



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

## Regular Meeting Minutes – April 4, 2022

A Regular Meeting of the City Council of the City of Big Bear Lake was called to order by Mayor Herrick at 5:15 p.m., Monday, April 4, 2022, at the Big Bear Lake Civic Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

**PUBLIC FORUM FOR CLOSED SESSION:** None.

At the hour of 5:15 p.m., Council adjourned to Closed Session.

At the hour of 6:00 p.m., Mayor Herrick called Open Session to order.

**OPEN SESSION**

Flag Salute: Flag Salute led by Interim City Manager Jeff Mathieu

Invocation: Invocation was led by Jay Walden, Transitional Lead Pastor for Bear Valley Church.

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

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

**RESULTS OF CLOSED SESSION**

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957**

Title of Position: Interim City Manager

No Reportable Action.

**PUBLIC COMMUNICATIONS**

Shawna Pomerleau, Big Bear Lake resident, approached Council regarding her new business - Big Bear Hiking Adventures.

Gloria Meade, Big Bear City resident, thanked Mayor Pro Tem Mote for helping raise over \$10k for the Special Olympics at the Polar Plunge event.

Beth Wheat, Big Bear Lake resident, discussed the negative impacts of bullying in schools and the workplace; and indicated that how the City moves forward from recent events is an indicator of the City/Community's values.

Mickey Peterson, Big Bear City resident, approached Council on behalf of the Big Bear Association of Realtors and addressed comments made by Councilmember Lee and cleared up misinformation that was disseminated by Councilmember Lee in regard to the real estate industry and real estate sales agents.

Liz Harris, Big Bear Lake resident, read aloud a quote by Father Richard Rohr and explained how it relates to the current situation the community is in regarding the vacation rental initiative; implored the community to consider all perspectives and stated that the STR initiative as currently written is harmful for the community.

Kendi Segovia, Big Bear Lake resident, announced that the process to recall Councilmember Lee has officially begun; described a meeting she had with Councilmember Lee and outlined her decision to go forward with the recall initiative.

## 1. CONSENT CALENDAR

### 1.1 **APPROVAL OF DEMANDS – CHECK ISSUE DATE 2/23/2022 THROUGH 3/24/2022 IN THE AMOUNT OF \$1,394,559.65 AND THE FEBRUARY 2022 TREASURER'S REPORT**

Approved.

### 1.2 **APPROVAL OF MEETING MINUTES FROM THE FEBRUARY 25, 2022 SPECIAL MEETING OF CITY COUNCIL**

Approved.

### 1.3 **APPROVAL OF MEETING MINUTES FROM THE MARCH 7, 2022 REGULAR MEETING OF CITY COUNCIL**

Approved.

### 1.4 **APPROVAL OF MEETING MINUTES FROM THE MARCH 11, 2022 SPECIAL MEETING OF CITY COUNCIL**

Approved.

### 1.5 **ORDINANCE AMENDING TABLE 17.35.040.A (ACCESSORY USES AND STRUCTURES PERMITTED IN COMMERCIAL AND PUBLIC ZONES) TO ALLOW CONSIDERATION OF DEMONSTRATION AREAS, SUBJECT TO A CONDITIONAL USE PERMIT, IN THE C-2, C-3 AND C-4 ZONE DISTRICTS CITYWIDE**

City Council will consider adoption of an ordinance amendment to the Development Code to allow a new accessory use in conjunction with and incidental to an allowed principal primary use onsite. Several businesses have expressed interest in outdoor demonstration areas, typically with retail and/or equipment rental operations. The Planning Commission considered this request at a public hearing on January 19, 2022 and voted 4-0 to recommend City Council approval of the proposed ordinance amendment. City Council introduced the ordinance, read the title and waived further reading at the March 7, 2022 regular meeting.

