
**CITY OF BIG BEAR LAKE CITY COUNCIL
MINUTES FOR REGULAR MEETING
APRIL 25, 2005**

A Regular Meeting of the City Council of the City of Big Bear Lake was called to order by Mayor Mulvihill at 5:00 p.m., Monday, April 25, 2005, 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 6:35 p.m., Council adjourned to Open Session.

OPEN SESSION

Invocation: Moment of Silence

Flag Salute: Led by City Manager Perry

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

Councilmembers Excused: None

Others Present: Michael Perry, City Manager
Stephen Deitsch, Best Best & Krieger, LLP City Attorney
Katherine E. Jefferies, City Clerk/ACM
Dave Martinez, Deputy City Manager Development Services
Kathleen Smith, Finance Manager
Dave Vasquez, Deputy City Manager Administrative Services

RESULTS OF CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8
Property: Cienega Road Big Bear Lake – APN 307-212-15

Negotiating Parties: City Manager, and City Attorney on behalf of the City, and representative from Bear Valley Electric
Under Negotiation: Price and Terms of Payment

No reportable action.

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8

Property: 42030 Garstin Road, Big Bear Lake
Negotiating Parties: City Manager, and City Attorney on behalf of the City, and “Estate of Allen Allison.”
Under Negotiation: Price and Terms of Payment

No reportable action.

AGENDA APPROVAL

Motion by Mayor Pro Tem Dally, seconded by Councilmember Conklin 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.

- Big Bear High School presents “Beauty and the Beast” – April 28 – April 30
- Big Bear Lake Performing Arts Center Foundation presents the “Tangos” – May 6
- Mountain Master Chamber Singers presents “Steppin’ Out” – May 14

PRESENTATIONS

Mayor Mulvihill presented a Proclamation proclaiming May 1-7, 2005 as “National Drinking Water Week.”

Mayor Mulvihill presented a Proclamation proclaiming May 8 – 14, 2005 as “Building Safety Week.”

Mayor Mulvihill presented a Proclamation proclaiming the month of April 2005 as “Fair Housing Month.”

Fire Chief Morley introduced the new Fire Forestry Technician David Yegge to the Council. Chief Morley and Mr. Yegge presented a status report on the HUF/Defensible Space Program.

City Manager Perry announced that the Cinco De Mayo Fiesta would be held from 11:00 a.m. until midnight on Sunday, May 1, 2005 at the Big Bear Lake Convention Center, and encouraged the Council and public to attend.

COMMITTEE REPORTS

Mayor Pro Tem Dally announced that BBARWA had been awarded wastewater treatment "Plant of the Year" from the California Water Environment Association. He stated that the award is highly prestigious and that BBARWA was recognized for the quality and overall conditions of their plant, permit compliance, safety records, public education and financial health.

Councilmember Harris gave a status report on the College Economic Development Committee, and announced that the Committee had received a Distance Learning Grant, through Valley College, which meets one of the major goals of the strategic planning committee to develop a community college campus in the Big Bear Valley. The grant will provide educational opportunities for citizens to obtain an AA Degree without leaving the mountain.

PUBLIC FORUM (City Council, Fire Protection District and Improvement Agency)

Lana Johnson, Family Counseling Center: announced that the Family Counseling Center is co-sponsoring "Child Car Seat Safety Awareness Day" April 27th from 9:30 a.m., to 4:00 p.m., at Meadow Park, with the Bear Valley Recreation and Park District; in collaboration with the Big Bear Sheriff's Department and Big Bear Choppers. She stated that 70 car seats, donated by Big Bear Choppers, would be given to those eligible to participate in the free Car Seat Safety Program.

PUBLIC FORUM RESPONSE

None.

1. CONSENT CALENDAR

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

1.1 Approval of Demands – Check Issue Date 4/07/05 through 4/15/05 – Check Nos. 26809 through 26924, in the amount of \$2,335,899.11

Approved. Councilmember Dally abstained from voting on Check No. 26907 in the amount of \$38.78 payable to Paper Clip Stationers.

1.2 Continuance of the Declaration of Local State of Emergency

Continued the Declaration of the Local State of Emergency due to the drought and Bark Beetle infestation.

1.3 Continuance of the Declaration of Local State of Emergency

Continued the Declaration of the Local State of Emergency due to rain and snow.

