



CITY OF **BIG BEAR LAKE** *California*

Regular Meeting Minutes – June 6, 2022

A Regular Meeting of the City Council of the City of Big Bear Lake was called to order by Mayor Herrick at 6:00 p.m., Monday, June 6, 2022, at the Civic Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

OPEN SESSION

Flag Salute: Flag Salute led by Councilmember Putz

Invocation: Invocation was led by Tom Owens, Associate Pastor from Big Bear Foursquare

Councilmembers Present: Mayor Rick Herrick
Mayor Pro Tem Bynette Mote
Councilmember Perri Melnick
Councilmember Randall Putz

Councilmembers Excused: Councilmember Alan Lee

Others Present: Jeff Mathieu, Interim City Manager
Erica Stephenson, City Clerk
Stephen P. Deitsch, City Attorney

A motion was made by Councilmember Melnick, seconded by Mayor Herrick, to excuse Councilmember Lee from attendance at this meeting.

Said motion was approved by the following vote:

AYES: Putz, Melnick, Mote, Herrick
NOES: None
ABSTAIN: None
EXCUSED: Lee

PUBLIC COMMUNICATIONS

Beth Wheat, Big Bear Lake Resident, expressed her sympathies for Councilmember Lee and his family; suggested that Councilmember Lee has made unsubstantiated accusations about the character of City Councilmembers and constituents; stated that elected officials should work respectfully together and not in the interest of themselves, but for the community as a whole.

Dennis Large, Big Bear Lake Resident, commented on Public Records Requests that he submitted to the City; requested that Councilmember Mote produce communications between herself and Judi Bowers in a timely manner.

Johnny Wells, Big Bear Resident, clarified a comment he made at the last City Council Meeting which dealt with the City's enforcement efforts in identifying unlicensed and unregistered vacation rentals; stated that the local vacation management companies have his greatest admiration.

Patty Hafen, Big Bear Lake resident, made observations related to Councilmember Lee and some of his comments during recent Council Meetings and she made clarifying statements regarding what she believes qualifies as a resident of this community.

1. CONSENT CALENDAR

1.1 APPROVAL OF DEMANDS – CHECK ISSUE DATE 04/21/2022 THROUGH 05/25/2022 IN THE AMOUNT OF \$1,111,647.65 AND THE APRIL 2022 TREASURER'S REPORT

Approved.

1.2 APPROVAL OF MEETING MINUTES FROM THE MAY 2, 2022 REGULAR MEETING OF CITY COUNCIL

Approved.

1.3 RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR THE STANFIELD RESTROOM SITE IMPROVEMENTS

City Council considered a resolution that would award a construction contract to Bear Valley Paving (Big Bear Lake, CA) for the Stanfield Restroom Site Improvements. Included in the Fiscal Year 2021-22 Capital Improvement Program budget is the establishment of a public restroom facility at the corner of Stanfield Cutoff and Big Bear Boulevard. In November 2021, the City Council authorized the purchase of a prefabricated restroom facility for installation at this site and the restroom is tentatively set to arrive in August or September 2022. In May 2022, the City Council authorized staff to initiative a bid solicitation for the necessary site improvements and utility work to be completed at the Stanfield Cutoff site to receive the restroom upon delivery. The results of the bid solicitation have found Bear Valley Paving to be the lowest responsive bidder and staff recommended an award of construction contract to them. Upon the award of contract, work will commence in July 2022 and will be completed prior to the arrival of the restroom facility.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-50

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR THE STANFIELD CUTOFF RESTROOM SITE PREPARATIONS

1.4 RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR THE SMORE I PROJECT TO S. PORTER, INC. AND AMENDMENT TO THE MOU WITH THE SOUTHERN CALIFORNIA MOUNTAINS FOUNDATION FOR PROJECT LANDSCAPING

