

"SMALL TOWN WITH A BIG BACKYARD"



COUNCIL AGENDA PACKET

APRIL 22, 2013



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)

Any writing that is a public record that relates to an agenda item for open session distributed less than 72 hours prior to the meeting will be available for public inspection at City Hall, 377 West Line Street, Bishop, California during normal business hours. Government Code § 54957.5(b)(1). Copies will also be provided at the appropriate meeting.

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, APRIL 22, 2013
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.

DEPARTMENT HEAD REPORTS

Updates on department activities will be given by the Department Heads

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

SOUTHERN CALIFORNIA EDISON (SCE) UPDATE – SCE Region Manager, Local Public Affairs - Daniel S. Brady

COUNTY OF INYO UPDATE – Second District Supervisor Jeff Griffiths

CHAMBER OF COMMERCE UPDATE – Executive Director Tawni Thomson

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.

(1)

FOR APPROVAL/FILING

Minutes

(a) Study Session – April 8, 2013

(b) Council Meeting – April 8, 2013

PUBLIC HEARING

(2) **CITY FEES AND CHARGES FY 2013-2014** – A public hearing will be held to hear and consider public comment on proposed amendments to fees and charges for city services for Fiscal Year 2013-2014 established by resolution. Increases are proposed in the Finance Department and the Public Works/Planning Departments.

NEW BUSINESS

- (3) **RESOLUTION NO. 13-03** – Council consideration to adopt a resolution amending and restating fees and charges for city services for Fiscal Year 2013-2014 – Administration.
- (4) **RESOLUTION NO. 13-05** – Council consideration to adopt a resolution that sets forth a formal written policy that clarifies invocation practices at meetings of the City Council of the City of Bishop – City Attorney/Administration.
- (5) **REQUEST TO ADVERTISE FOR BIDS FOR THE PURCHASE OF CARPET** – Council consideration to approve the advertisement for bids for purchase and installation of carpet in the Clarke Wing Hallway of City Hall – Administration.
- (6) **REQUEST TO WAIVE THE OPEN MARKET PROCEDURE TO PURCHASE AMMUNITION** – Council consideration to approve waiving the open market procedure for the purchase of ammunition for the Police Department - Police Department.
- (7) **REQUEST TO WAIVE THE OPEN MARKET PROCEDURE TO PURCHASE 911 RECORDING EQUIPMENT** – Council consideration to approve waiving the open market procedure for the purchase of 911 Recording System and Software for the Police Department – Police Department.
- (8) **REQUEST TO WAIVE HIRING FREEZE** – Council consideration to approve waiving the hiring freeze to fill the vacant position of Part-Time Office Assistant in the Police Department – Police Department.
- (9) **RESOLUTION NO. 13-04** – Council consideration to approve the acceptance of a grant deed for right of way needed for the construction of the Wye Road Intersection Improvement Project – Public Works Department.
- (10) **RESOLUTION NO. 13-06** – Council consideration to adopt a resolution approving the temporary closure of Main Street and West Line Street and the re-routing of traffic due to parades for the calendar year 2013 – Public Works Department.
- (11) **NORTH FOWLER WATER LINE REPLACEMENT PROJECT** – Council consideration to approve the advertisement for construction bids for the North Fowler Water Line Replacement Project - Public Works Department.
- (12) **ORDINANCE RELATING TO SUPPORTIVE AND TRANSITIONAL HOUSING** – Council consideration to approve the second reading and adoption of an ordinance to add 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 – Planning Department.

COUNCIL AND COMMITTEE REPORTS

ADJOURNMENT

Monday, May 13, 2013 - 4:00 p.m. Study Session / 7:00 p.m. Regular Meeting – Council Chambers
Tuesday, May 28, 2013 - 4:00 p.m. Study Session / 7:00 p.m. Regular Meeting – Council Chambers
Monday, June 10, 2013 – 4:00 p.m. Study Session / 7:00 p.m. Regular Meeting – Council Chambers
Monday, June 24, 2013 – 4:00 p.m. Study Session / 7:00 p.m. Regular Meeting – Council Chambers
Monday, July 8, 2013 – 4:00 p.m. Study Session / 7:00 p.m. Regular Meeting – Council Chambers
Monday, July 22, 2013 – 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, APRIL 22, 2013

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. Review of Desert Mountain City Council Salaries
2. Current 7:00 p.m. agenda items
3. Future agenda items
4. Department Head Reports

DISCUSSION

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

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9 (d)) – Name of Case: Jepson vs. City of Bishop; Case number: SICVPT1152863

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

AGENDA PLANNING FOR UPCOMING MEETINGS

MON – MAY 13, 2013 MEETINGS

4:00 PM

- Selection of Quarterly Citizen Award to be presented June 10
- Set date for Department Head Evaluations/Review Schedule

7:00 PM

- Northern Inyo Hospital Quarterly Update – (Angie Aukee and/or Cheryl Underhill)
- Labor Day Destruction Derby Agreement – consent item – Fire (R.Seguine)
- Fiscal Year 2012-2013 Budget Review – Finance (C.Solesbee/K.Caldwell)
- Discussion/Action – Councilmember Salaries – City Council
- Public Hearing – MLH to report on the progress of the activities of the 2009 General Allocation of the State CDBG program and to provide an opportunity for interested parties to comment on the performance to date – MLH (Jennifer Halferty)
- Public Hearing (first reading/intro) – Ordinance to modify language to Municipal Code 2.36.030 and 2.36.050 – Appointing City Administrator as Director of Emergency Services – Administration (K.Caldwell)
- Approve payment for ESCSD for monitoring well #8 – Public Works (D.Grah)
- Approval of contract amendment with Triad for Warren Street Project – Public Works (D.Grah)
- Approve waiving the open market procedure to contract with consultant Sandra Bauer for the 2014 City of Bishop Housing Element – Planning (G.Schley)

TUES – MAY 28, 2013 MEETINGS

4:00 PM

-

7:00 PM

- Chamber of Commerce Update
- Update by Supervisor Jeff Griffiths
- Public Hearing (second reading/adoption) – Ordinance to modify language to Municipal Code 2.36.030 and 2.36.050 – Appointing City Administrator as Director of Emergency Services

MON – JUNE 10, 2013 MEETINGS

4:00 PM

-

7:00 PM

- Miss City of Bishop and Miss Teen City of Bishop Quarterly Reports
- Presentation of Quarterly Citizen Award
- Approval to release a man hole survey RFP – PW (D. Grah)
- Award Fowler Street Water Line Construction Contract

MON, JUNE 24, 2013 MEETINGS

4:00 PM

-

7:00 PM

- Chamber of Commerce Update
- Update by Supervisor Jeff Griffiths

MON – JULY 8, 2013 MEETINGS

4:00 PM

-

7:00 PM

- Accept the Wye Road Deed

MON, JULY 22, 2013 MEETINGS

4:00 PM

-

7:00 PM

- Chamber of Commerce Update
- Update by Supervisor Jeff Griffiths

MON, AUGUST 12, 2013 MEETINGS

4:00 PM

- Selection of Quarterly Citizen Award to be presented September 9th

7:00 PM

- Northern Inyo Hospital Quarterly Update – (Angie Aukee and/or Cheryl Underhill)
- Approve Man Hole Survey Contract

MON – AUGUST 26, 2013 MEETINGS

4:00 PM

-

7:00 PM

- Chamber of Commerce Update
- Update by Supervisor Jeff Griffiths

MON, SEPTEMBER 9, 2013 MEETINGS

4:00 PM

-

7:00 PM

- Presentation of Quarterly Citizen Award
- Miss City of Bishop and Miss Teen City of Bishop Quarterly Reports
- Water and Sewer Commission rate recommendations
- Chamber of Commerce Update
- Grant SCE easements – Wye Road

4/17/2013 12:06 PM

MON – SEPTEMBER 23, 2013 MEETINGS

4:00 PM

-

7:00 PM

- Chamber of Commerce Update
- Update by Supervisor Jeff Griffiths

TUES, OCTOBER 15, 2013 MEETINGS

4:00 PM

-

7:00 PM

- Approve Water and Sewer Rate hearing notices

MON – OCTOBER 28, 2013 MEETINGS

4:00 PM

-

7:00 PM

- Chamber of Commerce Update
- Update by Supervisor Jeff Griffiths

TUES, NOVEMBER 12, 2013 MEETINGS

4:00 PM

- Selection of Quarterly Citizen Award to be presented December 9

7:00 PM

- Chamber of Commerce Update
- Northern Inyo Hospital Quarterly Update – (Angie Aukee and/or Cheryl Underhill)

MON, NOVEMBER 25, 2013 MEETINGS

4:00 PM

-

7:00 PM

- Update by Supervisor Jeff Griffiths

MON, DECEMBER 9, 2013 MEETINGS

4:00 PM

-

7:00 PM

- Presentation of Quarterly Citizen Award
- Miss City of Bishop and Miss Teen City of Bishop Quarterly Reports
- Chamber of Commerce Update
- Public Hearing - water and sewer rates
- Reorganization – Selection of Mayor and Mayor Pro Tem
- Review of Mayoral Appointments

4/17/2013 12:06 PM

1a.

CITY OF BISHOP
CITY COUNCIL STUDY SESSION MINUTES
APRIL 8, 2013

CALL TO ORDER Mayor Smith called the meeting to order at 4:07 p.m. in the City Council Chambers at 301 West Line Street, Bishop, California.

COUNCIL PRESENT Council Members David Stottlemyre, Pat Gardner, Keith Glidewell
Mayor Pro Tem Jim Ellis
Mayor Laura Smith

COUNCIL ABSENT None

OTHERS PRESENT Keith Caldwell, City Administrator/Community Services Director
Robin Picken, Assistant City Clerk
Cheryl Solesbee, Assistant Finance Director
Ray Seguire, Fire Chief
Fred Gomez, Police Lieutenant
David Grah, Public Works Director/City Engineer
Gary Schley, Public Services Officer

PUBLIC COMMENT The Mayor announced the public comment period. Gayla Wolf commented on the dissatisfaction of the City's current invocation guidelines and advised Council that she would also be speaking at the 7:00 p.m. Council meeting to comment again on her feelings towards the City's current invocation guidelines. No further public comments were provided.

SCHEDULED DISCUSSION Discussion was held on the following Study Session agenda items:

1. Draft Eastern Sierra Council of Governments (ESCOG) Legislative Platform
Discussion was held on the Draft ESCOG Legislative Platform. Council discussed the need to do further research on other platforms and policies that other organizations follow (i.e. League of California Cities) before making a decision on this item. Councilmember Stottlemyre mentioned that other members of ESCOG are also continuing to work on their final comments on the draft legislative platform. Council will continue to research and review information on other legislative platforms and will continue this discussion at a later meeting.

2. Staff Update on Street Vendors and Vendors in the Park
City Administrator Caldwell updated the Council on the status of our current street vendors and a decision by staff to have stricter guidelines set for these vendors starting January 2014. City Administrator Caldwell also updated the Council on the status of the vendors in the park. He handed out information on food trucks in city parks for discussion and also mentioned that this topic would be brought to the Parks and Recreation Commission on April 24, 2013 for their review and recommendation to Council. Mayor Pro Tem Ellis requested that the policy should state that all vendors need to sign up for a certain time period

that they are allowed to sell in the park. Public citizen Cynthia Meinke commented that the Town of Mammoth Lakes only allows non-profits to sell food in public parks; therefore people need to be aware of the conflict of interest based on ones membership with a non-profit organization.

3. Council Committee / Agency Assignments for 2013
The Mayor brought this item forward to discuss possible changes to the current Council Committee/Agency assignments. The Council discussed their availability to participate as members of each of the different committees and agencies. It was agreed that the following changes occur. The City representatives for ESCOG will be Councilmember Gardner and Councilmember Stottlemyre, with Mayor Smith as the alternate; California Joint Powers Insurance Authority (CJPIA) representative will be Mayor Smith, with Mayor Pro Tem Ellis and Councilmember Stottlemyre as alternates; Local Agency Formation Commission (LAFCO) representatives will be Mayor Smith and Mayor Pro Tem Ellis, with Councilmember Gardner as the alternate; Going forward the City/County Liaison Committee representatives will be the Mayor and one fixed member that was a representative the year before. Council agreed that for 2013 the City/County Liaison Committee representatives will be Mayor Smith and Mayor Pro Tem Ellis, with Councilmember Glidewell as the alternate.
4. Current 7:00 p.m. agenda items
Discussion was held on the upcoming agenda items for the evening meeting. Questions were answered by staff as needed.
5. Future agenda items
The list of future agenda items was reviewed.
6. Department Head Reports
Reports were given as appropriate.
- COUNCIL DISCUSSION
Council Members gave committee reports, community announcements and/or made comments or inquiries to staff. No action was taken.
- ADJOURNMENT
The meeting was adjourned at 5:11 p.m. to the regular meeting scheduled at 7:00 p.m.

LAURA SMITH, MAYOR

ATTEST: Keith Caldwell, City Clerk

By: _____
Robin Picken, Assistant City Clerk

CITY OF BISHOP
CITY COUNCIL MINUTES
APRIL 8, 2013

CALL TO ORDER Mayor Smith called the meeting of the Bishop City Council to order at 7:00 p.m. in the City Council Chambers, 301 West Line Street, Bishop, California.

INVOCATION The invocation was given by Director David Fairley of Bishop’s Youth with a Mission (YWAM) Sea and Summit followed by the Pledge of Allegiance led by Councilmember Glidewell.

COUNCIL PRESENT Councilmembers David Stottlemyre, Pat Gardner, Keith Glidewell
Mayor Pro Tem Jim Ellis
Mayor Laura Smith

COUNCIL ABSENT None

OTHERS PRESENT Keith Caldwell, City Administrator/Community Services Director
Robin Picken, Assistant City Clerk
Peter Tracy, City Attorney
Ray Seguine, Fire Chief
Fred Gomez, Police Lieutenant
David Grah, Public Works Director
Gary Schley, Public Services Officer
Cheryl Solesbee, Assistant Finance Director

PUBLIC COMMENT The Mayor announced the public comment period.

Leigh Gaasch presented Council with an update on Eastern Sierra Guide Puppies and handed out graduation photos and a graduation program that she attended in San Rafael, California.

Dena Maria Gutierrez presented Council with a copy of a press release requesting assistance in sending her as a full time missionary to Haiti. The press release outlined her mission and future fundraising events.

PROCLAMATION
(1) Randi Case, Crisis Counselor/Educator at Wild Iris, reported that there has been a 50% increase in child sexual assault clients this year. A “clothes line” display (of t-shirts that have expressions and comments written on them by those who were sexually assaulted or abused) will be presented in both Bishop and Mammoth this month. April 24th is Denim Day. Wild Iris asks that people wear denim on April 24th to show support against sexual assault.

The Council read proclamations declaring April 2013 as Child Abuse Prevention Month and Sexual Assault Awareness Month.

**DEPARTMENT HEAD
REPORTS**

Reports from Administration, Community Services, Fire, Police, and Public Works were given on the departments' activities including upcoming and ongoing projects.

**CONSENT CALENDAR
(2)**

A motion was made by Councilmember Stottlemyre and passed 5-0 to approve the Consent Calendar as presented:

Motion/Stottlemyre

FOR APPROVAL AND FILING

- (a) Study Session – March 25, 2013
- (b) Council Meeting – March 25, 2013
- (c) Special Meeting Minutes – March 29, 2013
- (d) Personnel Status Change Report
- (e) Warrant Register – March 2013
- (f) Statement of Fund Transactions 7/1/12 – 3/31/13
- (g) Sunrise Mobile Home Replacement Reserve Account Statement of Fund Transactions for the Period of 7/1/12 – 3/31/13

FOR INFORMATION AND FILING

- (h) Planning Commission – February 26, 2013
- (i) Fire Department Activity Log – March 2013
- (j) Sewer Funds Monthly Balances 2012/2013
- (k) Water Funds Monthly Balances 2012/2013
- (l) Public Works Building Permits Report – March 2013

PUBLIC HEARING

**CITY FEES AND CHARGES
FISCAL YEAR 2013-2014
(3)**

The Mayor opened a public hearing to hear and consider public comment on city fees and charges for Fiscal Year 2013-2014.

