



**CITY OF BIG BEAR LAKE  
CITY COUNCIL  
MEETING AGENDA  
August 20, 2018**

Workshop Meeting - 10:00 a.m. - Training Room

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**COUNCILMEMBERS**

**MAYOR RICK HERRICK  
MAYOR PRO TEM RANDALL PUTZ  
COUNCILMEMBER DAVID CARETTO  
COUNCILMEMBER BOB JACKOWSKI  
COUNCILMEMBER BILL JAHN**

**CITY STAFF**

**CITY MANAGER JEFF MATHIEU  
CITY ATTORNEY STEVE DEITSCH  
COO/CITY CLERK KATHLEEN SMITH  
DEPUTY CITY CLERK SARAH M. SIEP**

**SPECIAL WORKSHOP MEETING NOTICE & AGENDA**

To:  
Mayor Rick Herrick  
Mayor Pro Tem Randall Putz  
Councilmember David Caretto  
Councilmember Bob Jackowski  
Councilmember Bill Jahn

City Manager  
City Attorney  
Division Manager  
Local Media

**NOTICE**

NOTICE IS HEREBY GIVEN, that the City Council will conduct a Special Workshop Meeting on

Monday, August 20, 2018, at 10:00 a.m., at 39707 Big Bear Boulevard, Big Bear Lake, California; said meeting being called pursuant to Section 54957 of the Government Code of the State of California for the purpose of considering the following matter:

**OPEN SESSION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PUBLIC COMMUNICATIONS**

Any member of the public is entitled to speak only on items listed on the agenda.

**1. DISCUSSION/ACTION ITEMS**

1.1. CONSIDERATION OF CANCELLING THE NOVEMBER 6, 2018 GENERAL MUNICIPAL ELECTION

Council consideration, discussion and possible action regarding adopting one of two Resolutions relating to the November 6, 2018 General Municipal Election as is deemed appropriate; and directing the City Clerk's Office to file a copy with the County of San Bernardino Registrar of Voters.

[Item 1.1 Agenda Report Consideration of Cancellation of Election.pdf](#)

**ADJOURNMENT**

I hereby certify under penalty of perjury, under the laws of the State of California, that the foregoing agenda was posted in accordance with the applicable legal requirements. Date this 16th day of August, 2018.



\_\_\_\_\_  
Sarah M. Siep, Deputy City Clerk

*The City of Big Bear Lake wishes to make all of its public meetings accessible to the public. If you need special assistance to participate in this meeting, please contact the City Clerk's Office at (909) 866-5831. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*



# AGENDA REPORT

**MEETING DATE:** August 20, 2018

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Jeff Mathieu, City Manager

**REVIEWED BY:** Kathleen Smith, Chief Operations Officer

**PREPARED BY:** Sarah M. Siep, Deputy City Clerk

**SUBJECT:** **CONSIDERATION OF CANCELLING THE NOVEMBER 8, 2018 GENERAL MUNICIPAL ELECTION**

## **DISCUSSION**

A total of three (3) City Council seats are open, one each for Districts 2, 3 & 4, for this year's General Municipal Election. The nomination period for the upcoming General Municipal Election closed on Friday, August 10, 2018 at 5:00 p.m. A total of three qualified candidates filed nomination papers: Rick Herrick (District 2), Randall Putz (District 3) and Dave Caretto (District 4).

Pursuant to Elections Code Section 10229, the City Clerk has attached a certification to the City Council attesting to the fact that there are not more candidates than offices to be elected (Attachment A). That certification noted that Section 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the persons who have been nominated;
2. Appoint to the office any eligible voter if no one has been nominated (this does not apply to the decision the City Council will be making); or
3. Hold the election if either no one or only one person has been nominated.

Also, in order to fulfill the requirements of Section 10229 of the elections Code, a Notice of the above facts was posted at three public places on August 13, 2018 and in the Big Bear Grizzly on August 15, 2018 (Attachment B).

Two Resolutions have been prepared for the City Council's consideration regarding this matter. The first Resolution serves to appoint the three individuals nominated and thereby results in the cancellation of the election in November (Attachment C). The second Resolution provides for the election to be held as scheduled (Attachment D).

We are recommending that Council consider the two Resolutions and discuss which course of action to take: determine if the election will be cancelled, or if it will be held as scheduled, and adopt the

respective Resolution reflecting this action. In addition, direct the City Clerk’s Office to file a copy with the County of San Bernardino Registrar of Voters.