City Council considered a formal resolution to award a construction contract to S. Porter, Inc (Big Bear Lake, CA), for the SMORE I Project in the amount of \$301,085. The Stanfield Marsh Outdoor Recreation and Education (SMORE) Project, Part I, will improve bicycle and pedestrian connectivity in the Stanfield Marsh area by constructing new paved paths from the parking areas to the boardwalks, in between the boardwalks, and from the eastern terminus of the boardwalks to Division Creek. This

is one of several projects that the City has included within the Five-Year Capital Improvement Program in this area. Upon the award of contract, work will commence in July 2022 and be completed prior to the end of the construction season. Additionally, it is requested that the City Council amend an existing MOU with the Southern California Mountains Foundation for project landscaping to extend the term through December 31, 2022, to align the term with the project timeline. This project is funded primarily with an Environmental Enhancement and Mitigation Grant with the local match provided by Measure Y Funds.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-51

RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR THE SMORE I PROJECT TO S. PORTER, INC. AND AMENDEMENT TO MOU WITH THE SOUTHERN CALIFORNIA MOUNTAINS FOUNDATION FOR PROJECT LANDSCAPING

1.5 RESOLUTION AWARDING A CONSTRUCTION CONTRACT AND PURCHASE ORDER FOR THE ANNUAL STREET REHABILITATION PROJECT

City Council considered a formal resolution that would award a construction contract to Bear Valley Paving (Big Bear Lake, CA) for the Annual Street Rehabilitation Project. The annual street rehabilitation project focuses on the reconstruction, overlay, and paving of City streets to preserve their lifespan and functionality. The project, as designed for the upcoming fiscal year, includes these efforts over approximately 1.7 miles. Upon award of the contract, as recommended by staff, work will commence in July and be completed during the summer construction season. Funding for this project is included in the Five-Year Capital Improvement Program Budget for FY 2022-23.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-52

RESOLUTION AWARDING A CONSTRUCTION CONTRACT AND PURCHASE ORDER FOR THE ANNUAL STREET REHABILITATION PROJECT

1.6 RESOLUTION AWARDING A CONSTRUCTION CONTRACT FOR THE JAY BIRD LANE SANITARY SEWER MAIN REPLACEMENT PROJECT

City Council considered a formal resolution that would award a construction contract to Romans Construction (Big Bear Lake, CA) for the Jay Bird Lane Sanitary Sewer Main Replacement Project. Included in the Five-Year Capital Improvement Program from Fiscal Year 2022-23 is a project identified to replace approximately 718 linear feet of sanitary sewer main along Jay Bird Lane from Tulip Lane to Edgemoor Road as the sewer main is suffering from significant back up concerns due to root intrusion, pipe integrity, and a portion of the line being undersized. While the initial plans called for the full replacement of the sewer main, staff developed alternative plans that called for a portion of the sewer main to be lined as a part of an active sewer lining project and the undersized portion will be fully replaced with a larger, 8" sewer main. The work for this project will include the replacement of approximately 200 linear feet of sewer main and the construction of a new sewer manhole. Upon award of contract, as recommended by staff, work will commence in July and be

completed during the summer construction season. Funding for this project is included in the Five-Year Capital Improvement Program Budget for Fiscal Year 2022-23.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-53

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT
FOR THE JAY BIRD LANE SANITARY SEWER MAIN
REPLACEMENT PROJECT**

1.7 RESOLUTION AUTHORIZING A NOTICE OF COMPLETION FOR THE DEMOLITION OF STRUCTURES LOCATED AT 794 AND 808 IRIS DRIVE

City Council considered a formal resolution authorizing a Notice of Completion for the Demolition of Structures Located at 794 and 808 Iris Drive. In February 2022, City Council awarded a contract to UBD, Inc. (North Hollywood, CA) for the demolition of these City-owned structures located in the northeastern corner of the Civic Center campus. The project has been completed to the satisfaction of staff and staff recommended that City Council authorize the filing of a Notice of Completion. The final contract expenditure was \$51,415 and the adopted budget for this effort was \$85,000.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-54

