
**CITY OF BIG BEAR LAKE CITY COUNCIL
MINUTES FOR REGULAR MEETING
JUNE 13, 2005**

A Regular Meeting of the City Council of the City of Big Bear Lake was called to order by Mayor Mulvihill at 4:30 p.m., Monday, June 13, 2005, 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: Moment of Silence

Flag Salute: Led by Councilmember Jahn

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

Councilmembers Excused: Councilmember Liz Harris

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
Dave Vasquez, Deputy City Manager Administrative Services

RESULTS OF CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6

Name of Negotiators: City Manager, City Attorney and Deputy City Manager of Administration

Name of Organization: San Bernardino Public Employees Association

No reportable action.

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

Property: APN 309-046-32, 404 Jeffries, Big Bear Lake
Negotiating Parties: City Manager, and City Attorney on behalf of the City, and Mr. Alan Degenhardt
Under Negotiation: Price and Terms of Payment

No reportable action.

3. 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 Councilmember Jahn, seconded by Councilmember Conklin to add Item 4.3 Bus Shelters to the Agenda based on the finding that the matter arose after the posting of the Agenda, and the need to take action at this time. Motion carried 4-0.

Motion by Mayor Pro Tem Dally, seconded by Councilmember Jahn to approve the Agenda as amended. Motion carried 4-0.

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 "The Sound of Music" – June 24, 25, 26, 29, July 1, 2 3, 5, 6, 8, 9, 10

At 1:00 p.m., on June 25, 2005 at Veteran's Park the City will:
Dedicate the Pavilion and recognize the efforts of Vince Smith and the Rotary Club;
Present the first "Concert in the Pavilion" by a 30-piece Military Band; and
Kick-off the City's 25th Anniversary (1980 – 2005)

PRESENTATIONS

Mayor Mulvihill presented a 15-year City Employee Pin to Earl Forthun, DWP Meter Tech I.

Recognition was given to Firefighter Marcio Carvalho upon receiving his paramedic certificate from Crafton Hills College. Fire Chief Morley introduced Paid Call Firefighters Craig Binnell, Chris Covington, and Nicolas Turner, and announced that they had recently completed the Fire Department's training session, as well as off-site wildfire training sessions.

Mayor Mulvihill presented Kayla Dorsey, Miss Big Bear 2005, with a certificate of commendation, and commended Cathy Fulton and Julie Hastings for organizing and producing the Miss Big Bear Pageant for the past eighteen years.

COMMITTEE REPORTS

Mayor Pro Tem Dally presented the BBARWA Committee Report, and stated that BBARWA continues to work on the Groundwater Recharge Program. He encouraged the public to attend the next Board meeting, scheduled for 4:30 p.m. on June 22, when the Board will discuss the costs associated with the Program.

Councilmember Jahn presented the Tax Election Committee Report, and stated that the committee continues to meet with the Lew Edwards Group. He also presented the Special Events Committee report, and stated that he and Councilman Conklin have met with the Event Office Manager to discuss a special event for Labor Day weekend.

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

Paddy Speyers, Big Bear Lake: announced that the 17th annual "Zooccasion" has been scheduled for July 2 & 3 from 10:00 a.m. to 5:00 p.m., at the Big Bear Zoo, and encouraged everyone to attend.

Ron Cotta, Big Bear Lake: stated that he lives on Blue Jay Road in Big Bear Lake, and discussed the deplorable condition of the road, stating that it has never been properly repaired or maintained.

Jeff & Cynthia May, Big Bear Lake: discussed the condition of Blue Jay Road, north of Willow Landing, and stated that the road is unsafe during the winter and spring months.

He presented petitions signed by the residents on Blue Jay requesting that the City improve and repave the street and access road.

Tom McAtee, Big Bear Lake: discussed that Blue Jay Road has become a safety hazard, and stated that during the winter the water flows down the road making it very difficult for snowplows and residents to drive on.

PUBLIC FORUM RESPONSE

City Manager Perry stated that he would have staff look into the issues related to Blue Jay Road.