Gary Colbert made an inquiry about the proposed changes and what effect it would have on the current Water and Sewer Fees. Staff advised the citizen that the Water and Sewer Fees would remain consistent with the Water and Sewer Fees adopted by the City Council on December 14, 2009. No further public comment was received during the public hearing.

Motion/Stottlemyre

Councilmember Stottlemyre made a motion to close the public hearing. Motion passed 5-0.

**PROPOSED ORDINANCE
RELATING TO SUPPORTIVE
AND TRANSITIONAL
HOUSING**

The Mayor opened a public hearing to hear and consider public comment on the proposed ordinance relating to supportive and transitional housing.

(4)
Motion/Stottlemyre

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

NEW BUSINESS

ADDENDUM TO ADOPT
NEGATIVE DECLARATION
EMERGENCY SHELTER
COMBINING ZONING
ORDINANCE

Councilmember Glidewell made a motion to approve the Addendum to the adopted Negative Declaration for the Emergency Shelter Combining Zoning Ordinance. Motion passed 5-0.

(5)
Motion/Glidewell

PROPOSED ORDINANCE
RELATING TO SUPPORTIVE
AND TRANSITIONAL
HOUSING

Councilmember Glidewell made a motion to approve the first reading/introduction of the proposed Ordinance Amending the City of Bishop Zoning Ordinance and the Bishop Municipal Code Respecting Supportive and Transitional Housing. Motion passed 5-0.

(6)
Motion/Glidewell

PLANNING COMMISSION –
APPOINTMENT OF
PLANNING COMMISSIONER

Mayor Pro Tem Ellis made a motion to approve the appointment of Jose Garcia to fill the unscheduled vacancy on the Planning Commission for the term ending April 9, 2013.

(7)
Motion/Ellis

UPDATE ON INVOCATION
POLICY

City Attorney Peter Tracy provided Council with an update on the recent *Rubin vs. City of Lancaster* U.S. Ninth Circuit Court of Appeals decision regarding invocations. After public comments by Wesley Blum, Jim McMullen, Teresa Blum, Mary Tannheimer, Gayla Wolf, and H.B. “Lefty” Irwin the Council continued their discussions on the City’s current invocation guidelines and asked City Attorney Peter Tracy to bring this item back to Council at their next meeting for their further consideration to change the City’s current invocation guidelines.

(8)

PROPOSED CONTRACT WITH
GOVTELLER FOR CREDIT
AND DEBT CARD
PAYMENTS TO THE CITY OF
BISHOP

Mayor Pro Tem Ellis made a motion to approve the execution of the Agreement with GovTeller for credit, debit, and online payments for a trial period of one year. Motion passed 5-0.

(9)
Motion/Ellis

AGREEMENT FOR THE SALE
OF MOBILE HOMES AT
SUNRISE MOBILE HOME
PARK
(10)
Motion/Stottlemyre

Councilmember Stottlemyre made a motion to approve adding the sale agreement of mobile home #28 at the Sunrise Mobile Home Park for Council's consideration along with the other two agreements for sale of mobile homes (#3 and #42) at Sunrise Mobile Home Park. Motion passed 5-0.

Motion/Gardner

After a brief discussion, Councilmember Gardner made a motion to approve three (3) separate offers for the sale of City-owned mobile home units #3, #28, and #42 located within Sunrise Mobile Home Park. Motion passed 5-0.

STREET VENDOR PERMIT-
CINDY'S ICE CREAM
(11)
Motion/Stottlemyre

Councilmember Stottlemyre made a motion to approve the request from Jose Jimenez, Cindy's Ice Cream, to sell ice cream from a vending vehicle in the City of Bishop and authorize the issuance of a street vendor permit for 2013 with the requirements established. Motion passed 5-0.

BUDGET ADJUSTMENTS/
TRANSFERS
(12)
Motion/Ellis

Mayor Pro Tem Ellis made a motion to approve the budget adjustments and transfers for Fiscal Year 2012-2013 through March 31, 2013 as presented. Motion passed 5-0.

COUNCIL REPORTS

Council Members reported on committee meetings and announced upcoming community events.

ADJOURNMENT

The Mayor adjourned the meeting at 9:34 p.m. to the Study Session scheduled for Monday, April 22, 2013 at 4:00 p.m. in the City Council Chambers.

LAURA SMITH, MAYOR

Attest: Keith Caldwell, City Clerk

By: _____
Robin Picken, Assistant City Clerk

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KSC*

SUBJECT: PUBLIC HEARING – CITY FEES AND CHARGES FY 2013-2014

DATE: APRIL 22, 2013

Attachments:

- Resolution No. 13-03 amending and restating certain fees and charges
- Finance/Administration and Planning/Building/Public Works/Water and Sewer – staff memos on potential fee changes
- Notice of Public Hearing

BACKGROUND/SUMMARY:

Each year all departments are requested to review fees and charges to determine if they cover the full costs reasonably borne for providing those services.

As part of the process, holding a public hearing and providing proposed changes to the public are required by Chapter 3.22 of the Bishop Municipal Code.

Proposed changes for Fiscal Year 2013-2014 were submitted by the Finance Department and the Public Works/Planning Departments.

RECOMMENDATION:

Review the information and hold the public hearing to hear and consider citizen input on amending and restating fees and charges for City services.

RESOLUTION NO. 13-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, AMENDING AND RESTATING CERTAIN FEES AND CHARGES FOR CITY SERVICES

WHEREAS, the City of Bishop has conducted an extensive and exhaustive analysis of its services, the costs reasonably borne of providing those services, the beneficiaries of those services, and the revenues produced by those paying fees and charges for special services; and

WHEREAS, the City wishes to comply with both the letter and the spirit of Article XIII B of the California Constitution and limit the growth of taxes; and

WHEREAS, the City desires to establish a policy of recovering the full costs reasonably borne of providing special services of a voluntary and limited nature, such that general taxes are not diverted from general services of a broad nature and thereby utilized to subsidize unfairly and inequitably such services; and

WHEREAS, heretofore the City Council adopted Ordinance No. 479 establishing its policy as to the recovery of costs reasonably borne to be recovered from users of City services; adopted Ordinance No. 538 updating Section 3.22.040 Schedule of fees and service charges; and directed staff as to the methodology for implementing said Ordinances; and

WHEREAS, the specific fees to be charged for services must be adopted by the City Council by Resolution, after providing notice and holding a public hearing; and

WHEREAS, a schedule of fees and charges to be paid by those requesting such special services must be adopted so that the City might carry into effect its policies; and

WHEREAS, it is the intention of the City Council to develop a revised schedule of fees and charges based on the City's budget and projected costs reasonably borne; and

WHEREAS, pursuant to California Government Code § 66016 the required information on proposed new or increased fees or services charges was provided by mail and available for general public review as required by state law and Bishop Municipal Code Section 3.22.060; and

WHEREAS, all requirements of law are hereby found to have been complied with;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BISHOP finds after considering the evidence presented, that the fees imposed hereby do not exceed the City's costs reasonably borne.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BISHOP DOES RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. FEE SCHEDULE ADOPTION. The following schedule of fees and charges are hereby directed to be computed by and applied by the various City departments, and to be collected by the appropriate department or the City Finance Department for the herein listed special services when provided by the City or its designated contractors.

SECTION 2. SEPARATE FEE FOR EACH PROCESS. All fees set by this resolution are for each identified process; additional fees shall be required for each additional process or service that is requested or required. Where fees are indicated on a per-unit-of-measurement basis, the fee is for each identified unit or portion thereof within the indicated ranges of such units.

SECTION 3. FEES. The fees shall be charged and collected for the enumerated services as indicated in Exhibit "A".

SECTION 4. INTERPRETATIONS. This Resolution may be interpreted by the several City department heads in consultation with the City Administrator; should there be a conflict between two fees, then the lower in dollar amount of the two shall be applied.

SECTION 5. CONSTITUTIONALITY. If any portion of this Resolution is declared invalid or unconstitutional then it is the intention of the City Council to have passed the entire Resolution and all its component parts, and all other sections of this Resolution shall remain in full force and effect.

SECTION 6. REPEALER. All resolutions and other actions of the City Council in conflict with the contents of this Resolution are hereby repealed.

SECTION 7. EFFECTIVE DATE. This Resolution shall go into full force and effect immediately. Pursuant to Bishop Municipal Code Section 3.22.040 B, fees and charges will be effective in sixty (60) days after adoption and execution of an executive order by the City Administrator and no written appeal has been filed. The fees and charges will be effective July 1, 2013.

PASSED, APPROVED AND ADOPTED this 22nd day of April 2013.

LAURA SMITH, MAYOR

ATTEST: Keith Caldwell, City Clerk

By: _____
Robin Picken, Assistant City Clerk

EXHIBIT "A"

CITY OF BISHOP FEES AND CHARGES
FISCAL YEAR 2012-2013

ADMINISTRATION & FINANCE SERVICES

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
AF-1	New/Moved Business Application Process	-0-
AF-2	Business License Fees	
	Four Employees or less and not otherwise specified	\$41.00 annually
	Five Employees, less than ten, and not otherwise specified	\$121.00 annually
	Ten Employees or more and not otherwise specified	\$201.00 annually
	Having no Fixed or Permanent Residence in City which conducts business daily in the City	\$51.00 annually per vehicle/or person
	Having no Fixed or Permanent Residence in City which does not conduct business daily in the City	\$51.00 daily or \$400.00 annually each vehicle/or person
	Amusements Generally	\$201.00 annually
	Bowling Alleys	\$41.00 annually per alley
	Public Dancing	\$201.00 annually
	Circuses, Carnivals, etc.	\$51.00 per day
	Contractors and Subcontractors	\$101.00 annually
	Itinerant Locksmiths, Tool Sharpeners, etc.	\$3.50 per day or \$101.00 annually
	Pool Halls, Social Clubs, etc.	\$17.00 annually each pool table and \$101.00 annually for each card table
	Professions	\$41.00 annually
	Sound Trucks, Loud Speakers with permanent place of business in City	\$101.00 annually
	Out of City	\$13.50 per day or \$200.00 annually
AF-3	Bingo Fees	\$15.00 annually
AF-4	New T.O.T. Registration Certificate	-0-
AF-5	Returned Check (NSF) Processing/Charge Back Fee	\$25.00 each
AF-6	Printed Materials/Map Production Sale	\$1.00 page
AF-7	Document Certification/Copying	\$.25 page
AF-8	Records Research Service	Actual Cost
AF-9	City Code and Zoning Code Update	-0-
AF-10	Agenda/Minutes Mailing Service	-0-
AF-11	City Meeting Recording Copies	Actual Cost

COMMUNITY SERVICES

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
CS-1	Auditorium Rental	\$50.00 First 4 hours \$10.00/hour each additional hour
CS-2	Council Chambers Rental	\$75.00 First 4 hours \$15.00/hour each additional hour
CS-3	Conference Room Rental	\$35.00 First 4 hours \$5.00/hour each additional hour
CS-4	Outside Grounds Rental (Set up, Clean up, Supplies & Service)	Actual Cost
CS-5	Community Center Development Impact Fees	-0-

PARKS AND RECREATION

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
PR-1	Softball Lights	\$20.00 an hour
PR-2	Tennis Lights	\$4.00 per hour/tokens \$5.00 hour/time clock
PR-3	Softball/Baseball Field	\$25.00 per field
PR-4	Tennis Courts	-0-
PR-5	League Play	Actual Cost
PR-6	Pool Rental	\$50.00 hour/plus cost of aquatic personnel
PR-7	Swim Classes Individual Lesson	\$35.00 for 8 sessions Actual Cost
PR-8	Public Swim – Youth	\$3.00 \$25.00 – 10 Passes
	Public Swim – Adult	\$5.00 \$20.00 – 5 Passes
	Public Swim – Family Pass	\$42.00 – 18 passes
	Public Swim/Lap (unlimited use) – Adult	\$5.00 - Season Pass \$120.00
	Public Swim – Showers	\$5.00 day
PR-9	Contract Classes	Actual Cost
PR-10	Special City Sponsored Recreation Activities	Actual Cost
PR-11	Set up/Clean up Services (Electrical Tables, Etc.)	Actual Cost
PR-12	City Park Vendor/Exhibitor Fees/Mule Days	\$20.00 per space \$45.00 camp space
	City Park Vendor/Exhibitor Fees/Labor Day	\$10.00 per space \$45.00 camp space
PR-13	Park Development Impact Fees	-0-

PUBLIC SAFETY

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
PS-1	Check Collection Fee	\$25.00
PS-2	Impound Fee	\$125.00
PS-3	Fingerprints Rolling either by paper and ink; or electronic Live Scan	\$25.00
PS-4	Report Copying – Accident Report Report Copying – Other Reports	\$20.00 \$20.00
PS-5	Booking Fees	\$130.00
PS-6	Repossession Processing	\$15.00
PS-7	Parking Fines pursuant to Bishop Municipal Code Title 10 – Vehicles and Traffic Chapter 10.28 Sections 10.28.020 -10.28.200	\$30.00 each violation
PS-8	Handicapped Parking Violations	\$255.00
PS-9	Burning Permit Fee	-0-
PS-10	Plan and Site Review for Flammable or Combustible Liquid Storage	-0-
PS-11	Building Inspection for Fire and Life Safety	-0-
PS-12	Fireworks and Pyrotechnic Special Effects Permit Fee	-0-
PS-13	Building and Site Plan Check	-0-
PS-14	Public Safety Development Impact Fees	-0-
PS-15	Criminal History Check Pursuant to California Family Code 6306	\$10.00

PUBLIC WORKS

Planning Fees

The fee shall be as described in the following table unless the actual cost is greater. If the actual cost is greater, the fee shall be the actual cost.

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
PL-1	Zone Change Review	\$1,500
PL-2	Variance Review	\$1,500
PL-3	Zone Ordinance Amendment Review	\$1,500
PL-4	Appeals	\$300
PL-5	Use Permit Review and Process	\$1,500
PL-6	Specific Plan Review	\$1,500
PL-7	General Plan Amendment	\$1,500
PL-8	Categorical Exemption	\$120
PL-9	Negative Declaration Review and Process	\$1,500
PL-10	EIR Staff Review	\$2,500
PL-11	Time Extension Review	\$500
PL-12	Tentative Parcel Map Review	\$2,000
PL-13	Tentative Tract Map Review	\$2,500
PL-14	Final Parcel Map Review	\$2,000
PL-15	Final Tract Map Review	\$2,500

PL-16	Certificate of Compliance	\$1,000
PL-17	Lot Line Adjustment Review	\$1,000

Building Fees

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
BL-1	Building Permits	See Below
BL-2	Residential SMIP Commercial SMIP	0.010% of Value 0.021% of Value
BL-3	Building Standards Revolving Fund (BSASRF)	\$1.00 for each \$25,000 or portion

1. State-Mandated Strong Motion Instrumentation Program (SMIP) and Building Standards Administration Special Revolving Fund (BSASRF) fees do not apply to electrical, mechanical and plumbing work permitted independent of building work.
2. Permits, inspection, and related fees for demolition, grading, building, plumbing, mechanical and electrical shall be the sum of a \$60 administration fee, a valuation fee, and a plan check fee, if required.
3. The valuation fee shall be as described in the following table unless the actual cost is greater. If the actual cost is greater, the valuation fee shall be the actual cost.

