

**MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – November 07, 2016**

1. OPENING

The Regular Meeting of the Paradise Town Council was called to order by Mayor Jones at 6:00 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 Rawlings.

COUNCIL MEMBERS PRESENT: Greg Bolin, Steve “Woody” Culleton, Scott Lotter, John J. Rawlings and Jody Jones, Mayor.

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Town Manager Lauren Gill, Town Attorney Dwight Moore, Town Clerk Dina Volenski, Administrative Services Director/Town Treasurer Gina Will, Public Works Director/Town Engineer Marc Mattox, Community Development Services/Planning Director Craig Baker, Administrative Analyst Colette Curtis, Business and Housing Services Director Kate Anderson, Police Chief Gabriela Tazzari-Dineen, Division Chief, CAL FIRE/Paradise, David Hawks.

- 1a. Proclamation - National Runaway Prevention Month presented by Jennifer Barzey. (180-40-26)
- 1b. Presentation - Report on 2016 Make A Difference Day by Garrison Chaffey.
 1. Ward Habriel – was involved with Make a Difference Day through Paradise Garden Club and was able to share information about the event to individuals at the bus stop in front of the Paradise Library.
- 1c. Presentation – Update on Sewer Feasibility Study by Mike Massaro of Bennett Engineering.

2. CONSENT CALENDAR

MOTION by Culleton, seconded by Bolin, approved all consent calendar items 2a-2g as presented. Roll call vote was unanimous.

- 2a. Approved the minutes of the October 3, 2016 Special Meeting and the October 11, 2016 Regular Meeting.
- 2b. Approved October 2016 cash disbursements in the amount of \$1,157,322.09. (310-10-31)

- 2c. 1. Waived second reading of the entire Town Ordinance No. 564 and approved reading by title only; AND 2. Adopted Town Ordinance No. 564, "An Ordinance Amending Text Regulations within Paradise Municipal Code Title 17 Relative to Agricultural Employee Housing" (540-16-133)
- 2d. Reviewed and filed the 4th Quarter Investment Report for the Fiscal Year Ending June 30, 2016. (360-30-06)
- 2e. 1. Authorized the award and purchase of the Tree/Brush Chipper Bid to RDO Equipment of Sacramento, CA in the amount of \$37,129.00 with financing provided through a lease purchase with USbancorp Government Leasing. (380-45-054, 480-35-02, 380-40-59)
- 2f. Approved the extension of the Memorandum of Understanding with the Butte County Sheriff's Office for Emergency Notification Services until April 30, 2017. (510-20-70)
- 2g. 1.) Declared the described office items as surplus property; and, 2.) Adopted Resolution No. 16-74, A Resolution declaring certain Town Furniture/Equipment to be surplus and obsolete and authorizing disposal through sale, donation or destruction by the Town Manager or her designee. (380-10-03)

3. ITEMS REMOVED FROM CONSENT CALENDAR - None

4. PUBLIC COMMUNICATION

- 1. Halley Johnson – thanked Council for all they have done for the Town and suggested that an arcade for teenagers be established in the empty building at 6646 Clark Rd. to provide them with something to do.

5. PUBLIC HEARINGS

For items that require a published legal notice and/or a mailed notice.

Public Hearing Procedure:

- A. Staff Report
- B. Mayor opens the hearing for public comment in the following order:
 - i. Project proponents (in favor of proposal)
 - ii. Project opponents (against proposal)
 - iii. Rebuttals – if requested
- C. Mayor closes the hearing
- D. Council discussion and vote

- 5a. Mayor Jones announced that the Town Council would conduct a public hearing to receive comments following the report from Marc Mattox, Public Works Director/Town Engineer. To ascertain whether the public necessity, convenience, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the town and the underground installation of wires

and facilities for supplying electric, communication or similar or associated service for the following boundaries:

UD16-1: Skyway between Neal Road and 5555 Skyway

UD16-2: Almond Street between Pearson Road and Elliott Road, Black Olive Drive between Pearson Road and Cedar Street, Foster Road between Pearson Road and Skyway, Birch Street between Skyway and Black Olive Drive, and Fir Street between Skyway and Almond Street.

The public hearing was opened at 6:48 p.m.

1. Laura Burman for Robert Bowers – was concerned with the cost to property owners, the time Skyway would be under construction and the amount of disruption to individuals traveling on Skyway. Does not support the project.
2. Ward Habriel – suggested that a representative from PG&E give a presentation regarding governance of underground utilities, thinks everyone is concerned with lost power and believes the project will help with aesthetics.
3. Chris Hoffman – worked on the previous underground project, was concerned with the cost to property owners, is glad that property owners will benefit from upgrades paid by someone else, and stated that previous conversions affected air conditioning units. Supports the project.
4. Bruce Siercks – wanted confirmation that the existing electrical panel on property owners homes would be brought up to current standards and that there would be no expense to the property owners.
5. A citizen was concerned with what would happen if the home on the property was deeper than 150' and who would be responsible for the expense.