Approved and adopted the following ordinance entitled:

**ORDINANCE NO. 2022-501**

**ORDINANCE AMENDING TABLE 17.35.040.A (ACCESSORY USES AND STRUCTURES PERMITTED IN COMMERCIAL AND PUBLIC ZONES) TO ALLOW CONSIDERATION OF DEMONSTRATION AREAS, SUBJECT TO A CONDITIONAL USE PERMIT, IN THE C-2, C-3, & C-4 ZONE DISTRICTS CITYWIDE, AND FINDING THE AMENDMENT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**1.6 ORDINANCE AMENDING SUBSECTION 1.12.050(B) OF THE BIG BEAR LAKE MUNICIPAL CODE REGARDING BY-DISTRICT ELECTIONS TO ADJUST THE BOUNDARIES OF CITY COUNCIL ELECTION DISTRICTS AND TO CONFIRM SUCH REVISED COUNCIL DISTRICT BOUNDARIES**

City Council will consider adoption of an ordinance amending the City's Municipal Code regarding by-district elections to adjust the boundaries of City Council election districts. 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 and in accordance with California's new Fair Maps Act. 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. On March 7, the City Council held the fourth of four required public hearings to allow for Council and community engagement, discussion, and legally-compliant district development. At the February 7 meeting, City Council reviewed eighteen draft map options and reached a consensus regarding their preference for two maps - Map 1 and Map 5B, and additional analysis of these two maps was provided at the March 7 meeting where Council approved Map 1. In addition, the City Council introduced the ordinance, read the title and waived further reading at the March 7, 2022 regular meeting.

Approved and adopted the following ordinance entitled:

**ORDINANCE NO. 2022-502**

**ORDINANCE AMENDING SUBSECTION 1.12.050(B) OF THE BIG BEAR LAKE MUNICIPAL CODE REGARDING BY-DISTRICT ELECTIONS TO ADJUST THE BOUNDARIES OF CITY COUNCIL ELECTION DISTRICTS AND TO CONFIRM SUCH REVISED COUNCIL DISTRICT BOUNDARIES**

**1.7 RESOLUTION AUTHORIZING A BID SOLICITATION FOR STANFIELD CUTOFF RESTROOM SITE PREPARATIONS**

City Council will consider a formal resolution authorizing a bid solicitation for the Stanfield Cutoff Site Improvements for the Installation of the Restroom. In November 2021, the City Council authorized the purchase of a prefabricated public restroom facility for installation at the Stanfield Cutoff Parking Lot. The restroom is currently being fabricated and is scheduled for delivery in July 2022. In order to accommodate the installation, a foundation needs to be prepared and utility connections need to be established. Staff has prepared plans and specifications to complete these preparation activities so that the contractor can complete these efforts prior to the delivery of the restroom. The restroom would then be placed, installed, and connected by the Public Restroom Company, who is building the restroom. Funding is available in the approved Capital Improvement Budget and includes a cost share with Visit Big Bear for half of the total project costs. Staff anticipates

an award of construction contract on June 6 so that these efforts will be completed for the July delivery and installation.

Approved and adopted the following resolution entitled:

**RESOLUTION NO. 2022-33**

**RESOLUTION AUTHORIZING A BID SOLICITATION FOR  
STANFIELD CUTOFF RESTROOM SITE PREPARATIONS**

**1.8 RESOLUTION AUTHORIZING A BID SOLICITATION FOR THE FISCAL YEAR 2022-23  
STREET REHABILITATION PROJECT**

City Council will consider a formal resolution authorizing a bid solicitation for the Fiscal Year 2022-23 Street Rehabilitation Project. The Annual Street Rehabilitation Project focuses on the overlay and paving of City streets to preserve their lifespan and functionality. The project will be executed by an identified contractor for the roadway preparation efforts and the City's Public Works Crews will complete the paving activities. Staff anticipates completing paving work on 1.35 miles of City streets for this year and completing other localized specific repairs and drainage improvements. Funding of \$1.4 million is included for this project in the Fiscal Year 2022-23 Capital Improvement Budget. Staff anticipates an award of construction contract on June 6 so that construction may begin in July 2022.

A motion was made by Mayor Pro Tem Mote, seconded by Councilmember Melnick, to pull this item from the Consent Calendar for further discussion.

