

CITY OF BISHOP
CITY COUNCIL MINUTES
August 9, 2010

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

INVOCATION The invocation was given by Pastor Clyde Harvey of the Neighborhood Church followed by the Pledge of Allegiance led by Councilmember Cullen.

COUNCIL PRESENT Councilmembers Laura Smith, Susan Cullen, David Stottlemire
Mayor Pro Tem Bruce Dishion
Mayor Jeff Griffiths

COUNCIL ABSENT None

OTHERS PRESENT Richard Pucci, City Administrator
Denise Gillespie, Assistant City Clerk
Peter Tracy, City Attorney
Keith Caldwell, Assistant City Administrator/
Community Services Director
Ray Seguine, Fire Chief
Kathleen Sheehan, Police Chief
David Grah, Public Works Director/City Engineer
Gary Schley, Public Services Officer

PUBLIC COMMENT The Mayor announced the public comment period. No public comment was provided.

PRESENTATIONS

KAMMI FOOTE – Resigning as Planning Commissioner
(1) Kammi Foote was recently elected as Inyo County Clerk/Recorder and as such will not be able to serve on the City’s Planning Commission once she takes office in January. She submitted a letter of resignation to the City Council.

The Council presented Kammi Foote with a city tile for public service as a commissioner from March 28, 2005 to July 28, 2010.

COMMUNITY GARDEN Concept and Location – Master Gardeners
(2) Following discussions with the Community Services Director and presentations to the Parks and Recreation Commission relating to the benefits of having a community garden in the City Park Mary McGurke representing the Master Gardeners program made a power point presentation to the City Council. One benefit would provide residents a plot to grow fresh local foods and help promote a healthy community. Ms. McGurke indicated the first step is to secure a location and draft and finalize a plan including a timeline with the City. Following would be the creation and finalization of memorandums of understanding with cooperating organizations and agencies and locating funding and in-kind donations for implementation of the plan.

The proposed plan also includes a general garden and when asked by Council who would maintain it McGurke indicated that 100 people have signed up for the Master Gardener program for the next session and each member commits to 50 volunteer hours. Other groups could contribute time as well.

It was the consensus of the Council that time would be set aside at the next Council meeting on August 23rd to receive public comment on the community garden concept and proposed location. A notice will be published in the Inyo Register and mailed to residents in the area.

DEPARTMENT HEAD
REPORTS
(3)

Reports from Community Services, Fire, Police, Public Works and Administration were given on the departments' activities including upcoming and ongoing projects.

CONSENT CALENDAR
(4)

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

Motion/Cullen

FOR APPROVAL AND FILING

- (a) Council Meeting Minutes – 7/26/10
- (b) Warrant Register – 7/10
- (c) Surplus of City property BPD072-10
- (d) Surplus of found property – BPD 068-10 / BPD073-10
- (e) Ratification of Global Services Agreement with Underwriters Laboratories, Inc. – Fire Department

FOR INFORMATION AND FILING

- (f) Planning Commission Minutes – 5/25/10
- (g) Fire Department Activity Log – 7/10
- (h) Public Works Permit Report – 7/10

PUBLIC HEARING

ENVIRONMENTAL
REVIEW – 137 E. South St.
(5)

The Mayor opened a public hearing to hear and consider public input on an Initial Study for a Draft Negative Declaration to allow Pestmaster Services Inc. to set aside the commercial parking and driveway requirements for the placement of one cargo type storage container and one office trailer occupancy at 137 East South Street which is located in a C-1 Zoning District (General Commercial and Retail).

Motion/Griffiths

William Morris, Manager of Pestmaster Services Inc. reviewed the project. No further comment was provided. Mayor Griffiths made a motion to close the public hearing. Motion passed unanimously.

NEW BUSINESS

ADOPTION OF
NEGATIVE
DECLARATION
Pestmaster Services, Inc.
137 E. South St.
(7)
Motion/Stottlemyre

Following Council discussion on the environmental to allow Pestmaster Services Inc. to set aside the commercial parking and driveway requirements for the placement of one cargo type storage container and one office trailer occupancy at 137 East South Street, a motion was made by Councilmember Stottlemyre to adopt the Negative Declaration and file a Notice of Determination with a finding that the project will have 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 5-0.

PUBLIC HEARING

ENVIRONMENTAL
REVIEW – 537 Hammond
(6)
Motion/Cullen

The Mayor opened a public hearing to hear and consider input on an Initial Study for a Draft Negative Declaration to allow William Talbot to develop a vacant property into a 1,530 sq. ft. professional office facility with parking and site improvements at 537 Hammond Street located in an R-3 Zoning District (Multiple Residential and/or Professional and Administrative Offices).

Bill Carter, DDS, co-proponent, reviewed the project. No further comment was provided. On a motion by Councilmember Cullen, the Council voted 5-0 to close the public hearing.

