
**CITY OF BIG BEAR LAKE CITY COUNCIL
MINUTES FOR REGULAR MEETING
FEBRUARY 24, 2003**

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, February 24, 2003, 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: Dr. Michael Erickson, Big Bear Christian Center asked for a moment of silence

Flag Salute: Councilmember Hertzmann

Councilmembers Present: Mayor Liz Harris
Mayor Pro Tem Darrell Mulvihill
Councilmember S. O. Conklin
Councilmember Ken Dally
Councilmember Hertzmann

Councilmember Excused: None

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

RESULTS OF CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property: 39707 Big Bear Boulevard, 39690 Big Bear Boulevard, and 42610 Rathburn Drive, Big Bear Lake, California

Negotiating Parties: City Manager, Fire Chief and Verizon Wireless
Under Negotiation: Price and Terms of Payment

No reportable action.

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 Hertzmann, seconded by Councilmember Conklin 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

Operation Breakthrough presents “*Lana Johnson on how to Empower Your Life* – March 2.
Soroptimist International of Big Bear Valley presents *Man About Town* – March 8.
Sharon Rizzo presents *Bella Musica* – March 14.

PRESENTATIONS

A presentation was given by representatives of BBARWA on the Water Reuse Program.

COMMITTEE REPORTS

The MARTA Committee Report was given by Councilmember Conklin.

The SANBAG & Measure I Committee Reports were given by Councilmember Hertzmann.

The Economic Development Committee Report was given by Mayor Harris.

PUBLIC FORUM

Linda Armstrong, Big Bear Lake: discussed that she resides at Big Bear Mobile Estates and recently received a notice that she must move out of the park because she lives in a recreational vehicle. She stated that she is having difficulty finding a park that will accept her trailer; and the parks that will accept it, charge a very high rental fee. She wanted Council to also know that the tenants at Big Bear Mobile Estates are being slandered and harassed by the new owners.

Vic Hatten, Big Bear Lake: thanked City Council and staff for listening to his plea two weeks ago, when he discussed that he had been given an eviction notice from Big Bear Mobile Estates. He discussed the article in the *Grizzly* Newspaper regarding his issue, and clarified numerous errors that the article contained. He stated that he has reported to the City issues regarding a water leak that the mobilehome park owner has never fixed, and a trench that was dug for a block wall that has been left uncovered. He invited the Council to meet with him in order to inspect the problems located at the park.

Shirley Gates, Big Bear Lake: discussed that she has been told that she has to move out of Big Bear Mobile Estates because her trailer has been classified as a travel trailer. She provided Council with pictures that show that her trailer is a permanent home.

Lilly Gates, Big Bear Lake: stated that Shirley Gates is her daughter and discussed the difficulties her daughter would face if forced to relocate. She stated that she was present when her daughter purchased the home in the park, and stated that her daughter was told that the home she was purchasing was a full-time residence.

PUBLIC FORUM RESPONSE

City Manager Perry responded to Mr. Hatten and Ms. Gates and explained that the City does not have direct authority to intervene into matters involving mobilehome parks. He stated that staff contacted the Inland Valley Housing and Mediation Board, who specializes in mobilehome park tenant issues, and was told that the Board may be able to assist the residents of the park. Staff then forwarded the information to Mr. Hatten.

1. CONSENT CALENDAR

Motion by Mayor Pro Tem Mulvihill, seconded by Councilmember Hertzmann to adopt the Consent Calendar as follows:

1.1 Approval of Demands – Check Issue Date 02/06/03 through 02/19/03 – Check Nos. 17477 through 17676, in the amount of \$433,996.53

Approved.

1.2 Approval of the Minutes from the Special Meeting of January 27, 2003, the Regular Meeting of January 27, 2003, and the Special Meeting of February 3, 2003

Approved as presented.

1.3 Monthly Financial Report

Received and filed.

1.4 Auditing Services for Fiscal Year 2002/2003

Council consideration of approving a one-year contract extension with Lance Soll & Lunghard LLP for auditing services.

Approved.

The Consent Calendar was approved by the following vote:

AYES: Conklin, Dalley, Harris, Hertzmann, Mulvihill

NOES: None

ABSENT: None

ABSTAIN: Dally on Item 1.1 - Check No. 17637 for \$35.02 to Paper Clip.

2. ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

3. PUBLIC HEARINGS

3.1 Community Development Block Grant Program Year 2003-2004

Council consideration of prioritizing the funding for the Community Development Block Grant (CDBG) Applications for 2003-2004.

