

---

**CITY OF BIG BEAR LAKE CITY COUNCIL  
MINUTES FOR REGULAR MEETING  
OCTOBER 24, 2005**

---

A Regular Meeting of the City Council of the City of Big Bear Lake was called to order by Mayor Mulvihill at 6:30 p.m., Monday, October 24, 2005, at the Civic Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

Invocation: Moment of Silence

Flag Salute: Led by Councilmember Conklin

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  
Steve Deitsch, Best Best & Krieger, LLP City Attorney  
Katherine E. Jefferies, City Clerk/ACM  
David Martinez, Deputy City Manager Development Services  
Dave Vasquez, Deputy City Manager Administrative Services  
Kathleen Smith, Finance Manager

**RESULTS OF CLOSED SESSION**

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957

Title of Position: City Manager

No reportable action.

**AGENDA APPROVAL**

Motion by Mayor Pro Tem Dally, seconded by Councilmember Harris 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 *Scary Tale Theater*- October 27 – 29
- City of Big Bear Lake's 25<sup>th</sup> Anniversary Finale – November 4
- C.A.T.S. presents *A Christmas Carol* – November 18 – December 4

## **PRESENTATIONS**

Mayor Mulvihill presented a 20-Year City Employee Pin to Associate Planner Janice Etter.

Big Bear Lake Firefighters/Paramedics Schwing and Barbour reported on their recent assignment in Louisiana and Texas, as part of the hurricane rescue team, and showed photographs of many of the areas damaged by Hurricane Katrina and Rita.

The City Council honored Councilmember Conklin for his 35-years of service to the Big Bear community. Mayor Mulvihill presented Mr. Conklin with framed pictures of the various boards that he served on during the past 35 years; as well as a letter of appreciation signed by each Councilmember.

County of San Bernardino Sheriff Captain Lee Watkins and Lt. Glenn Gwaltney were introduced to the City Council.

Mayor Mulvihill commended Soroptimist International of Big Bear Valley for raising and donating \$145,782.56 to the school district, various organizations, and health programs throughout the Valley.

## **COMMITTEE REPORTS**

Councilmember Harris reported that the Village Committee met to discuss the proposed budget.

Councilmember Conklin reported that he attended MARTA, Solid Waste and Community Pool Committee meetings.

Councilmember Jahn reported on the Tax Election Committee stating that the community has responded in a positive manner to the presentations made by the Road and Drainage Committee.

Mayor Pro Tem Dally reported that the BBARWA Board met on October 11<sup>th</sup> and voted unanimously to take the proposed Groundwater Recharge Program to a community-wide advisory ballot vote.

Mayor Mulvihill asked Mayor Pro Tem Dally to provide the Council with a status report regarding the BBARWA Groundwater Recharge Project on November 14th.

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

City Manager Perry reported that the City had received a letter submitted from Mr. Dennis Large regarding the Village Maintenance District election, and that the letter will be given to the City Attorney to prepare a response to the issues raised.

**PUBLIC FORUM RESPONSE**

None.

**1. CONSENT CALENDAR**

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

**1.1 Approval of Demands – Check Issue Date 10/07/05 through 10/18/05 – Check Nos. 29718 through 29906, in the amount of \$812,047.97**

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 2005 Sewer Reline Project**

Council consideration of accepting the 2005 Sewer Reline Project as complete; determine the final construction contract amount to be \$344,128.00; direct staff to file the Notice of Completion; and, release the final retention amount of \$34,412.80, thirty-five days after the recordation of the Notice of Completion.

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

Approved.

**1.4 Manhole Covers to Grade Project**

Council consideration of accepting the Manhole Covers to Grade Project-FY2004-2005 as complete; determine the final construction contract amount to be \$51,521.00; direct staff to file the Notice of Completion; and, release the final retention amount of \$5,152.10, thirty-five days after the recordation of the Notice of Completion.

Approved.

**1.5 Moonridge Road, Mill Creek Road and Brownie Lane Reconstruction Projects**

Council consideration of accepting the Moonridge Road, Mill Creek Road, and Brownie Lane Reconstruction Projects as complete; determine the final construction contract amount to be \$415,467.18; direct staff to file the Notice of Completion; and, release the final retention amount of \$41,546.72, thirty-five days after the recordation of the Notice of Completion.

Approved.