Said motion was approved by the following vote:

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

**1.9 RESOLUTION AUTHORIZING A BID SOLICITATION FOR THE JAY BIRD LANE  
SANITARY SEWER MAIN REPLACEMENT PROJECT**

City Council will consider a formal resolution authorizing a bid solicitation for the Jaybird Lane Sanitary Sewer Main Replacement Project. The Jay Bird Lane sewer main is approximately 718 linear feet in length along Jay Bird Lane, between Tulip Lane and Edgemoor Road, and the pipeline is suffering from significant root intrusion and frequent back-ups. Staff has designed a project that will replace a portion of the undersized sewer main, add an additional sewer manhole for maintenance and access, and the remaining portion of the line will be rehabilitated utilizing a cured-in-place pipe lining process to correct the root intrusion issues. Staff anticipates an award of construction contract on June 6 so that construction may begin in July 2022.

Approved and adopted the following resolution entitled:

**RESOLUTION NO. 2022-34**

**RESOLUTION AUTHORIZING A BID SOLICITATION FOR THE  
JAY BIRD LANE SANITARY SEWER**

**MAIN REPLACEMENT PROJECT**

**1.10 RESOLUTION AUTHORIZING STAFF TO ACCEPT AND ADMINISTER FUNDING FROM THE “CA 4 ALL” YOUTH WORKFORCE DEVELOPMENT PROGRAM GRANT ON BEHALF OF THE SOUTHERN CALIFORNIA MOUNTAINS FOUNDATION**

City Council will consider a formal resolution authorizing the acceptance, by the City, of a “CA 4 All” Grant on behalf of the Southern California Mountains Foundation. In February 2022, the City partnered with the Southern California Mountains Foundation on the submission of a “CA 4 All” Youth Employment Grant seeking funding for a year round trails crew. The grant will provide youth employment and job development opportunities for youth in the area and the funding would allow for a year round trails crew to assist in the ongoing maintenance of the existing trails network throughout the City of Big Bear Lake and the Valley. The City’s role is to sponsor the application and administer the funding on behalf of the Foundation and the City’s costs would be covered through the grant. The grant has been awarded in the amount of \$1,467,000 and the establishment of the trails crew would begin on July 1, 2022.

Approved and adopted the following resolution entitled:

**RESOLUTION NO. 2022-35**

**RESOLUTION AUTHORIZING STAFF TO ACCEPT AND ADMINISTER FUNDING FROM THE “CA 4 ALL” YOUTH WORKFORCE DEVELOPMENT PROGRAM GRANT ON BEHALF OF THE SOUTHERN CALIFORNIA MOUNTAINS FOUNDATION**

**1.11 RESOLUTION AUTHORIZING A CONSTRUCTION CONTRACT WITH CHRISP COMPANY FOR THE ANNUAL STREET STRIPING PROJECT**

City Council will consider a formal resolution authorizing a construction contract with Chrisp Company, Fremont, CA, for the Annual Street Striping Project, for an amount not to exceed \$32,251. This project includes striping of the white and yellow long lines and stop legends throughout the City and funding is included, annually, in the Capital Improvement Program budget. This work would proceed as soon as the weather conditions allow and will refresh the striping that has worn down throughout the winter. The prices received for this project were well below the engineer’s estimate and approved budget. As such, staff is recommending the award of the full budgeted amount to allow for additional striping to be done, as needed, throughout the City at the competitive unit costs received.

Approved and adopted the following resolution entitled:

**RESOLUTION NO. 2022-36**

**RESOLUTION AUTHORIZING A CONSTRUCTION CONTRACT WITH CHRISP COMPANY FOR THE ANNUAL STREET STRIPING PROJECT**

**1.12 WAIVING ATTORNEY-CLIENT PRIVILEGE FOR THE DOCUMENTS USED IN PREPARATION FOR THE RESOLUTION OF REPRIMAND OF COUNCILMEMBER LEE**

City Council will consider waiving attorney-client privilege concerning two emails forwarded by Councilmembers to the City Attorney concerning preparation materials for the Resolution of Reprimand of Councilmember Lee. On March 7, 2022, the City Council adopted the Resolution of Reprimand that included much of the information referenced in these two emails. Per the City Attorney's opinion, the information contained in the two subject emails does not appear to compromise the City's interests. As a result, the City Attorney recommends that the City Council waive the attorney-client privilege applicable to the two subject emails in this instance.

