the following vote:

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

**3.2 State Citizens Option for Public Safety (COPS) Grant Allocation for fiscal year 2002/2003**

Council consideration of approving the expenditure plan for the State COPS Grant Allocation for fiscal year 2002/2003.

Motion by Councilmember Mulvihill, seconded by Councilmember Hertzmann to approve the expenditure plan for the State COPS Grant Allocation for fiscal year 2002/2003.

Said Motion was approved by the following vote:

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

**3.3 Amendment to Agreement for Completion of Public Improvements for Tract 15461 (Pratte)**

Council consideration of approving a request to amend the Agreement for Completion of Public Improvements for Tract 15461 (Pratte) to allow “pilings” to be installed prior to winter.

Deleted.

**FUTURE AGENDA ITEMS**

None.

**CITY MANAGER REPORTS**

City Manager Perry discussed that staff had met with representatives from Habitat for Humanity to discuss the feasibility of constructing multiple low-moderate income housing units on the City’s property located on Jeffries Road. He stated that Habitat is

unable to support such a large project at this time, due to the costs involved, but would like an opportunity to work with the City in the future on a low-income single-family home project.

### **CITY COUNCIL REPORTS**

Councilmember Hertzmann reported that voter turnout in the City of Big Bear Lake on November 5, 2002 was 62.9%, the highest in the county.

Councilmember Mulvihill congratulated Mr. Conklin and Mr. Dally on their election to the City Council.

At the hour of 7:29 p.m., Council adjourned to Closed Session.

### **RESULTS OF CLOSED SESSION**

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957  
Title of Position: City Manager

No reportable action.

### **ADJOURNMENT:**

There being no further business to come before the Council at this session, Mayor Pro Tem Mellen, adjourned the meeting at 8:20 p.m., in memory of Robert Covington.

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Katherine E. Jefferies  
City Clerk

APPROVED AT THE MEETING OF: December 9, 2002