

CITY OF BISHOP
CITY COUNCIL MINUTES
JANUARY 9, 2012

CALL TO ORDER	Mayor Smith called the meeting of the Bishop City Council to order at 7:00 p.m. in the City Council Chambers, 301 West Line Street, Bishop, California.
INVOCATION	The invocation was given by Pastor Kent Puls of the Grace Lutheran Church followed by the Pledge of Allegiance led by Councilmember Griffiths.
COUNCIL PRESENT	Councilmembers Jim Ellis, Susan Cullen, Jeff Griffiths Mayor Pro Tem Dave Stottlemire Mayor Laura Smith
COUNCIL ABSENT	None
OTHERS PRESENT	Keith Caldwell, Interim City Administrator Denise Gillespie, Assistant City Clerk Peter Tracy, City Attorney Ray Seguine, Fire Chief Chris Carter, 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. Rick Phelps from the High Sierra Energy Foundation introduced two new board members, Martin Kleinband and Naomi Garcia. Jesse Langley, SCE Program Manager, and Dan Brady, Region Manager, Local Public Affairs, presented a Resolution of Appreciation to the City in honor of Edison's 125 th anniversary.
PRESENTATIONS	
SCADA – Supervisory Control and Data Acquisition – Public Works (1)	Deston Dishion, Public Works Superintendent, gave a presentation on the Supervisory Control and Data Acquisition software that monitors the City's water and sewer systems.
Top Two Candidates Open Primary Act of 2010 – Inyo County Clerk-Recorder (2)	Kammi Foote, Inyo County Clerk-Recorder, gave a power point presentation on the Top Two Candidates Open Primary Act of 2010 created by the passage of Proposition 14 – 2010 and SB 6 (Chapter 1, Statutes of 2009). These changes will affect candidates and voters in 2012.
DEPARTMENT HEAD REPORTS (3)	Reports from Administration, Community Services, Fire, Police, and Public Works 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) Study Session Minutes – 12/12/11
- (b) Council Meeting Minutes – 12/12/11
- (c) Personnel Status Change Report
- (d) Warrant Register – 12/11
- (e) Fund Transactions – 7/1/11 – 12/31/11
- (f) Investment Portfolio – November 2011
- (g) Fund Transactions Sunrise Mobile Home Replacement Reserve Account 7/1/11 – 12/31/11
- (h) Request to surplus property – Police Department # 104-01
- (i) Request to surplus SCBA Cylinders – Fire Department
- (j) Request to surplus city property – Public Works Department

FOR INFORMATION/FILING

- (k) Planning Commission Meeting Cancellation 12/27/11
- (l) Water and Sewer Commission Agenda – 1/10/12
- (m) Parks and Recreation Commission – 10/19/11
- (n) Fire Department Activity Log – 12/20/11
- (o) Police Department Patrol Statistics 2010-2011
- (p) Public Works Building Permits Report – 12/11
- (q) Public Works Report – 12/11
- (r) Sewer Fund Monthly Balances 2011-2012
- (s) Water Fund Monthly Balances 2011-2012

CORRESPONDENCE –
No Response Required
(5)

The following correspondence was presented for Council review:

- (a) State of California Corrections Standards Authority 2010-2012 Biennial Inspection of the Bishop Police Department detention area.
- (b) Application for Alcoholic Beverage License – Flyers Energy LLC Bishop Shell at 466 South Main Street.
- (c) Application for Alcoholic Beverage License – Bishop Paiute Tribe – Paiute Palace Casino at 2742 North Sierra Highway.
- (d) Suddenlink correspondence dated December 12, 2011

PUBLIC HEARINGS

ENVIRONMENTAL
REVIEW – Mobility
Element Final Draft
(6)

The Mayor opened a public hearing to hear and consider public comment on an Initial Study and Negative Declaration for the proposed City of Bishop 2012 Mobility Element General Plan Update.

