

CITY OF BISHOP
CITY COUNCIL MINUTES
June 12, 2006

CALL TO ORDER Mayor Young called the meeting to order at 7:30 p.m.

INVOCATION The invocation was given by Pastor Paul Straub of the Nazarene Church followed by the Pledge of Allegiance led by the Mayor.

COUNCIL PRESENT Henderson, Connolly, Cullen, Crom, Young

COUNCIL ABSENT None

OTHERS PRESENT Richard Pucci, City Administrator
Denise Gillespie, Assistant City Clerk
Peter Tracy, City Attorney
Ray Seguire, Fire Chief
Joe Pecs, Police Chief
David Grah, Public Works Director
Gary Schley, Public Services Officer

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

CONSENT CALENDAR A motion was made by Councilmember Cullen to approve the
(1) Consent Calendar as presented:

Motion/Cullen FOR APPROVAL AND FILING
(a) Council Study Session Minutes – 5/22/06
(b) Council Meeting – 5/22/06
(c) Personnel Status Change Report
(d) Fund Transactions – 7/1/05 – 5/31/06
(e) Warrant Register – 5/06

FOR INFORMATION AND FILING
(f) Parks and Recreation Commission Minutes – 3/22/06
(g) Planning Commission Minutes – 5/30/06
(h) Public Works Report – 5/06
(i) Public Works Permit Report – 5/06

Motion passed on a 5-0 vote.

PUBLIC HEARING

Whitney Alley and Church Street Parking
(2) The City Administrator gave a brief overview of recent requests from business owners and employees on parking issues which included:

- Designate more all day parking on the east and west sides of Main Street;

- Establish some type of permit process to restricts all day parking;
- Review the existing ordinance that allows two hours in each lot per day;
- Develop a plan that will prevent overnight parking in the commercial lots.

The City Administrator gave a history of how and why parking designations are determined by stating that the City has only designated timed parking at the requests of the business community. He indicated that because of the various and different needs there has never been a total consensus but Councils over the years have listened and changed parking based upon the needs of the businesses. He pointed out that parking tickets have never been a source of revenue generation but simply a means of enforcing those parking limitations put in place at the request of the business community.

The City Administrator stated that with a consensus from the businesses as to where and what type of designation is needed, the Council could change timed parking areas to all day parking.

Public Comment

Aaron Schat, 174 N. Main Street, urged consideration of a permit process and recommended the two parking lots in the area of Whitney Alley for permit designation.

Chuck Falio, Schat.net employee, requested permit that would allow all day parking near places of employment.

Dennis Raymond, 115 N. Main Street, stated that with the change of businesses the parking needs have changed. He suggested a parking permit process where the number of permits is based on the square footage of each business and parking spaces designated by color coding. He requested the current ordinance be changed to allow a vehicle to be moved every two hours within the same lot without being ticketed.

Michelle Allen, 112 N. Main Street, supported the permit process.

Maryanne Schat, 174 N. Main Street, recommended a study be done on the use of the parking lots and a survey of those who use the parking lots every day be taken. She felt something needed to be done in the meantime to resolve the problem without waiting for results of studies.

The City Administrator stated that the City wants businesses to be successful and is open to changes in the parking structure.

Dan Wells, owner of Sierra Office Supply, disagreed with the speakers but sympathized stating that adequate open view parking needs to be available for customers. He stated that if timed

parking spaces were given away, everyone would lose. He agreed there is a parking problem and a compromise needs to be worked on.

Maryanne Schat, 174 N. Main Street, stated that business owners who do not agree with the permit process do not need to participate.

Victor Alcala, stated he felt that placards for permits is a good solution.

Mayor Young read a letter signed by James Wilson of Wilson's Eastside Sports, Dan Wells of Sierra Office Supply, Russ Adams of Phillip's Camera House, Vicky Oglesby of Taylor's Family Shoes and Allison David of Pet Friendly requesting that the two-hour timed parking on the eastside of the 200 block of North Main remain timed parking. Suggestions as possible locations for all day parking were 10 spaces on the south block of Rose Street and 10 spaces in front of the Elks Lodge. The signors felt that the timed parking behind their businesses is absolutely critical to the economic welfare of the downtown area.

