

CITY OF BISHOP  
CITY COUNCIL MINUTES  
March 22, 2010

CALL TO ORDER Mayor Griffiths called the meeting to order at 7:00 p.m.

INVOCATION The invocation was given by Councilmember Cullen followed by the Pledge of Allegiance led by Councilmember Stottlemyre.

COUNCIL PRESENT Smith, Cullen, Stottlemyre, Dishion, Griffiths

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

PUBLIC COMMENT The Mayor announced the public comment period. Councilmember Stottlemyre recognized three Bishop High School students who competed for the American Legion Boys State.

PROCLAMATIONS

SEXUAL ASSAULT AWARENESS MONTH  
April 2010  
(1) Lynne Rounds, Wild Iris Program Manager, provided details of events and handouts focusing on educating the public on sexual violence, how to help prevent it and help survivors heal. April 21<sup>st</sup> is Denim Day.

CHILD ABUSE PREVENTION MONTH  
April 2010  
(2) Lynne Rounds, Wild Iris Program Manager, provided information promoting planned events to educate the public on how to recognize and prevent child abuse.

PRESENTATIONS

RICHARD KIZER  
Retiring Reserve Officer /  
Reserve Specialist  
(3) The Council and Police Chief made presentations to Richard Kizer who recently retired from the Police Department as a Reserve Officer/Reserve Specialist after nearly 31 years of service to the community.

MONICKA WATTERESON – Retiring  
ESTA Transportation  
Director  
(5) The Council made presentations to Monicka Watterson for her many years of service to the communities of Inyo and Mono Counties. She has been involved in the area of transportation since 1998 and helped with the creation of the Eastern Sierra Transit Authority which provides needed services to the elderly and handicapped residents.

ESTA REPORT – Executive Director John Helm (4) John Helm, Executive Director of the Eastern Sierra Transit Authority reported on projects and progress of the organization. ESTA services 400 linear miles from Reno to Lancaster. Helm reported that discussions are ongoing to provide some or all of the transportation needs for the Mammoth Mountain Ski Area. Service to the Mammoth Airport is also provided for the Horizon airline flights.

DEPARTMENT HEAD REPORTS (6) Reports from Community Services, Fire, Police, Public Works and Administration were given on the departments’ activities including upcoming and ongoing projects.

CONSENT CALENDAR (7) Motion/Stottlemyre A correction was made to the minutes of the March 8, 2010 meeting under the list of “Others Present”. Lt. Chris Carter attended the meeting in place of Police Chief Sheehan. A motion was made by Councilmember Stottlemyre and passed unanimously to approve the Consent Calendar with corrections made to the minutes of March 8, 2010:

FOR APPROVAL AND FILING

- (a) Council Meeting Minutes of 3/8/10 as corrected
- (b) Personnel Status Change Report
- (c) Fund Transactions – 7/1/09 – 2/28/10
- (d) Investment Portfolio – 1/10
- (e) Investment Portfolio – 2/10
- (f) Addendum to BPOA Memorandum of Understanding to reinstate Compensating Time Earned

FOR INFORMATION AND FILING

- (g) Water and Sewer Commission Agenda – 3/9/10
- (h) Water and Sewer Commission Minutes – 1/12/10
- (i) Fire Department Activity Log – 2/10
- (j) Public Works Report – 2/10

PUBLIC HEARING

2008-09 PROPOSITION 4 California Constitution Article XIII B Appropriations Limit and Calculations (8) The Mayor opened the public hearing to hear and consider public input on the 2008-09 California Constitution Article XIII B Appropriations Limit and Calculations (Proposition 4). The City Administrator reported the City is in compliance and was under the statutory limit by \$1,728,396.00 for fiscal year 2008-2009.

Motion/Stottlemyre No further comment was given. Councilmember Stottlemyre made a motion to close the public hearing. Motion passed 5-0.

OLD BUSINESS

FINAL ADOPTION PROPOSITION 4 California Constitution Article XIII B Appropriations On a motion by Councilmember Cullen, the Council voted 5-0 to accept and adopt the report prepared by Larry Bain, CPA relating to the City of Bishop’s California Constitution Article XIII B Appropriations Limit and Calculations (Proposition 4) for fiscal

Limits and Calculations year 2008-2009.  
FY 2008-09  
(9)  
Motion/Cullen

NEW BUSINESS

BISHOP CHAMBER OF Tawni Thomson, Executive Director for the Bishop Area  
COMMERCE – Update Chamber of Commerce, gave a report on past and upcoming  
(10) events sponsored by the Chamber as well as website and on-site  
statistics. Thomson reported that printed advertising and fish  
stocking have been scaled back due to costs.

