

"SMALL TOWN WITH A BIG BACKYARD"



COUNCIL AGENDA PACKET

MARCH 10, 2014



CITY OF BISHOP

CITY COUNCIL MEETING AGENDA

City Council Chambers - 301 West Line Street - Bishop, California

NOTICES TO THE PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the City Clerk at 760-873-5863. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28CFR 13.102-35.104 ADA Title II)

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Members of the public desiring to speak on a matter appearing on the agenda should ask the Mayor for the opportunity to be heard when the item comes up for Council consideration. NOTE: Comments for all agenda items are limited to a speaking time of three minutes.

MONDAY, MARCH 10, 2014
7:00 P.M.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENT – NOTICE TO THE PUBLIC: This time is set aside to receive public comment on matters not calendared on the agenda. When recognized by the Mayor, please state your name and address for the record and please limit your comments to three minutes. Under California law the City Council is prohibited from generally discussing or taking action on items not included in the agenda; however, the City Council may briefly respond to comments or questions from members of the public. Therefore, the City Council will listen to all public comment but will not generally discuss the matter or take action on it.

PRESENTATIONS

(1) Presentation of Quarterly Citizen Award - Roberta Cummings

DEPARTMENT HEAD REPORTS

Updates on department activities will be given by the Department Heads

- A. Fire Chief Ray Seguire
- B. Police Chief Chris Carter
- C. Public Works Director/City Engineer Dave Grah
- D. City Administrator/Community Services Director Keith Caldwell

COUNTY OF INYO UPDATE – Second District Supervisor Jeff Griffiths.

MISS CITY OF BISHOP AND MISS TEEN CITY OF BISHOP QUARTERLY REPORTS – Kristina Roberts Pageant Program Coordinator will introduce Miss City of Bishop Chelsea Smart and Miss Teen City of Bishop Callie Kruse.

CONSENT CALENDAR – NOTICE TO THE PUBLIC: All matters under the Consent Calendar are considered routine by the City and will be acted on by one motion.

(2)

FOR INFORMATION/FILING

- | | |
|----------------|---|
| Agenda | (a) Water and Sewer Commission Agenda – March 11, 2014 |
| Minutes | (b) Planning Commission Minutes – January 28, 2014 |
| Reports | (c) Public Works Report – January 2014 |
| | (d) Public Works Report – February 2014 |
| | (e) Public Works Building Permits Report – February 2014 |
| Correspondence | (f) Letter from Los Angeles Department of Water & Power dated 2/27/14 |

PUBLIC HEARINGS / ACTION

- (3) **ENVIRONMENTAL REVIEW – GENERAL PLAN UPDATE – HOUSING ELEMENT** – A public hearing will be held to hear and consider public input on an Initial Study and Negative Declaration for the proposed City of Bishop 2014 Housing Element Update - Planning.
- (4) **GENERAL PLAN UPDATE – HOUSING ELEMENT** – Consideration of a Negative Declaration of Environmental Impact for the proposed City of Bishop 2014 Housing Element Update – Planning.
- (5) **ENVIRONMENTAL REVIEW – ZONING REGULATION AMENDMENT – C-1 ZONE PERMITTED USES** – A public hearing will be held to hear and consider public input on an Initial Study and Negative Declaration for the proposed City of Bishop Zoning Regulation amending C-1 Zone Permitted Uses – Planning.
- (6) **ZONING REGULATION AMENDMENT – C-1 ZONING PERMITTED USES** – Consideration of a Negative Declaration of Environmental Impact for the proposed City of Bishop Zoning Regulation amending C-1 Zone Permitted Uses – Planning.
- (7) **PROPOSED ORDINANCE RELATING TO PERMITTED USES IN C-1 GENERAL COMMERCIAL AND RETAIL DISTRICT, PERMITTED USES RESPECTING PEDDLERS, SOLICITORS, AND TRANSIENT VENDORS** – A public hearing will be held to hear and consider public input on the proposed ordinance relating to permitted uses in C-1 General Commercial and Retail District, permitted uses respecting peddlers, solicitors and transient vendors – Administration/Planning.
- (8) **PROPOSED ORDINANCE RELATING TO PERMITTED USES IN C-1 GENERAL COMMERCIAL AND RETAIL DISTRICT, PERMITTED USES RESPECTING PEDDLERS, SOLICITORS, AND TRANSIENT VENDORS** – Council consideration to approve the first reading/introduction of a proposed ordinance relating to permitted uses in C-1 General Commercial and Retail District, permitted uses respecting peddlers, solicitors and transient vendors – Administration/Planning.

NEW BUSINESS

- (9) **CITY ATTORNEY AGREEMENT** – Council consideration to approve an agreement with Jones & Mayer Attorneys at Law to provide legal services for the City of Bishop – Administration.
- (10) **MEMORANDUM OF UNDERSTANDING (MOU) WITH KERN COMMUNITY COLLEGE DISTRICT** – Council consideration to approve a memorandum of understanding regarding instructional services between Kern Community College District and the Bishop Police Department - Police.
- (11) **AGREEMENT WITH EASTERN SIERRA COMMUNITY SERVICES DISTRICT (ESCSO)** – Council consideration to approve a cooperation feasibility agreement with Eastern Sierra Community Services District – Public Works.

- (12) REQUEST TO ADVERTISE PINE TO PARK PATH PROJECT CONSTRUCTION CONTRACT – Council consideration to approve the advertisement of the Pine to Park Path Project construction contract – Public Works.
- (13) APPROVE ELECTRICAL WORK FOR THE POSITIVE PRESSURE WATER SYSTEM IMPROVEMENT PROJECT – Council consideration to approve Rollins Electric to do electrical work for the Positive Pressure Water System Improvement Project – Public Works.

COUNCIL AND COMMITTEE REPORTS

ADJOURNMENT

Thursday, March 20, 2014 – 9:00 a.m. – Council Budget Workshop (9) – Executive Conference Room
Thursday, March 20, 2014 – 1:30 p.m. – Special Council Meeting - Bishop Union High School Auditorium
Monday, March 24, 2014 - 4:00 p.m. Study Session/7:00 p.m. Regular Meeting–Council Chambers
Monday, April 14, 2014 - 4:00 p.m. Study Session/7:00 p.m. Regular Meeting–Council Chambers
Monday, April 28, 2014 - 4:00 p.m. Study Session/7:00 p.m. Regular Meeting–Council Chambers



CITY OF BISHOP

STUDY SESSION AGENDA

Council Chambers - 301 West Line Street - Bishop, California

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MONDAY, MARCH 10, 2014

4:00 p.m.

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT - NOTICE TO THE PUBLIC: This time is set aside to receive public comment on matters not calendared on the agenda. When recognized by the Mayor, please state your name and address for the record and please limit your comments to three minutes. Under California law the City Council is prohibited from generally discussing or taking action on items not included in the agenda; however, the City Council may briefly respond to comments or questions from members of the public. Therefore, the City Council will listen to all public comment but will not generally discuss the matter or take action on it.

SCHEDULED DISCUSSION

1. Discuss speed control on Elm Street – Scott Patterson
2. Current 7:00 p.m. agenda items
3. Future agenda items
4. Department Head Reports

DISCUSSION

1. Councilmember Laura Smith
2. Councilmember David Stottlemyre
3. Councilmember Glidewell
4. Mayor Pro Tem Pat Gardner
5. Mayor Jim Ellis

CLOSED SESSION

1. PUBLIC EMPLOYMENT – Title: City Administrator
2. REAL PROPERTY NEGOTIATIONS - Conference with Real Property Negotiator pursuant to Government Code §54956.8 (Property APN 001-123-19; 001-123-20; 001-123-21 Bishop, California) Negotiating Parties – City Administrator and Administrative Offices of the Courts (AOC) – Negotiations – Terms and conditions.

REPORT ON CLOSED SESSION AS REQUIRED BY LAW

ADJOURNMENT – To City Council meeting scheduled at 7:00 p.m. in the City Council Chambers.

AGENDA PLANNING FOR UPCOMING MEETINGS

MARCH 10, 2014
STUDY SESSION
DISCUSSION ITEM # _____

THURSDAY, MARCH 20, 2014 BUDGET WORKSHOP

9:00 AM – EXECUTIVE CONFERENCE ROOM

- Team Building
- Discuss Information Technology
- Discuss Taxes

THURSDAY, MARCH 20, 2014 SPECIAL COUNCIL MEETING

TIME: 1:30 PM – Bishop Union High School

MONDAY – MARCH 24, 2014 MEETINGS

4:00 PM

- Recycling and Waste Management Program Update presented by Senior Deputy County Administrator Pam Hennarty

7:00 PM

- Chamber of Commerce & Visitors Bureau Update - (Tawni Thomson)
- PUBLIC HEARING – Consideration of the City of Bishop 2014 Housing Element – Planning
- Adoption of the City of Bishop Final 2014 Housing Element – Planning
- PUBLIC HEARING – Environmental Review for a hostel at 130 Short Street - Planning
- Determination of Negative Declaration for a hostel at 130 Short Street – Planning
- Street Closure for Every 15 Minutes Event at Bishop Union High School – Public Works
- Proposed Ordinance – Amending C1 Zoning permitted uses – Second reading/Adoption – Planning
- General Plan Annual Progress Report 2013 – Planning
- Consideration to approve the City of Bishop’s Policy and Guidelines on the use of Electronic Communication Systems – Administration

MONDAY – APRIL 14, 2014 MEETINGS

4:00 PM

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7:00 PM

- Northern Inyo Hospital Quarterly Update – (Angie Aukee and/or Cheryl Underhill)
- Update from Inyo County District 2 Supervisor – (Jeff Griffiths)
- Public Hearing – Fees and Charges for City Services FY 2014-2015
- Consideration to approve consultant agreement for the update to the Economic Development Element – Planning
- Consideration to approve the Pine to Park Path Project construction contract – Public Works
- Consideration to approve a contract amendment for construction support by R.O. Anderson for the Pine to Park Path Project – Public Works

3/4/2014 11:42 AM

MONDAY – APRIL 28, 2014 MEETINGS

4:00 PM

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7:00 PM

- Chamber of Commerce & Visitors Bureau Update - (Tawni Thomson)
- Resolution adopting Fees and Charges for City Services FY 2014-2015

MONDAY – MAY 12, 2014 MEETINGS

4:00 PM

- Selection of Quarterly Citizen Award to be presented June 9

7:00 PM

- Update from Inyo County District 2 Supervisor – (Jeff Griffiths)
- Planning and Enforcement Quarterly Report – Planning
- Street Closure for Bishop Union High School Graduation – Public Works

TUESDAY – MAY 27, 2014 MEETINGS

4:00 PM

-

7:00 PM

- Chamber of Commerce & Visitors Bureau Update - (Tawni Thomson)

MONDAY – JUNE 9, 2014 MEETINGS

4:00 PM

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7:00 PM

- Presentation of Quarterly Citizen Award
- Update from Inyo County District 2 Supervisor – (Jeff Griffiths)
- Miss City of Bishop and Miss Teen City of Bishop Quarterly Report
- Vehicle Fuel Supply – (Ends 6/30/14)

MONDAY – JUNE 23, 2014 MEETINGS

4:00 PM

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7:00 PM

- Chamber of Commerce & Visitors Bureau Update - (Tawni Thomson)

MONDAY – JULY 14, 2014 MEETINGS

4:00 PM

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7:00 PM

- Northern Inyo Hospital Quarterly Update – (Angie Aukee and/or Cheryl Underhill)
- Update from Inyo County District 2 Supervisor – (Jeff Griffiths)

MONDAY – JULY 28, 2014 MEETINGS

4:00 PM

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7:00 PM

- Chamber of Commerce & Visitors Bureau Update - (Tawni Thomson)

MONDAY – AUGUST 11, 2014 MEETINGS

4:00 PM

- Selection of Quarterly Citizen Award to be presented September 8

7:00 PM

- Update from Inyo County District 2 Supervisor – (Jeff Griffiths)
- Planning and Enforcement Quarterly Report – Planning

MONDAY – AUGUST 25, 2014 MEETINGS

4:00 PM

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7:00 PM

- Chamber of Commerce & Visitors Bureau Update - (Tawni Thomson)
- Waste Disposal Services (Ends 9/9/14)

MONDAY – SEPTEMBER 8, 2014 MEETINGS

4:00 PM

- Discuss and set dates for Budget Hearings

7:00 PM

- Presentation of Quarterly Citizen Award
- Update from Inyo County District 2 Supervisor – (Jeff Griffiths)
- Miss City of Bishop and Miss Teen City of Bishop Quarterly Report
- Request to advertise for bids for Propane Provider (Ends 10/31/14)

MONDAY – SEPTEMBER 22, 2014 MEETINGS

4:00 PM

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7:00 PM

- Chamber of Commerce & Visitors Bureau Update - (Tawni Thomson)

3/4/2014 11:42 AM

TUESDAY – OCTOBER 14, 2014 MEETINGS

4:00 PM

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7:00 PM

- Northern Inyo Hospital Quarterly Update – (Angie Aukee and/or Cheryl Underhill)
- Update from Inyo County District 2 Supervisor – (Jeff Griffiths)
- Award bid – Propane Provider (Effective 11/1/2014)

MONDAY – OCTOBER 27, 2014 MEETINGS

4:00 PM

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7:00 PM

- Chamber of Commerce & Visitors Bureau Update - (Tawni Thomson)

MONDAY – NOVEMBER 10, 2014 MEETINGS

4:00 PM

- Selection of Quarterly Citizen Award to be presented December 8

7:00 PM

- Update from Inyo County District 2 Supervisor – (Jeff Griffiths)
- Planning and Enforcement Quarterly Report – Planning
- Adoption of Preliminary 2015-2016 Budget - Finance
- State of the City 2013-2014 – Administration (K.Caldwell)
- Reorganization – Selection of Mayor and Mayor Pro Tem – FOLLOWING 2014 ELECTION
- Review of Mayoral Committee Appointments – FOLLOWING 2014 ELECTION

MONDAY – NOVEMBER 24, 2014 MEETINGS

4:00 PM

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7:00 PM

- Chamber of Commerce & Visitors Bureau Update - (Tawni Thomson)

MONDAY – DECEMBER 8, 2014 MEETINGS

4:00 PM

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7:00 PM

- Presentation of Quarterly Citizen Award
- Update from Inyo County District 2 Supervisor – (Jeff Griffiths)
- Miss City of Bishop and Miss Teen City of Bishop Quarterly Report
- Resolution declaring the results of the November 4, 2014 election for 2 Council Members and City Treasurer
- Certificates of Election / Oath of Office
- Reorganization – Selection of Mayor and Mayor Pro Tem

3/4/2014 11:42 AM

MONDAY – DECEMBER 22, 2014 MEETINGS

TYPICALLY CANCELLED

4:00 PM

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7:00 PM

- Chamber of Commerce & Visitors Bureau Update - (Tawni Thomson)

MONDAY – JANUARY 12, 2015 MEETINGS

4:00 PM

-

7:00 PM

- Update from Inyo County District 2 Supervisor – (Jeff Griffiths)
- Miss City of Bishop and Miss Teen City of Bishop Quarterly Report
- Northern Inyo Hospital Quarterly Update – (Angie Aukee and/or Cheryl Underhill)

MONDAY – JANUARY 26, 2015 MEETINGS

4:00 PM

-

7:00 PM

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TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KSC*

SUBJECT: QUARTERLY COUNCIL CITIZEN AWARD

DATE: MARCH 10, 2014

BACKGROUND/SUMMARY

As determined by Council, a citizen award will be presented quarterly to a deserving person or persons who have contributed to the Bishop community in various ways. Council selected Roberta Cummings as this quarter's award recipient.

RECOMMENDATION:

Make the presentation to Roberta Cummings.

Quarterly Citizen Award - March 10, 2014

We enjoy living in a smaller community in part because we are known to one another. If we face hardships or celebrate success we are not alone. Those who participate in our lives are our neighbors, friends, co-workers, the person you see when you go to buy groceries, drop your children at school, or go to the doctor or church. For the most part in a small town it is not an organization that provides the help or the cheers, but individuals.

The person we honor this quarter has given her time and her talents to the citizens of Bishop, and its greater surrounding area in many ways. By training, she is a Registered Nurse and she spent seven years volunteering with Hospice of the Owens Valley. Last quarter we learned what a great gift this is to those whose lives are ending and to their families to be supported by Hospice.

In times when the economy is weak, many go hungry and have limited resources for personal care. Our honoree gives of her time through the United Methodist Social Services as secretary and board member. In addition, she coordinates the Soup Kitchen supervisors as well as acting as supervisor 3-4 days a month with menu planning, shopping, cooking, serving, and cleaning up. The shower ministry provides three hot showers per week and our honoree ensures that the patrons have soap, shampoo, and a clean towel available.

When there are special activities in the community, such as volunteer groups working at the community garden or repairing and painting homes, our honoree is in the kitchen feeding them or supervising their outreach into our community at the soup kitchen.

She is sometimes called the Energizer Bunny because she just never stops. She and her husband, Peter, enjoy the beauty of our "backyard" through hiking, camping, and cross-country skiing. I personally like the quote from a friend, "she is the most caring...caring person I know."

It is my honor to present to you all, Roberta Cummings.



CITY OF BISHOP

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WATER AND SEWER COMMISSION AGENDA

City Council Chambers – 301 West Line Street
Bishop, California 93514

Date: 11 March 2014
7:00 P.M.

Notice to the Public:

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- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Public Comment:**
This time is set aside to receive public comment on matters not calendared on the agenda.
- 5. Approval of Minutes:**
Minutes of the Water and Sewer Commission meetings held on 14 January 2014 subject for approval.
- 6. Correspondence**
- 7. Efficient Irrigation Presentation**
- 8. Elections**
- 9. Rate Study**
- 10. Meter Readings**
- 11. Cash balance and revenue and expenditures update**
- 12. Public Works reports January and February**
- 13. Staff and Commission Reports**
- 14. Adjournment:**
The next regularly scheduled meeting will be 13 May 2014 at 7:00 P.M. in the City Council Chambers, 301 West Line Street, Bishop.

City of Bishop
PLANNING COMMISSION MINUTES
City Council Chambers – 301 West Line Street
Bishop, California 93514

January 28, 2014

CALL TO ORDER:

Chairman Malloy called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairman Malloy.

COMMISSIONERS PRESENT:

Huntley, Lowthorp, Heckman, Garcia, Bhakta, Distel and Malloy

COMMISSIONERS ABSENT:

None

OTHERS PRESENT:

Gary Schley, Public Services Officer
Keith Caldwell, City Administrator / Planning Director
Peter Tracy, City Attorney
Michele Thomas, Secretary
Deston Dishion, Public Works Superintendent

PUBLIC COMMENT

Chairman Malloy asked if anyone wished to speak on a subject not calendared on the agenda.

No public comment.

(1) APPROVAL OF MINUTES

MOTION

Commissioner Garcia moved to approve the minutes of the September 24, 2013 meeting as written.

Ayes: Huntley, Lowthorp, Garcia, Heckman, Distel and Malloy
Abstain: Bhakta

MOTION CARRIED 6-0

PUBLIC HEARING

Take Citizen input on the Draft 2014 – 2019 Housing Element

The public hearing was open at 7:02

No public comment

The public hearing was closed at 7:03

NEW BUSINESS

(2) Presentation of the Draft 2014 – 2019 Housing Element for review and comment.

Staff recently completed the Draft 2014 – 2019 Housing Element and submitted it to the State of California Housing and Community Department (HCD) for their review and comment. After revisions from state comments, the city has received the tentative approval of the housing element as written. It will be approved after City Council adopts the document. Schley explained that this evening, staff is presenting the draft document to the commission for review and comment. Schley asked the commission to carefully review pages 55-58 which he pointed out as essential pages he would like the commission to read. These pages include the goals and action plan for the next five years. Schley asked the commission to submit any comments prior to the February commission meeting so they can be addressed and the revised document will then be presented at the February Planning Commission meeting.

Lowthorp asked if there were a lot of corrections made from the state's review. The 2009 Housing Element had many corrections. The 2014 Housing Element was written using a HCD format and tables and not many corrections were necessary this time.

Bhakta asked if the proposed IMACA housing unit on MacIver were to be built, if it would count for our needed housing numbers. Schley answered yes and said that the housing unit proposed on MacIver is for 70 units. Schley added that our state required housing needs went down approximately 40-45%.

Huntley asked about the wording regarding continuing to negotiate with City of Los Angeles. Schley explained that the state requires us to have that certain wording and to encourage the possibility of purchasing land from City of Los Angeles.

Distel asked if the state housing department gives any lead way due to the lack of land available in our area. Distel also commented that the last house built in the city limits was in 2005. Schley said that there are currently two new homes being built. Schley added that during the 11 years he has been working for the city, there had only been two other homes built. There has also been a 12 unit apartment building, Willow Plaza Apartments, constructed in past years. Caldwell addressed the question about lead way stating that unfortunately the state doesn't look at Bishop any different than other cities for the inability to buy land available or not. The Silver Peaks and Valley Apartments Projects are huge for the city and would probably meet most of the housing needs for this housing element. Distel then asked if the Salvation Army building will include a homeless shelter. Schley stated that there will be a chapel, store, and kitchen with no homeless shelter.

Staff closed the item with clarifying how the city is able to purchase and sell property.

(3) Parking on the Warren Street Improvements Project.

Dishion presented the Warren Street project and pointed out design options for Academy Avenue and Church Street parking lots. It is proposed to improve the parking configuration and sidewalks width and ADA compliance on Academy Avenue and Church Street as part of the project. It is proposed to achieve this by widening both streets on their south sides. The new parking configuration on the streets would provide a minimum 10.74 foot wide aisle, between 9 foot by 20 foot spaces, on either side of the streets. Dishion added that staff has spoken to the Parks and Recreation Commission and they support the proposed design for Academy Avenue and the area at Talmage Park.

Schley pointed out that the parking stalls on the plans are 9' x 20'. Typically, most jurisdictions use an 18' stall. The city's standard is 9'x 20'. Currently on Academy Avenue, there is a wide aisle that would only be obstructed if a large truck is parked.

Distel asked what the requirement for handicap spaces will be. Schley stated that a private lot with between 25-50 parking spaces requires 2 handicap spots.

Bhakta asked if there would be a designated bike lane along Warren Street. Dishion stated that there is a desire for a bike lane, but the desire for parking in the downtown core was greater. Parking would most likely be lost if there was a bike lane. Dishion added that the street will have more 4-way stop signs to help slow down the traffic and to make it more inviting to bicyclist. There will be bike racks along the street.

Huntley asked if the Focus Group has had discussion over sized parking spaces. Dishion said that in the parking lot behind City Hall, there are signs posted for over sized vehicles such as RVs, buses, and boats. Dishion added that at the Park there are signs for over sized vehicles as well and the city encourages drivers to use the Park parking lot for this reason. Heckman brought up the parking lot on Sierra Street behind Starbucks as well.

Bhakta asked if the parking will be time restricted or general use. Dishion said that it will most likely be as the parking is currently. Businesses could then bring any issues to council for consideration.

Dishion concluded by asking the commission if they could get back to the Public Works department with any suggestions or comments. Receiving these in the next few weeks would be appreciated.

STAFF AND COMMISSION REPORTS:

Schley reiterated that staff will bring the Housing Element back to next month's meeting for the commission's recommendation of approval.

Schley said that he recently received a Conditional Use Permit application for a hostel project at 130 Short Street. The proponent will be asking to set aside parking requirements. It may be presented at the March commission meeting. Schley continued to say that the city has numerous projects going on. Mountain Rambler Brewery is under

construction; Imperial Gourmet is moving along with their project adding a banquet room, enlarging the bathrooms and kitchen. There has been no new news regarding Cottonwood Plaza. Heckman asked about the old Sizzler building. Schley said that there are tenant improvements going on. The lessee of the building, Aaron Schat, is in the process of moving his current business, Raymond's Deli, to this location and change the name as well.

Caldwell added to the Warren Street project talk and said that the state is interested in locating the new court house onto city property. The proposed property is the parking lot located adjacent to Warren Street. The state will be in town February 24 and 25 to hold two public hearings. The property in question is approximately one acre in size. The project could encompass about 80 current parking spaces. Staff and council are looking for feedback from the commission and the public. Caldwell went on to say that there are advantages and disadvantages pertaining to the project. One disadvantage is the loss of public parking spaces. Advantages include the economic opportunities of having all the court employees and court attendees in the downtown core where they could patronize local businesses in the area. If council chooses to look at it this way, there could also be amenities opposed to actual direct dollars to the city. For example, a two-story parking lot, outdoor restrooms, or something that could enhance the area. Caldwell said that he will keep the commission abreast with updates. Caldwell then said that if this area does not work out, the state is also looking at property on MacIver Street. Lowthorp commented that his wife, who is a local realtor, has been working with the state for the past few years in building a new court house. He said that the state does not provide parking. Caldwell said that staff noticed the lack of parking in the state's parking study. Caldwell ended that the city wants the sell of the property to benefit the citizens and not make it only a money proposition. Staff encourages the commission to provide feedback on this topic.

Caldwell gave a quick update on the CDBG Grant. Caldwell said that he and Schley have a phone conversation scheduled with a potential developer for Valley Apartments. The developer is also trying to team up and construct Silver Peaks Apartments at the same time. The developer has interesting ideas. Primarily they would both be low-income based apartment buildings, but to also mix in middle class families to open up more opportunities. Either way would help our housing element and could also help our community. The biggest issue with the grant is the timeline. The Valley Apartments must be completed within 3 years from September 30, 2013. Schley added that with the construction of Valley Apartments, the current residents will need to be relocated during the construction time. The developers are looking at constructing Silver Peaks Apartments first to relocate the tenants while Valley Apartments is built.

Caldwell thanked Schley for all his time and hard work with the Housing Element.

Caldwell welcomed newly elected Commissioner Distel to the group and welcomed back re-elected Commissioner Malloy.

Caldwell confirmed the rumor pertaining to his retirement at the end of September to move back to Georgia and take care of his parents. Caldwell added that he will be very supportive of Schley moving into the position of Planning Director and will be discussing this idea with the council.

ADJOURNMENT:

Chairman Malloy adjourned the meeting at 8:08 P.M. The next scheduled meeting will be February 25, 2014 at 7:00 P.M. in the City Council Chambers.


Chairman Malloy


Michele Thomas, Secretary



CITY OF BISHOP

2c

377 West Line Street - Bishop, California 93514
Post Office Box 1236 - Bishop, California 93515
760-873-8458 publicworks@ca-bishop.us
www.ca-bishop.us

Public Works Report

January 2014

Water

1. Resource Development Company (RDC) completed work on the Positive Pressure Improvement Project.
2. New tank (Control Tank) was brought into service.
3. City forces removed and or modified vents on the water main between Well 4 and the 1 million gallon storage tank that were no longer needed after the Positive Pressure Water Improvements Project.
4. Replaced 10 inch check valve at Well 4. Old check valve had never had back pressure on it and after the Positive Pressure project it does. It was found that the old valve was allowing water from the new tank to leak by it.
5. Replaced failed curb stop valves at 808 Home Street and 689 Yaney Street.
6. Replaced ¾" galvanized water service at 787 West Pine Street.
7. Repaired fire hydrant on Spruce Street. Repair was needed due to hit and run accident.
8. Inspected all city fire hydrants and made repairs as needed.
9. Performed grounds maintenance at Wells 2 and 4 as well as the tank site.
10. Took monthly readings of all water meters.
11. Took routine bacteria samples.
12. Held Water and Sewer Commission meeting.

Sewer

1. Made repairs to the flame arrestor on the methane gas waste line at the Waste Water Treatment Plant.
2. Graded the bottom of Pond 6 to enhance drainage and graded road around ponds.
3. Burned limbs and debris that have been collected during the year.
4. Videoed various main lines to locate customer laterals that were missing from the Geographic Information System (GIS).

5. Continued with the Collaboration effort with Eastern Sierra Community Services District.
6. Continued sampling of ponds and monitoring wells for dissolved oxygen, PH, ammonia and nitrates. This effort is to correspond with work the Eastern Sierra Community Service District is presently doing.
7. Cleaned grit drying beds.
8. Attended City of Bishop / Eastern Sierra Community Services District liaison meeting.
9. Made routine inspections of grease interceptors.
10. Performed routine main line cleaning in trouble areas.
11. Continued work with R O Anderson on Trunk Replacement project.
12. Met with Inyo County regarding potential help with the sewer system in Aspendell.

Streets

1. Marzano and Sons completed construction of the Wye Road Intersection Improvements Project, with the exception of the cold mix patch over the storm drain.
2. Patched potholes in City streets that posed potential safety issues.
3. Repaired and or replaced damaged street signs.
4. Participated in Inyo Local Transportation Commission meeting.
5. Added shoulder backing to streets without curb and gutter.
6. Met with Nolte staff regarding Record of Survey for the Sneden Street Improvements project.
7. Met with Caltrans and Inyo County staff regarding proposed signal at See Vee Lane and North Sierra Highway.
8. Presented the Warren Street Improvements project, particularly proposed improvements near Talmage Park to Parks staff.
9. Held Warren Street Improvements project Focus Group meeting.
10. Participated in Eastern Sierra Adventure Trails meetings.
11. Began work on the permits to add more sidewalk flags on state and city maintained streets.
12. Investigated the cost of adding speed limits signs on West Elm Street near the Elm Street school.

Miscellaneous

1. Performed maintenance and serviced Public Works vehicles.

2. Provided weekly tail gate safety for the Public Works crew.
3. Hauled trash and debris from Fowler Pit to the Sunland Landfill.
4. Participated in demonstration of meeting efficiency software.
5. Continued discussions with the Eastern Sierra Energy Foundation regarding an Energy Action Plan for the City of Bishop.
6. Participated in discussion and information gathering regarding the proposed new court facility in Bishop.



CITY OF BISHOP

377 West Line Street - Bishop, California 93514
Post Office Box 1236 - Bishop, California 93515
760-873-8458 publicworks@ca-bishop.us
www.ca-bishop.us

2d

Public Works Report

February 2014

Water

1. Purchased and installed a LMI metering pump for sodium hypochlorite injection at Well 4.
2. Installed curb stop valve box at 787 West Pine Street.
3. Tested Wells 2 and 4 for Nitrates and Well 1 for Fluoride. Nitrates results were non detectable and Well 1 Fluoride results were 2.4 mg/l.
4. In coordination with Southern California Edison work at Well 4, Public Works exercised backup generator at the well site to provide power.
5. Widened access road into Well 4.
6. Inspected all city fire hydrants and made repairs as needed.
7. Performed grounds maintenance at Wells 2 and 4 as well as the tank site.
8. Took monthly readings of all water meters.
9. Took routine bacteria samples.

Sewer

1. Removed and replaced fresh water recirculation pump on the boiler.
2. Switched flow into south grit chamber in anticipation of installation of Grit Removal Equipment.
3. Switched flows into the south clarifier and performed maintenance on valves and equipment in north clarifier. This is done annually.
4. Pulled sludge from secondary clarifier.
5. Continued with the Collaboration effort with Eastern Sierra Community Services District.
6. Continued sampling of ponds and monitoring wells for dissolved oxygen, PH, ammonia and nitrates. This effort is to correspond with work the Eastern Sierra Community Service District is presently doing.
7. Cleaned grit drying beds.

8. Attended City of Bishop / Eastern Sierra Community Services District liaison meeting.
9. Made routine inspections of grease interceptors.
10. Performed routine main line cleaning in trouble areas.
11. Began discussions with lessee of Sewer Ponds Pasture about potential ways to improve irrigation to minimize impacts to groundwater.

Streets

1. Cleaned storm drain drop inlets and interceptors in anticipation of large, wet storm.
2. Patched potholes in City streets that posed potential safety issues.
3. Repaired and or replaced damaged street signs.
4. Participated in Inyo Local Transportation Commission meeting.
5. Continued work on plans and specifications for the Pine to Park Path and the Warren Street Improvements project.
6. Participated in Adventure Trails meetings.
7. Participated in kickoff of 2014 pavement condition survey.
8. Held Warren Street Improvements project Focus Group meeting.
9. Worked with Auto Club of Southern California regarding easement for parking improvements next to their facility on Pine Street as part of the Warren Street Improvements project.
10. Met with Clint Quilter, Inyo County Director of Public Works, concerning the development of a street storm water management plan for the City of Bishop.
11. Participated in Inyo Local Transportation Commission meeting.
12. Issued Encroachment Permit to replace Food Vendor Permit for Mad Dogs of Bishop.
13. Responded to report of carpet cleaning waste being dumped in storm drain on Mac Iver Street.

Miscellaneous

1. Replaced failed radiator in the Street Sweeper.
2. Performed maintenance and serviced Public Works vehicles.
3. Provided weekly tail gate safety for the Public Works crew.
4. Hauled trash and debris from Fowler Pit to the Sunland Landfill.

5. Discussed update of the Master Plan for the City Park with Community Services staff and with R O Anderson.
6. Participated in recycling webinar.
7. Responded to enquiries regarding recycling.
8. Toured solar power installation at Mammoth community Water District.
9. Continued participation in demonstration of meeting efficiency software.
10. Supported effort to establish process to promote and select art for display in public areas of the city such as planned pocket parks on Warren Street.



CITY OF BISHOP

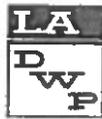
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www.ca-bishop.us/CityofBishopPublicWorks.htm

2e

Department of Public Works Building Permits Issued 2/2014

Date	Owner/Location/Contractor	Short Description	Value	SMIP	Rev Fund
Commercial					
2/20/2014	Northern Inyo Hospital 157 Pioneer Lane Optima Network Services, Inc.	Microwave dish on tower	\$5,000.00		
2/18/2014	Erick R. Schat 757 North Main Street	partion wall	\$2,000.00	\$0.50	\$1.00
2/5/2014	Rohit Bhakta 192 Short Street Sexton Construction	Bedroom Addition	\$76,000.00	\$15.96	\$4.00
2/5/2014	Tim Fillmore 568A West Line Street	temporary storage container	\$0.00		
		Commercial Totals	\$83,000.00	\$16.46	\$5.00
Residential					
2/27/2014	Dan Casabian 685 Home Street Eldridge Electric & Son, Inc.	electrical service	\$4,000.00		
2/18/2014	Jan Clover 768 W. Pine St Morales Rooter	replace sewer	\$4,000.00		
2/18/2014	Frances Hunt 751 West Pine Street Bishop Heating & Air Cond. In	HVAC	\$11,515.00		
2/5/2014	Kevin Allred 693 Grove Street Bishop Nursery	sprinkler system	\$8,300.00		
2/6/2014	Gene & Jackie Billingsley 331 South Warren Street Greenworksus	new walkin tub	\$5,000.00		

Date	Owner/Location/Contractor	Short Description	Value	SMIP	Rev Fund
2/3/2014	Hannah Murray 486 West Elm Street Glenn Mort Electric	sub panel and meter	\$2,000.00		
Residential Totals			\$34,815.00		



ERIC GARCETTI
Mayor

Commission
MEL LEVINE, *President*
WILLIAM W. FUNDERBURK JR., *Vice President*
JILL BANKS BARAD
MICHAEL F. FLEMING
CHRISTINA E. NOONAN
BARBARA E. MOSCHOS, *Secretary*

RECEIVED

FEB 28 2014

CITY OF BISHOP

February 27, 2014

Mr. Keith Caldwell, City Administrator
City of Bishop
P.O. Box 1239
Bishop CA, 93515-1236

Dear Mr. Caldwell:

Subject: South Lake and Lake Sabrina Levels

In response to your letter of February 10, 2014, regarding the levels of South Lake and Lake Sabrina, without a doubt the single biggest and primary cause of low lake levels is the three successive extremely dry years the Eastern Sierra is currently experiencing. It is a matter of public record that 2013 was the driest year on record for the State of California, and 2014 is not looking any better, with Eastern Sierra precipitation levels at about 30 percent of normal. Even if we receive normal precipitation from today until April 1, which is considered the beginning of the 2014 runoff year, the Eastern Sierra will experience below normal runoff during the 2014 spring and summer.

As you may be aware, the levels of South Lake and Lake Sabrina are not managed by the Los Angeles Department of Water and Power (LADWP); Southern California Edison (SCE) stores water in the two lakes and controls their operation. The 1922 court-ordered Chandler Decree prescribes flow requirements for Bishop Creek that must be adhered to by SCE and which can have an impact on the lake levels, particularly in extremely low snowpack runoff years such as the Eastern Sierra has experienced the past two years and during the current very dry year. The Chandler Decree does not provide authority to LADWP to modify the provisions of the court order.

While LADWP has allowed SCE to store a portion of the City of Los Angeles' (City) water rights in South Lake and Lake Sabrina in the past, this does not modify the provisions of the Chandler Decree. LADWP had previously allowed SCE to hold back some of the City's water rights in South Lake and/or Lake Sabrina when sufficient water was available in excess of that needed to meet the flow requirements mandated by the Chandler Decree, along with LADWP's Owens Valley obligations and operating needs. These obligations include stock and irrigation water for 18 ranch leases, numerous use

Los Angeles Aqueduct Centennial Celebrating 100 Years of Water 1913-2013

111 N. Hope Street, Los Angeles, California 90012-2607 Mailing address: Box 51111, Los Angeles, CA 90051-5700
Telephone: (213) 367-4211 www.LADWP.com

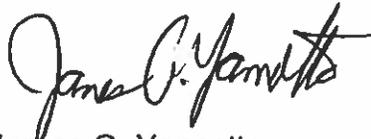
Mr. Keith Caldwell
Page 2
February 27, 2014

permits, and the Bishop Paiute Tribe, all of which are all fed from Bishop Creek. In addition, sufficient flows are needed in Bishop Creek for fish habitat. Also, obligations must be met to provide water for dust mitigation on Owens Lake, the Lower Owens River Project, and water supply for the City. During the 2013 runoff year, there simply was not enough water available to allow SCE to meet the provisions of the Chandler Decree and hold back the City's water rights.

SCE and LADWP are currently working together to identify things that could be done in the future to address concerns associated with low flows in Bishop Creek. If SCE wishes to pursue modifying the Chandler Decree, this would require going through the courts. LADWP is willing to enter into a dialogue on this issue as long as LADWP is still able to meet our Owens Valley obligations and provide water supply for Los Angeles.

LADWP understands the importance of South Lake and Lake Sabrina in providing valuable recreational opportunities for thousands of Eastern Sierra visitors and to the local economy. Unfortunately, the impact of successive years of significantly below normal precipitation, for which no one has control, has adversely affected what water is available to both the Owens Valley and Los Angeles.

Sincerely,

A handwritten signature in black ink, appearing to read "James G. Yannotta". The signature is fluid and cursive, with the first name being the most prominent.

James G. Yannotta
Manager of Aqueduct
Los Angeles Department of Water and Power

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KSC*

SUBJECT: PUBLIC HEARING –
ENVIRONMENTAL REVIEW – HOUSING ELEMENT UPDATE

DATE: MARCH 10, 2014

ATTACHMENTS:

- PUBLIC HEARING NOTICE

BACKGROUND/SUMMARY

A public hearing will be held to hear and accept public input on the Initial Study and Negative Declaration for the proposed City of Bishop 2014 Housing Element General Plan Update.

Action on the Negative Declaration is scheduled under Item #4.

RECOMMENDATION

Hold the public hearing.

NOTICE OF PREPARATION
AND
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that in keeping with CEQA an Initial Study has been completed and a Negative Declaration has been prepared for the City of Bishop Draft 2014 Housing Element General Plan Update.

The Initial Study may be inspected on the City's web site at www.ca-bishop.us or in the Public Works Department at 377 West Line Street, Bishop, and will be considered by the City Council of the City of Bishop on Monday, March 10, 2014 at 7:00 P.M. in the Bishop City Council Chambers, 301 West Line Street, Bishop, California.

The City of Bishop will hold a Public Hearing on March 10, 2014 at 7:00 P.M. to hear and consider citizen input on the above mentioned project.

ANY persons wishing to comment are invited to attend, or send comments to the City Council, P.O. Box 1236, Bishop, to be received on or before the end of the review period, which will be March 3, 2014.

If you challenge the findings, determination or decision made on the Initial Study in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

IR: 1/30/2014(Publish one time)

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KSC*

SUBJECT: GENERAL PLAN UPDATE - HOUSING ELEMENT

DATE: MARCH 10, 2014

ATTACHMENTS:

- STAFF MEMO
- DRAFT 2014 HOUSING ELEMENT UPDATE
- ENVIRONMENTAL INITIAL STUDY AND DRAFT NEGATIVE DECLARATION

BACKGROUND/SUMMARY

Public Services Officer Gary Schley has provided a summary and overview of the 2014 Housing Element Update and its Initial Study and draft Negative Declaration of Environmental Impact.

A public hearing has been placed on the agenda for the environmental assessment relating to the City of Bishop 2014 Housing Element Update. A draft Negative Declaration has been prepared for Council review and consideration. The draft Housing Element Update is also included in the packet.

The environmental assessment relates to the required update of the Housing Element for the City of Bishop's General Plan. The draft Housing Element is a document which includes an assessment of housing needs, an inventory of resources and constraints, a statement of goals, policies and objectives, and a five-year housing action plan.

The review tonight is the environmental documentation. The draft Housing Element itself will be brought to the Council at the March 24th meeting for action on the document.

RECOMMENDATION

Following the public hearing, review the environmental assessment and request for a Negative Declaration of Environmental Impact and if approved, make a finding that there are no significant cumulative impacts, or substantial adverse impacts on human beings, or substantial adverse impacts on fish or wildlife or sensitive species or cultural resources.

Memorandum

March 4, 2014

To: Keith Caldwell, City Administrator

From: Gary Schley, Public Services Officer



Subject: 2014 Housing Element Update / Negative Declaration of Environmental Impact

Project Title: City of Bishop 2014 Housing Element Update

Project Proponent: City of Bishop
P.O. Box 1236
Bishop, CA 93515

Background: An Environmental Initial Study was completed for the proposed project and the Initial Study Draft Negative Declaration were submitted to the State Clearinghouse, select state agencies, city officials and the public for review and comment. At the close of the public review, we received no responses or comments regarding the 2014 Housing Element Update Initial Study / Negative Declaration of Environmental Impact. The Initial Study is an information document about environmental effects associated with approval and implementation of the 2014 Housing Element. Housing Elements updates are required by the State every five years.

The entire record of information provided in this Initial Study indicates that there would be no significant cumulative impacts, or substantial adverse impacts on human beings, or substantial adverse impacts on fish or wildlife or sensitive species or cultural resources.

Recommendation: Review the Initial Study and Draft Negative Declaration for the request of a Negative Declaration of Environmental Impact.

Attachments: Initial Study and Draft Negative Declaration

A DRAFT NEGATIVE DECLARATION



CITY OF BISHOP DRAFT 2014 HOUSING ELEMENT UPDATE

LEAD AGENCY:
City of Bishop
377 West Line Street
Bishop, CA 93514

In accordance with the California Environmental Quality Act the City of Bishop has conducted an Initial Study to determine whether the draft 2014 Housing Element may have a significant adverse effect on the environment and on the basis of that study hereby finds:

- ◆ The proposed project could not have a significant effect on the environment, and a Negative Declaration will be prepared.

Project:

Title: *City of Bishop 2014 Housing Element Update*
Description: *This 2014 Housing Element Update identifies programs, policies and actions that the City of Bishop can implement to achieve the goals and policies established in the General Plan and the regional housing allocation needs identified by the California Department of Housing and Community Development (HCD).*
Proponent: *The City of Bishop*
Address: *Post Office Box 1236, 377 West Line Street, Bishop, CA 93515*
Contact: *Gary Schley, Public Services Officer, 760-873-8458*

Notice:

This document is provided for review by the general public. This is an information document about environmental effects associated with approval and implementation of the 2014 Housing Element Update. The decision-making body will review this document before considering the project. If you have comments on the adequacy of this document or the finding that this project will not have a significant adverse impact on the environment, please send your comments by mail or email to:

City of Bishop
P.O. Box 1236
Bishop, CA 93515
publicworks@ca-bishop.us
Contact: Gary Schley (760) 873-8458

Comments will be received for a 30-day period, through March 3, 2014, and public input will be encouraged throughout the public hearing process as well. Final action on this environmental determination will occur after the public hearing process, in conjunction with adoption of the proposed Housing Element.

Project Description

The proposed project is a comprehensive update of the Housing Element of the General Plan for the City of Bishop. The update includes revisions to the prior Housing Element Update, prepared in 2009, in accordance with California law. Article 10.6 of the Government Code, enacted in 1981 and commonly referred to as the Roos Bill, describes the content requirements of local housing elements. The legislation requires local housing elements to include an assessment of housing needs, an inventory of resources and constraints, a statement of goals, policies and objectives and a five year housing program.

