
**CITY OF BIG BEAR LAKE CITY COUNCIL
MINUTES FOR REGULAR MEETING
JANUARY 12, 2004**

A Regular Meeting of the City Council of the City of Big Bear Lake was called to order by Mayor Harris at 4:30 p.m., Monday, January 12, 2004, at the Civic Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

PUBLIC FORUM FOR CLOSED SESSION

None.

At the hour of 4:35 p.m., Council adjourned to Closed Session.

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

OPEN SESSION

Invocation: Pastor Bill Weaver, Big Bear Lake Assembly of God

Flag Salute: Dottie Saville, General Manager of the DWP

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
Kathleen Smith, Finance Director

RESULTS OF CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code Section 54956.9 (a)

Name of Parties: City of Big Bear Lake v Griffen

Case Number: VCV010794 – San Bernardino Superior Court

No reportable action.

2. EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957

Title of position: Interim Fire Chief

No reportable action

AGENDA APPROVAL

Motion by Councilmember Conklin, seconded by Councilmember Hertzmann to approve the Agenda as presented. Motion carried 5-0.

ANNOUNCEMENTS

Upcoming events scheduled for the Performing Arts Center – For ticket information please contact the box office at 866-4970.

❖ The City of Big Bear Lake presents “The Unsinkable Molly Brown” – February 17

City offices will be closed Monday, January 19th in observance of Martin Luther King Day.

PRESENTATIONS

Deputy City Manager Development Services Molly Bogh introduced the City’s new City Engineer, Terry Lutz.

Department of Water & Power General Manager Dottie Saville introduced the new DWP General Manager Jerome Gruber, and reported that Principal Analyst Scott Heule has been promoted to Assistant General Manager of the DWP.

COMMITTEE REPORTS

Councilmember Hertzmann presented the report on the City Selection Committee.

PUBLIC FORUM

Vaino Hoffren, Big Bear Lake: spoke on the following:

1. He discussed the need for better signage, lighting, and pathways in the Village, so that it is easier for the public to locate the restrooms that are located in the Bartlett parking lot.

2. He presented a proposal for a public parking lot on the east side of Pine Knot Avenue, so that the public would have better access to the Village, by way of the Knickerbocker Flood Control easement, that runs from Pennsylvania to Pedder. He discussed that the easement could easily be turned into a parking lot utilizing class 2 base, with pavement added at a later date.
3. He discussed that during the weekend of January 10th, Pine Knot Avenue was closed due to a film crew shooting a commercial. He stated that he, and the other businesses along the street, had never been notified of the filming or that the streets would be closed to the public, which curtailed business. He stated that he had tried on numerous occasions to call the City to discuss the issue, but was unable to find a phone number of a manager or a public official.

PUBLIC FORUM RESPONSE

City Manager Perry's response to Mr. Hoffren:

He reported that the Wayfinding Signage Program would be presented for approval to the Planning Commission on Wednesday, January 21st. The Program will include directional signage in the Village area that will inform people where to shop, park and locate public restrooms.

He stated that he would have staff look into Mr. Hoffren's parking proposal and prepare a response to the Council.

He apologized to Mr. Hoffren for the filming that occurred in the Village, and clarified that a film permit had been issued to a student film crew to allow a commercial shoot in the Village. However, the permit did not give authorization for the street to be closed. He stated that he plans to send a letter of apology to each Village business owner and that staff will be directed to review and revise the film permit procedures and forms so that this does not happen again. He also plans to look into the City's after-hours phone message system to make sure that the public can contact a City employee at any time.

Mayor Harris requested that Mr. Perry also contact the college that the students attend, to inform them of what took place.

1. CONSENT CALENDAR

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

1.1 Approval of Demands – Check Issue Date 12/4/03 through 1/7/04 – Check Nos. 21006 through 21358, in the amount of \$1,906,853.75

Approved.

1.2 Approval of the Minutes from the Regular Meeting of November 24, 2003, the Special Meeting of November 26, 2003, the Special Meeting of December 1, 2003, the Workshop Meeting of December 8, 2003, and the Regular Meeting of December 8, 2003

Approved as presented.

1.3 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.