A letter from the employees of The Toggery suggested that high school students be required to park in the school parking lot; permits be sold to business for their employees; and parking enforcement be eliminated on days when jury duty is conducted.

Mayor Young suggested the businesses that are both "for" and "against" removing timed parking get together to come up with a solution and present it to the City Council.

Jennifer Fuqua, employee of Schat.net, stated she felt there would never be an agreement reached and that it was up to the City Council to offer some foresight.

At 8:20 p.m. a motion was made by Mayor Pro Tem Crom to close the public hearing. Motion passed on a 5-0 vote.

NEW BUSINESS

WHITNEY ALLEY AND
CHURCH STREET
PARKING ISSUES –
Discussion and Direction to
Staff
(3)

The Mayor stated that a solution to the problems would be found. Councilmember Connolly stated he approved of placards giving two to each business on Main Street.

The City Administrator indicated it would be difficult to determine where the permits would be used. The City Attorney stated that terminology defining a "business" as well as other issues would not be easy to resolve.

Councilmember Henderson stated there are a lot of parking spaces open for all day parking if people are willing to walk a

block or two.

Mayor Pro Tem Crom stated he is against permitted parking but not opposed to all day parking on Rose Street, by the Elks Lodge or Church Street lot. He felt the addition of all day spaces should be tried first before instituting placards for permitted parking. He suggested the City work with the high school to develop cooperation for freeing all day spaces.

Councilmember Cullen stated she agreed with Crom's comments and that the suggested locations on Rose Street, Church Street, and in front of the Elks Lodge would add a good number of all-day spaces.

Motion/Connolly

Following further discussion a motion was made by Councilmember Connolly for staff to develop a resolution to change two-hour parking to all-day in the following locations: approximately 25 spaces on the east side of Rose Street; approximately 10 spaces in the City parking lot located on East Line Street and in front of the Elks Lodge; and remove timed parking in the City parking lot on Church Street. It was further moved that staff bring information back to Council at a later date on creating a permit process for use in those areas. The motion passed on the following roll call vote: Ayes: Connolly, Cullen, Henderson, Young
Noes: Crom

Staff was also requested to look at overnight parking and the problems associated with it.

ADOPTION OF
PRELIMINARY BUDGET
FOR FY 2006-07
(4)
Motion/Crom

A motion was made by Mayor Pro Tem Crom to adopt the Preliminary Budget for fiscal year 2006-2007 as presented. Motion passed 5-0.

AWARD OF CONTRACT –
Labor Standards Compliance
Monitoring – Willow Plaza
(5)

Councilmembers Connolly and Cullen declared a conflict of interest due to their ownership of property located within 500 feet of the Willow Street property to be discussed. They left the Council Chambers for the duration of discussion and action on this agenda item.

Motion/Crom

Mayor Pro Tem Crom made a motion to award the contract for the Labor Standards Compliance Monitoring for the Willow Plaza Apartments to the sole bidder, R. L. Hastings & Associates, LLC in the amount of \$28,500.00. Motion passed 3-0 with Connolly and Cullen disqualified.

