



# CITY OF BIG BEAR LAKE *California*

## Regular Meeting Minutes – March 9, 2020

A Regular Meeting of the City Council of the City of Big Bear Lake was called to order by Mayor Pro Tem Randall Putz at 6:30 p.m., Monday, March 9, 2020, at the Civic Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

### **OPEN SESSION**

- Flag Salute: Flag Salute led by Councilmember Jackowski
- Invocation: Invocation led by Pastor Mike Barnes, Community Church Big Bear
- Councilmembers Present: Mayor Pro Tem Randall Putz  
Councilmember David Caretto  
Councilmember Bob Jackowski  
Councilmember Bill Jahn
- Councilmembers Excused: Mayor Rick Herrick
- Others Present: Frank A. Rush, Jr., City Manager  
Stephen P. Deitsch, City Attorney  
Erica Stephenson, City Clerk  
Rebecca Cannon, Administrative Assistant

### **EVENT CALENDAR FOR THE PERFORMING ARTS CENTER**

For tickets please contact the box office at (909) 866-4970 or visit [www.citybigbearlake.com](http://www.citybigbearlake.com)

- Big Bear Middle School Performing Arts Department presents “Frozen Jr.” from March 19- March 21 at 7 p.m. and a 2 p.m. matinee showing on March 22.
- Big Bear Theatre Project presents a One Act Play Festival: Heartaches & Heartbreaks on April 3-April 4 and April 9 – April 11 at 7:30 p.m. and April 5 at 2:30 p.m.

### **PRESENTATIONS**

- Local Public Representatives will be presenting a Coronavirus status update, which will include recommendations and resources for the public.

### **PUBLIC COMMUNICATIONS**

#### **1. CONSENT CALENDAR**

Motion made by Councilmember Jahn, seconded by Councilmember Caretto, to approve the Consent Calendar as follows:

- 1.1 APPROVAL OF DEMANDS – CHECK ISSUE DATE 2/13/2020 THROUGH 2/27/2020 IN THE AMOUNT OF \$633,848.43**

Approved.

**1.2 APPROVAL OF MEETING MINUTES FROM THE FEBRUARY 24, 2020  
REGULAR MEETING OF CITY COUNCIL**

Approved.

**1.3 ADOPTION OF AN ORDINANCE – AN ORDINANCE AMENDING  
SECTIONS 5.10.200 AND 5.10.205 OF THE BIG BEAR LAKE MUNICIPAL  
CODE PERTAINING TO THE PROCESSING OF REQUESTS FOR  
EXTENDED OPERATIONS OF BINGO GAMES**

Council consideration of adopting an ordinance amending Municipal Code Sections 5.10.200 and 5.10.205 pertaining to the processing of requests for extended operations of Bingo games.

Approved and adopted the following ordinance entitled:

**ORDINANCE NO. 2020-479**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE,  
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AMENDING  
MUNICIPAL CODE SECTIONS 5.10.200 AND 5.10.205 PERTAINING TO  
PROCESSING OF REQUESTS FOR EXTENDED OPERATIONS OF BINGO  
GAMES**

**1.4 2019 ANNUAL HOUSING ELEMENT PROGRESS REPORT**

Council consideration of receiving any public comment regarding the Annual Progress Report (APR); finding the APR exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378 of the CEQA Guidelines; and directing staff to submit the APR in accordance with state law.

Approved.

The balance of the Consent Calendar was approved by the following vote:

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

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

None.

**2. DISCUSSION/ACTION ITEMS**

**2.1 RESOLUTION OF INTENTION AND NOTICE OF PUBLIC HEARING – BEAR VALLEY ELECTRIC SERVICE FRANCHISE AGREEMENT; EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER STATE CEQA GUIDELINES SECTION 15378**

Council consideration of adopting Resolution No. 2020-XX, a Resolution of Intention, which also sets a public hearing for 6:30 p.m. on April 27, 2020, in Hofert Hall, 39707 Big Bear Boulevard, Big Bear Lake, California; directing the City Clerk's Office to publish the Resolution of Intention in the appropriate newspaper(s) at least once not less than ten (10) days prior to the public hearing; 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.

John Harris, Director of Development Services, gave a presentation and brief overview regarding the proposed franchise agreement transfer.

Councilmember Caretto asked if there were any changes or different provisions within the new agreement and if other changes were made in the company, including staff. John Harris said he doesn't expect Bear Valley Electric to make changes to the agreement; and assured Council that there has not been any changes yet in regards to staffing and indicated they will be creating a new Board.

Councilmember Jackowski inquired about the two percent franchise fee and asked for an update regarding the removal of the utility poles on Big Bear Boulevard. John Harris indicated that communications with Frontier were temporarily suspended thru the winter months, but informed Council that the removal efforts will continue once communications resume between the City and Frontier.

Mayor Pro Tem Putz asked who initiated the franchise transfer agreement and if the City is required to allow the transfer; and wanted to know how the City plans to limit the impact of liability to the residents. John Harris confirmed that this action was initiated by Bear Valley Electric and that we are required to transfer the franchise agreement due to the California Public Utility Commission's (CPUC) decision of allowing the split of the two companies; reviewed a few stipulations

that provide protection and stated that Bear Valley Electric should be accommodating for future requests related to City capital improvement projects, i.e. the possibility of undergrounding electric utility lines in conjunction with future City projects in an effort to reduce community risks.

Stephen Deitsch, City Attorney, said that staff is monitoring the negotiations between San Bernardino County and Bear Valley Electric and Council may utilize those negotiations efforts in the future depending upon the results.