**1.6 Supplemental Settlement Agreement for County Booking Fees**

Council consideration of approving the Supplemental Settlement Agreement relating to the County of San Bernardino Booking Fees.

Approved.

**1.7 Village Music**

Council consideration of contributing \$450.00 per year to the Chamber of Commerce toward the cost of supplying music in the Village.

Approved.

**1.8 Christmas in the Village**

Council consideration of contributing \$3,490.00 to co-sponsor Christmas in the Village.

This item was removed from the Consent Calendar.

**1.9 Waiver of Performing Arts Center Rental Fees**

Council consideration of approving a request from C.A.T.S. to waive the Performing Arts Center rental fees for the opening night of "A Christmas Carol," all net proceeds will be donated to Hurricane Katrina victims.

Approved.

**1.10 Snow Removal Contracts**

Council consideration of approving the Snow Removal Contracts with Bear Valley Paving, Romans Construction, and Burton's Ready-Mix effective November 1, 2005 through March 31, 2007.

Approved.

The Consent Calendar was approved by the following vote:

AYES: Conklin, Dally, Harris, Jahn, Mulvihill  
NOES: None  
ABSENT: None  
ABSTAIN: Jahn on Item 1.1 Check No. 29852 in the amount of \$88.28

**2. ITEMS REMOVED FROM THE CONSENT CALENDAR**

**1.3 2005 Sewer Reline Project**

Council consideration of accepting the 2005 Sewer Reline Project as complete; determine the final construction contract amount to be \$344,128.00; direct staff to file the Notice of Completion; and, release the final retention amount of \$34,412.80, thirty-five days after the recordation of the Notice of Completion.

Motion by Mayor Pro Tem Dally, seconded by Councilmember Harris to approve staff recommendation.

Said Motion was approved by the following vote:

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

### **1.8 Christmas in the Village**

Council consideration of contributing \$3,490.00 to co-sponsor Christmas in the Village.

Motion by Councilmember Harris, seconded by Councilmember Jahn to approve a contribution of up to \$3,490.00 to co-sponsor Christmas in the Village, with the understanding that in the future, the City needs to research ways to generate revenue from other sources to fund the event.

Said Motion was approved by the following vote:

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

## **3. PUBLIC HEARINGS**

### **3.1 SB 211 Elimination of Debt Incurrence Limits; ERAF Improvement Plan Amendments**

Council consideration of introduction and first reading of an ordinance eliminating the time limit for incurring debt for the Big Bear Lake Improvement Plan.

Council consideration of introduction and first reading of an ordinance eliminating the time limit for incurring debt for the Moonridge Improvement Plan.

Council consideration of introduction and first reading of an ordinance extending the effectiveness date for the Big Bear Lake Improvement Plan from April 27, 2023 to April 27, 2024 and the time to receive tax increment and repay debt from April 27, 2033 to April 27, 2034 pursuant to SB 1045.

Council consideration of introduction and first reading of an ordinance extending the effectiveness date for the Moonridge Improvement Plan from December 28, 2023 to December 28, 2024 and the time to receive tax increment and repay debt from December 28, 2033 to December 27, 2034 pursuant to SB 1045.

At the hour of 7:31 p.m., Mayor Mulvihill opened the public hearing. Hearing no comment the public hearing was closed.

Motion by Councilmember Jahn, seconded by Councilmember Harris to waive first reading of an ordinance, entitled:

ORDINANCE NO. 2005-XXX

AN ORDINANCE OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ELIMINATING THE DEBT INCURRENCE DEADLINE FOR THE IMPROVEMENT PLAN FOR THE BIG BEAR LAKE IMPROVEMENT PROJECT PURSUANT TO HEALTH AND SAFETY CODE SECTION 33333.6(e)(2)(B)

Said Motion was approved by the following vote:

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

Motion by Councilmember Jahn, seconded by Councilmember Conklin to waive first reading of an ordinance, entitled:

ORDINANCE NO. 2005-XXX

AN ORDINANCE OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ELIMINATING THE DEBT INCURRENCE DEADLINE FOR THE IMPROVEMENT PLAN FOR THE MOONRIDGE IMPROVEMENT PROJECT PURSUANT TO HEALTH AND SAFETY CODE SECTION 33333.6(e)(2)(B)

Said Motion was approved by the following vote:

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

Motion by Councilmember Jahn, seconded by Councilmember Conklin to waive first reading of an ordinance, entitled:

ORDINANCE NO. 2005-XXX

AN ORDINANCE OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, EXTENDING THE TIME LIMIT OF THE EFFECTIVENESS OF THE BIG BEAR LAKE IMPROVEMENT PROJECT AND THE TIME LIMIT FOR PAYMENT OF INDEBTEDNESS AND RECEIPT OF PROPERTY TAXES PURSUANT TO HEALTH

Said Motion was approved by the following vote:

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

Motion by Councilmember Jahn, seconded by Councilmember Conklin to waive first reading of an ordinance, entitled:

ORDINANCE NO. 2005-XXX

AN ORDINANCE OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, EXTENDING THE TIME LIMIT OF THE EFFECTIVENESS OF THE MOONRIDGE IMPROVEMENT PROJECT AND THE TIME LIMIT FOR PAYMENT OF INDEBTEDNESS AND RECEIPT OF PROPERTY TAXES PURSUANT TO HEALTH AND SAFETY CODE SECTION 33333.6(e)(2)(C)

Said Motion was approved by the following vote:

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

**4. DISCUSSION/ACTION ITEMS**

**4.1 Improvement Agency Consultant Agreements and Improvement Agency Budget Adjustments**

Council consideration of authorizing the Mayor and the Chairman of the Big Bear Lake Improvement Agency to sign the Consultant Agreements related to the process of re-financing the current Improvement Agency bonds with Piper Jaffray & Company; Fieldman Rolapp & Associates, The HdL Companies, Richards Watson & Gershon, and Best Best & Krieger LLP; authorize staff to appropriate funds from the Big Bear Project Debt Service Fund 860-4450 and make the

appropriate budget adjustments for the fiscal year 2005-2006 Improvement Agency budget.

Motion by Councilmember Jahn, seconded by Councilmember Harris to authorize the Mayor and the Chairman of the Big Bear Lake Improvement Agency to sign the Consultant Agreements related to the process of re-financing the current Improvement Agency bonds with Piper Jaffray & Company; Fieldman Rolapp & Associates, The HdL Companies, Richards Watson & Gershon, and Best Best & Krieger LLP; authorize staff to appropriate funds from the Big Bear Project Debt Service Fund 860-4450 and make the appropriate budget adjustments for the fiscal year 2005-2006 Improvement Agency budget.

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 7:40 p.m., Mayor Mulvihill declared a recess. At the hour of 7:47 p.m., Council reconvened.

### **4.2 Parking in the Village Specific Plan Area**

Council discussion with staff regarding parking in the Village Specific Plan Area.

Motion by Mayor Mulvihill, seconded by Mayor Pro Tem Dally to direct staff to prepare a resolution for the November 14, 2005 meeting that would allow all uses within the Village Specific Plan Area to utilize Improvement Agency owned parking lots, with the understanding that staff is to study the issue of time limits within the Village L.

Said Motion was approved by the following vote:

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

Motion by Councilmember Harris, seconded by Councilmember Jahn to direct staff to meet with the Business Friendly Committee and the Village Advisory

Committee to discuss parking time limits within the Village L, and bring the matter back to Council at a future meeting.

Said Motion was approved by the following vote:

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

#### **4.3 Employee Leave of Absence Policy and Procedure**

Council discussion with staff regarding employee Leave of Absence Policy and Procedure.

Tabled to November 14, 2005.

At the hour of 8:55 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 9:25 p.m., the Fire Protection District adjourned to City Council Session.

#### **FUTURE AGENDA ITEMS**

Councilmember Harris requested that the MARTA Trolley route be discussed at a future meeting.

Councilmember Conklin requested that the collection of the Household Hazardous Waste Program be discussed at a future meeting.

Mayor Mulvihill requested that a status report regarding the proposed traffic signal for Paine Road and Village Drive be discussed on November 14, 2005.

#### **CITY MANAGER REPORTS**

City Manager Perry commended City Engineer Rodriguez and his staff for their work on the Moonridge Road, Mill Creek Road, and Brownie Lane Reconstruction Project.

#### **CITY COUNCIL REPORTS**

Councilmember Harris asked if staff could look into the possibility of utilizing the message signboards to count traffic during busy holidays and weekends.

**ADJOURNMENT:**

There being no further business to come before the Council at this session, Mayor Mulvihill adjourned the meeting at 9:51 p.m.

---

Katherine E. Jefferies  
City Clerk

APPROVED AT THE MEETING OF: December 12, 2005