1.4 Department of Water & Power Board of Commissioners, and Planning Commission Vacancies

Council consideration of authorizing staff to advertise for three seats on the DWP Board and two seats on the Planning Commission.

Approved.

1.5 Fiscal Year 2005-2006 Sewer Reline Project

Council consideration of allocating \$495,000 from the Sanitation Fund to Account 321-4323-3971; authorize staff to advertise for bids for the Sewer Reline Project; and, make a finding that the project is categorically exempt from the requirements of the California Environmental Quality Act, pursuant to Section 15302c.

Approved.

1.6 Boulder Bay Park Project

Council consideration of authorizing staff to release the 5% retention of the completed portion of the Boulder Bay Park Project (\$27,623.67).

Approved.

1.7 Storm Damage Projects

Council consideration of authorizing staff to allocate \$167,600 from the Disaster Reserve Fund (\$121,800), and Street Reserve Fund (\$45,800), to Account 321-4323-3971; authorize staff to advertise for bids for six projects, the result of damage that occurred from the January 2005 storms; and, make a finding that projects 6, 9, 22, and 29 are categorically exempt from the requirements of the California Environmental Quality Act, pursuant to Section 15301.

Approved.

1.8 Possible Sales Tax Election

Council consideration of approving the amendment to the Contract with Lew Edwards Group; direct staff to transfer \$30,000 from undesignated fund balance to general fund professional services account 110-4800-2400; authorize the City Manager to execute the contract; and, direct the City Council's Committee to continue to work with staff and the consultant towards a 2006 Sales Tax Election.

Approved.

The Consent Calendar was approved by the following vote:

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

2. ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

3. DISCUSSION/ACTION ITEMS

3.1 Village Assessment District

Council consideration of the results of the Village Assessment District Ballot.

City Manager Perry explained the three options that were mailed as part of the "Advisory Ballot" to the property owners within the Village Assessment District. He stated that the owners were asked to vote to:

Leave the assessment as it is at \$9.64 per linear front footage with significant reduction in service.

Form a Non-Profit group to operate the Village Assessment District.

Increase assessments to \$13.63 per linear foot and maintain the services.

Mr. Perry stated that the results of the ballot indicated that no one was in favor of Option 1. Option 2 received 29% vote of the total linear feet, and Option 3 received 28.3% vote of the total linear feet. Therefore, there was no clear majority conclusion since Option 2 and 3 are within 0.7%. He reported that 42.6% of the lineal feet owners did not vote. He recommended that the City Council refer the matter back to the Village Advisory Committee to work with the proponent of Option 2 to clarify the City's financial involvement.

Hal Schoettger, Big Bear Lake: presented a letter to the Council which states that the proponents of Option 2 need to meet with the Village Advisory Committee and implement the plans of Option 2. He stated that he was disappointed in the financial statements that he had received from the City regarding which services should be covered and paid for by Assessment District, and which services should be paid by the City. He stated that he feels that Option 2 is the clear winner because it received a majority of the votes cast over Option 1 & 3.

Motion by Councilmember Harris, seconded by Mayor Pro Tem Dally to refer this matter back to the Village Advisory Committee to work with the proponent of Option 2, in order to clarify the City's financial involvement, and create a detailed business plan of the Option, and report back to the full Council.

Said Motion was approved by the following vote:

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

At the hour of 7:27 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 7:44 p.m., the Fire Protection District adjourned to Regular Council session.

FUTURE AGENDA ITEMS

Councilmember Conklin requested a report from staff regarding the potential for future development in light of the plant resources on the Civic Center property.

CITY MANAGER REPORTS

City Manager Perry reported that he and Mayor Mulvihill attended the Economic Briefing and Business Expo at the Ontario Convention Center on April 22, 2005. He reported that the meeting was well attended, and that John Husing; the leading economist for the Inland Empire, had provided a report indicating a positive outlook for the next foreseeable future.

CITY COUNCIL REPORTS

Mayor Mulvihill discussed the need for Council committee members to continue to present committee reports to the full Council.

ADJOURNMENT:

There being no further business to come before the Council at this session, Mayor Mulvihill adjourned the meeting at 7:57 p.m.

Katherine E. Jefferies
City Clerk

APPROVED AT THE MEETING OF: May 23, 2005