
**CITY OF BIG BEAR LAKE CITY COUNCIL
MINUTES FOR REGULAR MEETING
NOVEMBER 10, 2003**

A Regular Meeting of the City Council of the City of Big Bear Lake was called to order by Mayor Harris at 6:30 p.m., Monday, November 10, 2003, at the Civic Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

Invocation: Reverend Bill Weaver, Assembly of God

Flag Salute: Councilmember Dally

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

Councilmembers Excused: None

Others Present: Michael Perry, City Manager
Stephen Deitsch, Best Best & Krieger, LLP City Attorney
Katherine E. Jefferies, City Clerk/ACM
Molly Bogh, Deputy City Manager Development Services

AGENDA APPROVAL

Motion by Councilmember Dally, seconded by Councilmember Conklin to move Items 3.1 and Item 3.2 to be heard prior to the Consent Calendar and approve the Agenda as amended. Motion carried 5-0.

ANNOUNCEMENTS

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

- ❖ C.A.T.S. presents a Variety Show dedicated to local Emergency Groups – November 28, & 29.
- ❖ Christmas with Bella Musica – December 4
- ❖ Mountain Master Chorale Christmas Show – December 6
- ❖ Center Stage presents “*The Nutcracker*” – December 11 – 14
- ❖ The Singing Christmas Tree – December 19 - 21

The City is accepting applications for one seat on the Planning Commission until 5:00 p.m., November 14, 2003. Applicants must be a City of Big Bear Lake resident and a registered voter. To obtain an application, please contact the City Clerk's office at 866-5831, ext 103.

Residents and businesses in the Big Bear Valley are invited to bring old computer monitors and television sets to an Electronic Waste Round-Up, which has been rescheduled for Saturday, November 22, 2003, from 10:00 a.m., to 2:00 p.m., at Veterans Park.

City offices will be closed Tuesday, November 11, 2003, in observance of Veterans Day.

PRESENTATIONS

Mayor Harris presented a Proclamation declaring November 11, 2003, as "Big Bear Valley Veterans Day."

COMMITTEE REPORTS

None.

PUBLIC FORUM

None.

PUBLIC FORUM RESPONSE

None.

Items 3.1 and 3.2 were discussed prior to the Consent Calendar.

3. DISCUSSION/ACTION ITEMS

3.1 Paine Road, Village Drive and Big Bear Boulevard Intersection Design, and Amendment to Professional Services Agreement for Engineering Design Services

Council consideration of approving the proposed design for a traffic signal at the Paine Road/Lakeview Drive/State Route 18 intersection; and approve Amendment No. 1 to the Professional Services Agreement with Albert Grover & Associates to complete the traffic signal intersection design.

At the hour of 6:43 p.m., Mayor Harris was excused from the meeting due to a conflict of interest.

Motion by Councilmember Hertzmann, seconded by Councilmember Conklin to approve the proposed design for a traffic signal at the Paine Road/Lakeview Drive/State Route 18 intersection; and approve Amendment No. 1 to the Professional Services Agreement with Albert Grover & Associates to complete the traffic signal intersection design.

Said Motion was approved by the following vote:

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

At the hour of 6:59 p.m., Mayor Harris returned to the meeting.

3.2 Healthy Urban Forest Initiative

Council consideration of approving the Healthy Urban Forest Initiative for Big Bear Valley; authorize staff to transmit the proposal to the appropriate elected officials and agency representatives; and, direct staff to prepare a budget and proposal for Council consideration at a future meeting.

City Manager Perry explained that it is essential to create a healthy forest in order to protect our community from the dangers of uncontrolled forest fires. He gave an overview of the proposed Healthy Urban Forest Initiative (HUPI), and stated that he was asking not only for the Council's support, but the support of the entire community. He stated that he was also prepared to go to Washington D.C. to ask the federal government for their support. He discussed the four points of the Plan as follows:

- ❖ To complete the fire breaks that were begun within the Big Bear area during the Old Fire;
- ❖ Maintain these fire breaks in perpetuity;
- ❖ Remove the dead trees from the forest in Big Bear Valley;
- ❖ Implement an Urban Forest Management Plan within the Big Bear Valley that will maintain a sustainable density of healthy trees that can survive droughts and natural beetle infestations.

He stated that if the Council approves the Plan, he would initiate discussions immediately with federal elected officials and agency administrators to begin

implementing the Plan for Big Bear Valley, with anticipation that work would begin in spring of 2004.

Eddie Phillips, Big Bear Lake: discussed the difficulty the community of Idyllwild has had trying to create a fuel break under the constant threat of lawsuits from various environmental groups.

Christie Walker, Big Bear Lake: discussed that the Sierra Club has long supported responsible fuel reduction around communities and fully supports any wild fire policy that makes community protection its top priority. She stated that no fuel reduction projects have been prevented by the Sierra Club or any other environmental organization in the San Bernardino Mountains in the past decade. The Sierra Club Big Bear group has agreed to work with the forest service and the City Manager to develop and promote a program for healthy forests to keep the community safe. She discussed a 7-point plan, established by the National Sierra Club, and modeled on research by the forest service, and has been asking the Bush administration to adopt the plan as a blueprint for the next five years.

