

CITY OF BISHOP
CITY COUNCIL MINUTES
September 14, 2009

CALL TO ORDER	Mayor Cullen called the meeting to order at 7:30 p.m.
INVOCATION	The invocation was given by Fred Weatherly of the High Sierra Resort Ministries followed by the Pledge of Allegiance led by the Mayor.
COUNCIL PRESENT	Smith, Dishion, Stottlemyre, Griffiths, Cullen
COUNCIL ABSENT	None
OTHERS PRESENT	Richard Pucci, City Administrator Denise Gillespie, Assistant City Clerk Peter Tracy, City Attorney Keith Caldwell, Community Services Director Ray Seguine, Fire Chief Kathleen Sheehan, Police Chief David Grah, Public Works Director Gary Schley, Public Services Officer Bob Kimball, City Treasurer
PUBLIC COMMENT	The Mayor announced the public comment period. Selma Calnan a resident of the Sunrise Mobile Home Park expressed her gratitude to the Council for what is provided for the residents such as the community garden and requested consideration of recycling opportunities.
PRESENTATION Quarterly Citizen Award Mr. & Mrs. Chuck Kilpatrick (1)	The Mayor presented Chuck and Mary Mae Kilpatrick a framed Council commendation for their combined contributions to the community of Bishop.
DEPARTMENT HEAD REPORTS (2)	Department heads from Community Services, Fire, Police, Public Works and Administration gave updates on the departments including upcoming and ongoing projects.
ADDITION OF URGENCY AGENDA ITEM – 12A Relating to Well 4	It was announced that since the posting of the agenda for this meeting, it has become necessary to add an urgency item to the agenda for possible Council action.
Motion/Griffiths	Mayor Pro Tem Griffiths made a motion to approve the addition of agenda item 12A – Approval to waive the formal bid procedure and authorize the immediate purchase of a new soft start panel for Well 4 from Rollins Electric – Public Works Department. The motion passed 5-0.

CONSENT CALENDAR
(3)

A motion was made by Councilmember Smith and passed unanimously to approve the Consent Calendar as presented:

Motion/Smith

FOR APPROVAL AND FILING

- (a) Council Meeting Minutes – 8/24/09
- (b) Personnel Status Change Form
- (c) Fund Transactions – 7/1/09 – 7/31/09
- (d) Warrant Register – 8/09
- (e) Investment Portfolio – 7/09

FOR INFORMATION AND FILING

- (f) Water and Sewer Commission Agenda – 9/8/09
- (g) Fire Department Activity Log – 8/09
- (h) Public Works Permit Report – 8/09

PUBLIC HEARING

ENVIRONMENTAL
REVIEW – Cottonwood
Plaza Demolition
785/787 N. Main Street
(4)
Motion/Cullen

The Mayor opened the hearing to receive public input on an Initial Study and Mitigated Negative Declaration on a request by Bishop Plaza LLC to demolish two commercial structures at 785 and 787 North Main Street known as Cottonwood Plaza (APN 08-112-13A and 08-112-13C). The proposed project will leave the two parcels vacant for future development which is located in a C-1 Zoning District.

Staff reported that the environmental review process is scheduled now should a demolition permit for the Cottonwood Plaza be needed in the future. This legislative review will address environmental concerns if the buildings are to be taken down. The City Administrator stated that if the Mitigated Negative Declaration is adopted, it does not mean the demolition will occur as the proponent makes that decision.

No further comment was provided. Mayor Cullen made a motion to close the public hearing. Motion passed 5-0.

NEW BUSINESS

MITIGATED NEGATIVE
DECLARATION –
Cottonwood Plaza
Demolition
785/787 N. Main Street
(6)
Motion/Dishion

Mayor Pro Tem Griffiths expressed concerns over the aesthetics with the landscaping and wanted to see some requirements put in place to require the landscaping be maintained.

Staff indicated there is a period of 180 days following the adoption of the Mitigated Negative Declaration when a demolition permit can be obtained. An update can be done to the environmental if a proponent requests to move forward after that time. It was noted again that no request has been received for the demolition of the Plaza but by proceeding with the environmental process it would save any property owner 4-6 months.

Councilmember Dishion made a motion to adopt the Mitigated Negative Declaration with a finding that the Cottonwood Plaza Demolition Project involves no potential for adverse effect, either individually or cumulatively, on wildlife, native plants, streams, water courses, scenic or historic resources and human beings. The motion passed on a 4-1 roll call vote: Ayes: Dishion, Stottlemire, Smith, Cullen. Noes: Griffiths. Mayor Pro Tem Griffiths stated he is concerned about the aesthetic impact on the community and that more clarity is needed.

