
**CITY OF BIG BEAR LAKE CITY COUNCIL
MINUTES FOR REGULAR MEETING
JUNE 26, 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, June 26, 2006, at the Civic Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

Moment of Silence

Flag Salute: Led by Mayor Pro Tem Conklin

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
Steve Deitsch, City Attorney
Katherine E. Jefferies, City Clerk/ACM
David Martinez, Community Development Director

PUBLIC FORUM FOR CLOSED SESSION

None.

RESULTS OF CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code Section 54956.9
Name of Parties: James R. McLean v City of Big Bear Lake, United States District Court
Case Number: ED CV 06-00575

No reportable action.

AGENDA APPROVAL

Motion by Councilmember Harris, seconded by Councilmember Dally 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

- C.A.T.S. presents *Carousel* – June 28, 30, July 1 –3, & 5 – 9
- Miss Big Bear Pageant will be held on July 15
- Old Miners Association presents *The Cowboy Poetry & Music Festival* July 21 & 22

PRESENTATIONS

Mayor Jahn read a Proclamation proclaiming May 29 through September 4, 2006, as “Fun in the Sun, Safe Summer 2006.”

Sheri Davis, Director, Inland Empire Film Commission, a division of the Inland Empire Economic Partnership (IEEP), presented a status report regarding the economic impact from filming in the Big Bear Valley.

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

None.

PUBLIC FORUM RESPONSE

None.

1. CONSENT CALENDAR

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

- 1.1 Approval of Demands – Check Issue Date 06/08/06 through 06/20/06 – Check Nos. 32822 through 33014, in the amount of \$649,447.04**

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 Department of Water & Power Water Standby Fees

Council consideration of second reading and adoption of an ordinance setting the Standby Fees for the DWP.

Waived second reading and adopted the following ordinance, entitled:

ORDINANCE NO. 2006-362

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 2006-07 AND DIRECTING THAT SUCH CHARGES BE COLLECTED ON THE TAX ROLL

1.4 Fiscal Year 2006-2007 Department of Water & Power Budget

Council consideration of a resolution incorporating the FY2006-2007 Department of Water & Power approved budget into the FY2006-2007 City Budget.

Adopted the following resolution, entitled:

RESOLUTION NO. 2006-20

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 2006-07 INTO THE CITY BUDGET

1.5 November 7, 2006 General Municipal Election

Council consideration of a resolution calling for the November 7, 2006 General Municipal Election; a resolution consolidating the City's Municipal Election with

the County of San Bernardino; and, a resolution adopting regulations for candidates submitting candidate statements.

Adopted the following resolution, entitled:

RESOLUTION NO. 2006-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 7, 2006, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO CHARTER CITIES

Adopted the following resolution, entitled:

RESOLUTION NO. 2006-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON TUESDAY, NOVEMBER 7, 2006, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON SAID DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

Adopted the following resolution, entitled:

RESOLUTION NO. 2006-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 7, 2006

1.6 2006-2007 Sewer Reline Project

Council consideration of awarding the construction contract for the 2006-2007 Sewer Reline Project to Insituform Technologies, for an amount not to exceed \$433,301.50.

Approved.

1.7 Bonanza Drive Storm Drain Improvements Project

Council consideration of awarding the Bonanza Drive Storm Drain Improvements Project to Bear Valley Paving, for an amount not to exceed \$178,535.00; authorize the additional funding from Street Reserves in the amount of \$126,308.83 to account 321-4322-3927; and, authorize staff to contract for inspection services.

Approved.

1.8 Inland Empire Film Commission (IEEP) Contract for Services

Council consideration of approving an agreement with IEEP for Film Office services for fiscal year 2006-2007, for an amount not to exceed \$29,450.00.

Approved.

1.9 Village Maintenance Assessment District No. 1-92 – Engineer’s Report for Fiscal Year 2006-2007

Council consideration of approving the Engineer’s Report; adopting a resolution of intention to levy and collect assessments within the Village Maintenance Assessment District No. 1-92, and setting a public hearing for July 24, 2006.

Approved the Engineer’s Report and adopted the following resolution, entitled:

RESOLUTION NO. 2006-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS

WITHIN THE VILLAGE MAINTENANCE ASSESSMENT DISTRICT NO. 1-92 FOR FISCAL YEAR 2006/2007, AND SETTING THE DATE FOR A PUBLIC HEARING ON THIS ACTION

1.10 Sewer Fees, Refuse Fees, and Sewer Standby Fees

Council consideration of authorizing staff to schedule a public hearing for July 24, 2006, for the collection of assessments for the Sewer Fees, Refuse Fees, and Sewer Standby Fees on the 2006-2007 tax rolls.

