



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

Regular Meeting Minutes – November 1, 2021

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, November 1, 2021, at the Civic Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

OPEN SESSION

Flag Salute:	Flag Salute led by Mayor Pro Tem Putz
Invocation:	Invocation delivered by Pastor Eric Hoerger, Believers Chapel
Councilmembers Present:	Mayor Rick Herrick Mayor Pro Tem Randall Putz Councilmember Alan Lee Councilmember Perri Melnick Councilmember Bynette Mote
Others Present:	Frank A. Rush, Jr., City Manager Rebecca Cannon, Administrative Analyst Stephen P. Deitsch, City Attorney

PRESENTATIONS

- Presentation of a Proclamation in Honor of Tim Wood, for his many charitable contributions to our community.
- Presentation of a Proclamation Recognizing Sheriff's Captain Mitch Dattilo, for his nearly four years of dedicated service protecting this community.
- Introduction of new City employee, Blake Johnson, Facilities / Parks Maintenance Worker in the Public Services Department.
- Presentation by Tony Villegas, Executive Director of the American Patriot Music Project, regarding the STEM Guitar / Veterans Guitar Projects.

1. PUBLIC HEARING

1.1 2022 CITY COUNCIL REDISTRICTING

City Council will receive a presentation, conduct a public hearing, and continue the City's decennial redistricting process. All California public agencies that hold elections by district must ensure that their district boundaries are mapped according to the latest U.S. Census results. Decennial redistricting is required in an effort to balance the City's population within the 5 Council districts and ensure proper consideration for communities of interest. This will be the second of four required public hearings scheduled to allow for Council and community engagement, discussion, and legally-compliant district development.

At 6:31 p.m., Stephen Deitsch, City Attorney, introduced Scott Smith, BB&K Partner, to present the item and lead Council discussion. Scott Smith reviewed the redistricting process including the anticipated timeline of the potential map adoption, required meeting schedule and key deadlines Council and staff must meet in order to be in compliance; discussed redistricting rules and goals; reviewed the existing district boundaries with the raw 2020 Census data; indicated that preliminary maps will be presented at the next scheduled Public Hearing; discussed preeminent considerations Council should take notice of when drafting proposed maps; and answered a myriad of Council's questions and addressed their concerns.

At the hour of 6:50 p.m., Mayor Herrick opened the Public Hearing. Seeing no public comment, Mayor Herrick closed the Public Hearing.

Report was received and filed; no formal action required nor taken.

PUBLIC COMMUNICATIONS

Diana Havey, Big Bear Lake resident, thanked the City Manager for meeting with her and the Lion's Club President regarding the annual Christmas in the Village Tree Lighting Ceremony; expressed her concerns and dissatisfaction with the change of the scheduled date of the main ceremony but indicated her appreciation for allowing the Lion's Club to participate in another small event in the Village the day after Thanksgiving.

Alaine Uthus, Big Bear resident, presented a public records request for text messages sent and received by Councilmember Lee during the October 18, 2021 City Council meeting, as she believes he was in violation of the Brown Act.

Lora Johnson, Big Bear Lake resident, requested information on how to appeal current land use zoning requirements that prohibit her from owning chickens on her property.

2. CONSENT CALENDAR

Motion made by Councilmember Mote, seconded by Councilmember Melnick to approve the Consent Calendar as follows:

City Council

2.1 APPROVAL OF DEMANDS – CHECK ISSUE DATE 09/22/2021 THROUGH 10/20/2021 IN THE AMOUNT OF \$1,598,695.95 AND THE SEPTEMBER 2021 TREASURER'S REPORT

Approved.

2.2 APPROVAL OF MEETING MINUTES FROM THE OCTOBER 4, 2021 REGULAR MEETING OF CITY COUNCIL

Approved.

2.3 APPROVAL OF MEETING MINUTES FROM THE OCTOBER 18, 2021 REGULAR MEETING OF CITY COUNCIL

Approved.