**RESOLUTION AUTHORIZING A NOTICE OF COMPLETION
FOR THE DEMOLITION OF STRUCTURES LOCATED AT
794 AND 808 IRIS DRIVE**

1.8 RESOLUTION AUTHORIZING A NOTICE OF COMPLETION FOR THE ANNUAL STREET STRIPING PROJECT

City Council considered a formal resolution authorizing a Notice of Completion for the Annual Street Striping Project. In April 2022, City Council awarded a contract to Chrisp Company for the Annual Street Striping Project, which includes line striping throughout the City including long lines, legends, stop bars, and crosswalks. The project has been completed to the satisfaction of staff and staff recommended that the City Council authorize the filing of a Notice of Completion. The final contract expenditure was \$32,251 and the adopted budget for this effort was \$50,000.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-55

**RESOLUTION AUTHORIZING A NOTICE OF COMPLETION
FOR THE ANNUAL STREET STRIPING PROJECT**

1.9 RESOLUTION AUTHORIZING A BID SOLICITATION FOR THE STANFIELD MARSH BOARDWALKS IMPROVEMENTS PROJECT

City Council considered a formal resolution authorizing a bid solicitation for the Stanfield Marsh Boardwalks Improvements Project. In September 2021, the City Council authorized staff to execute

the transfer of the Stanfield Marsh Boardwalks and some adjacent properties from the Big Bear Municipal Water District to the City of Big Bear Lake. The boardwalks are approximately 2,200 feet in length, attract a significant amount of public use, and need significant rehabilitation. Included within the proposed Fiscal Year 2022-23 Capital Improvement Project is funding to do significant upgrades to the boardwalks by replacing the decking and handrails. These improvements will stabilize the boardwalks, eliminate trip and other safety hazards, and improve the aesthetics of these assets. Funding is provided through Measure Y and a one-time contribution of \$500,000 from the MWD as a part of the transfer agreement. Staff will initiate the bid solicitation immediately and assuming the receipt of favorable bids staff intends to present a contract for the consideration of the City Council in July 2022 with the intent to complete the project during the summer construction season.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-56

**RESOLUTION AUTHORIZING BID SOLICITATION FOR THE
STANFIELD MARSH BOARDWALKS IMPROVEMENT PROJECT**

**1.10 RESOLUTION AUTHORIZING STAFF TO FILE CLAIM FORMS AND SUBMIT
REIMBURSEMENT REQUESTS FOR TDA FUNDING ASSOCIATED WITH THE ALPINE
PEDAL PATH RATHBUN CREEK EXTENSION PROJECT**

City Council considered a formal resolution authorizing staff to file claim forms and submit reimbursement requests for TDA funding associated with the Alpine Pedal Path Improvements Project. In the fall of 2021, the City Council accepted as complete the Alpine Pedal Path Rathbun Creek Extension Project, a project which constructed a multipurpose pathway from Stanfield Cutoff and Big Bear Boulevard to Rathbun Creek where it intersects Sandalwood Drive. The project was funded by significant grant funds, including approximately \$175,000 in TDA Article 3 Funds which were awarded by the San Bernardino County Transportation Authority in 2016. As staff is working to close out this project and seek reimbursement of all grant funds, it was determined that the reimbursement of the TDA funds requires an authorizing resolution. The resolution presented for consideration satisfies all requirements of the funding and will enable the City to receive the full funding reimbursement of \$175,000.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-57

**RESOLUTION AUTHORIZING STAFF TO FILE CLAIM FORMS
AND SUBMIT REIMBURSEMENT REQUESTS FOR TDA
FUNDING ASSOCIATED WITH THE ALPINE PEDAL PATH
RATHBUN CREEK EXTENSION PROJECT**

**1.11 RESOLUTION AUTHORIZING PROFESSIONAL SERVICE AGREEMENTS WITH
SELECTED ON-CALL CONSULTANTS FOR PLANNING/ARCHITECTURAL,
ENVIRONMENTAL REVIEW, GEOGRAPHIC INFORMATION, ENGINEERING,
BUILDING AND INSPECTION SERVICES**

