
**CITY OF BIG BEAR LAKE CITY COUNCIL
MINUTES FOR REGULAR MEETING
AUGUST 8, 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, August 8, 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 Finance Manager Kathleen Smith

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

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
Dave Vasquez, Deputy City Manager Administrative Services
Kathleen Smith, Finance Manager

RESULTS OF CLOSED SESSION

1. 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.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION pursuant to Government Code Section 54956.9(c)
Number of potential cases: 1

No reportable action.

AGENDA APPROVAL

Motion by Councilmember Jahn, seconded by Mayor Pro Tem Dally to add Item 4.1 Federal Funds for Tree Removal based on the finding that the matter arose after the posting of the agenda. Motion carried 5-0.

Motion by Councilmember Conklin, seconded by Councilmember Harris to 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.

- The Bear Valley Hospital Foundation presents *Reunion Concert* – August 12 & 13
- R & R Productions presents *Mystery Follies* – August 20 & 21
- The San Bernardino County Traffic Safety Task Force presents *Catz in the Hat* – September 2
- Big Bear High School will hold a Guitar Club Workshop – September 3
- Mark Curran presents *The Wonder of Elvis and The Drifters* – September 4

PRESENTATIONS

Resort Association Executive Director Ken Brengle presented an overview of the marketing efforts that the Resort Association is undertaking to increase tourism and tourist spending in Big Bear Valley.

Tracy Drabant from Bear Valley Electric gave an update on how California's summer electrical usage has impacted our Valley.

Gus Nassar, owner and operator of the Valero Service Station on Pine Knot Avenue and Big Bear Blvd., was introduced to the City Council.

COMMITTEE REPORTS

Councilmember Jahn reported on the Tax Election Committee.

Mayor Pro Tem Dally reported on the BBARWA Committee.

Councilmember Conklin reported that the Community Pool Action Committee was scheduled to meet on August 9, 2005 at 3:00 p.m.

Mayor Mulvihill reported on the SANBAG Committee.

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

Denise Proffer, Fire Safe Council: thanked the City for their support of Chipper Days.

City Manager Perry reported that the City had received a letter from Mr. Dennis Large' who had asked that his letter be submitted under Public Forum. Mr. Large's letter asked questions related to the State's repayment to the City for the Vehicle License Fee; a request for information related to the results of a community survey regarding road improvements; questions related to City spending; and, a request for policies related to the reimbursement for a City employee service organization membership.

PUBLIC FORUM RESPONSE

City Manager Perry stated that staff would prepare and provide a response to Mr. Large'.

1. CONSENT CALENDAR

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

1.1 Approval of Demands – Check Issue Date 7/20/05 through 8/3/05 – Check Nos. 28731 through 28961, in the amount of \$599,195.13

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 Building Code Amendment

Council consideration of second reading and adoption of an ordinance adopting the Uniform Administrative Code 1997 Edition, and the California Electrical Code 2004 Edition; and amend Title 15 of the Big Bear Lake Municipal Code pertaining to the construction and maintenance of buildings and housing, and fire prevention, by amending the 2001 Edition Volumes 1 & 2 of the California Building Standards Code, Appendix Chapter 16 of Volume 2; and, amending certain sections of Ordinance No. 2002-328.

Waived second reading and adopted the following ordinance, entitled:

ORDINANCE NO. 2005-351

AN ORDINANCE OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ADOPTING THE UNIFORM ADMINISTRATIVE CODE 1997 EDITION, AND THE CALIFORNIA ELECTRICAL CODE 2004 EDITION; AND AMENDING TITLE 15 OF THE CITY OF BIG BEAR LAKE MUNICIPAL CODE PERTAINING TO THE CONSTRUCTION AND MAINTENANCE OF BUILDINGS AND HOUSING, AND FIRE PREVENTION, BY AMENDING THE 2001 EDITION VOLUMES 1 & 2 OF THE CALIFORNIA BUILDING STANDARDS CODE, APPENDIX CHAPTERS 4, 12, 15 AND 33 OF VOLUME 1 AND APPENDIX CHAPTER 16 OF VOLUME 2; AND AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 2002-328

1.4 Development Code Amendment 2005-099

Council consideration of second reading and adoption of an ordinance amending Big Bear Lake Municipal Code Chapter 17.09 (Slope Density) of the Development Code, by deleting Paragraph 17.09.020 H (Fire Protection) in its entirety.