At the hour of 7:40 p.m., Mayor Harris opened the public hearing.

A letter was received from Father Patricio Guillen, Executive Director of Libreria Del Pueblo, Inc., San Bernardino, asking for the Council's support to provide Public Service Funds for the continuation of legal immigration assistance to residents of Big Bear Lake.

Judy Morris, Executive Director of Moses House Ministries: spoke in support of the request by Moses House Ministries, Hesperia, for Public Service Funds to provide housing and family services for pregnant teens and single mothers.

KelLe Malkewitz, Executive Director of U.S. Adaptive Recreation Center: spoke in support of the request by the U.S. Adaptive Recreation Center, Big Bear Valley, for Public Service Funds to create a new Therapeutic and Recreational Snowshoeing Skills Program for students within the Big Bear Valley.

Pastor Jeff Tunnell, Big Bear Christian Center: stated that he is representing Linda Bathen, Executive Director of Eternal Light Ministries, for Public Service Funds for the continuation of emergency food, shelter and referral services throughout the Big Bear Valley.

Gary Dolin, Director of Lutheran Social Services of Southern California: spoke in support of the request by Lutheran Social Services for Public Service Funds to provide a "Telephone Warmline" to maintain contact and provide services for seniors in Big Bear Lake.

Donna French, Executive Director of Operation Breakthrough: spoke in support of the request by Operation Breakthrough for Capital Improvement Project Funds to support a new 600 square foot expansion of the existing facility for additional meeting rooms; and Public Service Funds to expand the "Natural High Club," the Drug Prevention Education Program to the Big Bear Elementary School.

Pamela Heinman and Danita Craft, Big Bear Lake Library: spoke in support of the request from the Big Bear Lake Branch County Library for Public Service Funds for the continuation of the Adult Literacy Program.

Janet Trott, Executive Director of DOVES and Connie Allen: spoke in support of the request for Public Service Funds for DOVES of Big Bear Valley for a new program that would reach out to the Hispanic population.

Floyd Lewis, Director of Big Bear Valley Recreation & Park District: spoke in support of the request by Big Bear Valley Recreation and Park District for Capital Improvement Project Funds to repave the 37,000 square foot parking lot located at the Senior Center.

Kathleen Campbell, Soroptimist International of Big Bear Valley: spoke in support of the request by Soroptimist International for Public Service Funds for the expansion of daycare tuition assistance.

At the hour of 8:25 p.m., Mayor Harris closed the public hearing.

Motion by Councilmember Hertzmann, seconded by Councilmember Conklin to approve the funding for the Community Development Block Grant Applications for Program Year 2003-2004 for Capital Improvement Project Funds to Operation Breakthrough - \$20,000 for a 600 square foot expansion of existing building to expand counseling services; and, Big Bear Valley Recreation and Park District - \$10,000 to repave the existing Senior Center parking lot.

Said Motion was approved by the following vote:

AYES: Conklin, Dalley, Harris, Hertzmann, Mulvihill
NOES: None
ABSENT: None
ABSTAIN: None

Motion by Councilmember Dally, seconded by Mayor Pro Tem Mulvihill to approve funding for the Community Development Block Grant Applications for Program Year 2003-2004 Public Service Funds to Soroptimist International of Big Bear Valley - \$5,000 for the expansion of daycare tuition assistance for Rainbow Kids Club.

Said Motion was approved by the following vote:

AYES: Conklin, Dalley, Harris, Hertzmann, Mulvihill
NOES: None
ABSENT: None
ABSTAIN: None

Motion by Mayor Pro Tem Mulvihill, seconded by Councilmember Conklin to approve funding for the Community Development Block Grant Applications for Program Year 2003-2004 Public Service Funds to DOVES of Big Bear Valley - \$5,000 for a new Bilingual Domestic Violence Services Program.

A Substitute Motion was given by Councilmember Hertzmann, and seconded by Councilmember Dally to approve funding for the Community Development Block Grant Applications for Program Year 2003-2004 Public Service Funds to Lutheran Social Services of Southern California - \$5,000 for a new Telephone Senior Outreach and Resource Services Program.

The Substitute Motion failed by the following vote:

AYES: Dalley, Hertzmann,
NOES: Harris, Mulvihill, Conklin
ABSENT: None
ABSTAIN: None

Motion by Mayor Pro Tem Mulvihill, seconded by Councilmember Conklin to approve funding for the Community Development Block Grant Applications for Program Year 2003-2004 Public Service Funds to DOVES of Big Bear Valley - \$5,000 for a new Bilingual Domestic Violence Services Program.