City Council considered a formal resolution for on-call consultant services to support the Community Development Department and Public Services Department with current levels of service. Based on a Request for Qualifications (RFQ) process, the City established a list of qualified consultants from

which the City may utilize on an as-needed basis. The RFQ identified the City's desire to establish a list of on-call consultants to support planning and architectural, environmental review, geographic information, engineering, and building and inspection services. The selected consultants will remain on the pre-qualified on-call list for at least three years, with up to two one-year extensions possible.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-58

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES
AGREEMENTS WITH SELECTED ON-CALL CONSULTANTS FOR
PLANNING/ARCHITECTURE, ENVIRONMENTAL REVIEW,
GEOGRAPHIC INFORMATION, ENGINEERING, BUILDING AND
INSPECTION SERVICES**

**1.12 RESOLUTION EXTENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF BIG BEAR LAKE AND THE TEAMSTERS LOCAL 1932, GENERAL
EMPLOYEE UNIT FOR ONE YEAR**

City Council considered a formal resolution that would extend the Memorandum of Understanding (MOU) between the City of Big Bear Lake and the Teamsters Local 1932, General Employee Unit, by one year, through June 30, 2023. The proposed MOU extends all current terms, establishes an 8% cost-of-living adjustment (COLA) for the City's represented employees, effective July 1, 2022 and indicates the City will perform a classification / compensation study in the upcoming fiscal year.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-59

**RESOLUTION EXTENDING THE MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF BIG BEAR LAKE AND THE TEAMSTERS LOCAL
1932, GENERAL EMPLOYEE UNIT FOR ONE YEAR**

1.13 RESOLUTION ADOPTING THE CITY'S FY 2022-23 SALARY RANGES

City Council considered a formal resolution adopting the City's FY 2022-23 Salary Ranges. All of the City's represented job classifications have been increased by a proposed 8% cost-of-living adjustment (COLA). The proposed FY 2022-23 Salary Ranges become effective on July 1, 2022.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-60

**RESOLUTION ADOPTING UPDATES TO THE
CITY'S FY 2022-23 SALARY SCHEDULE**

**1.14 RESOLUTIONS AUTHORIZING THE CITY'S NOVEMBER 8, 2022 GENERAL MUNICIPAL
ELECTION**

City Council considered three (3) formal resolutions regarding the November 8, 2022 General Municipal Election that will call and give notice of the upcoming election, request that the San

Bernardino County Board of Supervisors consolidate the election with the statewide election, and adopt regulations for candidates for elective office pertaining to candidate statements.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-61

RESOLUTION CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF BIG BEAR LAKE ON TUESDAY, NOVEMBER 8, 2022, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO CHARTER CITIES

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-62

RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION FOR THE CITY OF BIG BEAR LAKE TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON SAID DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-63

RESOLUTION ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022

1.15 RESOLUTION ADOPTING THE STATEMENT OF INVESTMENT POLICY FOR FY 2022-23

City Council considered a formal resolution authorizing the adoption of the Statement of Investment Policy for Fiscal Year 2022-23. The City's formal Investment Policy prioritizes safety and liquidity over yield, and is unchanged from FY 2021-22.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-64

RESOLUTION ADOPTING THE STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2022-23

1.16 RESOLUTION ADOPTING THE APPROPRIATIONS LIMIT FOR FY 2022-23

City Council considered a formal resolution that will establish the City's appropriations limit for Fiscal Year 2022-23. Under State law, the City's formal appropriations limit is \$47,618,949 and the proposed FY 2022-23 budget is well below this limit.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2022-65

RESOLUTION ADOPTING THE APPROPRIATIONS LIMIT FOR FY 2022-23

A motion was made by Councilmember Putz, seconded by Councilmember Melnick, to approve the Consent Calendar.

Said motion was approved by the following vote:

AYES: Melnick, Putz, Mote, Herrick
NOES: None
ABSTAIN: None
EXCUSED: Lee

ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

2. PUBLIC HEARING

2.1 RESOLUTION ADOPTING THE FISCAL YEAR 2022-23 BUDGET

City Council conducted a public hearing to receive comments regarding the Fiscal Year 2022-23 City budget. Following the public hearing, Council considered a formal resolution adopting the Fiscal Year 2022-23 Budget and 5-Year Capital Replacement / Improvement Plan (CIP) through Fiscal Year 2026-27.