Public Services Officer Gary Schley reported that a draft negative declaration has been prepared to comply with the CEQA Initial Study and proposed for inclusion in the 2012 Mobility Element General Plan Update. Action on the Negative Declaration is scheduled for the February 13, 2012 City Council meeting.

Motion/Cullen

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

PROPOSITION 4 –
Appropriations Limit and
Calculations
(7)

The Mayor opened a public hearing to hear and consider public input on the City of Bishop 2010-2011 Proposition 4 Appropriations Limit and Calculations.

Interim City Administrator Caldwell reported the City's appropriation subject to limit for 2010-2011 was \$5,285,172. The calculated actual limit was \$6,768,228. The City was under the statutory limit by \$1,483,056 for fiscal year ending June 30, 2011.

Motion/Griffiths

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

UNFINISHED BUSINESS

PROPOSITION 4 –
Final Adoption
(8)
Motion/Stottlemyre

On a motion by Mayor Pro Tem Stottlemyre, the Council voted 5-0 to accept and adopt the report prepared by Larry Bain, CPA, relating to the City of Bishop's Proposition 4 Appropriations Limit for the 2010-2011 fiscal year.

NEW BUSINESS

STREET VENDOR
PERMIT – Mad Dogs of
Bishop
(9)
Motion/Griffiths

Rudy Madera, Mad Dogs of Bishop, requested Council consideration to approve his Street Vendor Permit Application to operate a hot dog cart on the north side of Sierra Street. Madera requested a change in hours of operation from 10:00 a.m. to 3:00 p.m. Monday - Friday to 10:00 a.m. to dusk Monday – Saturday.

On a motion by Councilmember Griffiths the Council voted 5-0 to approve the Street Vendor Permit for Mad Dogs of Bishop as amended pending completion of the requirements listed in the permit.

ORDINANCE NO. 537
INTRODUCTION
Relating to Election
Consolidation
(10)
Motion/Stottlemyre

On a motion by Mayor Pro Tem Stottlemyre the Council voted 5-0 to approve the introduction of Ordinance No. 537 by title only, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA RESPECTING MOVING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE FIRST TUESDAY AFTER THE FIRST MONEY IN MARCH IN ODD-NUMBERED YEARS TO THE FIRST TUESDAY IN NOVEMBER IN EVEN-NUMBERED YEARS, REPEALING ORDINANCE NUMBER 475, AND AMENDING SECTION 1.12.030 OF CHAPTER 1.12 OF THE BISHOP MUNICIPAL CODE."

APPROVAL OF
LADWP LEASE BL-1496
Fire Training Facility
(11)
Motion/Cullen

On a motion by Councilmember Cullen, the Council voted 5-0 to approve BL-1496, the five-year lease between the City of Bishop and the Los Angeles Department of Water and Power for the Fire Training Facility on Poleta Road.