**FISCAL IMPACT**

Should the Council choose to cancel this year’s General Municipal Election, it would result in a cost savings of approximately \$3,000-\$5,000.

**RECOMMENDATION**

It is recommended the City Council consider and discuss adopting one of two Resolutions relating to the November 6, 2018 General Municipal Election as is deemed appropriate:

1. Resolution No. 2018-XX, providing for the appointment of three members to the Offices of the City Council, one each from Districts 2, 3 and 4, that were to be elected on Tuesday, November 6, 2018, and cancelling the election.
2. Resolution No. 2018-XX, confirming the holding of a General Municipal Election to be held on Tuesday, November 6, 2018, for the election of three members to the City Council, one each from Districts 2, 3 and 4.

And in addition, direct the City Clerk’s Office to file a copy with the County of San Bernardino Registrar of Voters.

Attachments:

- A. Certification
- B. Public Notice
- C. Resolution 2018-XX – Providing for Appointment and Cancelling the Election
- D. Resolution 2018-XX – Confirming the Holding of an Election

## **Attachment A**



## CITY OF BIG BEAR LAKE

### CITY CLERK'S CERTIFICATION THAT THERE ARE NOT MORE CANDIDATES THAN OFFICES TO BE ELECTED

I, Sarah M. Siep, Deputy City Clerk of the City of Big Bear Lake, do hereby certify that pursuant to Section 10229, Elections Code of the State of California, the following facts relating to the General Municipal Election to be held on November 6, 2018:

As of the close of the nomination period on August 10, 2018, there were not more candidates than offices to be elected.

The persons so nominated are:

District 2 – Rick Herrick  
District 3 – Randall Putz  
District 4 – David Caretto

Section 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council: (1) Appoint to the office the persons who have been nominated; (2) Appoint to the office any eligible voter if no one has been nominated; or (3) Hold the election if either no one or only one person has been nominated.

A notice of these facts was posted at three public places on August 13, 2018, to meet the requirements of Section 10229 of the Elections Code. The City Council is requested to either make the appointments or direct an election to be held. The persons appointed, if any, shall qualify and take office and serve exactly as if elected at a municipal election for the office. If, by the 75<sup>th</sup> day before the municipal election no person has been appointed to the offices pursuant to (1) or (2) above, the election shall be held.

If the City Council makes an appointment pursuant to Section 10229 of the Election Code, the City Clerk shall not accept for filing any statement of write-in candidacy which is submitted after the appointment is made.

*Sarah M. Siep*

Sarah M. Siep

Deputy City Clerk

Dated: August 13, 2018

## **Attachment B**



**CITY OF BIG BEAR LAKE  
NOTICE THAT THERE ARE NOT MORE CANDIDATES  
THAN OFFICES TO BE ELECTED**

**NOTICE IS HEREBY GIVEN THAT PURSUANT TO SECTION 10229 OF THE ELECTIONS CODE OF THE STATE OF CALIFORNIA RELATING TO THE GENERAL MUNICIPAL ELECTION IN THE CITY OF BIG BEAR LAKE TO BE HELD ON TUESDAY, NOVEMBER 6, 2018:**

As of the close of the nomination period on August 10, 2018, there are not more candidates than offices to be elected.

The persons so nominated are:            District 2 – Rick Herrick  
   District 3 – Randall Putz  
   District 4 – David Caretto

Section 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the persons who have been nominated.
2. Appoint to the office any eligible voter if no one has been nominated.
3. Hold the election if either no one or only one person has been nominated.

The City Council will hold a Special Workshop Meeting on Monday, August 20, 2018, at 10 a.m. to either make the appointment(s) or direct an election to be held. The meeting will take place at the Big Bear Lake Civic Center, located at 39707 Big Bear Blvd. in Big Bear Lake, CA 92315. The persons appointed, if any, shall qualify and take office and serve exactly as if elected at a municipal election for the office. If, by the 75<sup>th</sup> day before the municipal election, no person has been appointed to the offices pursuant to (1) or (2) above, the election shall be held.

If the City Council makes an appointment pursuant to Section 10229, Elections Code, the City Clerk shall not accept for filing any statement of write-in candidacy which is submitted after the appointment is made.