2.4 ORDINANCE AMENDING MUNICIPAL CODE TITLE 1 - GENERAL PROVISIONS – TO AUTHORIZE RECOVERY OF ATTORNEY FEES IN ACTIONS TO ENFORCE THE MUNICIPAL CODE

City Council will consider adoption of an ordinance adding new section 1.08.010 to the Municipal Code to authorize the prevailing party in any judicial action, administrative proceeding, or special proceeding to abate a municipal code violation to recover reasonable attorney fees. The proposed ordinance amendment will be helpful in resolving public nuisance, vacation rental, transient occupancy tax, and other code violations, and places the cost burden on the offending party. City Council introduced the ordinance, conducted first reading, and waived further reading at the October 4, 2021 regular meeting.

Approved and adopted the following ordinance entitled:

ORDINANCE NO. 2021-498

ORDINANCE AMENDING MUNICIPAL CODE TITLE 1 – GENERAL PROVISIONS – TO AUTHORIZE RECOVERY OF ATTORNEY FEES IN ACTIONS TO ENFORCE THE MUNICIPAL CODE

2.5 RESOLUTION AUTHORIZING A NOTICE OF COMPLETION FOR THE 2021 ANNUAL STREET REHABILITATION PROJECT

City Council will consider a formal resolution accepting the work as complete and authorizing the filing of a Notice of Completion for the 2021 Annual Street Rehabilitation Project. This project was a combination of efforts by Granite Construction Co., the general contractor for this project, and the City’s Public Works Division crews that resulted in the rehabilitation of 4.63 miles of City streets this summer and fall. The project included the grinding and repaving of twenty-three (23) street sections as well as some ancillary work including striping, the adjustment of manholes and other utility covers, and minor drainage improvements. The total budget for this project was \$1,400,000 and the total project expenditures were \$1,313,983.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2021-125

RESOLUTION AUTHORIZING A NOTICE OF COMPLETION FOR THE 2021 ANNUAL STREET REHABILITATION PROJECT

2.6 RESOLUTION AUTHORIZING BID SOLICITATION FOR DEMOLITION OF STRUCTURES LOCATED AT 794 AND 808 IRIS DRIVE

City Council will consider a formal resolution authorizing City staff to solicit bids for the demolition of structures at 794 and 808 Iris Drive, on the eastern edge of the Civic Center campus. Funding for this demolition project is included in the FY 2021-22 adopted budget (\$85,000), and the project would result in the demolition of 6 existing, deteriorated structures. This site will eventually be utilized for workforce housing, new City facilities, open space, and/or other City initiatives, and the demolition of the existing structures will provide the City with greater flexibility in the future. City staff will solicit bids this winter and return to City Council for the approval of a construction contract in early spring 2022. It is anticipated that the demolition will occur next spring or summer.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2021-126

**RESOLUTION AUTHORIZING
BID SOLICITATION FOR DEMOLITION OF STRUCTURES
LOCATED AT 794 AND 808 IRIS DRIVE**

2.7 RESOLUTION AUTHORIZING THE PURCHASE OF A NEW PUBLIC RESTROOM FACILITY TO SERVE THE STANFIELD CUTOFF AREA

City Council will consider a formal resolution authorizing a purchase order with the Public Restroom Company, Minden, NV, in the amount of \$208,865 for the purchase and installation of a new, pre-fabricated restroom facility in the Stanfield Cutoff area. The new restroom facility would be located at the existing parking area at the intersection of Stanfield Cutoff and Big Bear Boulevard on property the City is in the process of acquiring from the Municipal Water District. A total of \$250,000 is included in the FY 2021-22 adopted budget for this project, and Visit Big Bear will fund 50% of project costs via the new Tourism Enhancement Fund established in conjunction with the TBID renewal earlier this year. The new restroom facility would be installed in summer 2022.

This item was pulled by Councilmember Lee for further discussion.