The current 2014 Housing Element Update contains no significant changes to the prior 2009 Housing Element. The update focuses on ways in which the City can continue to support goals that were set forth in 2009. Then, as now, the majority of vacant land in the City of Bishop planning area is controlled by the City of Los Angeles Department of Water and Power. Reflecting a priority on water conservation, Los Angeles DWP has adopted very restrictive growth policies that sharply limit the potential for new development in Bishop. However, the City has an ongoing, productive relationship with Los Angeles DWP that has facilitated the achievement of key goals and objectives, including the need for housing that responds to a broad spectrum of income levels. Cooperation between the City of Bishop and the City of Los Angeles will continue to be very important to the success of the City's Housing Element.

Project Location

The City of Bishop is a scenic community located on the eastern slopes of the Sierra Nevada mountains in the northernmost part of Inyo County. The City is situated at the junction of U. S. 6 and U. S. 395, which is a major source of tourist and recreation traffic for Bishop. Bishop is the only incorporated City in Inyo County, and is located approximately 275 miles north of San Bernardino and 35 miles southeast of the Town of Mammoth Lakes.

Planning context:

The Housing Element is one of seven required elements that are included in the City of Bishop General Plan. Residential land uses identified in the Land Use Element provide the primary basis for identification of adequate residential sites in the Housing Element.

The purpose of the Housing Element is to assess local housing problems and to identify measures necessary to mitigate and alleviate these needs and problems for all economic segments of the community. Additionally, the Housing Element sets forth the City's plan to accommodate the regional housing needs identified by the California Housing and Community Development Department (HCD). To this end, the Housing Element Update provides information according to four principal topics:

- ◆ Progress under Previous Housing Elements
- ◆ Housing Needs Assessment
- ◆ Inventory of Resources and Constraints
- ◆ Goals, Policies and Actions

Housing Element were mandated by legislation enacted in 1967. In 1977, "Housing Element Guidelines" were published by the Department of Housing and Community Development. The Guidelines outline the content requirements of housing elements, and give HCD authority for review and comment on local housing elements. The legislation also requires an update of the housing element every five years. The 2009 Housing Element Update complies with Article 10.6 of the Government Code. After adoption of this update by the Bishop City Council, a revised element will be prepared in five years. As with each 5-year update, the next Bishop Housing Element will address the progress made on achieving the goals and objectives stated in the previous Housing Element. The current housing Element update has been widely published in Bishop to notify concerned and interested agencies and citizens about the process and invite comment and participation..

Related Studies and Documents:

The current Housing Element Update is based upon the land use plans and policies set forth in the City of Bishop General Plan Land Use Element prepared in 1992, and more specifically on the housing goals and objectives expressed in the 2009 City of Bishop Housing Element. The update also draws upon information provided in the draft Regional Housing Need Assessment prepared by HCD for the period from January 1, 2013 through June 30, 2019. There are no other studies, projects or documents that are directly related to the 2014 Housing Element Update or to this Initial Study and proposed Negative Declaration.

ENVIRONMENTAL INITIAL STUDY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?			◆	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			◆	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			◆	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				◆

DISCUSSION OF AESTHETICS: The 2014 Housing Element update contains recommendations for development of new housing, replacement and rehabilitation of existing units. It also recommends a wide range of policies and programs that would support long term development of additional housing resources. Although the project does not involve a specific proposal and is a policy level document, housing improvements or rehabilitation present a potential new source of light, changes to historical resources and landscape. The nature and extent of these changes will depend largely on specific details associated with each project as developed, and on the City's success in achieving the goals identified in the Update. Impacts associated with individual projects will be evaluated at the time that proposals are reviewed by the City. At a policy level, however, the potential impact of the Housing Element Update on the environmental resources will be less than significant.

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				◆
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				◆
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				◆

DISCUSSION OF AGRICULTURAL RESOURCES: Although agricultural activities are found throughout the Owens Valley, including areas adjacent to Bishop, The City's General Plan does not incorporate agriculture into the adopted Land Use Plan. Implementation of the Housing Element would therefore not have the potential to impact existing farming activities, nor would it conflict with City policy concerning conservation of agricultural lands.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- d) Expose sensitive receptors to substantial pollutant concentrations?
- e) Create objectionable odors affecting a substantial number of people?



DISCUSSION OF AIR QUALITY: Air quality in the City of Bishop is generally good due to the absence of significant pollutant sources in or near the planning area. Actions contained in the Housing Element would not significantly change the level of air quality. Some actions would have the potential to increase emissions: these potential effects will be evaluated at the time that project proposals are considered by the City. At a policy level, the impact of the Housing Element implementation on air quality will be less than significant.

IV. BIOLOGICAL RESOURCES -- Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?



Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?



e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?



f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?



DISCUSSION OF BIOLOGICAL RESOURCES: As a planning document, the Housing Element would not in itself result in impacts to biological resources. However, there is the potential that future development projects and actions associated with the proposed Housing Element may result in significant impacts to biological resources. Implementation of the actions outlined in the Housing Element will require subsequent discretionary approvals and environmental review pursuant to CEQA, at which time project-specific impacts related to biological resources can be more specifically defined and site-specific mitigation measures can be identified to reduce those impacts. Because the project is a policy level document and future discretionary projects would be reviewed on a project-specific basis consistent with CEQA and the City's General Plan, the 2014 Housing Element update would not have a significant environmental impact to biological resources.

V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?



b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?



c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?



d) Disturb any human remains, including those interred outside of formal cemeteries?



DISCUSSION OF CULTURAL RESOURCES: The City of Bishop has a long and rich cultural heritage. The Conservation/Open Space Element of the General Plan indicates that human occupation in the region is thought to date back to 1000 AD, and the Bishop area was one of the principal Paiute settlements due to the overall productivity of local water and soil resources. As a result of this history, the entire planning area is considered to be sensitive for archaeological, paleontological and historic resources. The prevalence of sensitive cultural resources indicates that any land development, including that needed to achieve Housing Element goals, has the potential for significant adverse effects. The General Plan contains site specific guidelines for preservation and recordation of cultural resources in tandem with the processing and review of all development proposals submitted to the City. Given these existing planning requirements, the impact on cultural resources of adopting this update is considered to be less than significant.

VI. GEOLOGY AND SOILS -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			◆	
ii) Strong seismic ground shaking?			◆	
iii) Seismic-related ground failure, including liquefaction?				◆
v) Landslides?				◆
b) Result in substantial soil erosion or the loss of topsoil?				◆
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			◆	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			◆	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				◆

DISCUSSION OF GEOLOGY AND SOILS: The City of Bishop is located at the north end of the Owens Valley between the Sierra Nevada and White Mountains. The valley is a seismically active region of eastern California. There are no fault lines identified within the City limits and the City is not within an Alquist-Priolo designated zone, so the risk of seismically induced ground rupture is low. The Bishop area topography is generally flat and sloping to the east. Because the proposed Housing Element is a policy level document no significant geotechnical impacts are expected in association with the proposed project. Project level CEQA documentation will be prepared as individual projects are proposed for implementation.

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				◆
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				◆
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				◆

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

◆

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

◆

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

◆

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

◆

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

◆

DISCUSSION OF HAZARDS AND HAZARDOUS MATERIALS: A search of the EPA database indicates that there are no Class I hazardous waste disposal sites in the area, nor are there major waste generators in the City as a whole. None of the types of land uses proposed in the 2014 Housing Element Update is associated with transport, use or disposal of hazardous materials, or unusual fire hazard, or potential disruption to emergency response procedures or plans, and implementation of the proposed goals and objectives would not be expected to result in any hazards to the public. Approval and implementation of the Housing Element Update would not be significant with respect to hazards and hazardous materials.

VIII. HYDROLOGY AND WATER QUALITY --

Would the project:

a) Violate any water quality standards or waste discharge requirements?

◆

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

◆

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

◆

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? ◆

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? ◆

f) Otherwise substantially degrade water quality? ◆

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? ◆

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? ◆

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? ◆

DISCUSSION OF HYDROLOGY AND WATER QUALITY: The City uses a stormwater collection system, in conjunction with the natural creek drainage system, to manage run-off. For Bishop, the only area that FEMA has identified as being within the 100-year flood plain are areas along the south fork of Bishop Creek and the Bishop Creek Canal which is located along the northeast and east City limit. Another source of potential flooding is related to dam inundation from a number of dams located west of Bishop in the Sierra Nevada Bishop Creek drainage. Flooding would only occur in the unlikely event that the dams failed, and would affect those areas downstream from the dams. Additionally, The Bishop Public Works Department is actively maintaining and improving its water and sewer systems by re-constructing water storage tanks, pump stations, fire hydrants, main distribution lines and sewer plant improvements. Because of mandatory federal and state water quality requirements, the City's maintenance and improvement efforts, and because the proposal is a policy level document, the 2014 Housing Element would not have a significant hydrological or water quality impact to the community.

IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community? ◆

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? ◆

c) Conflict with any applicable habitat conservation plan or natural community conservation plan? ◆

DISCUSSION OF LAND USE AND PLANNING: The recommendation and goals outlined in the 2014 Housing Element Update are based upon and consistent with the land uses described in the City's General Plan Land Use Element. However, the Housing Element does make several recommendations that could impact area land uses. If implemented these recommendation would require subsequent project level review by the City including CEQA documentation to assess potential impacts. At the current policy level of review, approval and implementation of the Housing Element would not impact land uses or the underlying planning goals and policies of the City of Bishop.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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X. MINERAL RESOURCES - Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? ◆
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? ◆

DISCUSSION OF MINERAL RESOURCES: No mineral resources are known to exist in the proposed project area. All of the Housing Element actions would be subject to individual review prior to approval, including identification of environmental resources and mitigation if required. Therefore, the project will not result in a negative impact to mineral resources.

XI. NOISE B Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? ◆
- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? ◆
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? ◆
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? ◆
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? ◆
- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? ◆

DISCUSSION OF NOISE: The City of Bishop ambient noise levels are relatively low due to the small size of the City, and the limited inventory of undeveloped land and open space. The primary noise sources include traffic along U.S. Hwy.395, aircraft flying in and out of Eastern Sierra Regional Airport, and several small industrial developments located thru out the City. The City reviews noise impacts as part of the CEQA compliance process, supported by General Plan policies. These requirements would apply to individual actions recommended in the Housing Element at the time they are proposed; approval of the Housing Element Update would not in itself have a significant impact with respect to noise impacts nor would it commit the City to actions that would have significant noise impacts.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

XII. POPULATION AND HOUSING Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?



b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?



c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?



DISCUSSION OF POPULATION AND HOUSING: The purpose of the Housing Element is to identify local housing problems and to identify measures necessary to mitigate and alleviate these needs and problems for all economic segments of the community. Because the City of Bishop is limited in its ability to accommodate housing demand due to the scarcity of available land, there is no risk of growth inducement; instead, the Housing Element goals are intended to accommodate housing needs to the extent possible. Replacement housing is among the goals identified in the Housing Element. The replacement goal is site specific, applying only to parcels found to be unsafe for occupancy. This represents a very small portion of the overall program: only 6 homes were rated as dilapidated during the August 2013 housing survey. The City's objective is for the units to be situated on the same site as the dilapidated units they replace. None of the Housing Element programs have the potential to cause displacement of substantial number of housing units or residents.

XIII. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?



Police protection?



Schools?



Parks?



Other public facilities?



DISCUSSION OF PUBLIC SERVICES: The draft Housing Element contains goals, policies and actions rather than specific projects. When or if specific actions are implemented it would require some form of focused study and compliance with CEQA. With the understanding of each specific project requiring an individual study and CEQA compliance, there does not appear to be a significant impact to public services.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?



b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?



DISCUSSION OF RECREATION: The Housing Element will not significantly impact the use of local public parks or necessitate the expansion of recreational facilities, therefore have no impact on recreation. Project level CEQA documentation will be prepared as individual projects are proposed for implementation.

XV. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?



b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?



c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?



d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?



e) Result in inadequate emergency access?



f) Result in inadequate parking capacity?



g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?



DISCUSSION OF TRANSPORTATION/TRAFFIC: The draft Housing Element contains goals, policies and actions rather than specific projects. Specific projects will have subsequent review for their cumulative impact on the City's circulation system. Therefore, the draft Mobility Element will not result in adverse impacts associated with transportation and traffic.

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				◆
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				◆
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			◆	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				◆
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?				◆
f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?				◆
g) Comply with federal, state, and local statutes and regulations related to solid waste?				◆

DISCUSSION OF UTILITIES AND SERVICE SYSTEMS: The proposed draft Housing Element goals, policies and actions would not result in a need for new systems or supplies or substantial alterations to power, communications, water supplies, water treatment or distribution facilities, solid waste disposal, sewer and sewer treatment, which will continue to be provided by the existing service providers. However, future specific projects will be reviewed for potential impacts to utilities and service systems as part of project level CEQA review. Therefore, the Housing Element will have no impact on utilities and service systems.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species,				◆
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				◆

**Potentially
Significant
Impact**

**Less Than
Significant
with
Mitigation
Incorporation**

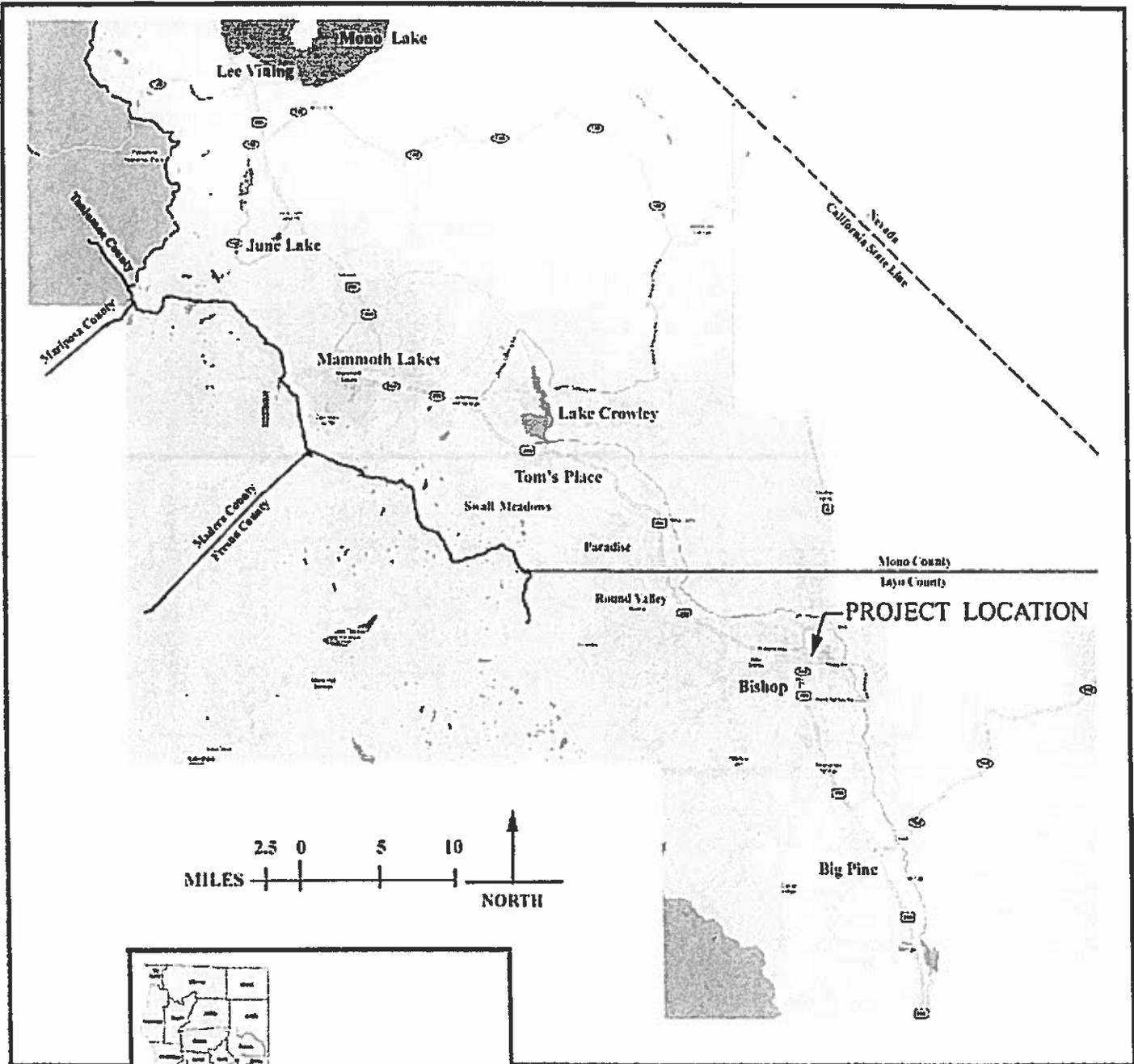
**Less Than
Significant
Impact**

**No
Impact**

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?



DISCUSSION OF MANDATORY FINDINGS OF SIGNIFICANCE: The 2014 Housing Element can be adopted and implemented by the City of Bishop without significant impacts to the environment. The entire record of information provided in this Initial Study indicates that there would be no significant cumulative impacts, or substantial adverse impacts on human beings, or substantial adverse impacts on fish or wildlife or sensitive species or cultural resources.



California Map

Regional Location Map



The City of
BISHOP
California



Small Town...
with a BIG Backyard

GENERAL PLAN HOUSING ELEMENT 2014-2019 UPDATE

City of Bishop General Plan
Chapter Four
HOUSING

Chapter Four
CITY OF BISHOP HOUSING ELEMENT
 2014 UPDATE

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FIGURE 1 – BISHOP REGIONAL LOCATION MAP



I. INTRODUCTION

The Housing Element is one of seven mandatory elements of the General Plan. The purpose of the Housing Element is to identify and analyze existing and projected housing needs, and to set forth the City's goals, policies and implementing actions for the preservation, improvement and development of housing in the City of Bishop. Housing Elements are required by California law to be regularly updated. The current Housing Element covers the 5-year period extending from 2014-2019.

The Government Code requires that each draft Housing Element be reviewed by the California Department of Housing and Community Development (HCD), and that the HCD's findings be incorporated prior to adoption, or that specified findings be made in response to the HCD's comments. A City of Bishop Regional Location Map is provided as Figure 1.

A. BACKGROUND

In 1967, the housing Element became the third mandated part of a General Plan in California. During the ensuing years, numerous revisions were made to the required contents of community housing elements. Article 10.6 of the Government Code was enacted in 1981 and now describes the content requirements of local housing elements. The legislation, commonly referred to as the Roos Bill, requires local housing elements to offer an assessment of housing needs, an inventory of resources and constraints, a statement of goals, policies and objectives and a 5-year housing program. The Housing Element is one of 7 required elements included in the Bishop General Plan. The Housing Element, in complying with the letter and spirit of Article 10.6, responds to the four major issues listed below:

- What are the housing needs of the City of Bishop?
- What can the City realistically do about meeting these needs?
- What are the housing goals and policies of the City?
- What specific actions can the City take to meet housing needs?

What is a Housing Element?

The State of California helps identify local housing needs and requires an action plan from the city to meet those needs.

B. PURPOSE

The purpose of the Housing Element is to identify local housing problems and to identify measures necessary to mitigate and alleviate these needs and problems for all economic segments of the community. General statewide purposes of local housing elements are influenced by the legislative policy and intent of Article 10.6. Section 65581 contains the following description of the legislative intent in enacting the most recent revisions to the housing element law:

"To assure that counties and cities will prepare and implement housing elements which, along with federal and state programs, will move toward attainment of the state housing goal."

"To recognize that each locality is best capable of determining what efforts are required by it to contribute to the attainment of the state housing goal, provided such a determination is compatible with the state housing goals and regional housing needs."

"Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provisions for the housing needs of all economic segments of the community."

"The legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the state in addressing regional housing needs."

The Housing Element is organized to present information according to the four principal topics listed below:

- **Housing Needs Assessment**
- **Inventory of Resources and Constraints**
- **Statement of Goals and Policies**
- **Actions - Five Year Housing Program**

C. AUTHORIZATION

As noted above, housing elements were mandated by legislation enacted in 1967. In 1977, "Housing Element Guidelines" (the "Guidelines") were published by the Dept. of Housing and Community Development (HCD). The Guidelines spelled out the content requirements of housing elements, and also gave the HCD a "review and approval" function over this element of the General Plan. Passage of the Roos Bill in 1981 enacted Article 10.6 of the Government Code. This bill placed the guidelines

into statutory language and changed HCD's role from "review and approval" to one of "review and comment" on local housing elements, and also required an update of the housing element every five years.

Senate Bill 2, which was signed into law on October 15, 2007, amended Government Code Sections 65582, 65583, and 65589.5 of State Housing Element Law. This legislation required local jurisdictions to strengthen provisions for addressing the housing needs of the homeless, including the identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use permit.

In 2008, the California legislature adopted Senate Bill 375 which built upon foundations set in California's 2006 climate change law (AB 32). SB 375 regional transportation agencies to develop a "Sustainable Communities Strategy" (SCS) for reducing greenhouse gas emissions, and modified Housing Element Law to achieve consistency between the land use pattern outlined in the SCS and Regional Housing Needs Assessment allocation. The legislation also increased local agencies' accountability for carrying out their housing element plans. With adoption of SB 375, communities that covered by an adopted Regional Transportation Plan became eligible for an extended housing element planning period of 8 years (instead of 5 years). The City of Bishop is not part of a region with an adopted Regional Transportation Plan, and is therefore not subject to the requirements of SB 375.

D. CONSISTENCY WITH OTHER GENERAL PLAN ELEMENTS

State law requires the Housing Element to be consistent with other elements of the General Plan. Residential land uses identified in the Land Use Element provide a basis for identification of adequate residential sites in the Housing Element. The City's recently updated 2012 Mobility Element describes circulation improvements for future development. The Noise Element sets standards to protect areas designated for housing use from inappropriate noise levels. The Safety Element addresses a range of environmental issues. And the Conservation & Open Space Element provides open space and recreational areas for community use. No internal inconsistencies have been identified between the goals of this Housing Element and the goals and policies contained in the remaining elements of the General Plan. In order to maintain compliance and consistency between elements, City conducts an annual review of the General Plan and reports to the City Council on the findings of the review. The City is also currently in the very early stages of a process that will eventually update the General Plan Land Use Element, the Conservation and Open Space Element, and the address Economic Development Element.

E. HOUSING ELEMENT CREATION AND PUBLIC PARTICIPATION

The 2014 Housing Element Update was prepared by City staff and the Bishop City Council with planning consultant assistance. It is based on guidelines originally set forth as part of the overall Bishop General Plan Update, during which the City Council held a series of public workshops.

Public outreach and participation during the current Housing Element update has encompassed several elements, beginning with a workshop and open house held on 8 February 2011 (between the hours of 4 and 6 pm) to present to the public a proposed zoning amendment that would create an overlay zone in northeastern Bishop where emergency shelters would be allowed by right. Notice of the workshop was advertised in the Inyo Register, provided on the City website, and posted at City Hall and various City locations. The meeting was well attended, with an estimated 25-30 residents stopping by at some point (mostly in the first hour), and generated a wide range of comments and suggestions including a recommendation that the western boundary be shifted slightly eastward to create a more uniform setback, clarification as to how background checks may be conducted, discussion about how to accurately estimate need, confirmation that emergency shelters would be subject to all applicable provisions of the California Environmental Quality Act (CEQA). A public hearing was subsequently held by the Bishop Planning Commission on March 29, 2011 to adopt the zoning amendment.

On 22 September 2013, the Planning Commission held a Public Hearing/Workshop to review and consider the Action Plan recommended with the Draft 2014-2019 Housing Element. Only 1 member of the public was present at this meeting, but the discussion (including input from the public participant) was extensive and focused on action items to support the 2014-2019 Housing Element RHNA goals. Notice of this workshop was advertised in the Inyo Register and posted at City Hall (note that all public hearings and workshops are posted at City Hall and advertised in the Inyo Register, which is the local newspaper most widely circulated in the project area).

Two additional public hearings were held prior to final approval of the 2014-2019 Housing Element. The Planning Commission held a second public review meeting on January 28, 2014, and a third Public Workshop and Hearing on

February 25, 2014 that was attended by two three members of the public and characterized by discussion and input that emphasized the importance of effective public outreach. The City Council held one additional Public Hearing, on 10 March 2014 to consider a first reading approval of the environmental document and the Housing Element update, and a second reading was held on 24 March 2014. Public comment at this hearing included [[complete when final]]. The Planning Commission and the City Council have reaffirmed their commitment to public outreach and participation in tandem with the Housing Element Action Plan that will occur over the next 5-year Housing Element update period.

The draft Housing Element was submitted to HCD for a first review on October 17, 2013. After comments and recommendations were received, the Housing Element was revised and resubmitted to HCD in early November. Following additional revisions, the draft revised Housing Element was submitted to the Planning Commission for a second review on [[to be completed when final]]. The Housing Element was submitted to City Council on [[to be completed when final]] for public hearings and final action, along with approval of environmental documentation that had been prepared by the City in accordance with CEQA Guidelines.

F. COMMUNITY PROFILE

Provided below is an overview of demographic trends in the City of Bishop, drawn from results of the 2010 Census. The profile includes summary information about population growth and trends, household characteristics, special needs populations, and housing stock characteristics in the City of Bishop.

- **Between 2000 and 2010, Bishop's population grew by 8.5%**, which was much faster than the rate of growth in Inyo County as a whole (3.3%), but lower than the growth rate in California (10%).
- **Bishop has become more racially diverse in the past decade but is still more homogenous than California as a whole** (73.9% white v. 57.6% statewide; 0.6% black v. 6.2% in California; 18.6% 'some other race' v. 17.0%; 30.9% Hispanic v. 37.6% statewide; and 2.9% some other race v. 4.9%).
- **The proportion of males to females has increased in Bishop in recent years** (from 47.9% in 2000 to 50% in 2010). Bishop residents are still older than California residents as a whole (median age of 38.9 years for Bishop residents versus 35.2 years statewide), but the City has become more youthful in recent years (with the percentage of persons over 65 falling from 19.2% in 2000 to 15.7% in 2011 (v. 11.5% statewide), and the percentage of persons under 5 years of age increasing from 6.1% to 7.2% (v. 6.8% statewide).
- **Bishop households are smaller than in California generally** (2.37 persons per owner household in Bishop versus 2.97 in the state, and 1.79 persons per rental household in Bishop versus 2.82 generally).
- **Bishop has more renters than the state as a whole (61.3% in Bishop v. 44.1%)**, and rents in Bishop are lower than in California (\$845/month v. \$1,185) as are home values (median value of \$306,000 in Bishop v. \$421,600). Still, Bishop has a higher percentage of households paying more than 30% of income toward housing costs than residents statewide (72/9% in Bishop v. 55/7% statewide).
- **Bishop residents have a lower poverty rate than California residents generally (13.2% v. 14.4% statewide)**, even though Bishop has a median household income less than half of California residents as a whole (\$34,258 v. \$70,231). 65% of Bishop residents are employed (compared to 58.1% statewide), and Bishop workers are more likely to work in management and business (37.9% v. 36.5%), and be employed by the government (21.4% v. 14.7%) and less likely to work in sales (19.1% v. 25% statewide) and be self-employed (7/4% in Bishop v. 8.6% statewide).

G. PROGRESS UNDER PREVIOUS GENERAL PLAN HOUSING ELEMENT

Unlike most other General Plan elements, the Housing Element is required to summarize the progress achieved under the previous Element. The 2009 City of Bishop Housing Element contained a number of goals and policies related to the provision of adequate housing for all segments of the population. The 2009 Housing Element also contained specific quantified objectives. The policy goals and the quantified objectives were organized according to eleven primary categories of action as identified below:

G.1-CITY OF LOS ANGELES LANDS: Continue to work with City of Los Angeles towards purchase, transfer or long-term lease of vacant City of Los Angeles DWP land to the City of Bishop for residential development, including affordable housing. Anticipated number of units: 75-100.

Outcome: Communication and cooperation with the City of Los Angeles is an ongoing responsibility for both agencies. The City of Los Angeles has not yet released the parcel which the City of Bishop previously identified for residential development. However, the City of Bishop anticipates that this parcel may become available during the period of the current housing element update (2014-2018).

When the parcel does become available, the City of Bishop intends that it will be developed for residential use, including affordable housing to meet the needs of City residents. The City of Los Angeles has recently elected a new mayor, and Bishop plans to establish communication with the new administration in service of this objective.

G.2-EMERGENCY SHELTERS, TRANSITIONAL AND SUPPORTIVE HOUSING: Revise Zoning Ordinance to permit emergency shelters, in one or more commercial and/or R-3 residential zoning districts without discretionary approval. The zoning ordinance amendment for emergency shelters shall be completed within one year of approval of this Housing Element. Transitional and supportive housing are considered residential uses and must be subject only to the same restrictions that apply to other residential uses in the same zone. Development standards for emergency shelters will encourage and facilitate the use and only subject shelters to the same development and management standards that apply to other allowed uses within in the identified zone.

Outcome: The City Council adopted Ordinance 535 on April 25, 2011 approving the ES emergency shelter combining district (the district includes C-1, R-3 R-3-P zoning) to permit a specified area in which emergency shelters are allowed by right. This ES combining district was selected because it reflects a close association with, provides convenience access to, and is compatible with a range of complementary services including the availability of public transportation, basic goods and grocery stores, and social welfare facilities. On April 22, 2013, the Bishop City Council adopted Ordinance 544 which expanded the ES emergency shelter combining district to incorporate supportive housing and transitional housing developments as uses that are permitted by right. As with the ES district generally, this location provides a range of services that complement and support transitional and supportive housing. A Copy of Ordinance No. 535 is provided in Appendix A and a copy of Ordinance No. 544 is provided in Appendix B.

G.3-REASONABLE ACCOMMODATION PROCEDURES: Create and adopt in a timely manner a formal reasonable accommodation procedure for zoning, land use, permit processing and building codes to ensure that local land use regulations facilitate modifications that would allow disabled persons to remain in their homes as long as possible, and do not unnecessarily constrain the development, maintenance and improvement of housing for persons with disabilities.

Outcome: The City of Bishop City Council adopted Ordinance 543 on 26 March 2013 to ensure that individuals with disabilities receive reasonable accommodation in rules, policies, practices and procedures to ensure equal access to housing and facilitate the development of housing for individuals with disabilities. The ordinance established a procedure for making requests for reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures of the jurisdiction to comply fully with the intent and purpose of fair housing laws. A copy of Ordinance 543 is provided in Appendix C.

G.4-DENSITY BONUSES: Give density bonuses to developers who construct infill projects to generate the maximum number of dwelling units in a limited space and to guarantee the set-aside of affordable/senior/disabled units.

Outcome: The City has received only one application for residential development since the 2009 Housing Element was completed; the one application was for an affordable single family unit. There has been no opportunity to grant density bonuses for infill development. However, it is the policy of the City of Bishop to comply with state laws governing density bonuses, and the City will readily provide such bonuses when the opportunity arises to do so. In order to stimulate job growth for its youth, the City is actively seeking to invite out-of-town businesses to relocate in Bishop and is simultaneously working with the community, the Council and local builders to identify ways to expand housing opportunities and meet future needs if the business expansion efforts are successful.

G.5-MOBILE HOME PARK RESIDENT OWNERSHIP PROGRAM (MPROP): Facilitate MPROP by advertising its availability to mobile home park residents and serving as co-applicant for resident organizations seeking HCD funding.

Outcome: The City continues to own the mobile home park that serves a predominantly very-low and low income population, and in which fully 60% of the residents have successfully purchased their units with the City's assistance. Additionally, there are a number of privately-owned mobile home parks in Bishop, and the residents in these private parks are also encouraged to purchase their units. Residents are assisted in their efforts by Mammoth Lakes Housing, which the City supports with funding. Mammoth Lakes Housing offers guidance in the application process, serves as co-applicant where needed, and also provides funding assistance.

G.6-COMMERCIAL/RESIDENTIAL MIXED USE: Encourage encroachment of residential uses into selected commercial zones.

Outcome: The City has actively encouraged the encroachment of residential units into the downtown area through creation of the ES emergency shelter combining district which includes C-1, R-3 and R-3-P zoning in an area with good access to services, social welfare facilities and public transportation. The City is also pursuing the Warren Street Improvement Project. This corridor is parallel to and west of Main Street, and already allows a mix of residential, commercial and business uses. Planned improvements will include pedestrian friendly sidewalks, seating and benches, areas for street performances, decorative planters and shade trees, banners, pocket

parks, restrooms and other elements to expand and enhance the downtown area for wider community participation and activities.

G.7-MONITOR HOUSING STOCK: The City will monitor the housing stock to ensure that properties in the minor and moderate categories do not slip into lower categories.

Outcome: The City's Public Services Officer makes weekly drives around the City to check on the condition of housing and to check on the condition of street drainage facilities and the condition of street lighting, curbs and gutters, and similar municipal improvements, and also offers assistance and public education as needed for residents who have problems with code compliance. To maintain the affordability of housing, the City has very low building permit fees. These activities are designed to ensure that low and moderate income residential areas remain available to meet the housing needs of local residents, more than 53% of which fall within the low to moderate income category.

G.8-HCD COORDINATION: City will work with HCD to seek a case-by-case waiver that would allow HCD funding on property leased for 40 years (which is the maximum allowed by the City of Los Angeles) instead of 55 years (which is the current minimum period set by HCD) and to seek assistance in resolution of incompatible loan terms wherein federal and state agencies will consummate a grant only after the other agency makes the first loan commitment. The City will also seek HCD assistance in establishing program terms that allow the City of Los Angeles and the City of Bishop to share affordable housing credits in cases where LADWP lands are sold or leased through the aegis of the City of Bishop for the purpose of providing affordable housing opportunities. Finally, the City and IMACA will continue to pursue all applicable grant and funding opportunities to assist in the development of housing for extremely-low, very low, low and moderate income households. The timing of such applications will be shaped by the notification of dates for the filing of applications.

Outcome: Since the 2009 Housing Element, the City's long-term City Manager (Rick Pucci) retired from office and the position was filled by a temporary City Manager who was succeeded in January 2012 by a new permanent City Manager, Keith Caldwell. This task is a priority objective for the City of Bishop due to the importance of HCD and the City of Los Angeles to meeting the City's housing goals. The new City Manager is familiar with the difficulties posed by incompatible loan terms for HCD project efforts, and has already spoken with HCD about the City's goal to resolve this issue. The City Manager plans to meet with HCD and with the City of Los Angeles in coming months to identify ways in which the conflict might be resolved to facilitate a successful outcome for future efforts.

G.9-PUBLIC EDUCATION: Assist IMACA in the preparation and distribution of literature that describes equal housing opportunities and promotes public access to this resource. Provide information about weatherization programs and drought-tolerant plant materials.

Outcome: The City has actively assisted IMACA in public education and outreach during the term of the 2009 Housing Element and plans to continue such efforts through the entirety of the current 2014 Housing Element. These efforts have been wide ranging and highly successful, including the rehabilitation by IMACA of 10 dwelling units to provide for weatherization, insulated windows, energy efficient heating, and repairs to electrical and plumbing systems. The City also provides free information handouts and literature both at City Hall and through IMACA, and routinely drives informally around residential areas to talk with homeowners about the range of information and assistance available to help Bishop residents access housing assistance, resources and information.

G.10-COMPREHENSIVE INVENTORY: In preparation for the 2014 Housing Element update, the City will work with IMACA to develop a more thorough inventory of trailer parks, mobile home parks and apartments provide housing for disadvantaged populations, as well as programs that provide housing assistance to disadvantaged populations, in the City of Bishop.

Outcome: The City and IMACA have monitored the status of affordable apartments, trailer and mobile home units throughout the prior 2009-2014 Housing Element. During that time, four trailer park units were replaced by two modular units at a facility that had been rated as 'dilapidated' during the 2003 housing survey and is now rated as good under all criteria; the 2013 survey indicates that there have been improvements at several additional facilities as well (as has been true for permanent housing), but no further inventory reductions. Economic conditions have restrained housing values during the past 4 years, and the City anticipates that prices may begin to rise as the economy strengthens over the coming months. Over the next four years, the City and IMACA will continue to monitor the inventory of apartments, trailer and mobile home units to ensure that this pool of affordable units remains available to residents of Bishop.

G.11-AFFORDABLE HOUSING ASSISTANCE PROGRAM: The City will formalize a program within 2 years of Housing Element approval to assist with the development of affordable housing with a particular focus on the needs of low income and extremely low income residents of Bishop. Emphasis will be placed on provision of family housing as

well as non-traditional housing (such as single room occupancy and transitional housing). At a minimum, this program will include (a) continued support to IMACA in identifying grant opportunities and in preparing grant applications for low- and extremely low-income housing projects, (b) priority processing and a waiver or deferral of building and remodel permit fees for projects that provide affordable housing assistance to assist extremely-low, very low, low and moderate income households, and (c) outreach to developers to incentivize the development of housing for households earning 30% or less of Inyo County median family income.

Outcome: The City of Bishop has continued to provide support to IMACA in identifying grant opportunities and assisting in the preparation of grant applications for low and extremely-low income housing projects. The most recent application for a Community Development Block Grant, submitted in April 2013, was successful and will be used to fund rehabilitation of the Valley Apartments, a multi-family housing facility that serves low income residents of Bishop. The City was also awarded CDBG funds to support preparation of an update to its Economic Development Element. The City policy remains in effect to support affordable housing projects with priority assistance and low building permit fees. The City also has maintained communication with local builders about the (albeit limited) availability of parcels for development as well as lands that may become available through the purchase, transfer or long-term lease of vacant City of Los Angeles DWP land. Only one new housing unit (an affordable unit) has been developed in Bishop since the 2009 Housing Element was approved, but with completion in 2014 of the Fiber Optic Cable that will provide hi-speed internet access throughout Owens Valley, the City is now actively encouraging out-of-town businesses to consider Bishop for training sessions and relocation, and is simultaneously working with the community, the Council and local builders to consider ways to meet future housing needs if the business expansion efforts are successful.

G.12-SUMMARY OF PROGRESS UNDER 2009-2014 HOUSING ELEMENT

The objectives contained in the current City of Bishop *Housing Element Update* reflect the guidelines set forth by HCD in the most recent Regional Housing Allocation Model. Thus, the overall goal for new housing construction between 2014 and 2019 is set at 65 units, which would call for about 13 new units each year. This Housing Element Update generally maintains the objectives set forth in 2009 for housing conservation and housing rehabilitation, reflecting the City's expectation that the forthcoming Housing Element compliance period will see continued strength in the number of permits issued by the City for home improvements at all income levels. Table 1 shows the 2009-2014 and the 2014-2019 objectives for new housing construction by income group.

**Table 1
SUMMARY OF BISHOP 5-YEAR ACTION PLAN GOALS
FOR 2009-2014, 2014-2019**

RECOMMENDED ACTION	TOTAL NEED 2009-2014	TOTAL NEED 2014-2019
New Housing Construction	110	65
Very Low & Extremely Low Income Units	26	15
Low & other Lower Income Units	15	10
Moderate Income Units	19	12
Above-Moderate Income Units	50	28

The current update reviews the City's progress in achieving goals set forth in 2004. Table 2 summarizes the extent to which the numeric objectives were accomplished for each of the primary categories during the period from 2008-2014.

The City met and exceeded RHNA goals for the low and moderate income categories, and fell short of RHNA goals for very low and above-moderate income units during the 2009-2014 planning period. These compliance efforts were aided substantially by the credits allowed by HCD for housing conservation and rehabilitation. Only one home (of any price) was constructed in Bishop during the 5-year period from 2009-2014. That one home did fall within the Very Low Income category. Additionally, 121 units were rehabilitated over this period, all of which fell within the very low, low, moderate and above moderate income levels.

Table 2
CITY OF BISHOP 2009-2014 HOUSING ELEMENT
SUMMARY OF 5-YEAR ACTION PLAN ACHIEVEMENTS FOR 2009-2014

RECOMMENDED ACTION	TOTAL NEED (2009-2014)	COMPLIANCE TOTAL	SURPLUS (SHORTFALL)
Very Low Income Units	26	5 ¹	(21)
Low and Other Lower Income Units	15	19.5	4.5
Moderate Income Units	19	27.5	8.25
Above-Moderate Income Units	50	10	(40)
TOTALS	110	61.75	(48.25)

The HCD allows cities to take a 1:4 ratio credit for rehabilitation projects, in terms of meeting the Regional Housing Need Analysis numbers that have been incorporated into the Housing Element. The units rehabilitated during 2009-2014 therefore qualified for significant RHNA credits. IMACA provided additional rehabilitation during this period, but because these efforts focused on non-eligible improvements (weatherization, insulated window replacements, energy efficient appliances and electrical and plumbing repairs) none were included in the 1:4 ratio represented in Table 2.

Although rehabilitation activities allowed the City of Bishop to achieve substantial progress toward compliance, it is evident in Table 2 above that the City continues to experience a shortfall in housing opportunities at all income levels. The lack of available privately owned land and the reluctance of the City of Los Angeles to sell or lease land on a long-term basis continue to be primary obstacles to new housing development. Additionally, as discussed in §IV.D.1 of this Housing Element, Bishop has been significantly impacted by economic conditions over the past 5 years which has further constrained new housing development.

Implementation tasks to be undertaken by the City for the 2014-2019 Housing Element update will focus on continuing efforts to buy or lease parcels from the City of Los Angeles, and the potential to expand the downtown mixed-use overlay zone to permit a wider range of housing opportunities. The City has seen signs of economic revival in recent months, and anticipates that conditions will continue to improve along with expanded affordable housing opportunities over the next 5-year period.

Key goals identified in the prior Housing Element included continued work with the City of Los Angeles, zoning code revisions to incorporate provisions for emergency shelters and transitional and supportive housing, adoption of a procedure for reasonable accommodation, density bonuses for affordable housing developers, strengthening the mobile home park resident ownership program, mixed land use areas the permit residential and commercial uses, continued monitoring of the housing stock, a strengthened relationship with HCD to resolve conflicting lease provisions and enhance grant opportunities for IMACA, Mammoth Housing and the City, continuing public education, development of a more thorough inventory of affordable housing, and formalized efforts to assist IMACA with grants, prioritize the processing of affordable housing projects, and outreach to incentivize development of affordable housing. Although economic constraints have dampened the success of many efforts, the past 5 years have nonetheless been very productive in creating conditions that will foster affordable housing in the future.

The following summary describes the programs available to residents of Bishop, as well as the goals and objectives that have been achieved since the 2009 Housing Element Update was prepared. Please see §III.F for a discussion of programs that will facilitate achievement of the goals for 2014-2019.

Housing Choice Voucher (HCV) Assistance Program

The HCV Assistance program (formerly Section 8) provides vouchers that eligible families can apply to rental costs at the housing units of their choice. The vouchers are issued for the County, and not specifically to the City. In 2004 there were 29 vouchers allocated to Inyo County residents as a whole. Of these, 15 vouchers were issued to City of Bishop residents.

¹ Note that only one housing unit (of any price) has been constructed in Bishop since the 2009 Housing Element was approved. That one unit was in the 'very low income' price range, as shown in Table 2.

Currently, there are 29 vouchers allocated to Inyo County, 10 of which were issued to residents in the City of Bishop.

- Project - As of July 2013, 10 vouchers have been issued to qualified residents in Bishop. There are no available vouchers as of July 2013, and the waiting list includes 28 residents throughout Inyo County. IMACA now considers the Program to be closed, at least temporarily, and Stanislaus Housing Authority is not accepting any new applications at this time.
- Status – Vouchers have been distributed to eligible families
- Timing – Ongoing as of 2009
- Lead Agency -Inyo-Mono Advocates for Community Action (IMACA)
- Funding – U.S. Department of Housing and Urban Development, §8 existing Housing Rental Assistance through Stanislaus Housing Authority

Land Banking-Pre-development Acquisition

- Objective -Provide housing options for low to moderate income households
- Timing – Ongoing through the Eastern Sierra Land Trust
- Responsibility – IMACA
- Funding -The HCD Rural Land Purchase Funds
- Status –The executive director of IMACA monitors and responds promptly to statewide programs and funding opportunities that may benefit Bishop and other IMACA service areas.

