
**CITY OF BIG BEAR LAKE CITY COUNCIL
MINUTES FOR REGULAR MEETING
September 23, 2019**

A Regular Meeting of the City Council of the City of Big Bear Lake was called to order by Mayor Randall Putz at 6:36 p.m., Monday, September 23, 2019, at the Civic Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

OPEN SESSION

Flag Salute: Led by Mayor Pro Tem Herrick

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

Others Present: Jeff Mathieu, City Manager
Erica Stephenson, City Clerk
Rebecca Cannon, Administrative Assistant

ANNOUNCEMENTS & UPCOMING EVENTS

- The City Council Meeting scheduled for October 14th has been cancelled. The next Regular City Council Meeting will be Monday, October 28th at 6:30 p.m.

EVENT CALENDAR FOR THE PERFORMING ARTS CENTER

For tickets please contact the box office at (909) 866-4970 or visit citybigbearlake.com

- Big Bear Yoga Festival presented by the Leafs for Wellness Foundation on October 5th beginning at 8:30 a.m.
- Bear Valley Community Healthcare District Foundation presents “An Evening with Pasquale Esposito” on October 19th with a Prelude by Mountaintop Strings at 7:00 p.m. with the concert beginning at 8:00 p.m.

PRESENTATIONS

- Mayor Putz’s introduction of San Bernardino County District 3 Supervisor Dawn Rowe.
- The City of Big Bear Lake, in collaboration with the County of San Bernardino and the Big Bear Valley Military Ministry organization, will be participating in a presentation to recognize and honor the dedicated service of local Vietnam War Veterans.

At the hour of 7:06 p.m., Mayor Putz called a short recess.

At the hour of 7:19 p.m., Mayor Putz reconvened the meeting.

PUBLIC COMMUNICATIONS

- Ellen Clarke, Executive Director of the Big Bear Chamber of Commerce: Introduced herself to Council and thanked them for giving her an opportunity to present at the next City Council meeting scheduled for Monday, October 28th.

1. CONSENT CALENDAR City Council

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

1.1. APPROVAL OF DEMANDS – CHECK ISSUE DATE 08/15/19 THROUGH 09/11/19 IN THE AMOUNT OF \$1,474,197.24 AND THE JUNE 2019 TREASURER’S REPORT

Approved.

1.2 APPROVAL OF MEETING MINUTES FROM THE AUGUST 26, 2019 REGULAR MEETING OF CITY COUNCIL

Approved.

1.3 PURCHASE RECOMMENDATION – MULTIQUIP, INC. PUMP

Council consideration of approving the purchase of one (1) trailer-mounted diesel powered pump with fifty feet (50’) of suction hose and two-hundred fifty feet (250’) of discharge hose from Multiquip, Inc. through Sourcewell Contract 041719-MTQ for a total purchase price of \$34,707.58 including tax and delivery charges.

Approved.

1.4 PURCHASE RECOMMENDATION – VILLAGE WAYFINDING SIGN PROJECT

Council consideration of finding the project categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301, Class 1(c) of the CEQA Guidelines and direct staff to file a Notice of Exemption; approving the waiver of the competitive procurement process for the fabrication of the wayfinding signs; and authorizing staff to contract with Graphics Designed Ink to fabricate the remaining Village Wayfinding signs for a total price not to exceed \$17,778.75.

Approved.

1.5 AUTHORIZATION TO ISSUE A TASK ORDER TO TRANSTECH ENGINEERS, INC. FOR THE THIRD SEGMENT OF THE RATHBUN CREEK TRAIL

Council consideration of finding the project categorically exempt under the California Environmental Quality Act (CEQA) as a Class 4 Categorical Exemption pursuant to Section 15304 of the CEQA Guidelines; and authorizing staff to issue a task order for Professional Land Surveying services to Transtech Engineers, Inc. under the terms of the existing Professional Services Agreement in an amount not to exceed \$14,460.

Approved.

1.6 AUTHORIZATION TO ISSUE A CHANGE ORDER – ALPINE PEDAL PATH RATHBUN CREEK EXTENSION

Council consideration of authorizing an appropriation of \$53,530 from Measure Y to supplement the Alpine Pedal Path Rathbun Creek Extension Project budget; and authorizing a Change Order in an amount not to exceed \$53,530 to the Willdan Professional Services Agreement for the project.

Approved.

1.7 AUTHORIZATION TO AWARD A CONTRACT – RATHBUN CREEK TRAIL PHASE 1B – PEDESTRIAN BRIDGE FOUNDATION CONSTRUCTION AND INSTALLATION PROJECT

Council consideration of finding the project categorically exempt from the California Environmental Quality Act (CEQA) as a Class 4 Categorical Exemption pursuant to Section 15304 of the CEQA Guidelines and directing staff to file a Notice of Exemption; awarding a Construction Contract in the amount of \$477,675.00 to Wright Construction Engineering Corp. for construction of the Rathbun Creek Trail Phase 1B – Pedestrian Bridge Foundation Construction and Installation Project; and authorizing the City Manager, and/or his designee, to execute the contract documents.