Total Valuation	Fee
\$1 to \$500	\$23.50
\$500 to \$2,000	\$23.50 for the first \$500 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000 plus \$3.15 for each additional \$1,000, or fraction thereof

4. Except as provided below, total valuation shall be determined using International Code Council (ICC) Building Valuation Data current on the permit issue date with a regional modifier of 0.97.
5. For additions, remodels, tenant improvements, reroofing, and for electrical, mechanical, and plumbing done independent of building work, total valuation shall be provided by applicant or determined using standard construction estimating practices.
6. The plan check fee, when required, shall be 65% of the valuation fee unless the actual cost is greater. If the actual cost is greater, the plan check fee shall be the actual cost.

7. Investigation permitting of unpermitted work shall be charged at two times the cost of the permit had the work been properly permitted.
8. Fees for solar work shall be actual cost.
9. Actual cost shall include additional cost of re-inspection.
10. Actual cost for work outside of normal business hours shall be based on 2 hours minimum.

General Public Works Fees

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
PW-1	Snow Removal	Not used
PW-2	Administration and Abatement of Weeds and Refuse	Actual Cost
PW-3	Right of Way Abandonment Request Process	Actual Cost
PW-4	Street Sweeping	Actual Cost
PW-5	Water, Sewer, and Storm Drain Maintenance	Actual Cost
PW-6	Street Maintenance	Actual Cost
PW-7	Large Format Plots and Maps	Actual Cost
PW-8	Encroachment Permit for other than construction	Actual Cost
PW-9	Encroachment Permit for construction 1. \$50,000 or less of work 2. More than \$50,000 work	0.5%, \$20 minimum \$250 plus 0.1%

<There is no PW-10>

Water and Sewer Fees

Definitions: For the purposes of water and sewer fees:

1. "Account" is a financial designation that usually equates to one water and one sewer service connection to one dwelling, premises, or customer and is used in accounting and billing.
2. "Bar" means bar with alcoholic beverage license.
3. "Dwelling" means a place of residence with a connection for water service to the city water system.
4. "Hotel," shall include "motels," "rooming houses," "boarding houses," "lodging houses" and "guest homes" and shall be as defined in the Health and Safety Code of the state. Hotel fees include fees for any hotel laundry facility used solely by employees for hotel linen.
5. "Island" means one or two fuel dispensing positions usually with a choice of fuels dispensed from one or more hoses and associated with a public restroom. Fueling satellites controlled from an island are considered part of that island.
6. "Manager's quarters" means a room or apartment occupied and used exclusively by the manager of a hotel, rooming house, motel, mobile home park, trailer park or recreational trailer park.
7. "Mobile home park," "trailer park" and "recreational trailer park" shall be defined as defined in the Health and Safety Code of the state.
8. "Multiple family residence" includes condominiums; apartment houses; mobile homes; and recreational vehicles and trailers in parks.
9. "Premises" means a lot, parcel of land, building or establishment.

10. "Restaurant" does not include hospital food service.
11. "Seat" means number of permitted seats or actual seats, whichever is greater.
12. "EDU" means Equivalent Dwelling Unit and relates various water and sewer fees to those for a single family residence.

Monthly Water and Sewer Fees

The minimum fees for any account equate to fees for 1 EDU. For non-residential uses not listed, fees shall equate to 1 EDU per toilet or equivalent.

THESE FEES WILL BE EFFECTIVE JULY 1, 2012

Description	EDU		Per	Monthly Fee	
	Water	Sewer		Water (WA-1)	Sewer (SW-1)
Single Family Residence	1	1	Each	\$34.00	\$29.30
Multiple Family Residence	0.8	0.8	Unit	\$27.20	\$23.44
Church*	1	1	Each	\$34.00	\$28.24
Church Recreation Hall*	1	1	Each	\$34.00	\$28.24
Hospital*	1/3	1/3	Bed	\$11.33	\$9.77
Convalescent Home	1/3	1/3	Bed	\$11.33	\$9.77
Lodge or Meeting Hall*	1	1	Each	\$34.00	\$28.24
Hall Bar*	1	1	Each	\$34.00	\$28.24
Public School	0.04	0.04	Student	\$1.36	\$1.05
Other School	0.032	0.032	Student	\$1.09	\$0.84
Fairgrounds	7	7	Each	\$238.00	\$197.68
Gas Station*	0.4	1.90	Island	\$13.60	\$55.67
Self Serve Car Wash*	3	3	Stall	\$102.00	\$64.97
Beauty or Barber Shop	1	1	Each	\$34.00	\$29.30
Bar*	0.08	0.08	Seat	\$2.72	\$2.34
Hotel Manager's Quarters*	1	1	Each	\$34.00	\$29.30
Hotel Room*	0.25	0.48	Each	\$8.50	\$14.06
Laundry* (see Hotel definition)	3	3	Each	\$102.00	\$87.90
Laundromat*	0.8	0.8	Washer	\$27.20	\$21.74
Restaurant*	0.10	0.10	Seat	\$3.40	\$2.93
Trailer Dump Facility*	2	2	Each	\$68.00	\$58.60

*These fees are additive for each account

One Time Water and Sewer Fees

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
WA-2	Water Service Permit	\$50
WA-3	Water Service Construction Main to Curb Stop	Actual Cost
WA-4	Water Backflow Preventers Test	Actual Cost
WA-5	Water Development Impact Fees	\$2,000 per EDU
WA-6	Water Valve Box for Curb Stop Valve	\$0
SW-2	Sewer Service Permit	\$50
SW-3	Sewer Service Construction Main to Property	Actual Cost
SW-4	Sewer Grease Interceptor Inspection	Actual Cost
SW-5	Sewer Development Impact Fee	\$2,000 per EDU

TO: City Council

FROM: Cheryl Solesbee, Assistant Finance Director *CS*

SUBJECT: FEES AND CHARGES FOR CITY SERVICES

DATE: January 23, 2013

On September 19, 2012, Governor Brown signed Senate Bill (SB) 1186 into law that adds \$1.00 to business license fees and similar instruments. These fees will be used to increase the number of Certified Access Specialists (CASP), to reduce the cost to the applicant of CASp testing and certification, and to strengthen the CASp program.

This bill specifies that any person(s) applying for a local business license, or equivalent instrument, or permit, and any applicant for the renewal of a business license, or equivalent instrument, or permit, beginning January 1, 2013 and until December 31, 2018, shall pay an additional fee of one dollar (\$1) which shall be collected by the city or county that issued the business license, instrument, or permit.

SB1186 enables the city or county to retain 70 percent of the fees collected under this section to be used to fund increased CASp services in that jurisdiction for the public and to facilitate compliance with construction-related accessibility requirements. The remaining 30 percent of all fees that will be collected under this section shall be transmitted on a quarterly basis to the Division of the State Architect (DSA) for deposit in the Disability Access and Education Revolving Fund.

RECOMMENDATION:

To approve the State mandated fee charge of one dollar (\$1) to be collected by the city on all new business license applications and renewals beginning January 1, 2013 thru December 31, 2018.



Division of the
State Architect

CALIFORNIA DEPARTMENT OF GENERAL SERVICES

Headquarters • 1102 Q Street, Suite 5100 • Sacramento, CA 95811 • (916) 445-8100

DSA BULLETIN 12-04

Issued: November 28, 2012

To: All City, County, and City and County Jurisdictions

From: Division of the State Architect
Department of General Services
State of California

SUBJECT: Chapter 383, Statutes of 2012, SB 1186 (Steinberg)

On September 19, 2012, Governor Brown signed Senate Bill (SB) 1186 into law that adds \$1 to business license fees and similar instruments. These fees will be used to increase the number of Certified Access Specialists (CAsp), to reduce the cost to the applicant of CAsp testing and certification, and to strengthen the CAsp program.

This bill specifies that any person(s) applying for a local business license, or equivalent instrument, or permit, and any applicant for the renewal of a business license, or equivalent instrument, or permit, beginning January 1, 2013 and until December 31, 2018, shall pay an additional fee of one dollar (\$1) which shall be collect by the city, county, or city and county that issued the business license, instrument, or permit.

SB 1186 enables the city, county, or city and county to retain 70 percent of the fees collected under this section to be used to fund increased CAsp services in that jurisdiction for the public and to facilitate compliance with construction-related accessibility requirements. The remaining 30 percent of all fees that will be collected under this section shall be transmitted on a quarterly basis to the Division of the State Architect (DSA) for deposit in the Disability Access and Education Revolving Fund. DSA will utilize these funds to establish and maintain oversight of the CAsp program, to moderate the expense of CAsp certification and testing and to increase outreach efforts and to develop educational resources.

Cities, counties or city and county must transmit these funds to DSA within 15 days of the last day of the each fiscal quarter. The attached Disability Access and Education Fee Report, form (DSA- 786), must be included with your remittance. This form is also posted on the Division of the State Architect's website at <http://www.dgs.ca.gov/dsa/Forms.aspx>.

As a reminder, funds for the quarter ending March 31, 2013 are due to DSA by April 15, 2013.

If you have any questions concerning this bulletin, please contact Diane Calkins, DSA Fiscal Manager, at (916) 323-5678.



To: Robin Picken, Assistant City Clerk
From: David Grah, Director of Public Works
Subject: Public Works 2013/2014 Fees and Charges Update
Date: 25 February 2013

General:

This memo presents the proposed 2013/2014 fiscal year fee and charges update for Public Works.

Public Works proposes the updates to fees and charges for the 2013/2014 fiscal year as described below and in the attachments. Water and sewer fees are also updated in accordance with the 2008 rate review. A related Department Executive Order is also attached.

Planning:

There was a clerical error in the fee for Variance Review, PL-2, for the current fiscal year. The fee should be \$1,500.

Building:

New state law does not allow fees for permits for solar installations to be based on value. The fee is updated to be the actual cost of issuing and inspecting the work.

Miscellaneous Public Works:

The terminology for two of the fees was made to be more uniform and the fee for a third made to be actual cost as are the other similar fees.

Water and Sewer:

Proposed Water and Sewer fees are from the 2008 Rate Review approved by the City Council.

Attachments:

1. Proposed Fee and Fee Language Update for Public Works
2. Related Department Executive Order

City of Bishop
2013/2014 Fiscal Year Fee Revision
Fee and Fee Language Update for Public Works

Planning Fees

The fee shall be as described in the following table unless the actual cost is greater. If the actual cost is greater, the fee shall be the actual cost.

	Description	Fee
PL-1	Zone Change Review	\$1,500
PL-2	Variance Review	\$1,500
PL-3	Zone Ordinance Amendment Review	\$1,500
PL-4	Appeals	\$300
PL-5	Use Permit Review and Process	\$1,500
PL-6	Specific Plan Review	\$1,500
PL-7	General Plan Amendment	\$1,500
PL-8	Categorical Exemption	\$120
PL-9	Negative Declaration Review and Process	\$1,500
PL-10	EIR Staff Review	\$2,500
PL-11	Time Extension Review	\$500
PL-12	Tentative Parcel Map Review	\$2,000
PL-13	Tentative Tract Map Review	\$2,500
PL-14	Final Parcel Map Review	\$2,000
PL-15	Final Tract Map Review	\$2,500
PL-16	Certificate of Compliance	\$1,000
PL-17	Lot Line Adjustment Review	\$1,000

Building Fees

	Description	Fee
BL-1	Building Permits	See below
BL-2	Residential SMIP	0.010% of value
	Commercial SMIP	0.021% of value
BL-3	Building Standards Revolving Fund (BSASRF)	\$1.00 for each \$25,000 or portion

1. State-mandated Strong Motion Instrumentation Program (SMIP) and Building Standards Administration Special Revolving Fund (BSASRF) fees do not apply to electrical, mechanical, and plumbing work permitted independent of building work
2. Permits, inspection, and related fees for demolition, grading, building, plumbing, mechanical and electrical shall be the sum of a \$60 administration fee, a valuation fee, and a plan check fee, if required.
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\$500 to \$2,000	\$23.50 for the first \$500 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000, or

City of Bishop
2013/2014 Fiscal Year Fee Revision
Fee and Fee Language Update for Public Works

	fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000 plus \$3.15 for each additional \$1,000, or fraction thereof

4. Except as provided below, total valuation shall be determined using International Code Council (ICC) Building Valuation Data current on the permit issue date with a regional modifier of 0.97.
5. For additions, remodels, tenant improvements, reroofing, and for electrical, mechanical, and plumbing done independent of building work, total valuation shall be provided by applicant or determined using standard construction estimating practices.
6. The plan check fee, when required, shall be 65% of the valuation fee unless the actual cost is greater. If the actual cost is greater, the plan check fee shall be the actual cost.
7. Investigation permitting of un-permitted work shall be charged at 2 times the cost of the permit had the work been properly permitted.
8. Fees for solar work shall be actual cost.
9. Actual cost shall include additional cost of re-inspection.
10. Actual cost for work outside of normal business hours shall be based on 2 hours minimum.

General Public Works Fees

	Description	Fee
PW-1	Snow Removal	Not used
PW-2	Administration and Abatement of Weeds and Refuse	Actual Cost
PW-3	Right of Way Abandonment Request Process	Actual Cost
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PW-6	Street Maintenance	Actual Cost
PW-7	Large Format Plots and Maps	Actual Cost
PW-8	Encroachment Permit for other than construction	Actual Cost
PW-9	Encroachment Permit for construction	
	1. \$50,000 or less of work	0.5%, \$20 minimum
	2. More than \$50,000 work	\$250 plus 0.1%

<There is no PW-10>

Water and Sewer Fees

Definitions: For the purposes of water and sewer fees:

1. "Account" is a financial designation that usually equates to one water and one sewer service connection to one dwelling, premises, or customer and is used in accounting and billing.

City of Bishop
2013/2014 Fiscal Year Fee Revision
Fee and Fee Language Update for Public Works

2. "Bar" means bar with alcoholic beverage license.
3. "Dwelling" means a place of residence with a connection for water service to the city water system.
4. "Hotel," shall include "motels," "rooming houses," "boarding houses," "lodging houses" and "guest homes" and shall be as defined in the Health and Safety Code of the state. Hotel fees include fees for any hotel laundry facility used solely by employees for hotel linen.
5. "Island" means one or two fuel dispensing positions usually with a choice of fuels dispensed from one or more hoses and associated with a public restroom. Fueling satellites controlled from an island are considered part of that island.
6. "Manager's quarters" means a room or apartment occupied and used exclusively by the manager of a hotel, rooming house, motel, mobile home park, trailer park or recreational trailer park.
7. "Mobile home park," "trailer park" and "recreational trailer park" shall be defined as defined in the Health and Safety Code of the state.
8. "Multiple Family Residence" includes condominiums; apartment houses; mobile homes; and recreational vehicles and trailers in parks.
9. "Premises" means a lot, parcel of land, building or establishment.
10. "Restaurant" does not include hospital food service.
11. "Seat" means number of permitted seats or actual seats, whichever is greater.
12. "EDU" means Equivalent Dwelling Unit and relates various water and sewer fees to those for a single family residence.

Monthly Water and Sewer Fees

The minimum fees for any account equate to fees for 1 EDU. For non-residential uses not listed, fees shall equate to 1 EDU per toilet or equivalent.

