

CITY OF BISHOP  
CITY COUNCIL MINUTES  
April 23, 2007

CALL TO ORDER	Mayor Crom called the meeting to order at 7:30 p.m.
INVOCATION	The invocation was given by Pastor Michael Wolford of the Seventh Day Adventist Church followed by the Pledge of Allegiance led by Councilmember Griffiths.
COUNCIL PRESENT	Griffiths, Cullen, Dishion, Connolly, Crom
COUNCIL ABSENT	None
OTHERS PRESENT	Richard Pucci, City Administrator Denise Gillespie, Assistant City Clerk Peter Tracy, City Attorney Ray Seguire, Fire Chief Chris Carter, Police Lieutenant David Grah, Public Works Director Gary Schley, Public Services Officer Bob Kimball, City Treasurer
PUBLIC COMMENT	The Mayor announced the public comment period. No public comment was given.
INTRODUCTIONS (1)	The Police Lieutenant introduced Mike Mairs who recently joined the Bishop Police Department.
CONSENT CALENDAR (2)	A motion was made by Councilmember Cullen to approve the Consent Calendar as presented:
Motion/Cullen	FOR APPROVAL AND FILING (a) Council Minutes – 4/9/07 (b) Fund Transactions – 7/1/06 – 3/31/07 (c) Investment Portfolio – 3/07  FOR INFORMATION AND FILING (d) Parks and Recreation Commission Agenda – 4/25/07 (e) Planning Commission Agenda – 4/24/07 (f) Public Works Report – 3/07 (g) Public Works Permits Report – 3/07  Motion passed on a 5-0 vote.
CORRESPONDENCE RESPONSE REQUIRED	
Veenker Letter Relating to Parking on Short Street (3)	Bruce and Jo Ann Veenker, owners of rental property at 350 Short Street, wrote a letter requesting a variance in order to continue the perpendicular parking at this location to

accommodate the tenants in the two apartments and one 3-bedroom house.

Staff reported that Short Street traffic safety is a concern for property owners and City liability. The City recently sent letters to property owners in several locations terminating the perpendicular parking for safety reasons. A street improvement project is planned for Short Street in the near future.

Staff was directed to work with residents in the area to help resolve some of the problems and bring some options back to the Council for discussion.

Action Alert from the League of California Cities Recommending Opposition to SB 964 Relating to the Brown Act  
(4)  
Motion/Cullen

The League of California Cities issued an action alert to cities recommending opposition to SB 964 which would make major changes to the Brown Act and would effectively end non-procedural communications between local agency staff and their legislative bodies outside of an open and public meeting.

Councilmember Cullen made a motion directing staff to send a letter of opposition to SB 964. Motion passed 5-0.

#### PUBLIC HEARINGS

186 Johnston Drive – French Environmental Review  
(5)

The Mayor opened a public hearing to discuss and receive public input on initial studies for a conditional use permits to allow the applicant to set aside Municipal Code Section 17.20.070 Parking Requirements and Section 17.20.050 yard setbacks for the placement of a second dwelling unit at 186 and 192 Johnston Drive. The public hearings were held simultaneously for the convenience of anyone wishing to comment on both projects. It was noted by the City Attorney that the Council reviews the environmental assessment and makes a determination on whether the project requires a negative declaration, a mitigated negative declaration or an environmental impact review. The City Planning Commission will be reviewing the project itself at the meeting scheduled for tomorrow night. The City Attorney announced that anyone wishing to appeal the Planning Commissions decision should submit their appeal to the City Council in writing within five days.

192 Johnston Drive – French Environmental Review  
(6)

Staff read into the record a letter from Keith Waterfall and Mary Beth Hennessy, owners of 186 Johnston Drive, which stated their concerns about the proponent's substandard rental opportunities causing parking issues, city code violations and degradation to the neighborhood. They felt strongly that Mrs. French should be required to comply with all zoning and requirements applicable to rental property including setbacks, building codes, sidewalks and curbs and paved and covered parking.

Another letter signed by 12 residents of Johnston Drive stated there is an existing inadequate parking problem complicated by the narrow street and lack of cul-de-sac for turning around. The letter writers requested the City Council and Planning Commission require Mrs. French to comply with all off-street parking requirements, codes and ordinances that apply to her proposed projects.

At the meeting of March 26, 2007, as a mitigation for 186 Johnston Drive, Mrs. French was required by Council to conduct a traffic study in order to determine the parking impact to the neighborhood. Copies of her study had been provided to the Council and staff. Mrs. French reported that her study shows the parking on the street is congested in the new section where six modulars have been added in recent years. In the older section consisting of 12 residences there is sufficient parking but that it is a dead end street and there is no area for turning around without using a private driveway.