Approved.

1.8 AUTHORIZATION OF AN APPROPRIATION TO CLOSE OUT THE ATP PEDESTRIAN & BICYCLE MOBILITY PROJECT ON BIG BEAR BOULEVARD

Council consideration of authorizing an appropriation of \$178,277.58 from the General Fund Unassigned Fund Balance for engineering design services for the ATP Pedestrian and Bicycle Mobility Project on Big Bear Boulevard to close out this project.

Approved.

The balance of the Consent Calendar, with Councilmember Jahn abstaining from voting on Item 1.2 due to his absence at the meeting, was approved by the following vote:

AYES: Jahn, Jackowski, Caretto, Herrick, Putz
ANOES: None
ABSTAIN: None
EXCUSED: None

ITEMS REMOVED FROM THE CONSENT CALENDAR

None.

2. PUBLIC HEARING

2.1 ORDINANCE RENEWING INFLATIONARY ADJUSTMENTS AND PASS THROUGH CHARGES APPLIED TO SEWER AND REFUSE FEES

Council consideration of holding a public hearing to consider the written and oral testimony regarding the proposed ordinances to renew inflationary adjustments and pass through charges applied to Sewer and Refuse Fees; reading the title of the proposed ordinances, waiving further reading and introducing the ordinances; and determining the ordinances are exempt from the California Environmental Quality Act (CEQA), pursuant to California Public Resources Code Section 21080(b)(8) and State CEQA Guidelines Section 15273(a).

Kelly Ent, Director of Government Services, gave a presentation regarding the pass through charges and inflationary adjustments relating to sewer and refuse fees, stated staff's recommendations and read the title of the two (2) proposed ordinances.

At the hour of 7:25 p.m., Mayor Putz opened the public hearing. Hearing no public comment, Mayor Putz closed the public hearing.

Motion by Councilmember Caretto, seconded by Councilmember Jahn, to approve staff's recommendations.

Said motion was approved by the following vote:

AYES: Herrick, Jahn, Caretto, Jackowski, Putz
ANOES: None
ABSTAIN: None
EXCUSED: None

2.2 SOUTHWEST GAS FRANCHISE AGREEMENT

Council consideration of holding a public hearing to consider the written and oral testimony regarding the Southwest Gas Corporation Franchise Agreement; reading the title of an ordinance, waiving further reading and introducing the ordinance; and determining that the ordinance is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15378 of the CEQA Guidelines.

Mayor Pro Tem Herrick recused himself due to a potential conflict of interest.

John Harris, Director of Development Services, gave a presentation regarding the proposed Franchise Agreement for Southwest Gas, highlighted the details of the proposed changes to the agreement, read the proposed title of the ordinance, and

informed Council a second reading of the ordinance is needed at the next Council meeting.

Councilmember Caretto asked if the City had franchise agreements with the bottled-gas suppliers that exist on the Boulevard.

John Harris advised Council that this agreement strictly regulates facilities that are in the public right-of-way.

Mayor Putz asked if the rates are regulated by the PUC (Public Utilities Commission) or if they are a function of this contract.

John Harris confirmed the rates are regulated by the PUC.

At the hour of 7:30 p.m., Mayor Putz opened the public hearing. Hearing no public comment, Mayor Putz closed the public hearing.

Motion by Councilmember Caretto, seconded by Councilmember Jahn, to approve staff's recommendations.

Said motion was approved by the following vote:

AYES: Caretto, Jahn, Jackowski, Putz
ANOES: None
ABSTAIN: Herrick
EXCUSED: None

3. DISCUSSION & ACTION ITEMS

3.1 POTENTIAL TOT BALLOT MEASURE AND COMPANION ADVISORY MEASURE TO USE THE INCREASE IN TOT FOR PUBLIC SAFETY DISTRIBUTED EQUALLY FOR LAW ENFORCEMENT AND FIRE PROTECTION/EMERGENCY MEDICAL SERVICES

Council consideration of reviewing the proposed ballot questions and providing direction as appropriate; and authorizing staff to prepare the necessary documents for City Council consideration to place the measures on the November 3, 2020 ballot.

Kelly Ent, Director of Government Services, gave a presentation regarding the reasons for the need to increase TOT (Transient Occupancy Tax) including a brief overview of this fiscal year's budget workshop meetings in which this measure was first discussed, read the proposed ballot measures questions aloud, and sought Council's input and direction.