Elderly /Disabled Housing Assistance Programs

- Objective -To provide housing opportunities to special needs households
- Timing -Ongoing
- Responsibility – Varies depending on program (could include the City, IMACA, Salvation Army, and/or Inyo County)
- Status – During the term of the 2009-2014 Housing Element, IMACA received funding for the Silver Peaks project with 72 senior/disabled apartment units. The grants could not be utilized due to various property lease issues. However, IMACA in 2013 sought \$1 million in funding through the Community Development Block Grant program to reconstruct the Valley Apartments. This application was successful, and IMACA plans to initiate this effort late in 2013, seeking supplemental funding as needed to complete this project opportunities during the term of the current Housing Element. In addition, the City of Bishop has commissioned an appraisal of the Silver Peaks project site, with the goal of submitting a purchase offer (if feasible) during the term of the 2014-2019 Housing Element and proceeding with this senior/disabled housing project if feasible.

Housing Rehabilitation -HCD/CDBG/RECD

- Objective -To preserve the supply & quality of housing in the planning area and rehabilitate as many homes as possible
- Timing -1985 to present
- Responsibility – Varies (could include Bishop, IMACA, or the County of Inyo)
- Status - Funding has been pursued as projects become available; no projects have been completed since the 2004 Housing Element.

The Homeless Prevention Program is a new IMACA resource funded through a grant from the Dept. of Community Services & Development.

Energy Crisis Assistance / Weatherization Program

- Objective-Provide weatherization and emergency energy assistance to low income Bishop households
- Timing -Continuous Responsibility -IMACA
- Status – IMACA administers both Weatherization and Energy Assistance Programs in Inyo and Mono Counties. IMACA does not currently have a contract with Inyo County to provide these services. Most of the funding for the IMACA programs is provided through the State Department of Community Services and Development (CSD). Additionally, both IMACA and SCE programs assist Bishop households each year with energy efficient refrigerators.

Emergency Crisis Assistance

- Objective -Provide emergency housing assistance to low income Bishop households
- Timing -Continuous Responsibility - IMACA with assistance from other agencies (e.g., Salvation Army)
- Status -Assistance as needed for eviction prevention, temporary housing, homeless assistance, first month rental and utility deposits funded through FEMA and TFAP, vouchers for 1-2 night stays at local hotels (The Trees and El

Rancho), as well as assistance to programs available at the County-run Wellness Center at the Elm Tree trailer park. IMACA recently received a \$100,000 grant through the State CSBG Program for Homeless Services to provide emergency shelter vouchers, and rental and deposit assistance for one year (from June 1, 2013 to May 31, 2014). The grant is also to establish a Continuum of Care coalition of homelessness prevention stakeholders in the Eastern Sierra to continue funding for these services.

Program to Assist in Development of Low-Moderate Housing

- Objective – Facilitate the development of housing affordable to lower-and moderate-income households by establishing and maintaining a list of developers with the capacity to do so. Developers are apprised of the City's efforts to identify parcels for affordable housing, funding sources that can subsidize construction of affordable housing, and any incentives/concessions associated with the application for such funding.
- Timing -Ongoing
- Responsibility – City of Bishop with assistance from IMACA and other agencies
- Status –The City regularly consults with developers and IMACA to ensure that affordable housing opportunities are included in new projects.

Governmental Constraints Program: SB 520 (Persons with Disabilities)

- Objective – To ensure that local land use regulations do not unnecessarily constrain the development, maintenance and improvements of housing for persons with disabilities.
- Program Description – The City will provide a formal reasonable accommodation procedure for its zoning, land use, permit processing and building codes to ensure local land use regulations do not unnecessarily constrain the development, maintenance and improvement of housing for persons with disabilities.
- Timing – Ongoing.
- Responsibility – Bishop Planning Department.
- Status – The City has updated and streamlined codes and the permit process to facilitate development, maintenance and improvement of housing for persons with disabilities.

Homeless Prevention Program

- Objective – To assist Inyo and Mono County residents who are facing homelessness to move toward greater independence through emergency shelter vouchers (for 1-3 night stays), rental deposit assistance (for 1-3 months' rent) and related services.
- Timing – Initiated in July 2013.
- Responsibility – IMACA.
- Status –The Homeless Prevention Program is a new IMACA resource funded through a recently-awarded \$100,000 grant from the California Department of Community Services and Development.²

Fair Housing Program

- Objective – Refer Fair Housing complaints to IMACA for resolution including landlord/tenant mediation & fair housing investigations. The City will assist IMACA in distributing materials from the Dept. of Fair Housing & Employment throughout the community including public locations such as City Hall, the post office and library, and shopping areas.
- Timing – Ongoing.
- Responsibility – Bishop Planning Department.
- Status –Ongoing

Results of this analysis have been used to reassess and strengthen the Goals, Policies and Actions of the 2014-2019 City of Bishop Housing Element. The Goals, Policies and Actions of this updated Housing Element will support prior accomplishments and form the basis for meeting future housing needs of the residents of the City of Bishop.

H. NEW COMPONENTS: SB 812

Pursuant to SB 812, the current Housing Element addresses the housing needs of the City's developmentally disabled residents in accordance with requirements of SB 812. This analysis includes an estimate of the number of persons with

² IMACA Website, 8 July 2013, and The Inyo Register, 5 July 2013, *IMACA Working to Prevent Homelessness*.

developmental disabilities, an assessment of the housing need, and a discussion of potential resources. A "developmental disability" is in turn defined as a disability that originates before an individual becomes 18 years old, continues (or can be expected to continue) indefinitely, and constitutes a substantial disability for that individual, including mental retardation, cerebral palsy, epilepsy, and autism. Section IV.C.5 provides a discussion and analysis of the developmentally disabled.

I DATA SOURCES

The Department of Housing and Community Development provided census data, along with additional demographic data sources including American Factfinder, City Facts, and American Towns. Other sources included staff at the City of Bishop; Larry Emerson (Executive Director of IMACA) and Cathy Keesler (IMACA Housing Program Specialist); Jennifer Halferty (Executive Director of Mammoth Lakes Housing) and Pam Hennity (former Executive Director of Mammoth Lakes Housing), Randi Pritchard (Eastern Sierra Realty); Denelle Carrington, Eastern Sierra Area Agency on Aging;

II. SUMMARY OF OPPORTUNITIES & CONSTRAINTS

A. LAND AVAILABILITY ISSUES

As of 2014, the vast majority of vacant buildable parcels within the city limits continue to be owned by the City of Los Angeles. Over the years the City has conducted ongoing negotiations with the City of Los Angeles to acquire parcels for use in building affordable/senior/disabled housing projects. At times the City of Los Angeles has issued letters of intent to sell parcels; negotiations have been derailed for various reasons, including change of management at Los Angeles DWP. The City will continue to work with the City of Los Angeles DWP in an effort to secure sale or long-term lease of parcels. Additionally, the City will more proactively seek HCD assistance to reconcile incompatible lease terms (wherein the City of Los Angeles will lease for a maximum of 40 years³ but affordable housing funding agencies require a minimum 55-year lease), and incompatible grant terms (where federal and state agencies will consummate a grant only after the other agency makes the first loan commitment). The City will also seek HCD assistance to establish provisions where the City of Los Angeles and the City of Bishop can share affordable housing credits in cases where LADWP lands are sold or leased through the aegis of the City of Bishop for the purposes of providing affordable housing opportunities. Preliminary contact with HCD has already been initiated, and the City will follow up in coming months to seek HCD guidance in resolving these high priority issues.

B. LAND USE POLICY ISSUES

The City has considered how the General Plan and Zoning policies can be strengthened to encourage adequate and safe housing opportunities for all residents, and has determined that these goals can best be served through five measures. The measures are outlined below along with a brief discussion of steps that have been taken to implement the measures and thereby achieve the underlying goals:

- 1. Identify one or two neighborhoods of increased densities in existing residential neighborhoods or redesignation of other land uses to residential uses in order to meet affordable housing needs in Bishop:** Since the 2009-2014 Housing Element was adopted, the City has identified a downtown neighborhood and established an overlay zone that permits mixed uses and densities in an location proximate to transportation and services. For the 2014-2019 Housing Element, the City will consider expanding this overlay zone to take in lands west of Main Street along the evolving Warren Street corridor.
- 2. Ease restrictions on mixed residential/commercial use of commercial land:** The adopted overlay zone accomplishes this goal, and the City plans to consider expanding the area in which mixed uses are allowed, during the current Housing Element term (2014-2019), to include lands west of Main Street.
- 3. Monitor conversion of duplex/triplex/quadruplex/mobile units to single family units:** in concern with IMACA, the City has continued to monitor its inventory of multiplex and mobile home units to ensure that this affordable housing resource remains available to Bishop residents. Since the prior Housing Element was adopted, four trailer park units were replaced by two modular units at a facility that had been rated as 'dilapidated' during the 2003 housing survey and is now rated as good under all criteria; the 2013 survey indicates that there have been improvements at several additional facilities as well (as has been true for permanent housing), but no further inventory reductions.
- 4. Consider Interface Zoning Overlay that allows a CUP for nonconforming residential uses:** This measure continues to be evaluated by the City, particularly in connection with use of CUPs for onsite housing at employment sites.

³There is a single pending exception for a 50-year lease for a potential City Park property.

Additionally, the City has continued to support and experience widespread development of second units. These units have provided a continued supply of affordable housing options and helped to somewhat overcome the limitations on available land as well as the inventory of housing options for residents of Bishop.

5. Change the Zoning policies to permit construction of emergency shelters without a CUP in one or more zones: This measure was accomplished during the term of the 2009-2014 Housing Element, and has helped to pave the way for the upcoming focus on expanding the mixed use zoning overlay as described in Items 1 and 2 above.

C. OPPORTUNITIES

In addition to opportunities associated with the land use policy issues above, the City has various tools at its disposal to support development of affordable housing:

- **Density Bonuses:** The City continues to support the use of density bonuses to optimize affordable housing development, and has continued to expand infrastructure and public facilities since the 2009 Housing Element was adopted. The City is currently embarking on a project to identify standards for curbside drainage on local routes throughout the City.
- **Employment Housing:** Continue to evaluate opportunities to issue conditional use permits for on-site housing at employment sites. Local employers have occasionally expressed interest in assisting with housing development activities as a means to attract and retain employees, and this tool may also support future efforts to attract technology firms in light of the new fiber optic cable serving Owens Valley.
- **HCD Assistance:** Seek HCD assistance to reconcile incompatible lease terms wherein the City of Los Angeles will lease for up to 40 years but affordable housing funding agencies require a minimum of 55-year leases)
- **Shared Credits:** Explore with the City of Los Angeles the possibility of sharing affordable housing credits in cases where LADWP lands are sold or leased through the aegis of the City of Bishop to provide affordable housing opportunities.

D. CONSTRAINTS

Lack of available land is the single largest constraint to development in the City of Bishop. Less than one half acre of privately-owned developable land is located inside the Bishop City limits; the remaining undeveloped properties are owned by the City of Los Angeles. Only 2% of the land area County-wide is privately owned; the remainder is owned by governmental or tribal entities. The limits on land availability have not substantively changed since the 2009 Housing Element was adopted.

Only 2% of the land in Inyo County is privately owned—the rest is owned by governmental or tribal entities.

III. EXISTING CONDITIONS - HOUSING NEEDS ASSESSMENT

Housing element law requires a quantification and analysis of existing housing needs.

The Housing Needs Assessment provided in this section is based on a *Housing Element Data Package* provided by HCD. The package addresses the statutory requirements for the quantification of existing housing needs, including:

- Identification of population and employment trends;
- Household characteristics (i.e., existing households, existing extremely low income households, lower and extremely low income households overpaying, overcrowded households);
- Special needs (i.e., number of persons with disabilities, persons with developmental disabilities, female headed households);
- Projected housing needs; and
- Inventory of at-risk units

Agencies that use the HCD-prepared *Data Package* are not be subject to further HCD review as part of the housing element update process. As required, however, this section of the Housing Element offers an analysis of the *Housing Element Data Package* data as appropriate.

A. EXISTING POPULATION AND HOUSING STATISTICS

A.1 Population

After increasing by less than 3% between 1990-2000 (increasing from 3,475 to 3,575), the population experienced a more

robust 8% growth rate over the decade between 2000 and 2010 (increasing from 3,575 to 3,879). The City's population as of January 2013 (3,877) is essentially unchanged from the 2010 Census. As before, the City's growth has continued to parallel that of Inyo County as a whole, comprising 20.9% of the County total (compared with just under 20% in 2008).

TABLE 3⁴

Population Growth Trends 2010 -2013							
COUNTY/CITY	Population 4/1/2000	Population 4/1/2010	Population 1/1/2011	Population 1/1/2012	Population 1/1/2013	Avg. Ann Change	
						Number #	Percent %
Inyo County							
Bishop		3,879	3,859	3,876	3,877	-1	0.0%
Balance Of County		14,667	14,630	14,671	14,696	8	0.1%
County Total		18,546	18,489	18,547	18,573	8	0.0%

The number of housing units increased by a much smaller share, increasing from 1,867 to 1,926 (a 3% increase overall) in the decade between 2000 and 2010. Vacancy rates declined from 9.8% to 9.24% during this time, while occupancy rates increased from 2.077 persons per household to 2.157 persons per household. As shown in Table 4, the housing unit increase was most pronounced for multifamily housing (a 20.9% increase) while the number of single family homes declined by 7.6%. *These data suggest that the City has continued to provide affordable housing options to its residents despite the many constraints listed in §II above.*

TABLE 4

E-8 City/County/State Population and Housing Estimates, 2000 and 2010										
County / City	Date	HOUSING UNITS							Vacancy Rate	Persons Per Household
		Total	Single	Multiple	Mobile Homes	Households	Vacant Units			
Bishop	4/1/2000	1,867	919	585	363	1,684	183	9.80%	2.077	
	4/1/2010	1,926	849	707	370	1,748	178	9.24%	2.157	
Unincorporated County	4/1/2000	7,175	4,736	290	2,149	6,019	1,156	16.11%	2.374	
	4/1/2010	7,552	4,978	368	2,206	6,301	1,251	16.57%	2.276	

Source: DOF EB 2000-2010

A.2 Employment Trends

A total of 1,955 civilian residents of Bishop were employed as of 2011; this reflects a relatively significant increase over the 2000 employment total of 1,635. Table 5 summarizes 2011 employment by sector for Inyo County and Bishop. One measure of the balance between employment opportunities and residents' needs is a "jobs-housing balance" test. Generally, a balanced community would have a ratio of one job for every housing unit, theoretically enabling most residents to also work in the community. As of 2011, there were 1,684 occupied households in Bishop, and 1,955 employed individuals. This yields a ratio of 1.16 jobs per household for the City as a whole (compared with 1.05 jobs per household in 2008). These data indicating a continuing improvement from the 2000 Census results of 0.97 jobs per household. As noted in prior Housing Elements, the findings are not surprising given the distance from most Inyo County towns to workplaces outside the County. *In whole, the data reflect a satisfactory "jobs-housing balance" in Bishop and the greater Bishop community.*

⁴CA Dept. of Finance, E-4 Population Estimates for Cities, Counties & the State, 2011-2013, with 2010 Census Benchmark, Sacramento, May 2013

TABLE 5

Employment by Industry	Inyo County,		Bishop city,		Unincorporated area	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
Civilian employed population 16 years and over	8,737	8,737	1,955	1,955	6782	6782
Agriculture, forestry, fishing and hunting, and mining	130	1.5%	15	0.8%	115	0.007
Construction	714	8.2%	145	7.4%	569	0.008
Manufacturing	380	4.3%	32	1.6%	348	0.027
Wholesale trade	121	1.4%	32	1.6%	89	-0.002
Retail trade	1,296	14.8%	380	19.4%	916	-0.046
Transportation and warehousing, and utilities	750	8.6%	80	4.1%	670	0.045
Information	73	0.8%	33	1.7%	40	-0.009
Finance and insurance, and real estate and rental and	250	2.9%	0	0.0%	250	0.029
Professional, scientific, and management, and	324	3.7%	33	1.7%	291	0.02
Educational services, and health care and social	1,764	20.2%	452	23.1%	1312	-0.029
Arts, entertainment, and recreation, and accommodation	1,604	18.4%	518	26.5%	1086	-0.081
Other services, except public administration	407	4.7%	79	4.0%	328	0.007
Public administration	924	10.6%	156	8.0%	768	0.026

Source: ACS DP-03 2007-2011

A.3 Overcrowding and Household Size

Overcrowding and household size are important housing indicators. Household size is defined as the number of people per dwelling, and overcrowding exists when there are more than 1.01 persons per room (the 1.01 factor is established by the federal government as a standard or measure of overcrowding). Both factors indicate whether the existing housing stock meets occupant space needs.

Overcrowding appears to be a function of household size, income and tenure. Information from the 1970 Census indicated that 5% of Bishop planning area households encountered overcrowded conditions. Census data for 1980 put the percentage at 4.4%, the 1980 Census at 5.5%, the 1990 Census at 5.5%, and both the 2000 and 2010 Census at 5.0%. As shown in Table 6, there is no severe overcrowding in Bishop (including both owner-occupied and renter-occupied units). *These data indicate that overcrowding is a relatively stable and minor problem for area households.*

TABLE 6

Overcrowded Households (2011)						
			Inyo County	Bishop city	Unincorporated	
			Estimate	Estimate	Estimate	
Total:			14,283	730	1,365	
Owner occupied:			11,213	571	1,079	
0.50 or less occupants per room			9,012	159	734	
0.51 to 1.00 occupants per room			2,085	0	328	
1.01 to 1.50 occupants per room			77	0	17	
1.51 to 2.00 occupants per room			22	0	0	
2.01 or more occupants per room			17	1,146	0	
Renter occupied:			3,070	705	286	
0.50 or less occupants per room			1,865	348	178	
0.51 to 1.00 occupants per room			1,181	93	108	
1.01 to 1.50 occupants per room			14	0	0	
1.51 to 2.00 occupants per room			10	0	0	
2.01 or more occupants per room			0	0	0	
Owner Occupied	Overcrowded	1.01 or more	116	1146	17	
Renter occupied	Overcrowded	1.01 or more	24	0	0	
Total overcrowded			140	1146	17	
Owner Occupied	Severely Overcrowded	1.5 or more	39	1146	0	
Renter occupied	Severely Overcrowded	1.5 or more	10	0	0	
Total severely overcrowded			49	1146	0	

Source: ACS 2007-2011 Table B25014

A.4 Overpayment

In addition to statistical data on total households and vacancy rates, it is useful to analyze data on housing overpayment to understand the housing situation in Bishop, particularly for lower income households. Table 7 compares housing costs as a percentage of income for Owner and Renter households, as well as total households, as of 2011 for Inyo County as a whole,

Bishop, and the unincorporated lands. Note that HCD considers housing costs over 25% of income to be “overpayment.” As shown in Table 7, 73.8% of all Bishop renter households met the HCD criteria for overpayment for housing costs, compared with 37.7% of owner households. Both of these measures show a significant increase over 2000 Census data, when 54% of renter households and 25.8% of owner households were overpaying. The decade between 2000-2010 was particularly volatile for housing, which has undoubtedly contributed to the worsening overpayment problem. However, as discussed above, *the increased supply of multifamily and mobile home housing opportunities has outstripped the increase in population of Bishop, which may point to a reduced overpayment problem in the years ahead.*

TABLE 7

Households by Income Category Paying In Excess of 30% of Income Toward Housing (Overpayment by Income category)						
Inyo Countywide Total						
Household	Extreme Low	Very Low	Low	Above Moderate	Total	Lower Income
Ownership Households	734	613	743	2,019	4,943	2,088
Overpaying owner households	446	248	187	383	1,476	882
Percentage of overpaying owners	60.8%	40.6%	25.3%	19.0%	29.9%	42.2%
Renter Households	617	576	407	434	2,298	1,600
Overpaying renter households	568	500	206	14	1,328	1,274
Percentage of overpaying renters	92.0%	86.9%	50.6%	3.2%	57.8%	79.6%
Total Households	1,351	1,187	1,149	2,453	7,241	3,688
Overpaying households	1,014	749	394	397	2,804	2,156
Percentage of overpaying households	75.0%	63.0%	34.3%	16.2%	38.7%	58.5%
Source: ACS 2007-2011 B25106						
Households by Income Category Paying In Excess of 30% of Income Toward Housing (Overpayment by Income category)						
City of Bishop						
Household	Extreme Low	Very Low	Low	Above Moderate	Total	Lower Income
Ownership Households	95	99	79	363	730	273
Overpaying owner households	55	55	25	116	275	135
Percentage of overpaying owners	58.3%	55.3%	31.5%	31.9%	37.7%	49.5%
Renter Households	341	350	122	133	1,044	813
Overpaying renter households	341	328	71	3	770	739
Percentage of overpaying renters	100.0%	93.6%	57.8%	2.5%	73.8%	90.9%
Total Households	435	450	201	497	1,774	1,086
Overpaying households	396	383	95	119	1,045	874
Percentage of overpaying households	90.9%	85.2%	47.5%	24.0%	58.9%	80.5%
Source: ACS 2007-2011 B25106						
Households by Income Category Paying In Excess of 30% of Income Toward Housing (Overpayment by Income category)						
Unincorporated Inyo County						
Household	Extreme Low	Very Low	Low	Above Moderate	Total	Lower Income
Ownership Households	640	512	663	1,656	4,213	1,815
Overpaying owner households	391	194	163	267	1,201	747
Percentage of overpaying owners	61.1%	37.8%	24.5%	16.1%	28.5%	41.2%
Renter Households	276	226	285	301	1,254	787
Overpaying renter households	227	172	136	10	558	535
Percentage of overpaying renters	82.1%	76.4%	47.6%	3.5%	44.5%	68.0%
Total Households	916	738	948	1,957	5,467	2,602
Overpaying households	618	366	298	278	1,759	1,282
Percentage of overpaying households	67.5%	49.6%	31.5%	14.2%	32.2%	49.3%

A.5 Housing Tenure

As shown in Table 8, the estimated number of owner-occupied units in Bishop as of 2011 was 730 units (an increase over the 701 owner-occupied units in 2000), with 1,146 renter-occupied units as of 2011 compared with 958 renter-occupied units in 2000.

TABLE 8

Existing Households	Inyo Countywide Total			Bishop			Unincorporated County			
	Year	# Existing Hh	Owner	Renter	# Existing Households	Owner	Renter	# Existing Households	Owner	Renter
	2011	7,910	4,960	2,950	1,876	730	1,146	6,034	4,230	1,804

Source: ACS 2011, 5-year

Bishop household size varies between owner- and renter-occupied units, with an average of 2.37 occupants in owner-occupied dwelling types (2000 Census) and an average of 1.79 occupants per rental unit. This represents a continuation of a long-standing trend towards smaller household sizes in the City as evidenced by the fact that the average Bishop household size in 1960 was 3.0 persons. The Bishop population in 2000 was younger overall (with 22.4% of residents age 60 or older) than in 2008, when 25.8% of residents were age 60 or older. As shown in Table 9, this trend has continued with 30% of Bishop residents now in the 60+ year age bracket. Almost 40% of owner-occupied units fall into this group, whereas renters are a comparatively younger proportion of the overall Bishop population (18.6% age 60 or older).

TABLE 9 - HOUSEHOLDS BY TENURE AND AGE

	Inyo County		Bishop City	
	Estimate	Margin of	Estimate	Margin of
Total:	7,910	+/-213	1,876	+/-154
Owner occupied:	4,960	+/-243	730	+/-129
Householder 15 to 24 years	23	+/-20	0	+/-95
Householder 25 to 34 years	229	+/-85	34	+/-34
Householder 35 to 44 years	467	+/-94	91	+/-46
Householder 45 to 54 years	1,117	+/-134	204	+/-82
Householder 55 to 59 years	598	+/-120	113	+/-60
Householder 60 to 64 years	599	+/-113	58	+/-43
Householder 65 to 74 years	988	+/-118	92	+/-64
Householder 75 to 84 years	749	+/-105	126	+/-72
Householder 85 years and over	190	+/-70	22	+/-36
Renter occupied:	2,950	+/-230	1,146	+/-178
Householder 15 to 24 years	152	+/-73	54	+/-57
Householder 25 to 34 years	753	+/-138	339	+/-132
Householder 35 to 44 years	532	+/-144	145	+/-105
Householder 45 to 54 years	611	+/-124	222	+/-94
Householder 55 to 59 years	280	+/-103	112	+/-88
Householder 60 to 64 years	169	+/-77	41	+/-36
Householder 65 to 74 years	180	+/-64	52	+/-44
Householder 75 to 84 years	136	+/-79	104	+/-81
Householder 85 years and over	137	+/-88	77	+/-67

Source: ACS 2011, 5 Year (B25007)

Some localities have established density bonus programs for developers who build units that can accommodate large families (i.e., households with 5 or more persons. Other jurisdictions have reduced parking requirements, waived fees or expedited processing of permits for projects providing some additional units with three or more bedrooms. *This does not appear warranted for Bishop. As shown in Table 10, there were no rental households in Bishop with 5 or more persons as of 2011, and there were only 47 owner-occupied units with 5 or more persons (none with 6 or more).* Overall, household sizes continue to reflect societal changes, including reduced family size and lower birth rates. These factors result in continued need for new housing formation since smaller households require a greater number of dwelling units to house an equivalent size population.

TABLE 10

Household Size by Tenure (Including Large Households) (2007-2011)							
	Inyo Countywide		Bishop City		Unincorporated County		
	#	%	#	%	#	%	
Owner	4,960	62.7%	730	38.9%	4,230	70.1%	
Householder living alone	1,563	31.5%	221	30.3%	1,342	31.7%	
Households 2-4 persons	3,112	62.7%	462	63.3%	2,650	62.6%	
Large households 5+ persons	285	5.7%	47	6.4%	238	5.6%	
Rental	2,950	37.3%	1,146	61.1%	1,804	29.9%	
Householder living alone	1,282	43.5%	682	59.5%	600	33.3%	
Households 2-4 persons	1488	30.0%	464	9.4%	1024	20.6%	
Large households 5+ persons	180	3.6%	0	0.0%	180	3.6%	
Total:	7,910		1,876		6,034		
Total Householder living alone	2,845	36.0%	903	48.1%	1,942	32.2%	
Households 2-4 persons	4,600	58.2%	926	49.4%	3,674	60.9%	
Large households 5+ persons	465	5.9%	47	2.5%	418	6.9%	

Source ACS B25007

A.6 Housing Stock

There are differences between housing stock condition and housing improvement needs. The term "condition" refers to the physical quality of the housing stock. The quality of the individual housing units or structures may be defined as sound, deteriorating or dilapidated. Housing improvements, on the other hand, refer to the nature of the "remedial" actions necessary to correct defects in the housing condition such as demolition, minor repairs, major repairs, and rehabilitation. As of the 2010 Census (see Summary Table 20), the City of Bishop had a housing stock comprised of 2,041 total dwelling units, compared to 1,894 total units in January 2008. As shown in Table 11, single family dwellings continue to represent a majority of the City's housing units

TABLE 11

Housing by Type of Structure						
County / City	Total	Single Detached	Single attached	Two to Four	Five Plus	Mobile Homes
	2013	2013	2013	2013	2013	2013
Inyo County	#REF!	3,771	108	1,926	766	83
Bishop	#REF!	3,771	108	1,926	766	83
Unincorporated	#REF!	14,342	325	7,552	4,850	128
County Total	#REF!	18,113	433	9,478	5,616	211

Source : State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2011-2013. Sacramento, California, May 2013

As shown in Table 20 (Summary of Selected Census Data), there are 10 residences in the City of Bishop that lack complete plumbing facilities, 100 residences that lack complete kitchen facilities, and 113 residences that have no telephone service. These are the units with a critical need for rehabilitation. The Bishop Code Enforcement and Public Safety Officer would have knowledge of these conditions only if a complaint is filed, and when complaints are received the City takes prompt action. To date, however, no such complaints have been received by the City nor is the City aware of any such units. As a result, the current Housing Element does not contain any action items pertaining to these units.

A.7 Vacancy Rates

Table 10 presents housing stock data by type of vacancy as of the 2010 Census. As shown, the 2010 vacancy rate in Bishop

was estimated at 9.24% of households (178 units). This represents a reduction from the 9.7% vacancy rate in 2000 (183 units).the vacancy rate overall was 9.2%. As noted in the 2004 and 2009 Bishop Housing Element updates, the U.S. Department of Housing and Urban Development considers a housing market with a vacancy rate of three percent or less to have a "shortage" of housing. Some households in a housing market with a vacancy rate of three percent or less for a sustained period of time can be expected to experience an "overpayment problem." An overall vacancy rate of about five percent is considered desirable to assure an adequate selection of reasonably priced housing without discouraging investment in housing. More specifically, a minimum vacancy rate of 2% for dwellings for sale is desirable while a minimum vacancy rate for rental units is 6%.

The homeowner vacancy rate in Bishop has been tight for a long period (1.8% as of 2007 and 1.0% as of 2004), but has recently worsened with only 0.3% of homeowner units vacant as of the 2010 Census. The rental vacancy rate has long been below the 6% minimum level deemed desirable by HCD, but has improved in recent years to 5.8%.

TABLE 12

HOUSING STOCK BY TYPE OF VACANCY												
Geography	Total housing units	Occupied housing units	Vacant housing units	Rented, not occupied		For sale only	Sold, not occupied	seasonal, recreational, or occasional use	All other vacants	Homeowner vacancy rate (1)	Rental vacancy rate (1)	
				For rent	For sale only							
Inyo County	9,478	8,049	1,429	182	21	90	20	716	400	15.1%	1.7%	5.8%
Big Pine CDP	871	764	107	12	0	9	2	54	30	12.3%	1.5%	6.3%
Bishop city	1,926	1,748	178	67	14	2	1	38	56	9.2%	0.3%	5.8%
Cartago CDP	55	44	11	0	0	0	0	7	4	20.0%	0.0%	0.0%
Darwin CDP	46	28	18	0	0	1	0	14	3	39.1%	4.0%	0.0%
Dixon Lane-Meadow Creek CD	1,273	1,166	107	1	0	15	11	45	35	8.4%	1.5%	0.6%
Furnace Creek CDP	18	15	3	0	0	0	0	0	3	16.7%	0.0%	0.0%
Homewood Canyon CDP	36	24	12	0	0	0	0	8	4	33.3%	0.0%	0.0%
Independence CDP	389	301	88	6	1	13	0	33	35	22.6%	5.8%	6.1%
Keeler CDP	67	40	27	2	0	1	0	9	15	40.3%	2.9%	22.2%
Lone Pine CDP	1,004	831	173	29	1	12	1	78	52	17.2%	2.6%	7.1%
Mesa CDP	124	104	20	0	0	0	1	13	6	16.1%	0.0%	0.0%
Olancha CDP	97	78	19	1	0	1	0	12	5	19.6%	2.2%	2.9%
Pearsonville CDP	16	9	7	0	0	1	0	0	6	43.8%	12.5%	0.0%
Round Valley CDP	155	141	14	4	0	0	0	6	4	9.0%	0.0%	4.0%
Shoshone CDP	31	17	14	3	0	1	0	3	7	45.2%	16.7%	20.0%
Tecopa CDP	159	92	67	4	0	4	0	47	12	42.1%	6.6%	10.3%
Trona CDP	6	5	1	0	0	0	0	0	1	16.7%	0.0%	0.0%
Valley Wells CDP	0	0	0	0	0	0	0	0	0	0.0%	0.0%	0.0%
West Bishop CDP	1,229	1,133	96	7	1	10	3	55	20	7.8%	1.0%	4.2%
Wilkerson CDP	265	244	21	2	0	3	0	10	6	7.9%	1.5%	4.3%

Source: U.S. Census Bureau - Census 2010 Demographic Profile Summary

A.7 Special Households

The HCD has explained how special housing needs differ from other housing needs in the following terms: "Special housing needs are those associated with relatively unusual occupational or demographic groups, such as farm workers, or large families, or those which call for unusual program responses, such as preservation of residential hotels or the development of four bedroom apartments."⁵

- **Disabled Persons and Households including persons with Developmental Disabilities**

⁵HCD, Housing Element Questions and Answers, March, 1984.

Households with one or more members with some physical disabilities may require special housing design features and may also have housing assistance needs. The primary focus of disabled residents as a special need segment is on their number and economic situation. The major housing problems of disabled people are the lack of affordable accommodations and inadequate accessibility. These basic problems are caused by a variety of factors: a) subtle, or not so subtle, discrimination; b) lack of financial resources and incentives available to those who want to make their buildings accessible; and d) lack of knowledge as to how accessibility can be improved. General solutions include: a) public recognition and commitment to correcting the problems; b) education and dissemination of information to the public and building owners; c) modifications to existing codes and regulations; d) enforcement of existing laws and regulations; and e) increased financial assistance for housing programs.⁶

As shown in Tables 13 and 14, results of the American Community Survey (ACS) for 2011 indicate that the proportion of disabled persons in Bishop has decreased in recent years. Whereas the 2000 Census indicated that 18.6% of the Bishop population over age 5 was disabled,⁷ data from the 2011 ACS indicate that persons with disability now comprise 11% of the total Bishop population. Employment disability comprises the largest share of disability type (17.85%) for persons 16-64 years old, and physical disability comprises the largest share (17.35%) for persons 65 years and older. The City's zoning code does not define 'family' or identify special concentration or permitting requirements for this type of use, and will not constitute a hindrance to the provision of housing for disabled persons.

TABLE 13

Persons with Disability by Employment Status (ACS 2011)						
	Inyo Countywide	Percent	Bishop	Percent	Unincorporated	Percent
Age 5-64, Employed Persons with a Disability	598	35%	44	13%	554	41%
Age 5-64, Not Employed Persons with a Disability	499	29%	71	21%	428	31%
Persons Age 65 Plus with a Disability	1305	77%	211	62%	1094	80%
Total Persons with a Disability	1704	100%	341	100%	1363	100%
% of Total Population (Civilian Non-institutional)	10%		11%		10%	

Source: ACS B1812D

TABLE 14

Persons with Disabilities by Disability Type* and age (Census 2010)						
	Inyo Countywide	Percent	Bishop	Percent	Unincorporated	Percent
Total Disabilities Tallied	5,672	100.00%	1,216	100.00%	4,456	100.00%
Total disabilities tallied for people 5 to 15 years:	206	3.63%	36	2.96%	170	3.82%
Sensory disability	21	0.37%	0	0.00%	21	0.47%
Physical disability	46	0.81%	15	1.23%	31	0.70%
Mental disability	86	1.52%	8	0.66%	78	1.75%
Self-care disability	53	0.93%	13	1.07%	40	0.90%
Total disabilities tallied for people 16 to 64 years:	3,252	57.33%	591	48.80%	2,661	59.72%
Sensory disability	377	6.65%	52	4.26%	325	7.29%
Physical disability	862	15.20%	115	9.46%	747	16.76%
Mental disability	438	7.72%	79	6.50%	359	8.06%
Self-care disability	157	2.77%	39	3.21%	118	2.65%
Go-outside-home disability	323	5.69%	89	7.32%	234	5.25%
Employment disability	1,095	19.31%	217	17.85%	878	19.70%
Total disabilities tallied for people 65 years and over:	2,214	39.03%	589	48.44%	1,625	36.47%
Sensory disability	556	9.80%	133	10.94%	423	9.46%
Physical disability	766	14.03%	211	17.35%	555	12.45%
Mental disability	270	4.76%	56	4.61%	214	4.80%
Self-care disability	217	3.83%	74	6.09%	143	3.21%
Go-outside-home disability	375	6.61%	115	9.46%	260	5.83%

Source: 2010 Census S1 810

Tables 15A, 15B, and 15C summarize residential care in Bishop. The City of Bishop (zip code 93514) shows a total of 57

⁶The Center for Independent Living, Inc., Berkeley and the Northern Section, California Chapter of the American Planning Association, "A Guidebook on the General Plan and Disabled," June, 1981.

⁷Source: American Factfinder, Summary Table 3, Disability Status by Sex: 2000.

individuals in this category, including 18 individuals under the age of 18, and 3 individuals over the age of 62. The majority (63%) are in Section 8 housing, followed by independent living arrangements ((35%).

**TABLE 15A
RESIDENTIAL CARE POPULATION BY ZIP CODE**

ZIP	County	Status	Age	Residence	Population
93513	Inyo	2-Active Client	10 to 13 yrs	Home Prnt/Grdn	1
93513	Inyo	2-Active Client	14 to 17 yrs	Home Prnt/Grdn	1
93513	Inyo	2-Active Client	22 to 31 yrs	Home Prnt/Grdn	2
93513	Inyo	2-Active Client	22 to 31 yrs	Indep Living	1
93514	Inyo	2-Active Client	3 to 5 yrs	Home Prnt/Grdn	1
93514	Inyo	2-Active Client	6 to 9 yrs	Home Prnt/Grdn	4
93514	Inyo	2-Active Client	10 to 13 yrs	Home Prnt/Grdn	5
93514	Inyo	2-Active Client	14 to 17 yrs	Home Prnt/Grdn	8
93514	Inyo	2-Active Client	18 to 21 yrs	Home Prnt/Grdn	2
93514	Inyo	2-Active Client	22 to 31 yrs	Home Prnt/Grdn	9
93514	Inyo	2-Active Client	22 to 31 yrs	Indep Living	3
93514	Inyo	2-Active Client	22 to 31 yrs	Other	1
93514	Inyo	2-Active Client	32 to 41 yrs	Home Prnt/Grdn	4
93514	Inyo	2-Active Client	32 to 41 yrs	Indep Living	3
93514	Inyo	2-Active Client	42 to 51 yrs	Home Prnt/Grdn	3
93514	Inyo	2-Active Client	42 to 51 yrs	Indep Living	7
93514	Inyo	2-Active Client	52 to 61 yrs	Indep Living	4
93514	Inyo	2-Active Client	62 and Older	Indep Living	3
93526	Inyo	2-Active Client	10 to 13 yrs	Home Prnt/Grdn	1
93526	Inyo	2-Active Client	18 to 21 yrs	Home Prnt/Grdn	1
93542	Inyo	2-Active Client	10 to 13 yrs	Home Prnt/Grdn	1
93545	Inyo	2-Active Client	10 to 13 yrs	Home Prnt/Grdn	1
93545	Inyo	2-Active Client	14 to 17 yrs	Home Prnt/Grdn	1
93545	Inyo	2-Active Client	18 to 21 yrs	Home Prnt/Grdn	3
93545	Inyo	2-Active Client	22 to 31 yrs	Home Prnt/Grdn	1
93545	Inyo	2-Active Client	32 to 41 yrs	Home Prnt/Grdn	1
93545	Inyo	2-Active Client	42 to 51 yrs	Indep Living	3
93545	Inyo	2-Active Client	52 to 61 yrs	Indep Living	2
93545	Inyo	2-Active Client	52 to 61 yrs	SNF	1
93545	Inyo	2-Active Client	62 and Older	SNF	2

**TABLE 15B
RESIDENTIAL CARE BY AGE**

# Pop	County	ZIP	Age										Total		
			0 to 2 yrs	3 to 5 yrs	6 to 9 yrs	10 to 13 yrs	14 to 17 yrs	18 to 21 yrs	22 to 31 yrs	32 to 41 yrs	42 to 51 yrs	52 to 61 yrs		62 and Older	
	Inyo	93513				1	1		3						5
	Inyo	93514		1	4	5	8	2	13	7	10	4	3		57
	Inyo	93526				1		1							2
	Inyo	93542				1									1
	Inyo	93545				1	1	3	1	1	1	3	2		13

**TABLE 15C
RESIDENTIAL CARE BY TYPE OF RESIDENCE**

# Pop	County	ZIP	Residence					Total	
			Community Care	Home Prnt/Grdn	ICF	Indep Living	Other		SNF
	Inyo	93513		4			1		5
	Inyo	93514		36			20	1	57
	Inyo	93526		2					2
	Inyo	93542		1					1
	Inyo	93545		7			3	3	13

As of January 2011, housing elements must include an analysis of the special housing needs of disabled persons including persons with developmental disabilities. This requirement stems from the fact that special needs groups encounter significant challenges in obtaining secure and decent housing and are disproportionately subject to discrimination. SB 812 amended State housing element law to require that an evaluation of the special housing needs of persons with developmental disabilities must be included in the assessment of the housing needs of the disabled, including estimates of the number of persons with developmental disabilities and their housing need with a discussion of potential resources. A "developmental disability" is defined as a disability that originates before an individual becomes 18 years old, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. This includes Mental Retardation, Cerebral Palsy, Epilepsy, and Autism.

The US Census does not compile information regarding persons with developmental disabilities, but this information is available through each nonprofit regional center operating under contract with the California Dept. of Developmental Services (DDS). Table 15D, 15E and 15F summarize housing needs of people with developmental disabilities per SB 812 by zip code, by age and by status. As shown, the City of Bishop (zip code 93514) has a total of 57 persons with developmental disabilities including 1 person in the 3-5 year age, 4 individuals aged 6-9 years, 5 individuals aged 10-13 years, 8 individuals aged 14-17, 2 individuals aged 18-21, 13 individuals aged 22-31, 7 individuals aged 32-41, 10 individuals aged 42-51, 4 individuals aged 52-61 and 3 individuals aged 61 or older. Of this population, twenty are in independent living situations, 36 are living at home with a parent or guardian, and 1 has other living arrangements.

**TABLE 15D
PEOPLE WITH DEVELOPMENTAL DISABILITIES HOUSING NEEDS PER SB 812 BY ZIP CODE**

ZIP	County	Status	Age	Residence	Population
93513	Inyo	2-Active Client	10 to 13 yrs	Home Prnt/Grdn	1
93513	Inyo	2-Active Client	14 to 17 yrs	Home Prnt/Grdn	1
93513	Inyo	2-Active Client	22 to 31 yrs	Home Prnt/Grdn	2
93513	Inyo	2-Active Client	22 to 31 yrs	Indep Living	1
93514	Inyo	2-Active Client	3 to 5 yrs	Home Prnt/Grdn	1
93514	Inyo	2-Active Client	6 to 9 yrs	Home Prnt/Grdn	4
93514	Inyo	2-Active Client	10 to 13 yrs	Home Prnt/Grdn	5
93514	Inyo	2-Active Client	14 to 17 yrs	Home Prnt/Grdn	8
93514	Inyo	2-Active Client	18 to 21 yrs	Home Prnt/Grdn	2
93514	Inyo	2-Active Client	22 to 31 yrs	Home Prnt/Grdn	9
93514	Inyo	2-Active Client	22 to 31 yrs	Indep Living	3
93514	Inyo	2-Active Client	22 to 31 yrs	Other	1
93514	Inyo	2-Active Client	32 to 41 yrs	Home Prnt/Grdn	4
93514	Inyo	2-Active Client	32 to 41 yrs	Indep Living	3
93514	Inyo	2-Active Client	42 to 51 yrs	Home Prnt/Grdn	3
93514	Inyo	2-Active Client	42 to 51 yrs	Indep Living	7
93514	Inyo	2-Active Client	52 to 61 yrs	Indep Living	4
93514	Inyo	2-Active Client	62 and Older	Indep Living	3
93526	Inyo	2-Active Client	10 to 13 yrs	Home Prnt/Grdn	1
93526	Inyo	2-Active Client	18 to 21 yrs	Home Prnt/Grdn	1
93542	Inyo	2-Active Client	10 to 13 yrs	Home Prnt/Grdn	1
93545	Inyo	2-Active Client	10 to 13 yrs	Home Prnt/Grdn	1
93545	Inyo	2-Active Client	14 to 17 yrs	Home Prnt/Grdn	1
93545	Inyo	2-Active Client	18 to 21 yrs	Home Prnt/Grdn	3
93545	Inyo	2-Active Client	22 to 31 yrs	Home Prnt/Grdn	1
93545	Inyo	2-Active Client	32 to 41 yrs	Home Prnt/Grdn	1
93545	Inyo	2-Active Client	42 to 51 yrs	Indep Living	1
93545	Inyo	2-Active Client	52 to 61 yrs	Indep Living	2
93545	Inyo	2-Active Client	52 to 61 yrs	SNF	1
93545	Inyo	2-Active Client	62 and Older	SNF	2

TABLE 15E - PEOPLE WITH DEVELOPMENTAL DISABILITIES HOUSING NEEDS PER SB 812 BY AGE

# Pop		Age (Years)											Total
County	ZIP	0-2	3-5	6-9	10-13	14-17	18-21	22-31	32-41	42-51	52-61	62+	
Inyo	93513				1	1		3					5
Inyo	93514		1	4	5	8	2	13	7	10	4	3	57
Inyo	93526				1		1						2
Inyo	93542				1								1
Inyo	93545				1	1	3	1	1	1	3	2	13

TABLE 15D - HOUSING NEEDS BY ZIP CODE OF PEOPLE WITH SB 812 DEVELOPMENTAL DISABILITIES

# Pop		Residence						Total
County	ZIP	Cmty Care	Home Prnt/Grdn	ICF	Indep. Living	Other	SNF	
Inyo	93513			4		1		5
Inyo	93514			36		20	1	57
Inyo	93526			2				2
Inyo	93542			1				1
Inyo	93545			7		3	3	13

• **Farm Workers**

Farm workers represent 1 of 7 special needs groups referenced in state law. Data developed for prior Housing Elements indicated that the majority of persons within the category of "agriculture, forestry, fishing and hunting" occupations were actually employed in the fields of veterinary medicine, horticulture, and landscaping—not farming. This broad-based group of agriculture-related workers constituted 3.1% of all employed residents of Bishop in 2000, but has since fallen. As shown in Tables 16 and 17, the City of Bishop has no farming, forestry or fishing businesses are known to operate in the City as of 2007. The City's Zoning Ordinance complies with the Employee Housing Act, specifically Health and Safety Code §§17021.5 and 17021.6. Section 17021.5 requires that employee housing for six or fewer employees to be treated as a single family structure and permitted in the same manner as other single family structures of the same type in the same zone. Section 17021.6 requires employee housing consisting of no more than 12 units or 36 beds to be permitted in the same manner as other agricultural uses in the same zone.