Approved.

## **ITEMS REMOVED FROM THE CONSENT CALENDAR**

### **1.8 RESOLUTION AUTHORIZING A BID SOLICITATION FOR THE FISCAL YEAR 2022-23 STREET REHABILITATION PROJECT**

City Council will consider a formal resolution authorizing a bid solicitation for the Fiscal Year 2022-23 Street Rehabilitation Project. The Annual Street Rehabilitation Project focuses on the overlay and paving of City streets to preserve their lifespan and functionality. The project will be executed by an identified contractor for the roadway preparation efforts and the City's Public Works Crews will complete the paving activities. Staff anticipates completing paving work on 1.35 miles of City streets for this year and completing other localized specific repairs and drainage improvements. Funding of \$1.4 million is included for this project in the Fiscal Year 2022-23 Capital Improvement Budget. Staff anticipates an award of construction contract on June 6 so that construction may begin in July 2022.

Sean Sullivan, Director of Public Services, gave a brief presentation and clarified the increase in material costs for the project in comparison to last year's project cost; answered Council's questions.

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

#### **RESOLUTION NO. 2022-37**

#### **RESOLUTION AUTHORIZING A BID SOLICITATION FOR THE FISCAL YEAR 2022-23 STREET REHABILITATION PROJECT**

Said motion was approved by the following vote:

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

A Motion made by Councilmember Melnick, seconded by Mayor Pro Tem Mote, to approve the balance of the Consent Calendar, with Mayor Pro Tem Mote voting "No" on Item 1.6 and Councilmember Lee voting "No" on Item 1.6 and Item 1.7.

Said motion was approved by the following vote:

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

ABSTAIN: None  
ABSENT: None

## 2 **DISCUSSION/ACTION ITEMS**

### 2.1 **MOONRIDGE CORRIDOR IMPROVEMENTS PROJECT**

#### **A. Construction Update**

Staff will provide a written and verbal report on the construction schedule, anticipated impacts, and mitigation efforts. Construction is scheduled to resume on April 18, 2022 and will continue through September. The planned schedule, which relies heavily on mitigated impacts, indicates that the project will be completed in the fall of 2022. Staff will review the schedule, overview the anticipated construction impacts and the steps being taken to mitigate them. Finally, staff will also review the communication and coordination plans that are being implemented to ensure the success of this project. Staff is working through an ongoing and evolving public engagement process to ensure that information related to this project is current and readily available to all stakeholders. Staff will also take comments and questions on these items.

#### **B. Review of Selected Furnishings, Fixtures, and Amenities**

Staff will provide an overview of the amenity selection process and review the final selections made by the identified sub-committee for these efforts.

#### **C. Authorization to Execute Easements for Drainage and Sidewalk Purposes Resulting from the Construction Project**

Staff is seeking approval from the City Council to execute approximately six (6) easements for drainage and sidewalk purposes from properties in and around the Moonridge Corridor. In order to complete the establishment of all identified improvements, the City will need to obtain easements from these properties ranging in size from twelve square feet to one hundred square feet, for the purposes of subsurface drainage infrastructure and portions of the public sidewalk. Staff has finalized the terms of the easements with most of the property owners and is seeking authorization to execute all necessary documents accordingly.

Sean Sullivan, Director of Public Services, presented the item and answered a myriad of Council's questions.

Mayor Herrick invited up speakers who wanted to speak on this item. The following individuals approached Council:

Janet Stevens-Moore, Big Bear Lake resident, said she supports the project but expressed some concerns with the project including the elimination of multiple driveways and parking spaces off Moonridge Road – including the driveway to the building in which her business is located in.

Sarah Gonzalez, Big Bear resident, expressed her concerns regarding the elimination of the driveway to her business from Moonridge Road; asked if the City could approach the ski resorts in an effort to re-route the shuttle traffic to Bear Mountain to help alleviate winter traffic concerns.