2.8 RESOLUTION AUTHORIZING ISSUANCE OF A REQUEST FOR QUALIFICATIONS FOR CONSULTING SERVICES FOR A NEW COMMUNITY VISIONING PROCESS

City Council will consider a formal resolution authorizing City staff to issue a Request for Qualifications (RFQ) for consulting services to lead an inclusive process to develop a new vision for our community. The overall community vision was last updated in 1996, more than 25 years ago, and much has changed in our community and our society since that time. The selected consultant will lead the Council, staff, and the community through a process that will include numerous strategies and opportunities for public participation in the development of a new community vision. The new community vision will be developed over a 6+ month period in 2022, and is the crucial first step in the planned development of a new General Plan for the City. City staff would solicit qualifications from experienced consulting firms, review and score the responding firms' qualifications, conduct interviews, negotiate a contract with the selected firm, and present a contract recommendation to the City Council in late winter or early spring 2022.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2021-127

**RESOLUTION AUTHORIZING ISSUANCE OF A REQUEST FOR
QUALIFICATIONS FOR CONSULTING SERVICES FOR A NEW
COMMUNITY VISIONING PROCESS**

2.9 RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE MOONRIDGE CORRIDOR IMPROVEMENT PROJECT

City Council will consider a formal resolution authorizing a budget amendment in the amount of \$262,489 for the Moonridge Corridor Improvement Project. The City now expects to receive a larger allocation from the American Rescue Plan Act (ARPA) than originally anticipated, and these funds

would augment ARPA funds previously programmed (\$1,000,000) for water and storm water infrastructure improvements associated with the Moonridge project.

Approved and adopted the following resolution entitled:

RESOLUTION NO. 2021-128

**RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR
THE MOONRIDGE CORRIDOR IMPROVEMENT PROJECT**

Successor Agency

2.10 2020 COMPLIANCE REPORT – MOUNTAIN MEADOWS SENIOR HOUSING COMPLEX

The Successor Agency will receive and file the 2020 Compliance Report for the Mountain Meadows Senior Housing Complex. The report includes required information regarding the occupancy, income levels, and other activities associated with the housing development. The report indicates compliance with all project requirements. No formal action is necessary.

Report received and filed.

The Consent Calendar was approved by the following vote:

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

2.7 RESOLUTION AUTHORIZING THE PURCHASE OF A NEW PUBLIC RESTROOM FACILITY TO SERVE THE STANFIELD CUTOFF AREA

City Council will consider a formal resolution authorizing a purchase order with the Public Restroom Company, Minden, NV, in the amount of \$208,865 for the purchase and installation of a new, pre-fabricated restroom facility in the Stanfield Cutoff area. The new restroom facility would be located at the existing parking area at the intersection of Stanfield Cutoff and Big Bear Boulevard on property the City is in the process of acquiring from the Municipal Water District. A total of \$250,000 is included in the FY 2021-22 adopted budget for this project, and Visit Big Bear will fund 50% of project costs via the new Tourism Enhancement Fund established in conjunction with the TBID renewal earlier this year. The new restroom facility would be installed in summer 2022.

This item was pulled by Councilmember Lee for further discussion; expressed his concerns with the number of responsive bids for the project and questioned if the City has remained compliant with RFP/RFQ requirements and mandates; also inquired about Visit Big Bear's contribution to this project.

Sean Sullivan, Director of Public Services, and Stephen Deitsch, City Attorney, indicated that staff complied and followed the appropriate procedures in regard to pursuing bids for these pre-fabricated facilities and noted that the competitive bid process, according to the City's charter, does not include pre-fabricated items.

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

RESOLUTION NO. 2021-129

**RESOLUTION AUTHORIZING THE PURCHASE OF A NEW
PUBLIC RESTROOM FACILITY TO SERVE THE STANFIELD
CUTOFF AREA**

Said motion was approved by the following vote:

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

3. DISCUSSION/ACTION ITEMS

3.1 RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH BEAR VALLEY MUTUAL WATER COMPANY FOR ACQUISITION OF AN ~19-ACRE LAKEFRONT PROPERTY