TABLE 16

Farmworkers – County-Wide (Inyo)		
Hired Farm Labor		
Farms	Workers	\$1,000 payroll
32	202	1726

TABLE 17

Farmworkers by Days Worked (Inyo)		
150 Days or More		
	Farms	20
	Workers	95
Farms with 10 or More Workers		
	Farms	1
	Workers	n/a
Fewer than 150 Days		
	Farms	22
	Workers	107
Source: USDA Census of Farmworkers 2007		
Link to upcoming 2012 AgCenst http://www.agcensus.usda.gov/index.php		

- **Homeless Residents**

Although there are no accurate homeless statistics available for the Bishop area (and no data on homelessness was included with the *Housing Element Data Package* provided by HCD, as shown in Tables 18 and 19), IMACA estimates that the population is growing. Statewide statistics indicate approximately 36 homeless per 10,000 residents; this would indicate roughly 36 homeless in Inyo and Mono Counties combined, and approximately 13 homeless individuals in the Bishop City limits. These numbers are higher than estimates from 2009, when the Inyo County Mental Health Director estimated a total of 25 homeless individuals in Inyo County, five (5) of whom were thought to reside in the City. The prolonged economic downturn has played a key role in this trend, and IMACA notes that daily calls and referrals for assistance have increased noticeably over the past year or so.

During 2013, IMACA received a \$100,000 grant from the California Department of Community Services and Development to fund its new Homeless Prevention Program. The funds will be used for emergency shelter vouchers, rental deposit assistance and relative services designed to assist homeless individuals in Inyo and Mono Counties. In addition, the program can issue camping equipment and pay campground fees. The program is funded for the July 2013/June 2014 fiscal year, during which IMACA will keep records with the goal of expanded state and federal funding if the program succeeds in its goal of creating a 'continuum of care' by which provider agencies (counseling, healthcare, rental and employee assistance) unit to provide an effective and responsive range of services to populations in need.

Additionally, IMACA has played a key role in the recent formation of a Continuum of Care program to answer the unmet needs of the homeless population in Inyo, Mono and Alpine counties. Stakeholders in this multi-agency effort include Inyo and Mono County Social Services and Health and Human Services, the Salvation Army, Northern Inyo Hospital, Inyo County veteran services, Mammoth Lakes Housing and several churches. The Continuum of Care program will serve as a collaborative way to provide integrated services to the homeless population. The program will also establish eligibility for state and federal funding sources that would not be available to the individual stakeholders. Through this avenue, the Continuum of Care aims to obtain funding for shelters and housing for homeless individuals as well as essential services and homelessness prevention programs.⁸

- **Female Heads of Household**

2000 Census data identified that 327 households were headed by females in Bishop, compared with 152 female-headed households in 1990. Data from the 2010 Census indicate that this number has decreased to 234 households (27.8% of all households). Female heads of household comprise the majority of households under the poverty line, representing 64% of the total 108 families living under the poverty level. However, the proportion of female headed households below the poverty line is slightly under 30%. These statistics reflect improvements since the 1990 Census, when Bishop was home to 114 female-headed households with children, half with incomes below the poverty level. Nearly a third of female-headed households were under the federal poverty level, compared with nearly a quarter of all households in Bishop. Affordable housing for female heads of households in the City has been provided through existing programs. The rental rate structure and rental assistance programs available in Bishop continue to adequately address housing needs of this group. A majority of female heads of household are without children, though 42% of the total live with children.

TABLE 18

Female Headed Households (2010)						
Householder Type	Bishop Number	Percent	Inyo County Number	Percent	Unincorporated Number	Percent
Female Headed Householders	234	27.8%	875	18.9%	641	16.9%
<i>Female Heads with Own Children</i>	<i>99</i>	<i>11.8%</i>	<i>523</i>	<i>11.3%</i>	<i>424</i>	<i>11.2%</i>
<i>Female Heads without Children</i>	<i>135</i>	<i>16.0%</i>	<i>352</i>	<i>7.6%</i>	<i>217</i>	<i>5.7%</i>
Total Householders	842	100.0%	4634	100.0%	3792	100.0%
Female Headed Householders Under the Poverty Level	70	8.3%	647	14.0%	577	15.2%
Total families Under the Poverty Level	108	12.8%	434	9.4%	326	8.6%

Source: 2010 Census B17012

⁸ *The Sheet*, September 21, 2013, "Helping the Homeless." Article written by 'Vane.'

A.8 At-Risk Units

HCD has identified one housing project in the City of Bishop that is at risk of converting to Non-Low Income Uses: the Willow Plaza, located at 324 Willow Street (see Table 20). This project was placed in service in 2007, and HCD indicates that there are more than 20-years of affordability remaining. This new-construction project provides a total of 12 low income housing units (100% of the units at this site) and is designed for large families.

TABLE 19

Summary of Units At Risk of Converting to Non-Low Income Uses																															
Project Name	Project Address	Project City	Project County	Project Zip	PH Date	Conversion Risk	AH Level	EMD_Year/Units	YIC/GI	Total Low Income Units	Total Units	Year 05 Date_05	Application Year_05	Application #	Application Stage	Housing Type	Construction Type	Converted	Developer	General Partner	APF Type	APF Type	Storage Unit Category	Number of Units	Year 05	Year 06	Year 07	Year 08	Year 09	Year 10	
Willow Plaza	324 Willow Street	Bishop	Inyo	93336	10/12/2007	None Over 20 years of affordability remaining	Pre Year 10		CLCA 2005-2008	12	12	10/12/2007	2005	CLCA 2005-2008	Placed in Service	Large Family	New Construction		Pacific West Condominiums, LLC	Home, LLC	Residential		Backlog on Property Management	0	0	0	0	0	0	0	0

A.9 Census Summary

Table 20 on the following page provides an overall summary of selected data from the 2010 Census for the City of Bishop and, for comparison, for the State of California as a whole.

A.9 Energy and Water Conservation

Energy used for space heating, air conditioning, and water heating is the major utility cost faced by renters and homeowners. Electricity, propane, firewood and oil are the main sources of energy used. The surrounding national forest lands allow wood cutting for home use for a small fee. Firewood also may be purchased from local suppliers. However, many households rely on other forms of energy for a number of reasons. These include personal preference, lack of wood cutting/gathering equipment, lack of wood-burning stoves, no wood storage areas, ash disposal problems, etc. Many rely on electricity for water heating, water heating being second only to space heating/air conditioning in total household use. Water heating by electricity is the most expensive water heating energy source and can run well over \$100 per month.

The large number of older homes in Bishop adds to cost of energy for heating and cooling. Insulating poorly insulated homes could markedly decrease energy costs given the cold winters and hot summers in this area. Weatherization of homes is the most effective way to reduce energy costs. The most effective weatherization activities include caulking, weather stripping of windows and doors, installing gaskets behind switch-plates, replacing broken window panes, rehabilitating window frames and sashes, building and installing storm windows, installation of proper siding, and adding wall or ceiling insulation. Potential savings due to reduced heating costs may range from 25% to 50% or more depending upon the extent of weatherization activities.

IMACA administers the Low Income Home Energy Assistance Program (LIHEAP) on behalf of the State of California. Eligibility is 80% of state median income. Approximately half of Inyo County's funds are expended in serving an average of 350 Bishop households in the Energy Crisis Intervention Program (ECIP) and an additional 20 in weatherization. ECIP is available each year as either \$300 for electricity or 2 cords of wood, or \$700 in propane or \$700 in wood pellets. The LIHEAP Weatherization Program assists an average of 20 Bishop households each year with up to \$3,000 in energy conservation/home repairs. The SCE programs assist some 30 households in Bishop each year with energy efficient refrigerators.

Use of solar energy, such as solar water heating systems, can conservatively save 50% or more on annual hot water costs when properly designed and installed. Another affordable energy saving program involves the enclosure of south facing porches during winter with thermo-pane glass or other similar material. Such installations can prove cost effective in reducing overall energy costs.

**TABLE 20
SUMMARY OF SELECTED 2010 CENSUS DATA⁹**

SUBJECT	BISHOP		CALIFORNIA	
	Estimate	Percent	Estimate	Percent
HOUSING OCCUPANCY				
Total housing units	2,041	2,041	13,631,129	13,631,129
Occupied housing units	1,876	91.9%	12,433,172	91.2%
Vacant housing units	165	8.1%	1,197,957	8.8%
Homeowner vacancy rate	1.6	(X)	2.3	(X)
Rental vacancy rate	0.0	(X)	5.1	(X)
UNITS IN STRUCTURE				
Total housing units	2,041	2,041	13,631,129	13,631,129
1-unit, detached	674	33.0%	7,929,196	58.2%
1-unit, attached	75	3.7%	961,035	7.1%
2 units	174	8.5%	348,194	2.6%
3 or 4 units	358	17.5%	756,077	5.5%
5 to 9 units	117	5.7%	832,065	6.1%
10 to 19 units	133	6.5%	724,235	5.3%
20 or more units	140	6.9%	1,534,077	11.3%
Mobile home	323	15.8%	529,502	3.9%
Boat, RV, van, etc.	47	2.3%	16,748	0.1%
YEAR STRUCTURE BUILT				
Total housing units	2,041	2,041	13,631,129	13,631,129
Built 2005 or later	0	0.0%	565,425	4.1%

⁹ Explanation of Symbols:

- An '***' entry in the margin of error column indicates that either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.
- An '-' entry in the estimate column indicates that either no sample observations or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval or upper interval of an open-ended distribution.
- An '-' following a median estimate means the median falls in the lowest interval of an open-ended distribution.
- An '+' following a median estimate means the median falls in the upper interval of an open-ended distribution.
- An '****' entry in the margin of error column indicates that the median falls in the lowest interval or upper interval of an open-ended distribution. A statistical test is not appropriate.
- An '*****' entry in the margin of error column indicates the estimate is controlled. A statistical test for sampling variability is not appropriate.
- An 'N' entry in the estimate and margin of error columns indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.
- An '(X)' means that the estimate is not applicable or not available.

Built 2000 to 2004	130	6.4%	969,601	7.1%
Built 1990 to 1999	92	4.5%	1,439,356	10.6%
Built 1980 to 1989	162	7.9%	2,104,767	15.4%
Built 1970 to 1979	488	23.9%	2,519,509	18.5%
Built 1960 to 1969	479	23.5%	1,894,809	13.9%
Built 1950 to 1959	289	14.2%	1,926,133	14.1%
Built 1940 to 1949	277	13.6%	901,178	6.6%
Built 1939 or earlier	124	6.1%	1,310,351	9.6%
ROOMS				
Total housing units	2,041	2,041	13,631,129	13,631,129
1 room	122	6.0%	406,049	3.0%
2 rooms	157	7.7%	549,675	4.0%
3 rooms	314	15.4%	1,618,719	11.9%
4 rooms	750	36.7%	2,587,629	19.0%
5 rooms	297	14.6%	2,812,643	20.6%
6 rooms	135	6.6%	2,372,195	17.4%
7 rooms	149	7.3%	1,541,729	11.3%
8 rooms	60	2.9%	916,062	6.7%
9 rooms or more	57	2.8%	826,428	6.1%
Median rooms	4.1	(X)	5.1	(X)
BEDROOMS				
Total housing units	2,041	2,041	13,631,129	13,631,129
No bedroom	122	6.0%	477,053	3.5%
1 bedroom	428	21.0%	1,933,889	14.2%
2 bedrooms	879	43.1%	3,851,973	28.3%
3 bedrooms	417	20.4%	4,563,190	33.5%
4 bedrooms	167	8.2%	2,232,456	16.4%
5 or more bedrooms	28	1.4%	572,568	4.2%
HOUSING TENURE				
Occupied housing units	1,876	1,876	12,433,172	12,433,172
Owner-occupied	730	38.9%	7,055,642	56.7%
Renter-occupied	1,146	61.1%	5,377,530	43.3%

Average household size of owner-occupied unit	2.37	(X)	2.97	(X)
Average household size of renter-occupied unit	1.79	(X)	2.82	(X)
YEAR HOUSEHOLDER MOVED INTO UNIT				
Occupied housing units	1,876	1,876	12,433,172	12,433,172
Moved in 2005 or later	707	37.7%	5,141,895	41.4%
Moved in 2000 to 2004	488	26.0%	2,677,814	21.5%
Moved in 1990 to 1999	452	24.1%	2,394,124	19.3%
Moved in 1980 to 1989	121	6.4%	1,083,662	8.7%
Moved in 1970 to 1979	52	2.8%	673,853	5.4%
Moved in 1969 or earlier	56	3.0%	461,824	3.7%
VEHICLES AVAILABLE				
Occupied housing units	1,876	1,876	12,433,172	12,433,172
No vehicles available	313	16.7%	953,126	7.7%
1 vehicle available	746	39.8%	3,966,682	31.9%
2 vehicles available	592	31.6%	4,669,907	37.6%
3 or more vehicles available	225	12.0%	2,843,457	22.9%
SELECTED CHARACTERISTICS				
Occupied housing units	1,876	1,876	12,433,172	12,433,172
Lacking complete plumbing facilities	10	0.5%	71,927	0.6%
Lacking complete kitchen facilities	100	5.3%	146,382	1.2%
No telephone service available	113	6.0%	272,790	2.2%
OCCUPANTS PER ROOM				
Occupied housing units	1,876	1,876	12,433,172	12,433,172
1.00 or less	1,783	95.0%	11,431,454	91.9%
1.01 to 1.50	93	5.0%	652,590	5.2%
1.51 or more	0	0.0%	349,128	2.8%
VALUE				
Owner-occupied units	730	730	7,055,642	7,055,642
Less than \$50,000	119	16.3%	232,484	3.3%
\$50,000 to \$99,999	32	4.4%	250,334	3.5%
\$100,000 to \$149,999	47	6.4%	316,174	4.5%
\$150,000 to \$199,999	8	1.1%	436,056	6.2%

\$200,000 to \$299,999	146	20.0%	1,004,434	14.2%
\$300,000 to \$499,999	323	44.2%	1,999,370	28.3%
\$500,000 to \$999,999	46	6.3%	2,206,241	31.3%
\$1,000,000 or more	9	1.2%	610,549	8.7%
Median (dollars)	306,000	(X)	421,600	(X)
MORTGAGE STATUS				
Owner-occupied units	730	730	7,055,642	7,055,642
Housing units with a mortgage	452	61.9%	5,327,314	75.5%
Housing units without a mortgage	278	38.1%	1,728,328	24.5%
SELECTED MONTHLY OWNER COSTS (SMOC)				
Housing units with a mortgage	452	452	5,327,314	5,327,314
Less than \$300	0	0.0%	5,930	0.1%
\$300 to \$499	0	0.0%	34,275	0.6%
\$500 to \$699	31	6.9%	82,297	1.5%
\$700 to \$999	65	14.4%	252,241	4.7%
\$1,000 to \$1,499	87	19.2%	724,158	13.6%
\$1,500 to \$1,999	72	15.9%	913,256	17.1%
\$2,000 or more	197	43.6%	3,315,157	62.2%
Median (dollars)	1,855	(X)	2,377	(X)
Housing units without a mortgage	278	278	1,728,328	1,728,328
Less than \$100	0	0.0%	30,154	1.7%
\$100 to \$199	10	3.6%	109,625	6.3%
\$200 to \$299	73	26.3%	256,045	14.8%
\$300 to \$399	45	16.2%	302,607	17.5%
\$400 or more	150	54.0%	1,029,897	59.6%
Median (dollars)	450	(X)	464	(X)
SELECTED MONTHLY OWNER COSTS AS % OF HH INCOME				
Housing units with a mortgage	452	452	5,299,002	5,299,002
Less than 20.0 percent	153	33.8%	1,199,127	22.6%
20.0 to 24.9 percent	24	5.3%	700,359	13.2%
25.0 to 29.9 percent	36	8.0%	652,138	12.3%
30.0 to 34.9 percent	152	33.6%	544,843	10.3%

35.0 percent or more	87	19.2%	2,202,535	41.6%
Not computed	0	(X)	28,312	(X)
Housing unit without a mortgage	278	278	1,708,784	1,708,784
Less than 10.0 percent	78	28.1%	776,224	45.4%
10.0 to 14.9 percent	49	17.6%	311,090	18.2%
15.0 to 19.9 percent	65	23.4%	179,916	10.5%
20.0 to 24.9 percent	36	12.9%	113,931	6.7%
25.0 to 29.9 percent	14	5.0%	75,175	4.4%
30.0 to 34.9 percent	0	0.0%	52,877	3.1%
35.0 percent or more	36	12.9%	199,571	11.7%
Not computed	0	(X)	19,544	(X)
GROSS RENT				
Occupied units paying rent	1,056	1,056	5,201,849	5,201,849
Less than \$200	18	1.7%	32,828	0.6%
\$200 to \$299	0	0.0%	112,585	2.2%
\$300 to \$499	0	0.0%	193,831	3.7%
\$500 to \$749	344	32.6%	523,961	10.1%
\$750 to \$999	470	44.5%	994,065	19.1%
\$1,000 to \$1,499	138	13.1%	1,794,599	34.5%
\$1,500 or more	86	8.1%	1,549,980	29.8%
Median (dollars)	845	(X)	1,185	(X)
No rent paid	90	(X)	175,681	(X)
GROSS RENT AS A PERCENT OF HH INCOME (GRAPI)				
Occupied units paying rent	1,056	1,056	5,112,867	5,112,867
Less than 15.0 percent	128	12.1%	477,977	9.3%
15.0 to 19.9 percent	24	2.3%	556,419	10.9%
20.0 to 24.9 percent	92	8.7%	622,159	12.2%
25.0 to 29.9 percent	42	4.0%	606,846	11.9%
30.0 to 34.9 percent	73	6.9%	482,803	9.4%
35.0 percent or more	697	66.0%	2,366,663	46.3%
Not computed	90	(X)	264,663	(X)

Source: U.S. Census Bureau, 2007-2011 American Community Survey

To remain current with evolving energy conservation standards, the City of Bishop utilizes the most current California Energy Building Code during plan check review for new building construction and remodel of existing structures. Replacement of older wood burning stoves with new and efficient models is among the energy standards addressed and recommended during applications to remodel older homes. In addition, Southern California Edison offers free online energy audits, summer discounts for air conditioner cycling, and a direct install program that includes free energy conserving equipment in some areas.¹⁰ The City of Los Angeles Department of Water and Power also provides a comprehensive Energy Efficiency Program that includes a refrigerator exchange program and free lighting upgrades to qualifying companies,¹¹ and the City encourages residents to take advantage of these programs.

As noted earlier in the discussion of progress Section F (progress under the previous Housing Element), 121 housing units (fully 6% of the entire housing stock) were rehabilitated over the past 5-years, all of which fell within the very low, low, moderate and above moderate income levels. Many of the rehabilitation efforts involved significant activities including reroofs, mechanical upgrades, and plumbing repairs. An even larger number of rehabilitation activities (many of which were not eligible for Housing Element credit) involved resource and energy efficiency improvements including weatherization, insulated window replacements, energy efficient appliances and electrical repairs. It is anticipated that energy and conservation activities will continue to represent a significant percentage of home improvements in the City of Bishop over the coming 5 years.

B. PROJECTED HOUSING NEEDS

This section of the Housing Element discusses various factors that influence housing demand. The factors include a review of population and employment trends as well as the City's housing assistance need, also known as "share of regional housing need." The Bishop population has held fairly steady over the past 40 years. Between January 1970 and January 2008, the City's population increased by 52 persons. Concurrently, the housing stock had a net positive change of 444 dwelling units between 1970 and 2008. Table 21 on the following page summarizes population and housing stock changes from 1970 to 2008. These data indicate that housing formation has met or outstripped population growth (assuming an average of 2.1 occupants per unit) for every decade over that nearly 40-year period.

YEAR	POPULATION	INCREMENTAL CHANGE	HOUSING INVENTORY	INCREMENTAL CHANGE
1970	3,499	--	1,450	--
1980	3,333	-165	1,712	+262
1990	3,475	+142	1,779	+67
2000	3,575	+100	1,867	+98
2008 ¹³	3,551	-24	1,894	+27 ¹⁴
2013 ¹⁵	3,877	+9.2%	1,926 (2010)	+1.7%

B.1 Housing Needs

Consistent with Government Code §65584.06, HCD prepares a determination of the Regional Housing Need for counties not represented by councils of governments (COGs), including Inyo County, as part of each Housing Element update cycle. The purpose of the needs determination is to ensure that each local government is allocated a proportional share of responsibility for meeting the housing needs of very-low, low, moderate and above-moderate income residents. The assessments are guided by four statewide objectives that include:

- **Supply:** increasing the housing supply and mix of housing types
- **Infill:** promoting infill and socioeconomic equity, environmental protection and efficient development
- **Balance:** promoting an improved intraregional balance of jobs and housing
- **Proportionality:** allocating a lower proportion of housing need to a category when the jurisdiction already has a disproportionately large share of households in that category.

¹⁰ SCE website: www.sce.com/NR/rdonlyres/B*B1D6C9-AO87-4359-9AO6CCDD4C96/0/090529_June_Business_GS.pdf.

¹¹ Inyo Register, *Head of DWP spotlights city's greener policies*, 11 November 2008.

¹²Source: U.S. Census Bureau, *American Factfinder*.

¹³Source: California Department of Finance Demographic Research Unit.

¹⁴Note that the State's data do not appear to include the 32 new assisted living units.

¹⁵Source: HCD Data Package Tables 1 and 1a.

The 2014-2019 assessment incorporated a one-time adjustment to account for the prolonged recessionary conditions, high unemployment and unprecedented foreclosures in California and elsewhere. The assessment also reflects specified assumptions regarding household growth and population increases, household size, rate of household formation, vacancy rates, population composition, the relationship between jobs and housing, and projected absorption of vacant sale and rental units. Based on these assumptions, HCD identified a need for 72 new housing units in Bishop between 2003-2008 and an additional 111 units between 2007 and 2014. Table 22 compares the 2014-2019 needs assessment for Bishop and Inyo County with the needs assessments prepared for the prior two Housing Element update cycles.

Income Group	Bishop 2002	Bishop 2007	Bishop 2012	Inyo Co. 2002	Inyo Co. 2007	Inyo Co. 2012	TOTAL 2002	TOTAL 2007	TOTAL 2012
Very Low	9	28	15	43	57	35	47	71	50
Low	8	17	10	54	68	25	62	85	35
Moderate	12	20	12	51	82	28	63	102	40
Above Moderate	43	46	28	115	192	72	158	238	100
TOTAL	72	111	65	306	456		378	567	225

Primarily as a result of the one-time adjustment for unprecedented economic conditions, Inyo County's projected housing need allocation as a whole was less than half the allocation in 2007, and lower by a third than the 2002 allocation. The City's 2012 allocation was also significantly reduced although by a much smaller factor than the County overall (the City's current total allocation is 59% of the share allocated in 2007 and 90% of the share allocated in 2002). The City's adjustment was most pronounced for the very low income group, where the 2012 allocation is 54% of the allocation in 2007. Overall, HCD's Regional Housing Allocation Model for 2008 allocates fewer housing needs to Bishop and to Inyo County in all categories than did the allocation plan developed in 2007.

B.2 Quantified Objectives

The objectives developed in the current City of Bishop *Housing Element Update* reflect the guidelines set forth by HCD in the most recent Regional Housing Allocation Model. Thus, the overall goal for new housing construction between 2014 and 2019 is set at 65 units, which would call for about 13 new units each year. This Housing Element Update maintains the key objectives set forth in 2004 and in 2009 for conservation and rehabilitation of housing; these are two areas where Bishop has been most successful in meeting Housing Element objectives and ensuring a continued supply of affordable housing. The current Housing Element identifies a goal for replacement or substantial rehabilitation of 6 housing units, based on findings obtained during the June 2013 updated housing survey. The City's goals for rehabilitation are allocated across income groups in the same proportion shown by HCD in the Regional Housing Allocation for new construction, and it is again noted that rehabilitation credits for the past 5 year period are all for housing in the very low, low, moderate and above moderate income levels. Table 23 shows the objectives for new construction and/or rehabilitation by income group over the coming 5-year cycle.

**Table 23
BISHOP QUANTIFIED HOUSING OBJECTIVES BY INCOME GROUP 2014-2019**

Income Group	New Construction	(and/or) Rehabilitation
Extremely Low	7	30
Very Low	8	30
Low	10	40
Moderate	12	48
Above Moderate	28	112
TOTAL	65	260

The objectives shown in Table 23 represent goals through 2014. On an annual basis, these goals would average new construction of 3 "very low" income units (or rehabilitation of 12 units), 2 new units (or rehabilitation of 10 units) in the "low" income category, 4.4 new units (or rehab of 9 units) in the "moderate" category, and 5.6 new units (or rehab of 22 units) in the "above

¹⁶Estimates of extremely low-income housing are based on 50% of the very low income category, per §65585(a)(1) of the Govt. Code.

moderate" income category.

AB 1233 (Jones), Chapter 614, Statutes of 2005, requires local governments to zone or rezone adequate sites, within the first year of the new planning period, to address any portion of the RHNA for which the jurisdiction failed to identify or make available sites in the prior planning period. As described in §II.A above, the City is stymied in its attempts to acquire or annex land for construction of housing. Intense good-faith efforts to acquire land from the City of Los Angeles have not yet borne fruit, but the City has proactive plans to work with the new mayor of Los Angeles as well as HCD to seek opportunities for affordable housing development in the coming 5-year period. The City's efforts will be supported by the fact that roughly half of the 456-acres of residential land in Bishop are zoned for development at 16 units per acre or higher.

The City met and exceeded RHNA goals for the low and moderate income categories, and fell short of RHNA goals for very low and above-moderate income units during the 2009-2014 planning period. These compliance efforts were aided substantially by the credits allowed by HCD for housing conservation and rehabilitation. Only one home (of any price) was constructed in Bishop during the 5-year period from 2009-2014. That one home did fall within the Very Low Income category. Additionally, 121 units were rehabilitated over this period, all of which fell within the very low, low, moderate and above moderate income levels. The HCD allows cities to take a 1:4 ratio credit for rehabilitation projects, in terms of meeting the Regional Housing Need Analysis numbers that have been incorporated into the Housing Element. The units rehabilitated during 2009-2014 therefore qualified for significant RHNA credits. IMACA provided additional rehabilitation during this period, but because these efforts focused on non-eligible improvements (weatherization, insulated window replacements, energy efficient appliances and electrical and plumbing repairs) none were included in the 1:4 ratio represented in Table 24.

**Table 24
CITY OF BISHOP 2009-2014 HOUSING ELEMENT
SUMMARY OF 5-YEAR ACTION PLAN ACHIEVEMENTS FOR 2009-2014**

RECOMMENDED ACTION	TOTAL NEED (2009-2014)	COMPLIANCE TOTAL	SURPLUS (SHORTFALL)
Very Low Income Units	26	5 ¹⁷	(21)
Low and Other Lower Income Units	15	19.5	4.5
Moderate Income Units	19	27.5	8.25
Above-Moderate Income Units	50	10	(40)
TOTALS	110	61.75	(48.25)

IV. HOUSING RESOURCES AND CONSTRAINTS

This section provides an inventory of resources and constraints relevant to residential land supply and development in the City of Bishop. Under present law, the Element must include an inventory of resources and constraints, including land suitable for residential development, vacant sites and sites having potential for redevelopment. It also should analyze the relationship of zoning and public services to potential residential sites.

A. LAND USE

The Land Use Element of the Bishop General Plan contains goals and policies that describe the nature, location, extent, and intensity of land uses within the incorporated areas of the City. The focal point of the Land Use Element is the Land Use Map. This Map indicates where specific types of land uses will be permitted, thus guiding future development in Bishop. Residential land uses comprise approximately 40 percent of Bishop land area. Of the ten land use designations identified in the Land Use Element, four deal primarily with residential development. These four are described below.

- **Low Density Residential (LDR, 2.0 to 5.0 Dwelling Units / Acre)**
This residential category typically consists of single family dwelling situated on individual land parcels ranging in size from 8,700 to 22,000 square feet. The Land Use Element designates 50± acres for low density residential uses.
- **Medium Density Residential (MDR, 5.1 to 9.9 Dwelling Units / Acre)**
This residential category consists of single-family dwellings situated on individual land parcels, two single or attached

¹⁷ Note that only one housing unit (of any price) has been constructed in Bishop since the 2009 Housing Element was approved. That one unit was in the 'very low income' price range, as shown in Table 2.

dwelling (such as duplexes or triplexes) on individual parcels, and mobile home subdivisions. Overall land use requirements average from 4,400 to 8,000 square feet of land per dwelling unit. The Land Use Element designates 211 acres for Medium Density Residential uses.

- **Medium-High Density Residential (MHDR, 10 to 22 Dwelling Units/Acre)**
This residential land use category is characterized by single-family town houses, patio homes, duplexes, triplexes, garden apartments and mobile home parks. Gross site area per unit ranges between 2,000 and 3,500 square feet per dwelling unit. The Land Use Element designates 52 acres for Medium-High Density Residential uses.
- **High Density Residential (HDR, 22.1 to 35.0 Dwelling Units/Acre)**
This residential category is characterized by cluster-dwelling accommodations including multistory apartment houses and condominium developments with 1,250 to 2,000 feet of gross area per dwelling unit. The Land Use Element designates approximately 143 acres for High Density Residential uses.

The City is currently in the very early stages of a process that will eventually update the General Plan Land Use Element, the Conservation and Open Space Element, and the Economic Development Element. It is anticipated that the updated Land Use Element will provide an additional residential designation for mixed uses similar to the range of land uses currently permitted in the downtown overlay zone.

B. VACANT LAND INVENTORY

- **Land Currently Available**
As shown in Table 25, Bishop has a total 440.55 acres of undeveloped land within city limits. Of this, 95.5% is owned by the City of Los Angeles Department of Water and Power. There are currently only 2.72 acres of undeveloped, utility serviceable, residentially designated land in Bishop. Applying current zoning and assuming 80% of maximum allowed density, the realistic capacity of these 2.72 acres is approximately 45 units. The remaining undeveloped acreage is either designated for non-residential uses (such as commercial or industrial) or is not serviceable with utilities.

Table 25
VACANT PARCELS IN BISHOP 2013

PARCEL NO.	ADDRESS	ZONE ^{1A}	ACRES	OWNERSHIP
008-060-01	End of Kelso Rd.	P	5.64	LADWP
008-020-03	N. Sierra Hwy.	P	0.20	LADWP
008-020-02-03	1650 N. Sierra Hwy.	P	9.07	LADWP
011-290-07	NSF	P	9.69	LADWP
011-290-03-03	Hwy. 295 & See Vee	P	1.27	LADWP
001-042-12	W. Elm St.	R-1	0.12	Private
001-043-01	W. Elm St.	R-1	0.12	Private
001-053-06	662 Schley St.	R-1	0.13	Private
001-150-10	Hanby Av.	R-1	0.13	LADWP
001-053-10	463 W. Elm St.	R-1	0.13	Private
001-192-16	E. South St.	R-1	0.17	Private
001-192-17	331 E. South St.	R-1	0.17	Private
001-044-15	Keough St.	R-1	0.19	Private
001-162-18	Iris St.	R-1	0.73	LADWP
008-162-01-02	Lagoon St.	R-1	1.83	LADWP
001-011-08-03	725 Home St.	R-1	3.79	LADWP
001-161-05-02	Iris Street	R-1	5.25	LADWP

^{1A} P=public; R-1=single family residential (res'l); R-2000=medium high density res'l); R-3=multiple res'l); R-3-P=multiple res'l & professional/administrative offices; A-R= low density res'l; C-1=general commercial & retail; C-2=general commercial; C-H=commercial highway services; C-H BP= commercial highway & business; M-1=general industrial; O-P=office & professional; O-S=open space; R-M=mobile home; NSF=No Street Frontage; properties without addresses are listed inside larger parcels that are not fully developed and thus lack formal addresses.

001-221-11	E. Line St.	R-1	5.69	LADWP
008-102-01	Yaney St.	R-1	7.00	LADWP
001-012-02	Home St.	R-1	7.17	LADWP
001-222-10	E. Line St.	R-1	8.35	LADWP
001-150-30	E. Line St.	R-1	8.04	LADWP
008-010-41	Yaney and Spruce	R-1	3.06	LADWP
008-050-01	Kelso & Sierra St.	R-1	8.66	LADWP
008-010-40	End Yaney St.	R-1	4.01	LADWP
011-390-03-03	Hey 395 & See Vee	R-1	8.99	LADWP
011-390-03-03	Hwy. 395 & See Vee	R-1	13.45	LADWP
001-213-09	Snedden & Clarke	R-2000	0.09	Private
001-071-27	Home St.	R-2000	0.11	Private
001-104-02	Hanby Av.	R-2000	0.45	Private
001-066-19	Howard St.	R-3	0.13	Private
001-172-08	Fulton St.	R-3	0.16	Private
001-066-15	Howard St.	R-3	0.25	Private
008-180-02	S. Third St.	R-3	1.49	LADWP
008-220-05	Jay & S. Third St.	R-3	3.70	LADWP
008-080-01	Sierra St.	R-3	4.91	LADWP
008-020-03	N. Sierra Hwy.	R-3	7.77	LADWP
008-010-41	Yaney & Spruce	R-3	6.97	LADWP
008-010-40	End Yaney St.	R-3	16.20	LADWP
011-390-03-03	Hwy. 395 & See Vee	R-3	69.89	LADWP
001-057-03	Hammond St.	R-3-P	0.14	Private
001-057-05	Hammond St	R-3-P	0.24	Private
008-250-01-06	640 S. Main St.	R-M	8.52	LADWP
011-390-07	NSF	A-R	0.29	LADWP
011-390-07	NSF	A-R	7.94	LADWP
008-050-01	Kelso & Sierra St.	A-R	13.05	LADWP
011-390-03-03	Hwy. 395 & See Vee	A-R	9.60	LADWP
001-086-11	Academy & N. Warren	C-1	0.06	Private
001-094-03	Rose St.	C-1	0.10	Private
001-086-14	Academy Av.	C-1	0.11	Private
001-173-09	110 S. Fowler St.	C-1	0.16	Private
001-182-10	168 E. Line St.	C-1	0.22	Private
008-130-08	E. Yaney St.	C-1	0.31	LADWP
008-130-07-02	219 Yaney St.	C-1	1.02	LADWP
008-360-12		C-1	0.54	Private
008-130-10	E. Yaney St.	C-1	0.65	LADWP
008-250-01-06	640 S. Main St.	C-1	4.27	LADWP
001-134-40	194 Willow St.	C-2	0.25	Private

008-360-11		C-2	0.49	Private
008-360-14		C-2	0.50	Private
008-360-13		C-2	0.63	Private
008-360-12		C-2	1.85	Private
008-163-10-02	S. Fowler St.	C-2	2.56	LADWP
008-162-01-02	Lagoon St.	C-2	0.74	LADWP
008-360-06-04	Behind 218 Wye Rd.	C-2	2.79	LADWP
008-360-09	Spruce St.	C-2	5.55	Private
001-150-30	E. Line St.	C-2	11.45	LADWP
010-480-06	N. Hwy. 6	C-H	1.33	LADWP
011-390-04-04	1940 N. Sierra Hwy.	C-H	5.91	LADWP
008-020-02-03	1650 N. Sierra Hwy.	C-H	5.37	LADWP
010-480-07	North of Wye Rd.	C-H	2.52	LADWP
011-390-03-03	Hwy. 395 & See Vee	C-H	30.80	LADWP
010-390-08-02	Hwy. 6	C-H BP	5.76	Private
010-480-11	Wye Rd.	M-1	6.57	LADWP
008-010-40	End Yaney St.	M-1	2.48	LADWP
008-360-03	Spruce St.	M-1	24.70	LADWP
010-480-10	Wye Rd.	O-P	1.32	LADWP
010-480-07	North of Wye Rd.	O-P	2.31	LADWP
010-480-10	Wye Rd.	O-S	0.69	LADWP
011-390-04-04	1940 N. Sierra Hwy.	O-S	0.81	LADWP
008-010-41	Yaney & Spruce	O-S	0.75	LADWP
011-390-07	NSF	O-S	2.30	LADWP
008-010-40	End Yaney St.	O-S	4.31	LADWP
008-630-03	Spruce St.	O-S	3.92	LADWP
010-480-07	North of Wye Rd.	O-S	2.85	LADWP
011-390-03-03	Hwy. 395 & See Vee	O-S	12.49	LADWP
011-390-03-03	Hwy. 395 Y See Vee	O-S	7.68	LADWP
TOTAL VACANT LAND AREA: 440.55 ACRES 424.07				
TOTAL OWNED BY LADWP: 420.89 ACRES 405.25				
TOTAL PRIVATELY OWNED: 19.66 ACRES 18.82				

The information provided in Table 24 underscores the importance of goals that focus on working with LADWP to acquire land for affordable housing, and the importance of HCD assistance in reconciling lease terms and loan terms and exploring the feasibility of sharing affordable housing credits with the City of Los Angeles,

- ***Additional Vacant Land that May Become Available to the City (City of Los Angeles-Owned Properties)***

Historically, the land held by the City of Los Angeles has not been available for development of residential uses and this continues to be the case at present. Taken in whole, it is estimated that the City of Los Angeles-owned lands within the City could support 3,000 dwelling units.¹⁹ In 2004, the City was in negotiation with the City of Los Angeles for two specific

¹⁹City of Bishop 2004 Housing Element Update.

properties: a 15-acre parcel which would have provided 75-100 housing units, and the McIver Street/Pacifica (now McIver/IMACA) project which would have provided 55 senior housing units. If this land is released by the City of Los Angeles for development, the additional housing would be more than adequate to meet the City's fair share allocation of regional housing needs. However, the City is constrained in planning for their future use because these lands are owned by another public entity. There are no negotiations pending as of July 2013, and no opportunities in the foreseeable future. However, the City continues to closely monitor the availability of City of Los Angeles lands for purchase or long-term lease as a cornerstone of their efforts toward constructing affordable housing.

Another project area that could become available in the future involves two parcels in the vicinity of Spruce Street and E. Yaney Street. Efforts during 2007-2008 to acquire the parcel on the south failed when State and Federal funding commitments were withdrawn because each agency wanted the other agency to make the first commitment, but the City anticipates that one of these parcels may again become available in the future. The northern parcel may be more suitable for a future effort because recent surveys have revealed the presence of cultural resources on the southern site.

Table 25 presents information about the three parcels noted above, as well as the currently occupied sites discussed in the following section. Potential capacity for all parcels is estimated at 80% of the maximum density shown in Table 25. Development capacities may be even higher than shown, since the City allows developers to mitigate for impacts to sensitive resources (including biological and cultural resources) by obtaining approvals from the appropriate state and federal permitting agencies. None of the sites shown in Table 25 is known to have unavoidable environmental impacts that would preclude development, and only a small part of the DWP site is located in the 100-year flood plain. The City anticipates that any future environmental constraints on these sites, all of which are shown in Figure 2 (Bishop Zoning Map, see Appendix A) can be mitigated to a level that would permit development to occur within the current planning period.

Development of all three parcels at the maximum allowed densities would yield affordable housing far exceeding the 2014 RHNA allocation for the City of Bishop (110 units total). As in the prior Housing Element, the projects described in Table 26 below are considered to represent the City's best opportunity for meeting RHNA goals through 2019. The City will place a priority on realization of these projects, and considers it possible though by no means certain that at least one of the projects will be achieved during the current planning period. Because of the recognized challenge in obtaining development rights for these properties, the City during the prior planning period implemented zoning changes to allow affordable housing as a discretionary use in the mixed use overlay zone, and the City plans to consider an expansion of the mixed use area as part of the current Housing Element planning period as outlined in Table 35 (at the conclusion of this Housing Element).

**Table 26
POTENTIALLY AVAILABLE LAND INVENTORY SUMMARY**

LOCATION/ APN	Zone	Allowable Density	GP Designation	Estimated Unconstrained/ Constrained Acreage	Realistic Capacity or Range (based on zoning)	Existing Use	Infra- structure Capacity	On-site Constraints
15-acre DWP parcel/ APN	RMH (county)	7.6 to 15.0 du/ac	Residential Medium- High Density	9 Unconstrained 6 Constrained (15 acres total)	108 units	Vacant	Yes	Estimated 3 acres of wetlands and 3 acres of flood plain
McIver/ IMACA/ APN 08-010-41	R-3	35 du/ac	Residential High Density	6.5 Unconstrained 1.0 Constrained (7.5 acres total)	182 units	Vacant	Yes	Est. 1-ac open-space zoning (possible endangered plant)
Spruce & Yaney APN 08-010-41	R-1	9 du/ac	Residential Low Density	3.0 Unconstrained 0.5 Constrained (3.5 acres total)	21 units	Vacant	Yes	Estimated 0.5-ac of land (possible endangered plant)
TOTAL				18.5 Unconstrained	311 units			

				7.5 Constrained 26.0 Total				
--	--	--	--	-------------------------------	--	--	--	--

- **Currently Occupied Sites that May Become Available to the City (Private Parcels)**

The City and IMACA have had a long-term interest in the potential acquisition of an existing motel (the Elm Street Motel) located on East Elm Street. IMACA previously bid to acquire this site in 1998 and had the funds available to proceed, but the deal failed due to problems in the real estate transaction. The owner has not since 1998 shown an interest in selling, but IMACA continues to keep an eye on this site for possible future purchase.

Another property that has approached IMACA with an offer to sell is the Starlight Motel located at Short and Sneden. The offer was not accepted previously due to the absence of sufficient funds, but the site is well suited for conversion as an affordable living unit and IMACA has continued interest in future acquisition when a suitable funding opportunity is identified. The City estimates that the Elm Street Motel and the Starlight Motel parcels have a combined potential capacity for 41 units, based on the existing number of units. Both parcels are fully served by utilities and infrastructure, and neither parcel is subject to development constraints, As noted previously, however, neither of these properties is current available for purchase and therefore neither project is under active consideration at this time.

- **Infrastructure and Public Service Considerations**

The City of Bishop Department of Public Works provides water service to the entire city and sewer service to most of the city. The Eastern Sierra Community Services District (ESCSA) provides sewer service in the northeast part of the city. The city has adequate water production, treatment, and distribution capacity to serve the entire city, including parcels that are currently undeveloped. Through flow exchange agreements with ESCSD, the city has adequate sewer treatment, disposal, and collection facilities to serve the same area.

The city periodically reviews its water and sewer infrastructure and their operation, maintenance, and improvement needs. Funding for these needs are built into yearly rates assessed to water and sewer customers. These reviews, in addition to In addition to the Water and Sewer Master Plans prepared in 2008, indicate there is adequate capacity to serve the 2019 RHNA development outlined in this Housing Element.

Other essential services such as public safety (police and fire) would also be provided by the City, with possible modification to staffing levels depending on the rate and intensity of development. Neither of the privately owned vacant properties is constrained by earthquake faults or by flooding potential. A determination as to whether a parcel would pose "wetland" issues would require site specific studies at the time of development review.