Lloyd Sturdy, Big Bear City: discussed that he is in support of a healthy forest plan, however, he feels that the Sierra Club is trying to eliminate over 80 miles of roads in the forest, which will make it very difficult for firefighters to fight a forest fire.

Janette Player, Big Bear Lake: discussed the importance of not only saving the community, but also saving the wilderness by thinning trees and maintaining, and or building new fire roads.

Bob Davies, Big Bear Lake: discussed the need to come up with a ratio of trees that is appropriate per forest acre.

Ed Phillips, Big Bear Lake: urged the City to start attending Forest Service meetings to find out what they plan to do regarding forest management.

Jerry Bennett, Big Bear Lake: discussed that several years ago, there were several fire roads in our mountains that can no longer be found, which could create a major problem if a fire breaks out, especially in the Santa Ana river, Deer Creek area, which could potentially cut off two of our three routes out of the Valley.

Mary Stohr, Big Bear Lake: spoke in support of the plan and commended the City for taking an aggressive stand.

John Eminger, Big Bear City: spoke in support of the plan.

Norm Reinik, Big Bear Lake: spoke in support of the plan and stated that this is our golden opportunity to do something positive to create a healthy forest.

Diane McCarty, Sugarloaf: discussed her concerns regarding the part-time homeowners who do not take care of their properties, and the need for the real estate industry to do something so that homes cannot be sold unless the dead trees are removed. She stated that the State of California should provide a tax credit to help those who are paying an enormous amount of money to remove their trees.

Elizabeth Bennett, Big Bear Lake: stated that she lost her full-time residence in the Del Rosa fire and is now a resident of the Big Bear Valley. She spoke in support of the plan because she does not want to lose another home.

Sally Iazeolla, Big Bear Lake: discussed that the real estate community is in support of the proposed plan.

Motion by Mayor Pro Tem Mulvihill, seconded by Councilmember Dally to approve the Healthy Urban Forest Initiative for Big Bear Valley; authorize staff to transmit the proposal to the appropriate elected officials and agency representatives; and, direct staff to prepare a budget and proposal for Council consideration at a future meeting.

Said Motion was approved by the following vote:

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

At the hour of 8:04 p.m., Mayor Harris declared a recess. At the hour of 8:15 p.m. Council reconvened.

1. CONSENT CALENDAR

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

1.1 Approval of Demands – Check Issue Date 10/23/03 through 11/5/03 – Check Nos. 20585 through 20699, in the amount of \$474,582.79

Approved as presented. Councilmember Conklin abstained from voting on Check No. 20627, payable to Conklin Paint in the amount of \$148.70.

1.2 Continuance of the Declaration of Local State of Emergencies

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

Approved.

1.3 Appropriation Request for Fox Farm Road Rehabilitation Project

Council consideration of approving an appropriation of \$631,000 for the pavement rehabilitation of Fox Farm Road from Big Bear Boulevard (SR 18) to Garstin Road by establishing Account 321-4321-3924 to the fiscal year 2003/2004 Budget; transferring \$190,000 from Measure I Arterial, \$62,000 from Measure I Local, and \$120,000 from Sanitation funds; \$100,000 from undesignated Measure I Arterial (Account 290-0000-1531) and \$35,000 from undesignated Measure I Local (Account 279-0000-2531) to Account 321-4321-3924; \$124,000 from the General Fund undesignated reserves to Account 321-4321-3924 in the fiscal year 2003/2004 budget, with this amount to be reimbursed from Sanitation funding for roadway improvements in the fiscal year 2004/2005 budget.

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

1.4 Amendment No. 2 to the Agreement to Defer Landscaping Improvements related to "The Club" to Grant Temporary Certificates of Occupancy for the Clubhouse and Building No. 17

Council consideration of approving Amendment No. 2 for the Deferral of Improvements for Tract No. 16126 and Site Approval/Design Review 2000-052 Agreement with "The Club."

Approved.

1.5 Fiscal Year 2003/2004 Citizens Option for Public Safety (COPS) Grant and Supplemental Law Enforcement Services Fund (SLESF) Allocation

Council consideration of approving the FY 2003/2004 SLESF Expenditure Plan, as prepared by staff.

Approved.

1.6 Approval of the Minutes from the Meeting of October 13, 2003

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

1.7 Fee Waiver Request for Performing Arts Center Rental and Ticket Processing

Council consideration of approving a request from C.A.T.S. for the City to waive the PAC rental and ticket processing fees of \$1,738.51, for the purpose of holding a fund raising performance to benefit charities associated with victims of the Old Fire.

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

1.8 Employee Compensation during Emergency Situations

Council consideration of a resolution establishing the compensation for employees during emergency situations.