Sarah M. Siep  
Deputy City Clerk

Publication Date: August 15, 2018



## **Attachment C**

**RESOLUTION NO. 2018-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, PROVIDING FOR THE APPOINTMENTS TO THE OFFICES OF CITY COUNCIL THAT WERE TO BE ELECTED ON TUESDAY, NOVEMBER 6, 2018, AND CANCELLING THE ELECTION**

WHEREAS, pursuant to Section 10229 of the Elections Code of the State of California, as of the close of the nomination period on August 10, 2018, there are not more candidates than offices to be elected and Section 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the person who has been nominated.
2. Appoint to the office any eligible voter if no one has been nominated.
3. Hold the election if either no one or only one person has been nominated.

WHEREAS, a notice concerning the foregoing was posted in three public places on August 13, 2018 and in the local newspaper on August 15, 2018 to meet the requirements of law.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Big Bear Lake does hereby resolve, declare, determine and order as follows:

1. Pursuant to Section 10229 of the Elections Code of the State of California the following action is being taken: the following persons are hereby appointed to the offices to which they were nominated and are considered to be the same as being elected, pursuant to Section 10229(a)(3) of the Elections Code:

Rick Herrick, District 2  
Randall Putz, District 3  
Dave Caretto, District 4

2. The general municipal election scheduled to be held on Tuesday, November 6, 2018, is now cancelled.
3. The persons appointed shall qualify and take office and serve exactly as if elected at the general municipal election heretofore scheduled for November 6, 2018 for the office of City Councilmember in their respective District.
4. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.
5. The City Clerk shall be directed to forward a certified copy of this Resolution to the County of San Bernardino Registrar of Voters and formally request the cancellation of the general municipal election.

PASSED, APPROVED AND ADOPTED this \_\_ day of August, 2018.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Rick Herrick, Mayor

ATTEST:

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Sarah M. Siep, Deputy City Clerk

STATE OF CALIFORNIA                    )  
COUNTY OF SAN BERNARDINO ) ss  
CITY OF BIG BEAR LAKE                )

I, Sarah M. Siep, Deputy City Clerk of the City of Big Bear Lake, California, do hereby certify that the whole number of the City Council of the said City is five; that the foregoing Resolution, being Resolution No. 2018-XX was duly passed and adopted by the said City Council and attested by the City Clerk of said City, all at a special meeting of the said Council held on the \_\_\_ day of August, 2018, and that the same was so passed and adopted by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

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Sarah M. Siep, Deputy City Clerk

## **Attachment D**

**RESOLUTION NO. 2018-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, CONFIRMING THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018, FOR THE ELECTION OF THREE MEMBERS OF CITY COUNCIL**

WHEREAS, pursuant to Section 10229 of the Elections Code of the State of California, as of the close of the nomination period on August 10, 2018, there are not more candidates than offices to be elected and Section 10229 of the Elections Code allows one of the following courses of action to be taken by the City Council:

1. Appoint to the office the person who has been nominated.
2. Appoint to the office any eligible voter if no one has been nominated.
3. Hold the election if either no one or only one person has been nominated.

WHEREAS, a notice concerning the foregoing was posted in three public places on August 13, 2018 and in the local newspaper on August 15, 2018 to meet the requirements of law.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Big Bear Lake does hereby resolve, declare, determine and order as follows:

1. That pursuant to Section 10229 of the Elections Code of the State of California, the following action is being taken:

The General Municipal Election will be held as scheduled on November 6, 2018.

2. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.
3. That the City Clerk shall forward a certified copy of this Resolution to the County of San Bernardino Registrar of Voters.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of August, 2018.

AYES:

NOES:

ABSTAIN:

ABSENT:

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Rick Herrick, Mayor

ATTEST:

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Sarah M. Siep, Deputy City Clerk

STATE OF CALIFORNIA                    )  
COUNTY OF SAN BERNARDINO ) ss  
CITY OF BIG BEAR LAKE                )

I, Sarah M. Siep, Deputy City Clerk of the City of Big Bear Lake, California, do hereby certify that the whole number of the City Council of the said City is five; that the foregoing Resolution, being Resolution No. 2018-XX was duly passed and adopted by the said City Council and attested by the City Clerk of said City, all at a special meeting of the said Council held on the \_\_\_ day of August, 2018, and that the same was so passed and adopted by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

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Sarah M. Siep, Deputy City Clerk