1.4 Sanitation Capital Projects – Accept 2003 Sewer Reline Project as Complete

Council consideration of accepting the 2003 Sewer Reline Project as complete; direct the City Clerk to file the Notice of Completion; and, release the retention thirty-five (35) days after the recordation of the Notice of Completion, provided that no stop notices are filed with the City.

Approved.

1.5 Adoption of the 2002-2003 Big Bear Lake Improvement Agency Annual Report

Council consideration of approving the 2002-2003 Annual Report for the Big Bear Lake Improvement Agency and ratify the transmission of the report to the State, subject to approval and adoption by the Improvement Agency.

Approved.

The Consent Calendar was approved by the following vote:

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

ABSTAIN: Councilmember Dally abstained from voting on Check No. 21337 in the amount of \$7.52, payable to Paper Clip Stationers.

2. ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

At the hour of 7:15 p.m., Council adjourned to the Improvement Agency.

IMPROVEMENT AGENCY

Improvement Agency proceedings are contained in separate minutes.

At the hour of 7:16 p.m., the Improvement Agency adjourned to the Fire Protection District.

FIRE PROTECTION DISTRICT

Fire Protection District proceedings are contained in separate minutes.

At the hour of 7:34 p.m., the Fire Protection District Board adjourned to Regular Council session.

3. DISCUSSION/ACTION ITEMS

3.1 Holloway's Marina and RV Park – Status Report on Pre-Annexation and Development Agreement and Initiation of Annexation

Council consideration of accepting the status report and adopting a resolution requesting that the Local Agency Formation Commission initiate annexation proceedings into the Big Bear Fire Protection District for 4.1 acres identified as APN 307-081-11, 12, and 13 (398 Edgemoor Road – Holloway's Marina).

Mr. Hafen, representative of Holloway's Marina and RV Park, was unable to attend the City Council meeting, therefore, Council asked that the status report on the Agreement be continued to the January 26, 2004 City Council meeting, in order to allow Mr. Hafen the opportunity to participate in the discussion. Staff

was also directed to meet with Mr. Hafen prior to the meeting to address issues of concern that Mr. Hafen may have regarding the status of his project.

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

RESOLUTION NO. 2004-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, REQUESTING THAT THE LOCAL AGENCY FORMATION COMMISSION INITIATE ANNEXATION PROCEEDINGS INTO THE BIG BEAR LAKE FIRE PROTECTION DISTRICT FOR 4.1 ACRES IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS 307-081-11, 12, AND 13 (398 EDGEMOOR ROAD; HOLLOWAY'S MARINA)

Said Motion was approved by the following vote:

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

3.2 Coggan Family Contribution to Boulder Bay Park

Council consideration of conceptually agreeing with a proposal from the Coggan family who wish to contribute funds toward the construction of Boulder Bay Park.

Staff was directed to check with the Boulder Bay Park design group to see whether or not prevailing wage has been factored into the estimated costs for the construction of the park, and report their findings back to the Council.

Motion by Councilmember Hertzmann, seconded by Mayor Pro Tem Mulvihill to conceptually accept the contribution as proposed from the Coggan family, toward the construction of Boulder Bay Park.

Said Motion was approved by the following vote:

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

3.3 “No Parking” Signs on Park Avenue

Council consideration of a resolution requiring no parking signs to be posted on the north side of Park Avenue extending from Eureka Avenue to approximately 50 feet west of Eureka Avenue.

Motion by Councilmember Conklin, seconded by Councilmember Hertzmann to adopt the following resolution, entitled:

RESOLUTION NO. 2004-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, REQUIRING NO PARKING SIGNS TO BE POSTED ON PORTIONS OF PARK AVENUE

Said Motion was approved by the following vote:

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

3.4 Healthy Urban Forest Initiative – Status Report, Revised Budget, and Grant Writer

Council consideration of a proposal to revise the HUFU Budget to include a grant writer and authorize staff to request a \$10,000 contribution from the Community Services District to assist in the grant writer funding.

