

**MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – June 13, 2017**

1. OPENING

The Regular Meeting of the Paradise Town Council was called to order by Mayor Lotter at 6:01 p.m. in the Town Council Chamber located at 5555 Skyway, Paradise, California who led the Pledge of Allegiance to the Flag of the United States of America. An invocation was offered by Council Member Bolin.

COUNCIL MEMBER PRESENT: Greg Bolin, Jody Jones, Melissa Schuster, Michael Zuccolillo and Scott Lotter, Mayor.

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Town Attorney Dwight Moore, Town Clerk Dina Volenski, Public Works Director/Town Engineer Marc Mattox as Acting Town Manager, Administrative Services Director/Town Treasurer Gina Will, Administrative Analyst Colette Curtis, Business and Housing Services Director Kate Anderson, Battalion Chief Curtis Lawrie, Police Chief Gabriela Tazzari-Dineen and Community Development Director Craig Baker.

At 6:03 p.m. Council Members Bolin and Zuccolillo recused themselves from the dais.

- 1a. An update on the Paradise Sewer Project was presented by Town Engineer Marc Mattox. The final report and staff recommendation will be presented at the July 11, 2017 Town Council meeting which will be held at the Paradise Performing Arts Center at 777 Nunneley Road, Paradise, California.

At 6:05 p.m. Council Members Bolin and Zuccolillo returned to the dais.

2. CONSENT CALENDAR

MOTION by Jones, seconded by Schuster, approved consent calendar items 2a-2l. Roll call vote was unanimous.

- 2a. Approved Minutes of the May 9, 2017 Regular Town Council Meeting.
- 2b. Approved May 2017 Cash Disbursements in the amount of \$1,649,912.73.
(310-10-32)
- 2c. Authorized the Town Manager to execute the New World Support Agreement. (In November 2015, Tyler Technologies and New World Systems merged. Tyler Technologies is the surviving entity. The agreement provides maintenance and support for the New World finance system for one year beginning October 1, 2018, and then will

automatically renew each year until a 90-day notice is provided to terminate.) (05-23/510-15-039)

- 2d. Adopted Resolution No. 17-15, A Resolution of the Town Council of the Town of Paradise Approving an Extension of the term of the Joint Powers Agreement establishing the Butte County Association of Governments. (95-15/510-15-019)
- 2e. Authorized the Town Manager to execute the 2017/2018 FY GIS maintenance agreement with the CSU, Chico Research Foundation. (06-22/510-15-042)
- 2f. Accepted the 2016 Annual Report of the Paradise Planning Commission to the Town Council regarding the Implementation Status Report of the 1994 Paradise General Plan. (760-40-055)
- 2g. Accepted the 2016 Annual Report of the Paradise Planning Commission Regarding Progress Toward Implementation of the 1994 Paradise General Plan Housing Element. (760-40-57)
- 2h. Adopted Resolution No. 17-16, A Resolution of the Town Council of the Town of Paradise Authorizing the Town Manager to execute a Renewed Agreement Between the Town of Paradise and the Housing Authority of the County of Butte for use of Home Investment Partnership Program (HOME) Funds for the Town's Tenant-Based Rental Assistance Program. (510-20-132, 710-10-88)
- 2i. Waived the second reading of Entire Ordinance No. 566 and approved reading by title only; and, Adopted Ordinance No. 566, an Ordinance of the Town of Paradise amending sections 17.31.100, 17.31.200, 17.31.300 and 17.31.500 of the Paradise Municipal Code regulating medical or nonmedical marijuana cultivation and delivery and prohibiting marijuana collectives and cooperatives. (540-16-135)
- 2j. Authorized the Town Manager to execute a Memorandum of Understanding with Feather River Hospital regarding their Prescription Drug Rebate Program (340B of the Public Health Services Act). (In order to participate in this Program, Feather River Hospital must enter into an agreement with the Town in which Feather River Hospital commits to providing health care services to low-income individuals.) (510-20-163)
- 2k. Authorized the Mayor and Town Manager to execute the Tenth Amendment to Dismissal and Tolling Agreement between Town of Paradise and Oak Creek Estates. (07-24/510-15-050)
- 2l. Adopted Resolution No. 17-17 authorizing the Town Manager to execute an amended legal services agreement with Peters, Habib, McKenna & Juhl-Rhodes, LLP relating to public nuisance abatement lawsuits. (510-20-142, 540-15-016)

3. ITEMS REMOVED FROM CONSENT CALENDAR - None

4. PUBLIC COMMUNICATION

1. Ward Habriel – explained that another tenant had moved out due to an illegal grow next to his rental house and lack of enforcement, which has also affected property values; attended State Garden Club of California and stated that northern California has reputation for being better than southern California in conserving water; reported that the Garden Tour was a huge success with visitors from all over and commended CALFIRE for their work.
2. Virgil Hales – informed Council about the benefits of Cannabis.

5. PUBLIC HEARINGS - NONE

6. COUNCIL CONSIDERATION

At 6:17 p.m. Council Member Zuccolillo recused himself from the dais.

- 6a. **MOTION by Jones, seconded by Bolin,** 1. Concurred with staff's recommendation of Mark Thomas & Company to perform engineering services for the Paradise Gap Closure Complex; 2. Approved the Professional Services Agreement with Mark Thomas & Company and authorized the Town Manager and Town Mayor to execute; 3. Authorized the Town Manager to execute additional work orders up to 10% of the contract amount; and, 4. Approved Resolution No. 17-18, A Resolution of the Town Council of the Town of Paradise Authorizing the Town Manager of the Town of Paradise or her Designee to sign Program Supplement Agreement No. F017 to the Administering Agency-State Agreement for Federal Aid Projects Corresponding to Project No. CML 05425 (038) to assure receipt of \$306,000 in federal funds. Ayes of Bolin, Jones, Schuster and Mayor Lotter. Zuccolillo was Absent. (510-20-164, 950-40-039)

At 6:20 p.m. Council Member Zuccolillo returned to the dais.