<p>RESOLUTION NO. 12-01 Hartford Deferred Compensation Plan (12) Motion/Stottlemyre</p>	<p>On a motion by Mayor Pro Tem Stottlemyre, the Council voted 5-0 to adopt Resolution No. 12-01 by title only, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIORNIA, ADOPTING THE CITY OF BISHOP HARTFORD DEFERRED COMPENSATION PLAN UPDATE EFFECTIVE DECEMBER 1, 2011".</p>
<p>SEWER PLANT HEADWORKS PROJECT Approval of Work Order 4 (13) Motion/Ellis</p>	<p>On a motion by Councilmember Ellis, the Council voted 5-0 to approve the execution of Work Order 4 for the Sewer Plant Headworks Improvement Project with Frost Company and authorize the expenditure not to exceed \$149,000.00 under this work order and \$173,000.00 under the contract.</p>
<p>CDBG PLANNING AND TECHNICAL GIS GRANT Approval of Consultant Contract (14) Motion/Stottlemyre</p>	<p>Subject to receiving the executed Standard Agreement for the State of California Housing and Community Development Community Development Block Grant awarded to the City recently, Mayor Pro Tem Stottlemyre made a motion to approve the execution of the contract with Enplan for the continued development of a municipal GIS for Bishop and authorized the expenditure not to exceed \$43,750 through this contract. The motion passed 5-0.</p>
<p>APPROVAL TO ADVERTISE BIDS Well Materials Purchase (15) Motion/Griffiths</p>	<p>On a motion by Councilmember Griffiths, the Council voted 5-0 to approve the advertisement for bids for materials needed to address deficiencies noted by the State at Well 2 and Well 4.</p>
<p>NEW WATER STORAGE TANK PROJECT Approval of Work Order 3 (16) Motion/Griffiths</p>	<p>On a motion by Councilmember Griffiths, the Council voted 5-0 to approve the execution of Work Order 3 under the contract with Resources Concepts Incorporated for the New Water Storage Tank Project and authorized the expenditure not to exceed \$25,000.00 under this work order for a total not to exceed for the contract of \$62,400.00.</p>
<p>BUDGET ADJUSTMENTS/ TRANSFERS FY 2011-2012 Approval (17) Motion/Cullen</p>	<p>On a motion by Councilmember Cullen, the Council voted 5-0 to approve the budget adjustments and transfers for fiscal year 2011-2012 through December 31, 2011 as presented by the Finance Department.</p>
<p>CITY OF BISHOP REDEVELOPMENT AGENCY – Dissolution Resolution No. 12-02 (18)</p>	<p>City Attorney Peter Tracy gave an update on the California Supreme Court opinion and order in <u>California Redevelopment Association v. Matosantos</u> determining that <i>Dissolution Bill, ABXI-26</i> was constitutional and further determining that the <i>Continuation Bill, ABXI-27</i> was unconstitutional as violating Proposition 22. The Court also reset the time periods for dissolution of redevelopment agencies under the <i>Dissolution Bill</i>. Effective February 1, 2012 the <i>Dissolution Bill</i> dissolves all RDAS and the City would automatically become the Successor Agency and may act only to wind up affairs of the RDA but would also be subject to administrative duties and financial</p>

obligations imposed by ABX1-26.

Considering the Bishop Redevelopment Agency is dormant, has no assets, no debts, no obligations, and no active projects, the City Attorney recommended it is in the best interest of the City and its citizens to pass a resolution electing not to serve as Successor Agency and to deliver a copy of that resolution to the Inyo County Auditor on or before January 13, 2012.

Motion/Griffiths

On a motion by Councilmember Griffiths, the Council voted 5-0 to dissolve the Bishop Redevelopment Agency by adopting Resolution No. 12-02 by title only and directing staff to deliver a certified copy of this resolution to the Inyo County Auditor on or before January 13, 2012, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, ELECTING NOT TO SERVE AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF BISHOP PURSUANT TO CALIFORNIA HEALTH & SAFETY CODE SECTION 34173(d)(1)".

COUNCIL /COMMITTEE REPORTS

Council Members announced upcoming community events. No action was taken.

CLOSED SESSIONS

At 8:57 p.m. the Mayor recessed the meeting for closed sessions as agendized:

PERSONNEL
(19)

Personnel – Public Employee Performance Evaluation – Title: Fire Chief

CONFERENCE with Labor Negotiator
(20)

Conference with Labor Negotiator Keith Caldwell, Interim City Administrator, pursuant to Government Code § 54957.6(a) – Bishop Employees Association, Bishop Police Officers Association, Mid-Management and Management.

RECONVENE

At 11:05 p.m. the Mayor called the regular meeting to order with all Council Members present and announced that no action had been taken in closed session.

ADJOURNMENT

The Mayor adjourned the meeting at 11:05 p.m. to the Study Session scheduled for Monday, January 23, 2012 at 4:00 p.m. in the City Council Chambers.

LAURA SMITH, MAYOR

Attest: Denise Gillespie, Assistant City Clerk

By: _____
Keith Caldwell, Interim City Administrator

APPROVED BY COUNCIL 1/23/12