Kelly Ent, Director of Administrative Services, presented the item; the City remains in a strong fiscal position with a total fund balance of approximately \$20 million across all funds of which approximately \$13.1 million represents the balance in the City's operating funds. The Fiscal Year 2022-23 Budget includes appropriations for enhanced customer service, interagency contributions to public transit, an enhanced law enforcement contract, a new solid waste franchise agreement, and an investment of \$7.9 million in capital replacements and improvements.

At the hour of 6:19 p.m., Mayor Herrick opened the Public Hearing; seeing no public comment, Mayor Herrick closed the Public Hearing at 6:20 p.m.

A motion was made by Mayor Pro Tem Mote, seconded by Councilmember Putz, to approve staff's recommendation and adopt the following resolution entitled:

RESOLUTION NO. 2022-66

RESOLUTION ADOPTING THE FISCAL YEAR 2022-23 BUDGET

Said motion was approved by the following vote:

AYES: Melnick, Mote, Putz, Herrick
NOES: None
ABSTAIN: None
EXCUSED: Lee

2.2 RESOLUTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE VILLAGE MAINTENANCE ASSESSMENT DISTRICT NO. 1-92 FOR FISCAL YEAR 2022-23

City Council considered a formal resolution authorizing the levy and collection of assessments within the Village Maintenance Assessment District for Fiscal Year 2022-23.

Sean Sullivan, Director of Public Services, presented the item and indicated that the assessments support ongoing maintenance activities within the Village area and property owners are assessed based upon the total amount of street frontage they own within the assessed area. The assessment amounts were adopted in June 2021 through a noticed Proposition 218 hearing whereby the City Council approved a rate structure that included a five-year rate increase through Fiscal Year 2025-26. The assessment for Fiscal Year 2022-23 is \$28.00 per linear foot and will result in a total collection of approximately \$144,000.

At the hour of 6:22 p.m., Mayor Herrick opened the Public Hearing; seeing no public comment, Mayor Herrick closed the Public Hearing at 6:22 p.m.

A motion was made by Councilmember Putz, seconded by Councilmember Melnick, to approve staff's recommendation and adopt the following resolution entitled:

RESOLUTION NO. 2022-67

RESOLUTION OF INTENT TO LEVY AND COLLECT ASSESSMENTS WITHIN THE VILLAGE MAINTENANCE ASSESSMENT DISTRICT NO. 1-92

Said motion was approved by the following vote:

AYES: Mote, Putz, Melnick, Herrick
NOES: None
ABSTAIN: None
EXCUSED: Lee

2.3 RESOLUTION APPROVING THE PLACEMENT OF BIG BEAR LAKE DEPARTMENT OF WATER AND POWER WATER STANDBY FEES ON THE TAX ROLL

City Council conducted a public hearing to receive comments regarding the placement of water standby fees on the FY 2022-23 tax roll, and considered a formal resolution authorizing the adoption of a written report concerning water standby fees and directing that the charges be collected via the tax roll in FY 2022-23.

Reggie Lamson, Big Bear Lake Department of Water & Power General Manager, presented the item; he explained the proposed fee is \$53 per vacant parcel, with additional charges for properties over one acre in size dependent upon the amount of street frontage. This fee has not been changed since FY 1991-92, and no fee changes are proposed for FY 2022-23.

At the hour of 6:25 p.m., Mayor Herrick opened the Public Hearing; seeing no public comment, Mayor Herrick closed the Public Hearing at 6:25 p.m.