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

The Consent Calendar was approved by the following vote:

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

2. ITEMS REMOVED FROM THE CONSENT CALENDAR

1.3 Appropriation Request for Fox Farm Road Rehabilitation Project

Council consideration of approving an appropriation of \$631,000 for the pavement rehabilitation of Fox Farm Road from Big Bear Boulevard (SR 18) to Garstin Road by establishing Account 321-4321-3924 to the fiscal year 2003/2004 Budget; transferring \$190,000 from Measure I Arterial, \$62,000 from Measure I Local, and \$120,000 from Sanitation funds; \$100,000 from undesignated Measure I Arterial (Account 290-0000-1531) and \$35,000 from undesignated Measure I Local (Account 279-0000-2531) to Account 321-4321-3924; \$124,000 from the General Fund undesignated reserves to Account 321-4321-3924 in the fiscal year 2003/2004 budget, with this amount to be reimbursed from Sanitation funding for roadway improvements in the fiscal year 2004/2005 budget.

Motion by Councilmember Hertzmann, seconded by Councilmember Conklin to approve an appropriation of \$631,000 for the pavement rehabilitation of Fox Farm Road from Big Bear Boulevard (SR 18) to Garstin Road by establishing Account 321-4321-3924 to the fiscal year 2003/2004 Budget; transferring \$190,000 from Measure I Arterial, \$62,000 from Measure I Local, and \$120,000 from Sanitation funds; \$100,000 from undesignated Measure I Arterial (Account 290-0000-1531) and \$35,000 from undesignated Measure I Local (Account 279-0000-2531) to Account 321-4321-3924; \$124,000 from the General Fund undesignated reserves to Account 321-4321-3924 in the fiscal year 2003/2004 budget, with this amount to be reimbursed from Sanitation funding for roadway improvements in the fiscal year 2004/2005 budget.

Said Motion was approved by the following vote:

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

1.6 Approval of the Minutes from the Meeting of October 13, 2003

Motion by Mayor Pro Tem Mulvihill, seconded by Councilmember Conklin to approve the Minutes from the Meeting of October 13, 2003 as presented.

Said Motion was approved by the following vote:

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

1.7 Fee Waiver Request for Performing Arts Center Rental and Ticket Processing

Council consideration of approving a request from C.A.T.S. for the City to waive the PAC rental and ticket processing fees of \$1,738.51, for the purpose of holding a fund raising performance to benefit charities associated with victims of the Old Fire.

Russ Lowery, C.A.T.S.: urged the Council to approve the request.

Sarge Rachels, C.A.T.S.: urged the Council to approve the request.

Motion by Mayor Pro Tem Mulvihill, seconded by Councilmember Hertzmann to approve a request from C.A.T.S. for the City to waive the PAC rental and ticket processing fees of \$1,738.51, for the purpose of holding a fund raising performance to benefit charities associated with victims of the Old Fire.

Said Motion was approved by the following vote:

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

1.8 Employee Compensation during Emergency Situations

Council consideration of a resolution establishing the compensation for employees during emergency situations.

Sandy Acosta, Big Bear Lake: spoke in support of the resolution.

Council amended the resolution as follows:

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Big Bear Lake finds that employees directed to report for duty and work during a state of emergency declared by the City Manager will

receive administrative leave on an hour-for hour basis for time actually worked which they may cash out or leave credited to their leave banks; however, employees must use any such accrued leave time or receive cash in lieu thereof, within one year following the determination of an emergency by either the City Council or the City Manager.

Motion by Councilmember Hertzmann, seconded by Mayor Pro Tem Mulvihill to adopt the following resolution, entitled:

RESOLUTION NO. 2003-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA ESTABLISHING THE COMPENSATION FOR EMPLOYEES DURING EMERGENCY SITUATIONS

Said Motion was approved by the following vote:

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

At the hour of 8:51 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 8:52 p.m., Council adjourned to the Improvement Agency.

IMPROVEMENT AGENCY

Improvement Agency proceedings are contained in separate minutes.

At the hour of 8:53 p.m., the Improvement Agency adjourned to Regular Council session.

FUTURE AGENDA ITEMS

Councilmember Hertzmann requested that the Tree Ordinance be discussed at a future meeting.

CITY MANAGER REPORTS

City Manager Perry reported that the workshop meeting scheduled for November 17, 2003, regarding the status of the fiscal year 2003/2004 budget will be rescheduled for December. The joint meeting with the City Council, Planning Commission, and DWP Board to discuss City visioning and strategy will be rescheduled after the first of the year.

CITY COUNCIL REPORTS

Mayor Harris commended City Manager Perry, Fire Chief Hammond, Deputy City Manager Vasquez and Public Works Superintendent Vantine for their hard work during the Old Fire incident.

Councilmember Dally gave a status report of the BBARWA Recharge Program.

Mayor Pro Tem Mulvihill congratulated all Fire Chiefs in the Valley and City personnel for their efforts during the Old Fire incident.

Councilmember Conklin commended City Manager Perry for keeping the Council well informed during the evacuation time period.

Councilmember Hertzmann reported that the League of California Cities has officially filed the Local Government Protection Ballot Initiative with the Secretary of State, which should be placed on the March 2004 ballot.

ADJOURNMENT:

There being no further business to come before the Council at this session, Mayor Harris adjourned the meeting at 9:02 p.m.

Katherine E. Jefferies
City Clerk

APPROVED AT THE MEETING OF: December 8, 2003