
**CITY OF BIG BEAR LAKE CITY COUNCIL
MINUTES FOR REGULAR MEETING
APRIL 10, 2006**

A Regular Meeting of the City Council of the City of Big Bear Lake was called to order by Mayor Jahn at 6:30 p.m., Monday, April 10, 2006, at the Civic Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

Moment of Silence

Flag Salute: Led by Councilmember Mulvihill

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

Councilmembers Excused: None

Others Present: Kathleen Smith, Interim City Manager
Stephen Deitsch, City Attorney
Katherine E. Jefferies, City Clerk/ACM
Dave Martinez, Development Services Director

AGENDA APPROVAL

Motion by Councilmember Harris, seconded by Mayor Pro Tem 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 will present a Spring Play – April 27 – 29
- Mountain Master Chorale – May 6
- Big Bear Lake Performing Arts Center presents *In the Mood* – May 9
- Big Bear High School will present a Spring Concert – May 10
- Big Bear Masonic Lodge presents *Search For Talent* – May 13

PRESENTATIONS

Mayor Jahn presented a Proclamation proclaiming April as “Child Protection Month.”

Mayor Jahn presented a Proclamation proclaiming April 17 – 23, 2006, as “National Community Development Week.”

Mayor Jahn presented a Proclamation proclaiming April 22, 2006, as “Multiple Sclerosis Walk Day.”

John Morley was presented with his Fire Chief Badge by his wife Joanne and Mayor Jahn.

RECESS

At the hour of 6:49 p.m., Mayor Jahn declared a recess. At the hour of 7:00 p.m., Council reconvened.

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

None.

PUBLIC FORUM RESPONSE

None.

1. CONSENT CALENDAR

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

1.1 Approval of Demands – Check Issue Date 03/22/06 through 04/04/06 – Check Nos. 31862 through 32054, in the amount of \$308,760.96

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 Approval of the Minutes from the Workshop Meeting of February 13, 2006 and the Regular Meeting of February 27, 2006

Approved as presented.

1.4 Sewer Flow Meters – Change Order No. 1

Council consideration of authorizing the transfer of \$41,532.00 from Account 321-4323-2240 Professional Services for Sanitation Projects, to Account 321-4323-3983 Installation of Permanent Flow Meters; and, approve Change Order No. 1 with Downstream Services.

This item was removed from the Consent Calendar and discussed as a separate item.

1.5 Amendment No. 2 to the Joint Powers Agreement Creating the Mojave Desert and Mountain Integrated Waste Management Authority

Council consideration of approving Amendment No. 2 to the JPA Integrated Waste Management Agreement as presented by staff.

This item was removed from the Consent Calendar and discussed as a separate item.

1.6 Temporary Laborer Salary Range

Council consideration of a resolution establishing a new salary range for the position of Temporary Laborer.

This item was removed from the Consent Calendar and discussed as a separate item.

1.7 Contract Amendment with Dapeer, Rosenblit & Litvak, LLP

Council consideration of approving an amendment to the contract with Dapeer, Rosenblit & Litvak, LLP to increase the hourly fee from \$125.00 to \$145.00 per hour for Code Enforcement legal services.

This item was removed from the Consent Calendar and discussed as a separate item.

1.8 Bonanza Drive Storm Drain Improvements Project

Council consideration of a finding that the Bonanza Drive Storm Drain Improvements Project is categorically exempt from the requirements of the California Environmental Quality Act, pursuant to Section 15303(d); authorize staff to advertise for bids; and, accept the Grant of Easement documents.

Approved.

1.9 Village Sign – Award of Contract

Council consideration of authorizing staff to allocate \$30,000 from the undesignated fund to Account 321-4322-3934; award the construction contract to Trinity Construction in the amount of \$96,856.00; authorize the Mayor and staff to execute the contract; authorize staff to contract for inspection services with a staff approved consultant; and, finalize review of the color scheme in conjunction with the Way-Finding Sign Program at a future City Council meeting.

This item was removed from the consent calendar and discussed as a separate item.

1.10 Elected and Appointed Officials Expense Reimbursement Policy

Council consideration of a resolution establishing an Elected and Appointed Officials Reimbursement Policy in accordance with AB 1234.

This item was removed from the Consent Calendar and discussed as a separate item.

1.11 Purchase of a Chipdump Truck

Council consideration of authorizing staff to purchase a Chipdump Truck from Williams Tree Service for an amount not to exceed \$38,805.00.

Approved.

The Consent Calendar was approved by the following vote:

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

ABSENT: None
ABSTAIN: None

2. DISCUSSION/ACTION ITEMS

2.1 Tree Conservation Ordinance

Council discussion with staff related to the Tree Conservation Ordinance.

Christie Walker, Big Bear Lake: spoke in support of the Tree Conservation Ordinance, but felt that very few people are aware that the ordinance exists and recommended that the City do more public education campaigns through the media and the real estate businesses.

Michael Karp, Big Bear Lake: spoke in support of the Tree Conservation Ordinance.

Tim Brigham, Big Bear Lake: spoke in support of the Tree Conservation Ordinance because it is a workable document and covers many of the fire safety issues.