Councilmember Caretto brought up questions that he has received from community members regarding the adoption process for the proposed TOT increase; asked staff to confirm his understanding that this would be considered a general tax which cannot be included on the ballot until the next general election in November 2020; requested staff to prepare community outreach so the public is aware that Council is taking action and asked how the funds will be distributed depending upon the election results of both the Fire Authority's Community Facilities District (CFD) and the City's TOT ballot measures.

City Manager, Jeff Mathieu, and staff responded confirming Councilmember Caretto's understanding of the election process and provided information as to how the funds would be distributed.

Councilmember Jahn asked about the monetary terms of the current contract the City has with the San Bernardino County Sheriff's Department for Law Enforcement services.

Staff responded.

Mayor Pro Tem Herrick asked if we could pull, or perhaps modify, the measure from the November 2020 ballot if the CFD fails to pass at the March 2020 election; asked if the Fire Protection District Board would control the release of the funds.

City Manager and staff responded.

Councilmember Jackowski sought clarification on the measure and the advisory measure.

Mayor Putz commented that he is interested to see the outcome of this proposed measure; echoed Mayor Pro Tem Herrick's comment in regards to revisiting the measure if the CFD measure does not pass; commented that if all does not work out, it's a possibility to end up back before the creation of the Fire Authority because regardless of the Fire Authority's measure passing or not additional fire services are needed to meet the visitor's demand; added that it is important the public be aware that the Fire Authority's tax measure and the City's measure are complimentary and are a package-deal; wants the City to be mindful of the public's perception of both tax measures.

City Manager responded.

Mayor Pro Tem Herrick commented about price sensitivity and suggested that the City consider hiring a consultant that can provide statistical information regarding the tax increase and how it may affect demand; asked when final approval for the verbiage of the measure will be.

City Manager assured Council that there is still time to address concerns brought up by community members and informed them of the timeline for the process of adopting the resolution and ordinance concerning the TOT ballot measures.

Motion by Councilmember Caretto, seconded by Councilmember Jahn, to approve staff's recommendations.

Said motion was approved by the following vote:

AYES:	Jackowski, Jahn, Herrick, Caretto, Putz
ANOES:	None
ABSTAIN:	None
EXCUSED:	None

3.2 INTRODUCTION OF AN ORDINANCE – AN ORDINANCE ADOPTING BY REFERENCE THE 2019 CALIFORNIA BUILDING STANDARDS CODE AND THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE

Council consideration of determining the ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378 of the CEQA Guidelines and directing staff to file a Notice of Exemption; reading the title of the proposed ordinance; setting a Public Hearing for 6:30 p.m. on October 28, 2019, in Hofert Hall, 39707 Big Bear Boulevard, Big Bear Lake, California; and directing the City Clerk's office to publish the Notice of Public Hearing in the appropriate newspaper(s) at least once not less than ten (10) days prior to the Public Hearing.

Steve Raney, Chief Building Official, gave a presentation regarding updates to the standards and conditions for building codes and property maintenance codes and how that will affect future development in the City and read the title of the proposed ordinance.

Councilmember Jahn inquired about the City's regulations for solar panels if a newly developed property was to be built on a heavily-treed lot.

Steve Raney confirmed that if eighty (80) percent of the roof is being shaded by trees, then the property will be exempt from cutting down the trees to allow for solar panels.

Mayor Pro Tem Herrick asked if these codes are to be adopted state-wide; stated that he is pleased with the City's position in regards to solar panels as installing solar panels can be very costly and does not exactly make sense for every property that is to be built.

Staff responded.

Councilmember Caretto asked if Code Enforcement would face restrictions should the International Property Maintenance Code be adopted, or would it give the department more opportunity to deal with certain issues such as the removal of dangerous buildings.

Staff responded that the new International Property Maintenance Code gives the public and the Code Officers clearer direction in regards to the requirements.

Motion by Councilmember Jahn, seconded by Mayor Pro Tem Herrick, to approve staff's recommendations.

Said motion was approved by the following vote:

AYES:	Caretto, Jackowski, Jahn, Herrick, Putz
ANOEES:	None
ABSTAIN:	None
EXCUSED:	None


CITY COUNCIL GENERAL ANNOUNCEMENTS & CITY BUSINESS

Board/Committee Reports

- Big Bear Area Regional Wastewater Authority (BBARWA) Board Meeting on August 28, represented by Councilmember Caretto and Mayor Pro Tem Herrick.
- Mountain Transit Board Meeting on September 18, represented by Councilmember Caretto and Mayor Putz.
- San Bernardino County Transportation Authority Board of Directors Meeting on September 4, represented by Councilmember Jahn.

ADJOURNMENT

There being no further business to come before the Council at this session, Mayor Putz adjourned the meeting at 8:07 p.m.



Erica Stephenson, City Clerk