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

**RESOLUTION NO. 2022-38**

**RESOLUTION AUTHORIZING STAFF TO EXECUTE  
EASEMENTS WITH SIX PARCELS ASSOCIATED WITH THE  
MOONRIDGE CORRIDOR IMPROVEMENTS PROJECT**

Said motion was approved by the following vote:

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

**2.2 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH DKS ASSOCIATES FOR THE COMMUNITY VISIONING PROCESS**

City Council will consider a formal resolution authorizing the execution of a contract with DKS Associates, Anaheim, CA, for an amount not to exceed \$198,875 for the facilitation of the upcoming community visioning process. The community visioning process will include significant community and stakeholder engagement, and result in the development of a new community vision and action plan. The new community vision will define the City of Big Bear Lake's identity and its future goals as a community, and will serve as precursor to the development of a new General Plan over the next few years.

Sue O'Strander, Director of Community Development, presented the item and answered a myriad of Council's questions.

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

Jim Eakin, Big Bear City resident, shared his experiences as a Planning Commissioner for the City of Rancho Santa Margarita; thinks it's a good idea to enter into a contract with a consulting firm.

Michael Beveridge, Big Bear Lake resident, provided some insight as to why the Selection Committee is recommending DKS Associates to facilitate the City's Community Visioning Process.

Following further Council discussion, 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. 2022-39**

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES  
AGREEMENT WITH DKS ASSOCIATES FOR THE COMMUNITY  
VISIONING PROCESS**

Said motion was approved by the following vote:



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

**2.3 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH PECKHAM & MCKENNEY FOR THE RECRUITMENT OF THE CITY MANAGER AND DIRECTOR OF TOURISM MANAGEMENT POSITIONS**

City Council will consider a formal resolution authorizing the Interim City Manager to enter into a Professional Services Agreement with Peckham & McKenney for professional recruitment services to fill both the City Manager and Director of Tourism Management positions. The proposed resolution is also seeking Council’s authorization to appropriate funds in an amount not to exceed \$52,000 from the General Fund for these professional recruitment fees. Peckham & McKenney has a strong and well-recognized reputation as a leader in local government recruitments and has a proven successful track record filling our City Manager positions over the past two decades.

Erica Stephenson, City Clerk, presented the item and answered Council’s questions.

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

**RESOLUTION NO. 2022-40**

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH PECKHAM & MCKENNEY FOR THE RECRUITMENT OF THE CITY MANAGER AND DIRECTOR OF TOURISM MANAGEMENT POSITIONS**

Said motion was approved by the following vote:

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

**3. COMMENTS, ANNOUNCEMENTS & ADDITIONAL CITY BUSINESS**

**3.1 CITY CLERK, CITY ATTORNEY, CITY MANAGER COMMENTS**

Jeff Mathieu, Interim City Manager, pointed out that the City’s newsletter, Elevation 6752’, will begin being offered on a more frequent basis than once a month; asked for Council’s feedback related to the newsletter.

Erica Stephenson, City Clerk, thanked Jeff Mathieu for returning as Interim City Manager.

**3.2 COUNCILMEMBER BOARD/COMMITTEE REPORTS & COMMENTS**


Councilmember Lee sought clarification on what can be shared during Councilmember comments.

Mayor Pro Tem Mote reported on the March 8 Economic Development Advisory Committee Meeting, the March 23 Big Bear Area Regional Wastewater Agency Board meeting, and the Polar Plunge event in which she and Mayor Herrick represented the City.

Mayor Herrick displayed a Certificate of Recognition for the Blanche and Gene Nay Foundation provided by San Bernardino County Third District Supervisor Dawn Rowe.

### **ADJOURNMENT**

There being no further business to come before the Council at this Open Session, Mayor Herrick adjourned the meeting in honor of Keith Tasker at 7:57 pm to an Adjourned Regular Meeting on Monday, April 18, 2022 beginning at 10 a.m.

  
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Erica Stephenson, City Clerk