PUBLIC HEARING

ENVIRONMENTAL
REVIEW – General Plan
Update – Housing Element
(5)

The Mayor opened the hearing to receive public input on an Initial Study and Negative Declaration on the proposed City of Bishop 2009 Housing Element Update.

Sandra Bauer of Bauer Environmental Services from Irvine, California, gave a report on the Housing Element document which included an assessment of housing needs, inventory of resources and constraints, a statement of goals, policies and objective and a five-year housing action plan.

Discussion followed on how the City would meet the state mandated requirements for housing units with a low inventory of available land. A suggestion was made to invite California Department of Housing and Community Development representatives for a tour of our area.

Motion/Griffiths

Mayor Pro Tem Griffiths made a motion to close the public hearing which passed on a 5-0 vote.

NEW BUSINESS

NEGATIVE
DECLARATION
General Plan Update
2009 Housing Element
(7)
Motion/Griffiths

On a motion by Mayor Pro Tem Griffiths, the Council voted 5-0 to adopt the Negative Declaration for the 2009 Housing Element Update with a finding that the project involves no potential for adverse effect, either individually or cumulatively, on wildlife, native plants, streams, water courses, scenic or historic resources and human beings.

WATER AND SEWER
RATE STUDY
PRESENTATION and
Recommendations by Water
and Sewer Commission
(8)

Staff reported that a new water and sewer rate study was required by Council following the completion of the last study in FY 2003-2004 which initiated a series of four water and sewer increases.

Ecologic from Rocklin, California, prepared the new rate study which underwent review and recommendations by the Water and Sewer Commission.

Georgette Aronow from Ecologic gave an overview of the new rates study and how costs for providing services, proposed

increases and alternatives were determined. All members of the City's Water and Sewer Commission were in attendance. Chairman Forrest Cross gave a report on the Commission's recommendations for rate adjustments. The Public Works Director reported that a public hearing process (Proposition 218) will be required. It is anticipated that any rate adjustments would be effective July 1, 2010.

The Council will take action to set the hearing date at the October 13, 2009 meeting.

APPROVAL TO SEEK
PROPOSALS – Consultant
Services - SCADA System
(9)
Motion/Stottlemire

On a motion by Councilmember Stottlemire, the Council voted 5-0 to approve the release for proposals for consultant services to design and install a Supervisory Control and Data Acquisition (SCADA) system for the City's domestic water system.

ADDITION OF HANBY
PAVEMENT PROJECT –
FY 09-10/10-11 Budgets
(10)
Motion/Cullen

On a motion by Mayor Cullen, the Council voted 5-0 to add the Hanby Pavement Reconstruction Project to the fiscal year 2009-2010 and 2010-2011 budgets.

APPROVAL TO
ADVERTISE FOR BIDS
Clarifier Parts – Wastewater
Treatment Plant
(11)
Motion/Griffiths

On a motion by Mayor Pro Tem Griffiths, the Council voted 5-0 to approve the advertisement for bids to purchase clarifier parts for the wastewater treatment plant.

LETTER OF OPPOSITION
Senate Bill 802
(12)
Motion/Stottlemire

On a motion by Councilmember Stottlemire the Council voted 5-0 to send the letter of opposition as presented relating to Senate Bill 802 which would reduce the ability of cities to set contractor retention to a maximum of five percent.

URGENCY AGENDA
ITEM – Purchase of Parts
for Well 4
(12A)
Motion/Dishion

On a motion by Councilmember Dishion, the Council voted 5-0 to waive the formal bid procedure and authorize the purchase of a soft start panel for Well 4 from Rollins Electric estimated at \$10,000.00.

COUNCIL REPORTS

CLOSED SESSION

At 9:30 p.m. the Mayor recessed the meeting to convene in closed session to meet with the City Attorney to discuss one case of potential litigation.

RECONVENE TO OPEN SESSION

At 9:35 p.m. the Council reconvened to open session with the following Councilmembers present: Smith, Dishion, Stottlemire, Griffiths, Cullen.

ANNOUNCEMENT

The City Attorney announced that action was taken by the Council in closed session. Mayor Cullen made a motion to approve the claim against the city by Mary Coles in the amount of \$72.00 subject to the receipt of a signed General Release.

ADJOURNMENT

The Mayor adjourned the meeting at 9:37 p.m. to the next Council meeting scheduled for Monday, September 28, 2009 at 7:30 p.m. in the City Council Chambers.

SUSAN CULLEN, MAYOR

Attest: Richard F. Pucci, City Clerk

By: _____
Denise Gillespie, Assistant City Clerk

APPROVED BY COUNCIL AT THE REGULAR MEETING OF 9/28/09