Mayor Pro Tem Putz stated that he done some research and calculated that the local residential and commercial electric rates are significantly higher when compared to the average electric rates in California; he hopes that the City will be able to continue a good relationship with Bear Valley Electric and would also like to see local community risk diminished and service rates lowered in the future.

Motion by Councilmember Caretto, seconded by Councilmember Jahn, to approve staff's recommendations and adopt the following resolution entitled:

RESOLUTION NO. 2020-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DECLARING ITS INTENTION TO TRANSFER AN ELECTRIC FRANCHISE TO BEAR VALLEY ELECTRIC SERVICE AND SETTING A PUBLIC HEARING DATE TO RECEIVE COMMENTS REGARDING SUCH PROPOSED FRANCHISE

Said motion was approved by the following vote:

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

**2.2 AUTHORIZATION TO EXECUTE AN AGREEMENT FOR EVENT RESOURCE MANAGEMENT SERVICES AND ADOPTION OF A RESOLUTION FOR BUDGET APPROPRIATION**

Council consideration of authorizing the City Manager, or his designee, to execute a new Agreement for the performance of event resource management services through June 30, 2020; and adopting a resolution authorizing an appropriation of \$20,600 from the General Fund to increase the City Council Economic Development budget to fund the Event Resource Management Services Agreement through June 30, 2020.

John Harris, Director of Development Services, briefed Council on the item including the history of the relationship and contract between the City and the Event Resources Manager, Rick Bates.

Mayor Pro Tem Putz stated he appreciates Rick Bates' efforts and recognizes the importance of these large events for our community but is looking for the opportunity to revisit and better define the City's roles in relation to event sponsorship and support.

Frank A. Rush, Jr., City Manager, agreed with Mayor Pro Tem Putz and confirmed the reason for the three-month extension to provide ample time to consider all of the City's options.

Motion by Councilmember Jahn, seconded by Councilmember Caretto, to approve staff's recommendations and adopt the following resolution entitled:

RESOLUTION NO. 2020-04

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AUTHORIZING A BUDGET APPROPRIATION FOR THE EXTENSION OF THE EXISTING EVENT RESOURCE OFFICER CONTRACT THROUGH JUNE 30, 2020

Councilmember Caretto suggested that the City should consider whether or not budgeting for signature events is needed as the Tourism District has substantial funds due to TBID (Tourism Business Improvement District); believes the City may be able to utilize the event funds previously budgeted for other purposes.

Said motion was approved by the following vote:

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

**2.3 ALTERNATIVE PROJECT DESIGN – STANFIELD CUTOFF CONNECTIVITY PROJECT**

Council consideration of receiving a presentation regarding the Stanfield Cutoff Connectivity Project construction alternatives and reaching a consensus on the preferred alternative.

John Harris, Director of Development Services, updated Council on the project and asked for recommendations for the alternative project design.

Councilmember Jahn indicated that San Bernardino County Transportation Authority (SBCTA) is in full support of this project; concerned with the conflict that may arise between those wishing to fish and the bicyclists due to the fact that the fishing piers will not be installed. John Harris agreed that there may be conflicts, but outlined ideas to alleviate said conflicts such as applying breaks in the guardrails to allow for future fishing piers and assured Council that staff is working on ways to discourage pedestrians from crossing in the middle of Stanfield to get to the West side.

Councilmember Jackowski asked if we can improve and modify the project in the future to better represent the project's original design. John Harris responded with the changes in the proposed design and confirmed that improvements can be made in the future without significant reconstruction.

Mayor Pro Tem Putz asked how far County right-of-way stretches to the west; and sought clarification on the breaks in the guardrail to allow access to the water and if the breaks will encourage or discourage pedestrians from crossing in the middle of the road; would like to see the Municipal Water District contribute to the project. John Harris said the County right-of-way is 100 feet wide from the center divider; extending 50 feet to the east and 50 feet to the west; said breaks in the guardrail can be implemented but is unsure of the specifications on the breaks and/or signage; is optimistic that the plans will be ready soon to be presented to the County to review the final design details.

Councilmember Jahn asked if this project has been presented to the Planning Commission and asked if staff intends to. John Harris said we can present the project to the Planning Commission after all the details are worked out with the County.

John Harris said that while the fishing piers are not in the new design alternative, the idea of them being constructed in the future has not been cast aside.

Councilmember Caretto is glad to see that there will still be parking on the west side adjacent to the school, but is still concerned about pedestrians crossing in the middle of the street to get to the water's edge.

Frank A. Rush, Jr., City Manager, informed Council that the grant funds awarded specifically for this project will expire at the end of the 2020 calendar year, and of the need to have a project that can be constructed in that limited timeframe; wanted

everyone to understand that the design alternative is being presented because of the shortfall in available funds to complete the original project design; the original project would require the use of all the Measure Y funds that have been earmarked for other priority City projects; thinks the fishing pop-outs issue can be enhanced in the future.

Motion by Councilmember Jahn, seconded by Councilmember Caretto, to approve staff's recommendation of the third design alternative and to present this project to the Planning Commission for their feedback.

Said motion was approved by the following vote:

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

## **CITY COUNCIL GENERAL ANNOUNCEMENTS & CITY BUSINESS**

### **Board/Committee Reports**

- Big Bear Area Regional Wastewater Agency Board Meeting on February 26, represented by Councilmember Caretto and Mayor Herrick.
- League of California Cities Desert Mountain Division Meeting on February 28, represented by Councilmember Caretto and Mayor Pro Tem Putz.

### **ADJOURNMENT**

There being no further business to come before the Council at this session, Mayor Pro Tem Putz adjourned the meeting at 8:09 p.m.

  
\_\_\_\_\_  
Erica Stephenson, City Clerk