

CITY OF BISHOP
CITY COUNCIL MINUTES
August 23, 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	Councilmembers Laura Smith, Susan Cullen, David Stottlemyre 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 Bob Kimball, City Treasurer
PUBLIC COMMENT	The Mayor announced the public comment period. No public comment was provided.
CORRESPONDENCE No Response Required (1)	A letter from the United States Census Bureau was received thanking the City for contributions to the 2010 census effort.
DEPARTMENT HEAD REPORTS (2)	Reports from Community Services, Fire, Police, Public Works and Administration were given on the departments' activities including upcoming and ongoing projects.
CONSENT CALENDAR (3)	A motion was made by Councilmember Stottlemyre and passed unanimously to approve the Consent Calendar as presented:
Motion/Stottlemyre	FOR APPROVAL AND FILING (a) Council Meeting Minutes – 8/9/10 (b) Personnel Status Change Report (c) Background Services – City Administrator Candidate (d) Fund Transactions – 7/1/10 – 7/31/10 (e) Investment Portfolio – 7/10

PUBLIC COMMENT

CITY PARK COMMUNITY GARDEN CONCEPT (4)

The Community Services Director/Assistant City Administrator reviewed the plans for the Community Garden at the City Park with the Council and audience. It was indicated that in response to the notice sent out to adjacent property owners, two telephone calls were received requesting clarification on the project followed by approval of the callers.

It was also indicated that the Los Angeles Department of Water and Power had concern that the location would be in conflict with a planned storm water drain. Caldwell reported that after working with the Public Works Director/City Engineer it was decided that moving the location 15 feet away from the residential back fences on North Third Street to allow a buffer between the garden and residential area would be a common sense approach to the problem.

PUBLIC COMMENT:

Rick Bradley, 574 North Third Street, asked the following questions:

- How will the sewer line that runs along the back of the fences of North Third Street be affected?
- Why is money being spent for the Park instead of the long-term drainage problem on North Third Street?
- What happened to the plans for the bike path?
- Will he still have access through the field to his back yard?
- What is the status of a deed granted in the 1950's for the alley?

The Public Works Director stated the sewer line is located in the new buffer zone that was created by moving the location of the garden and the City will have access to it in that area.

Funding for the construction on Project A delayed by the State includes North Third Street improvements. Construction is anticipated next spring.

The Pine to Park Bike Path location has been moved due to concerns of carry-over noise affecting the adjacent residents. The current plan is to move the path east one alley and will be east of the garden area as shown and will tie into the rest of the Park.

Mr. Caldwell stated that any deed relating to the access for private property will need to be researched.

Cerena Dennis, 757 West Pine Street, is active in the 4-H program and spoke in favor of the community garden as it allows

4-Hers to learn to grow food in coordination with the Master Gardner's program.

Roseanne Howard, Master Gardner and local teacher, stated that for 12 years the Park has been used to educate third graders on migratory birds through curriculum and participation with the Eastern Sierra Audubon Society. The community garden, arboretum and park will all be used for that program. The current location will also provide a buffer between the residences and the planned ball fields.

In answer to a question from Rob Klieforth, 437 Willow, about the garden location in relation to Sterling Heights, staff reported the new location is 50 feet from that facility.

Joan Nash, 1524 Rocking W Drive, spoke in support of the community garden in the City Park.

Carey Lozito, 403 Mt. Tom Road, with the Master Gardeners program stated a search for the best location for a garden has been ongoing since 2006. I.M.A.C.A. is involved in helping locate clients to use garden plots. The program has been involved in the Sunrise Mobile Home Park community garden which has been very successful.

Pam Pasotti, 2078 Carol Lane, stated a community garden is a great way to bring strangers together to build a stronger community.

Patricia Cano, 2230 Primrose Lane, stated gardening is great therapy and encouraged the project.

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

NEW BUSINESS

COMMUNITY GARDEN
CONCEPT/ LOCATION
Direction to Staff
(5)

In response to a comment from Mr. Bradley, Councilmember Smith stated no City funding has been provided for the community garden project. All money to be used for the community garden has been raised by the Master Gardener program.

In response to questions from the Council on the location of an alley, the Public Works Director/City Engineer stated the County Assessor's parcel maps do not indicate an alley in that area. It is possible there is an easement on private properties. He will research it to see what he can find. Mayor Griffiths stated that if there is an easement the boundaries of the garden could be adjusted.

Mr. Caldwell thanked the Master Gardeners for doing the fund raising and the planning. He also thanked Mr. Bradley for his concerns and comments and stated the City will research answers and provide him the most accurate information possible.

The Council directed staff to move forward with the community garden plans.

STREET VENDOR
PERMIT 2010 – Valley
Dogs / Ann Aylesworth
(6)
Motion/Cullen

On a motion by Councilmember Cullen, the Council voted 5-0 to approve the renewal of the Street Vendor Permit for Valley Dogs Catering through December 2011 with the same requirements as established in the 2009 permit.

STREET VENDOR
PERMIT 2010 – Hot Diggity
Dogs / Paige VanVelzer
(7)

Paige VanVelzer submitted a request for a Street Vendor Permit to sell hot dogs from a cart at various locations inside city limits including private property. Staff advised the Conditional Use Permit process would be necessary to conduct sales on private property. Staff advised she meet with the City Administrator and Public Services Officer to discuss locations and guidelines as well as notify businesses in the areas listed in her request and return to the Council with a revised plan.

CITY ATTORNEY
CONTRACT APPROVAL
(8)
Motion/Cullen

City Attorney Peter Tracy submitted a new three-year contract for Council review and action that will replace the current agreement, change the City Attorney to a contract agent as well as reduce legal costs to the City.

Councilmember Cullen made a motion to authorize the execution of the three-year contract with Peter Tracy for City Attorney services. Motion passed unanimously.

BUDGET ADJUSTMENT /
TRANSFERS FY 2009-10
(9)
Motion/Stottlemyre

On a motion by Councilmember Stottlemyre, the Council voted 5-0 to approve the budget adjustments and transfer for Fiscal Year 2009-2010 through June 30, 2010 as presented.

BID AWARD
May/Willow/N. Third St.
Water Improvements Project
(10)

The Public Works Director/City Engineer reported that four bids were received following the second advertising for the May/Willow/N. Third Streets Water Improvements Project. All bids on the first advertising were rejected at a recent Council meeting. The Director recommended the bid be awarded to the lowest responsive bidder, Marzano and Sons with a 5% construction contingency added.

Pyramid Building, Hesperia, CA	\$481,550.00
Sierra Nevada Excavation, Smith, NV	\$483,900.00
Conspec, Lee Vining, CA	\$500,800.00
Marzano and Sons, June Lake, CA	\$456,630.00

Motion/Smith

On a motion by Councilmember Smith, the Council voted 5-0 to award the bid for the May/Willow/N. Third Street Water Improvements Project to Marzano and Sons from June Lake in the not-to-exceed amount of \$479,461.50, and authorized the execution on the construction contract.

TERM EXTENSION OF
PUBLIC WORKS INTERN
(11)
Motion/Stottlemyre

On a motion by Councilmember Stottlemyre the Council voted 5-0 to authorize the extension of the Public Works Intern program and increase the budget for the position by \$160.00 in each of the water and sewer programs.

COUNCIL REPORTS

ADJOURNMENT

The Mayor adjourned the meeting at 8:30 p.m. to the next Council meeting scheduled for Monday, September 13, 2010 at 7:00 p.m. in the City Council Chambers.

JEFF GRIFFITHS, MAYOR

Attest: Richard F. Pucci, City Clerk

By: _____
Denise Gillespie, Assistant City Clerk