C. EVALUATION OF GOVERNMENT CONSTRAINTS

According to state law, local housing elements must analyze existing and potential governmental constraints on the maintenance, improvement or development of housing for all income levels. The potential and actual constraints included and required in the scope of analysis are listed below:

- Fees and Site Improvement Costs
- Processing and Permit Procedures
- Building Codes
- Land Use Controls
- Applicable State Laws

The law does not imply that the above factors constrain all jurisdictions. However, Article 10.6 requires that these factors be analyzed to determine if any constrain the maintenance, improvement or development of housing in a community. As described in the discussion below, the procedures and fees and controls adopted by the City of Bishop pose no substantive obstacles to development in comparison with other agencies in California because (a) site improvement costs and municipal fees remain at or below the level of comparable jurisdictions, (b) the City is efficient in its processing of various applications and handles such applications in a single department, (c) residential zoning categories are permissive (allowing all densities up to the category limit), and (d) zoning restrictions contain no unusual or prohibitive requirements. There are no governmental policies or requirements that impede the development, maintenance and improvement of housing for persons with disabilities, and the City has outlined a process to enhance housing opportunities for its disabled population.

The City of Bishop maintains an open-ended regulatory process. The process provides access to all persons including those concerned about issues involving persons with disabilities or special needs, as well as advocates and opponents of special projects. The City has found that open-ended access is more responsive than attempting to codify every issue that arises as a city ordinance, particularly for a jurisdiction as small as Bishop. With a planning staff of one person, the City is able to give full and individual attention to each person facing constraints on housing for persons with disabilities or and other special needs. These cases are considered individually and decisions are contingent upon the full range of circumstances found to affect each case.

As discussed throughout this Housing Element, constraints on the availability of private land sharply limit the number of new development projects in the City of Bishop. However, no restrictions apply to new developments and all proposals are handled individually, often by a request for special use permits. In 2001, the City of Bishop adopted a Building Code based on the Universal Building Code. In August 2008, the Municipal Code was amended to adopt by ordinance the California Code of Regulations, Title 24, parts 1 through 10 and 12, which are the California Administrative, Building, Electrical, Mechanical, Plumbing, Energy, Elevator Safety, Construction, Historical Building, Fire, Existing Building and Referenced Standard Codes.

The City addresses permits, policies and processing with regard to group homes strictly on a discretionary basis, with community input and all extenuating circumstances taken into account. The R2000 zone is used as a guide for policies regarding group housing and often requires conditional use permits. Changes in policies are also considered on a case by case basis and standards (such as residential parking requirements) do not differ for persons with disabilities. The City's affirmative implementation program for housing to meet the needs of persons with disabilities is outlined in the 5-Year Action Plan, §V.C.

C.1 Fees and Site Improvement Costs

The City of Bishop assesses fees for the processing of building permits and land use approvals. As was true in the 2009-2014 Housing Element, the City uses a permit fee schedule to determine the cost of a building permit; it is based on the valuation of the project at hand. As an example, a \$65,000 valued project would be charged a building permit fee of \$749. A project valued at \$100,000 would be charged \$994. Plan check fees are charged at 65% of the building permit fee. These fees apply equally to all types of residential construction (single family, multi-family etc.), and are similar to fees charged in other jurisdictions and do not significantly constrain housing; the fees help offset the costs of inspection. The building permit fee schedule is periodically updated and readily available to the public at City offices.

Processing costs for a general plan amendment, zone change and/or use permit are minimal. For example, the fee for a general plan amendment or a zone change is based on the actual cost for staff time, while a use permit costs \$1500, as does a negative declaration. Environmental Impact Reports are contracted out at cost, and there are no parkland dedication fees or requirements. The City adjusts these fees periodically; the last increase occurred in July of 2013. As is evident, processing costs do not pose serious limitation on the production of housing in Bishop.

The City of Bishop owns and operates the sewer and water system. Unlike many jurisdictions in the state, Bishop does not charge a hook-up fee for these services. There is a labor cost (averaging about \$1,200 per hookup as of 2013) to offset the costs of the physical connection to the sewer line and/or water line, and builders are required to fund the cost of any other needed sewer and water system improvements. Common trenching for utilities is encouraged where allowed by state health codes. The City has adequate total capacity in its sewer and water systems to accommodate its 65-unit share of the regional housing need over the coming 5-year planning period (2014-2019). On-site improvements are the responsibility of the developer of housing projects. These include sidewalks, curb, gutter, street lights and roadway improvements as needed to meet City standards. The standards are typical of small communities. Fees are otherwise not charged

The City has no special requirements such as landscaping, fencing and sprinkler systems. Similarly, there are no fees for offsite improvements such as traffic signals, light standards or other roadway improvements. Again, there is very limited impact on housing costs from City-imposed regulations. Again, the low fees do not pose any obstacle for development of housing.

School impact fees are charged by the respective school districts. The districts charge the maximum fees allowed by state law. This is the only locally imposed fee that might be considered a constraint on the production of housing. The City does not have authority to change or reduce the fees established by local school districts.

To encourage construction of low-moderate housing, the City offers assistance with the preparation and filing of building and permit applications if requested. In sum, the availability of adequate capacity, coupled with reasonable fees and charges, indicate that fees and site improvement costs do not pose an obstacle to affordable housing development in the City of Bishop. Again, all fees are applied equally regardless of housing type; a typical 1,500 square foot new single family attached housing unit in Bishop would require total fee payments of approximately \$6,882.69 including \$1,273.75 for the building permit fee, \$827.94 for the plan

check fee, and \$4,800 for the school impact fee (charged at a rate of \$3.20/sf). In addition, the City passes on certain state fees based on the value of the permit; for the example given, these state fees would amount to \$21.

C.2 Processing and Permit Procedures

When residential projects are initiated in the City, specific approvals are required that can involve Planning Commission action, City Council action, permits and inspections. Table 27 indicates average processing times for the various processes; as shown, the City maintains a relatively fast processing time for all categories. Although there is no officially designated "one stop" processing of permits, there is in fact only one stop for applicants since the planning, building and public works departments are all housed at the same location and utilize at the same staff and front counter. Table 28 summarizes the range of housing types permitted in residential zones. Note that most of these process elements can be conducted concurrently (for example, the review and approval for a general plan amendment, zone change, EIR and TT Map are all processed in parallel), and projects that conform to all applicable standards receive ministerial approval. The typical processing time for a new single family attached housing unit in a conforming zone would be approximately 1 month (longer if the plan submittal is incomplete). The typical processing time for a conforming multi-family development would also be about one month (provided the submittal documents are complete).

<u>Process²⁰</u>	<u>Time (days)</u>
General Plan Amendment	120
Zone Change	Twice Yearly
EIR	120
Tentative Tract Map	90
Site Plan Review	10
Variance	90
Use Permit	90
Building Permit / Plan Check	15

Housing Types Permitted	R 1	R 2	R 2000	R 3	R M ²¹	OVERLAY
Single Family Attached		X	X			
Single Family Detached	X	X				
Duplexes to Fourplexes		X	X			
Multifamily (5+ Units)			X	X		X ²²
Mobile Homes					X	C ²³
Manufactured Homes	X	X	X			X
Second Units ²⁴	X	X	X	X		X
Emergency Shelters ²⁵	C	C	C	C	C	X
Transitional & Supportive Housing ²⁶	*	*	*	*	*	*
Group Homes for Persons with Disabilities (up to 6 residents) ²⁷	X	X	X	X	X	C ²⁸

²⁰Processing times begin when complete applications are received by the City. Zone changes are reviewed in March and September each year, generally concurrently with General Plan amendment applications.

²¹The R-M category (residential mobile home district) is strictly for mobile home housing.

²² Multifamily (5+ units) is a permitted use only in the residential portion of the overlay zone.

²³ A CUP is required for mobile home development in the mixed use overlay zone.

²⁴Second units are not governed by specific ordinance, but are permitted in all zones in keeping with state law.

²⁵Emergency shelters are permitted in all residential zones with a CUP. The Bishop Zoning Code does not address single room occupancy as a specific type of housing but, as described in this Element, there are 2 single-room occupancy projects in Bishop. One is located in R-3 (MHDR) and the other is in a C-1 zone. Similar requirements would apply to transitional housing.

²⁶ The City during 2011 adopted the formal terminology for Transitional and Supportive Housing, and will consider adoption of the new revised terminology as part of the 2014-2019 Housing Element Action Plan.

²⁷ The City adopted Ord. 543 in March 2013 (see App. C) to ensure that individuals with disabilities receive reasonable accommodation to ensure

Group Homes for Persons with Disabilities (7+ people)	C	C	C	C	C	C ²⁹
Single Room Occupancy	C	C	C	C	C	NO
X=permitted use; C=conditionally permitted use; *=See Footnote 26						

Emergency Shelters provide housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. Transitional housing is designed to facilitate the movement of homeless individuals and families into permanent housing. Supportive housing is permanent rental housing linked to a range of support services designed to enable residents to maintain stable housing and lead fuller lives. As a result of ordinances adopted during the 2009-2014 Housing Element cycle, all three types of housing are now permitted by right in the mixed use overlay zone and subject only to the same development and management standards that apply to other allowed uses in the identified zone. As part of the current Housing Element Action Plan, the City plans to consider expanding the boundaries and range of uses allowed in the mixed use zone to provide for a wider range of affordable housing opportunities. The overlay zone was selected for these uses because of its proximity to a wide range of complementary services including public transit facilities, basic goods and grocery stores, and social welfare services. Because the Municipal Code does not define 'family' or set minimum separation requirements for these uses, it will not impede the implementation of these goals.

C.3 Building Codes

The City of Bishop has adopted the California Code of Regulations, Title 24, Parts 1 through 12, which establishes standards for new construction. The City could establish more stringent standards but has not done so. Relative to other jurisdiction in the state, there are no special building code constraints present that would inhibit housing construction. Further, the City conducts its code enforcement on a complaint basis or as needed through normal field visits.

C.4 Land Use Controls and Other Considerations

In some jurisdictions, the land use element, zoning code and/or subdivision ordinance impose potential constraints on housing, especially affordable housing. In Bishop, these regulations contain no unusual or stringent provisions that would unduly inhibit housing production. The Land Use Element contains a wide range of residential densities including single family, duplex, triplex, apartments, condominiums, mobile home subdivisions, mobile home parks, and "granny units" on single-family properties.

The City of Bishop has no unusual or prohibitive lot coverage requirements. Unit size is controlled only through the lot coverage requirement; there are no minimums or maximum unit sizes required by the City except through the CBC. Height requirements are also not unduly restrictive; there is a two-story maximum for single-family units and a two-story maximum for multifamily units. Similarly, the standards set for the overlay zone, where emergency shelters are allowed, were reviewed by Inyo County staff as well as IMACA and Salvation Army during the public review process and not found to be unduly restrictive.

	R 1	R 2	R 2000	R 3	R M	OVERLAY
Density Range	2-5 units/ac.	5-10 units/ac.	10-22 units/ac.	22-36 units/ac.	Up to 11 units/ac.	Up to 10 occupants/unit
Setbacks-front/ rear	15 feet	15 feet	10 feet	10 feet	10 feet	Per underlying district
Setbacks-side	5 feet	5 feet	5 feet	5 feet	5 feet	Per underlying district
Minimum Lot Size	5,000 sf	5,000 sf	5,000 sf	5,000 sf	4,000 sf	Per underlying district

equal access to housing and facilitate the development of housing for individuals with disabilities. The ordinance was patterned after the Model Fair Housing Ordinance developed by HCD to assist cities in preparing their own ordinances.

²⁸ A CUP is required for Group Homes up to 6 residents in the overlay zone.

²⁹ A CUP is required for Group Homes of 7 or more people in the overlay zone.

³⁰Source: City of Bishop Zoning Code. Please note: Lot coverage is embodied in the setbacks and parking requirements, but there are no separate standards. Similarly, open space is embodied in the required setbacks, but there are no separate standards.

Parking	2 spaces/du	2 spaces/du	2 spaces/du	2 spaces/du	2 spaces/unit	1 space/2 client beds
Height Maximum	26 feet	26 feet				

There are neither open space dedication requirements nor design review requirements in Bishop; the free marketplace dictates open space and design. The City allows manufactured housing meeting the CBC requirements. Density bonuses are allowed in the City in accordance with state law. Small lot developments are allowed but few have been proposed. Code enforcement is complaint-driven. Overall, the City imposes no unusual requirements or regulations that would impose constraints on housing production. In fact, compared to most other cities in the state, the City of Bishop has very few constraints either through fees, regulations or land use requirements. Table 29 summarized relevant zoning and development standards for the City of Bishop, and Table 30 summarizes street widths, curb and gutter standards, sidewalk requirements and other applicable requirements.

	Collectors	Minor Arterials	Principal Arterials
Required Street Widths	40-feet	40 feet	55-70 feet
Minimum number of lanes	2	2	2-4
Curb and Gutter	Required	Required	Required
Sidewalk Improvements	Required	Required	Required

The State of California has imposed potential constraints on housing through the requirement for a Comprehensive Land Use Plan (CLUP) in relation to airports. Inyo County has adopted the Bishop CLUP which deals with noise and safety issues from the Bishop Airport. Due to the proximity to airport operations, proposed residential development in the vicinity of the designated safety/noise zones in the CLUP would have to be reviewed by the Airport Land Use Commission. The area in question is in the northeast corner of the City limits where the majority of land has been designated for commercial or industrial development. These land uses tend to be more compatible with airport operations than residential uses.³²

In most respects, the City is well suited to meet the needs of its lower-income and disabled population. Mobility is enhanced by numerous factors (including the City's compact size, the availability of transit services, and relatively uniform and flat topography throughout the City limits) and the cost of municipal services and utilities is relatively low. Moreover, housing costs have declined substantially from the inflated values that were reflected in the City's 2008 cost of living index of 106.1 (above the national average³³). Again, it is the lack of available and developable land that represents the most significant constraint to ensuring an adequate supply of affordable housing.

C.5 Applicable State and Local Laws

During 2002 the State Legislature adopted Assembly Bill 1866, with the intent to provide affordable housing through development of second-units. To achieve this goal, AB 1866 amended 2 sections of the existing Government Code:

- **Section 65852.2 (Second-unit law)**
This amendment requires local governments with a second unit ordinance to ministerially review second-unit applications as of July 2003. Local governments without a second-unit ordinance, or with an ordinance that conflicts with this law, should ministerially consider second-unit applications in accordance with State standards.
- **Section 65583.1 (A portion of State Housing Element Law)**
This amendment clarifies existing housing element law to allow identification of realistic capacity for second units in addressing a locality's share of regional housing need. The amendment encourages identification of potential capacity based on development trends of second-units. This amendment took effect on January 2003.

The City of Bishop has not formally adopted a second unit ordinance, although this has been a subject of discussion and review by the City Council. As a key outgrowth of this discussion, the City Council adopted Ordinance 506³⁴ to provide relief to

³¹Some special street standards apply to condos & condo conversions regardless of adjacent street category. No other special requirements apply.

³²Note that LADWP during 2011 granted to Inyo County an easement in perpetuity for airport-related uses at the Eastern Sierra Regional Airport in Bishop. The new easement will enable the County to obtain funding from FAA for aviation development.

³³ City data website: www.City-data.com/city/Bishop-California.html

³⁴City of Bishop, Ordinance 506, *An Ordinance of the City of Bishop, State of California, Amending Ordinance No. 424 and §§17.04.080 & 17.80.010 of Title 17 of the City of Bishop Municipal Code Respecting Nonconforming Uses*. Passed and approved by the Bishop City Council, 28 July 2003.

homeowners living in nonconforming structures that have been subject to damage or destruction. The ordinance affirms the City's goal that land uses should reflect approved designations, but allows the repair or reconstruction of otherwise legal non-conforming structures that have been damaged or destroyed through natural or intentional destruction. The City intends to further explore the options for permitting second-units within the context of adopted planning policy and zoning designations.

- **Senate Bill 812 and Senate Bill 520 (Persons with Disabilities)**

In January 2011, SB 812 took effect and amended California housing element law. The new law requires an analysis of the special housing needs of persons with disabilities, including an estimate of the number of persons with developmental disabilities, an assessment of their housing needs, and discussion of potential resources. SB 812 defines a "developmental disability" as a continuing disability that originates before an individual becomes 18 years old, and includes Mental Retardation, Cerebral Palsy, Epilepsy, and Autism.

The US Census does not compile detailed local information regarding persons with developmental disabilities, but does conduct a regular Survey of Income and Program Participation (SIPP) survey about the income of Americans and their participation in income transfer programs that support social welfare. Based on surveys conducted in 2005 and 2010, the Census Bureau has determined that about 56.7 million people living in the United States (18.7% of the civilian non-institutionalized population) had some kind of disability as of 2010, and about 38.3 million people (12.6% of total population, and 67.5% of all disabled persons) had a severe disability. The overall percentage did not change between 2005 and 2010, although the percentage of persons with a severe disability increased as did the percentage of persons needing assistance with daily living. Disability rates (including severe disabilities) were found to increase with age (people 80-years and older are about 8 times more likely to have a disability than persons under 15-years of age). Forty percent of disabled persons 21-years or older were employed, and persons with severe disabilities are substantially more likely to experience persistent poverty than those with non-severe or no disabilities.³⁵

The U.S. Census also collects limited information at the state level (and for geographic areas with more than 65,000 residents) through the American Community Survey (ACS), a nationwide survey designed to provide communities with annual demographic data (based on a sample size of about 3 million addresses). Based on results of the 2009 and 2009 ACS, a total of 1,898,118 persons with disabilities lived in California as of 2009 (7.9% of the total population), which reflected a very slight decrease of -0.1% over the 1,920,577 persons with disabilities living in the state as of 2008. West Virginia had the highest disability rate for people aged 16 to 64 years (16.8%), while Hawaii had the lowest rate (not statistically different from California, Colorado, Illinois, Minnesota, New Jersey, and Utah).³⁶

Applying these data to the City of Bishop, it can be estimated that approximately 35 residents have disabilities (7.9% of the population, as per the California average), and that 24 of these residents have severe disabilities. As discussed throughout this Housing Element, the Bishop housing stock includes a substantial number of affordable and accessible homes, both of which are critical to enable persons with developmental disabilities to live in integrated community settings, and a wide range of social services and specialized housing are also available. This Housing Element contains a new goal wherein the City will work with IMACA to develop an outreach program so that residents are aware of the housing resources available to persons with disabilities.

SB 520, approved in October 2001, prohibits housing discrimination on the basis of familial status or disability, and recasts earlier provisions pertaining to handicapped persons in terms of disabled persons. The law essentially clarified existing state requirements, including specifications for assessing housing needs, developing an inventory of housing constraints and resources (including land availability to meet needs), analyzing population and employment characteristics, identifying means to conserve existing affordable housing resources, a statement of applicable goals and policies, and development of a 5-year program to achieve those goals consistent with state requirements and regional housing allocations.

This Housing Element provides an assessment of disabled residents, establishes goals and policies that give priority to the housing needs of disabled, elderly, single-parent and homeless residents with limited incomes, and identifies programs specifically designed to address the housing needs of this segment of the population. The programs include Community Development Block Grant funding, Housing Assistance Program rental assistance vouchers, use of density bonuses, rental housing construction program funds, the energy crisis intervention program, enforcement of existing state laws, and enforcement of the Bishop Land Use Element guidelines pertaining to density limits. Additionally, the 5-year action

³⁵ U.S. Census Bureau, P70-131, *Americans With Disabilities: 2010*, Matthew W. Brault, issued July 2012.

³⁶ Census Bureau, ACSBR/09-12, *Disability Among the Working Age Population: 2008 & 2009*, *American Community Survey Briefs*, Matthew W. Brault, September 2010.

program includes specific goals for working with IMACA to develop an outreach program to inform Bishop residents of housing and services available for persons with disabilities.

- **Section 65584.09**

AB 1233 (Jones), Chapter 614, Statutes of 2005, requires local governments to zone or rezone adequate sites, within the first year of the new planning period, to address any portion of the RHNA for which the jurisdiction failed to identify or make available sites in the prior planning period. As described in §IIA above, the City has been stymied in its attempts to acquire or annex land for construction of housing. Intense good-faith efforts to acquire land from the City of Los Angeles were unsuccessful. As discussed in §IV.A above, however, of the roughly 456 acres zoned for residential development in the City, approximately 195 acres, or 43%, are already zoned at 16 dwelling units per acre or higher. Although the 2004 RHNA for above-moderate housing was not met, the City did remove obstacles to high-density, affordable housing and has continued to work closely with IMACA and other groups to develop senior and low-cost housing whenever possible.

- **Section 65583**

Chapter 633, Statutes of 2007 (SB 2) strengthens housing element law to ensure zoning facilitates emergency shelters and limits the denial of emergency shelters and transitional and supportive housing under the Housing Accountability Act. The law will facilitate efforts to address the critical needs of homeless populations and persons with special needs throughout all California. Generally, SB 2 amends housing element law regarding planning and approval for emergency shelters and transitional and supportive housing as follows:

- At least one zone shall permit emergency shelters without a conditional use permit or other discretionary action.
- Sufficient capacity must be identified to accommodate the need for emergency shelters and at least one year-round emergency shelter.
- Existing or proposed permit procedures, development and management standards must be objective and encourage and facilitate the development of or conversion to emergency shelters.
- Emergency shelters shall be subject only to development and management standards that apply to residential or commercial uses within the same zone.
- Written and objective standards may be applied as specified in statute, including maximum number of beds, provision of onsite management, length of stay and security.
- Includes flexibility for jurisdictions to meet zoning requirements with existing ordinances or demonstrate that the need for emergency shelters can be met in existing shelters or through a multi-jurisdictional agreement.
- Transitional and supportive housing shall be considered a residential use and subject only to those restrictions that apply to other residential uses of the same type in the same zone.

*The City permits
second units in most
residential zones.*

As noted in §III.A.7 (Special Needs), IMACA estimates that the homeless population in Bishop has grown in recent years. Though there are no formal homeless statistics available for the Bishop area, IMACA estimates that the population is growing. Statewide statistics indicate about 36 homeless per 10,000 residents, which would indicate roughly 36 homeless in Inyo and Mono Counties combined, and about 13 homeless individuals in the Bishop City limits. These estimates are higher than in 2009, when the Inyo County Mental Health Director estimated a total of 25 homeless individuals in Inyo County, 5 of whom were thought to reside in the City. The prolonged economic downturn has played a key role in this trend, and IMACA notes that daily calls and referrals for assistance have increased noticeably over the past year or so.

The County of Inyo Full Service Partnership (FSP), operated under the Mental Health Services Act (MHSA), provides services to children, Transition Age Youth (TAY), adults, and older adults. Through provision of a nurse to meet the needs of older adults, the program has successfully integrated physical health care with mental health care to help elders to stay in their homes and manage their health and mental health needs. The FSP works with local churches to offer free lunches to community members three days a week; TAY and adult clients volunteer their time to help cook and serve the meals. The FSP also facilitates coordination and access to medications, clinical services, substance abuse services, vocational rehabilitation, benefits advocacy, and medical care, as well as assistance with finding housing, housing vouchers, and programs to foster the skills necessary to promote the most independent, least restrictive housing possible in the community. Community-based locations for the adult program will be obtained to help integrate these services into the community and help improve access. The MHSA operates two wellness centers in Inyo County, including one in Bishop and a second in Lone Pine. The wellness centers offer outreach by mental health staff, referrals for homeless individuals in need of mental health services, and other similar recovery and support programs.

Housing and employment services are a critical component of the FSP. A 'housing first' model is used, in conjunction with developing a number of different housing options. Supportive housing services are provided. An array of support services

are available that are intended to promote housing stability, recovery, and wellness. Participation in these support services is voluntary and not a requirement for eligibility for any rent subsidy or housing voucher.³⁷

D. NONGOVERNMENTAL AND MARKET CONSTRAINTS AND OPPORTUNITIES

The very limited acreage of private land is by far the most significant constraint to achieving Housing Element objectives. Fees and site improvement costs, processing and permit procedures, building codes, land use controls, availability of public services and environmental considerations are important but do not impose significant constraints to development in Bishop. Moreover, the cost of housing in Bishop has been substantially reduced since the 2009 Housing Element was adopted, primarily as a result of the recent economic downturn; as of July 2013, the City’s housing inventory is notably affordable in comparison with California housing generally. The discussion below focuses on the non-governmental and market constraints to housing development.

D.1 Limited Land Resources

The City of Los Angeles owns significant land area in the City of Bishop as well as the entire Owens Valley. As noted in previous sections, the total area of serviceable and residentially designated City of Los Angeles-owned land in the Bishop city limits could accommodate over 3,000 dwelling units. This is almost twice the number of dwelling units in the City of Bishop in the 1990 Census. However, Los Angeles DWP has gradually reduced the housing stock in Bishop through the demolition of older dwellings on DWP-owned land. As in prior years, the purpose of Los Angeles DWP in the Owens Valley is to procure water for southland uses. The City of Los Angeles has secured land and water rights throughout the Bishop region and generally has not released land for residential development. Where the City of Los Angeles has released land for development, it primarily has been for non-residential uses. This policy has severely restricted housing development in Bishop and the Owens Valley. It remains the number one housing growth constraint in Bishop.

Although City of Los Angeles lands surround most of Bishop, the western boundary adjoins the Piute-Shoshone Indian Reservation. The tribe is a self-directed and nearly autonomous nation that is not subject to City regulations (Bishop cannot develop or govern the development of tribal lands) or to state mandates such as housing elements. It is tribal policy to use tribal lands for tribal purposes. This constraint adds to the limited land resource available to the City in meeting housing requirements. The remaining acreage of privately held, developable property in the City of Bishop is very limited; as shown previously in Table 23, less than 20 acres of privately-owned vacant land remains in Bishop, most in small parcels scattered throughout the City. The zoning density overlays permit a considerable increase in density when land is redeveloped.

D.2 Affordability (based on Current Trends in Housing Costs)

The Bishop housing market has undergone wide fluctuations over the past decade. To provide an updated snapshot of housing trends, several real estate sources were reviewed including the *Market Activity Report* (for the period from January 2010 through 19 July 2013), the *Real Estate Inventory-Supply and Demand Report Market Indicator* (for the period from January 2010 through 19 July 2013), July 2012 through 18 July 2013), an *Inventory Comparison* (for the period from July 2012 through June 2013), and to provide a basis for comparison the *Current Market Statistics* (from January 2007 through December 2010). A good overview of regional trends is provided in Table 31 below, which summarizes total sales for the 4 year period from 2007 through 2013. These data show a continuous and continuing decline in values (a 34.2% drop over the 6.5-year period), coupled with continuous increases in sale volume and associated reductions in days on the market. For the 2- square mile Bishop area, the median price of homes reached a high of \$413,980 in 2007; values have been falling since then, with a current average value of \$272,447 as of July 2013.

**Table 31
BISHOP RESIDENTIAL MARKET ACTIVITY 2007-2010**

	2007	2008	2009	2010	2011	2012	2013
Homes Sold/Month	NA	7.9	7.9	8.7	9.3	11.1	10.7
Days on Market	NA	140	129	75	89	96	76
Average Sales Price	\$413,982	\$359,409	\$327,055	\$289,834	\$268,562	\$271,174	\$272,447
Current Supply	4.3 months	3.7 months	NA	6.3 months	5 months	4.2 months	4 months

Table 32 summarizes total residential sales for the entire Bishop multiple listing service for the past 3 and one-half years.

Table 32-MARKET ACTIVITY SUMMARY JANUARY 2010 – JULY 2013					
HOUSING TYPE	NUMBER SOLD	DAYS ON MARKET	AVERAGE LIST PRICE	AVERAGE SALE PRICE/ % OF LIST PRICE	# CURRENTLY PENDING

³⁷ Inyo County Behavioral Health, Mental Health Services, Mental Health Services Act (MHSA), Annual Update Fiscal Year 2011/2012.

Single Family	504	145	\$323,468	\$272,031 / 84%	481
Condominium	29	189	\$208,677	\$205,452 / 98.5%	30
Mobile Home	198	143	\$33,325	\$29,131 / 87%	184
Multi-Family Bldg	16	162	\$286,606	\$206,639 / 72%	14

These data show that all housing types in Bishop are today significantly lower in price than when the prior Housing Element was completed in 2009. Nonetheless, rental and mobile homes remain an important affordable housing option in Bishop, available to a wider range of potential buyers than single-family units. Table 33a summarizes rental values for the first quarter of 2013 and Table 33b summarizes mobile home sales in the larger Bishop area for each of the four quarters between July 2012 and July 2013. The data suggest that rental and mobile homes in Bishop have remained affordable to even very low income residents, though the available supply has been limited through this period.

**Table 33a
RENTAL VALUES FIRST QUARTER 2013**

RENTAL CATEGORY	RENTAL RATES
Single Family Home	\$1,100-\$1,400/month
2-bedroom apartment	\$600-\$900/month
1-bedroom/studio apartment	\$400-\$600/month

**Table 33b
QUARTERLY MOBILE HOME SALES DATA JULY 2012 - JULY 2013**

	7-19-12 to 10-18-12	10-19-12 to 1-18-13	1-19-13 to 4-18-13	4-19-13 to 7-18-13
Days on Market	70	59	0	8
Average List Price	\$15,900	\$46,900	0	\$32,950
Average Sales Price	\$13,500	\$46,900	0	\$31,450
Average List/Sale %	85%	100%	NA	95%
Sold Listings	1	1	0	4

D.3 Land Prices

Land costs are a major contributor to overall housing production prices. The very small amount of privately owned vacant land appears to contribute to land costs, at least as compared to a similar community without the constraints noted previously. As a result the "filtering down" process, which can enable lower income or first-time buyers to enter the housing market, is affected. Although no data was available for the City proper, data for the 20 square mile Bishop area indicates that there were 4 commercial lots and 188-acres of vacant land lots sold between January 2010 and July 2013.

D.4 Construction Costs

Construction costs include materials, labor, financing charges and builder profit. These costs will vary depending on structural requirements (such as snow, wind and seismic conditions) and by the quality of the construction (such as roofing materials, carpeting, cabinets, bathroom fixtures and other amenities). Because of these factors, it is hard to establish an absolute measure of construction cost. According to data obtained from Eastern Sierra Realty, residential properties are currently averaging about \$153 per square foot in the Bishop City limits for active listings, compared with \$164 for recent sales in the City limits³⁸; by comparison, homes were averaging about \$200 per square foot in 2009, \$135 in 2001 and \$50 per square foot in 1995. Custom homes and units with extra structural requirements or amenities can run much higher.

D.5 Conclusions

The data presented above indicate that Bishop housing costs have declined considerably since the 2009 Housing Element was completed, as is true elsewhere in California and beyond. The National Association of Realtors (NAR) notes that the housing market is now strengthening nationwide. As of May 2013, NAR records show a 4.4% increase in existing-home sales and a 2.9% increase in prices in the Northeast (compared with the first quarter of 2012); in the Midwest, sales increased by 15% and prices by 8.2% in the same period, and in the South sales increased by 13.3% along with price increases averaging 9.3%. In contrast,

³⁸ Eastern Sierra Realty, *Listing Statistics*, January 1, 2013.

housing supplies in the west have remained sharply limited: existing home sales increased only 0.6% since the first quarter 2012, while prices have increased by 24.4%.³⁹

Despite the short supply, price increases have not been reflected in the Bishop housing market to date. Bishop continues to offer a range of affordable housing opportunities such as HUD's Housing Choice Voucher housing assistance, assistance offered by the California Housing Finance Agency, privately owned mobile home parks, and various programs available through IMACA and Mammoth Housing. If and as housing costs increase, however, the City may again face challenges associated with a comparatively low income job base and high housing costs. An increase in the supply of rental units could help to alleviate this concern as the City continues to work with the City of Los Angeles to obtain lands (through lease or purchase) for the construction of affordable housing projects. Both approaches are reflected in the 5-Year Plan below. Mammoth Housing Authority offers down-payment assistance programs to assist families and individuals without sufficient incomes or equity to enter the housing market. Finally, it remains a very high priority to continue to encourage the City of Los Angeles to release residential land within the present urban boundary that can be used to meet long term housing opportunities in the City of Bishop. Other programs are described under Item F (Affordable Housing Resources).

E. RHNA COMPLIANCE

HCD's 2012 *Regional Housing Need Allocation Plan* for Inyo County Local Governments reflects a number of changes from the allocation prepared by HCD in 2009. The projected 2014-2019 0.45% annual household growth rate is now less than half the 1.3% rate used in 2008, vacancy rates are now higher (2% for owners versus 1.8% in 2007; the renter vacancy rate was held steady at 5%); and the 'Rural County' 150% increase adjustment used in 2008 has been replaced by a one-time reduction in projected need to reflect unprecedented economic conditions over the planning period. Although Bishop did not meet the numeric goals for the prior housing element compliance period (2009-2014), the City has striven to comply with the underlying RHNA objectives (per §65584(d), as discussed below:

Despite the short supply of housing, price increases have not been reflect in the Bishop housing market to date.

- 1. RHNA GOAL 1 - Increase the housing supply and the mix of housing types, tenure and affordability in an equitable manner.** Since housing prices in Bishop have abated substantially in recent years, the housing inventory is now affordable to an increased number of residents. HUD lists a total of 4 affordable rental housing facilities in Inyo County as a whole. Three of these facilities are located in the City of Bishop: the Sunrise Mobile Home Park on McIver, the Valley Apartments on East Clarke, and Willow Plaza Apartments on Willow Street. HUD lists only one other affordable rental facility in Inyo County – the Mt. Whitney Apartments, located in Lone Pine (about 60 miles south of Bishop).⁴⁰ Bishop has continued to work closely with IMACA to preserve these affordable facilities, and has also worked with Mammoth Housing and local mobile home park owners to ensure that every possible affordable housing resource is preserved and expanded where possible.
- 2. RHNA GOAL 2 – Promote infill development and socioeconomic equity, environmental protection and efficient development patterns.** During 2012, Bishop applied for funding through the Sustainable Communities Grant Program, missing the scoring cutoff by less than 1% (Bishop plans to reapply for the 3rd and final funding cycle in 2014). As noted in that application, Bishop has invested \$5 million in downtown improvements and planning has focused on consolidating uses in the city rather than expanding into surrounding unincorporated lands. By focusing on infill, the Bishop General Plan has avoided encroachment onto the open space areas immediately surrounding the city. Creation and later expansion of the downtown mixed use overlay zone (since the 2009 Housing Element was adopted) has established an area of Bishop where infill residential development is permitted by right and encouraged. The overlay zone, in combination with the nearby Warren Street Improvement Project, will also update the downtown core area and may contribute to the City's parallel efforts to balance jobs and housing (see below).
- 3. RHNA GOAL 3 – Promote an improved intraregional relationship between jobs and housing.** The City of Bishop is in the very early stages of a targeted General Plan Update and Code Revisions that will include policies and regulations supporting housing in close proximity to commercial and public services, and economic development that maximizes efficient use of infrastructure (including the new fiber optic cable serving the length of Owens Valley). The programs will include a sustainable economic strategy that examines existing and future land use and housing demand in the context of job growth and policies, programs and codes to encourage public and private investment in the community.

³⁹ National Association of Realtors, *Metro Area Home Price Growth Trend Continues in First Quarter*, News Release, May 9, 2013. www.realtor.org/topics/housing-affordability-index.

⁴⁰ Housing and Urban Development Department (HUD), www.hcd.ca.gov/fa/docs/affrdble-housing/ARHD_Inyo_01-10-13.pdf

4. **RHNA GOAL 4 – Allocate housing need in proportion to the availability of supply in a given category.** The 2012 need allocation for Bishop is similar (in terms of the proportion of need at the very low, low, moderate and above moderate income levels) to the allocation in 2008. HCD made very a slight decrease in the City's proportion of very low income units (from 23.6% to 23.4% now), and a somewhat larger decrease in the City's proportion of above-moderate income units (from 45% to 43.7% now); the proportion of low income units was increased from 13.6% to 14.9% now, and the proportion of moderate income units increased from 17.3% to 18.1%. These adjustments suggest that Bishop income levels may have slipped very slightly in relation to Inyo County incomes as a whole, but the proportions are generally unchanged overall. Bishop is in the early stages of developing an economic development strategy to diversify job opportunities, and associated household income, by capitalizing on the new fiber optic cable. (Note too that HUD lists 3 affordable rental housing facilities in Bishop: the Sunrise Mobile Home Park on McIver, the Valley Apartments on East Clarke, and Willow Plaza Apartments on Willow. Beyond the 3 Bishop facilities noted above, HUD lists only one other affordable rental facility in Inyo County – the Mt. Whitney Apartments, located in Lone Pine (see RHNA Goal 1, above).

F. AFFORDABLE HOUSING RESOURCES

Provided below is an outline of the wide range of programs designed to facilitate the construction, acquisition, rehabilitation and/or preservation of affordable rental and ownership housing, homeless shelters and transitional housing, public facilities and infrastructure, and the development of jobs for lower income workers.⁴¹ Several state and federal programs are also designed to assist in the provision of these services. Note that the state Legislature in 2011 approved the dissolution of all California redevelopment agencies, and the agencies were officially dissolved as of February 2012; as a result, the Redevelopment Set-Aside programs are no longer applicable and have been deleted from the 2014-2019 Housing Element discussion of potential affordable housing resources.

F.1 Development Block Grant (CDBG)

CDBG funds represent another resource to improve the quality of life for residents of Bishop. CDBG monies have in the past been used for a variety of projects benefiting low and moderate income households, including fund for the low-moderate senior housing facility at Sunrise Park. Block grant monies can also be used for rehabilitation, repair and loan programs. In recent years, the City's applications for CDBG funding have not been successful. In recent communications with HCD staff, the City has gained added insight into how future applications might be structured to compete more successfully for the available CDBG programs, and was able to utilize the information in a recent successful CDBG application, part of which will fund IMACA improvements to the Valley Apartments, and part of which will preparation of an update to the Economic Development Element of the Bishop General Plan. HCD has awarded funding for both of these projects. IMACA plans to use its \$1 million in funding to refurbish the Valley Apartments (which represent an important component of the affordable housing stock), and the City plans to use the Economic Development Element update to create an expanded base of long-term professional employment opportunities to benefit residents (particularly young residents) in Bishop and surrounding communities. HCD administers the federal CDBG program for non-entitlement cities and counties (including Bishop). CDBG funding could be pursued through the following programs:

- **Housing rehabilitation:** Eligible activities are health and safety and complementary improvements made to units occupied by low-income households. Such improvements may include repair or replacement of foundations, roofs, siding, flooring, plumbing, and electrical systems. Rehabilitation may also include repair or installation of water or sewer laterals on private property, and complementary rehabilitation activities such as repainting and recarpeting.
- **Activities in support of housing new construction** may include: land acquisition; water and/or sewer improvements (to provide increased capacity needed); site improvements; clearing of site; construction of directly-related streets, curbs/gutters and sidewalks, parks, and recreation facilities; pre-construction studies, plans and funding applications; acquisition, rehabilitation or cost write-down of existing housing; and down-payment assistance and closing costs.
- **Community facilities:** Eligible activities include acquisition, rehabilitation, or new construction of buildings and grounds for public purposes such as training, health, education, recreation, nutrition, emergency shelter, day care, or fire protection, or the removal of architectural barriers from public buildings.
- **Public services:** CDBG funds may be spent for labor, supplies and materials used to provide or improve services (such as employment, crime prevention, child care, health, drug/alcohol abuse prevention, and/or recreation).
- **Public works:** activities to correct health and safety hazards include acquisition, construction, rehabilitation and installation.

F.2 Housing Choice Voucher (HCV) Program

The Housing Choice Voucher Program (formerly Section 8) rental assistance vouchers extend rental assistance to low income

⁴¹Department of Housing and Community Development website, <http://www.hcd.ca.gov/fa/>

families and elderly or disabled which spend more than 30% of their income on housing. The subsidy represents the difference between the excess of 30% of the monthly income and the actual housing cost. Vouchers permit tenants to locate their own housing and, unlike prior programs, participants are permitted to rent units beyond the federally determined fair market rent in and area provided the tenant pays the extra rent increment (vouchers are limited to the standard payment versus fair market rent; standard payment is usually lower than fair market rent). IMACA is the designated agency in Inyo County to administer the HCV vouchers. In 2004 there were 29 vouchers allocated to Inyo County residents (15 vouchers to Bishop residents), and currently, there are 29 vouchers allocated to Inyo County, 10 of which were issued to residents in the City of Bishop. However, there are no available vouchers as of July 2013, and the waiting list includes 28 residents throughout Inyo County. The Program is currently closed, and Stanislaus Housing Authority is not accepting any new applications, but may reopen in the future.

F.3 Mobile Home Park Resident Ownership Program (MPROP)

This program, offered by HCD, provides financial and technical assistance to mobile home park residents who wish to purchase their mobile home parks and convert the park to resident ownership. Loans are made to low income mobile home park residents or public organizations to control housing costs. Low interest short and long term loans are offered to cover the costs of:

- **Purchase (conversion) of a mobile home park** by a resident organization, nonprofit entity or local public agency;
- **Rehabilitation or relocation** of a purchased park;
- **Purchase by a low income resident** of a share or space in a converted park.

With nearly 20% of Bishop's housing stock comprised of mobile home units, this is an important program to allow tenants to control their housing costs. Where the present owner is a willing seller, the City can facilitate use of this program by advertising its availability to mobile home park residents and by serving as co-applicant for resident organizations applying to HCD for funding. The City also provides information to residents about MPROP units that have become available (usually through vacancy) and assists in the sale of MPROP units. As of July 2013, there are three units available with a long list of potential buyers. The City collaborates with a real estate agent in assisting potential buyers submit offers and obtain loans. All of the MPROP units in Bishop fall within the low or very low income categories.

F.4 Single Room Occupancy (SRO)

The closure of a motel can open up opportunities for conversion of existing units into transitional housing units called SROs. SROs are like apartments with the exception that common kitchen facilities may be used when separate facilities are not available in each unit. SROs are less costly to rent and maintain than full service units. With support from the City of Bishop, IMACA converted a motel into affordable apartments for senior housing; however, in this instance, separate kitchen facilities were provided. This housing is still owned and operated by IMACA. In addition, as noted in §IV.B, the City and IMACA have had a long-term interest in the potential acquisition of two additional motel sites that may be suitable for SRO or other similar affordable housing conversation projects. These sites include the existing Elm Street Motel located at the corner of West Elm and North Warren Street, and the existing Starlight Motel located at Short and Sneden. With respect to the Elm Street Motel, IMACA had previously made a bid to acquire this site in 1998 and had the funds available to proceed, but the deal fell through due to problems in the real estate transaction. Since 1998, the owner has not shown an interest in selling, but IMACA has continued to keep an eye on this site for possible future purchase. With respect to the Starlight Motel, IMACA has received prior offers to but has not accepted previously due to the absence of sufficient funds. However, the site is well suited for conversion as an affordable living unit and IMACA has maintained continued interest in future acquisition when a suitable funding opportunity is identified. There has been no change in status for either the Elm Street Motel or the Starlight Motel.

F.5 Building Equity and Growth in Neighborhoods Program (BEGIN)

This HCD program is designed to reduce local regulatory barriers to affordable ownership housing, and provide down-payment assistance loans to qualifying first-time low- and moderate-income buyers of homes in BEGIN projects. It offers grants to cities, counties, or cities and counties to make deferred-payment second mortgage loans to qualified buyers of new homes, including manufactured homes on permanent foundations, in projects with affordability enhanced by local regulatory incentives or barrier reductions. It also offers loans by grant recipients at simple interest to qualifying homebuyers, not to exceed 20 percent of home sales price or \$30,000, whichever is less. As of July 2013, IMACA has three grants in the BEGIN program through Mammoth Housing, but none of the grants are for projects in Bishop.

F.6 CalHome Program

The CalHome program was established to enable low and very-low income households to become or remain homeowners. Program funds are available for public agencies or nonprofit corporations in the form of:

- **Grants** for first-time homebuyer down payment assistance, home rehabilitation, including manufactured homes not on permanent foundations, acquisition and rehabilitation, homebuyer counseling, self-help mortgage assistance programs, or technical assistance for self-help homeownership.

- **Loans** for real property acquisition, site development, predevelopment, construction period expenses of homeownership development projects, or permanent financing for mutual housing and cooperative developments. Project loans to developers may be forgiven as developers make deferred payment loans to individual homeowners.
- **Assistance** to individual households in the form of deferred-payment loans, payable on sale or transfer of the homes, or when they cease to be owner-occupied, or at maturity.

F.7 HOME Program

The HOME Program was created under the National Housing Affordability Act of 1990. Under HOME, HUD awards funds to localities on the basis of a formula that considers the "tightness" of the local housing market, inadequate housing, poverty, and housing production. HOME funding is provided to jurisdictions to assist either rental housing or home ownership through acquisition, construction, reconstruction, and/or rehabilitation of affordable housing. Also possible is tenant-based rental assistance, property acquisition, site improvements, and other expenses related to the provision of affordable housing. Assistance is also available for projects that serve a group identified as having special needs related to housing. The local jurisdiction must make matching contributions to affordable housing under HOME. The State administers the HOME program for non-entitlement jurisdictions like Bishop, and has \$44 million in funding to distribute state-wide during each fiscal year. The City of Bishop will be notified of funding availability by HCD, and IMACA has indicated an interest in pursuing this program to apply for funding in support of the Silver Peaks project (as noted earlier, the City is current obtaining an appraisal with the goal of submitting a purchase offer, if feasible, in support of this project). Mammoth Lakes Housing has also participated in Home Program funding opportunities and will assist with future applications as the opportunities arise.