- 6b. **MOTION by Zuccolillo, seconded by Schuster,** 1. Awarded Contract No. 17-01, Pearson Rd Bike-Ped Improvements, to Franklin Construction of Chico, CA in the amount of their bid of \$587,335.00; 2. Authorized the Town Manager to execute an agreement with Franklin Construction relating to Contract No. 17-01 and to approve contingency expenditures not exceeding 12.5%; and, 3. Approved Resolution No. 17-19, A Resolution of the Town Council of the Town of Paradise Authorizing the Town Manager of the Town of Paradise or her Designee to Sign Program Supplement Agreement No. F018 to Administering Agency-State Agreement No. 03-5425F15 for Federal-Aid Project CML 5425 (036) to assure receipt of \$700,000 in federal funds. Roll call vote was unanimous. (510-20-165, 950-40-038)

- 6c. Marc Mattox provided an update on the Police Department Roof Replacement and Miscellaneous Repairs Project - Information only, no action was taken. (280-60-004)

7. COUNCIL INITIATED ITEMS AND REPORTS

- 7a. Council initiated agenda items
- 7a1. The Council concurred to designate Council Member Schuster as the voting delegate and Mayor Lotter as the alternate and directed the Clerk to put the League of California Cities proposed resolutions for the 2017 annual conference on the August agenda for discussion by the Council and to provide direction to the delegates. (150-50-65)
- 7a2. Consider responding to a letter from Supervisor Teeter asking the Town to request a reopener of the 2006 Settlement Agreement with Department of Water Resources.

Sam Dresser, prior Council Member, provided background on the Supplemental Benefits Fund (SBF). Was involved in the original agreement in 2006 and explained that there has been little to no progress made towards recreational opportunities in the Lime Saddle part of Lake Oroville. Mr. Dresser suggests trying to reopen the agreement to bring into real time focus and provide money to create recreational areas.

Supervisor Teeter stated that there have been issues with Oroville Dam especially after the dam/spillway/failure and that people are upset with what's been happening. 10 years have passed since the Settlement Agreement was signed, management of the lake has changed, people's recreation habits have changed and now there are effects from the spillway. Supervisor Teeter thinks this a good time to re-engage the community as a whole. Mr. Teeter stated that Assemblyman Gallagher is trying to form a coalition and requested that the Town contact Assemblyman Gallagher. Mr. Teeter also suggested sending a letter to DWR requesting updated information on the progress of the agreements.

Council discussed the letter from Supervisor Teeter asking the Town to request a reopener of the 2006 Settlement Agreement with Department of Water Resources and directed the Town Attorney to draft a letter requesting that the Settlement Agreement be reopened. Attorney Moore stated that the reopener has to be based on something scientific, factual or new information and that money will have nothing to do with it. The Council asked Supervisor Teeter to inquire with Butte County Legal Counsel Alpert and Assemblymen Gallagher to determine the correct wording for the letter. Attorney Moore announced that he may have a conflict of interest since he was involved in drafting the original Settlement Agreement. Based on the letter from Supervisor Teeter Council concurred

to request a reopener of the 2006 Settlement Agreement with the Department of Water Resources.

7b. Council reports on committee representation

Council Member Schuster judged the Paradise High School Senior Projects, attended the Active Transportation open house by Mark Thomas at Town Hall, met with the Blue Zone group, attended Wine in the Pines, met with the Focus Paradise Economic Development Group, attended the Love Paradise meeting – Arlan Hudson Make a Difference day will be in October, attended Butte County TBID meeting-space is available to host a booth at the State Fair, Explore Butte County brand launch is happening June 21st at Sierra Nevada Big Room, attended League of California Cities and Shasta Cascade Wonderland Association meetings.

Council Member Bolin attended Wine in the Pines.

Mayor Lotter attended the League Policy Safety Committee and announced that Party in the Park starts on Thursday, June 15, 2017.

7c. Future Agenda Items - None

8. STAFF COMMUNICATION

8a. Town Manager Report

Marc Mattox, Acting Town Manager, provided an update on the road construction projects. Pearson – On Schedule; Maxwell – Delayed until late June or first part of July; Cypress Curve – begins mid July.

- Community Development Director Baker provided an update on the following projects: Skyway/Black Olive Center (Safeway), Starbucks, Kentucky Fried Chicken, Jack in the Box, Two Final Maps for Valley Vista Subdivision and Risley Parcel Map, Maran Subdivision Map (Indian Rock Springs), Planning Commission will review an extension for a subdivision map for East Ridge Estates TSM (Marjama), West Side Pizza, Corrigan Tentative Parcel Map, Lynn's Optimo (Skyway Plaza project) and the Carousel Motel.

9. CLOSED SESSION - NONE

10. ADJOURNMENT

At 7:21 p.m. Mayor Lotter adjourned the meeting to June 27, 2017 at 3:00 p.m., Paradise Town Hall, 5555 Skyway, Paradise, CA for the purpose of holding a regular adjourned meeting to consider approving a final budget for the Town of Paradise for fiscal year 2017/2018 pursuant to Government Code Section 54955.

Date Approved: July 11, 2017

By:

_____/s/_____
Scott Lotter, Mayor

Attest:

_____/s/_____
Dina Volenski, CMC, Town Clerk