Motion/Cullen

Mark Cantrell, who lives on the French property, stated that the Waterfall letter is exaggerated and that the parking problem is located in the new section near Waterfall's residence.

Wes French exhibited a map of the street and explained that the cars parked at the new section don't come all the way down the street to turn around, they use the McDade's driveway which causes him problems.

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

## OLD BUSINESS

186 Johnston Drive – French  
Consideration of a Mitigated  
Negative Declaration  
(7)  
Motion/Griffiths

Based on the mitigated negative declaration of environmental impact at this location Councilmember Griffiths made a motion to adopt the mitigated negative declaration and file a notice of determination that the project would not have a significant adverse impact on the environment for the following reasons:

- The requested conditional use permit is consistent with the State of California Assembly Bill 1866 (density bonus and second unit law) and City of Bishop's General Plan land use designation for residential.
- The proposed project will not require the expansion of existing public or private utilities and services (electrical, telephone, sewer, water, storm water drainage and solid waste disposal).
- Based upon the initial study and environmental evaluation of the proposed project, and the mitigation measures incorporated herein, the project involves no potential for adverse effect, either individually or cumulatively, on

wildlife, native plants, streams, water courses, scenic or historic resources and human beings. The required mitigation measures are as follows:

1. Transportation/Traffic (Section XV of the Initial Study)  
Potential Impact: (F) The project is proposing to provide one parking spaces short of the City's minimum parking space requirement for the proposed use.  
Proposed Mitigation: The proponent of the project shall provide a traffic/parking study addressing Johnston Drive off site or public parking impacts in relation to providing insufficient onsite parking for the proposed project. By implementing this mitigation measure potential impacts to inadequate parking capacity could be reduced to a less than significant level.

The motion passed 5-0.

192 Johnston Drive – French  
Consideration of a Negative  
Declaration  
(8)  
Motion/Griffiths

Based on the negative declaration of environmental impact at this location Councilmember Griffiths made a motion to adopt the negative declaration and file a notice of determination that the project would not have a significant adverse impact on the environment for the following reasons:

- The requested conditional use permit is consistent with the State of California Assembly Bill 1866 (density bonus and second unit law) and City of Bishop's General Plan land use designation for residential.
- The proposed project will not require the expansion of existing public or private utilities and services (electrical, telephone, sewer, water, storm water drainage and solid waste disposal).
- The project involves 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.

## NEW BUSINESS

Approval of Auditor  
Services FY 2007-2008  
(9)  
Motion/Dishion

On a motion by Councilmember Dishion, the Council voted 5-0 to waive the formal bid procedures due to the professional nature of the services and award the audit contract for fiscal year 2007-2008 to Larry Bain, CPA of Sacramento, California.

Approval of California  
J.P.I.A. Membership-  
Eastern Sierra Transit  
Authority  
(10)  
Motion/Connolly

Mayor Pro Tem Connolly made a motion to approve the membership of the Eastern Sierra Transit Authority into the California Joint Powers Insurance Authority. Motion carried unanimously.

Letter of Support for  
Appointment to the State  
Families First Commission –  
Susan Cash  
(11)  
Motion/Griffiths

County Supervisor Susan Cash stated she is seeking the Governor's appointment to the State Families First Commission to insure representation for rural areas and help preserve potential funding received by the Inyo County Office of Education that is used for local community programs.

Councilmember Griffiths made a motion to approve sending Governor Schwarzenegger a letter supporting the appointment of Supervisor Cash to the State Families First Commission. Motion passed 5-0.

## PRESENTATIONS

Presentations – Kathryn  
Henderson for Recognition  
of Service to the City as a  
Council Member  
(12)

Daniel Steinhagen, Executive Director for the Inyo Mono Advocates for Community Action, thanked Kathy Henderson for ten years of service to the Board of Directors of IMACA as the City's representative. Supervisor Cash presented her with a Certificate of Appreciation from the County. Lynn Cooper from the Inyo Council for the Arts thanked Kathy for her many years of service.

The Council Members made presentations to Kathy Henderson including a gavel plaque acknowledging her service as Mayor and Mayor Pro Tem, a joint resolution from Assemblyman Maze and Senator Ashburn, a city tile recognizing her 12 years of service to the City and flowers.

Mrs. Henderson expressed her enjoyment and pride in being a part of the community and a member of the city government family.

## ADJOURNMENT

The Mayor adjourned the meeting at 8:32 p.m. to the an Adjourned Council meeting for a Council Retreat scheduled for April 25, 2007, at 9:00 a.m. in the Executive Conference Room at City Hall. The next regularly scheduled Council meeting will be Monday, May 14, 2007 at 7:30 p.m. in the City Council Chambers.

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FRANK CROM, MAYOR

Attest: Richard F. Pucci, City Clerk

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

*Approved by Council 5/14/07*