Description	EDU		Per	Monthly Fee	
	Water	Sewer		Water (WA-1)	Sewer (SW-1)
Single Family Residence	1	1	Each	\$34.00	\$29.30
Multiple Family Residence	0.8	0.8	Unit	\$27.20	\$23.44
Church*	1	1	Each	\$34.00	\$28.24
Church Recreation Hall*	1	1	Each	\$34.00	\$28.24
Hospital*	1/3	1/3	Bed	\$11.33	\$9.77
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Lodge or Meeting Hall*	1	1	Each	\$34.00	\$28.24
Hall Bar*	1	1	Each	\$34.00	\$28.24
Public School	0.04	0.04	Student	\$1.36	\$1.05
Other School	0.032	0.032	Student	\$1.09	\$0.84
Fairgrounds	7	7	Each	\$238.00	\$197.68
Gas Station*	0.4	1.90	Island	\$13.60	\$55.67
Self Serve Car Wash*	3	3	Stall	\$102.00	\$64.97

City of Bishop
 2013/2014 Fiscal Year Fee Revision
 Fee and Fee Language Update for Public Works

Beauty or Barber Shop	1	1	Each	\$34.00	\$29.30
Bar*	0.08	0.08	Seat	\$2.72	\$2.34
Hotel Manager's Quarters*	1	1	Each	\$34.00	\$29.30
Hotel Room*	0.25	0.48	Each	\$8.50	\$14.06
Laundry* (see Hotel definition)	3	3	Each	\$102.00	\$87.90
Laundromat*	0.8	0.8	Washer	\$27.20	\$21.74
Restaurant*	0.10	0.10	Seat	\$3.40	\$2.93
Trailer Dump Facility*	2	2	Each	\$68.00	\$58.60

*These fees are additive for each account

One Time Water and Sewer Fees

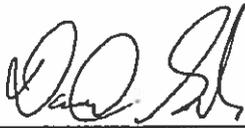
	Description	Fee
WA-2	Water Service Permit	\$50
WA-3	Water Service Construction Main to Curb Stop	Actual Cost
WA-4	Water Backflow Preventers Test	Actual Cost
WA-5	Water Development Impact Fees	\$2,000 per EDU
WA-6	Water Valve Box for Curb Stop Valve	\$0
SW-2	Sewer Service Permit	\$50
SW-3	Sewer Service Construction Main to Property	Actual Cost
SW-4	Sewer Grease Interceptor Inspection	Actual Cost
SW-5	Sewer Development Impact Fee	\$2,000 per EDU

DEPARTMENT EXECUTIVE ORDER

FEE AND SERVICE CHARGE REVENUE / COST COMPARISON SYSTEM

I HEREBY STIPULATE that the department has complied with all provisions of the Bishop Municipal Code Chapter 3.22 Fee and Service Charge Revenue/Cost Comparison System in determining the fees and charges for city services for Fiscal Year 2013-2014.

It has been determined fees and charges for Public Works services do not exceed the costs reasonably borne.



Department Head Signature

Public Works

Department

25 February 2013

Date Submitting Proposed Changes

Keith Caldwell, City Administrator



To: Robin Picken, Assistant City Clerk
From: Michele Thomas, Public Works Secretary
Subject: Charge Back Fee – 2013/2014 Fees and Charges Update
Date: 26 March 2013

General:

This memo presents the proposed 2013/2014 fiscal year fee and charges additional update for Administrative and Finance Services.

Administrative and Finance proposes the update to fees and charges for the 2013/2014 fiscal year to add updated language for AF-5 to include a Charge Back Fee in addition to NSF fees, both at \$25.00.

Attachments:

1. Proposed Fee and Fee Language Update for Administrative and Finance Services

City of Bishop
2013/2014 Fiscal Year Fee Revision
Fee and Fee Language Update

AF-5	Returned Check (NSF) Processing / Charge Back Fee	\$25.00
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**NOTICE OF PUBLIC HEARING
CITY OF BISHOP FEES AND CHARGES**

NOTICE IS HEREBY GIVEN that the Bishop City Council will hold a public hearing at the regular meeting on Monday, April 22, 2013 at 7:00 p.m. in the City Council Chambers, 301 West Line Street, Bishop, to hear and consider citizen input on proposed amendments to fees and charges for city services established by resolution.

Departmental staff reports of the proposed increases in fees are available for public review at City Hall, 377 West Line Street, Bishop, California and the City's website at www.ca-bishop.us.

PROPOSED INCREASES:

Finance Department – Due to Senate Bill (SB) 1186, the State mandated fee charge of one dollar (\$1.00) is to be collected by the City on all new business license applications and renewals beginning January 1, 2013 through December 31, 2018.

Credit card payments that are stopped, cancelled, or returned will be charged a \$25.00 fee.

Public Works/Planning – Restructuring of the categories historically listed under Public Works will be separated under Planning, Building, Public Works, Water, and Sewer as appropriate. Increases in all categories have been proposed and would become effective July 1, 2013.

Water and Sewer Fees for 2013-2014 as adopted by the City Council on December 14, 2009 will be effective July 1, 2013.

Any persons wishing to comment are invited to attend said hearing, call the City Clerk's office at 760-873-5863, or send written comments to the City Council, 377 West Line Street, Bishop, California 93514 on or before the date of the said hearing.

Published: 4/18/13

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KPC*

SUBJECT: CITY FEES AND CHARGES FY 2013-2014

DATE: APRIL 22, 2013

Attachments: - Resolution No. 13-03 and Exhibit "A" Amending and Restating Fees and Charges
- Department requests for increases

BACKGROUND/SUMMARY:

Each year all departments are requested to review fees and charges to determine if they cover the full costs reasonably borne for providing those services.

As part of the process, a public hearing was held at the last Council meeting to provide information on proposed changes to the public as required by Chapter 3.22 of the Bishop Municipal Code. Proposed changes for Fiscal Year 2013-2014 were received from the Finance Department and the Public Works/Planning Department. A citizen made an inquiry about the proposed changes and what effect it would have on the current Water and Sewer Fees. Staff advised the citizen that the Water and Sewer Fees would remain consistent with the Water and Sewer Fees adopted by the City Council on December 14, 2009. No further public comment was received during the public hearing.

To complete the process a resolution amending and restating certain fees and charges for city services needs to be adopted. Resolution No. 13-03 is provided for Council consideration and incorporates the structure changes and fee increases as proposed by the Finance Department and the Public Works/Planning Departments. If action is taken the fees and charges will be updated to be effective for the next fiscal year beginning July 1, 2013. The Water and Sewer Fees for 2013-2014 as adopted by the City Council on December 14, 2009 will be effective on July 1, 2013 as well.

RECOMMENDATION:

Review the information and consider adoption of Resolution 13-03 by title only.

RESOLUTION NO. 13-03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA,
AMENDING AND RESTATING CERTAIN FEES AND CHARGES FOR CITY SERVICES**

WHEREAS, the City of Bishop has conducted an extensive and exhaustive analysis of its services, the costs reasonably borne of providing those services, the beneficiaries of those services, and the revenues produced by those paying fees and charges for special services; and

WHEREAS, the City wishes to comply with both the letter and the spirit of Article XIII B of the California Constitution and limit the growth of taxes; and

WHEREAS, the City desires to establish a policy of recovering the full costs reasonably borne of providing special services of a voluntary and limited nature, such that general taxes are not diverted from general services of a broad nature and thereby utilized to subsidize unfairly and inequitably such services; and

WHEREAS, heretofore the City Council adopted Ordinance No. 479 establishing its policy as to the recovery of costs reasonably borne to be recovered from users of City services; adopted Ordinance No. 538 updating Section 3.22.040 Schedule of fees and service charges; and directed staff as to the methodology for implementing said Ordinances; and

WHEREAS, the specific fees to be charged for services must be adopted by the City Council by Resolution, after providing notice and holding a public hearing; and

WHEREAS, a schedule of fees and charges to be paid by those requesting such special services must be adopted so that the City might carry into effect its policies; and

WHEREAS, it is the intention of the City Council to develop a revised schedule of fees and charges based on the City's budget and projected costs reasonably borne; and

WHEREAS, pursuant to California Government Code § 66016 the required information on proposed new or increased fees or services charges was provided by mail and available for general public review as required by state law and Bishop Municipal Code Section 3.22.060; and

WHEREAS, all requirements of law are hereby found to have been complied with;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BISHOP finds after considering the evidence presented, that the fees imposed hereby do not exceed the City's costs reasonably borne.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BISHOP DOES RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. FEE SCHEDULE ADOPTION. The following schedule of fees and charges are hereby directed to be computed by and applied by the various City departments, and to be collected by the appropriate department or the City Finance Department for the herein listed special services when provided by the City or its designated contractors.

SECTION 2. SEPARATE FEE FOR EACH PROCESS. All fees set by this resolution are for each identified process; additional fees shall be required for each additional process or service that is requested or required. Where fees are indicated on a per-unit-of-measurement basis, the fee is for each identified unit or portion thereof within the indicated ranges of such units.

SECTION 3. FEES. The fees shall be charged and collected for the enumerated services as indicated in Exhibit "A".

SECTION 4. INTERPRETATIONS. This Resolution may be interpreted by the several City department heads in consultation with the City Administrator; should there be a conflict between two fees, then the lower in dollar amount of the two shall be applied.

SECTION 5. CONSTITUTIONALITY. If any portion of this Resolution is declared invalid or unconstitutional then it is the intention of the City Council to have passed the entire Resolution and all its component parts, and all other sections of this Resolution shall remain in full force and effect.

SECTION 6. REPEALER. All resolutions and other actions of the City Council in conflict with the contents of this Resolution are hereby repealed.

SECTION 7. EFFECTIVE DATE. This Resolution shall go into full force and effect immediately. Pursuant to Bishop Municipal Code Section 3.22.040 B, fees and charges will be effective in sixty (60) days after adoption and execution of an executive order by the City Administrator and no written appeal has been filed. The fees and charges will be effective July 1, 2013.

PASSED, APPROVED AND ADOPTED this 22nd day of April 2013.

LAURA SMITH, MAYOR

ATTEST: Keith Caldwell, City Clerk

By: _____
Robin Picken, Assistant City Clerk

EXHIBIT "A"

CITY OF BISHOP FEES AND CHARGES
FISCAL YEAR 2012-2013

ADMINISTRATION & FINANCE SERVICES

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
AF-1	New/Moved Business Application Process	-0-
AF-2	Business License Fees	
	Four Employees or less and not otherwise specified	\$41.00 annually
	Five Employees, less than ten, and not otherwise specified	\$121.00 annually
	Ten Employees or more and not otherwise specified	\$201.00 annually
	Having no Fixed or Permanent Residence in City which conducts business daily in the City	\$51.00 annually per vehicle/or person
	Having no Fixed or Permanent Residence in City which does not conduct business daily in the City	\$51.00 daily or \$400.00 annually each vehicle/or person
	Amusements Generally	\$201.00 annually
	Bowling Alleys	\$41.00 annually per alley
	Public Dancing	\$201.00 annually
	Circuses, Carnivals, etc.	\$51.00 per day
	Contractors and Subcontractors	\$101.00 annually
	Itinerant Locksmiths, Tool Sharpeners, etc.	\$3.50 per day or \$101.00 annually
	Pool Halls, Social Clubs, etc.	\$17.00 annually each pool table and \$101.00 annually for each card table
	Professions	\$41.00 annually
	Sound Trucks, Loud Speakers with permanent place of business in City	\$101.00 annually
	Out of City	\$13.50 per day or \$200.00 annually
AF-3	Bingo Fees	\$15.00 annually
AF-4	New T.O.T. Registration Certificate	-0-
AF-5	Returned Check (NSF) Processing/Charge Back Fee	\$25.00 each
AF-6	Printed Materials/Map Production Sale	\$1.00 page
AF-7	Document Certification/Copying	\$.25 page
AF-8	Records Research Service	Actual Cost
AF-9	City Code and Zoning Code Update	-0-
AF-10	Agenda/Minutes Mailing Service	-0-
AF-11	City Meeting Recording Copies	Actual Cost

COMMUNITY SERVICES

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
CS-1	Auditorium Rental	\$50.00 First 4 hours \$10.00/hour each additional hour
CS-2	Council Chambers Rental	\$75.00 First 4 hours \$15.00/hour each additional hour
CS-3	Conference Room Rental	\$35.00 First 4 hours \$5.00/hour each additional hour
CS-4	Outside Grounds Rental (Set up, Clean up, Supplies & Service)	Actual Cost
CS-5	Community Center Development Impact Fees	-0-

PARKS AND RECREATION

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
PR-1	Softball Lights	\$20.00 an hour
PR-2	Tennis Lights	\$4.00 per hour/tokens \$5.00 hour/time clock
PR-3	Softball/Baseball Field	\$25.00 per field
PR-4	Tennis Courts	-0-
PR-5	League Play	Actual Cost
PR-6	Pool Rental	\$50.00 hour/plus cost of aquatic personnel
PR-7	Swim Classes Individual Lesson	\$35.00 for 8 sessions Actual Cost
PR-8	Public Swim – Youth	\$3.00 \$25.00 – 10 Passes
	Public Swim – Adult	\$5.00 \$20.00 – 5 Passes
	Public Swim – Family Pass	\$42.00 – 18 passes
	Public Swim/Lap (unlimited use) – Adult	\$5.00 - Season Pass \$120.00
	Public Swim – Showers	\$5.00 day
PR-9	Contract Classes	Actual Cost
PR-10	Special City Sponsored Recreation Activities	Actual Cost
PR-11	Set up/Clean up Services (Electrical Tables, Etc.)	Actual Cost
PR-12	City Park Vendor/Exhibitor Fees/Mule Days	\$20.00 per space \$45.00 camp space
	City Park Vendor/Exhibitor Fees/Labor Day	\$10.00 per space \$45.00 camp space
PR-13	Park Development Impact Fees	-0-

PUBLIC SAFETY

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
PS-1	Check Collection Fee	\$25.00
PS-2	Impound Fee	\$125.00
PS-3	Fingerprints Rolling either by paper and ink; or electronic Live Scan	\$25.00
PS-4	Report Copying – Accident Report Report Copying – Other Reports	\$20.00 \$20.00
PS-5	Booking Fees	\$130.00
PS-6	Repossession Processing	\$15.00
PS-7	Parking Fines pursuant to Bishop Municipal Code Title 10 – Vehicles and Traffic Chapter 10.28 Sections 10.28.020 -10.28.200	\$30.00 each violation
PS-8	Handicapped Parking Violations	\$255.00
PS-9	Burning Permit Fee	-0-
PS-10	Plan and Site Review for Flammable or Combustible Liquid Storage	-0-
PS-11	Building Inspection for Fire and Life Safety	-0-
PS-12	Fireworks and Pyrotechnic Special Effects Permit Fee	-0-
PS-13	Building and Site Plan Check	-0-
PS-14	Public Safety Development Impact Fees	-0-
PS-15	Criminal History Check Pursuant to California Family Code 6306	\$10.00

PUBLIC WORKS

Planning Fees

The fee shall be as described in the following table unless the actual cost is greater. If the actual cost is greater, the fee shall be the actual cost.

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
PL-1	Zone Change Review	\$1,500
PL-2	Variance Review	\$1,500
PL-3	Zone Ordinance Amendment Review	\$1,500
PL-4	Appeals	\$300
PL-5	Use Permit Review and Process	\$1,500
PL-6	Specific Plan Review	\$1,500
PL-7	General Plan Amendment	\$1,500
PL-8	Categorical Exemption	\$120
PL-9	Negative Declaration Review and Process	\$1,500
PL-10	EIR Staff Review	\$2,500
PL-11	Time Extension Review	\$500
PL-12	Tentative Parcel Map Review	\$2,000
PL-13	Tentative Tract Map Review	\$2,500
PL-14	Final Parcel Map Review	\$2,000
PL-15	Final Tract Map Review	\$2,500

PL-16	Certificate of Compliance	\$1,000
PL-17	Lot Line Adjustment Review	\$1,000

Building Fees

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
BL-1	Building Permits	See Below
BL-2	Residential SMIP Commercial SMIP	0.010% of Value 0.021% of Value
BL-3	Building Standards Revolving Fund (BSASRF)	\$1.00 for each \$25,000 or portion

1. State-Mandated Strong Motion Instrumentation Program (SMIP) and Building Standards Administration Special Revolving Fund (BSASRF) fees do not apply to electrical, mechanical and plumbing work permitted independent of building work.
2. Permits, inspection, and related fees for demolition, grading, building, plumbing, mechanical and electrical shall be the sum of a \$60 administration fee, a valuation fee, and a plan check fee, if required.
3. The valuation fee shall be as described in the following table unless the actual cost is greater. If the actual cost is greater, the valuation fee shall be the actual cost.