BID AWARD The Public Works Director reported that nine bids were received  
Keough/Hobson Sewer for the Keough and Hobson Sewer Improvements Construction  
Improvements Construction Project.  
(11)

- |  |              |
|--|--------------|
| 1. Hawkeye Enterprises, Bishop, CA         | \$124,936.00 |
| 2. McMurtrie Tanksley, Bishop, CA          | 161,643.00   |
| 3. Marzano & Sons, June Lake, CA           | 174,971.00   |
| 4. Zenitram, Lancaster, CA                 | 119,702.00   |
| 5. Conspec, Lee Vining, CA                 | 129,610.00   |
| 6. R & J Joy, Portola, CA                  | 164,002.00   |
| 7. PE Pacific Engineering, Bakersfield, CA | 144,705.00   |
| 8. Kendall Engineering, Bishop, CA         | 145,460.00   |
| 9. Vido Artukovick, South El Monte, CA     | 212,870.00   |

Based on the responsive low bid from Zenitram, the Director requested approval to award the bid and include the normal construction contingency.

Motion/Cullen On a motion by Councilmember Cullen, the Council voted 5-0 to  
award the bid for the Keough/Hobson Sewer Construction  
Improvements Project to Zenitram from Lancaster, California and  
authorize the expenditure up to \$125,687.10 for the construction  
contract for the project.

ORDINANCE NO 530 Mayor Griffiths stated that his family has raised 4-H chickens in  
Keeping of Animals and the past and will likely in the future raise rabbits. He recused  
Poultry – First Reading/ himself from discussion or decisions on draft Ordinance No. 530.  
Introduction Griffiths left the Council Chambers for the duration of this  
(12) agenda item and turned the meeting over to the Mayor Pro Tem.

Motion/Cullen Discussion relating to the distance from coops or hutches to  
neighboring properties and preventing rodent problems was held  
by members of the audience and staff.

RECESS/RECONVENE A 10-minute recess was taken to allow the City Attorney time to  
make modifications to the draft ordinance based on the  
suggestions provided. The Mayor Pro Tem reconvened the  
meeting with Councilmembers Cullen, Smith and Stottlemyre  
present.

The City Attorney read the following revisions to the ordinance:

“Section 6.08.101 D. All chickens and rabbits shall be kept at least twenty (20) feet away from any neighboring residential property line. However, chickens and rabbits may be kept closer than twenty (20) feet to a neighboring residential property line if written consent is obtained from the neighboring residential property owner and the neighboring residential property occupant if different from the neighboring residential property owner. Any consent given is revocable without cause.”

“Section 6.08.101 F. All chickens and rabbits kept under this section shall be kept in coops or hutches, and all food for such chickens and rabbits shall be kept in containers that are reasonably predator and rodent proof.”

Councilmember Cullen made a motion to adopt the introduction/ first reading of Ordinance No. 530 by title only and set April 12, 2010 for second reading/adoption, “AN ORDINANCE OF THE CITY COUNCIL AND THE PEOPLE OF THE CITY OF THE CITY OF BISHOP, STATE OF CALIFORNIA, AMENDING BISHOP MUNICIPAL CODE TITLE 6, CHAPTER 6.08 MISCELLANEOUS ANIMAL PROVISIONS BY ADDING A NEW SECTION 6.08.101 ALLOWABLE EXCEPTIONS THERETO RELATING TO KEEPING CHICKENS AND RABBITS”. The motion passed 4-0 on the following roll call vote: Ayes: Cullen, Smith, Stottlemyre, Dishion.

With the conclusion of this agenda item, Mayor Griffiths returned to the dais.

RESOLUTION NO. 10-06  
Supporting Local Taxpayer,  
Public Safety and  
Transportation Protection  
Act of 2010  
(13)  
Motion/Cullen

On a motion by Councilmember Cullen, the Council voted 5-0 to adopt Resolution No. 10-06 by title only and authorize staff to forward the resolution to the League of California Cities, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY, AND TRANSPORTATION PROTECTION ACT OF 2010”.

APPROVAL OF BUDGET  
ADJUSTMENTS/  
TRANSFERS FY 2009-2010  
(14)  
Motion/Griffiths

Mayor Griffiths made a motion to approve the budget adjustments and transfers for fiscal year 2009-2010 through February 28, 2010 as presented. Motion passed 5-0.

ADOPTION OF FINAL  
BUDGET – FY 2009-10 /  
2010-11  
(15)

The City Administrator stated that a budget update will be presented at the May 10, 2010 Council meeting that will reflect some changes needed for the fiscal year 2010-2011. He reported that staff will continue to monitor the budgets.

Motion/Stottlemyre

Councilmember Stottlemyre made a motion to adopt the final budget for fiscal years 2009-2010 and 2010-2011. The motion

passed 5-0.

COUNCIL REPORTS

ADJOURNMENT

The Mayor adjourned the meeting at 9:30 p.m. to the next Council meeting scheduled for Monday, April 12, 2010 at 7:00 p.m. in the City Council Chambers.

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JEFF GRIFFITHS, MAYOR

Attest: Richard F. Pucci, City Clerk

By: \_\_\_\_\_  
Denise Gillespie, Assistant City Clerk

***APPROVED BY CITY COUNCIL ON 4/12/10***