Council discussed the need for more public awareness of the ordinance and asked that staff prepare press releases to be given to the media sources, as well as informational packets that can be given to the Board of Realtors to hand out to potential clients.

2.2 Sewer Easement Encroachment Policy

Council consideration of discussing with staff Municipal Code Section 13.08.300.C related to sewer easements; deny a request to encroach on the sewer easement at 659 Cove Drive; confirm that the City Engineer shall coordinate with other City departments issues related to sewer easements; and, confirm the authority of the City Engineer to deny owner/contractor requests for structures in the sewer easement as such requests are not in the best interest of the City.

Motion by Councilmember Dally, seconded by Councilmember Mulvihill to approve the request of the encroachment on the sewer easement at 659 Cove Drive, subject to conditions that will be placed on the permit drafted and prepared by the City Attorney which allows the property owner to construct a deck above the City utility easement, but will not interfere with the City's use and operations within and around the Utility Easement, or limit access to emergency crews who

need to protect the City in case of an emergency; addresses liability issues, and that the property owner is to pay actual attorney costs for an amount not to exceed \$4,000.

Said Motion was approved by the following vote:

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

3. ITEMS REMOVED FROM THE CONSENT CALENDAR

1.4 Sewer Flow Meters – Change Order No. 1

Council consideration of authorizing the transfer of \$41,532.00 from Account 321-4323-2240 Professional Services for Sanitation Projects, to Account 321-4323-3983 Installation of Permanent Flow Meters; and, approve Change Order No. 1 with Downstream Services.

Motion by Councilmember Dally, seconded by Mayor Pro Tem Conklin to authorize the transfer of \$41,532.00 from Account 321-4323-2240 Professional Services for Sanitation Projects, to Account 321-4323-3983 Installation of Permanent Flow Meters; and approve Change Order No. 1 with Downstream Services.

Said Motion was approved by the following vote:

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

1.5 Amendment No. 2 to the Joint Powers Agreement Creating the Mojave Desert and Mountain Integrated Waste Management Authority

Council consideration of approving Amendment No. 2 to the JPA Integrated Waste Management Agreement as presented by staff.

Motion by Councilmember Mulvihill, seconded by Councilmember Dally to approve Amendment No. 2 to the JPA Integrated Waste Management Agreement as presented by staff.

Said Motion was approved by the following vote:

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

1.6 Temporary Laborer Salary Range

Council consideration of a resolution establishing a new salary range for the position of Temporary Laborer.

Motion by Councilmember Dally, seconded by Councilmember Mulvihill to continue this matter to April 24, 2006.

Said Motion was approved by the following vote:

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

1.7 Contract Amendment with Dapeer, Rosenblit & Litvak, LLP

Council consideration of approving an amendment to the contract with Dapeer, Rosenblit & Litvak, LLP to increase the hourly fee from \$125.00 to \$145.00 per hour for Code Enforcement legal services.

Motion by Councilmember Dally, seconded by Mayor Pro Tem Conklin to approve an amendment to the contract with Dapeer, Rosenblit & Litvak, LLP to increase the hourly fee from \$125.00 to \$145.00 per hour for Code Enforcement legal services.

Said Motion was approved by the following vote:

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

ABSTAIN: None
ABSENT: None

1.9 Village Sign – Award of Contract

Council consideration of authorizing staff to allocate \$30,000 from the undesignated fund to Account 321-4322-3934; award the construction contract to Trinity Construction in the amount of \$96,856.00; authorize the Mayor and staff to execute the contract; authorize staff to contract for inspection services with a staff approved consultant; and, finalize review of the color scheme in conjunction with the Way-Finding Sign Program at a future City Council meeting.

Motion by Councilmember Mulvihill, seconded by Councilmember Dally to authorize staff to allocate \$30,000 from the undesignated fund to Account 321-4322-3934; award the construction contract to Trinity Construction in the amount of \$96,856.00; authorized the Mayor and staff to execute the contract; authorize staff to contract for inspection services with a staff approved consultant; and, finalize review of the color scheme in conjunction with the Way-Finding Sign Program at a future City Council meeting.

Said Motion was approved by the following vote:

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

1.10 Elected and Appointed Officials Expense Reimbursement Policy

Council consideration of a resolution establishing an Elected and Appointed Officials Reimbursement Policy in accordance with AB 1234.

Motion by Councilmember Mulvihill, seconded by Councilmember Dally to adopt the following resolution, entitled:

RESOLUTION NO. 2006-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ESTABLISHING AN ELECTED AND APPOINTED OFFICIALS REIMBURSEMENT POLICY IN ACCORDANCE WITH AB 1234

Said Motion was approved by the following vote:

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

FUTURE AGENDA ITEMS

None.

CITY COUNCIL REPORTS AND COMMITTEE REPORTS

Councilmember Harris reported that the MARTA Board would be meeting to discuss the selection process for a new General Manager.

CITY MANAGER REPORTS

None.

ADJOURNMENT

There being no further business to come before the Council at this session, Mayor Jahn adjourned the meeting at 9:04 p.m.

Katherine E. Jefferies
City Clerk

APPROVED AT THE MEETING OF: June 12, 2006