Total Valuation	Fee
\$1 to \$500	\$23.50
\$500 to \$2,000	\$23.50 for the first \$500 plus \$3.05 for each additional \$100, or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000 plus \$3.15 for each additional \$1,000, or fraction thereof

4. Except as provided below, total valuation shall be determined using International Code Council (ICC) Building Valuation Data current on the permit issue date with a regional modifier of 0.97.
5. For additions, remodels, tenant improvements, reroofing, and for electrical, mechanical, and plumbing done independent of building work, total valuation shall be provided by applicant or determined using standard construction estimating practices.
6. The plan check fee, when required, shall be 65% of the valuation fee unless the actual cost is greater. If the actual cost is greater, the plan check fee shall be the actual cost.

7. Investigation permitting of unpermitted work shall be charged at two times the cost of the permit had the work been properly permitted.
8. Fees for solar work shall be actual cost.
9. Actual cost shall include additional cost of re-inspection.
10. Actual cost for work outside of normal business hours shall be based on 2 hours minimum.

General Public Works Fees

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
PW-1	Snow Removal	Not used
PW-2	Administration and Abatement of Weeds and Refuse	Actual Cost
PW-3	Right of Way Abandonment Request Process	Actual Cost
PW-4	Street Sweeping	Actual Cost
PW-5	Water, Sewer, and Storm Drain Maintenance	Actual Cost
PW-6	Street Maintenance	Actual Cost
PW-7	Large Format Plots and Maps	Actual Cost
PW-8	Encroachment Permit for other than construction	Actual Cost
PW-9	Encroachment Permit for construction 1. \$50,000 or less of work 2. More than \$50,000 work	0.5%, \$20 minimum \$250 plus 0.1%

<There is no PW-10>

Water and Sewer Fees

Definitions: For the purposes of water and sewer fees:

1. "Account" is a financial designation that usually equates to one water and one sewer service connection to one dwelling, premises, or customer and is used in accounting and billing.
2. "Bar" means bar with alcoholic beverage license.
3. "Dwelling" means a place of residence with a connection for water service to the city water system.
4. "Hotel," shall include "motels," "rooming houses," "boarding houses," "lodging houses" and "guest homes" and shall be as defined in the Health and Safety Code of the state. Hotel fees include fees for any hotel laundry facility used solely by employees for hotel linen.
5. "Island" means one or two fuel dispensing positions usually with a choice of fuels dispensed from one or more hoses and associated with a public restroom. Fueling satellites controlled from an island are considered part of that island.
6. "Manager's quarters" means a room or apartment occupied and used exclusively by the manager of a hotel, rooming house, motel, mobile home park, trailer park or recreational trailer park.
7. "Mobile home park," "trailer park" and "recreational trailer park" shall be defined as defined in the Health and Safety Code of the state.
8. "Multiple family residence" includes condominiums; apartment houses; mobile homes; and recreational vehicles and trailers in parks.
9. "Premises" means a lot, parcel of land, building or establishment.

10. "Restaurant" does not include hospital food service.

11. "Seat" means number of permitted seats or actual seats, whichever is greater.

12. "EDU" means Equivalent Dwelling Unit and relates various water and sewer fees to those for a single family residence.

Monthly Water and Sewer Fees

The minimum fees for any account equate to fees for 1 EDU. For non-residential uses not listed, fees shall equate to 1 EDU per toilet or equivalent.

THESE FEES WILL BE EFFECTIVE JULY 1, 2012

Description	EDU		Per	Monthly Fee	
	Water	Sewer		Water (WA-1)	Sewer (SW-1)
Single Family Residence	1	1	Each	\$34.00	\$29.30
Multiple Family Residence	0.8	0.8	Unit	\$27.20	\$23.44
Church*	1	1	Each	\$34.00	\$28.24
Church Recreation Hall*	1	1	Each	\$34.00	\$28.24
Hospital*	1/3	1/3	Bed	\$11.33	\$9.77
Convalescent Home	1/3	1/3	Bed	\$11.33	\$9.77
Lodge or Meeting Hall*	1	1	Each	\$34.00	\$28.24
Hall Bar*	1	1	Each	\$34.00	\$28.24
Public School	0.04	0.04	Student	\$1.36	\$1.05
Other School	0.032	0.032	Student	\$1.09	\$0.84
Fairgrounds	7	7	Each	\$238.00	\$197.68
Gas Station*	0.4	1.90	Island	\$13.60	\$55.67
Self Serve Car Wash*	3	3	Stall	\$102.00	\$64.97
Beauty or Barber Shop	1	1	Each	\$34.00	\$29.30
Bar*	0.08	0.08	Seat	\$2.72	\$2.34
Hotel Manager's Quarters*	1	1	Each	\$34.00	\$29.30
Hotel Room*	0.25	0.48	Each	\$8.50	\$14.06
Laundry* (see Hotel definition)	3	3	Each	\$102.00	\$87.90
Laundromat*	0.8	0.8	Washer	\$27.20	\$21.74
Restaurant*	0.10	0.10	Seat	\$3.40	\$2.93
Trailer Dump Facility*	2	2	Each	\$68.00	\$58.60

*These fees are additive for each account

One Time Water and Sewer Fees

NO.	TITLE/DESCRIPTION	RECOMMENDED CHARGES
WA-2	Water Service Permit	\$50
WA-3	Water Service Construction Main to Curb Stop	Actual Cost
WA-4	Water Backflow Preventers Test	Actual Cost
WA-5	Water Development Impact Fees	\$2,000 per EDU
WA-6	Water Valve Box for Curb Stop Valve	\$0
SW-2	Sewer Service Permit	\$50
SW-3	Sewer Service Construction Main to Property	Actual Cost
SW-4	Sewer Grease Interceptor Inspection	Actual Cost
SW-5	Sewer Development Impact Fee	\$2,000 per EDU

TO: City Council

FROM: Cheryl Solesbee, Assistant Finance Director *CS*

SUBJECT: FEES AND CHARGES FOR CITY SERVICES

DATE: January 23, 2013

On September 19, 2012, Governor Brown signed Senate Bill (SB) 1186 into law that adds \$1.00 to business license fees and similar instruments. These fees will be used to increase the number of Certified Access Specialists (CASP), to reduce the cost to the applicant of CASp testing and certification, and to strengthen the CASp program.

This bill specifies that any person(s) applying for a local business license, or equivalent instrument, or permit, and any applicant for the renewal of a business license, or equivalent instrument, or permit, beginning January 1, 2013 and until December 31, 2018, shall pay an additional fee of one dollar (\$1) which shall be collected by the city or county that issued the business license, instrument, or permit.

SB1186 enables the city or county to retain 70 percent of the fees collected under this section to be used to fund increased CASp services in that jurisdiction for the public and to facilitate compliance with construction-related accessibility requirements. The remaining 30 percent of all fees that will be collected under this section shall be transmitted on a quarterly basis to the Division of the State Architect (DSA) for deposit in the Disability Access and Education Revolving Fund.

RECOMMENDATION:

To approve the State mandated fee charge of one dollar (\$1) to be collected by the city on all new business license applications and renewals beginning January 1, 2013 thru December 31, 2018.



Division of the
State Architect

CALIFORNIA DEPARTMENT OF GENERAL SERVICES

Headquarters • 1102 Q Street, Suite 5100 • Sacramento, CA 95811 • (916) 445-8100

DSA BULLETIN 12-04

Issued: November 28, 2012

To: All City, County, and City and County Jurisdictions

From: Division of the State Architect
Department of General Services
State of California

SUBJECT: Chapter 383, Statutes of 2012, SB 1186 (Steinberg)

On September 19, 2012, Governor Brown signed Senate Bill (SB) 1186 into law that adds \$1 to business license fees and similar instruments. These fees will be used to increase the number of Certified Access Specialists (CASP), to reduce the cost to the applicant of CASp testing and certification, and to strengthen the CASp program.

This bill specifies that any person(s) applying for a local business license, or equivalent instrument, or permit, and any applicant for the renewal of a business license, or equivalent instrument, or permit, beginning January 1, 2013 and until December 31, 2018, shall pay an additional fee of one dollar (\$1) which shall be collect by the city, county, or city and county that issued the business license, instrument, or permit.

SB 1186 enables the city, county, or city and county to retain 70 percent of the fees collected under this section to be used to fund increased CASp services in that jurisdiction for the public and to facilitate compliance with construction-related accessibility requirements. The remaining 30 percent of all fees that will be collected under this section shall be transmitted on a quarterly basis to the Division of the State Architect (DSA) for deposit in the Disability Access and Education Revolving Fund. DSA will utilize these funds to establish and maintain oversight of the CASp program, to moderate the expense of CASp certification and testing and to increase outreach efforts and to develop educational resources.

Cities, counties or city and county must transmit these funds to DSA within 15 days of the last day of the each fiscal quarter. The attached Disability Access and Education Fee Report, form (DSA- 786), must be included with your remittance. This form is also posted on the Division of the State Architect's website at <http://www.dgs.ca.gov/dsa/Forms.aspx>.

As a reminder, funds for the quarter ending March 31, 2013 are due to DSA by April 15, 2013.

If you have any questions concerning this bulletin, please contact Diane Calkins, DSA Fiscal Manager, at (916) 323-5678.



To: Robin Picken, Assistant City Clerk
From: David Grah, Director of Public Works
Subject: Public Works 2013/2014 Fees and Charges Update
Date: 25 February 2013

General:

This memo presents the proposed 2013/2014 fiscal year fee and charges update for Public Works.

Public Works proposes the updates to fees and charges for the 2013/2014 fiscal year as described below and in the attachments. Water and sewer fees are also updated in accordance with the 2008 rate review. A related Department Executive Order is also attached.

Planning:

There was a clerical error in the fee for Variance Review, PL-2, for the current fiscal year. The fee should be \$1,500.

Building:

New state law does not allow fees for permits for solar installations to be based on value. The fee is updated to be the actual cost of issuing and inspecting the work.

Miscellaneous Public Works:

The terminology for two of the fees was made to be more uniform and the fee for a third made to be actual cost as are the other similar fees.

Water and Sewer:

Proposed Water and Sewer fees are from the 2008 Rate Review approved by the City Council.

Attachments:

1. Proposed Fee and Fee Language Update for Public Works
2. Related Department Executive Order

City of Bishop
2013/2014 Fiscal Year Fee Revision
Fee and Fee Language Update for Public Works

Planning Fees

The fee shall be as described in the following table unless the actual cost is greater. If the actual cost is greater, the fee shall be the actual cost.

	Description	Fee
PL-1	Zone Change Review	\$1,500
PL-2	Variance Review	\$1,500
PL-3	Zone Ordinance Amendment Review	\$1,500
PL-4	Appeals	\$300
PL-5	Use Permit Review and Process	\$1,500
PL-6	Specific Plan Review	\$1,500
PL-7	General Plan Amendment	\$1,500
PL-8	Categorical Exemption	\$120
PL-9	Negative Declaration Review and Process	\$1,500
PL-10	EIR Staff Review	\$2,500
PL-11	Time Extension Review	\$500
PL-12	Tentative Parcel Map Review	\$2,000
PL-13	Tentative Tract Map Review	\$2,500
PL-14	Final Parcel Map Review	\$2,000
PL-15	Final Tract Map Review	\$2,500
PL-16	Certificate of Compliance	\$1,000
PL-17	Lot Line Adjustment Review	\$1,000

Building Fees

	Description	Fee
BL-1	Building Permits	See below
BL-2	Residential SMIP Commercial SMIP	0.010% of value 0.021% of value
BL-3	Building Standards Revolving Fund (BSASRF)	\$1.00 for each \$25,000 or portion

1. State-mandated Strong Motion Instrumentation Program (SMIP) and Building Standards Administration Special Revolving Fund (BSASRF) fees do not apply to electrical, mechanical, and plumbing work permitted independent of building work
2. Permits, inspection, and related fees for demolition, grading, building, plumbing, mechanical and electrical shall be the sum of a \$60 administration fee, a valuation fee, and a plan check fee, if required.
3. The valuation fee shall be as described in the following table unless the actual cost is greater. If the actual cost is greater, the valuation fee shall be the actual cost.

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\$2,001 to \$25,000	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000, or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000, or

City of Bishop
2013/2014 Fiscal Year Fee Revision
Fee and Fee Language Update for Public Works

	fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000, or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000, or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	\$5,608.75 for the first \$1,000,000 plus \$3.15 for each additional \$1,000, or fraction thereof

4. Except as provided below, total valuation shall be determined using International Code Council (ICC) Building Valuation Data current on the permit issue date with a regional modifier of 0.97.
5. For additions, remodels, tenant improvements, reroofing, and for electrical, mechanical, and plumbing done independent of building work, total valuation shall be provided by applicant or determined using standard construction estimating practices.
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7. Investigation permitting of un-permitted work shall be charged at 2 times the cost of the permit had the work been properly permitted.
8. Fees for solar work shall be actual cost.
9. Actual cost shall include additional cost of re-inspection.
10. Actual cost for work outside of normal business hours shall be based on 2 hours minimum.

General Public Works Fees

	Description	Fee
PW-1	Snow Removal	Not used
PW-2	Administration and Abatement of Weeds and Refuse	Actual Cost
PW-3	Right of Way Abandonment Request Process	Actual Cost
PW-4	Street Sweeping	Actual Cost
PW-5	Water, Sewer, and Storm Drain Maintenance	Actual Cost
PW-6	Street Maintenance	Actual Cost
PW-7	Large Format Plots and Maps	Actual Cost
PW-8	Encroachment Permit for other than construction	Actual Cost
PW-9	Encroachment Permit for construction	
	1. \$50,000 or less of work	0.5%, \$20 minimum
	2. More than \$50,000 work	\$250 plus 0.1%

<There is no PW-10>

Water and Sewer Fees

Definitions: For the purposes of water and sewer fees:

1. "Account" is a financial designation that usually equates to one water and one sewer service connection to one dwelling, premises, or customer and is used in accounting and billing.

City of Bishop
2013/2014 Fiscal Year Fee Revision
Fee and Fee Language Update for Public Works

2. "Bar" means bar with alcoholic beverage license.
3. "Dwelling" means a place of residence with a connection for water service to the city water system.
4. "Hotel," shall include "motels," "rooming houses," "boarding houses," "lodging houses" and "guest homes" and shall be as defined in the Health and Safety Code of the state. Hotel fees include fees for any hotel laundry facility used solely by employees for hotel linen.
5. "Island" means one or two fuel dispensing positions usually with a choice of fuels dispensed from one or more hoses and associated with a public restroom. Fueling satellites controlled from an island are considered part of that island.
6. "Manager's quarters" means a room or apartment occupied and used exclusively by the manager of a hotel, rooming house, motel, mobile home park, trailer park or recreational trailer park.
7. "Mobile home park," "trailer park" and "recreational trailer park" shall be defined as defined in the Health and Safety Code of the state.
8. "Multiple Family Residence" includes condominiums; apartment houses; mobile homes; and recreational vehicles and trailers in parks.
9. "Premises" means a lot, parcel of land, building or establishment.
10. "Restaurant" does not include hospital food service.
11. "Seat" means number of permitted seats or actual seats, whichever is greater.
12. "EDU" means Equivalent Dwelling Unit and relates various water and sewer fees to those for a single family residence.

Monthly Water and Sewer Fees

The minimum fees for any account equate to fees for 1 EDU. For non-residential uses not listed, fees shall equate to 1 EDU per toilet or equivalent.