NEW BUSINESS

ADOPTION OF
NEGATIVE
DECLARATION
Talbot/Carter Professional
Office - 537 Hammond St.
(8)
Motion/Dishion

Following Council discussion on the environmental to allow William Talbot to develop a vacant property into a 1,530 sq. ft. professional office facility with parking and site improvements at 537 Hammond Street, Councilmember Dishion made a motion to adopt the Negative Declaration and file a Notice of Determination with a finding that the project will have 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 5-0.

PLANNING COMMISSION
APPOINTMENT
Ted Gardner
(9)
Motion/Dishion

Based on the recommendation of the interview committee, Councilmember Dishion made a motion to appoint Ted Gardner to the Bishop Planning Commission to fill an unexpired term ending April 9, 2013. The motion passed 5-0

PRESENTATION OF
PRELIMINARY BUDGET
FY 2011-2012
(10)

The City Administrator gave an overview of the Preliminary Budget for FY 2011-2012 to maintain the two-year budget program. A review of the revenue situation occurring in FY 2009-2010 required cuts to be made to the FY 2010-2011 budget as part of the process. Action for the preliminary budget is scheduled for September. The budget hearings are scheduled for August 12th at 4:00 p.m. in the Council Chambers.

APPROVAL OF
DESTRUCTION DERBY
CONTRACT – Fire Dept.
(11)
Motion/Cullen

On a motion by Councilmember Cullen, the Council voted 5-0 to approve the contract with the 18th District Agricultural Association/Eastern Sierra Tri-County Fairgrounds for the Destruction Derby sponsored by the City Fire Department scheduled on September 5, 2010.

APPROVAL OF
AGREEMENT – Bartel
Associates, LLC for
GASB 45 Actuarial
(12)
Motion/Smith

On a motion by Councilmember Smith the Council voted 5-0 to waive the formal bid procedure for professional services and authorize the execution of an agreement with Bartel Associates LLC to perform the Government Accounting Standards Board (GASB) 45 Other Post Employment Benefits (OPEB) actuarial for Fiscal Years 2011-2012 and 2012-2013 in the amount of \$13,000.00.

MAY/WILLOW/N. THIRD
WATER IMPROVEMENTS
PROJECT – Rejection of All
Bids
(13)
Motion/Dishion

The Public Works Director reported that issues were identified following the opening of the bids for the May, Willow and North Third Streets Water Improvement Project including issues relating to the license requirements in the bid documents. The low bidder does not have the Class A Contractor License required by the bid documents. The low bidder does have a Class C-34 License which is adequate for the work involved in the project.

Comments from the public:

Steve Hansen, Vice-President of Conspec, Inc. stated the City's Notice to Contractors bid documents required a General Engineering License Class A and should be adhered to. Based on that information, Mr. Hansen stated the bid from Sierra Nevada Excavation from Smith, Nevada, should be considered non-responsive and awarded to the next lowest bidder which would be his company which is a local contractor hiring local people. By rejecting all bids the City is penalizing the other four companies that submitted responsive bids and rewarding the company that did not. He urged the City not to reject the bids.

Larry Blain, Hawkeye Construction, stated that licensing issues are a great concern to local contractors and out-of-state contractors do not hire local people or subcontractors.

Mr. Grah responded that there were three areas of deficiencies with the Sierra Nevada Excavation bid: 1) type of license, 2) lack of information on the material supplies, and 3) no subcontractors listed or "none" indicated. Grah felt action to reject the bids was the most appropriate. The language relating to the required licenses would be clarified in the bid documents and the project re-bid.

City Attorney Peter Tracy stated that by law the City can reject all bids and in this case the staff has recommended the Council take this action due to the risk of litigation by the lowest bidder.

On a motion by Councilmember Dishion, the Council voted 5-0 to reject all bids for the May, Willow, North Third Streets Water Improvement Project and authorized the Public Works Department to re-advertise the project.

APPROVAL TO RE-BID
FOR PROPANE SUPPLY
TO CITY FACILITIES
(14)

The Community Services Director reported that during the previous bid process it was determined that some of the City's propane tanks need to be brought into state code and/or relocated which was not part of the scope of work listed in the bid documents. At that time the Council took action to reject all bids. The Department is now ready to move forward and requested consideration for re-advertising the supply of propane to City facilities.

Motion/Griffiths

On a motion by Mayor Griffiths, the Council voted 5-0 to approve the re-advertisement of bids for the supply of propane services to City facilities.

COUNCIL REPORTS

ADJOURNMENT

The Mayor adjourned the meeting at 8:22 p.m. to the Budget Hearings for Fiscal Year 2011-2012 scheduled for Thursday, August 12, 2010 at 4:00 p.m. in the City Council Chambers.

JEFF GRIFFITHS, MAYOR

Attest: Richard F. Pucci, City Clerk

By: _____
Denise Gillespie, Assistant City Clerk