F.8 Density Bonus Law

State Government Code §65915, amended by SB 1818, provides for density bonus or similar incentives when a housing developer agrees to construct at least one of the following:

- 10% of total units in a housing development for persons/families of lower income as per Health & Safety Code §50079.5
- 5% of the total units of a housing development for very low income HH as defined in Health and Safety Code §50105.
- Thirty-five units of a housing development for qualifying senior residents as defined in §51.2 of the Civil Code.

HCD has significantly reduced these goals since the 2004 Housing Element was adopted in response to feedback from builders and developers. The Density Bonus Law is intended to provide an incentive to developers to provide low income housing, senior housing or both to provide a balance of housing opportunities in the City. As part of the density bonus program, the City may consider granting a density bonus or, in lieu of granting a density bonus, the City may grant an incentive of direct financial assistance programs. In order to assure the long-term affordability of housing units, the developer may be required to enter into a development agreement or other binding contract with the City, and bonus programs are be subject to compliance with adopted urban water management plans and other service constraints and programs. The City continued to support the use of density bonuses but has not had an opportunity due to the lack of development in Bishop over the past 5 years,

F.9 Non-Profit Housing Development Corporations (HDC)

The non-profit Housing Development Corporations promote, assist or sponsor housing for low and moderate income persons. An HDC does not build "public housing;" rather, it builds or rehabilitates housing for people who cannot afford market rate housing but whose incomes are generally above the poverty level and acts as the applying agency for grants and loans. To keep rents within affordable limits, government assistance of some kind is usually necessary. Thus, such housing is often referred to as "assisted housing." An HDC may build rental housing or sponsor housing developments intended for ownership. IMACA has managed and owned some affordable housing projects county-wide and is currently pursuing several HCD housing programs in the City of Bishop, particularly the 72-unit Silver Peaks affordable housing project (as a joint endeavor with the City of Bishop). IMACA has sought and will continue to seek additional affordable housing opportunities such as this program affords.

F.10 Hope for Homeowners (H4H) Program The federal Housing and Urban Development Dept. (HUD) offers a wide range of programs to assist homeowners modify and/or refinance their home loans. The range of available programs and assistance has been expanded over recent years to respond to the economic recession. Included are programs to modify or refinance loan payments, programs specifically designed to help homeowners with 'underwater' mortgages, assistance for unemployed homeowners, and managed exit programs for borrowers who cannot afford their mortgage or are dealing with foreclosure.

F.11 Weatherization Program

The Department of Energy, Weatherization Assistance Program (DOE WAP) has long served as the core program for delivering energy conservation services to low-income Californians. Through IMACA, the Weatherization Assistance Program reduces the heating and cooling costs for low-income families by improving the energy efficiency of their homes and ensuring their health and safety. Among low-income households, the program focuses on those with elderly residents, individuals with disabilities,

and families with children.

IMACA also administers the Low Income Home Energy Assistance Program (LIHEAP) on behalf of the State of California. Residents who meet income guidelines are eligible for roof, furnace or water heater repairs and replacements when funding is available. Eligibility is 80% of state median income.

F.12 Energy Crisis Intervention Program (ECIP)

The ECIP is another very active program in Bishop, and approximately half of Inyo County's funds are expended in serving Bishop households enrolled in the Energy Crisis Intervention Program (ECIP) and the weatherization program. ECIP is available each year as *either* \$300 for electricity *or* 2 cords of wood, *or* \$700 in propane *or* \$700 in wood pellets. The LIHEAP Weatherization Program assists about 20 eligible low-income Bishop families and individuals each year with up to \$3,000 in energy conservation, home repairs and heating and cooling assistance in the form of propane, pellets, kerosene, oil or electricity support to

F.13 Homeless and Emergency Shelter Programs

HCD administers several programs for the funding of homeless and emergency shelters. Included are:

- **Emergency Housing and Assistance Program Operating Facility Grants (EHAP)** provide facility operating grants for emergency shelters, transitional housing projects, and supportive services for homeless individuals and families. Each county receives a formula grant allocation; 20% of the total allocation is available to non-urban counties to provide direct client housing, including facility operations and administration, residential rent assistance, leasing or renting rooms for provision of temporary shelter, capital development activities of up to \$20,000 per site, and administration of the award (limited to 5 percent).
- **Emergency Housing and Assistance Program Capital Development (EHAPCD)** funds capital development activities for emergency shelters, transitional housing, and safe havens that provide shelter and supportive services for homeless individuals and families through deferred payment loans at 3 percent simple interest, forgiven when loan term is complete. Term ranges from 5 to 10 years based on the development activity. Again, 80% of the total allocation is available to urban counties, and 20% to non-urban counties.
- **Governor's Homeless Initiative** is an interagency effort aimed at reducing homelessness. The funding program component of the Governor's Homeless Initiative assists with the development of permanent supportive housing for persons with severe mental illness who are chronically homeless. It is a joint project of HCD, the California Housing Finance Agency (CalHFA), and the Department of Mental Health (DMH). The program provides deferred payment permanent loans under HCD's Multifamily Housing Program (MHP); construction, bridge and permanent loans from CalHFA; and limited grant funds for rental assistance from DMH. These loans may be used for new construction, rehabilitation, or acquisition and rehabilitation of permanent rental housing, and the conversion of nonresidential structures to rental housing. Projects must have commitments of Mental Health Services Act funds for supportive services, and typically require rent subsidies as well.

F.14 Other Affordable Housing Resources

The City of Bishop operates a code enforcement program that is focused on the elimination of housing conditions that violate public health, safety and welfare codes. The following are additional programs currently undertaken by the City to provide new housing and improvement of existing housing stock:

- Continue streamlining all planning procedures to assist developers.
- Encourage use of the Title 1 Loan Program to provide low interest loans to low and moderate income home owners who need to borrow for rehabilitation work.
- Permit mobile and modular housing on residential lots.
- Enforce energy regulations to provide better housing and lower maintenance costs.
- Take advantage of ongoing programs to assist developers in site selection and utilization of existing federal and state programs to construct or rehabilitate units for low and moderate income housing.
- Use state/federal loans & grants for public improvements; retain tax dollars for infrastructure development & maintenance.
- Allow construction of second units on residentially zoned lots consistent with state law.
- Continue to support equal opportunity actions.
- Enforce State regulations for disabled residents (Title 24 and SB 520).
- Encourage the maintenance of all residential units even if nonconforming as a means of conserving the housing stock.
- Promote the establishment of programs that are aimed at maintaining existing housing units that are in need of repair.

The City works closely with IMACA, Wild Iris, Mammoth Housing and the County Department of Mental Health Services to obtain available grants and loans to assist at-risk populations, including the homeless, disabled, elderly, low-income and those

with mental health problems. The lack of availability of developable sites hampers the City's ability to acquire and construct projects under some of these programs.

The Senior Shared Housing Program is no longer operating in Bishop or Inyo County. The 2009 Housing Element described this as a program operated by the Inyo Mono Area Agency on Aging (IMAAA) to help seniors locate roommates to share housing, thereby generating additional income to support the household. IMAAA has been replaced by the Eastern Sierra Area Agency on Aging (ESAAA), and although ESAAA continues to provide a range of services to senior citizens in Inyo and Mono Counties, the services no longer including housing assistance.

V. GOALS, POLICIES AND ACTIONS

A. Goals

The City of Bishop General Plan Land Use Element establishes the following housing goal: *"To provide for quality residential life by maintaining and improving the existing housing stock and by insuring that the housing needs of the entire community are being met. This goal includes the provision of housing for the special housing needs of the elderly, low income families, handicapped, and individuals requiring group residential care."* Other housing goals described in the Land Use Element of the General Plan include:

- *"The City will encourage the Los Angeles DWP to coordinate a long-term land development plan in the Bishop planning area that will allow needed commercial, residential, and industrial development to take place."*
- *"To encourage the balance and diversity of housing types to more closely reflect the needs of various income groups in the City of Bishop."*
- *"To encourage development of higher density development within walking or bicycling distance to the City's business and commercial areas."*
- *"To provide adequate housing opportunities for low and moderate income households as required by the State of California."*

B. ASSOCIATED HOUSING POLICIES

The City's residential goals are supported by a number of specific policies. Relevant residential policies contained in the *General Plan Land Use Element* are outlined below.

- *"The City will encourage the Los Angeles DWP to coordinate a phased release of residentially zoned areas of Bishop."*
- *"The City of Bishop, in conjunction with the City of Los Angeles and Inyo County, should identify all lands which are not directly related to the provision of water or power and to provide an appropriate means of conveying these lands to private citizens or the City for implementation in accord with the policies of this plan."*
- *"As a high priority for residential development, the City will encourage in-fill and redevelopment of existing private land into residential densities specified on the land use map."*

Additional policies and programs supported by the City are outlined below:

- The City supports legislation aimed at providing adequate housing for all economic segments of the community.
- The City will continue to work with IMACA, Mammoth Housing, and Inyo County to improve the supply and quality of the regional housing stock.
- The City supports construction of subsidized housing, rehabilitation and rental assistance for very low, low and moderate incomes, and special needs households.
- The City encourages modular, prefabricated and other innovative housing designs that reduce housing costs.
- The City encourages maintenance of all residential uses, even if new or non-conforming, and upgrades to new, existing and proposed residential units
- In all housing programs, priority should be given to local groups or individuals with demonstrated housing needs including the elderly, disabled, homeless, households headed by a single parent and income limited households.
- Local financial institutions are encouraged to become involved with programs which expand home ownership and rehabilitations opportunities.
- The City supports state and federal law on non-discrimination in housing.
- The City supports efforts of IMACA and Mammoth Housing to provide housing in Bishop and throughout Inyo County.
- The City supports granting a density bonus to developers of projects agreeing to comply with requirements of Government Code § 65915 as modified by SB 1818.
- In conjunction with Inyo County, the City of Bishop encourages the City of Los Angeles to do the following:
 - Consider developing an action plan with short-term (i.e., 5-year) and long-term (i.e., 15 or 20-year) goals for enabling the City of Bishop to acquire and annex City of Los Angeles lands, including criteria for selecting identified parcels and steps to comply with Los Angeles DWP requirements.
 - Explore a program allowing Bishop to acquire City of Los Angeles lands by direct purchase rather than auction.
 - Develop an inventory of City of Los Angeles land and dwellings in Bishop, and convey to private entities those lands that are not essential to the City of Los Angeles DWP operations.

- Revise the residential lease/rental policy to permit the long term lease of City of Los Angeles-owned residential units to private persons.
- Adopt a policy of not demolishing older dwellings until a rehabilitation assessment can be made; where feasible, permit the concurrent long term lease and rehabilitation by private persons.
- The City of Bishop will maintain the R-3 and R-2 zones for multiple dwelling units.
- In compliance with SB 1960, the City shall consider a mobile home constructed to the 1974 HUD standards and affixed to a permanent foundation to be a single family dwelling for the purposes of zoning and land use regulations. The definition of a single family dwelling has been revised to include such mobile homes. Design criteria permitted under the law relating to appearance may be applied.
- The City shall comply with AB 1866 and all other relevant state and local laws and ordinances. In reviewing housing projects designed to meet the elderly, disabled and other special needs groups, the City will consider lifestyle issues, particularly as it relates to the density limits established in the Land Use Element.
- Bishop supports County Veterans Service Office assistance to veterans on state and federal veterans housing programs.
- The City encourages in-fill & redevelopment of existing private land for residential use consistent with the land use map.
- The City assists developers to construct affordable housing within the city limits.
- The City encourages maintenance of units and properties in need of repairs in order to reduce the number of units in need of complete replacement in the future.
- The City will continue to work with local employers who have expressed interest in assisting with housing development activities in order to attract and retain employees. Discussions will touch on the following issues:
 - Consider conditional use permits for on-site housing at employment sites
 - Explore ways in which local employers can assist IMACA
 - Investigate tax incentives that support affordable housing development
- The City will consider increasing the range of residential uses permitted in the mixed use overlay zone.
- As part of the economic development strategy, Bishop will explore ways in which the Warren Street Improvement Project can facilitate housing opportunities in the overlay zone to help meet the housing needs of an increased job base.

C. ACTIONS – FIVE YEAR HOUSING PROGRAM

The Bishop Housing Element policies and actions were developed as a result of an analysis of existing and future housing needs contained in the Planning Analysis. The Analysis concluded that, in general, the housing needs of the community will continue to be met by the private sector. However, the Analysis also indicated that the private sector will not be able to meet the needs of all present and future residents. In particular, many of the City's elderly, younger and single parent households will have considerable difficulty in obtaining and maintaining housing. These difficulties include excessive payment for rents due to an undersupply of affordable rental units, a market closed to many first time buyers, and displacement and loss of repairable units resulting from commercial development and higher intensity residential uses.

While the causes of these problems are varied, several are inherent in Inyo County. A shortage of available land due to extensive public ownership, a relatively high proportion of senior citizens and service industry employed households, an absence of governmental housing funding capability, obstacles and constraints on the private sector, and a community preference for single family ownership units all contribute in varying degrees to the existing problem.

The Five-Year Housing Program below identifies specific programs aimed at these particular housing-related problems. The Housing Program encompasses actions considered most likely to be effective in meeting community housing needs. The financial resources needed to provide "adequate housing for all economic segments" are largely available from state and federal housing agencies in the form of grants, loans and other forms of assistance. The Bishop-based IMACA was created for this purpose and will continue to assume the major responsibility for achievement of the housing objectives contained in this Housing Element.

In addition, the City will continue to maintain corporate and police powers for meeting the City's housing and economic development objectives including zoning and assistance with grant applications in conjunction with the specific program components of the overall Housing Action Program. The City also will support IMACA (and Mammoth Housing) in providing non-market rental housing opportunities for low, moderate and special needs households and individual through the construction of assisted housing, rental assistance, rehabilitation and other direct housing assistance.

This Housing Program as shown in Tables 34 and 35 sets forth a five-year schedule of actions for the City of Bishop to implement housing policies and achieve identified housing goals. The City will strive to review and adopt feasible policy goals as soon as possible, and will continue to work diligently to purchase or lease land from the City of Los Angeles.

Table 34
CITY OF BISHOP HOUSING PROGRAM GOALS FOR 2014-2019
OVERALL 5-YEAR HOUSING PROGRAM GOALS

1. **CITY OF LOS ANGELES LANDS:** Continue to work with City of Los Angeles towards purchase, transfer or long-term lease of vacant City of Los Angeles DWP land to the City of Bishop for residential development, including affordable housing. Establish a dialogue with the new Los Angeles Mayor and administration to facilitate renewed opportunities for this key housing element goal. Timeline: Ongoing.
2. **HCD LEASE TERMS:** Work with HCD to seek a case-by-case waiver that would allow HCD funding on property leased for 40 years (which is the maximum allowed by the City of Los Angeles) instead of 55 years (which is the current minimum period set by HCD) and to seek assistance in resolution of incompatible loan terms wherein federal and state agencies will consummate a grant only after the other agency makes the first loan commitment. Seek HCD assistance in establishing program terms that allow the City of Los Angeles and the City of Bishop to share affordable housing credits in cases where LADWP lands are sold or leased through the aegis of the City of Bishop for the purpose of providing affordable housing opportunities. Timeline: Ongoing.
3. **GRANT FUNDING:** Maximize value of 2013 CDBG funds for rehab of Valley Apartments and for updating the Economic Development Element, and continue to pursue all applicable grant and funding opportunities to assist in the further development of affordable housing and employment opportunities for current and future Bishop residents. Timeline: Grant monies to be expended within 3 years; grant review process to be annual and ongoing with goal of submitting at least one application during the planning period.
4. **UPDATES TO THE GENERAL PLAN LAND USE & ECONOMIC DEVELOPMENT ELEMENTS.** The City is currently in the very early stages of a process that will eventually update the General Plan Land Use Element and Economic Development Element. It is anticipated that the updated Land Use and Economic Development Elements will explore the value and feasibility of establishing an expanded range of residential designations compatible with mixed land uses, similar to the range of land uses currently permitted in the downtown overlay zone. Timeline: General Plan updates to be completed within 3 years (contingent on funding availability).
5. **WARREN STREET IMPROVEMENT PROJECT.** In tandem with the General Plan updates above, the City will consider whether the Warren Street Improvement Project may be expanded to support and extend the uses (particularly residential uses) of the downtown mixed use overlay zone. Timeline: Expanded uses within the Warren Street Improvement project area will be considered as part of the General Plan update process, over a period of 3 years (contingent on funding availability).
6. **MUNICIPAL CODE UPDATE:** Toward completion of the General Plan updates above, the City will evaluate an update to the Bishop Municipal Code to incorporate (as appropriate) the land use planning modifications developed through the General Plan process. As part of this update, the City will also consider ways in which the zoning regulations can be modified to encourage higher density housing to support goals of the land use and economic development strategies. Timeline: Municipal Code update to be completed within 4 years, following the General Plan updates (contingent on funding availability).
7. **PERSONS WITH DISABILITIES:** Continue working with IMACA to strengthen programs that inform families in the City of Bishop about housing and services available for persons with developmental disabilities. Timeline: General Plan updates to be completed within 3 years (contingent on funding availability).
8. **DENSITY BONUSES:** Continue to offer density bonuses to developers who construct infill projects as a means to optimize the availability of housing (despite significant limitations on available land) and facilitate the set-aside of affordable/senior/disabled housing units. Timeline: Ongoing.
9. **MOBILE HOME PARK RESIDENT OWNERSHIP PROGRAM (MPROP):** Facilitate this program by advertising its availability to mobile home park residents and by serving as co-applicant for resident organizations applying to HCD for funding in support of MPROP objectives. Timeline: Ongoing.
10. **MONITOR HOUSING STOCK:** Continue to maintain an inventory of trailer parks, mobile home parks and apartments provide housing for disadvantaged populations, and monitor this housing stock to ensure that it remains affordable for low income and disadvantaged residents. Timeline: Ongoing.
11. **AFFORDABLE HOUSING ASSISTANCE PROGRAM:** Continue to (a) support IMACA and Mammoth Housing Authority in identifying grant opportunities and in preparing grant applications for low- and extremely low-income housing

projects, (b) provide priority processing and a waiver or deferral of building and remodel permit fees for projects that provide affordable housing assistance to assist extremely-low, very low, low and moderate income households, and (c) maintain outreach to developers to incentivize the development of housing for households earning 30% or less of Inyo County median family income. Timeline: Ongoing; grant review process to be annual and ongoing with goal of assisting IMACA and Mammoth Housing in the submittal of at least two applications during the planning period.

12. **PUBLIC EDUCATION:** Continue to assist IMACA in preparing and distributing literature about equal housing opportunities. Provide information about weatherization assistance and utility cost reduction programs. Timeline: Ongoing.

13. **TRANSITIONAL AND SUPPORTIVE HOUSING:** Consider amending Ordinance 544 (Transitional and Supportive Housing) to reflect the revised definitions and requirements for Transitional Housing and Supportive Housing as adopted by the state in SB 745, and the requirements pursuant to SB 2. Timeline: Within 2 years of 2014 Housing Element adoption.

Table 35 PROGRESS TOWARD GOALS BY YEAR 2014-2019		
YEAR	GOAL	STEPS
2014	CITY OF LOS ANGELES LANDS	Continue to negotiate with the City of Los Angeles for purchase, transfer or long-term lease of vacant lands within the city limits. Work with state and federal elected officials to develop support if appropriate.
	HCD LEASE TERMS	Work with HCD to (a) obtain case-by-case waivers for HCD funding on the 55-year lease requirement; (b) reconcile incompatible loan terms; and (c) share affordable housing credits with the City of Los Angeles on LADWP-owned properties that are used for affordable housing in Bishop.
	GRANT FUNDING	Maximize value of 2013 CDBG grant awards and seek additional funding for affordable housing and employment opportunities for Bishop residents.
	GENERAL PLAN UPDATES	Complete the Economic Development Element update (initiated in late 2013) per CDBG grant funding schedule requirements. Initiate work on the General Plan Land Use Element drawing on land use recommendations identified in the Economic Development Element update.
	PERSONS WITH DIABILITIES	Continue working with IMACA to strengthen programs that inform families in the City of Bishop about housing and services available for persons with developmental disabilities.
	DENSITY BONUSES	Continue to offer density bonuses to developers who construct infill projects, to optimize the availability of housing (despite significant limitations on available land) and facilitate the set-aside of affordable/senior/disabled housing units.
	MPROP	Continue to advertise the availability of this program to mobile home park residents, and continue to serve as co-applicant for resident organizations applying to HCD for funding in support of program objectives.
	MONITOR HOUSING STOCK	Continue to maintain an inventory of trailer parks, mobile home parks and apartments provide housing for disadvantaged populations, and monitor this housing stock to ensure that it remains affordable to residents in need.
	AFFORDABLE HOUSING ASSISTANCE PROGRAM	Continue to (a) support IMACA and Mammoth Housing Authority in identifying grant opportunities and in preparing grant applications for low- and extremely low-income housing projects, (b) provide priority processing and a waiver or deferral of building and remodel permit fees for projects that assist extremely-low, very low, low and moderate income households, and (c) maintain outreach to developers to incentivize the development of housing for households earning 30% or less of Inyo County median family income.
	PUBLIC EDUCATION	Continue to assist IMACA in preparing and distributing literature about equal housing opportunities. Provide information about weatherization assistance and utility cost reduction programs.
2015	CITY OF LOS ANGELES LANDS	Continue to negotiate with the City of Los Angeles for purchase, transfer or long-term lease of vacant lands within the city limits. Work with state and federal elected officials to develop support if appropriate.
	HCD	Work with HCD to (a) obtain case-by-case waivers for HCD funding on the 55-year lease requirement; (b) reconcile incompatible loan terms; and (c) share

		affordable housing credits with the City of Los Angeles on LADWP-owned properties that are used for affordable housing in Bishop.
	GRANT FUNDING	Maximize value of 2013 CDBG grant awards and seek additional funding for affordable housing and employment opportunities for Bishop residents.
	GENERAL PLAN UPDATES	Continue work on the General Plan Land Use Element drawing on land use recommendations identified in the Economic Development Element update.
	WARREN STREET IMPROVEMENT PROJECT	In tandem with the General Plan updates above, the City will consider expanding the Warren Street Improvement Project to support and extend the mix of residential uses in the downtown mixed use overlay zone.
	PERSONS WITH DIABILITIES	Continue working with IMACA to strengthen programs that inform families in the City of Bishop about housing and services available for persons with developmental disabilities.
	DENSITY BONUSES	Continue to offer density bonuses to developers who construct infill projects, to optimize the availability of housing (despite significant limitations on available land) and facilitate the set-aside of affordable/senior/disabled housing units.
	MPROP	Continue to advertise the availability of this program to mobile home park residents, and continue to serve as co-applicant for resident organizations applying to HCD for funding in support of program objectives
	MONITOR HOUSING STOCK	Continue to maintain an inventory of trailer parks, mobile home parks and apartments provide housing for disadvantaged populations, and monitor this housing stock to ensure that it remains affordable to residents in need.
	AFFORDABLE HOUSING ASSISTANCE PROGRAM	Continue to (a) support IMACA and Mammoth Housing Authority in identifying grant opportunities and in preparing grant applications for low- and extremely low-income housing projects, (b) provide priority processing and a waiver or deferral of building and remodel permit fees for projects that assist extremely-low, very low, low and moderate income households, and (c) maintain outreach to developers to incentivize the development of housing for households earning 30% or less of Inyo County median family income.
	PUBLIC EDUCATION	Continue to assist IMACA in preparing and distributing literature about equal housing opportunities. Provide information about weatherization assistance and utility cost reduction programs.
	TRANSITIONAL & SUPPORTIVE HOUSING	Consider amending Ordinance 544 to reflect the revised definitions and requirements for Transitional Housing and Supportive Housing as adopted by the state in SB 745, and the requirements pursuant to SB 2.
2016	CITY OF LOS ANGELES LANDS	Continue to negotiate with the City of Los Angeles for purchase, transfer or long-term lease of vacant lands within the city limits. Work with state and federal elected officials to develop support if appropriate.
	HCD	Work with HCD to (a) obtain case-by-case waivers for HCD funding on the 55-year lease requirement; (b) reconcile incompatible loan terms; and (c) share affordable housing credits with the City of Los Angeles on LADWP-owned properties that are used for affordable housing in Bishop.
	GRANT FUNDING	Maximize value of 2013 CDBG grant awards and seek additional funding for affordable housing and employment opportunities for Bishop residents.
	GENERAL PLAN UPDATES	During 2016, the City will complete its General Plan update process.
	WARREN STREET IMPROVEMENT PROJECT	During 2016, the City will complete its General Plan update process including any modifications to the Warren Street Improvement Project.
	MUNICIPAL CODE UPDATE	As the General Plan process comes to a close, the City will consider updating the Bishop Municipal Code to incorporate (as appropriate) land use planning modifications developed through the General Plan process. The City will also consider ways in which zoning regulations can be modified to encourage higher density housing in support of land use and economic development strategies.
	PERSONS WITH DIABILITIES	Continue working with IMACA to strengthen programs that inform families in the City of Bishop about housing and services available for persons with developmental disabilities.

	DENSITY BONUSES	Continue to offer density bonuses to developers who construct infill projects, to optimize the availability of housing (despite significant limitations on available land) and facilitate the set-aside of affordable/senior/disabled housing units.
	MPROP	Continue to advertise the availability of this program to mobile home park residents, and continue to serve as co-applicant for resident organizations applying to HCD for funding in support of program objectives
	MONITOR HOUSING STOCK	Continue to maintain an inventory of trailer parks, mobile home parks and apartments provide housing for disadvantaged populations, and monitor this housing stock to ensure that it remains affordable to residents in need.
	AFFORDABLE HOUSING ASSISTANCE PROGRAM	Continue to (a) support IMACA and Mammoth Housing Authority in identifying grant opportunities and preparing grant applications for low- and extremely low-income housing projects, (b) provide priority processing and waive or defer building and remodel permit fees for projects that assist extremely-low, very low, low & moderate income households, and (c) maintain outreach to developers to incentivize the development of housing for households earning 30% or less of Inyo County median family income.
	PUBLIC EDUCATION	Continue to assist IMACA in preparing and distributing literature about equal housing opportunities. Provide information about weatherization assistance and utility cost reduction programs.
	TRANSITIONAL & SUPPORTIVE HOUSING	Consider amending Ordinance 544 to reflect the revised definitions and requirements for Transitional Housing and Supportive Housing as adopted by the state in SB 745, and the requirements pursuant to SB 2.
2017	CITY OF LOS ANGELES LANDS	Continue to negotiate with the City of Los Angeles for purchase, transfer or long-term lease of vacant lands within the city limits. Work with state and federal elected officials to develop support if appropriate.
	HCD	Work with HCD to (a) obtain case-by-case waivers for HCD funding on the 55-year lease requirement; (b) reconcile incompatible loan terms; and (c) share affordable housing credits with the City of Los Angeles on LADWP-owned properties that are used for affordable housing in Bishop.
	GRANT FUNDING	Maximize value of 2013 CDBG grant awards and seek additional funding for affordable housing and employment opportunities for Bishop residents.
	GENERAL PLAN UPDATES	As opportunities arise, Bishop will pursue and/or approve applications to implement land use modifications approved in the General Plan updates.
	MUNICIPAL CODE UPDATE	During 2017, the City will complete the Bishop Municipal Code update (if and as approved by City Council).
	PERSONS WITH DISABILITIES	Continue working with IMACA to strengthen programs that inform families in the City of Bishop about housing and services available for persons with developmental disabilities.
	DENSITY BONUSES	Continue to offer density bonuses to developers who construct infill projects, to optimize the availability of housing (despite significant limitations on available land) and facilitate the set-aside of affordable/senior/disabled housing units.
	MPROP	Continue to advertise the availability of this program to mobile home park residents, and continue to serve as co-applicant for resident organizations applying to HCD for funding in support of program objectives
	MONITOR HOUSING STOCK	Continue to maintain an inventory of trailer parks, mobile home parks and apartments provide housing for disadvantaged populations, and monitor this housing stock to ensure that it remains affordable to residents in need.
	AFFORDABLE HOUSING ASSISTANCE PROGRAM	Continue to (a) support IMACA and Mammoth Housing Authority in identifying grant opportunities and preparing grant applications for low- and extremely low-income housing projects, (b) provide priority processing and waive or defer building and remodel permit fees for projects that provide assistance to extremely-low, very low, low & moderate income households, and (c) maintain outreach to developers to incentivize the development of housing for households earning 30% or less of Inyo County median family income.
	PUBLIC EDUCATION	Continue to assist IMACA in preparing and distributing literature about equal

		housing opportunities. Provide information about weatherization assistance and utility cost reduction programs.
	TRANSITIONAL & SUPPORTIVE HOUSING	Consider amending Ordinance 544 to reflect the revised definitions and requirements for Transitional Housing and Supportive Housing as adopted by the state in SB 745, and the requirements pursuant to SB 2
2018	CITY OF LOS ANGELES LANDS	Continue to negotiate with the City of Los Angeles for purchase, transfer or long-term lease of vacant lands within the city limits. Work with state and federal elected officials to develop support if appropriate.
	HCD	Work with HCD to (a) obtain case-by-case waivers for HCD funding on the 55-year lease requirement; (b) reconcile incompatible loan terms; and (c) share affordable housing credits with the City of Los Angeles on LADWP-owned properties that are used for affordable housing in Bishop.
	GRANT FUNDING	Maximize value of 2013 CDBG grant awards and seek additional funding for affordable housing and employment opportunities for Bishop residents.
	GENERAL PLAN UPDATES	As opportunities arise, Bishop will pursue and/or approve applications implementing land use modifications approved in the General Plan updates.
	PERSONS WITH DIABILITIES	Continue working with IMACA to strengthen programs that inform families in the City of Bishop about housing and services available for persons with developmental disabilities.
	DENSITY BONUSES	Continue to offer density bonuses to developers who construct infill projects, to optimize the availability of housing (despite significant limitations on available land) and facilitate the set-aside of affordable/senior/disabled housing units.
	MPROP	Continue to advertise the availability of this program to mobile home park residents, and continue to serve as co-applicant for resident organizations applying to HCD for funding in support of program objectives
	MONITOR HOUSING STOCK	Continue to maintain an inventory of trailer parks, mobile home parks and apartments provide housing for disadvantaged populations, and monitor this housing stock to ensure that it remains affordable to residents in need.
	AFFORDABLE HOUSING ASSISTANCE PROGRAM	Continue to (a) support IMACA and Mammoth Housing Authority in identifying grant opportunities and preparing grant applications for low- and extremely low-income housing projects, (b) provide priority processing and waive or defer building and remodel permit fees for projects that assist extremely-low, very low, low & moderate income households, and (c) maintain outreach to developers to incentivize the development of housing for households earning 30% or less of Inyo County median family income.
	PUBLIC EDUCATION	Continue to assist IMACA in preparing and distributing literature about equal housing opportunities. Provide information about weatherization assistance and utility cost reduction programs.
2019	CITY OF LOS ANGELES LANDS	Continue to negotiate with the City of Los Angeles for purchase, transfer or long-term lease of vacant lands within the city limits. Work with state and federal elected officials to develop support if appropriate.
	HCD	Work with HCD to (a) obtain case-by-case waivers for HCD funding on the 55-year lease requirement; (b) reconcile incompatible loan terms; and (c) share affordable housing credits with the City of Los Angeles on LADWP-owned properties that are used for affordable housing in Bishop.
	GRANT FUNDING	Maximize value of 2013 CDBG grant awards and seek additional funding for affordable housing and employment opportunities for Bishop residents.
	GENERAL PLAN UPDATES	As opportunities arise, Bishop will pursue and/or approve applications implementing land use modifications approved in the General Plan updates.
	PERSONS WITH DIABILITIES	Continue working with IMACA to strengthen programs that inform families in the City of Bishop about housing and services available for persons with developmental disabilities.
	DENSITY BONUSES	Continue to offer density bonuses to developers who construct infill projects, to optimize the availability of housing (despite significant limitations on available land) and facilitate the set-aside of affordable/senior/disabled housing units.

	MPROP	Continue to advertise the availability of this program to mobile home park residents, and continue to serve as co-applicant for resident organizations applying to HCD for funding in support of program objectives
	MONITOR HOUSING STOCK	Continue to maintain an inventory of trailer parks, mobile home parks and apartments provide housing for disadvantaged populations, and monitor this housing stock to ensure that it remains affordable to residents in need.
	AFFORDABLE HOUSING ASSISTANCE PROGRAM	Continue to (a) support IMACA and Mammoth Housing Authority in identifying grant opportunities and preparing grant applications for low- and extremely low-income housing projects, (b) provide priority processing and waive or defer building and remodel permit fees for projects that assist extremely-low, very low, low & moderate income households, and (c) maintain outreach to developers to incentivize the development of housing for households earning 30% or less of Inyo County median family income.
	PUBLIC EDUCATION	Continue to assist IMACA in preparing and distributing literature about equal housing opportunities. Provide information about weatherization assistance and utility cost reduction programs.

ATTACHMENT A

City of Bishop Ordinance 535 – Emergency Shelter Combining District

ORDINANCE NO. 535

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, AMENDING THE ZONING MAP OF THE CITY OF BISHOP, TO ESTABLISH AN ES EMERGENCY SHELTER COMBINING DISTRICT, INCORPORATED BY REFERENCE IN SECTION 17.04.050 OF CITY OF BISHOP MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. That the boundaries of the Zoning Map of the City of Bishop, incorporated by reference in City of Bishop Municipal Code Section 17.04.050 be amended to add the ES Emergency Shelter Combining District as defined in Bishop Municipal Code Section 17.03.115 and Chapter 17.38 to all that property referred to in Exhibit A.

SECTION 2. Except as hereby specifically amended, said Zoning Map of the City of Bishop and Ordinance No. 424, as amended, shall remain in full force and effect.

SECTION 3. This ordinance shall take effect and become operative thirty (30) days from and after its final reading and adoption (May 26, 2011).

SECTION 4. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner and form prescribed by law in the Inyo Register, a weekly newspaper of general circulation, printed and published in the City of Bishop, State of California, which said newspaper is hereby designed for that purpose.

PASSED, APPROVED AND ADOPTED this 25th day of April, 2011.



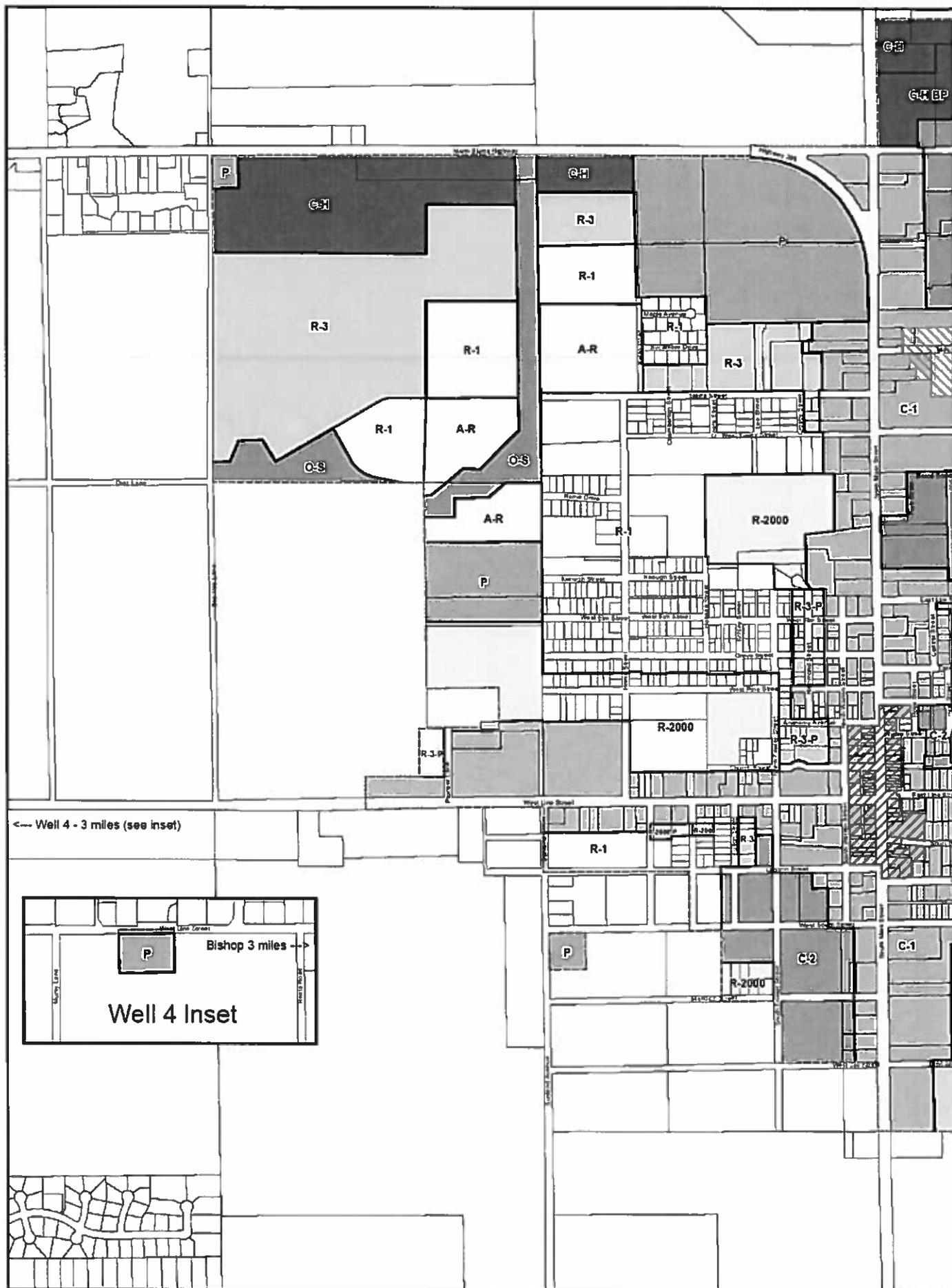
LAURA SMITH, MAYOR

ATTEST: James M. Southworth, City Clerk

By: 

Denise Gillespie, Assistant City Clerk





ATTACHMENT B

City of Bishop Ordinance 543 – Reasonable Accommodation Procedures

ORDINANCE NO. 543

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BISHOP, ADDING CHAPTER 17.82 REASONABLE ACCOMMODATION TO TITLE 17 OF THE BISHOP MUNICIPAL CODE PROVIDING A PROCEDURE FOR REASONABLE ACCOMMODATION IN THE CITY'S LAND USE AND ZONING AND BUILDING REGULATIONS PURSUANT TO FAIR HOUSING LAWS

THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Title 17 of the Bishop Municipal Code entitled ZONING be, and is hereby amended, by adding Section 17.82 Reasonable Accommodation to read as follows:

"Chapter 17.82

REASONABLE ACCOMMODATIONS

Sections:

- 17.82.010 Purpose.
- 17.82.020 Findings.
- 17.82.030 Applicability.
- 17.82.040 Notice to the public of availability of accommodation process.
- 17.82.050 Requesting reasonable accommodation.
- 17.82.060 Reviewing authority.
- 17.82.070 Required findings.
- 17.82.080 Written decision on the request for reasonable accommodation.
- 17.82.090 Appeals

17.82.010 Purpose. It is the policy of the jurisdiction, pursuant to the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act (hereafter "fair housing laws"), to provide individuals with disabilities reasonable accommodation in rules, policies, practices and procedures to ensure equal access to housing and facilitate the development of housing for individuals with disabilities. This ordinance establishes a procedure for making requests for reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures of the jurisdiction to comply fully with the intent and purpose of fair housing laws.

17.82.020 Findings. The City Council of the jurisdiction finds: The federal Fair Housing Amendments Act of 1988 and California's Fair Employment and Housing Act impose an affirmative duty

on local governments to make reasonable accommodation in their land use and zoning regulations and practices when such accommodation may be necessary to afford individuals with disabilities an equal opportunity to housing;

A. The Housing Element of the jurisdiction must identify and develop a plan for removing governmental constraints to housing for individuals with disabilities including local land use and zoning constraints or providing reasonable accommodation;

B. The Attorney General of the State of California has recommended that cities and counties implement fair housing reasonable accommodation procedures for making land use and zoning determinations concerning individuals with disabilities to further the development of housing for individuals with disabilities;

C. A fair housing reasonable accommodation procedure for individuals with disabilities and developers of housing for individuals with disabilities to seek relief in the application of land use, zoning and building regulations, policies, practices and procedures will further the jurisdiction's compliance with federal and state fair housing laws and provide greater opportunities for the development of critically needed housing for individuals with disabilities.

17.82.030 Applicability.

A. Reasonable accommodation in the land use and zoning context means providing individuals with disabilities or developers of housing for people with disabilities, flexibility in the application of land use and zoning and building regulations, policies, practices and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.

B. An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment.

C. A request for reasonable accommodation may be made by any individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning or building regulation, policy, practice or procedure acts as a barrier to fair housing opportunities.

17.82.040 Notice to the public of availability of accommodation process. Notice of the availability of reasonable accommodation shall be prominently displayed at public information counters in the planning and public works departments, advising the public of the availability of the procedure for eligible individuals. Forms for requesting reasonable accommodation shall be available to the public in

the Planning and Building and Safety departments.

17.82.050 Requesting reasonable accommodation.

A. In order to make housing available to an individual with a disability, any eligible person as defined in Sec. 3 may request a reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures.

B. Requests for reasonable accommodation shall be in writing and provide the following information:

(1) Name and address of the individual(s) requesting reasonable accommodation;

(2) Name and address of the property owner(s);

(3) Address of the property for which accommodation is requested;

(4) Description of the requested accommodation and the regulation(s), policy or procedure for which accommodation is sought; and

(5) Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling.

C. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.

D. A request for reasonable accommodation in regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.

E. If an individual needs assistance in making the request for reasonable accommodation, the jurisdiction will provide assistance to ensure that the process is accessible.

17.82.060 Reviewing Authority.

A. Requests for reasonable accommodation shall be reviewed by the "reviewing authority," using the criteria set forth in 17.82.070.

B. The reviewing authority shall issue a written decision on a request for reasonable accommodation within thirty (30) days of the date of the application and may either grant, grant with

modifications, or deny a request for reasonable accommodation in accordance with the required findings set forth in 17.82.070.

C. If necessary to reach a determination on the request for reasonable accommodation, the reviewing authority may request further information from the applicant consistent with fair housing laws, specifying in detail the information that is required. In the event that a request for additional information is made, the thirty (30) day period to issue a decision is stayed until the applicant responds to the request.

D. For purposes of this ordinance 'reviewing authority' means the Director of Public Works, or his/her designee.

17.82.070 Required findings. The written decision to grant, grant with modifications, or deny a request for reasonable accommodation shall be consistent with fair housing laws and based on the following factors:

A. Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws;

B. Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair housing laws;

C. Whether the requested accommodation would impose an undue financial or administrative burden on the jurisdiction and;

D. Whether the requested accommodation would require a fundamental alteration in the nature of the jurisdiction's land use and zoning or building program.

17.82.080 Written decision on the request for reasonable accommodation.

A. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the reviewing authority's findings on the criteria set forth in 17.82.070. All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below. The notice of decision shall be sent to the applicant by certified mail.

B. The written decision of the reviewing authority shall be final unless an applicant appeals it to the jurisdiction's planning commission.

C. If the reviewing authority fails to render a written decision on the request for reasonable accommodation within the thirty (30) day time period allotted by 17.82.060, the request shall be deemed granted.

D. While a request for reasonable accommodation is pending, all laws and regulations

otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

17.82.090 Appeals.

A. Within thirty (30) days of the date of the reviewing authority's written decision, an applicant may appeal an adverse decision. Appeals from the adverse decision shall be made in writing.

B. If an individual needs assistance in filing an appeal on an adverse decision, the jurisdiction will provide assistance to ensure that the appeals process is accessible.

C. All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.

D. Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available.

SECTION 4. This ordinance shall be in full force and effect thirty (30) days from and after its passage and adoption.

SECTION 5. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner and form provided by law in the Inyo Register, a newspaper of general circulation printed and published in the City of Bishop, State of California which said newspaper is hereby designated for that purpose.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2013.