Description	EDU		Per	Monthly Fee	
	Water	Sewer		Water (WA-1)	Sewer (SW-1)
Single Family Residence	1	1	Each	\$34.00	\$29.30
Multiple Family Residence	0.8	0.8	Unit	\$27.20	\$23.44
Church*	1	1	Each	\$34.00	\$28.24
Church Recreation Hall*	1	1	Each	\$34.00	\$28.24
Hospital*	1/3	1/3	Bed	\$11.33	\$9.77
Convalescent Home	1/3	1/3	Bed	\$11.33	\$9.77
Lodge or Meeting Hall*	1	1	Each	\$34.00	\$28.24
Hall Bar*	1	1	Each	\$34.00	\$28.24
Public School	0.04	0.04	Student	\$1.36	\$1.05
Other School	0.032	0.032	Student	\$1.09	\$0.84
Fairgrounds	7	7	Each	\$238.00	\$197.68
Gas Station*	0.4	1.90	Island	\$13.60	\$55.67
Self Serve Car Wash*	3	3	Stall	\$102.00	\$64.97

City of Bishop
 2013/2014 Fiscal Year Fee Revision
 Fee and Fee Language Update for Public Works

Beauty or Barber Shop	1	1	Each	\$34.00	\$29.30
Bar*	0.08	0.08	Seat	\$2.72	\$2.34
Hotel Manager's Quarters*	1	1	Each	\$34.00	\$29.30
Hotel Room*	0.25	0.48	Each	\$8.50	\$14.06
Laundry* (see Hotel definition)	3	3	Each	\$102.00	\$87.90
Laundromat*	0.8	0.8	Washer	\$27.20	\$21.74
Restaurant*	0.10	0.10	Seat	\$3.40	\$2.93
Trailer Dump Facility*	2	2	Each	\$68.00	\$58.60

*These fees are additive for each account

One Time Water and Sewer Fees

	Description	Fee
WA-2	Water Service Permit	\$50
WA-3	Water Service Construction Main to Curb Stop	Actual Cost
WA-4	Water Backflow Preventers Test	Actual Cost
WA-5	Water Development Impact Fees	\$2,000 per EDU
WA-6	Water Valve Box for Curb Stop Valve	\$0
SW-2	Sewer Service Permit	\$50
SW-3	Sewer Service Construction Main to Property	Actual Cost
SW-4	Sewer Grease Interceptor Inspection	Actual Cost
SW-5	Sewer Development Impact Fee	\$2,000 per EDU

DEPARTMENT EXECUTIVE ORDER

FEE AND SERVICE CHARGE REVENUE / COST COMPARISON SYSTEM

I HEREBY STIPULATE that the department has complied with all provisions of the Bishop Municipal Code Chapter 3.22 Fee and Service Charge Revenue/Cost Comparison System in determining the fees and charges for city services for Fiscal Year 2013-2014.

It has been determined fees and charges for Public Works services do not exceed the costs reasonably borne.



Department Head Signature

Public Works

Department

25 February 2013

Date Submitting Proposed Changes

Keith Caldwell, City Administrator



To: Robin Picken, Assistant City Clerk
From: Michele Thomas, Public Works Secretary
Subject: Charge Back Fee – 2013/2014 Fees and Charges Update
Date: 26 March 2013

General:

This memo presents the proposed 2013/2014 fiscal year fee and charges additional update for Administrative and Finance Services.

Administrative and Finance proposes the update to fees and charges for the 2013/2014 fiscal year to add updated language for AF-5 to include a Charge Back Fee in addition to NSF fees, both at \$25.00.

Attachments:

1. Proposed Fee and Fee Language Update for Administrative and Finance Services

City of Bishop
2013/2014 Fiscal Year Fee Revision
Fee and Fee Language Update

AF-5	Returned Check (NSF) Processing / Charge Back Fee	\$25.00
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TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KJC*

SUBJECT: Resolution No. 13-05, Policy for Invocations – City Council Meetings

DATE: April 22, 2013

Attachments: - Resolution No. 13-05

BACKGROUND/SUMMARY

Beginning approximately 45 years ago, September 1967, the City implemented invocations at the start of each City Council meeting.

The law relating to legislative invocations revolves around the Establishment Clause of the First Amendment of the United States Constitution which provides, in relevant part, that “Congress shall make no law respecting establishment of religion or prohibiting free exercise thereof...”

The California Court of Appeal in *Rubin v. City of Burbank* (2002) 101 Cal. App. 4th 1194, a California state court held that California cities could begin their city council meetings with an invocation, but only a nonsectarian invocation. The City Council adopted guidelines for invocations reflective of this ruling on July 23, 2012.

Recently, in another case, *Rubin v. City of Lancaster* (2013), the 9th Circuit California Court of Appeal found in favor of the City of Lancaster, and allows for an invocation according to the dictates of your own conscience.

The resolution attached is in accordance with Lancaster’s Invocation Policy.

RECOMMENDATION

City Council considers adoption of Resolution No. 13-05 Invocation Policy at City Council meetings.

RESOLUTION NO. 13-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, ADOPTING A POLICY REGARDING INVOCATIONS AT MEETINGS OF THE CITY COUNCIL OF THE CITY OF BISHOP

WHEREAS, the City Council is an elected legislative and deliberative public body, serving the citizens of the City of Bishop; and

WHEREAS, legislative bodies in America have long maintained a tradition of solemnizing proceedings by allowing for an opening prayer before each meeting, for the benefit and blessing of the legislative body; and

WHEREAS, for many years, the City Council has followed a practice of selecting a member of local clergy to provide invocations at City Council meetings; and

WHEREAS, the City Council now desires to adopt this formal, written policy to set forth and clarify its invocation practices; and

WHEREAS, such prayer before deliberative public bodies has been consistently upheld as constitutional by American courts, including the United States Supreme Court; and

WHEREAS, in *Marsh v. Chambers*, 463 U.S. 783 (1983), the United States Supreme Court rejected a challenge to the Nebraska Legislature's practice of opening each day of its sessions with a prayer by a chaplain paid with taxpayer dollars, and specifically concluded, "The opening of sessions of legislative and other deliberative public bodies with prayer is deeply embedded in the history and tradition of this Country. From colonial times through the founding of the Republic and ever since, the practice of legislative prayer has coexisted with the principles of disestablishment and religious freedom." *Id.*, at 786; and

WHEREAS, the Supreme Court further held, "To invoke divine guidance on a public body...is not, in these circumstances, an 'establishment' of religion or a step toward establishment; it is simply a tolerable acknowledgement of beliefs widely held among the people of this country." *Id.*, at 792; and

WHEREAS, the Supreme Court affirmed in *Lynch v. Donnelly*, 465 U.S. 668 (1984), "Our history is replete with official references to the value and invocation of Divine guidance in deliberations and pronouncements of the Founding Fathers and contemporary leaders." *Id.*, at 675; and

WHEREAS, the Supreme Court further stated, "Those government acknowledgements of religion serve, in the only ways reasonably possible in our culture, the legitimate secular purposes of solemnizing public occasions, expressing confidence in the future, and encouraging the recognition of what is worthy of appreciation in society. For that reason, and because of their history and ubiquity, those practices are not understood as conveying government approval of particular religious beliefs." *Id.*, at 693 (O'Connor, J., concurring); and

WHEREAS, the Supreme Court also famously observed in *Zorach v. Clauson*, 343 U.S. 306, (1952), “We are a religious people whose institutions presuppose a Supreme Being.” *Id.*, at 313-14; and

WHEREAS, the Supreme Court acknowledged in *Holy Trinity Church v. United States*, 143 U.S. 457 (1892), that the American people have long followed a “custom of opening sessions of all deliberative bodies and most conventions with prayer ...,” *Id.*, at 471; and

WHEREAS, the Supreme Court has determined, “The content of [such] prayer is not of concern to judges where ... there is no indication that the prayer opportunity has been exploited to proselytize or advance any one, or to disparage any other, faith or belief.” *Marsh*, 463 U.S. at 794-795; and

WHEREAS, the Supreme Court also proclaimed that it should not be the job of the courts or deliberative public bodies “to embark on a sensitive evaluation or to parse the content of a particular prayer” offered before a deliberative public body. *Id.*; and

WHEREAS, the Supreme Court has counseled against the efforts of government officials to affirmatively screen, censor, prescribe and/or proscribe the specific content of public prayers offered by private speakers, as such government efforts would violate the First Amendment rights of those speakers, *See, e.g., Lee v. Weisman*, 505 U.S. 577, 588-589, (1992); and

WHEREAS, the City Council intends, and has intended in past practice, to adopt a policy that upholds an individual’s “free exercise” rights under the First Amendment; and

WHEREAS, the Supreme Court has repeatedly clarified that “there is a crucial difference between government speech endorsing religion, which the Establishment Clause forbids, and private speech endorsing religion, which the Free Speech and Free Exercise clauses protect.” *Bd. Of Educ. Of Westside Cmty. Sch. v. Mergens*, 496 U.S. 226, 250 (1990); and

WHEREAS, the City Council intends, and has intended in past practice, to adopt a policy that does not proselytize or advance any faith, or show any purposeful preference of one religious view to the exclusion of others; and

WHEREAS, The City Council recognizes its constitutional duty to interpret, construe, and amend its policies and ordinances to comply with constitutional requirements as they are announced.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bishop, California that the City Council does hereby adopt the following written policy regarding opening invocations before meeting of the City Council, to wit:

1. In order to solemnize proceedings of the City Council, it is the policy of the City Council to allow for an invocation or prayer to be offered at its meetings for the benefit of the City Council and the community.

2. No member of the City Council, or City employee, or any other person in attendance at the meeting shall be required to participate in any prayer that is offered.

3. The prayer shall be voluntarily delivered by an eligible member of the clergy/religious leader in the City of Bishop or the County of Inyo. To ensure that such person (the "invocational speaker") is selected from among a wide pool of City of Bishop or the County of Inyo's clergy/religious leaders, on a rotating basis, the invocational speaker shall be selected according to the following procedure:

a. The City Clerk shall compile and maintain a database (the "Congregations List") of the religious congregations with an established presence in the City of Bishop and the County of Inyo.

b. The Congregations List shall be compiled by referencing the listing for "churches," "congregations," or other religious assemblies in the annual Yellow Pages phone book(s) published for the City of Bishop and the County of Inyo, research from the Internet, and consultation with local chambers of commerce. All religious congregations with an established presence in the City of Bishop or County of Inyo are eligible to be included in the Congregations List, and any such congregation can confirm its inclusion by specific written request to the City Clerk.

c. The Congregations List shall also include the name and contact information of any chaplain who may serve one or more of the fire departments or law enforcement agencies of the City of Bishop or the County of Inyo, or any nearby military facilities.

d. The Congregations List shall be updated annually by reasonable efforts of the City Clerk.

e. Within thirty (30) days of the effective date of this policy, the City Clerk shall mail an invitation addressed to the "religious leader" of each congregation listed on the Congregations List, as well as to the individual chaplains included on the Congregations List.

f. The invitation shall be dated at the top of the page, signed by the City Clerk at the bottom of the page, and read as follows:

Dear religious leader,

The City Council makes it a policy to invite members of the clergy in the City of Bishop and the County of Inyo to voluntarily offer a prayer before the beginning of its meetings, for the benefit and blessing of the City Council and the community. As the leader of one of the religious congregations with an established presence in the local community of the City of Bishop or the County of Inyo, or in your capacity as a chaplain for one of the fire departments or law enforcement agencies of the City of Bishop or the County of Inyo, or any nearby military facility, you are eligible to offer this important service at an upcoming meeting of the City Council.

If you are willing to assist the City Council in this regard, please send a written reply at your earliest convenience to the City Clerk at the address included on this letterhead. Clergy are scheduled on a first-come, first-serve, or other random basis. The dates of the City Council's scheduled meetings for the upcoming year are listed on the attached page. If you have a preference among the dates, please state that request in your written reply.

This opportunity is voluntary, and you are free to offer the invocation according to the dictates of your own conscience. To maintain a spirit of respect and ecumenism, the City Council requests only that the prayer opportunity not be exploited as an effort to convert others to the particular faith of the invitational speaker, nor to disparage any faith or belief different than that of the invitational speaker.

On behalf of the City Council, I thank you in advance for considering this invitation.

*Sincerely,
City Clerk*

g. Consistent with paragraph 6 hereof and, as the invitation letter indicates, the respondents to the invitation shall be scheduled on a first-come, first-serve or other random basis, to deliver the prayers.

h. If the selected invitational speaker does not appear at the scheduled meeting, the Mayor may ask for a volunteer from among the Council or the audience to deliver the invocation.

4. No invitational speaker shall receive compensation for his or her service.

5. The City Clerk shall make every reasonable effort to ensure that a variety of eligible invitational speakers are scheduled for the City Council meetings. In any event, no invitational speaker shall be scheduled to offer a prayer at consecutive meetings of the City Council, or at more than four (4) City Council meetings in any calendar year.

6. Neither the City Council nor the City Clerk shall engage in any prior inquiry, review of, or involvement in, the content of any prayer to be offered by an invitational speaker.

7. This policy shall be intended for all commissions for the City of Bishop, California.

8. This policy is not intended, and shall not be implemented or construed in any way, to affiliate the City Council with, nor express the City Council's preference for, any faith or religious denomination. Rather, this policy is intended to acknowledge and express the City Council's respect for the diversity of religious denominations and faiths represented and practiced among the citizens of Bishop.

9. Any and all previously adopted invocation policies, including, but not limited to, the *City of Bishop Guidelines for Invocations at City Meetings* adopted on July 23, 2012, are hereby rescinded.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this policy shall become effective immediately upon approval by the City Council of the City of Bishop, California.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Bishop held on the 22nd day of April, 2013.

LAURA SMITH, MAYOR

ATTEST: Keith Caldwell, City Clerk

By: _____
Robin Picken, Assistant City Clerk

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR KSC

SUBJECT: Advertise for Bids to Purchase Carpet for the Clarke Wing Hallway of City Hall

DATE: April 22, 2013

BACKGROUND/SUMMARY

The City of Bishop has provided several building upgrades and improvements over the past 5 years. The carpet in the Clarke Wing Hallway is becoming worn and in need of replacement. Over the past several years many more court cases have been scheduled in Bishop resulting in more wear and tear to the flooring.

Cost estimates of \$16,000 to \$23,000 have been received via telephone quotes from local vendors.

There is approximately \$20,000 remaining under line item 016-56027 - Capital Improvement in Buildings and Grounds with funds approved for the carpet upgrade.

RECOMMENDATION

Council consideration to authorize the advertisement for bids for purchase and installation of carpet in the Clarke Wing Hallway of City Hall.

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KAC*

SUBJECT: Police Department - Purchase of Ammunition/Exception to Open Market Procedure for Dooley Enterprises, INC.

DATE: April 22, 2013

Attachments: - Staff Memo
- Purchase Order – Dooley Enterprises, Inc.

BACKGROUND/SUMMARY

Chief Carter provides a background summary and justification for Council to consider approving an exception to the open market procedure for the purchase of ammunition for the Police Department.

Dooley Enterprises, Inc. is the exclusive law enforcement ammunition dealer approved by Winchester in the State of California. Dooley is authorized to provide Government pricing for Winchester ammunition.

Approximate cost of the purchase is \$8,500.

RECOMMENDATION

Council consideration to approve the exception to the open market procedure for the purchase of ammunition for the Police Department, amount not to exceed \$8,500.



BISHOP POLICE DEPARTMENT

207 W. Line St.
Bishop, CA 93514
760-873-5866

To: Bishop City Council via Mr. Keith Caldwell- City Administrator

KJC

From: Chris Carter- Chief of Police

CC

Date: April 15, 2013

Subject: Council Permission for Exception for Open Market Procedures

In accordance with Section 3.24.200 of the Bishop Municipal Code, I am requesting an exception to the Open Market/Bidding Procedure in order to purchase ammunition from Dooley Enterprises of Anaheim, CA in an amount not to exceed \$8,500 for fiscal year 2011-2012. The Police Department uses Winchester brand Law Enforcement ammunition exclusively due to the reliability and test proven performance of the product.