<p>APPROVAL OF MEMBERSHIP – California Joint Powers Insurance Authority (6) Motion/Henderson</p>	<p>A motion was made by Councilmember Henderson to approve membership for the California Joint Powers Insurance Authority for the Marin County Major Crimes Task Force. Motion passed 5-0.</p>
<p>EMPLOYEE COMPUTER PURCHASE PROGRAM (7) Motion/Cullen</p>	<p>On a motion by Councilmember Cullen, the Council voted 5-0 to reopen the employee computer purchase program with a start date, sign-up period, and termination date and retain other restrictions as in the original program.</p>
<p>RESOLUTION NO. 06-08 Appropriating Fund Balances Article XIII B of California Constitution – Proposition 4 (8) Motion/Young</p>	<p>Mayor Young made a motion to adopt Resolution No. 06-08 by title only, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, APPROPRIATING FUND BALANCES PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION (PROPOSITION 4).” Motion passed 5-0.</p>
<p>AUDITOR SERVICES PROPOSAL (9) Motion/Connolly</p>	<p>A motion was made by Councilmember Connolly to waive the formal bid procedure due to the professional nature of the services and award the audit contract to Larry Bain, CPA from Sacramento, California. Motion passed 5-0.</p>
<p>INTERVIEW COMMITTEE FOR COMMISSION VACANCY (10)</p>	<p>The Mayor announced that he and Mayor Pro Tem Crom would serve on the committee to interview potential Planning Commission applicants.</p>
<p>RESOLUTION NO. 06-09 – Industrial Disability Retirement – Sgt. Stephen Day (11) Motion/Henderson</p>	<p>On a motion by Councilmember Henderson Council voted 5-0 to adopt Resolution No. 06-09 by title only, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA DETERMINING THAT DUE TO SPECIFIED DISABLING PHYSICAL CONDITIONS, STEPHEN DAY IS INCAPACITATED WITHIN THE MEANING OF THE PUBLIC EMPLOYEES’ RETIREMENT LAW FOR PERFORMANCE OF HIS DUTIES IN THE POSITION OF POLICE SERGEANT.”</p>
<p>APPROVAL TO SURPLUS 2001 CROWN VICTORIA – Police Department (12) Motion/Cullen</p>	<p>The Police Chief reported that a 2001 Crown Victoria used for patrol is no longer in operating condition and would like to sell the vehicle to the high school in the amount of \$1.00 for use in the auto shop class. On a motion by Councilmember Cullen, Council voted 5-0 to surplus the 2001 Crown Victoria, Vehicle</p>

Identification Number 2FAFP71W21X114320 and sell it to Bishop Union High School for \$1.00

BID AWARD – HOME STREET IMPROVEMENT PROJECT
(13)

The Public Works Director reviewed the one bid received for the Home Street Improvement Project. Four bid options were requested from bidders to help determine the length of the project based on the funds available. The sole bidder, Sierra Nevada Construction of Sparks, Nevada, total cost for the entire project was \$1,700,000.00. It was reported there are enough funds to complete the section of Home Street from West Line to Yaney (Bid Option #2).

Motion/Crom

Mayor Pro Tem Crom made a motion to award the contract for the Home Street Improvement Project to Sierra Nevada Construction for Bid Option #2 in the amount of \$1,529,007.00. Motion passed 5-0.

REQUEST TO WAIVE HIRING FREEZE TO FILL MAINTENANCE WORKER II VACANCY – Public Works Department
(14)

Councilmember Henderson made a motion to waive the hiring freeze and authorize the Public Works Department to advertise and fill the vacancy for Maintenance Worker II. The motion carried on a 5-0 vote.

Motion/Henderson

REQUEST TO ADVERTISE FOR BIDS – Well No. 2 Water Main Loop Project - Public Works Department
(15)

A motion was made by Mayor Young to approve the advertising for bid for construction of the water main loop between Well No. 2 and the El Sereno Arms. Motion passed 5-0.

Motion/Young

REQUEST TO PURCHASE MATERIAL – Well No. 2 Tie-In Project – Public Works Department
(16)

A motion was made by Mayor Young to approve the purchase of the material needed to construct the tie in from Western Nevada Supply for the water main loop through the El Sereno Arms condominium conversion project and Well No. 2 in the amount of \$7,736.28. Motion passed 5-0.

Motion/Young

COUNCIL REPORTS

CLOSED SESSION

At 9:20 p.m. the Mayor recessed open session to convene in closed session for the following agenda items:

- To meet with Labor Negotiator/City Administrator for

employee associations' contracts pursuant to Government Code § 54957.6(a)

- To continue the employee performance evaluations from the Study Session for the City Administrator, Public Works Director, Police Chief and Fire Chief pursuant to Government Code § 54957.

Recess/Reconvene

At 10:15 p.m. the Council reconvened with all five Council members present. No action was taken in closed session that is required to be disclosed.

ADJOURNMENT

The Mayor adjourned the meeting at 10:23 p.m. to the next Council meeting scheduled for Monday, June 26, 2006 at 7:30 p.m. in the City Council Chambers.

JOHN YOUNG, MAYOR

Attest: Richard F. Pucci, City Clerk

By: _____
Denise Gillespie, Assistant City Clerk

Approved by Council 6/26/06