City Council will consider a formal resolution to execute a 99-year+ lease agreement with Bear Valley Mutual Water Company that will enable the City to acquire control of an ~19 acre lakefront property located just east of Veterans Park and Big Bear Community Church. The proposed agreement calls for the City to lease the property for a period of 99 years, at a cost of \$100,000 per year (with an annual escalator clause), with options to extend the agreement for up to an additional 30 years. The property would be developed as a signature lakefront park in the center of Big Bear Lake, and a portion of the property may include future residential and/or commercial development. The City would have full authority over the current and future use of the property, and would be responsible for all aspects of property management, as if the City owned the property outright. The City would inherit and manage existing leases for the 2 restaurants on the site, 2 existing single family residences, a boat trailer storage area, a small commercial building, and up to 60 mobile home sites. The City would retain all rental income (approximately \$340,000) associated with these existing leases, and would utilize this rental income to manage and maintain these properties. The City would integrate the existing restaurants into future park development plans, and would continue to honor all lease agreements with single family and mobile home tenants. Ultimately, and with no urgency whatsoever (over a period of several years), the City would work cooperatively with existing tenants to relocate them to quality, alternative housing. The proposed agreement includes a 6-month due diligence period that would begin upon execution of the agreement, and the City has the right to exit the agreement prior to the expiration of the 6-month period if significant concerns are identified during the due diligence period.

Frank A. Rush, Jr., City Manager, presented the proposal and reviewed the project goals, the details and key terms of the proposed lease agreement, immediate plans and responsibilities, and asked Council to consider several considerations such as budget considerations and ongoing and future construction projects prior to approving the lease agreement.

Council discussed the proposed lease agreement including, but not limited to, the perceived displacement of residents, insurance requirements, development possibilities, the inclusion of a potential cancellation clause in the event budget and financial concerns arise, the role and responsibility

of what it means for the City to be a landlord for these properties, subletting the properties on the parcels, and the need for the City to be sensitive with the current tenants on the property and work cooperatively with them as we develop a great public space for all the residents and visitors.

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

RESOLUTION NO. 2021-130

**RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE
AGREEMENT WITH BEAR VALLEY MUTUAL WATER COMPANY
FOR ACQUISITION OF AN ~19-ACRE LAKEFRONT PROPERTY**

Stephen Deitsch, City Attorney, suggested a revision be made to section 3 the proposed resolution to delete the words "date of" and substitute "of the Initial Term, as set forth in..." so the resolution will read "prior to the commencement of the Initial Term, as set forth in the agreement" to provide overall clarity.

Mayor Pro Tem Putz indicated that he would be happy to include the amendment in the motion; Councilmember Melnick approved the amendment as well.

Said motion was approved by the following vote:

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

**3.2 RESOLUTION AUTHORIZING THE EXECUTION OF REPLENISH BIG BEAR PROJECT
BENEFITS MEMORANDUM OF UNDERSTANDING**

City Council will consider a formal resolution authorizing the execution of a memorandum of understanding (MOU) regarding the Replenish Big Bear Project. Signatories to the MOU include the Big Bear Area Regional Wastewater Agency (BBARWA), the Big Bear City Community Services District (CSD), the Big Bear Lake Department of Water & Power (DWP), the Big Bear Municipal Water District (MWD), San Bernardino County (SBC), and Visit Big Bear (VBB). The MOU expresses each agency's preliminary support for the project and recognition of project benefits, but does not commit the City or any other agency to provide funding for the project at this time. If approved by the City Council, the City will work cooperatively with the other agencies to develop an equitable financing plan for the Replenish Big Bear Project in the coming months, and present the proposed financing plan for City Council approval and other agencies' governing body approval at the appropriate time.

Frank A. Rush, Jr., City Manager, briefly reviewed the purpose of the Memorandum of Understanding (MOU) as a formal expression of support but stated that the MOU does not bind the City to financial commitments or contributions at this time.

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

RESOLUTION NO. 2021-131

**RESOLUTION AUTHORIZING THE EXECUTION OF
REPLENISH BIG BEAR PROJECT BENEFITS MEMORANDUM
OF UNDERSTANDING**

Said motion was approved by the following vote:

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

3.3 ROTARY PARK IMPROVEMENTS

City Council will consider 3 resolutions authorizing significant improvements to Rotary Park. The proposed improvements will modernize this important lakefront amenity and enhance the aesthetic quality of the park.