Waived second reading and adopted the following ordinance, entitled:

ORDINANCE NO. 2005-352

AN ORDINANCE OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AMENDING CHAPTER 17.09 (SLOPE DENSITY) OF THE DEVELOPMENT CODE BY DELETING PARAGRAPH 17.09.020.H (FIRE PROTECTION) IN ITS ENTIRETY AND RENUMBERING THE REMAINDER OF SECTION 17.09.020

1.5 FEMA Emergency Relief Projects 2005

Council consideration of a finding that the projects listed by staff are categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15269(a), and direct staff to advertise for bids for the FEMA Emergency Relief Projects for 2005.

Approved.

1.6 Approval of the Minutes from the Regular Meeting of June 27, 2005

Approved as presented.

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. PUBLIC HEARINGS

3.1 Public Hearing – Revision of City Service Fees Imposed upon Applicants for Development Projects and other City Services

Council consideration of a resolution revising the City Service fees imposed upon applicants for development projects and other City services by 3.7%, based on the Consumer Price Index (CPI) change from January 2004 to January 2005.

At the hour of 7:14 p.m., Mayor Mulvihill opened the public hearing.

Dixie Allison, Big Bear Lake: spoke in opposition to the driveway approach encroachment permit and felt that the fee for the permit is too high.

At the hour of 7:17 p.m., Mayor Mulvihill closed the public hearing.

Motion by Councilmember Jahn, seconded by Mayor Pro Tem Dally to adopt the following resolution, entitled:

RESOLUTION NO. 2005-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, PROVIDING FOR THE ADOPTION OF A REVISED SERVICE FEE SCHEDULE ESTABLISHING AND INCREASING CERTAIN SERVICE FEES FOR APPLICANTS FOR DEVELOPMENT RELATED AND OTHER CITY SERVICES

Said Motion was approved by the following vote:

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

RECESS

At the hour of 7:24 p.m., Mayor Mulvihill declared a recess and Councilmember Conklin was excused from the meeting. At the hour of 7:29 p.m., Council reconvened.

ADDED AS URGENCY

4. NEW BUSINESS

4.1 Federal Funds for Tree Removal

Council consideration of authorizing the Mayor to send a letter to Congressman Lewis, Senator Feinstein, and Supervisor Hansberger urging Congress to appropriate the necessary funding to enable the San Bernardino National Forest to implement the tree removal program.

Motion by Councilmember Harris, seconded by Councilmember Jahn to authorize the Mayor to send a letter to Congressman Lewis, Senator Feinstein, and Supervisor Hansberger urging Congress to appropriate the necessary funding to enable the San Bernardino National Forest to implement the tree removal program.

Said Motion was approved by the following vote:

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

At the hour of 7:31 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 7:33 p.m., the Fire Protection District adjourned to City Council Session.

FUTURE AGENDA ITEMS

Mayor Mulvihill stated that he would like to discuss the noise level for the City of Big Bear Lake.

CITY MANAGER REPORTS

City Manager Perry reported that public works has installed signs at each location where the annual street overlay projects will be done in order to inform the public of the projects; reported that the Fire Department would be going out into specific neighborhoods, as part of the chipper program, to pick up wood and haul it away for people who are unable to bring their wood to the chipping sites; he discussed that the City will be watching the Lake Arrowhead water shortage issue very closely; and, he commented that the Big Bear Country Fair and evening concert was a great success.

CITY COUNCIL REPORTS

Councilmember Harris commended the Old Miners' Association for this year's successful events. She also thanked the City Manager and Public Works staff for building the City's 25th Anniversary float.

ADJOURNMENT:

There being no further business to come before the Council at this session, Mayor Mulvihill adjourned the meeting at 7:43 p.m.

Katherine E. Jefferies
City Clerk

APPROVED AT THE MEETING OF: September 12, 2005