Dooley Enterprises is the exclusive Law Enforcement Ammunition dealer approved by Winchester and as such the only dealer in the State of California authorized to provide Government contract pricing to Law Enforcement agencies who wish to purchase Winchester ammunition. I therefore request that the City Council approve an exception to the Open Market/Bidding Procedure under Bishop Municipal Code 3.24.200, sections

D. When the city council determines that due to special circumstances, it is in the city's best interest to purchase a commodity or enter into a contract without compliance with the bidding procedure;

E. When a particular type or make of commodity, furnishing, type or material, or equipment has been standardized by the city by order of the city council.

I am available at your convenience should you have questions or wish to further discuss this issue.

Purchase Order

SHIP TO:

BISHOP POLICE DEPARTMENT

207 West Line St.
Bishop, California 93514
(760) 873-5823
(760) 873-5866
FAX (760) 872-3485

No. BP **1247**

Date 3/14/20

Fund 033-033
52018

Account

TO: DOOLEY ENTERPRISES, INC.
1198 N. GROVE ST #A
ANAHEIM, CA 92806

Quantity	Description	Quote/Bid Price
20	40 S&w 165 gr. Jacketed Hollow Point (@ \$399.00 per thousand) PLUS TAX AND SHIPPING	\$ 7,980.00

Department Head

City of Bishop, Purchasing Agent

INSTRUCTIONS TO VENDORS

1. Mail invoice in duplicate
2. Invoice must include tax and shipping charge, f.o.b. Bishop, CA.
3. Show purchase order number on all invoices, packages, delivery slips and correspondence.
4. The Bishop Police Dept. is not liable for materials or supplies furnished or services rendered, except by order of the City Council or by authority of a Purchase Order properly signed by the Purchasing Agent or his authorized representative.

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR KSC

SUBJECT: Police Department - Upgrade of 9-1-1 Recording System and Software/
Exception to Open Market Procedure for Executive Communication
Systems.

DATE: April 22, 2013

Attachments: - Staff Memo
- Purchase Quotation – State of California 9-1-1 Emergency
Communications Office

BACKGROUND/SUMMARY

Chief Carter provides a background summary and justification for Council to consider approving an exception to the open market procedure for the purchase of 9-1-1 Recording System and Software for the Police Department.

The State of California is providing a reimbursement program to provide for 9-1-1 Recording System and Software upgrades. The City of Bishop wishes to maintain the current system's integrity and control cost by using the original vendor, Executive Communications Systems.

Cost of the purchase is \$27,695.60 from 2012/2013 unbudgeted reserves. All cost to be reimbursed from the State of California 9-1-1 Emergency Communication Office.

RECOMMENDATION

Council consideration to approve the exception to the open market procedure for the purchase of 9-1-1 Recording System and Software. Total cost \$27,695.60 to be reimbursed by the State of California 9-1-1 Emergency Communication Office.



BISHOP POLICE DEPARTMENT

207 W. Line St.
Bishop, CA 93514
760-873-5866

To: Bishop City Council via Mr. Keith Caldwell- City Administrator *KSC*

From: Chris Carter- Chief of Police *C*

Date: April 15, 2013

Subject: Council Permission for Exception for Open Market Procedures

In accordance with Section 3.24.200 of the Bishop Municipal Code, I am requesting an exception to the Open Market/Bidding Procedure in order to purchase and upgrade our existing 9-1-1 Recording System and software. This system is approximately 10 years old and is no longer supported for repair. It is necessary to upgrade the existing system and stay with the original vendor, Executive Communication Systems, in order to control costs and maintain system integrity with other components of our 9-1-1 system.

We have received permission from the State of California to purchase this system and upon completion of the installation; the State will reimburse the City of Bishop, up to an amount not to exceed \$28,000.00

I therefore request that the City Council approve an exception to the Open Market/Bidding Procedure under Bishop Municipal Code 3.24.200, sections

D. When the city council determines that due to special circumstances, it is in the city's best interest to purchase a commodity or enter into a contract without compliance with the bidding procedure;

E. When a particular type or make of commodity, furnishing, type or material, or equipment has been standardized by the city by order of the city council.

and approve a purchase from Executive Communications Systems in an amount not to exceed 28,000.00. These funds would be drawn from unbudgeted reserves as we did not foresee the need to make this purchase and did not include it into our 2012-2013 budget. Reimbursement funds from the State of California would be deposited back into the general fund to offset this cost.

I am available at your convenience should you have questions or wish to further discuss this issue.

STATE OF CALIFORNIA
OFFICE OF THE STATE CHIEF INFORMATION OFFICER (OCIO)
PUBLIC SAFETY COMMUNICATIONS DIVISION
CALIFORNIA 9-1-1 EMERGENCY COMMUNICATIONS OFFICE (9-1-1 OFFICE)

FACSIMILE TRANSMITTAL SHEET

To: <u>PAM GALVIN</u>	From: <u>KYLE S. PEASE</u>
Company: <u>BISHOP PD</u>	Date: <u>5/6/13</u>
FAX Number: <u>760 872 1537</u>	FAX Number: <u>(916) 657-9882</u>
Phone Number: _____	Phone Number: <u>(916) 657-9145</u>
RE: <u>#16762</u>	No. of Pages Incl. Cover: _____

- URGENT
 FOR REVIEW
 PLEASE COMMENT
 PLEASE REPLY

NOTES/COMMENTS: RECORDER REIMBURSEMENT
APPROVAL

**State of California, California 9-1-1 Emergency Communications Office (9-1-1 Office)
COMMITMENT TO FUND 9-1-1 EQUIPMENT AND SERVICES**

TD-288 (Rev. 12/06)

This Form To Be Completed By The State 9-1-1 Office Only

Public Agency:	Bishop Police Department	Contractor Name:	Exec. Comm. Systems
Address:	207 West Line Street	Mailing Address:	1445 Donlon St. Ste. 1
City, State, Zip:	Bishop, CA 93514	City, State, Zip:	Ventura, CA 93003
PSAP Manager:	Chris Carter	Representative:	
E-mail Address:	ccarter@bishoppd.org	E-Mail Address:	
Phone Number:	760-873-5866	Phone Number:	800-644-9525
Fax Number:	760-872-3485	Fax Number:	888-644-6979

Type of Funding Request:

- () 9-1-1 Equipment
- () 9-1-1 Network
- () Training
- () 9-1-1 Education
- () County Coordinator Expense
- () 7-Digit Phone Lines
- () Maintenance
- (X) Other: CPE Allotment ADVANCE USE (Reimbursement)

Description of Equipment and Services to be funded: Executive Communication Systems to install and maintain logging recorder per Scope of Work and price quote.

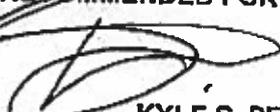
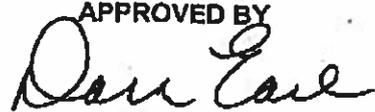
Note: Payment is required by the PSAP directly to vendors. A TD-290 claim must be submitted by the PSAP with copies of their proof of payment and vendor invoices in order to receive reimbursement.

Purchase/Service Information: Include equipment or service description, quantity, part number, unit cost, installation cost, monthly cost, tax and total cost. Attach contractors quote or PSAP purchase order, where applicable.

Description	Quantity	Service/ Eqmt. ID#	Unit Cost	Installation	Monthly Cost	Total Recurring Cost	Total Non-Recurring Cost
Logging Recorder	1		25,930.00			-	25,930.00
						-	-
						-	-
						-	-
						-	-
						-	-
						-	-
						-	-
Subtotal						-	25,930.00
Tax and Surcharge						1,765.60	
TOTAL APPROVED							\$27,695.60

TD-288 expiration date: _____ Fiscal Year: _____
 All invoices shall refer to tracking number: 16762 Account Name: 14 BISHOP PD EQ XX

The State of California's monetary obligation under this agreement in subsequent fiscal years is subject to, and contingent upon, availability of funds in the State Emergency Telephone Account. Please be advised that this commitment to fund does not constitute a binding purchase order agreement.

RECOMMENDED FOR APPROVAL BY  KYLE S. PEASE	Telephone Number 918-657-9145	APPROVED BY  DANA L. EARL	Date 3/4/13
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TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KSC*

SUBJECT: Request to Waive Hiring Freeze to fill vacant Part-Time Office Assistant in the Police Department

DATE: April 22, 2013

Attachments: - Staff Memo

BACKGROUND/SUMMARY

Due to a recent vacancy in the Police Department, the Chief of Police is requesting Council to waive the hiring freeze to fill the position of Part-Time Office Assistant.

RECOMMENDATION

Council consideration to approve waiving the hiring freeze to fill the vacant position of Part-Time Office Assistant in the Police Department.



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 *a*

Date: April 15, 2013

Subject: Request to Waive Hiring Freeze to fill Vacancy
Part Time Office Assistant

At the regularly scheduled Meeting of March 25, 2013, I advised Council that we would soon have a vacant Part-Time Office Assistant Position. As of this time, we have advertised and interviewed for the position and I am now requesting permission to waive the hiring freeze and fill this vacancy. I am available at your convenience should you have any questions.

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR KJC

SUBJECT: Accept Deed for Wye Road Intersection Improvement Project

DATE: April 22, 2013

Attachments:

- Staff Memo
- Resolution No. 13-04
- Grant Deed
- Legal Description of Joseph Property

BACKGROUND/SUMMARY

Director Grah provides the history of the Wye Road Intersection Improvement Project and funding source.

Anticipated construction of the project will begin fall 2013 following the relocation of utilities.

Funds of \$600,000 have been approved as part of the Fiscal Year 2012/2013 budget - Capital Improvement from the Kmart/Vons Development and Caltrans. It is likely the bulk of expenditures will take place in the Fiscal Year 2013/2014 budget cycle.

RECOMMENDATION

Council consideration to approve Resolution No. 13-04 accepting the grant deed for the right of way needed for the construction of the Wye Road Intersection Improvement Project.



To: Keith Caldwell, City Administrator *KSC*
From: David Grah, Director of Public Works *[Signature]*
Subject: Accept Deed for Wye Road Intersection Improvements Project
Date: 15 April 2013
Previous: 17 February 2006, 14 August 2007, 2 September 2008, 21 January 2009,
10 April 2009, 19 April 2011, 12 August 2011, 8 May 2012, 18 June 2012,
12 October 2012
Funding: Wye Road Intersection Improvement Funds

General:

The deed for one piece of the right of way needed for the Wye Road Intersection Improvements project is expected to be ready to be accepted by the City Council.

Background:

The Wye Road Intersection Improvements project will widen and improve the intersection of Wye Road and North Main Street (Highway 6). The project will widen Wye Road on its north side, provide dedicated left turn, through, and right turn lanes, align lanes across the intersection, and construct storm drain facilities on Wye Road.

To complete the widening and the related utility relocation, additional right of way was required on each side of the intersection west and east. On the west side, the property was successfully acquired from the City of Los Angeles Department of Water and Power (DWP) on behalf of Caltrans. Caltrans owns that leg of the intersection. Public Works has been in negotiations for the purchase of the property on the east side of the intersection since 2009.

In the fall of 2012, agreement was reached for the purchase of the property on the east leg of the intersection. The cost is \$24,500. The transaction entered escrow with a company chosen by the City Attorney. The deed for the property should be ready for the City Council to accept at the City Council meeting 22 April. Attached is a draft resolution for the acceptance of the deed.

The project is funded from the Kmart / Vons development and by Caltrans. The 2012/2013 fiscal year budget includes \$600,000 capital improvement expenditures for the project including for the purchase of the right of way. Because of ongoing project delays, most of the \$600,000 will not be spent until the 2013/2014 fiscal year.

The construction of the project is expected to be timed to start immediately after the relocation of the utilities. Utility relocation is now expected to be complete in October or November 2013.

Recommendation:

That the City Council approve the resolution accepting the deed for right of way needed for the construction of the Wye Road Intersection Improvements project.

RESOLUTION NO. 13-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, ACCEPTING A GRANT DEED FROM JOSEPH ENTERPRISES, L.P. [GOVERNMENT CODE §27281]

WHEREAS, Joseph Enterprises, L.P., a California Limited Partnership, has offered and executed a Grant Deed to the City of Bishop; and

WHEREAS, a copy of the Grant Deed is attached hereto as "EXHIBIT A", which is, by reference, incorporated herein and made a part hereof; and

WHEREAS, the City Council determines that it is in the best interest of the City of Bishop to accept such Grant Deed.

NOW, THEREFORE, BE IT RESOVED that the City Council of the City of Bishop orders that the Grant Deed for public use is hereby accepted.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Clerk, or his assistant, is authorized to execute a Certificate of Acceptance.

PASSED, APPROVED AND ADOPTED this 22nd day of April 2013.

LAURA SMITH, MAYOR

ATTEST: Keith Caldwell, City Clerk

**By: _____
Robin Picken, Assistant City Clerk**

EXHIBIT A

RECORDING REQUESTED BY
INYO-MONO TITLE COMPANY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS
OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO:

CITY OF BISHOP, A MUNICIPAL CORPORATION
PETER TRACY
106 S. MAIN STREET
BISHOP, CA 93514

ESCROW NO. 52961 TITLE ORDER NO. 52961

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)
DOCUMENTARY TRANSFER TAX IS EXEMPT
CITY OF BISHOP
PROPERTY ID NO. 010-490-08
(X) COMPUTED ON FULL VALUE OF INTEREST OR PROPERTY CONVEYED, AND

FOR A VALUABLE CONSIDERATION, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED,

JOSEPH ENTERPRISES, L.P., A CALIFORNIA LIMITED PARTNERSHIP

HEREBY GRANT(S) TO

CITY OF BISHOP, A MUNICIPAL CORPORATION

THE FOLLOWING DESCRIBED REAL PROPERTY IN THE COUNTY OF INYO, STATE OF CALIFORNIA:

LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

DATED: APRIL 8, 2013

STATE OF CALIFORNIA
COUNTY OF _____

On _____ before me,

_____, notary public

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s)
whose name(s) is/are subscribed to the within instrument and acknowledged
to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed
the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of
California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

SIGNATURE _____

JOSEPH ENTERPRISES, L.P., A CALIFORNIA LIMITED
PARTNERSHIP

BY: _____
STEVEN E. JOSEPH, GENERAL AND/OR LIMITED
PARTNER

BY: _____
DEBRA M. STEINKE, GENERAL AND/OR LIMITED
PARTNER

BY: _____
BARBARA A. CROSS, SUCCESSOR TRUSTEE OF
THE JOSEPH FAMILY TRUST DATED NOVEMBER 3,
2000, GENERAL AND/OR LIMITED PARTNER

BY: _____
DEBRA M. STEINKE, SUCCESSOR TRUSTEE OF
THE JOSEPH FAMILY TRUST DATED NOVEMBER 3,
2000, GENERAL AND/OR LIMITED PARTNER

EXHIBIT "A"

LEGAL DESCRIPTION
FOR
JOSEPH ENTERPRISES, L.P. TO CITY OF BISHOP

That certain real property in the City of Bishop, County of Inyo, State of California, being a portion of Parcel 2 as shown on Parcel Map No. 237 and recorded in Book 3 of Parcel Maps at Page 41 in the Office of the County Recorder of said County, and said portion also being more particularly described as follows:

BEGINNING at the southwest corner of said Parcel 2;
THENCE along the south line of said Parcel 2, South 89°48'27" East, 325.00 feet, more or less, to a corner on the boundary line of said Parcel 2;
THENCE continuing along the boundary line of said Parcel 2, North 00°05'46" West, 15.00 feet;
THENCE parallel to said south line of Parcel 2, North 89°48'27" West, 305.02 feet;
THENCE North 44°58'20" West, 28.37 feet, more or less, to a point on the west line of said Parcel 2;
THENCE along said west line, South 00°08'12" East, 35.00 feet to the POINT OF BEGINNING;

CONTAINING 5,076 square feet of land, more or less.