1. CONSENT CALENDAR

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

1.1 Approval of Demands – Check Issue Date 5/18/05 through 6/07/05 – Check Nos. 27329 through 27547, in the amount of \$478,472.44

Approved.

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 Sewer Fees, Refuse Fees, and Sewer Standby Fees

Council consideration of authorizing staff to schedule a Public Hearing for July 11, 2005, for the collection of assessments for the Sewer Fees, Refuse Fees, and Sewer Standby Fees, for fiscal year 2005-2006 on the tax roll.

Approved.

1.4 Incorporation of the Fiscal Year 2005-2006 Department of Water & Power Approved Budget into the Fiscal Year 2005-2006 City of Big Bear Lake Budget

Council consideration of a resolution incorporating the DWP approved budget for fiscal year 2005-2006 into the fiscal year 2005-2006 City budget.

Adopted the following resolution, entitled:

RESOLUTION NO. 2005-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, INCORPORATING THE DEPARTMENT OF WATER AND POWER OF THE CITY OF BIG BEAR LAKE APPROVED BUDGET FOR FISCAL YEAR 2005-06 INTO THE CITY BUDGET

1.5 “Island in the Sky Concert” – Request for City Co-Sponsorship

Council consideration of approving a request for the City to co-sponsor the September 4, 2005 “Island in the Sky” concert, and contribute \$5,000 from the City’s undesignated reserve account, based on the condition that the City would receive one half of the admission proceeds.

Approved.

1.6 Purchase of Property – Cienega Road APN 0307-212-150

Council consideration of authorizing the purchase of vacant property located on Cienega Road, APN 0307-212-150, from the Department of Water & Power, for an appraised amount of \$139,500, from the Refuse Fund’s undesignated fund balance; authorize a transfer of funds from the City of Big Bear Lake to the DWP in order to eliminate the Cienega property from the property inventory of the DWP; and, direct staff to prepare an easement agreement with Bear Valley Electric for a proportional share of the purchase price, for the utilization of a portion of the property for an electrical power generation facility.

Approved.

1.7 2005-2006 Sewer Reline Project

Council consideration of awarding the contract for the Sewer Reline Project to Insituform Technologies, for an amount not to exceed \$323,503.00.

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

1.8 Approval of the Minutes for the Workshop Meeting of May 9, 2005, the Regular Meeting of May 9, 2005, and the Workshop Meeting of May 18, 2005

Approved as presented.

1.9 Educational Channel - Mihaylo Foundation

Council consideration of authorizing the Mayor to send a letter to Charter Communications requesting that one of the two governmental television channels be designated as an educational channel by the Bear Valley Unified School District, and the Steven G. Mihaylo Foundation.

Approved.

1.10 Department of Water & Power Board of Commission and Planning Commission Compensation

Council consideration of a resolution setting the compensation for members of the Board of Water & Power Commission and Planning Commission.

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

The Consent Calendar was approved by the following vote:

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

2. ITEMS REMOVED FROM THE CONSENT CALENDAR

1.7 2005-2006 Sewer Reline Project

Council consideration of awarding the contract for the Sewer Reline Project to Insituform Technologies, for an amount not to exceed \$323,503.00.

Motion by Councilmember Jahn, seconded by Mayor Pro Tem Dally to award the contract for the Sewer Reline Project to Insituform Technologies, for an amount not to exceed \$323,503.00.

Said Motion was approved by the following vote:

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

1.10 Department of Water & Power Board of Commission and Planning Commission Compensation

Council consideration of a resolution setting the compensation for members of the Board of Water & Power Commission and Planning Commission.

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

RESOLUTION NO. 2005-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, SETTING THE COMPENSATION FOR MEMBERS OF THE BOARD OF WATER & POWER COMMISSIONERS AND THE PLANNING COMMISSION

Said Motion was approved by the following vote:

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

3. PUBLIC HEARINGS

3.1 City of Big Bear Lake Fiscal Year 2005-2006 Annual Operating Budget

Council consideration of a resolution adopting the fiscal year 2005-2006 Annual Operating Budget.

At the hour of 7:10 p.m., Mayor Mulvihill opened the Public Hearing.

Council continued the Public Hearing and action on this item to June 27, 2005.