A motion was made by Councilmember Melnick, seconded by Mayor Pro Tem Mote, to approve staff's recommendation and adopt the following resolution entitled:

RESOLUTION NO. 2022-68

RESOLUTION APPROVING THE PLACEMENT OF BIG BEAR LAKE DEPARTMENT OF WATER AND POWER STANDBY FEES ON THE TAX ROLL

Said motion was approved by the following vote:

AYES: Putz, Melnick, Mote, Herrick
NOES: None
ABSTAIN: None
EXCUSED: Lee

3. DISCUSSION/ACTION ITEMS

3.1 COUNCIL ACTION NEEDED RELATED TO THE PETITION ENTITLED "INITIATIVE MEASURE AMENDING THE CITY'S MUNICIPAL CODE TO LIMIT THE NUMBER OF VACATION RENTAL LICENSES AND RENTAL CONTRACTS IN THE CITY AND TO ENACT ADDITIONAL LIMITATIONS AND REGULATIONS ON VACATION RENTALS"

City Council received a presentation from Tourism Economics LLC, regarding their impartial analysis of the proposed Measure's fiscal impacts, effects on land uses and possible effect on the City's infrastructure and related matters. The City Council discussed and took action related to the three remaining options under Elections Code sections 1405 and 9215 which were as follows: a) adopt the Measure, without alteration, at this meeting, or within 10 days after, b) submit the Measure to the voters at the next regular municipal election occurring at least 88 days later, c) submit the Measure to the voters at a special municipal election occurring on a Tuesday between 88 and 103 days after the City Council calls the election.

Following initial Council questions and discussion, Mayor Herrick invited up speakers who wanted to speak on this item. The following individuals approached Council:

Jim Eakin, Big Bear Lake resident, indicated that he is not surprised by Tourism Economics' presentation and findings; outlined perceived unintended consequences if the initiative were to pass; stated that the initiative does not address density in residential neighborhoods; encouraged proponents to rescind the initiative and asked that the Council not take action on the item and defer to the Ad Hoc Committee.

Mike Brinegar, Big Bear Lake resident, believes the citizen-led initiative is the product of over-reacting to the temporary spike of tourism due to the pandemic; said limiting the number of contracts per year will result in economic loss; believes that only a handful of properties are the real problem and the City should focus efforts on those properties.

Micky Peterson, Big Bear Association of Realtors President, stated that the proponents of the initiative are attempting to discredit the economic impact report through a published newsletter; outlined and corrected what she felt were discrepancies within the proponents' published newsletter.

Sean Crawford, Sugarloaf resident, indicated that if the initiative passes, then the community will face a devastating economic impact and additional negative unintended consequences.

Don Suza, Big Bear Lake resident, said the initiative has no redeeming qualities and will negatively impact the community; indicated that increased enforcement should be the focus.

Johnny Wells, Big Bear Lake resident, said there are always unintended consequences when limiting individuals' property rights; urged Council to think beyond the report and think about how they would be impacting people's lives with this decision.

Al Logan, Big Bear Lake resident, believes this initiative will have a significant impact on local business owners; said the Ad Hoc Committee needs to do more homework before any decisions are made by Council.

Sarah Bouchard, Big Bear Lake resident, believes the economic impact study to be one-sided and bias; implored Council to give the initiative a chance.

Christina Lindsey, Big Bear Lake resident, expressed her concerns for the negative financial impact the initiative would have on the local working class whose skills are valued and needed by the rental businesses.

Barbara Olsen, Big Bear Lake resident, sought clarification related to the Council's agenda action items, expressed her concerns over the initiative's "Friends & Family" list requirement which she indicated would further restrict property owner rights.

Theodore Trentman, Big Bear Lake resident, requested that the City Council allow the Citizens Initiative to be placed on the ballot; expressed concerns over the negative impacts related to the initiative.

Matt Scriven, Big Bear Lake resident, indicated he is fearful of the harmful community impacts of the initiative; wonders why this initiative is necessary now since we are no longer experiencing the increased tourism that was due to the pandemic.

Gloria Meade, Big Bear City resident, expressed her appreciation to the Council and the overall Big Bear community; hopes all future decisions that will be made will have a positive impact on the community.

Crisann Conroy, Big Bear Lake resident, stated she has concerns about the initiative's potential to significantly reduce the funding of important City services, such as emergency response; fears this initiative could destroy the community.