Sean Sullivan, Director of Public Services, briefly reviewed the proposed Rotary Park Improvements and presented the respective options for lighting, park furniture and fencing improvements; and answered Council’s questions.

3.3A RESOLUTION AWARDING CONTRACT FOR PARK LIGHTING IMPROVEMENTS

City Council will consider a formal resolution to award a contract to South Coast Lighting and Design, San Clemente, CA, in an amount up to \$56,246 for the purchase of new lighting for the park. The Council will consider three lighting design alternatives, and the lighting will also include the option for motion-sensor activation after certain hours. The FY 2021-22 adopted budget includes a total of \$85,000 for the proposed lighting improvements. New lighting would be installed in spring 2022.

Following Council discussion, a motion was made by Councilmember Melnick, seconded by Councilmember Mote, to approve staff’s recommendation and to select the Big Bear Assembly lighting option; and to adopt the following resolution:

RESOLUTION NO. 2021-132

**RESOLUTION AWARDING CONTRACT FOR
ROTARY PARK LIGHTING IMPROVEMENTS**

Said motion was approved by the following vote:

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

3.3B RESOLUTION AWARDING CONTRACT FOR PARK FURNITURE REPLACEMENT

City Council will consider a formal resolution to award a contract to Belson Outdoors, Naperville, IL in the amount of to \$48,661 for the purchase of new park benches, picnic tables, and trash receptacles for Rotary Park. The new park furniture will replace the existing park furniture that honors various community members who contributed toward these park improvements, and the City will install an alternative, permanent recognition at the park to continue to honor these community members. The new park furniture, picnic tables, and trash receptacles are similar to the same features at Boulder Bay Park. The FY 2021-22 adopted budget includes a total of \$76,550 for this project. New park furniture, picnic tables, and trash receptacles would be installed in spring 2022.

Following Council discussion, a motion was made by Mayor Pro Tem Putz, seconded by Councilmember Melnick, to approve staff's recommendations and adopt the following resolution entitled:

RESOLUTION NO. 2021-133

**RESOLUTION AWARDED CONTRACT FOR
ROTARY PARK FURNITURE REPLACEMENT**

Said motion was approved by the following vote:

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

**3.3C RESOLUTION AUTHORIZING SOLICITATION OF CONSTRUCTION BIDS
FOR NEW FENCING AT ROTARY PARK**

City Council will consider a formal resolution authorizing City staff to solicit construction bids for new split rail fencing to be installed at Rotary Park. The new fencing would replace existing deteriorating telephone pole fencing. The FY 2021-22 adopted budget includes a total of \$60,000 for this project, and City staff will present a contract recommendation to the City Council later this winter. The new fence would be installed in spring 2022.

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

RESOLUTION NO. 2021-134

**RESOLUTION AUTHORIZING SOLICITATION OF
CONSTRUCTION BIDS FOR NEW FENCING AT
ROTARY PARK**

Said motion was approved by the following vote:

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

At the hour of 8:43 p.m., Mayor Herrick called a short recess.

At the hour of 8:48 p.m., Mayor Herrick reconvened the meeting.

3.4 RESOLUTION AMENDING CITY COUNCIL RULES OF ORDER

City Council will consider a formal resolution amending various provisions in the Rules of Order. A total of 9 different potential amendments are presented for Council discussion and consideration, and Council will select specific policy language from the options presented, suggest alternative policy language as desired, or simply refrain from adopting a policy for said topic.

Frank A. Rush, Jr., briefly discussed each item for Council’s consideration; Council discussed and voted upon each item individually.

3.4A “IN GOD WE TRUST” MOTTO

The proposed provision would formalize the inclusion of the “In God We Trust” motto under the City seal in Hofert Hall, and would demonstrate the City’s recognition of “In God We Trust” as our national motto and as a symbol of patriotism in furtherance of the City’s commitment to national unity.