The Basis of Bearings for the above legal description is the centerline of Wye Road as shown on said Parcel Map No. 237, being South 89°48'27" East.

Legal Description Prepared
Under the Supervision of:



Andrew K. Holmes
Andrew K. Holmes, L.S. 4428
Lic. Expires 9/30/11

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KCC*

SUBJECT: Resolution to Approve City Streets for Parade Detours

DATE: April 22, 2013

Attachments: - Staff Memo
- Resolution No. 13-06

BACKGROUND/SUMMARY

Director Grah gives a brief summary describing the process that participating organizations follow to provide detours of state highways during local parades.

Both Caltrans and the City of Bishop require Encroachment Permits from these same organizations for the various aspects of their events.

A resolution has been drafted, as requested by Caltrans, for the detour of state highway traffic onto city streets for 2013 Mule Days and Bishop Christmas parades.

RECOMMENDATION

Council consideration to approve Resolution No. 13-06 Use of City Streets for Parade Detours.



To: Keith Caldwell, City Administrator KSC
From: David Grah, Director of Public Works 
Subject: Resolution to Approve Use of City Streets for Parade Detours
Date: 15 April 2013
Previous: None
Funding: Various General Fund

General:

Caltrans has instituted a requirement that the City Council approve, by resolution, the use of city streets for parade detours.

Background:

Both parades that use Main Street (Highway 395), the Mule Days parade and the Bishop Christmas parade, require the detour of state highway traffic onto city streets. Caltrans issues Encroachment Permits to the Mule Days Committee and the Bishop Chamber of Commerce, respectively, for the parades. The City of Bishop Department of Public Works issues its own Encroachment Permits to the same entities for the use of city streets for various aspects of the events.

Recently Caltrans put into place a permit requirement that the local agencies that are responsible for the local streets used in the detours approve the use of those streets by resolution of their legislative body. The Mule Days parade detour uses Mandich Street, the city portion of Sunland Drive, county roads, and West Line Street (Highway 168). The Bishop Christmas parade uses Mandich Street, the city portion of Sunland Drive, Home Street, Sierra Street, West Yaney Street, Mandich Street in the county, Sunland Drive in the county, and West Line Street (Highway 168). The details of the detour routes are included in the encroachment permits.

A resolution has been drafted for the detour of state highway traffic onto city streets for the 2013 Mule Days and Bishop Christmas parades.

Recommendation:

Approve the resolution.

RESOLUTION NO. 13-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, APPROVING THE TEMPORARY CLOSURE OF MAIN STREET AND WEST LINE STREET AND THE RE-ROUTING OF TRAFFIC DUE TO PARADES FOR THE CALENDAR YEAR 2013

WHEREAS, local service groups apply to the State of California to conduct parades on state property; and

WHEREAS, the parades require the temporary closure of Main Street and West Line Street in the City of Bishop which are both state highways; and

WHEREAS, said temporary closure will cause the re-routing of traffic onto city streets.

NOW, THEREFORE, BE IT RESOLVED that the City of Bishop approves and consents to the said closure and re-routing of traffic when covered by a valid Encroachment Permit issued by the Bishop Department of Public Works and the State of California Department of Transportation for the remainder of the 2013 calendar year.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Bishop held on the 22nd day of April, 2013.

LAURA SMITH, MAYOR

ATTEST: Keith Caldwell, City Clerk

By: _____
Robin Picken, Assistant City Clerk

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KJC*

SUBJECT: Advertise for Bids – North Fowler Water Line Replacement Project

DATE: April 22, 2013

Attachments: - Staff Memo

BACKGROUND/SUMMARY

Director Grah gives an update on the water line replacement projects and the goal of replacing all of the existing (2) inch lines within the city.

North Fowler is the last of the water lines to be up-graded.

Approximate cost of the project is \$65,000. A construction timeline has been set forth and funds will be requested as part of the Fiscal Year 2013/2014 capital expenditure budget.

RECOMMENDATION

Council consideration to approve the advertisement for construction bids for the North Fowler Water Line Replacement Project.



To: Keith Caldwell, City Administrator KAC
From: David Grah, Director of Public Works 
Subject: Advertise the North Fowler Water Line Replacement Project for Bids
Date: 16 April 2013
Previous: None
Funding: Water Capital Improvements

General:

Public Works is ready to advertise the North Fowler Water Line Replacement project for construction bids.

Background:

The North Fowler Water Line Replacement project will replace the 2 inch water line on North Fowler north of Elm Street. Recently when a water lead was fixed in this area, it was determined the water line was 2 inch instead of the 4 inch that records had indicated.

In recent years, the city has been pursuing projects to replace the last remaining 2 inch water lines in the system with 8 inch lines. With the completion of the Church Street Water Line project last year, we thought we had replaced the last undersized and leak prone 2 inch line in the city. With the discovery of the 2 inch line on North Fowler, it appears there is one more line to be replaced.

The North Fowler Water Line Replacement project is expected to cost about \$65,000. Because the project is a new project, funds were not budgeted for its construction. Adjustments proposed to Finance later this week will include funds for this project as well as an overall decrease in capital expenditures this fiscal year. I understand those adjustments will be considered by City Council 13 May, which is in advance to the award of the construction contract for the project.

Construction documents have been prepared and the schedule for the project is proposed to be:

Advertise	23 April
Open Bids	24 May
Award Contract	10 June
Start Construction	9 July
Finish Construction	30 July

Recommendations:

The City Council approves the advertisement of the North Fowler Water Line Replacement Project for construction bids.

TO: CITY COUNCIL

FROM: KEITH CALDWELL, CITY ADMINISTRATOR *KSC*

SUBJECT: Ordinance Amending the City of Bishop Zoning Ordinance and the Bishop Municipal Code Respecting Supportive and Transitional Housing – Second Reading and Adoption

DATE: April 22, 2013

Attachments:

- Staff Memo
- Senate Bill 2 – Fact Sheet
- Letter of Support - Planning Commission
- Ordinance Amending the City of Bishop Zoning Ordinance and the Bishop Municipal Code Respecting Supportive and Transitional Housing

BACKGROUND/SUMMARY

Staff has provided a very thorough background of the proposed amendment, Senate Bill 2, and an overview of transitional and supportive housing.

The Planning Commission has recommended that the ES Emergency Shelter Combining District Zoning Ordinance move to City Council for adoption.

RECOMMENDATION

After second reading, City Council considers approval of the Ordinance Amending the City of Bishop Zoning Ordinance and the Bishop Municipal Code Respecting Supportive and Transitional Housing.

MEMORANDUM

Date: April 2, 2013

To: Keith Caldwell, City Administrator

KSC

From: Gary Schley, Public Services Officer



Subject: Amendment to the City of Bishop Zoning Ordinance

Background: The City of Bishop is proposing an amendment to the Zoning Ordinance and Bishop Municipal Code Title 17 to include a definition for "Transitional Housing and Supportive Housing," and amend chapter 17.38 ES Emergency Shelter Combining District to include transitional and supportive housing as permitted uses. The amendment is necessary for compliance with SB2 (Planning Government Code Sec. 65583) and the City of Bishop 2009 Housing Element.

Generally, SB 2 strengthens planning requirements to identify zones where emergency shelters, transitional and supportive housing will be allowed without requiring a conditional use permit. A summary of Senate Bill 2 put together by California Rural Legal Assistance Foundation is attached for review.

Transitional housing is a type of supportive housing used to facilitate the movement of homeless individuals and families to permanent housing. A homeless person may live in a transitional apartment for up to two-years while receiving supportive services that enable independent living. Every locality must identify zones that will allow the development of transitional housing. Appropriate sites for transitional housing have the following characteristics:

Zoning: Transitional housing should be subject to the same permitting processes as other housing in the zone without undue special regulatory requirements.

Location: The zoning should include sites located within the boundaries of the jurisdiction and close to public services and facilities, including transportation.

Development Standards: Parking requirements, fire regulations, and design standards should not impede the efficient use of the site as transitional 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. Typically, a portion of the housing is targeted to people who have risk factors such as homelessness, or health challenges such as mental illness or substance addiction. Study after study attest to the cost effectiveness of supportive housing. Not only is it significantly less expensive than the institutional alternatives that homeless and disabled people often cycle through – including shelters, institutions and hospitals – it ends tenants' dependence on emergency services for healthcare and treatment. The types of support services that can be provided include medical and mental health care, vocational and employment services, substance abuse treatment, childcare, and independent living skills training.

Most supportive housing is built and managed by non-profit housing developers in partnership with non-profit service providers. However, local governments must play a proactive role in assuring support and providing necessary approvals. The housing element should identify zones that allow

supportive housing development and demonstrate that zoning, local regulations (standards and the permit process) encourage and facilitate supportive housing.

Emergency shelters, transitional and supportive housing are regulated by Title 22 of California Code of Regulations. Title 22 may be viewed at <http://www.dss.ca.gov/ord/PG240.htm>. Title 22 California Code of Regulations is administered by California Department of Social Services and addresses general licensing requirements, provides manuals of policies and procedures (operational requirements) for group homes, adult residential facilities, social rehabilitation facilities, transitional housing placement programs and other types of housing programs. The manuals address basic services, administrator qualifications and duties, personnel requirements, records, acceptance and retention limitations, eviction procedures, mental health intake assessment, client records, personal rights, buildings and grounds and much more.

Proposed zoning ordinance amendment was submitted to the City of Bishop Planning Commission and given a noticed public hearing. After the hearing, the planning commission rendered its decision to recommend that City Council approve the ES Emergency Shelter Combining District zoning ordinance amendment by a vote of 4 to 0.

Recommendation: Hold a public hearing and review the draft amended ES Emergency Shelter Combining Zoning Ordinance for adoption.

Senate Bill 2 (Cedillo) Fact Sheet

Summary: SB 2 strengthens state law by ensuring that every jurisdiction identifies potential sites where new emergency shelters can be located without discretionary review by the local government. It also increases protections for providers seeking to open a new emergency shelter, transitional housing or supportive housing development, by limiting the instances in which local governments can deny such developments. Applicable to all cities and counties in California, SB 2 takes effect January 1, 2008, and will impact all housing element updates due after this date, as well as those that were due prior to 2008, but are being submitted for the first time after January 1, 2008. Subject to important limitations described below, SB 2:

- Requires all cities and counties (“localities”) to provide at least one zoning category in which emergency shelters can be located without discretionary approval from the local government. The zoning category must be identified in the locality’s housing element, and include sites with sufficient capacity to meet the local need for emergency shelter.
- Requires that all localities provide at least one such site.
- Expands the Housing Accountability Act, to prohibit localities from denying a proposal to build an emergency shelter, transitional housing or supportive housing if it is needed and otherwise consistent with the locality’s zoning and development standards.

Key Elements: The changes created by SB 2 should be thought of in two categories: (1) Planning for emergency shelters; and (2) siting of emergency shelters, transitional housing and supportive housing.

Planning for Emergency Shelters

Each locality must identify in its housing element at least one zoning category in which homeless shelters are allowed, without a conditional use permit or other discretionary review. More particularly, the locality must:

- **Identify Need:** Under current law, the housing element must include an estimate of the number of persons in need of emergency shelter in the jurisdiction. SB 2 requires the analysis to consider both seasonal and annual need.
- **Provide sites for new emergency shelters:** SB 2 requires the local government to show in its housing element that it has one or more zoning categories that allow emergency shelters without a conditional use permit or other discretionary review. The local government cannot use discretionary criteria to deny the project; if it meets certain objective criteria, the shelter must be approved.

The identified zone or zones must have sufficient capacity to meet all of the locality’s identified need for emergency shelter. For example, if a locality determines that it has an unmet need of 100 persons who are homeless, the zone or zones identified must consist of sites that have sufficient capacity to accommodate a shelter or shelters for 100 people. Regardless of the identified need, each jurisdiction must identify at least one such site.

- **Rezone If Necessary:** If the locality does not currently have such a zone or the zone is not sufficient, it must include a program to amend its zoning ordinance to provide a sufficient zone or zones within one year of the adoption of its housing element.

- **Eliminate Onerous Standards:** The local government can establish objective development and management standards for the operation of emergency shelters, such as the size, parking standards, lighting, and others set forth in the law. However, the locality must demonstrate that any management or development standards as well as any permit processing standards that it applies are objective and actually encourage the creation of emergency shelters.
- **Exceptions for Compliant Cities:** If the local government can demonstrate that it has an emergency shelter or shelters that meet all of its existing need, it must still designate a zone or zones where emergency shelters are permitted, but it may require a conditional or discretionary use permit. In addition, any city with an existing by-right process for emergency shelters that is in compliance with the standards set forth in SB 2 need only describe its ordinance and how it meets the requirements of the law.

Finally, the bill gives credit to jurisdictions that are successfully implementing a supportive housing program model under the jurisdiction's 10-year plan to End Chronic Homelessness, by allowing a reduction in the need to account for supportive housing units available in the community. To take advantage of this credit, the jurisdiction must show that the units are (1) identified in the plan; and (2) either currently vacant or have all of the necessary funding to allow construction during the planning period.

- **Multi-Jurisdictional Agreements:** Localities may meet some of their need by entering into an agreement with up to two other adjacent local governments to provide a joint facility provided the emergency shelter will be developed within two years of the beginning of the planning period. For example, two adjoining cities and a county may agree to jointly fund an emergency shelter, and count that shelter toward their identified need. The participating jurisdictions must adopt an agreement which, among other things, allocates a portion of the new shelter capacity to each jurisdiction.
- **Transitional and Supportive Housing:** The bill clarifies that the local government must analyze any constraints to the development of supportive housing, transitional housing or emergency shelters. It also provides that transitional housing and supportive housing must be treated the same as any other residential use within the same zone. For example, when supportive housing is allowed in a multifamily residential zone, the local government cannot impose any additional restrictions on supportive housing than what are imposed on other multifamily units.

Siting of Emergency Shelters, Transitional and Supportive Housing

The bill also ensures that local governments do not unreasonably deny approval for needed emergency shelters, transitional housing or supportive housing. The California Housing Accountability Act (formerly referred to as the Anti-NIMBY statute) prohibits discrimination against certain types of permanent housing for lower-income households. SB 2 expands this law to cover emergency shelters, and clarifies that it protects transitional and supportive housing, as well.

As a result, except under very limited exceptions, if a new emergency shelter is proposed on a site that is zoned to allow that use, and the local government has not met the need for emergency shelter identified in its housing element, the local government must approve the shelter. Similarly, transitional or supportive housing projects that are consistent with the zoning for the proposed site may not be denied if the city has not yet met its need for new housing units affordable to the income levels to be served by the proposed project, except under limited circumstances.



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

March 27, 2013

Bishop City Council
PO Box 1236
Bishop, CA 93515

Re: Proposed Amendment of Zoning Ordinance

Please be advised that the Bishop Planning Commission, at their March 26, 2013 meeting, voted 4-0 to recommend the City Council adopt an amendment to Bishop Municipal Code Chapter 17 Zoning by adding Section 17.08.116 and Section 17.08.117 to provide a definition for Transitional Housing and Supportive Housing and amending Chapter 17.38 ES Emergency Shelter Combining District and Ordinance No. 534 respecting supportive and transitional housing. The draft ordinance amendment is intended to allow permitting of supportive housing and transitional housing developments in the ES Emergency Shelter Combining District.

The Planning Commission found that the proposed zoning ordinance amendments are consistent with the policies of the State of California Department of Housing and Community Development, and the City of Bishop 2009 Housing Element.

Sincerely,

Darren Malloy
Commissioner, Bishop Planning Commission

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BISHOP, STATE OF CALIFORNIA, 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 subparagraph. 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 subparagraph.

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 Clerk