Tasha Ross, Big Bear Lake resident, explained to the Council that she has significantly supported the local economy by preparing her house for the rental program; she feels the new Ordinance has helped with reducing complaints.

Pat Engart, Sugarloaf resident, indicated that her goal as a vacation rental owner is to be good neighbors to the permanent residents; explained the steps she is taking to ensure good renters.

Following Council discussion, a motion was made by Councilmember Putz, seconded by Councilmember Melnick, to submit the Measure to the voters at the next regular municipal election which is November 8, 2022.

Said motion was approved by the following vote:

AYES: Mote, Putz, Melnick, Herrick
NOES: None
ABSTAIN: None
EXCUSED: Lee

At the hour of 8:05 p.m., Mayor Herrick recused himself from the next item due to a potential conflict of interest and asked Mayor Pro Tem Mote to act as presiding officer, then called for a short recess.

At the hour of 8:12 p.m., Mayor Pro Tem Mote reconvened the meeting and acted as presiding officer for the item related to the Council appointed Ad Hoc Committee.

3.2 UPDATE FROM COUNCIL APPOINTED AD HOC COMMITTEE REGARDING PROPOSED WORKPLAN

Councilmember Melnick and Councilmember Putz lead a discussion and sought Council input regarding a proposed workplan, upcoming public meeting input sessions, project timeline, and the desire to draft a compromised amendment to the City’s vacation rental ordinance with the assistance of the City Attorney.

Following discussion, Mayor Pro Tem Mote invited up speakers who wanted to speak on this item. The following individuals approached Council:

Jim Eakin, Big Bear Lake resident, thanked Councilmember Melnick and Councilmember Putz for their clear vision for the Ad Hoc Committee Meeting; implored the proponents of the initiative to actively participate in this committee meeting in hopes to arrive at a compromise.

Shelley Black, Big Bear Lake resident, believes the timeline of the Ad Hoc Committee is too short to effectively deal with the vacation rental issue; expressed she thinks the Committee may have already made a decision regarding Ordinance modification and questioned if that would create a genuine listening environment.

No formal action was taken; report was received and filed.

At the hour of 8:51 p.m., Mayor Herrick returned to the meeting and acted as presiding officer for the remainder of the meeting.

3.3 RESOLUTION CALLING FOR THE PLACEMENT OF A GENERAL TAX MEASURE ON THE NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION BALLOT FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF A PROPOSED ORDINANCE AMENDING THE CITY’S TRANSIENT OCCUPANCY (HOTEL) TAX BY INCREASING THE MAXIMUM RATE FROM 8% TO 10% ON VACATION RENTAL OCCUPANCY AND FROM 8% TO 9% FOR ALL OTHER HOTEL AND TRANSIENT OCCUPANCY; REQUESTING THE COUNTY OF SAN BERNARDINO TO CONSOLIDATE SAID ELECTION WITH THE STATEWIDE GENERAL ELECTION OF EVEN DATE; AND SETTING RULES AND DEADLINES FOR ARGUMENTS AND REBUTTALS FOR AND AGAINST THE MEASURE

City Council considered adopting a resolution calling for placement of a general tax measure on the November 8, 2022 General Municipal Election amending the Transient Occupancy Tax (TOT) rate, consolidating said elections with the Statewide General Election, and setting the rules and deadlines for arguments and rebuttals to the measure.

Following Council discussion, a motion was made by Mayor Herrick, seconded by Councilmember Melnick, to place the General Tax Measure on the November 8, 2022 election to raise Transient Occupancy Tax (TOT) by 1% effective January 1, 2024, and by another 1% effective January 1, 2025 and incorporate the City Attorney’s suggested updates to the ballot question and Section 3.20.030 of the Ordinance.

Prior to the roll call vote, Mayor Herrick invited up speakers who wanted to speak on this item. The following individuals approached Council:

Jeff Willis, Big Bear Fire Department Fire Chief, discussed visitor use of service and compared the level of call volume between the peak seasons and shoulder seasons; urged Council to approve the item to place the TOT increase on the ballot and stated the Fire Department would appreciate some additional TOT revenue to help offset the visitor service impact expenses.