Said Motion was approved by the following vote:

AYES: Mulvihill, Conklin, Dalley, Harris,
NOES: Hertzmann
ABSENT: None
ABSTAIN: None

Motion by Councilmember Conklin, seconded by Councilmember Dally to approve funding for the Community Development Block Grant Applications for Program Year 2003-2004 Public Service Funds to Big Bear Lake Branch County Library - \$5,000 for the continuation of the Adult Literacy Education Program.

Said Motion was approved by the following vote:

AYES: Mulvihill, Conklin, Dalley, Harris
NOES: Hertzmann
ABSENT: None
ABSTAIN: None

Motion by Councilmember Dally, seconded by Councilmember Conklin to approve funding for the Community Development Block Grant Applications for Program Year 2003-2004 Public Service Funds to Lutheran Social Services of Southern California - \$5,000 for new Telephone Senior Outreach and Resource Services Program, if approved by County staff; otherwise the funds are to go into the unprogrammed account.

Said Motion was approved by the following vote:

AYES: Conklin, Dalley, Harris, Hertzmann, Mulvihill
NOES: None
ABSENT: None
ABSTAIN: None

RECESS

At the hour of 8:57 p.m., Mayor Harris declared a recess. At the hour of 9:04 p.m., Council reconvened.

4. DISCUSSION/ACTION ITEMS

4.1 City Council Meeting Invocations

Council consideration of providing direction to staff concerning the adoption of a policy related to permitting invocations at the City Council meetings.

Motion by Councilmember Dally, seconded by Councilmember Conklin to direct staff to add a heading to the Council Agenda, entitled, "Invocation/Moment of Personal Prayer;" that the City support the City of Burbank in their filing of a petition for certiorari with the United States Supreme Court; and, direct staff to continue to invite representatives from all faiths to provide non-sectarian prayer at the City Council meetings.

Said Motion was approved by the following vote:

AYES: Conklin, Dalley, Harris, Hertzmann,
NOES: None
ABSENT: None
ABSTAIN: Mulvihill

4.2 State Budget Meeting

Motion by Councilmember Hertzmann, seconded by Councilmember Conklin to appoint Mayor Harris and Councilmember Hertzmann to attend a meeting scheduled for April 4, 2003, with Assemblyman Bogh; and, Councilmember Hertzmann and Councilmember Dally to attend a meeting, date to be determined, with Senator Brulte to discuss the State Budget and the impact that it will have on the City of Big Bear Lake.

Said Motion was approved by the following vote:

AYES:	Conklin, Dalley, Harris, Hertzmann, Mulvihill
NOES:	None
ABSENT:	None
ABSTAIN:	None

At the hour of 9:52 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 9:58 p.m., the Fire Protection District adjourned to the Improvement Agency.

IMPROVEMENT AGENCY

Improvement Agency proceedings are contained in separate minutes.

At the hour of 10:00 p.m., the Improvement Agency adjourned to Regular Council Session.

FUTURE AGENDA ITEMS

None.

CITY MANAGER REPORTS

City Manager Perry reported that the Legislative Action meeting has been scheduled for May 14, 2003, in Sacramento. He stated that the meeting is held for the purpose of updating City officials on current legislation and to meet with State representatives.

CITY COUNCIL REPORTS

Councilmember Conklin inquired when the proposed Hilton Hotel Environmental Impact Review would be placed on the City Council agenda. Deputy City Manager Development Services Bogh reported that the City has not received an application or any fees for an EIR. She explained that the applicant had requested to use a particular consultant to prepare the report; however, they withdrew due to inadequate insurance. Staff is in the process of sending out Request for Proposals to a number of environmental firms.

Mayor Pro Tem Mulvihill requested an update regarding the bright lights at the Prestige Resort Development Project in the Village.

Chief Building Official Mosley reported that staff has prepared a letter to the Development offering recommendations regarding on-site and off-site lighting levels. He stated that the developer is handling the matter with the sub-contractors and that a resolution is anticipated within the next two to four weeks.

ADJOURNMENT:

There being no further business to come before the Council at this session, Mayor Harris adjourned the meeting at 10:10 p.m.

Katherine E. Jefferies, City Clerk

APPROVED AT THE MEETING OF: March 24, 2003