3.2 Department of Water & Power Standby Fee

Council consideration of introduction and first reading of an ordinance adopting a written report regarding water standby charges for fiscal year 2005-2006, and directing that such charges be collected on the tax roll.

At the hour of 7:11 p.m., Mayor Mulvihill opened the Public Hearing. Hearing no comment, the Public Hearing was closed.

Motion by Councilmember Jahn, seconded by Mayor Pro Tem Dally to waive first reading and pass to second reading an ordinance, entitled:

ORDINANCE NO. 2005-XXX

AN ORDINANCE OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ADOPTING A WRITTEN REPORT REGARDING WATER STANDBY CHARGES FOR FISCAL YEAR 2005-06 AND DIRECTING THAT SUCH CHARGES BE COLLECTED ON THE TAX ROLL

Said Motion was approved by the following vote:

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

4. DISCUSSION/ACTION ITEMS

4.1 Appointment to Department of Water & Power Board of Commissioners & Planning Commission

Council consideration of appointing Barbara Willey, Bill Speyers, and Fred Miller to the DWP Board of Commissioners; and Rick Hackney, and Craig Smith to the Planning Commission.

Mayor Mulvihill introduced Bill Speyers, Fred Miller, and Rick Hackney and reported that Craig Smith and Barbara Willey were unable to attend the meeting.

Motion by Councilmember Jahn, seconded by Councilmember Conklin to appoint Barbara Willey, Bill Speyers, and Fred Miller to the DWP Board of

Commissioners; and Rick Hackney, and Craig Smith to the Planning Commission.

Said Motion was approved by the following vote:

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

4.2 Village Maintenance Assessment District

Council consideration of receiving a committee report from Mayor Pro Tem Dally and City Manager Perry on the latest actions related to the Village Maintenance Assessment District.

Received a committee report from Mayor Pro Tem Dally and City Manager Perry on the status of the Village Maintenance Assessment District. City Manager Perry stated that a detailed report and recommendation would be presented to the City Council on June 27, 2005.

ADDED AS URGENCY

4.3 Bus Shelters

Rick Herrick, Parallel Broadcasting, Big Bear Lake: stated that he had requested that this matter come before the City Council. He reported that he contracts with MARTA to provide the bus shelters throughout the Valley, maintain them and sell the advertising. He stated that the shelter contract is due to expire in December, and if not renewed, he would have to remove the shelters and sell them for scrape material. He reported that if MARTA were to replace the shelters, they would not be of the same quality or design. He stated that the majority of the shelters are within the City of Big Bear Lake, and requested that the Mayor be directed to write a letter to the MARTA Board of Directors urging them to continue to contract with Parallel Broadcasting to provide the bus shelters.

Motion by Mayor Pro Tem Dally, seconded by Councilmember Jahn to authorize the Mayor to send a letter to the MARTA Board of Directors urging them to continue to contract with Parallel Broadcasting to provide the MARTA bus shelters in the City of Big Bear Lake.

Said Motion was approved by the following vote:

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

At the hour of 7:26 p.m., Council adjourned to the Improvement Agency.

IMPROVEMENT AGENCY

Improvement Agency proceedings are contained in separate minutes.

At the hour of 7:30 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 7:31 p.m., the Fire Protection District adjourned to City Council Session.

FUTURE AGENDA ITEMS

Councilmember Conklin requested that staff bring back for Council discussion and clarification Ordinance No. 2001-311, related to vehicles for sale on Big Bear Boulevard.

Mayor Mulvihill stated that he would like to discuss the appointment of a Memorial Day Committee; and, the Mayor's appointment to the Bear Valley Electric Citizens' Committee.

CITY MANAGER REPORTS

None.

CITY COUNCIL REPORTS

Councilmember Conklin stated that there still seems to be a problem with local taxicabs not listing their rates on the side of the cabs, as is required by City Ordinance.

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ADJOURNMENT:

There being no further business to come before the Council at this session, Mayor Mulvihill adjourned the meeting at 7:35 p.m.

Katherine E. Jefferies
City Clerk

APPROVED AT THE MEETING OF: July 11, 2005