Following Council discussion, a motion was made by Councilmember Lee, seconded by Mayor Herrick, to approve staff’s recommendation and include the motto “In God We Trust” under the City seal in Hofert Hall.

Diana Havey, Big Bear Lake resident, supports the notion of gaining input from the community residents and suggested that Councilmembers solicit input from the many service organizations in the community.

A substitute motion was made by Mayor Herrick to bring the item back at a later meeting after public input is solicited. The motion was defeated due to a lack of second.

A second substitute motion was made by Councilmember Melnick, seconded by Councilmember Lee, to include the motto “E Pluribus Unum” in addition to “In God We Trust” under the City seal in Hofert Hall.

Said motion was approved by the following vote:

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

3.4B MEETING SCHEDULE

The proposed provision would simply make the Rules of Order consistent with Council’s recent action to dedicate the second regular meeting of each month to in-depth Council discussion of significant issues and initiatives in more of a workshop format.

Following Council discussion, a motion was made by Councilmember Lee, seconded by Mayor Pro Tem Putz, to approve staff's recommendation and revise the Rules of Order in an effort to be consistent with the Council's recent decision to amend the meeting schedule format.

Said motion was approved by the following vote:

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

3.4C CODE OF CONDUCT

The proposed provision promotes courtesy, respect, civility, and professionalism by City Council members during the conduct of official City business.

Following Council discussion, a motion was made by Councilmember Lee, seconded by Councilmember Mote, to approve staff's recommendation and incorporate the Code of Conduct language into the Council Rules of Order.

Said motion was approved by the following vote:

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

3.4D DISCUSSION TIME LIMITS

The proposed provision encourages Council members to limit comments on specific items to two comments per item, limit comments to approximately 5 minutes, and limit comments to the matter, item, or motion currently being considered by the City Council.

Following Council discussion, a motion was made by Mayor Pro Tem Putz to approve staff's recommendation and incorporate a provision in the Council Rules of Order that limits Council's comments to approximately 5 minutes. The motion was defeated due to a lack of second.

3.4E PLACING ITEMS ON THE MEETING AGENDA

The Council will consider retaining the existing provision that allows any Council member to add an item to a future meeting agenda, OR amending the existing provision by requiring concurrence by one additional Councilmember in order to add an item to a future meeting agenda.

Following Council discussion, a motion was made by Mayor Herrick, seconded by Councilmember Melnick, to amend the existing provision by requiring concurrence by one additional Councilmember in order to add an item to a future meeting agenda.

Said motion was approved by the following vote:

AYES: Mote, Melnick, Putz, Herrick

NOES: Lee
ABSTAIN: None
ABSENT: None

3.4F WRITTEN PUBLIC COMMUNICATIONS

The proposed provision encourages members of the public to submit written or email communications to the City Clerk no later than 10 hours prior to the start of the meeting. The proposed provision is intended to ensure receipt by all Council members and allow for thoughtful consideration of the comments prior to consideration of the specific agenda item.

Following Council discussion, a motion was made by Councilmember Mote, seconded by Councilmember Melnick, to approve staff's recommendation and include a provision that encourages members of the public to submit written or email communications to the City Clerk no later than 10 hours prior to the start of the meeting.

Said motion was approved by the following vote:

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

3.4G VIDEO PUBLIC COMMUNICATIONS

Council will consider establishing a new provision that allows for real-time video public communications via Zoom or similar platform, with a 2-minute limit, OR whereby members of the public may record a 2-minute or shorter video of their public communications, forward to the City Clerk no later than 10 hours prior to the start of the meeting, and the comments will then be presented to City Council during either the general public communications item or during consideration of the specific agenda item. For either option, the total time allotted for general video public communications would be no more than 20 cumulative minutes, and the total time allotted for video public communications for specific agenda items would be limited to no more than 10 cumulative minutes per item. All video public communications would be presented in the order requested or received.

Following Council discussion, a motion was made by Councilmember Lee to allocate three minutes for each speaker and to allow public comments submitted via pre-recorded videos and live via Zoom comments. Motion was defeated due to a lack of second.