Mike Brinegar, Big Bear resident, believes the TOT increase should be equal for traditional lodging facilities and vacation rental properties; indicated that he is in favor of the gradual, TOT phased increase approach.

Tasha Ross, Big Bear Lake resident, encouraged Council to consider other revenue increase options; questioned if raising the TOT rate would make it too high comparatively; reminded Council that a smaller increase to TOT, such as a half percent, may be an alternative.

Following further discussion, Council adopted the following resolution entitled:

RESOLUTION NO. 2022-70

RESOLUTION CALLING FOR THE PLACEMENT OF A GENERAL TAX MEASURE ON THE NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION BALLOT FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF A PROPOSED ORDINANCE AMENDING THE CITY’S TRANSIENT OCCUPANCY (HOTEL) TAX BY INCREASING THE MAXIMUM RATE FROM 8% TO 9% EFFECTIVE ON JANUARY 1, 2024 AND FROM 9% TO 10% EFFECTIVE ON JANUARY 1, 2025; REQUESTING THE COUNTY OF SAN BERNARDINO TO CONSOLIDATE SAID ELECTION WITH THE STATEWIDE GENERAL ELECTION OF EVEN DATE; AND SETTING RULES AND DEADLINES FOR ARGUMENTS AND REBUTTALS FOR AND AGAINST THE MEASURE.

Said motion was approved by the following vote:

AYES: Putz, Melnick, Herrick
NOES: Mote
ABSTAIN: None
EXCUSED: Lee

3.4 RESOLUTION INCORPORATING THE DEPARTMENT OF WATER AND POWER APPROVED BUDGET FOR FISCAL YEAR 2022-23 INTO THE CITY BUDGET

City Council received a presentation by Reggie Lamson, the Department of Water and Power (DWP) General Manager on the DWP approved budget for FY 2022-23 and considered a formal resolution authorizing the incorporation of this budget into the City’s budget. The DWP is required to have an approved budget incorporated into the City’s budget prior to the start of the fiscal year. Annually the budget is presented to the City Council for review and input prior to adoption by the DWP Board

Commissioners. This review was included on the Council’s May 16, 2022 agenda; however, due to time constraints, City Council was unable to review the DWP budget at that meeting. The DWP Board of Commissioners is required to approve the budget at a noticed Public Hearing prior to the Council action to incorporate the budget into the City’s budget; therefore, the DWP Board of Commissioners approved the budget at a Public Hearing held on May 27, 2022 which was the last opportunity prior to today’s meeting to fulfill this obligation.

A motion was made by Mayor Pro Tem Mote, seconded by Councilmember Putz, to approve staff’s recommendation and adopt the following resolution entitled:

RESOLUTION NO. 2022-71

**RESOLUTION INCORPORATING THE DEPARTMENT OF WATER AND POWER
APPROVED BUDGET FOR FISCAL YEAR 2022-23 INTO THE CITY BUDGET**

Said motion was approved by the following vote:

AYES: Melnick, Putz, Mote, Herrick
NOES: None
ABSTAIN: None
EXCUSED: Lee

4. COMMENTS, ANNOUNCEMENTS & ADDITIONAL CITY BUSINESS

4.1 CITY CLERK, CITY ATTORNEY, CITY MANAGER COMMENTS

None.


4.2 COUNCILMEMBER BOARD/COMMITTEE REPORTS & COMMENTS

Mayor Pro Tem Mote stated that she requested that the upcoming Economic Development Advisory Committee (EDAC) meeting be cancelled until further feedback can be received from the Council; reported on Mountain Transit’s Customer Appreciation Day and the May 25 Big Bear Area Regional Wastewater Agency meeting.

Mayor Herrick reported on the latest San Bernardino County Transportation Authority (SBCTA) Board Meeting and recent funding opportunities for projects in the Big Bear Valley.

ADJOURNMENT

There being no further business to come before the Council at this Open Session, Mayor Herrick adjourned the meeting at 9:45 p.m. in honor of Butch Waymire.


Erica Stephenson, City Clerk