Approved.

1.11 2006 Mandatory Review of the Conflict of Interest Code

Council consideration of directing staff and the City Attorney to review the City's Conflict of Interest Code, as mandated by the Fair Political Practices Commission.

Approved.

1.12 Land and Water Conservation Fund Program – Grant Application

Council consideration of a resolution approving an application for a land and water conservation fund grant for the Boulder Bay Park Landscaping and Irrigation Project; and, a resolution making findings pursuant to Health and Safety Code Section 33445 and approving the expenditure of Improvement Agency funds to finance the Boulder Bay Park Landscaping and Irrigation Project.

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

1.13 Approval of the Minutes from the Workshop Meeting of May 11, 2006

Approved.

The Consent Calendar was approved by the following vote:

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

2. PUBLIC HEARINGS

2.1 Fiscal Year 2006-2007 Annual Operating Budget

Council consideration of a resolution adopting the FY2006-2007 annual operating budget.

At the hour of 7:04 p.m., Mayor Jahn opened the public hearing. Hearing no comment, the public hearing was closed.

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

RESOLUTION NO. 2006-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ADOPTING THE CITY OF BIG BEAR LAKE APPROVED BUDGET FOR FISCAL YEAR 2006-07

Said Motion was approved by the following vote:

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

3. DISCUSSION/ACTION ITEMS

3.1 Rotary Park Benches

Council consideration of directing staff as to the style of replacement benches that is appropriate for Rotary Park; and, approval of the installation of a general common plaque that recognizes the contributions of the community members that contributed to the amenities within the Park.

Staff discussed with Council the various options to either repair or replace the Rotary Park benches, which have deteriorated from weather, and wear and tear. Staff reported that one of the options is to replace the benches with metal benches similar to those at Boulder Bay Park.

Council directed staff to contact the Rotary Club to determine whether an agreement existed between the City and Rotary regarding ongoing maintenance of the benches, and to solicit their position on the type of replacement benches.

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

FIRE PROTECTION DISTRICT

Fire Protection District proceedings are contained in separate minutes.

At the hour of 7:32 p.m., the Fire Protection District adjourned to the Improvement Agency.

IMPROVEMENT AGENCY

Improvement Agency proceedings are contained in separate minutes.

At the hour of 7:40 p.m., the Improvement Agency adjourned to City Council session.

4. ITEMS REMOVED FROM THE CONSENT CALENDAR

1.12 Land and Water Conservation Fund Program – Grant Application

Council consideration of a resolution approving an application for a land and water conservation fund grant for the Boulder Bay Park Landscaping and Irrigation Project; and, a resolution making findings pursuant to Health and Safety Code Section 33445 and approving the expenditure of Improvement Agency funds to finance the Boulder Bay Park Landscaping and Irrigation Project.

Motion by Councilmember Mulvihill, seconded by Mayor Pro Tem Conklin to adopt the following resolution, entitled:

RESOLUTION NO. 2006-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, APPROVING AN APPLICATION FOR A LAND AND WATER CONSERVATION FUND GRANT FOR THE BOULDER BAY PARK LANDSCAPING PROJECT

And adopt a resolution, entitled:

RESOLUTION NO. 2006-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, MAKING FINDINGS PURSUANT TO HEALTH AND SAFETY CODE SECTION 33445 AND APPROVING THE EXPENDITURE OF IMPROVEMENT AGENCY FUNDS FOR THE BOULDER BAY PARK PROJECT

Said Motion was approved by the following vote:

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

FUTURE AGENDA ITEMS

Councilmember Mulvihill asked that an item be brought forward on the July 10, 2006 City Council agenda, to discuss noise and outdoor spa issues related to Transient Private Home Rentals.

CITY COUNCIL REPORTS AND COMMITTEE REPORTS

Mayor Jahn announced that he has disbanded the Budget Committee now that the fiscal year 2006-2007 budget has been adopted.

Councilmember Harris reported that the Village Advisory Committee met this morning and that it was a very informative meeting.

Councilmember Mulvihill requested a list of the names of committee members on the Village advisory committee.

CITY MANAGER REPORTS

Interim City Manager Kathleen Smith reported on the Summer Concert Series and stated that the first concert was held in Veterans Park this past weekend and was very well attended. The next concert is scheduled for Saturday July 1st at 2:00 p.m.

Councilmember Harris stated that the business owners in the Village have made a recommendation that the concerts be held on Friday evenings.

ADJOURNMENT

There being no further business to come before the Council at this session, Mayor Jahn adjourned the meeting at 7:53 p.m.

Katherine E. Jefferies
City Clerk

APPROVED AT THE MEETING OF: August 28, 2006