

CITY OF BISHOP  
CITY COUNCIL MINUTES  
May 29, 2007

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

INVOCATION The invocation was given by Councilmember Cullen 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  
Bob Kimball, City Treasurer

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) Personnel Status Change Report  
(b) Investment Portfolio – 4/07

FOR INFORMATION AND FILING  
(c) Cancellation of Parks/Recreation Commission Meeting – 5/23/07  
(d) Cancellation of Planning Commission Meeting – 5/30/07  
(e) Parks and Recreation Commission Minutes – 3/28/07  
(f) Water and Sewer Commission Minutes – 5/8/07

Motion passed on a 5-0 vote.

HEARING

Eminent Domain Process for MacIver Street Improvement Project (2) The Mayor opened the hearing held regarding the intent of the City Council to adopt a Resolution of Necessity to acquire property by Eminent Domain for the MacIver Street Improvement Project.

The City Administrator reported that staff is proceeding with the eminent domain process to obtain possession of property owned by the City of Los Angeles Department of Water and Power for

the MacIver Street Improvement Project. He stated that DWP is in concert with this approach because it was felt it would be a faster way to move forward to obtain possession needed in order for the Public Works Director to receive the grant funding needed for this project. He stated this process is being pursued concurrently with a direct purchase procedure.

The City Administrator informed the Council that the original resolution has been amended by the City Attorney in order to comply with new laws. The new resolution was provided to all Council members for their review.

Tom Hallenbeck, 587 Home Street, questioned if the City was seeking fee title or water rights. The City Administrator replied the City is requesting fee title if they proceed under eminent domain but the City is not asking for any water rights.

The Public Works Director described the property as measuring 60 feet wide and 515 feet long and totals approximately .712 acres.

Motion/Cullen

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

RESOLUTION NO. 07-07  
Acquisition of Property by  
Eminent Domain – MacIver  
Street Improvement Project  
(3)

Motion/Connolly

The City Attorney reviewed the modifications to the resolution of necessity to comply with recent law as follows:

- The following wording was added to the end of paragraph 2: "...and Government Code Section 37350.5. The City is authorized to acquire the property for a more necessary public use pursuant to Code of Civil Procedure Section 1240.610."
- Paragraph 5.f. was inserted: "f. The property described herein in Appendix A is presently appropriated to public use. The proposed project for which the property is sought to be taken is a more necessary public use than the use to which the property is presently appropriated."

In response to a question from the Mayor Pro Tem, the Public Works Director stated that the environmental process through CEQA and NEPA have been completed.

Connolly made a motion to adopt Resolution No. 07-07 by title only, "A RESOLUTION OF NECESSITY BY THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, RELATING TO THE ACQUISITION OF PROPERTY BY EMINENT DOMAIN FOR THE MACIVER STREET IMPROVEMENTS PUBLIC ROAD PROJECT PURSUANT TO CODE CIVIL PROCEDURES § 1245.330. Motion passed unanimously.

Councilmember Griffiths reiterated that this process is a friendly condemnation agreed to mutually by all parties.

UPDATE – CALTRANS  
Main Street Project  
(4)

Robert Sanchez, Senior Construction Engineer for this project, reported that one lane for northbound and one lane for southbound traffic will be open during construction but local residents were encouraged to use alternate routes that avoid the use of Main Street whenever possible.

Council was interested in the crosswalks located at Sierra and Clarke Streets. It was reported that pedestrian signs will be placed at the Clarke Street crosswalk and the area will be diagonally striped. The Sierra Street crosswalk will be removed and those crosswalks not within the traffic signals will be enhanced.

Sanchez reported that construction work will begin next week with grinding starting June 11. Communication is on-going with the Main Street merchants to keep them informed of the disruptions. Public announcements will be ongoing throughout the project.

EXPENSE AND USE OF  
PUBLIC RESOURCES  
POLICY – Approval of  
Modifications  
(5)  
Motion/Dishion

Councilmember Dishion made a motion to approve the modifications to the Expense and Use of Public Resources Policy and the Travel and Per Diem Policy of the Council Policy Manual as presented:

- Added to Page 15 Council Policy Manual Travel and Per Diem and Page 3 – Cost Control – Automobile: “The federal mileage rate will be reviewed at a minimum of every six months and adjusted as needed.”
- Modification to Page 4 – Cost Control – Cash Advance Policy: “The City of Bishop will not provide a cash advance to a member of the legislative body for anticipated travel expenses other than per diem and city-calculated payments to others such as lodging providers.”

Motion passed on a 5-0 vote.

BUDGET ADJUSTMENTS/  
TRANSFERS – FY 06-07  
(6)  
Motion/Cullen

On a motion by Councilmember Cullen the Council voted 5-0 to approve the budget adjustments and transfers for fiscal year 2006-2007 through April 30, 2007, as presented. The motion was approved 5-0.

REQUEST TO SURPLUS  
PROPERTY – Police Dept.  
(7)  
Motion/Crom

In order to surplus and dispose of unclaimed found property and unclaimed evidence, Mayor Crom made a motion to approve the request from the Police Department to dispose of the items as listed. Motion passed 5-0.

REQUEST TO SURPLUS  
TWO VEHICLES – Police  
Dept.  
(8)  
Motion/Connolly

Mayor Pro Tem Connolly made a motion to surplus two Police Department vehicles as listed and dispose of them in a manner that is in the best interest of the City:

- 2001 Ford Crown Victoria VIN 2FAFP71W41X114321
- 1997 Ford T-Bird VIN 1FALP6242VH127911

The motion passed 5-0.

COUNCIL REPORTS

ADJOURNMENT

The Mayor adjourned the meeting at 7:55 p.m. to the annual Budget Hearings to be held on Monday, June 4, 2007, at 4:00 in the City Council Chambers.

The next regular Council meeting is scheduled for Monday, June 11, 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 June 11, 2007*