LAURA SMITH, MAYOR

ATTEST: Keith Caldwell, City Clerk

By: _____
Robin Picken, Assistant City Clerk

ATTACHMENT C

City of Bishop Ordinance 544 – Expanding the ES District to include Supportive and Transitional Housing

ORDINANCE NO. 544

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BISHOP, ADDING SECTION 17.08.116 AND 17.08.117 TO CHAPTER 17.08 DEFINITIONS OF TITLE 17 ZONING OF THE BISHOP MUNICIPAL CODE; AND AMENDING CHAPTER 17.38 ES EMERGENCY SHELTER COMBINING DISTRICT AND ORDINANCE NO. 534 RESPECTING SUPPORTIVE AND TRANSITIONAL HOUSING

THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Bishop Municipal Code Title 17 ZONING, Chapter 17.08 DEFINITIONS is hereby amended to add new section titles as follows:

Chapter 17.08

DEFINITIONS

“Sections:

17.08.116 Supportive housing

17.08.117 Transitional housing”

SECTION 2. Bishop Municipal Code Chapter 17.08 DEFINITIONS is hereby amended to add new sections 17.08.116 Supportive Housing and 17.08.117 Transitional Housing which read in their entirety as follows:

“17.08.116 Supportive Housing. ‘Supportive housing’ means permanent rental housing linked to a range of support services designed to enable residents to maintain stable housing and lead fuller lives and typically linked to onsite or offsite services that support residents in maintaining the housing, improving their health and maximizing their ability to live independently and, when possible, to work within the community.

17.08.117 Transitional Housing. ‘Transitional housing’ means a type of supportive housing used to facilitate the movement of homeless individuals and families to permanent housing.”

SECTION 3. Chapter 17.38 ES Emergency Shelter Combining District is hereby amended to read in its entirety as follows:

“Chapter 17.38

ES EMERGENCY SHELTER COMBINING DISTRICT

Sections:

- 17.38.010 Purpose.
- 17.38.020 Client.
- 17.38.030 Applicability.
- 17.38.040 Permitted uses.
- 17.38.050 Uses expressly prohibited.
- 17.38.060 Standards and requirements.

17.38.010 Purpose. The purpose of this chapter is to comply with the housing element requirements of the State of California.

A. The ES emergency shelter combining district is intended to be combined with C-1, R-3 and/or R-3-P districts to permit a specified area in which emergency shelters, supportive housing and transitional housing developments will be allowed by right.

B. The location of the ES emergency shelter combining district reflects a close association with, provides convenience to and/or is compatible with surrounding uses with a range of complementary services, including the availability of public transportation, basic goods and grocery stores, and social welfare facilities.

17.38.020 Client. For purposes of this chapter ‘client’ means individuals and/or families using emergency shelter, Supportive housing or transitional housing facilities.

17.38.030 Applicability.

A. The ES emergency shelter combining district may be combined with any C-1, R-3 and/or R-3-P district which in the judgment of the city council possesses the desired locational and site design characteristics as set forth in Section 17.38.060A.

B. All operators of emergency shelters, supportive housing and transitional housing development prior to commencing such operation, shall apply to the city planning department to assure that all standards and requirements set forth in Section 17.38.060 will be met.

17.38.040 Permitted uses.

A. The permitted uses in an ES emergency shelter combining district include emergency shelters, supportive housing and transitional housing developments that comply with the standards and

requirements set forth in Section 17.38.050, and associated supportive services. Such permitted uses shall be in addition to the permitted uses allowed by the underlying district with which the ES emergency shelter combining district is combined.

B. If an ES emergency shelter combining district overlies more than one type of district, C-1, R-3 and/or R-3-P, then such additional permitted uses shall only be those which are permitted in the district which underlies the proposed project.

17.38.050 Uses expressly prohibited. Prohibited uses shall be those set forth in Section 17.48.030 for C-1 districts; those set forth in Section 17.36.030 for R-3 district; for those set forth in Section 17.40.030 for R-3-P districts.

17.38.060 Standards and requirements.

A. Standards. Except as provided hereafter, standards shall be as provided in the underlying district.

B. Requirements. Any proposed emergency shelter, supportive housing and/or transitional housing development located in an ES emergency shelter combining district shall operate under the requirements set forth below. Such requirements are in addition to any other requirements set forth in federal, state or local laws, rules, regulations, ordinances or policies.

1. Capacity. The maximum number of clients permitted in any emergency shelter, supportive housing and/or transitional housing development is ten.

2. Vehicle parking. The operator of an emergency shelter, supportive housing and/or transitional housing development shall provide onsite vehicle parking as follows: one parking space for each two client beds.

3. Bicycle parking. The operator of an emergency shelter, supportive housing and/or transitional housing development shall provide bicycle racks that allow for the secure storage of bicycles. Bicycle racks shall accommodate at least one bicycle storage space for every five client beds. All bicycle racks shall be on site and located in an area that is not visible from a public right-of-way.

4. Intake areas. If the intake area of an emergency shelter, supportive housing and/or transitional housing development is located onsite, the operator shall provide an enclosed interior waiting area. There shall be no outdoor queuing of potential clients.

5. Management.

a. Onsite management. The operator of an emergency shelter or transitional housing development shall provide an onsite management or support employee during all hours of operation.

Only persons who are not residential emergency shelter or transitional housing clients may serve as onsite management or support employees. Supportive housing developments shall be required to provide management and/or support employees that may be located onsite or offsite.

b. Client restriction. The operator of an emergency shelter, supportive housing and/or transitional housing development may conduct a background check on all prospective clients using all means allowed by law, and may restrict client intake in accordance with state and local registered sex offender residency restrictions and comply with any applicable parolee obligations. An operator of an emergency shelter supportive housing and/or transitional housing development shall not intake any person as a client who that operator knows is a fugitive from justice, nor any person known by such operator to be a threat to the safety of other clients.

c. Personal storage. The operator of an emergency shelter, supportive housing and/or transitional housing development shall provide a private storage area or closet for each onsite bed or unit. At no time shall any client keep on site any alcoholic beverages, or any type of illegal drugs or other illegal or dangerous substances, or deadly weapons, unless otherwise permitted by state or federal law. An emergency shelter manager and a transitional housing development manager shall conduct routine inspections of each onsite client's assigned personal space or unit to verify compliance with the foregoing, and shall report to the police any client violation of this sub-paragraph. A manager of a supportive housing development may conduct routine inspections of each onsite client's assigned personal space or unit to verify compliance with the foregoing, and shall report to the police any client violation of this sub-paragraph.

d. Shower and toilet facilities. The operator of an emergency shelter, supportive housing and/or transitional housing development shall provide toilets, sinks and showers onsite. The manager shall be responsible for ensuring that all restroom and shower facilities comply with city building code requirements. Emergency shelter facilities shall be provided with secure restroom and shower facilities.

e. Food service areas. The operator of an emergency shelter, supportive housing and/or transitional housing development shall be responsible for ensuring that any food service or onsite meal preparation areas comply with all applicable requirements of the county health department.

f. Outdoor storage. The operator of an emergency shelter, supportive housing and/or transitional housing development shall screen any and all outdoor storage areas from view from all public rights-of-way and onsite parking lots. The manager shall ensure that all outside storage areas be

maintained in a neat, clean and orderly manner at all times.

6. Length of stay. The operator of an emergency shelter shall not allow any emergency shelter client to stay for a period longer than six months in any consecutive twelve month period. The operator of a transitional housing development shall not allow any client to stay for a period longer than two years in any consecutive five year period. There shall be no limit on the length of stay at a supportive housing development.

7. Hours of operation. The operator of an emergency shelter and/or transitional housing development shall establish and maintain set days and hours of operation for client intake and discharge. These hours shall be clearly displayed at the entrance to the emergency shelter and/or transitional housing development at all times.

8. Disruptive clients. In the event that a client of an emergency shelter, supportive housing and/or transitional housing development is socially disruptive, a threat to the safety of others, or in violation of housing facility rules the manager may proceed to discharge that client immediately.

9. Lighting. The operator of an emergency shelter, supportive housing and/or transitional housing development shall provide night-time lighting in all exterior parking areas and along the periphery of the building(s). All such lighting shall be screened from adjoining properties by down lights, hoods or similar means.

10. Security. The operator of an emergency shelter, supportive housing and/or transitional housing development shall submit an onsite security plan to the city planning department and to the city police department. The operator shall be responsible for ensuring that the approved security plan is implemented at all times during the operation of the emergency shelter, supportive housing and/or transitional housing developments.

11. Inability to pay. No individual or household may be denied emergency shelter or access to supportive and/or transitional housing development because of an inability to pay.

12. Signs.

a. Exterior signs C-1 district. Exterior signs in the portion of an ES emergency shelter combining district that overlays a C-1 district shall comply with standards for the C-1 district as set forth in Section 17.48.060.

b. Exterior signs R-3 and R-3-P district. Notwithstanding Sections 17.36.070, and 17.40.070, exterior signs in the portion of an ES emergency shelter combining district that overlays an R-3, R-3-P and/or R-2000 district shall be permitted, solely for purposes of identifying the emergency shelter,

supportive housing and/or transitional housing development up to a maximum area of nine square feet.”

SECTION 4. Except as hereby specifically amended, all other terms and provisions of Chapters 17.08 and 17.38 of Title 17 of the Bishop Municipal Code shall remain in full force and effect. Ordinance No. 534 of the City of Bishop is hereby amended to the extent that it is inconsistent herewith; however except as hereby specifically amended, all other terms and provisions or Ordinance No. 534 shall remain in full force and effect.

SECTION 5. This ordinance shall be in full force and effect thirty (30) days from and after its passage and adoption.

SECTION 6. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner and form provided by law in the Inyo Register, a newspaper of general circulation printed and published in the City of Bishop, State of California which said newspaper is hereby designated for that purpose.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2013.

LAURA SMITH, MAYOR

ATTEST: Keith Caldwell, City Clerk

By: _____

Robin Picken, Assistant City Cl

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KCC*

SUBJECT: PUBLIC HEARING –
ENVIRONMENTAL REVIEW – C-1 ZONE PERMITTED USES

DATE: MARCH 10, 2014

ATTACHMENTS:

- PUBLIC HEARING NOTICE

BACKGROUND/SUMMARY

A public hearing will be held to hear and accept public input on the Initial Study and Negative Declaration for the proposed City of Bishop Zoning Regulation Amendment to the General Commercial and Retail Zone (C-1), Permitted Uses.

Action on the Negative Declaration is scheduled under Item #6.

RECOMMENDATION

Hold the public hearing.

NOTICE OF PREPARATION
AND
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that in keeping with CEQA an Initial Study has been completed and a Negative Declaration has been prepared for the proposed City of Bishop Zoning Regulation Amendment to the General Commercial and Retail Zone (C-1), Permitted Uses.

The Initial Study may be inspected in the Public Works Department at 377 West Line Street, Bishop, or the City of Bishop Internet site at <http://www.ca-bishop.us> and will be considered by the City Council of the City of Bishop on Monday, March 10, 2014 at 7:00 P.M. in the Bishop City Council Chambers, 301 West Line Street, Bishop, California.

The City of Bishop will hold a Public Hearing on March 10, 2014 at 7:00 P.M. to hear and consider citizen input on the above mentioned project.

ANY persons wishing to comment are invited to attend, or send comments to the City Council, P.O. Box 1236, Bishop, CA 93515 to be received on or before the end of the review period, which will be May 10, 2014.

If you challenge the findings, determination or decision made on the Initial Study in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KSC*

SUBJECT: ZONING REGULATION AMENDMENT – C-1 ZONE PERMITTED USES

DATE: MARCH 10, 2014

ATTACHMENTS:

- STAFF MEMO
- ENVIRONMENTAL INITIAL STUDY AND DRAFT NEGATIVE DECLARATION
- DRAFT ORDINANCE

BACKGROUND/SUMMARY

Public Services Officer Gary Schley has provided a summary of the proposed City of Bishop Zoning Regulation Amendment to the General Commercial and Retail Zone (C-1), Permitted Uses and its Initial Study and draft Negative Declaration of Environmental Impact.

A public hearing has been placed on the agenda for the environmental assessment relating to the City of Bishop Zoning Regulation Amendment to the General Commercial and Retail Zone (C-1), Permitted Uses. A draft Negative Declaration has been prepared for Council review and consideration. The draft ordinance is also included in the packet.

The environmental assessment relates to the proposed zoning amendment which would allow peddlers, solicitors, and transient vendors to conduct retail sales outside of a building on private property. The draft ordinance would need to be adopted to amend the City of Bishop Municipal Code Section 17.48.020 C-1 General Commercial and Retail District, Uses Permitted Respecting Peddlers, Solicitors, and Transient Vendors.

The review tonight for this item (Item #6) is the environmental documentation. The draft ordinance itself will be brought to the Council in Item #7 for its Public Hearing and #8 for its First reading/Introduction. The draft ordinance will then be brought to Council at the March 24th meeting for action.

RECOMMENDATION

Following the public hearing, review the environmental assessment and request for a Negative Declaration of Environmental Impact and if approved, make a finding that there are no significant cumulative impacts, or substantial adverse impacts on human beings, or substantial adverse impacts on fish or wildlife or sensitive species or cultural resources.

Memorandum

March 4, 2014

To: Keith Caldwell, City Administrator

From: Gary Schley, Public Services Officer

KSC


Subject: Ordinance to amend C-1 zoning regulations

Project Title: Environmental Review/Zoning Regulation Amendment, C-1,
Permitted Uses

Project Proponent: City of Bishop
P.O. Box 1236
Bishop, CA 93515

Background: An Environmental Initial Study / Draft Negative Declaration were completed for the proposed zoning amendment which allows peddlers, solicitors and transient vendors to conduct retail sales outside of a building on private property. The Initial Study Draft Negative Declaration were submitted to the public for review and comment. No responses or comments have been received regarding the zoning amendment. Presently our zoning code requires a conditional use permit approved by the Planning Commission to allow outdoor sales on private property.

Recommendation: Review the Initial Study and Draft Negative Declaration for the request of a negative declaration of environmental impact.

Attachments: Initial Study and draft Negative Declaration
Draft Ordinance



CITY OF BISHOP

377 West Line Street - Bishop, California 93514
P. O. Box 1236 - Bishop, California 93515
City Hall 760-873-5863 Public Works 760-873-8458
Fax 760-873-4873

Draft Negative Declaration of Environmental Impact

Date: January 29, 2014

Subject: Ordinance to amend C-1 zoning regulations

Project Title: Environmental Review/Zoning Regulation Amendment, C-1, Permitted Uses

Project Proponent: City of Bishop
P.O. Box 1236
Bishop, CA 93515

Project Location: The City of Bishop

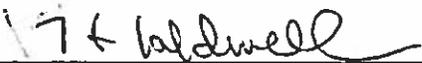
Project Description: The City of Bishop is proposing an amendment to the Zoning Regulations, Chapter 17.48, C-1 General Commercial and Retail, Section 17.48.020, Permitted Uses, to allow retail sales outside of a building on private property by peddlers, solicitors and transient vendors who hold a license issued pursuant to Bishop Municipal Code, Chapter 5.24.

Proposed Findings: The Initial Study finds that the proposed project would not have a significant adverse impact on the environment for the following reasons:

- The information provided in this Initial Study indicates that there would be no significant cumulative impacts, or substantial adverse impacts on human beings, or substantial adverse impacts on fish or wildlife or sensitive species or cultural resources. No significant adverse impacts are foreseen, and no mitigation measures are required.

The City of Bishop has determined that the project could not have a significant effect on the environment, and a Negative Declaration will be prepared. This Initial Study has been prepared to generally describe the proposed project and solicit input from agencies and the public regarding the scope of the proposed project.

The review period for this Draft Negative Declaration expires: March 3, 2014.


Keith Caldwell, Director of Planning

January 31, 2014



CITY OF BISHOP

377 West Line Street - Bishop, California 93514
P. O. Box 1236 - Bishop, California 93515
City Hall 760-873-5863 Public Works 760-873-8458
Fax 760-873-4873

Environmental Checklist Form

1. Project title: *Environmental Review / Zoning Regulation Amendment, C-1 Zone, Permitted Uses*

2. Lead agency name and address: *City of Bishop*
377 W. Line Street
Bishop, Ca 93514

3. Contact person and phone number: *Keith Caldwell 760/873-5863*

4. Project location: *City of Bishop*

5. Project sponsor's name and address: *City of Bishop*
P.O. Box 1236
Bishop, CA 93515

6. General plan designation: *General Commercial and Retail*

7. Zoning: *C-1*

8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The City of Bishop is proposing an amendment to the Zoning Regulations, Chapter 17.48, C-1 General Commercial and Retail, Section 17.48.020, Permitted Uses, to allow retail sales outside of a building on private property by peddlers, solicitors and transient vendors who hold a license issued pursuant to Bishop Municipal Code, Chapter 5.24.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:
N/A

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)
None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

Aesthetics	Agriculture Resources	Air Quality
Biological Resources	Cultural Resources	Geology /Soils
Hazards & Hazardous Materials	Hydrology / Water Quality	Land Use / Planning
Mineral Resources	Noise	Population / Housing
Public Services	Recreation	Transportation/Traffic
Utilities / Service Systems	Mandatory Findings of Significance	

DETERMINATION:

On the basis of this initial evaluation:

- ◆ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets.

An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature Keith Caldwell – Director of Planning Date

Signature Date

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?				◆
<i>The proposed project will not have an impact on any scenic vista</i>				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				◆
<i>The proposed ordinance amendment will not substantially damage any scenic resources.</i>				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				◆
<i>The proposed project will not have an adverse impact on the existing visual character or the quality of the site and its surroundings.</i>				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? <i>This project will not create any more nighttime light than what is already present. The project, therefore, will have a no impact on visual resources in this area.</i>				◆

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? <i>The project is not located on prime or unique farmland or farmland of statewide importance, therefore, has no impact.</i>				◆
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b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? <i>The project is located on non-agricultural land located within the City of Bishop.</i>				◆
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c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? <i>The proposed project will not convert farmland to a non-agricultural use.</i>				◆
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III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan? <i>This project will not compromise air quality, therefore, will have no conflict or obstruct an air quality plan.</i>				◆
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? <i>This project will not compromise air quality; therefore, will have no impact on air quality.</i>				◆
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? <i>This project will not compromise air quality; therefore, will have no impact on air quality.</i>				◆
d) Expose sensitive receptors to substantial pollutant concentrations? <i>This project will not expose sensitive receptors to substantial pollutant concentrations.</i>				◆
e) Create objectionable odors affecting a substantial number of people? <i>This project will not create any objectionable odors, therefore, has no impact.</i>				◆
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or				◆

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
U.S. Fish and Wildlife Service? <i>The proposed project is the adoption by ordinance of a zoning regulation which will not effect any sensitive species or there habitat.</i>				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? <i>The proposed project is the adoption by ordinance of a zoning regulation which will not affect any riparian habitat or other natural sensitive community.</i>				◆
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? <i>The proposed project is the adoption by ordinance of a zoning regulation which will not have a substantial adverse effect on wetlands.</i>				◆
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? <i>The proposed project is the adoption by ordinance of a zoning regulation that will not interfere with native residents, migratory fish or wildlife movement, migration, or nursery habitat.</i>				◆
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				◆

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>The project will not conflict with any local policies or ordinances protecting biological resources.</i>				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? <i>The project will not conflict with any local, regional or state habitat conservation plan.</i>				◆
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5? <i>The proposed ordinance will not impact historical resources.</i>				◆
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5? <i>The proposed ordinance will not cause substantial adverse change of archaeological resources.</i>				◆
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? <i>The proposed ordinance will not destroy any unique paleontological resource or site or unique geologic feature.</i>				◆
d) Disturb any human remains, including those interred outside of formal cemeteries? <i>The proposed ordinance will not disturb human remains</i>				◆
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk				◆

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
of loss, injury, or death involving				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. <i>The proposed ordinance will not impact geology or soils, therefore, have no impact.</i>				◆
ii) Strong seismic ground shaking? <i>The proposed ordinance will not impact seismic ground shaking, therefore, have no impact.</i>				◆
iii) Seismic-related ground failure, including liquefaction? <i>The proposed ordinance will not impact seismic related ground failure.</i>				◆
iv) Landslides? <i>The potential for landslides is considered insignificant to this project.</i>				◆
b) Result in substantial soil erosion or the loss of topsoil? <i>The project has no potential for soil erosion, therefore, having no adverse impact.</i>				◆
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <i>The proposed ordinance will not impact unstable soils that would potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse.</i>				◆
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or				◆

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
property? <i>The proposed project will not create a substantial risk to life or property due to soil stability.</i>				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? <i>No Impact</i>				◆
VII. HAZARDS AND HAZARDOUS MATERIALS B Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? <i>The proposed project will have no impact on the public through the transport, use, or disposal of hazardous materials.</i>				◆
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? <i>The proposed project will not release hazardous materials into the environment, therefore, creating no hazard to the public or environment.</i>				◆
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? <i>The proposed project will not release hazardous materials into the environment, therefore, creating no hazard to the public or environment.</i>				◆
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a				◆

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
significant hazard to the public or the environment? <i>No Impact</i>				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? <i>This project will have no adverse impact on the safety of people working in the project area.</i>				◆
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? <i>There is no private airstrip in the project area.</i>				◆
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? <i>The project will not have an adverse impact with any emergency response plan or emergency evacuation plan.</i>				◆
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? <i>The project is within an urban area. The potential for a wildland fire will have no impact.</i>				◆
VIII. HYDROLOGY AND WATER QUALITY Would the project:				
a) Violate any water quality standards or waste discharge requirements? <i>The proposed ordinance will not impact any water quality standards or waste</i>				◆

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>discharge requirements.</i>				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? <i>The proposed ordinance will have no impact on ground water supplies.</i>				◆
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? <i>This project will not alter any drainage pattern, course of a stream or river or cause any substantial erosion.</i>				◆
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? <i>The project will not alter the existing drainage pattern or increase the amount of surface runoff creating flooding on or off site.</i>				◆
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? <i>The project will not alter the existing drainage pattern or increase the amount of surface runoff to exceed the storm water drainage system capacity.</i>				◆

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
f) Otherwise substantially degrade water quality? <i>No impact.</i>				◆
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? <i>No adverse impact.</i>				◆
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? <i>No adverse impact.</i>				◆
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? <i>The proposed ordinance will have impact to potential flooding.</i>				◆
j) Inundation by seiche, tsunami, or mudflow? <i>This project site is not subject to seiche, tsunami, or mudflow, therefore will have no adverse impact.</i>				◆
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community? <i>The project does not physically divide the community, conflict with any land use plan, policy, or regulation, therefore, will have no impact on land use and planning.</i>			◆	
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an				◆

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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environmental effect?

The project does not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, therefore, having no impact.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

This project will not conflict with any conservation plan or community conservation plan.



X. MINERAL RESOURCES -- Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No mineral resources exist .



b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No mineral resources exist .



XI. NOISE B Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

This project will not produce noise beyond the standards set by the City's Municipal Code (Section 8.12).



b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

This project will not create groundborne noise or vibration for any period of time to be considered an adverse impact.



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? <i>This project will not increase the vicinity ambient noise levels. Therefore, will not have an adverse impact.</i></p>				◆
<p>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? <i>This project will not have temporary or periodic increase in ambient noise levels. Therefore, will not have an adverse impact.</i></p>				◆
<p>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? <i>The project area is not near an airport.</i></p>				◆
<p>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? <i>The project is not near a private airstrip.</i></p>				◆
<p>XII. POPULATION AND HOUSING -- Would the project:</p>				
<p>a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? <i>The proposed project will not have an adverse impact by creating substantial growth in the area either directly or indirectly.</i></p>				◆
<p>b) Displace substantial numbers of existing housing, necessitating the construction of</p>				◆

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
replacement housing elsewhere? <i>The proposed ordinance will not displace existing housing therefore, have no impact.</i>				

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? <i>The proposed ordinance will not displace people in substantial numbers, therefore, will have no impact.</i>				◆
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XIII. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				◆
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Fire protection? <i>The proposed project will not significantly impact the City of Bishop Fire Department</i>				◆
--	--	--	--	---

Police protection? <i>The proposed project will not significantly impact the City of Bishop Police Department.</i>			◆	
---	--	--	---	--

Schools? <i>The proposed project will not have an adverse impact to the school aged population of the area.</i>				◆
--	--	--	--	---

Parks? <i>This Project will not have an adverse impact on the city's parks.</i>				◆
--	--	--	--	---

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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Other public facilities?
The proposed project will not substantially impact other public facilities.



XIV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
The project will not significantly impact the use of local public parks.



b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?
The project will not require the addition of any additional recreational facilities.



XV. TRANSPORTATION/TRAFFIC --
 Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
The proposed ordinance will not cause a substantial increase in traffic to the existing traffic load; therefore, will have a less than significant impact on traffic conditions.



b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
The proposed project will not cause a substantial increase in traffic to the existing traffic load; therefore, will have no impact



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<i>on traffic conditions.</i>				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? <i>The proposed project will not create a change in air traffic patterns or an increase in air traffic levels.</i>				◆
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? <i>The propose project will not create hazards due to design or incompatible uses.</i>				◆
e) Result in inadequate emergency access? <i>The project will not interfere with any emergency response or emergency access.</i>				◆
f) Result in inadequate parking capacity? <i>Any proposed vendor site shall not intrude upon the existing facility parking requirement, therefore, will have a less than significant impact.</i>			◆	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? <i>This project will have no conflict with alternative transportation programs.</i>				◆
XVI. UTILITIES AND SERVICE SYSTEMS Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? <i>The proposed ordinance will not exceed wastewater treatment capacity of this service provider.</i>				◆
b) Require or result in the construction of new				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>No Impact</i>				◆
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>No impact</i>				◆
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <i>No impact</i>				◆
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments? <i>The proposed ordinance will not impact wastewater treatment facility.</i>				◆
f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs? <i>The proposed ordinance will impact solid waste disposal capacity.</i>				◆
g) Comply with federal, state, and local statutes and regulations related to solid waste? <i>The project will comply with all federal, state and local statutes and regulation related to solid waste.</i>				◆

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the project have the potential to

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<p>degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p> <p><i>The proposed ordinance will not eliminate, degrade, reduce, restrict or endanger existing plant, fish and animal environment or historic resources, therefore have no impact.</i></p>				◆
<p>b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</p> <p><i>The potential impacts are not cumulatively considerable to effect past, current, or future projects.</i></p>				◆
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p> <p><i>The proposed ordinance does not have any environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.</i></p>				◆

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
BISHOP, STATE OF CALIFORNIA, AMENDING SECTION 17.48.020
OF CHAPTER 17.48 C-1 GENERAL COMMERCIAL AND RETAIL
DISTRICT, PERMITTED USES RESPECTING PEDDLERS,
SOLICITORS, AND TRANSIENT VENDORS

THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA,
DOES ORDAIN AS FOLLOWS:

SECTION 1. Bishop Municipal Code Title 17 ZONING, Chapter 17.48 C-1
General Commercial and Retail District is hereby amended to add new section titles as
follows:

Chapter 17.48

Section 17.48.020 - Uses Permitted is hereby amended to read in its entirety as
follows:

17.48.020 Permitted uses.

The following uses shall be permitted in the C-1 district and no building or structure
shall be used or designed, erected, structurally altered, or enlarged except for the
following purposes:

- A. Retail sales within a building such as:
1. Drug stores;
 2. Grocery, fruit and vegetable stores;
 3. Meat markets or delicatessen stores;
 4. Barber and beauty shops;
 5. Clothes cleaning pickup agency with incidental pressing (no exhaust of
steam on any public way);
 6. Dressmaking and millinery shop;
 7. Shoe repair and sales shop;
 8. Tailor shop;
 9. Automobile parking lots related to a permitted commercial use;
 10. Offices, business and professional;
 11. Auditoriums and meeting halls for fraternal and service organizations;
 12. Automobile sales, new and used cars, including incidental repairs and
servicing when conducted within an entirely enclosed permanent building
(not including body and fender work or painting);

13. Bakeries employing not more than ten persons on the premises and not engaged in the wholesaling of merchandise to other stores either within or outside of the community;
14. Banks, building and loan agencies, lending institutions;
15. Launderettes;
16. Libraries, public and private;
17. Medical and dental laboratories;
18. Movie theaters;
19. Music and vocal instruction studios;
20. Natatoriums (public swimming pools);
21. Public garages or parking buildings with only incidental service facilities and with no body or fender repairs or painting permitted;
22. Photographers;
23. Restaurants;
24. Secondhand goods, sold, displayed and stored within an entirely enclosed building;
25. Service stations;
26. Tire recapping (with the provision that not less than fifty-one percent of the total dollar volume of sales shall be at retail to the ultimate consumer);
27. Taxidermist;
28. Plumbing sales and service, provided sales, display, incidental repairs and storage are maintained within an entirely enclosed building;
29. Establishments where alcoholic beverages are served, or commercial places of amusement where live entertainment or music for dancing is provided;
30. Used car and trailer sales lot;
31. Ice storage (maximum five-ton capacity);
32. Parking building or garage;
33. Repair garages, including automobile and truck repairs, painting and upholstering (conducted entirely within an enclosed building);
34. Super-service stations;
35. Lumber yards, including the cutting of lumber to size but permitting no other milling operations;
36. Automobiles, trucks, airplanes, motorcycles, bicycles, and machinery repair and sales, provided that the activities are contained in an entirely enclosed building;
37. Bowling alleys;
38. Mechanical auto washes;
39. Motels and motor hotels;

- 40. Mortuaries and funeral parlors;
 - 41. Wedding chapels;
 - 42. Television and radio sales and service, provided all sales, display, incidental repairs and storage are maintained within an entirely enclosed building;
 - 43. Electrical supplies, sales and service, provided sales, display, incidental repairs and storage are maintained within an entirely enclosed building;
 - 44. Health clubs and gymnasiums.
- B. Retail sales outside of a building on private property by peddlers, solicitors, and transient vendors who hold a license issued pursuant to Chapter 5.24.
- C. The planning commission may grant a use permit to such other uses as they deem similar but not more obnoxious to surrounding use, nor detrimental to the health, safety and general welfare of the public.

SECTION 2. Except as hereby specifically amended, all other terms and provisions of Chapters 17.08 and 17.20 of Title 17 of the Bishop Municipal Code shall remain in full force and effect. Ordinance No. 424 of the City of Bishop is hereby amended to the extent that it is inconsistent herewith; however except as hereby specifically amended, all other terms and provisions of Ordinance No.424 shall remain in full force and effect.

SECTION 3. This ordinance shall be in full force and effect thirty (30) days from and after its passage and adoption.

SECTION 4. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner and form provided by law in the Inyo Register, a newspaper of general circulation printed and published in the City of Bishop, State of California which said newspaper is hereby designated for that purpose.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2014.

JIM ELLIS, MAYOR

ATTEST: Keith Caldwell, City Clerk

By: _____
Robin Picken, Assistant City Clerk

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KAC*

SUBJECT: PUBLIC HEARING – PROPOSED ORDINANCE RELATING TO PERMITTED USES IN C-1 GENERAL COMMERCIAL AND RETAIL DISTRICT, PERMITTED USES RESPECTING PEDDLERS, SOLICITORS, AND TRANSIENT VENDORS

DATE: MARCH 10, 2014

ATTACHMENTS:

- PUBLIC HEARING NOTICE

BACKGROUND/SUMMARY

This public hearing will be to discuss the proposed ordinance amending the City of Bishop Municipal Code Section 17.48.020 of Chapter 17.48 C-1 General Commercial and Retail District, Permitted Uses respecting peddlers, solicitors, and transient vendors.

RECOMMENDATION

Hold the public hearing.

**CITY OF BISHOP
NOTICE OF PUBLIC HEARING
ON THE PROPOSED ADOPTION OF AN ORDINANCE
RELATING TO PERMITTED USES IN C-1 GENERAL COMMERCIAL AND RETAIL DISTRICT
AND SUMMARY OF ORDINANCE**

NOTICE IS HEREBY GIVEN that the Bishop City Council will hold a public hearing on Monday, March 10, 2014 at 7:00 p.m. in the City Council Chambers, 301 West Line Street, Bishop, California to hear and consider citizen input on a proposed ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, AMENDING SECTION 17.48.020 OF CHAPTER 17.48 C-1 GENERAL COMMERCIAL AND RETAIL DISTRICT, PERMITTED USES RESPECTING PEDDLERS, SOLICITORS, AND TRANSIENT VENDORS."

SUMMARY OF ORDINANCE: This proposed ordinance amends Section 17.48.020 of Chapter 17.48 C-1 GENERAL COMMERCIAL AND RETAIL DISTRICT of the Bishop Municipal Code to add as a permitted use, "retail sales outside of a building on private property by peddlers, solicitors, and transient vendors who hold a license issued pursuant to Chapter 5.24."

Following the public hearing, the proposed ordinance will be reviewed for introduction, with the adoption of the ordinance scheduled for Monday, March 24, 2014.

A copy of the full text of this ordinance is available for public inspection at City Hall, 377 West Line Street, Bishop, California. Any persons wishing to comment are invited to attend the public hearing or send written comments to the City Council, 377 West Line Street, Bishop, California 93514 on or before the time of said hearing. Any questions can be directed to the Administration Department at 760-873-5863.

Published: February 27, 2014

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KSC*

SUBJECT: **PROPOSED ORDINANCE RELATING TO PERMITTED USES IN C-1 GENERAL COMMERCIAL AND RETAIL DISTRICT, PERMITTED USES RESPECTING PEDDLERS, SOLICITORS, AND TRANSIENT VENDORS - FIRST READING/INTRODUCTION**

DATE: MARCH 10, 2014

ATTACHMENTS:

- PROPOSED ORDINANCE - RELATING TO PERMITTED USES IN C-1 GENERAL COMMERCIAL AND RETAIL DISTRICT, PERMITTED USES RESPECTING PEDDLERS, SOLICITORS, AND TRANSIENT VENDORS

BACKGROUND/SUMMARY

City staff recognizes that the current ordinance relating to permitted uses in C-1 general commercial and retail districts restrict the ability for peddlers, solicitors, and transient vendors, even the business itself, to sell products outside of a private business.

This change would allow for licensed vendors to provide outdoor sales, with the property owner's permission.

RECOMMENDATION

After the public hearing, City Council will consider approval of the first reading/introduction of the proposed ordinance [BY TITLE ONLY] relating to permitted uses in C-1 General Commercial and Retail District, Permitted Uses respecting peddlers, solicitors, and transient vendors.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
BISHOP, STATE OF CALIFORNIA, AMENDING SECTION 17.48.020
OF CHAPTER 17.48 C-1 GENERAL COMMERCIAL AND RETAIL
DISTRICT, PERMITTED USES RESPECTING PEDDLERS,
SOLICITORS, AND TRANSIENT VENDORS

THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA,
DOES ORDAIN AS FOLLOWS:

SECTION 1. Bishop Municipal Code Title 17 ZONING, Chapter 17.48 C-1
General Commercial and Retail District is hereby amended to add new section titles as
follows:

Chapter 17.48

Section 17.48.020 - Uses Permitted is hereby amended to read in its entirety as
follows:

17.48.020 Permitted uses.

The following uses shall be permitted in the C-1 district and no building or structure
shall be used or designed, erected, structurally altered, or enlarged except for the
following purposes:

- A. Retail sales within a building such as:
1. Drug stores;
 2. Grocery, fruit and vegetable stores;
 3. Meat markets or delicatessen stores;
 4. Barber and beauty shops;
 5. Clothes cleaning pickup agency with incidental pressing (no exhaust of
steam on any public way);
 6. Dressmaking and millinery shop;
 7. Shoe repair and sales shop;
 8. Tailor shop;
 9. Automobile parking lots related to a permitted commercial use;
 10. Offices, business and professional;
 11. Auditoriums and meeting halls for fraternal and service organizations;
 12. Automobile sales, new and used cars, including incidental repairs and
servicing when conducted within an entirely enclosed permanent building
(not including body and fender work or painting);

13. Bakeries employing not more than ten persons on the premises and not engaged in the wholesaling of merchandise to other stores either within or outside of the community;
14. Banks, building and loan agencies, lending institutions;
15. Launderettes;
16. Libraries, public and private;
17. Medical and dental laboratories;
18. Movie theaters;
19. Music and vocal instruction studios;
20. Natatoriums (public swimming pools);
21. Public garages or parking buildings with only incidental service facilities and with no body or fender repairs or painting permitted;
22. Photographers;
23. Restaurants;
24. Secondhand goods, sold, displayed and stored within an entirely enclosed building;
25. Service stations;
26. Tire recapping (with the provision that not less than fifty-one percent of the total dollar volume of sales shall be at retail to the ultimate consumer);
27. Taxidermist;
28. Plumbing sales and service, provided sales, display, incidental repairs and storage are maintained within an entirely enclosed building;
29. Establishments where alcoholic beverages are served, or commercial places of amusement where live entertainment or music for dancing is provided;
30. Used car and trailer sales lot;
31. Ice storage (maximum five-ton capacity);
32. Parking building or garage;
33. Repair garages, including automobile and truck repairs, painting and upholstery (conducted entirely within an enclosed building);
34. Super-service stations;
35. Lumber yards, including the cutting of lumber to size but permitting no other milling operations;
36. Automobiles, trucks, airplanes, motorcycles, bicycles, and machinery repair and sales, provided that the activities are contained in an entirely enclosed building;
37. Bowling alleys;
38. Mechanical auto washes;
39. Motels and motor hotels;

- 40. Mortuaries and funeral parlors;
 - 41. Wedding chapels;
 - 42. Television and radio sales and service, provided all sales, display, incidental repairs and storage are maintained within an entirely enclosed building;
 - 43. Electrical supplies, sales and service, provided sales, display, incidental repairs and storage are maintained within an entirely enclosed building;
 - 44. Health clubs and gymnasiums.
- B. Retail sales outside of a building on private property by peddlers, solicitors, and transient vendors who hold a license issued pursuant to Chapter 5.24.
- C. The planning commission may grant a use permit to such other uses as they deem similar but not more obnoxious to surrounding use, nor detrimental to the health, safety and general welfare of the public.

SECTION 2. Except as hereby specifically amended, all other terms and provisions of Chapters 17.08 and 17.20 of Title 17 of the Bishop Municipal Code shall remain in full force and effect. Ordinance No. 424 of the City of Bishop is hereby amended to the extent that it is inconsistent herewith; however except as hereby specifically amended, all other terms and provisions or Ordinance No.424 shall remain in full force and effect.

SECTION 3. This ordinance shall be in full force and effect thirty (30) days from and after its passage and adoption.

SECTION 4. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner and form provided by law in the Inyo Register, a newspaper of general circulation printed and published in the City of Bishop, State of California which said newspaper is hereby designated for that purpose.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2014.

JIM ELLIS, MAYOR

ATTEST: Keith Caldwell, City Clerk

By: _____
Robin Picken, Assistant City Clerk

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KC*

SUBJECT: AGREEMENT WITH JONES & MAYER – CITY OF BISHOP LEGAL SERVICES

DATE: MARCH 10, 2014

ATTACHMENTS:

- AGREEMENT WITH JONES & MAYER ATTORNEYS AT LAW

BACKGROUND/SUMMARY

Interim City Attorney Peter Tracy announced his intent to resign at the end of April 2014. The City Attorney is a part-time contracted position. In consideration of the future of this position, staff initiated a recruitment effort to include two options: 1) Legal services with an individual attorney and/or 2) A legal firm that specializes in municipal law.

On December 9, 2013, the City Council approved the advertisement for Request for Proposals from interested attorneys and law firms. The City received seven (7) responsive proposals. The proposals were reviewed by Council on February 19, 2014. After a thorough discussion by Council, Jones & Mayer Attorneys at Law was unanimously approved.

Both recruitment options, mentioned above, are used extensively throughout California. Under either option it is recommended that Council require that the City Attorney or contract City Legal Firm be represented at all City Council meetings. Contracted legal firms often hire a local attorney to perform this function and provide additional expertise and resources from their home office.

RECOMMENDATION

Council consideration to approve the agreement with Jones & Mayer Attorneys at Law to provide legal services for the City of Bishop beginning May 2014.

RETAINER AGREEMENT FOR CITY ATTORNEY SERVICES

This agreement is made and entered into by and between JONES & MAYER, hereinafter referred to as "Attorney," and the CITY OF BISHOP, a municipal corporation of the State of California, hereinafter referred to as "City."

RECITALS

The City desires to contract with Attorney to provide contract legal services to City.

Attorney herein selected is in the general practice of law with extensive municipal experience, and is fully able to carry out the duties involved herein.

NOW, THEREFORE, in consideration of the mutual terms and conditions hereinafter set forth, it is agreed as follows:

1. APPOINTMENT OF CONTRACT CITY ATTORNEY

Ryan R. Jones (Jones) is hereby appointed Contract City Attorney of the City of Bishop and shall serve and be compensated as provided by this Agreement. Dean J. Pucci is designated as Contract Assistant City Attorney and will serve in the absence of the Contract City Attorney. Jones and any other attorneys of the firm of Jones & Mayer assigned to approved City business shall, at all times hereunder and at their sole cost and expense, be fully qualified and licensed to practice law in the State of California and before all appropriate federal courts and other bodies and tribunals.

2. SCOPE OF WORK

Attorney agrees to perform all necessary legal services as Contract City Attorney, and shall:

- A. Attend all regularly scheduled City Council meetings.
- B. Provide legal services on-site during office hours at City Hall at least four (4) hours per week or as otherwise mutually agreed.
- C. Attend other meetings at City Hall as required by the City Administrator.

D. Advise the City Council; appointed Commissions, Committees, and Boards; City staff; and other City officials on all legal matters pertaining to City business.

E. Prepare, review, and approve as to form, contracts, agreements, resolutions, ordinances, and all other standard City documents.

F. Prepare such written and oral legal opinions as shall, from time to time, be requested by the City.

G. Perform such other routine legal services as are required, from time to time, by the City Administrator.

H. Represent City in litigation and administrative proceedings as directed by the City Administrator.

The City specifically reserves the right to retain, at its option, other legal counsel for litigation and other specialized legal matters including, but not limited to, cable television, solid and hazardous waste, and workers' compensation. The City Attorney will supervise outside legal counsel's work. Such reservation of rights does not preclude the City from assigning these matters to Attorney as part of the scope of duties under Section 2 or requesting recommendations concerning the selection of outside counsel.

Attorney warrants that all services will be performed in a competent, professional, and timely manner in accordance with the standards prevalent in the industry.

3. COORDINATION AND ORGANIZATION

As the Contract City Attorney, Jones shall process, coordinate, and direct, as necessary, all legal services provided under this Agreement in order to maximize the timeliness and usefulness of the delivery of such services. Jones or his designee shall attend all City Council meetings and other meetings, as required, and be available at all reasonable times to the Mayor and City Council, the City Administrator, and persons designated by the City Administrator, in relationship to all legal services to be furnished by Attorney hereunder. Jones shall also direct and coordinate all internal activities so that all services provided by Attorney to City shall be fully competent, consistent, and timely. It is expressly understood that the experience, knowledge, capability, and reputation of Jones were a substantial inducement for the City to enter into this Agreement. Jones shall be responsible during the term of this Agreement for directing all activities of Attorney and devoting such time as necessary to personally supervise such services. Jones shall not be changed by the Attorney without the express approval of the City.

4. COMPENSATION

Attorney shall be compensated under the terms of this Agreement as follows:

A. General Legal Services

The City shall pay Attorney a retainer of \$5,500 per month, which amount will cover all general legal services as described in Section 2 of this agreement, except for litigation and special legal services. All travel expenses related to general legal services shall be deemed as included in the monthly retainer fee.

B. Litigation and Special Legal Services

Fees associated with litigation and special legal services shall be billed separately and at the rate of \$185 per hour for attorney services and \$100 per hour for paralegal service. Special legal services include those matters which present unique legal and/or factual issues. Special legal services differ from general legal services in that they are of an irregular, and typically non-recurring basis. Examples include all litigation, whether civil or criminal, City, Successor Agency or Water Authority work. Special legal services are matters of unusual complexity or requiring an extraordinary dedication of attorney time such as Environmental Impact Reports or other complex environmental work, initiatives, interagency conflicts/issues, negotiation and drafting of complex Owner Participation Agreements or Disposition and Development Agreements, etc. Items subject to this categorization are determined by consultation between the City Attorney and the City Administrator or City Council. The City Attorney may not unilaterally designate any matter as a special project.