City Manager Perry gave an overview of the revisions to the HUFU budget. He recommended that the amount allocated for the consultant services of Risk Sciences be reduced by \$30,000; to delete the funding for the Lobbyist, and for Meals and Travel; and, include an amount of \$100,000 for the purpose of employing a grant writer. He explained that the grant writer would be hired and housed by the County of San Bernardino; however, the salary and miscellaneous expenses would be paid by the City of Big Bear Lake. The main function of the grant writer would be the preparation of joint City and County grant applications in order to obtain funding for the implementation of HUFU.

Council discussed their concerns regarding the status and powers of the HUFU Steering Committee, which is made up of members from the majority of the agencies in the Valley. They discussed that those agencies should not be considered an equal partner, due to their small contribution toward HUFU, compared to the amount that the City has contributed. They discussed that perhaps the County and Community Services District should become more involved financially in all aspects of the HUFU Program.

City Manager Perry explained that he has made it clear that if a particular agency's contribution is small they are more than welcome to participate in the HUFU Program, however, they would not have the same status as the City.

Mayor Harris stressed the need for all agencies and citizens to hold hands across this Valley if we are going to save our homes and businesses from future disasters.

Motion by Councilmember Conklin, seconded by Councilmember Dally to approve the revised Healthy Urban Forest Initiative Budget as proposed by staff, and direct the City Manager to request a contribution from the Community Services District toward the HUFU Program.

Said Motion was approved by the following vote:

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

The City Manager was also directed to seek financial assistance from the Airport District Board.

3.5 2004 Council Committee Selection

Council consideration of approving the City Council Committee Assignments for 2004, as presented by Mayor Harris.

Motion by Mayor Pro Tem Mulvihill, seconded by Councilmember Conklin to approve the City Council Committee Assignments for 2004, as follows:

League of California Cities

Mountain/Desert Division

Hertzmann, Dally

Regional Boards

BBARWA	Harris & Dally
MARTA	Conklin, Hertzmann, Perry & Bogh as alternates
SANBAG	Hertzmann, Harris
Measure I	Hertzmann, Harris
CJPIA	Hertzmann, Vasquez
Solid Waste Task Force	Conklin, Bogh
Integrated Waste Management	Conklin, Bogh

Ad Hoc Committees

FY2004/2005 Budget	Hertzmann, Chairman, Dally, Member
Valley Wide Fire Study	Mulvihill, Chairman, Conklin, Member
Economic Development	Harris, Chairman, Mulvihill, Member
Village Advisory	Mulvihill, Chairman, Harris, Member
Business Friendly Efforts	Mulvihill & Conklin
Water Supply	Harris & Conklin
Confer with C.A.T.S. re PAC	Harris & Dally
Healthy Urban Forest Initiative	Harris & Dally
Clean Bear Sites	Mulvihill & Dally

Said Motion was approved by the following vote:

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

FUTURE AGENDA ITEMS

Mayor Pro Tem Mulvihill asked the City Manager to contact Flagstaff, Arizona to see what type of Fuel Management Program they have put into place, following their devastating wildfire season several years ago.

Councilmember Conklin asked for a County Health Inspection report for restaurant inspections in the City. He requested that staff agendize for discussion, the Performing Arts Center facility rental contract. He discussed the hazardous parking conditions at Starbucks Coffee on weekends and holidays, due to the fact that many people are parking across the street on Paine Road. He stated that he would like to discuss the possibility of placing no parking signs along Paine Road to alleviate the problem.

CITY MANAGER REPORTS

None.

CITY COUNCIL REPORTS

Mayor Pro Tem Mulvihill congratulated the Public Works staff for their prompt snow removal efforts in the Village during the holidays. He discussed an article in the Sun newspaper regarding the amount of revenue that can be generated from cellular tower companies when they place a tower on private or public property.

Mayor Harris reported that, on behalf of the City, she had accepted a medallion from San Bernardino State University, at a recognition ceremony honoring fire service personnel, the U. S. Forestry Service, and sheriff personnel, who were involved in the wildfire rescue efforts in October. She suggested that the medallion be presented to the Big Bear Lake Fire and sheriff personnel at the next City Council meeting.

ADJOURNMENT:

There being no further business to come before the Council at this session, Mayor Harris adjourned the meeting at 10:24 p.m.

Katherine E. Jefferies
City Clerk

APPROVED AT THE MEETING OF: February 9, 2004