A motion was made by Mayor Herrick, seconded by Councilmember Melnick, to extend the meeting by 15 minutes in order to finish the remainder of Item 3.4 and Councilmember comments.

Stephen Deitsch, City Attorney urged Council to consider the ramifications of adopting a provision allowing for the public to make live comments via Zoom, in regards to the issues that may be caused due to unforeseen technological complications.

A substitute motion was made by Mayor Herrick, to adopt and implement a pilot program for a period of three months that would allow speakers to submit a pre-recorded video with a 2 minute

time limit and to implement a total maximum time limit of 20 minutes for all pre-recorded videos to be played during the meeting. Motion was defeated due to a lack of second.

Kimberlee Kidd, Big Bear Lake resident, stated that she is a proponent of internet-based technology for public comment; would like to see a call-in option as well as a polling option to maximize public input; indicated that technology upgrades are costly, but it's worth it for the City to make the investment.

3.4H MAYOR/MAYOR PRO TEM SERVICE REQUIREMENTS

Council will consider retaining the existing provision whereby all Councilmembers are eligible to serve as Mayor or Mayor Pro Tem, regardless of service time on the Council, OR amending the existing provision by requiring a minimum of 1 year of service on the Council to serve as Mayor Pro Tem, and a minimum of 1 year of service on the Council and 1 year as Mayor Pro Tem to serve as Mayor.

Following Council discussion a motion was made by Councilmember Lee to retain the existing provision whereby all Councilmembers are eligible to serve as Mayor or Mayor Pro Tem, regardless of service time on the Council. Motion was defeated due to a lack of second.

Following further Council discussion, a substitute motion was made by Mayor Herrick, seconded by Mayor Pro Tem Putz, to require a minimum of 1 year of service on the Council to serve as Mayor Pro Tem and a minimum of 1 year as Mayor Pro Tem to serve as Mayor.

Said motion was approved by the following vote:

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

A motion was made by Councilmember Mote, seconded by Mayor Herrick, to extend the meeting by 5 minutes in order to finish the remainder of Item 3.4.

3.4I USE OF ELECTRONIC COMMUNICATION DEVICES DURING COUNCIL MEETINGS

The proposed provision discourages the use of personal electronic communication devices during Council meetings, in order to ensure attentiveness to the Council's business at hand, prevent the perception of a Brown Act violation, ensure the integrity of quasi-judicial proceedings, and prevent the perception that other unknown parties are influencing Council decisions during the meeting.

A motion was made by Mayor Pro Tem Putz, seconded by Councilmember Mote, to approve staff's recommendation and include a provision that discourages the use of personal electronic communication devices during Council meetings.

Said motion was approved by the following vote:

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

ABSTAIN: None
ABSENT: None

Frank A. Rush, Jr., City Manager, reviewed the provisions that will be and will not be included in the Council Rules of Order; asked that Council take a final vote to adopt a resolution reflecting the approved amendments.

A motion was made by Mayor Pro Tem Putz, seconded by Councilmember Melnick, to adopt the resolution entitled:

RESOLUTION NO. 2021-135

**RESOLUTION AMENDING CITY COUNCIL
RULES OF ORDER**

Said motion was approved by the following vote:

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

4. COMMENTS, ANNOUNCEMENTS & ADDITIONAL CITY BUSINESS

4.1 CITY CLERK, CITY ATTORNEY & CITY MANAGER COMMENTS


The meeting was adjourned prior to this portion of the agenda, therefore, there were not any City Clerk, City Attorney or City Manager comments.

4.2 COUNCILMEMBER BOARD/COMMITTEE REPORTS & COMMENTS

The meeting was adjourned prior to this portion of the agenda, therefore, there were not any Councilmember Board/Committee Reports & Comments.

ADJOURNMENT

There being no further business to come before the Council at this Open Session, Mayor Herrick adjourned the meeting at 10:19 p.m. in honor of Chris McIntyre.



Erica Stephenson, City Clerk