C. Expenses

Attorney shall also be reimbursed for direct out-of-pocket expenses actually and necessarily incurred in the course of providing legal services hereunder this agreement, except as noted in Section 4-A. These charges included, but are not limited to: travel expenses (as related to litigation matters only), court filing fees, attorney services (includes service of process fees, arbitrators, and mediators), messenger services, Lexis-Nexis research outside of our prepaid service fee, overnight delivery fees, parking fees, actual costs for large reproduction projects (over 100 pages) if performed by an outside service, or \$0.10 per page (b/w) and \$0.20 per page (color) if performed in house, and any other expense not listed above which becomes necessary to the successful resolution of a client matter. Our rates are listed below.

Reproduction Charges:	\$ 0.10 per page (b/w)/\$0.20 per page (color) or actual cost (large jobs performed by outside service)
Court filing fees	Actual

Attorney services	Actual (Includes service of process fees, experts, arbitrators, and mediators),
Messenger services	Actual
Lexis-Nexis research (Outside of our prepaid service fee)	Actual
Overnight delivery service	Actual

D. Monthly Statements

Attorney shall submit itemized statements of all payments due hereunder on a monthly basis to the City Administrator. All work performed by the Attorney shall be billed in tenths of an hour. The statement shall be in a form approved by the City, and shall set forth a description of all work performed, the hours worked, the person performing the work, the rate charged, and any eligible costs or expenses.

E. Payment

All hours shall be billed by the 15th day of each month following the close of the prior month for which hours are being billed. Payment for hours shall be due and payable after review by the City Administrator.

F. Effective Date and Term

The term of this Agreement shall continue unless otherwise terminated or amended and shall commence _____.

5. PROHIBITION AGAINST SUBCONTRACTING OR ASSIGNMENT

Attorney shall not contract with any other entity to perform in whole or in part the services required hereunder without the express approval of the City. In addition, neither this Agreement nor any interest herein may be assigned or transferred, voluntarily or by operation of law, without the prior approval of the City.

6. CONFLICT OF INTEREST

Attorney shall at all times avoid conflicts of interest in performance of this Agreement. In the event that a conflict arises, Attorney shall immediately notify City. Within thirty (30) days following execution of this Agreement, Attorney shall file a conflict of interest disclosure statement disclosing the information related to potential conflicts of interest to the extent such disclosure is required by law.

7. INDEPENDENT CONTRACTOR

Attorney shall perform all services required hereunder as an independent contractor of the City, and shall remain at all times as to City a wholly independent contractor with only such obligations as are consistent with that role. Attorney shall not at any time or in any manner represent that it or any of its agents are City employees.

8. INSURANCE AND INDEMNIFICATION

A. Insurance

Attorney shall procure and maintain, at its cost, and submit concurrently with its execution of this Agreement, errors and omissions/professional liability insurance coverage in the amount of a minimum of \$1,000,000. Attorney shall also maintain workers compensation coverage with policy limits of a minimum of \$1,000,000, and general and automobile liability insurance with policy limits of a minimum of \$1,000,000.

Such insurance shall be kept in effect during the term of this Agreement and shall not be cancellable without thirty (30) days' written notice of proposed cancellation to the City. The insurance policy shall contain a severability of interest clause providing that the coverage shall be primarily for losses arising out of Attorney performance hereunder, and neither the City nor its insurers shall be required to contribute to any such losses.

B. Indemnification

The Attorney shall defend, indemnify, and hold harmless the City, its officers and employees, from and against any and all actions, suits, proceedings, claims, demands, losses, costs and expenses, including legal costs and attorneys' fees, for injury to person(s) for damages to property (including property owned by the City), and for errors and omissions committed by Attorney, its officers, employees, and agents, arising out of or relating to Attorney's performance under this Agreement, except to the extent of such loss as may be caused by City's own negligence or that of its officers or employees.

9. RECORDS AND REPORTS

A. Records

Attorney shall keep such books and records as shall be necessary to perform the services required by this Agreement and enable the City to evaluate the performance of the required services. The City shall have full and free access to such books and records which deal specifically with the services performed by Attorney for City at all reasonable times, including the right to inspect, copy, audit, and make records and transcripts from such records.

B. Ownership of Documents

All reports, records, documents, and other materials prepared by Attorney, its employees and agents in the performance of this Agreement shall be the property of the City and shall be delivered to the City upon request by the City or upon termination of this Agreement. Attorney shall have no claim for further additional compensation as a result of the exercise by the City of its full rights of ownership of the documents and material hereunder. Attorney may retain copies of said documents for its own use.

C. Release of Documents

All reports, records, documents, and other materials prepared by Attorney in the performance of services under this Agreement shall not be released publicly without prior written approval of the City.

Upon receipt of any notice of termination, Attorney shall cease all services herein except as may be specifically approved by the City. Attorney shall be entitled to compensation for all services rendered prior to the receipt of notice of termination and for work performed in order to complete a proper transition of City legal work, including ongoing litigation, to the new City Attorney.

10. NONDISCRIMINATION

Attorney pledges there shall be no discrimination against or segregation of any person or groups of persons on account of race, color, creed, religion, sex, marital status, national origin or ancestry in the performance of the services specified within this Agreement.

11. TERMINATION

Attorney shall serve under the terms of this Agreement at the pleasure of the City Council, and the City Council hereby reserves the right to terminate this Agreement at will. At that time, all further obligations to pay Attorney for services rendered hereunder shall thereupon cease, except that City shall be obliged to pay for all costs and expenditures lawfully incurred by Attorney prior to the effective date of such termination. Attorney reserves the right to terminate this Agreement by giving thirty (30) days written notice to City. In the event of termination of this Agreement by either party, Attorney shall cooperate with the City in transferring the files and assignments to the City Clerk for use during the interim of hiring another City Attorney. Attorney shall be compensated at the hourly rates set forth in Section 4.A. of this Agreement should Attorney be called upon to perform any services after the effective date of termination, including the transfer of files and assignments.

12. NOTICES

Notices regarding this Agreement shall be given to the parties at the following addresses:

City: City of Bishop
Attn: City Administrator
P.O. Box 1236
Bishop, CA 93515

Attorney: Jones & Mayer
Attn: Richard D. Jones
3777 N. Harbor Blvd.
Fullerton, CA 92835

13. AMENDMENT OF AGREEMENT

This Agreement contains all the agreements of the parties hereto. This Agreement may be amended at any time by mutual consent of the parties by an instrument in writing.

IN WITNESS WHEREOF, the parties have executed this Agreement in duplicate the _____ day of _____, ____ , 2014.

By: _____
Richard D. Jones, Owner/President
JONES & MAYER

By: _____
City Administrator
CITY OF BISHOP

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *ksc*

SUBJECT: MEMORANDUM OF UNDERSTANDING (MOU) – CITY OF BISHOP POLICE DEPARTMENT AND KERN COMMUNITY COLLEGE DISTRICT

DATE: MARCH 10, 2014

ATTACHMENTS:

- STAFF MEMO
- DRAFT – MOU FOR INSTRUCTIONAL SERVICES, BISHOP POLICE DEPARTMENT AND KERN COMMUNITY COLLEGE DISTRICT

BACKGROUND/SUMMARY

Police Chief Chris Carter provides a detailed background for localized training of Peace Officers Standards and Training (P.O.S.T.) to be conducted at Cerro Coso Community College.

By hosting the classes locally, all law enforcement agencies would benefit by saving on travel, lodging, and overtime.

RECOMMENDATION

Council considers the approval of the MOU with Kern Community College District to provide P.O.S.T. training at Cerro Coso College to public safety officers in the eastern sierra.



BISHOP POLICE DEPARTMENT

207 W. Line St.
Bishop, CA 93514
760-873-5866

Chris Carter, Chief of Police

To: Members of the Bishop City Council via
Mr. Keith Caldwell, City Administrator *KAC*

From: Chris Carter, Chief of Police *CC*

Date: March 3, 2014

Subject: Request to Enter MOU with Cerro Coso Community College/Kern Community
College District

California POST mandates approved and certified training in many areas. Topics range from Domestic Violence and Racial Profiling to Firearms and Defensive Driving. Due to our isolated location, we've typically had to send our personnel out of the area for this training. We've tried to certify our own training to alleviate this inconvenience and expense, however POST will only certify a certain number of Agencies in the State to present the required training. Most of the Community Colleges throughout California partner with POST to offer Peace Officer Training. POST has no such restrictions on Community Colleges.

Representatives from Cerro Coso College, Bishop PD, Inyo Sheriff, Mammoth PD and Mono Sheriff recently met with the Colleges Director of Public Safety. The goal being to establish a program through Cerro Coso to offer and provide this POST mandated training either in Bishop, Mammoth, or Ridgecrest. This is something that all Law Enforcement Executives in Inyo/Mono Counties have been trying to accomplish for several years. It has the potential to save thousands of dollars in travel and overtime and would allow us to pool our personnel together to meet enrollment requirements. It also has the potential to bring other LE personnel from outside agencies to our area to attend training.

Attached is the MOU and I am requesting permission to enter into this agreement. Legal Counsel from the Joint Powers Insurance Authority (JPIA) reviewed the language and have no objections. All Law Enforcement Agencies throughout Inyo and Mono Counties will be reviewing like agreements with the hopes that each will have their own specific MOU for training.

I am available at your convenience should you have any questions.

MEMORANDUM OF UNDERSTANDING REGARDING INSTRUCTIONAL SERVICES

BETWEEN THE KERN COMMUNITY COLLEGE DISTRICT AND THE BISHOP POLICE DEPARTMENT

(Law Enforcement Training)

This Memorandum of Understanding ("MOU") is between the Kern Community College District and its respective colleges ("College"), and the Bishop Police Department ("Agency"). For identification purposes only this MOU is dated March 10, 2014.

RECITALS

WHEREAS, College is a multi-college District whose mission is to provide educational programs and services that are responsive to the needs of the students and communities within the District including law enforcement programs and courses;

WHEREAS, Agency is a law enforcement agency dedicated to the delivery of quality law enforcement services in the city of Bishop, California, improving community safety and partnering with other entities to promote crime prevention and intervention, including training law enforcement personnel;

WHEREAS, the parties desire to collaborate and provide both college credit and non-college credit educational and training programs, stand alone courses and in-service training ("Programs/Courses"). The Programs/Courses may include, but are not limited to, the law enforcement recruit training academy, other programs and stand alone courses as may be determined by mutual agreement;

WHEREAS, the training and instruction will comply with the student selection standards, curriculum guidelines, training guidelines, recommendations and procedures promulgated by the Legislature and the Commission on Peace Officer Standards and Training (P.O.S.T.) as set forth in the most current version of Sections 13500, et seq., of the Penal Code; Sections 1020, et seq., of the Government Code; Title 11 Division 2 of the Code of Regulations, and in the P.O.S.T. Administration Manual, hereinafter collectively referred to as P.A.M.;

WHEREAS, the parties desire to enter into a MOU, which sets forth their mutual rights and responsibilities and governs their business relationship regarding the subject Programs/Courses;

WHEREAS, this MOU contemplates that the parties will enter into a related instructional service agreement (ISA) for the individual subject Programs/Courses, that each ISA will fully incorporate and/or expressly modify the terms of this MOU, and that each ISA will set out the necessary details specific to the subject Programs/ Courses;

WHEREAS, the parties intend for College to report full-time equivalent students (FTES) data and obtain state apportionment for the subject Programs/Courses given

through this MOU in accordance with California Code of Regulations, title 5, sections 58050, 58051, and 58051.5;

WHEREAS, Agency intends to help fund the cost of the subject Programs/Courses by providing personnel, services and equipment subject to partial reimbursement by the College;

WHEREAS, all classes will be located within College's district boundaries.

NOW, THEREFORE, the parties mutually agree as follows:

TERMS

1. **Recitals**. The above recitals are incorporated herein and made a part of this MOU.

2. **Effective Date and Duration**. This MOU shall be effective on the date authorized representatives of both parties sign it and continue in effect until November 22, 2018, or until duly modified or terminated by the parties.

3. **Early Termination**. This MOU may be terminated by either party with cause if another party fails to comply with the insurance or indemnification requirements or otherwise commits a material breach. Termination will be effective no sooner than 15 calendar days after a written demand to cure is provided and the party fails to cure. This remedy is in addition to any other remedy which may be provided for by law.

This MOU may be terminated without cause and for any reason by any party. The party desiring early termination without cause must provide written notice to the other parties. Termination will be effective no sooner than 60 calendar days after actual receipt of the written notice. The parties agree to consider the need of currently enrolled students when determining a termination date.

The indemnification provisions contained in this MOU shall survive termination.

4. **Instructional Service Agreements**. The terms of this MOU are deemed to be part of and fully incorporated into any and all presently existing or future ISAs pertaining to the Programs/Courses unless expressly modified by a related ISA. Related ISAs will typically address the time, date, location, number of educational hours, college credits offered, number of students, and other specifics related to each Program/Course. The terms of this MOU may be modified by individual ISAs as necessary. Any inconsistency between the MOU and an express provision of an ISA will be resolved in favor of this MOU. However, if the MOU expressly permits a modification by an ISA, the inconsistency shall be resolved in favor of the ISA.

5. Certifications for State Apportionment Purposes Applicable to All Programs/Courses Conducted in a Cooperative Arrangement with a Public Agency.

The Parties jointly certify the following:

- A. College does not receive full compensation for the direct educational cost of the Programs/Courses from any public or private agency, individual, or group.
- B. The Programs/Courses will not be fully funded by sources other than College.
- C. A job market survey has been conducted by College prior to establishing the Programs/Courses and the results justify the particular Programs/Courses.
- D. Either the Programs/Courses have been approved by the State Chancellor's Office and the courses which make up a particular program are part of the approved program or the College has received delegated authority to separately approve the subject courses locally.
- E. These certifications may not be voided, modified nor waived by any related ISA.

6. Regulatory Requirements for State Apportionment Purposes Applicable to All Programs/Courses Conducted in a Cooperative Arrangement with a Public Agency.

These provisions may not be voided, modified nor waived by a related ISA unless otherwise expressly provided herein:

- A. **Responsibilities of Each Party.** College policies and procedures apply and College is responsible for the Programs/Courses. The Programs/Courses will comply with all applicable regulations, procedures, prerequisites and standards set out in the P.A.M., as well as any corresponding local policies, practices, and requirements of the Agency.
- B. **Enrollment Period.** The enrollment period shall be determined by College in accordance with its guidelines, policies, pertinent statutes, and regulations.
- C. **Number of Class Hours Sufficient to Meet the Stated Performance Objectives.** In consultation with the Agency, College will determine the performance objectives for each of the Programs/Courses and the number of class hours necessary to meet the performance objectives. The performance objectives and corresponding class hours shall be specified in the related ISA.
- D. **Supervision and Evaluation of Students.** Supervision and evaluation of students shall be in accordance with College guidelines, policies, pertinent statutes, and regulations. The supervision and evaluation of students will conform with certificate

regulations and standards for peace officer employment set out in the P.A.M., as well as any correspondence local policies, practices, and requirements of the Agency.

E. Withdrawal Prior to Completion of the Program/Course. A student's withdrawal prior to completion of the Program/Course shall be in accordance with College guidelines, policies, pertinent statutes and regulations.

F. Right to Control and Direct Instructional Activities. College is responsible for the Programs/Courses and has the sole right to control and direct the instructional activities of all instructors, including those who are Agency personnel, although this right will be exercised in consultation with the Agency.

G. Minimum Qualifications for Instructors Teaching Programs/Courses. Instructors who are Agency personnel shall either meet the minimum qualifications to provide instruction in a California community college, or shall work under the immediate supervision and control of a College employee who has those minimum qualifications. The minimum qualifications shall be consistent with the requirements in other similar courses offered by College and shall be published or otherwise listed by College. College will comply with all staff, instructor and training officer standards and regulations set out in the P.A.M., as well as any corresponding local policies, practices and requirements of the Agency.

H. Facilities. Agency will provide adequate classroom space at its facilities, or other mutually agreed upon location, to conduct the contemplated instruction and do so without charge to College or students. Agency agrees to clean, maintain, and safeguard the Agency's premises. Agency warrants that its facilities are safe and compliant with all applicable building, fire, and safety codes. All classes will be held at facilities which are clearly identified as being open to the general public. Agency rules which control or prohibit public access to facilities such as pistol ranges, EVOC driving courses or scenario training areas, for safety purposes or to protect proprietary information, shall be observed.

I. Equipment. Unless otherwise provided for in a related ISA, Agency will furnish, at their own expense, all course materials, specialized equipment, and other necessary equipment for all students. The parties understand that such equipment and materials are Agency' sole property; however, College policies may be utilized as appropriate should an individual student unnecessarily damage or fail to return such equipment. Agency shall determine the type, make, and model of all equipment and materials to be used during each Program/Course. Agency understands that no equipment or materials fee may be charged to students except as provided for by College policies and practices.

J. Enrollment. Enrollment shall be open to any person who has been admitted to College and meets all applicable prerequisites. Applicable prerequisite courses, training, or experience will be determined by College in consultation with Agency. Applicants must meet the standards and prerequisites set out in the P.A.M., as well as of the Agency.

College and Agency will be jointly responsible for processing student applications. College will provide the necessary admission forms and procedures and both College and Agency will jointly ensure that each applicant accepted has met all the enrollment requirements, including liability and medical care coverage requirements, if any.

Agency will ensure that each recruited student completes the admissions procedure, the class enrollment process, and otherwise process student applications and enroll students in the Programs/Courses, as appropriate. College will assist Agency as necessary. A successful enrollment requires that each student has completed an enrollment application provided by College, the application has been delivered to and accepted by College's Admissions and Registration Office, all enrollment and other applicable fees have been paid, and the applicant has met all requirements, to include the standard college student liability and medical care coverage, if applicable.

K. Enrollment Fees. The enrollment fees must be paid to College either by the individual student or by Agency. Enrollment fees may not be waived by College. This provision may not be cancelled or modified by any related ISA. However, by mutual agreement, enrollment fees may be withheld from any reimbursement owed by the College to the Agency.

L. Course Outlines - Curriculum Committee and Board Approval. The outlines for all individual Programs/Courses must meet course standards set out in Title 11 of the California Code of Regulations and must be approved by College's Curriculum Committee, and consistent with P.O.S.T. requirements.

M. Teaching Consistent with Approved Outline and Level of Rigor. Agency will implement procedures to ensure that Agency instructors teaching different sections of the same course do so in a manner consistent with the approved outline of record for that course, and that each individual instructor shall hold all students to a comparable level of rigor.

N. Records of Student Attendance and Achievement. All records of student attendance and achievement shall be submitted to College periodically, or upon demand, and shall be maintained by College.

O. Ancillary Support Services for Students. Both College and Agency shall ensure that students enrolled in the Programs/Courses are provided ancillary and support services as may be needed, including but not limited to counseling and guidance and placement assistance.

P. Courses Outside College Boundaries. For locations outside the geographical boundaries of College, College will comply with the requirements of Title 5 of the California Code of Regulations, Sections 55230-55232, concerning approval by adjoining community college districts, requests by affected high school districts, and use of non-College facilities.

7. **Liaison.** At no cost to the Agency, College will provide the services of faculty members who will facilitate coordination and cooperation between College and Agency. College will provide Agency personnel reasonable assistance, direction and instruction in how to fulfill their responsibilities under this MOU, including conducting appropriate student assessments, outreach/recruitment activities and the College's application procedures.

8. **Support Staff.** These provisions may not be voided, modified nor waived by a related ISA unless otherwise expressly provided herein:

A. **Agency to Provide Support Services.** Unless otherwise provided for in a related ISA, Agency will provide personnel to perform clerical services and services associated with outreach activities, recruiting students, assessing students, processing student applications, enrolling qualified students, and other related services as may be necessary.

B. **Agency is Responsible for its Own Personnel.** Agency's personnel will perform these services on duty time. Agency personnel performing these services will be employees solely of Agency, subject to the authority of Agency, but will also be subject to the direction of College, specifically with regard to their duties pertaining to the Programs/Courses described in the related ISAs. College has the primary right to control and direct such activities.

9. **Instructors.** These provisions may not be voided, modified nor waived by a related ISA unless otherwise expressly provided herein:

A. **College to Select Instructors.** College may select instructors from Agency personnel nominated by the Agency, personnel nominated by other Agency, or other sources. Agency personnel will perform instructional duties on duty time. Agency personnel selected to be instructors remain employees solely of the Agency, subject to the authority of the Agency, but will also be subject to the authority of College, specifically with regard to their duties as instructors. College will exercise this authority in consultation with the Agency.

B. **Agency May Nominate Instructors.** Agency shall ensure that all instructor nominees are experienced, competent, dedicated personnel who have the personal attributes necessary for providing instruction in the Programs/Courses. Agency shall ensure that all instructor/staff nominees possess any Certificates of other training indicia that may be required.

C. **College Shall Determine Instructor Requirements.** College shall determine the number of instructors, the ratio of instructors to students, and the subject areas of instruction.

D. **Agency is Responsible for its Own Personnel.** Agency's personnel will perform these services on duty time. Agency personnel performing their services will be

employees solely of Agency, subject to the authority of Agency, but will also be subject to the direction of College, specifically with regard to their duties pertaining to the Programs/Courses described in the related ISAs. College has the primary right to control and direct such activities.

E. Orientation Meeting. Instructors shall attend an orientation meeting if scheduled and College shall provide manuals, course outlines, curriculum materials, and testing and grading procedures as necessary.

10. Reimbursement to Agency for Instructors and Clerical Support.

A The College will pay for the instructional services required for the course/activity subject to Section 10C of this Agreement.

B. For purposes of this Agreement, those instructional and support expenses included as Total Costs will be mutually agreed upon between the College and Agency and completely described in the ISA. These costs may include: Recruit training officers, direct instruction, administrative/clerical support, and curriculum development.

C The method used to compute the amount of compensation to be paid by the College for instructional services provided by the Agency will be determined in a manner to be specified in a written addendum, as described in Section 4 of this Agreement. The method adopted will conform with one of the Alternative Methods, described in Sections 10C(a) and 10C(b).

(a) Hourly rate method – One dollar Ninety Cents (\$1.90) per student, per student hour for each student actively attending the course on Census Day for Weekly Student Contact Hour (WSCH) and Daily Student Contact Hour (DSCH) courses, or for each student hour of attendance for Positive Attendance courses.

This compensation will be in lieu of all salary payments, whether paid directly to faculty or to the Agency for employees performing instructional services on release time from Agency duties.

(b) Adjunct faculty rate method – Instructional costs at the prevailing adjunct faculty rate during the time the course/activity is in progress. Instructors who are performing instructional services on a basis other than release time from regular Agency duties will be paid directly. The Agency will be paid for the instructional services of their employees who perform those services on release time from their Agency duties.

When this method is used, a Minimum Enrollment (ME) will be specified for each course/activity in the addendum described in Section of this Agreement. If enrollment is below ME on Census Day, the Total Costs of the course/activity

will be shared by the College and Agency as follows. The College will be responsible for the portion of Total Costs determined by multiplying the Total Costs by actual Census Day enrollment divided by ME; the Agency will be responsible for the remainder of the Total Costs. If the course/activity enrollment is greater than ME, the College will be responsible for the Total Costs plus One Dollar Ninety Cents (\$1.90) per hour per student for each student over ME.

For example, if the Census Day enrollment is twenty (20) and the ME is twenty-four (24), the College will be responsible for 20/24 of the Total Costs and the Agency will be responsible for the 4/24 of the Total Costs.

D. When intensive clerical overhead is required in addition to the compensation provided for in Section 10C hereof, the College and Agency may mutually agree and specify in the Addendum an amount consisting of reasonable compensation for administrative and clerical costs based on impact to Agency clerical hours.

As an option to the above described compensation, the College and Agency may agree that the College or Agency will assign personnel on a part time or overtime basis to perform clerical services during the course/activity. The amount of time and schedule for these services will be specified in the Addendum.

E. Cancellation of Scheduled Course or Program Session. College, at any time, in accordance with its own policies and practices and without notice, may unilaterally cancel any scheduled course or program session if, in the sole opinion of College, the number of students enrolled is too low to justify the cost of the scheduled course or program session. Alternatively, upon the mutual agreement of the parties, the subject scheduled course or program session may go forward but at a reduced payment level to be agreed upon and set forth in the relevant ISA.

F. Other Costs and Monetary Obligations. Any costs, fees, payments, and/or obligations incurred by either party in support of a Program/Course which are not otherwise expressly addressed by this MOU or any related ISA will be borne solely by the party incurring the obligation.

G. Availability of State Apportionment. If state apportionment is not available to College for any reason, each party shall bear the cost of its own participation in the Programs/Courses.

H. Payment Deadline. Reimbursement as provided in this MOU and/or any related ISA is to be made no later than 90 days following completion the subject class or program session.

11. Curriculum and Performance Objectives.

A. Agency shall develop performance objectives, curriculum, course outlines, and instructional methods in accordance with any applicable recommendations and guidelines offered by College and also in compliance with standards set out in Title 5 of the California Code of Regulations. Performance objectives, curriculum, course outlines, and instructional methods are subject to advance approval/revision by College.

B. All Programs/Courses must be approved by College's Board of Trustees or College personnel to whom this authority has been duly delegated. Course outlines must meet the course standards set out in Title 5 of the California Code of Regulations and must be approved by College's Curriculum Committee.

C. All relevant course information and proposed course outlines shall be developed and submitted to College for approval/revision no later than 30 days prior to the projected start date of a particular class or program session.

12. Instruction. The instructional services provided by Agency personnel shall include development of appropriate lectures. The lectures will conform to the approved curriculum and course outlines and recommendations of experienced College instructors. Instructional presentations shall incorporate planned practical demonstrations, as may be necessary, and use audiovisual techniques or equipment and vocational equipment.

All instructional presentations, including practical demonstrations and demonstrations of vocational equipment, are subject to the advance approval of College.

13. Facilities. The parties contemplate that primarily, the facilities of the Agency will be utilized to carry out the goals of this MOU and any related ISA, although from time to time College facilities may be utilized subject mutual agreement by the parties as expressed in a related ISA. Agency agrees to defend, hold harmless, and indemnify College and its governing board, officers, employees, administrators, independent contractors, subcontractors, and other representatives from all damages, losses, or expenses, including litigation costs such as attorney's fees, should a student, instructor, or third party be injured as a result of or connected with the condition of the Agency's premises, in whole or in part. The indemnity shall survive termination of this MOU and is in addition to any other rights or remedies College may have under law or otherwise.

14. Workers' Compensation. Agency shall be the "primary employer" for all its personnel who perform services as instructors and support staff. Agency shall be solely responsible for processing, investigating, defending, and paying all workers' compensation claims by their respective Agency personnel made in connection with performing services and receiving instruction under this MOU or any related ISA. Agency agrees to hold harmless, indemnify, and defend College from any liability

resulting from its failure to process, investigate, defend, or pay any workers' compensation claims by Agency personnel connected with providing services under this MOU or any related ISA. Agency is not responsible for non-Agency personnel who may serve as instructors or students who are not affiliated with the Agency. These provisions may not be voided, modified nor waived by a related ISA.

15. Indemnification.

A. Agency shall defend, hold harmless, and indemnify College, its governing board, officers, administrators, agents, employees, independent contractors, subcontractors, consultants, and other representatives from and against any and all liabilities, claims, demands, costs, losses, damages, or expenses, including reasonable attorney fees and costs, including but not limited to consequential damages, death, sickness, or injury to any person(s) or damage to any property, from any cause whatsoever arising from or connected with the provision of instruction pursuant to this MOU or any related ISA that may arise out of or result from, in whole or in part, the negligent, wrongful, or willful acts or omissions of Agency, its employees, agents, subcontractors, independent contractors, consultants, or other representatives.

B. College shall defend, hold harmless, and indemnify Agency, their governing board, officers, administrators, agents, employees, independent contractors, subcontractors, consultants, and other representatives from and against any and all liabilities, claims, demands, costs, losses, damages, or expenses, including reasonable attorney fees and costs, including but not limited to consequential damages, death, sickness, or injury to any person(s) or damage to any property, from any cause whatsoever arising from or connected with its responsibilities hereunder that may arise out of or result from, in whole or in part, the negligent, wrongful, or willful acts or omissions of College, its employees, agents, subcontractors, independent contractors, consultants, or other representatives.

C. Agency shall have no obligation to defend, hold harmless, or indemnify College, its governing board, officers, administrators, agents, employees, independent contractors, subcontractors, consultants, and/or other representatives for their sole negligence or willful misconduct; and College shall have no obligation to defend, hold harmless, or indemnify Agency, its governing board, officers, administrators, agents, employees, independent contractors, subcontractors, consultants, and/or other representatives for their sole negligence or willful misconduct.

D. This indemnity shall survive termination of this MOU or any related ISA, and/or final payment hereunder and is in addition to any other rights or remedies that Agency or College may have under law and/or otherwise.

E. These provisions may not be voided, modified nor waived by any related ISA.

16. Insurance Requirements.

A. Each party shall obtain, pay for, and maintain in effect during the life of this MOU the following policies of insurance issued by an insurance company rated not less than "A-;V" in Best Insurance Rating Guide and admitted to transact business in California: (1) commercial general liability (including contractual, products, and completed operations coverages, bodily injury, and property damage liability) with single combined limits not less than \$1,000,000 per occurrence; (2) commercial automobile liability for "any auto" with combined single limits of liability not less than \$1,000,000 per occurrence; (3) professional liability (errors and omissions) with a limit of liability not less than \$1,000,000 per occurrence; and (4) workers' compensation insurance as required under state law.

B. Each party's policy(ies) shall contain an endorsement naming the other party as an additional insured insofar as this MOU is concerned, and provide that written notice shall be given to the other party at least 30 days prior to cancellation or material change in the form of the policy or reduction in coverage. Each party shall furnish the other with a certificate of insurance containing the endorsements required under this section, and each party shall have the right to inspect the other party's original insurance policies upon request. Upon notification of receipt of a notice of cancellation, change, or reduction in a party's coverage, that party shall immediately file with the other party a certified copy of the required new or renewal policy and certificates for such policy.

C. Nothing in this section concerning minimum insurance requirements shall reduce a party's liability or obligations under the indemnification provisions of this MOU.

D. The parties acknowledge that both parties are permissibly self-insured under California law.

E. These provisions may not be voided, modified nor waived by a related ISA.

17. Discrimination and Harassment. Each party agrees it will not unlawfully discriminate, harass, or allow harassment against any employee or other person because of sex, race, color, ancestry, religious creed, national origin, mental or physical disability (including HIV and AIDS), marital status, or age, and shall comply with all applicable laws pertaining to employment.

18. Entire Agreement. This MOU and any related ISA constitute the entire agreement between the parties with regard to the Programs/Courses and supersedes any prior or contemporaneous understanding or agreement. No party has been induced to enter into this MOU by, nor is any party relying on, any representation or promise outside those expressly set forth in this MOU and any related ISA.

19. **Amendment.** The provisions of this MOU may be modified only by mutual agreement of the parties. No modification shall be binding unless it is in writing and signed by the party against whom enforcement of the modification is sought.

20. **Waiver.** Unless otherwise precluded by the terms of this MOU, terms or conditions may be waived by the party entitled to the benefit of the term or condition, but no such waiver shall affect or impair the right of the waiving party to require observance, performance, or satisfaction of that term or condition as it applies on a subsequent occasion.

21. **Assignment.** Neither party may assign any rights or benefits or delegate any duty under this MOU without written consent of the other party. Any purported assignment without written consent shall be void.

22. **Parties in Interest.** Nothing in this MOU, whether express or implied, is intended to confer any rights or remedies under or by reason of this MOU on any person other than the parties to it and their respective successors and assigns, nor is anything in this MOU intended to relieve or discharge the obligation or liability of any third person to any party to this MOU, nor shall any provision give any third person any right to subrogation or action against any party to this MOU.

23. **Severability.** If any provision of this MOU is held by an arbitrator or court of competent jurisdiction to be invalid or unenforceable, the remainder of the MOU shall continue in full force and effect and shall in no way be impaired or invalidated.

24. **Notices.** Any notice under this MOU shall be in writing, and any written notice or other document shall be deemed to have been duly given on the date of personal service on the parties or on the second business day after mailing if the document is mailed by registered or certified mail, addressed to the parties at the addresses set forth below, or at the most recent address specified by the addressee through written notice under this provision. Failure to conform to the requirement that mailings be done by registered or certified mail shall not defeat the effectiveness of notice actually received by the addressee.

25. **Authority to Enter Into Agreement.** Each party to this MOU represents and warrants that it has the full power and authority to enter into this MOU and to carry out the transactions contemplated by it and that it has taken all action necessary to authorize the execution, delivery, and performance of this MOU.

26. **Status of the Parties.** Neither party is a partner, joint venturer, co-principal, employer, or co-employer of the other or of an employee of the other party. Agency shall be solely responsible for paying all salaries, wages, benefits, and other compensation which its employees or subcontractors may be entitled to receive in connection with performing services under this MOU and any related ISA. Agency shall be solely responsible for withholding and paying all applicable payroll taxes and contributions, including federal, state, and local income taxes, FICA, FUTA, and state

unemployment, workers' compensation, and disability insurance in connection with performing services under this MOU and any related ISA.

Agency shall be free to perform similar services for others while under contract with College. Nothing in this MOU shall prohibit Agency from taking on other jobs or performing services for other entities. The parties agree that in performing the services specified in this MOU, Agency shall act as independent contractors.

27. Retention and Audit of Records. Each party shall maintain records pertaining to this MOU and related ISAs as may be required by federal and state law. Each party may review and obtain a copy of the other party's pertinent records subject to federal and state privacy statutes.

28. Governing Law and Venue. This MOU will be governed by and construed in accordance with California law and venue of any action or proceeding in connection with this MOU shall be Kern County, California.

IN WITNESS WHEREOF, the parties hereto have caused this MOU to be executed the day and year first above written.

BISHOP POLICE DEPARTMENT

KERN COMMUNITY COLLEGE
DISTRICT

By: _____
Chris Carter, Chief of Police

By: _____
Thomas J. Burke, CFO

Date: _____

Date: _____

APPROVED AS TO FORM:

By: _____
Jim Ellis, Mayor

Date: _____

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR KSC

SUBJECT: EASTERN SIERRA COMMUNITY SERVICES DISTRICT (ESCSD)
COOPERATION AGREEMENT

DATE: MARCH 10, 2014

ATTACHMENT:

- STAFF MEMO
- DRAFT TREATMENT PLANT COOPERATION FEASIBILITY AGREEMENT

BACKGROUND/SUMMARY

Director Grah provides a background and summary of the City of Bishop and ESCSD wastewater treatment systems and the areas they serve.

More recently, the City and ESCSD staff has discussed opportunities for collaboration of these services/projects and the potential benefits that would result.

Public Works staff has been instrumental in providing the agreement and cooperation between the two organizations. The potential result is cost savings and non-duplication of services by both organizations.

RECOMMENDATION

Council consideration to approve the execution of a Treatment Plant Cooperation Feasibility Agreement between ESCSD and the City of Bishop.



To: Keith Caldwell, City Administrator *KSC*
From: David Grah, Director of Public Works *DG*
Subject: ESCSD Cooperation Agreement
Date: 3 March 2014
Previous: 16 November 2011, 8 May 2012, 6 August 2013
Funding: Sewer professional and technical funds

General:

The ESCSD Cooperation Feasibility agreement is ready to be executed.

Background:

The City of Bishop and the Eastern Sierra Community Services District (ESCSD) are working to identify ways that the two sewer agencies can work together for their mutual benefit. Work has been underway for about the last 6 months on this cooperation effort using the city's consultant R O Anderson. R O Anderson has been working on cooperation feasibility under Work Order 2 of the city's contract with them for sewer consultant services. The attached agreement between the city and the ESCSD has been through several revisions, has been executed by the ESCSD, and is ready to be executed by the city. See my memo dated 6 August 2013 for more information.

Recommendation:

Approve the execution of an agreement with ESCSD for the Cooperation Feasibility effort.



Eastern Sierra Community Services District /
City of Bishop

Treatment Plant Cooperation Feasibility Agreement



General

This agreement between the Eastern Sierra Community Services District (ESCSA) and the City of Bishop is for an effort to evaluate opportunities for the two agencies to cooperate in the operation of wastewater treatment resources. The intent of this cooperation is to cost-effectively achieve higher efficiencies.

Background

The ESCSD and the City of Bishop each provide public sewer services in different parts of the Bishop area. The two agencies have a history of effective cooperation and collaboration.

The city's and ESCSD's treatment facilities are adjacent to one another east of Bishop. The plants are currently operated independently and it is believed there is opportunity for mutual benefit if at least some aspects of the operation of the plants is integrated or done in conjunction.

The ESCSD and the city have identified R. O. Anderson Engineering, Incorporated as the consultant for the work. The work is anticipated to be contracted in phases with each phase covered by a separate Work Order under a parent contract.

Provisions

1. ESCSD and the city shall act to maximize mutual benefit under this agreement.
2. The city shall contract with R. O. Anderson for the work.
3. Contract work shall be authorized a phase at a time through Work Orders under the contract with R. O. Anderson.
4. The detail of the work shall be defined in the Work Orders.
5. The city shall be R. O. Anderson's sole point of contact for contract issues and its prime point of contact for issues related to the work.
6. Dialog and information sharing concerning the work shall be encouraged between R. O. Anderson, ESCSD, and the city.
7. The city shall pay approved R. O. Anderson invoices.
8. The city shall invoice ESCSD for its share of each payment to R. O. Anderson and its share of contract administration costs.
9. Unless provided otherwise, costs related to the contract and its administration shall be divided equally between the ESCSD and city.
10. Expenditures and commitments to expend shall not be made until proper authorization, including authorization from the ESCSD board and the city council, when necessary, is obtained.

11. Work products shall separately become the property of both ESCSD and the city.
12. Conflicts shall be resolved at the lowest level in each agency as possible.
13. Conflicts shall be elevated only when resources available at the lower level of the agencies is exhausted.
14. If a conflict can not be resolved by the staff of each organization, the conflict shall be brought to a conflict committee consisting of two members of the ESCSD Board and two members of the Bishop City Council appointed by each body for the purpose.
15. ESCSD and the city can each terminate the agreement without cause with 30 day written notice to the other.

Agreed:

Keith Caldwell City Administrator Bishop	Date	Walt Pachucki President ESCSD	Date
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TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR KSC

SUBJECT: PINE TO PARK PATH – ADVERTISE FOR BIDS

DATE: MARCH 10, 2014

ATTACHMENTS:

- STAFF MEMO

BACKGROUND/SUMMARY

Director Grah has provided an update to the Pine to Park Path Project. The project will construct a paved path (approximately 1,000 feet long) from the north end of the second alley east of North Third Street and north of East Pine Street to connect with the existing paved path in the city park near its intersection with Spruce Street.

Director Grah has also provided a schedule that includes three (3) bidding options and associated funding (Transportation Enhancement Activity (TEA) funds, Transportation Enhancement (TE) funds, and Transportation Alternatives Program (TAP) funds) for the construction of the path.

RECOMMENDATION

Council consideration to approve the advertisement of the Pine to Park Path project for construction bids.



To: Keith Caldwell, City Administrator *KSC*
From: David Grah, Director of Public Works *DG*
Subject: Advertise Pine to Park Path Construction Contract for Bids
Date: 4 March 2014
Previous: 23 January 2008, 7 January 2009, 20 October 2009, 1 November 2010
19 October 2011, 5 October 2012
Funding: TEA, TEA Exchange, TE, and TAP Funds

General:

Public Works will be ready is advertise the Pine to Park Path project for construction bids.

Background:

The Pine to Park Path project will construct paved path about 1,000 feet long from the north end of the second alley east of North Third Street and north of East Pine Street to connect with the existing paved path in the park near its intersection with Spruce Street. Work has been underway on this project since 2008.

Bidding documents including plans and specifications are expected to be ready for advertising at the 10 March 2014 City Council meeting. The schedule for the project is proposed to be:

Advertise	11 March
Open Bids	10 April
Award Contract	14 April
Start Construction	13 May
Finish Construction	17 June

The California Transportation Commission allocated \$190,000 for construction of the project at their meeting in January. Federal approval for the funding was received 11 February. These funds are to cover all construction-related expenditures including construction contractor and consultant costs and can be used to offset the cost of city staff involved in the project.

There is \$190,000 budgeted in the city's 2013/2014 fiscal year budget for the project, \$25,000 for Contract Services (consultant costs), budget line item 058-000-55026, and \$175,000 for Capital Improvements (payments to construction contractor), budget line item 058-000-56027.

Possibly due to the general recovery of the economy, construction costs are rising. This contributes to the fact that the most recent estimates of the cost to construct the Pine to Park Path project are in excess of the \$190,000 available.

To address this, the bidding documents include 3 construction options and each bidder is required to bid on each of the options. Two of the options reduce the scope of the project while still accomplishing the intent of building a paved path from an alley north of East Pine street to provide a connection to the existing paved path in the park near Bishop Creek. These two reduced-scope construction options should ensure we have bids within the funds available to construct the project.

In addition to including construction options in the bid, a request to the Inyo Local Transportation Commission (LTC) is planned for additional "TEA Exchange" funds. These additional funds would be used to build more of the full proposed scope of the project, if it is needed. The request is planned for the March LTC meeting. The March LTC meeting is before the 14 April meeting where the Council is expected to be asked to award the construction contract.

Recommendation:

The City Council approve the advertisement of the Pine to Park Path project for construction bids.

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KJC*

SUBJECT: POSITIVE PRESSURE WATER SYSTEM – ELECTRICAL WORK

DATE: MARCH 10, 2014

ATTACHMENTS:

- STAFF MEMO

BACKGROUND/SUMMARY

Public Works Director Dave Grah has provided the history of the Positive Pressure Water System, originally known as the Water Storage Tank Project.

A series of problems with the chlorinator has led to a reevaluation of the chlorination system for the best and most effective solution.

Electrical improvements for the entire system are necessary to implement the new chlorination method.

Rollins Electric is the only local electrical company that has knowledge of the well.

RECOMMENDATION

Council consideration to approve Rollins Electric to do the electrical work at a not-to-exceed cost of \$3,276.16.



To: Keith Caldwell, City Administrator
From: David Grah, Director of Public Works
Subject: Positive Pressure Electrical Work

KSC


Date: 4 March 2014

Previous: 22 February 2011, 8 November 2011, 30 December 2011, 1 June 2012,
3 December 2012, 15 May 2013, 28 June 2013, 23 December 2013

Funding: Water Capital Improvements, 004-050-56027

General:

Electrical work is needed to complete the Positive Pressure Water Improvements project.

Background:

The final work is underway on the Positive Pressure Water System Improvements project, also known as the Water Storage Tank project. The project constructed a 50,000 gallon control tank, added a control valve, implemented new Supervisory Control And Data Acquisition (SCADA) monitoring and controls, and made other improvements to protect water quality. The relocation of the chlorinator at Well 4 is part of the Positive Pressure Water System Improvements project.

The chlorinator, including earlier versions of it, has been in use by the city for the last 15 years or so. All water pumped from the city's main well, Well 4, is lightly chlorinated. The light chlorination protects against system corrosion and would kill any pathogens that happen to get into the system, through a water line break or faulty backflow valve, for instance. The chlorinator uses salt as its raw material and makes the chlorinating solution (essentially household bleach) that is feed into the water coming from the well. The chlorination system used before this current system used dangerous chlorine gas.

The replacement cost of the existing chlorinator is about \$60,000. About 5 years ago about \$30,000 of work was needed on the control panel. As we prepared to relocate the chlorinator, we had a series of problems with it. These series of problems, the high cost of work on the chlorinator, and the high cost of replacing the chlorinator led us to reevaluate the chlorination system and to identify what seems to be a better and cheaper chlorination method. This chlorination method uses purchased chlorination solution (bleach) and a simple pump to feed it into the water. Most of the cost of implementing this method consists of the cost to set up the electrical connections for it.

These connections must be compatible with the rest of the electrical system at the well. At this time there is only one electrical contractor that is familiar enough with the well's electrical system to do this work and integrate it with the rest of the electrical system there. That contractor is Rollins Electric. In addition to electrical work related to implementing the new chlorination method, there are other electrical improvements at the well that should be made at

the same time. These other improvements are related to the Positive Pressure Water Improvements project. The cost of all the electrical improvements related to the Positive Pressure Water Improvements project is \$3,276.16 with the chlorinator work being the largest portion. The cost to relocate the existing chlorination system was to be \$4,380 plus electrical costs.

Relocating the chlorination equipment - or point - is included in the budget for the Positive Pressure Water Improvements project. There is \$590,000 budgeted in water Capital Improvements this fiscal year including \$350,000 for the Positive Pressure project.

Recommendation:

Approve the electrical work by Rollins for a not-to-exceed cost of \$3,276.16.