The public hearing was closed at 7:01 p.m.

Upon closing the public hearing the following resolutions were adopted:

1. **MOTION by Lotter, seconded by Rawlings** adopted Resolution No. 16-75, A Resolution (1) declaring and determining a certain area with the Town as an Underground District Skyway (Underground District 16-1), and (2) finding and determining that public necessity, health or safety require the removal of poles, overhead wires, and associated structures, and ordering removal of same (Underground District 16-1) Roll call vote was unanimous. (950-90-003)
 2. **MOTION by Lotter, seconded by Rawlings** adopted Resolution No. 16-76, A Resolution (1) declaring and determining a certain area with the Town as an Underground District Almond (Underground District 16-2), and (2) finding and determining that public necessity, health or safety require the removal of poles, overhead wires, and associated structures, and ordering removal of same (Underground District 16-2) Roll call vote was unanimous. (950-90-003)
- 5b. Following a report from Colette Curtis, Administrative Analyst, the first of two public hearings was opened to solicit comments regarding a

proposed Substantial Amendment to the 2009/10 and 2013/14 Community Development Block Grant Annual Plans.

The public hearing was opened at 7:10 p.m.

There was no public comment

The public hearing was closed at 7:10 p.m.

No action was taken by Council at this time.

6. COUNCIL CONSIDERATION

- 6a. Council concurred to postpone appointing a representative to the Butte County Mosquito and Vector Control District board until the December meeting and will decide at that time if the representative should be a Town Council Member or a member of the community. (1120-10-002)
- 6b. Community Development Director Craig Baker gave a brief presentation regarding the proposed ordinance relating to felling, removal, destruction, damaging and replacement of trees and a public discussion was conducted with the following comments:
 1. Ward Habriel – would like to see more information on the Town and CalFire's Websites to educate people who are interested in learning about this problem.
 2. Halley Johnson – asked what would happen if trees can't be removed that are more than 30 feet away from the house and inquired about who takes the responsibility if a tree falls on a home.
 3. Claudia Benike – asked if the tree replacement on private property was being eliminated in the new ordinance.
 4. Laura Burman – stated that her father had trees removed and that a wisteria plant on some of the trees seemed to assist in their survival.
 5. Melissa Schuster – thanked Council for taking quick action on the serious tree/bark beetle issue.

Mayor Jones closed the public comment period.

MOTION by Jones, seconded by Lotter, conducted a public discussion and waived the reading of entire Ordinance No. 565 and approved reading by title only; and, (1) Introduced Ordinance No. 565, An Ordinance Amending Portions of Chapter 8.12 of the Paradise Municipal Code Relating to Felling, Removal, Destruction, Damaging and Replacement of Trees; and, (2) requested that staff come back to the Town Council with a

plan of how the in lieu fees collected will be used. Roll call vote was unanimous. (540-16-134)

- 6c. **MOTION by Bolin, seconded by Lotter**, rejected the bids received relating to Contract 14-02, Cypress Curve Realignment Project and authorized staff to re-advertise the project for bids. Roll call vote was unanimous. (950-40-21)
- 6d. **MOTION by Culleton, seconded by Rawlings**, 1. Received and filed operating and capital budget update for fiscal years 2015/16 and 2016/17; and, 2. Approved staff recommended budget adjustments for fiscal year 2016-17. Roll call vote was unanimous. (340-40-14)

7. COUNCIL INITIATED ITEMS AND REPORTS

- a. Council initiated agenda items – None
- b. Council reports on committee representation

Council Member Bolin, met with the Tree Ordinance Committee, the item was addressed at this Council Meeting.

Council Member Rawlings expressed his fondness for the members of the Council and it was expressed that he will be missed.

Council Member Lotter participated in the mock Town Council Meeting with the Boys and Girls Club; he has been teleconferencing with the League and working with 911 systems.

Council Member Culleton also attended the Boys and Girls Club mock Town Council meeting; participated with the planning committee for Make a Difference Day (MADD), stated that \$2500 was donated towards the event and the Town was able to join the MADD “Love your City” movement.

Mayor Jones attended the Sewer Stakeholder Meeting, Air Quality Management District Meeting and the BCAG meeting was cancelled.

- c. Future Agenda Items – None

8. STAFF COMMUNICATION

The Town Manager reported the next planning meeting for Make a Difference Day has been scheduled for November 16, 2016 in the Council Chambers.

Town Engineer/Public Works Director Marc Mattox presented an update on the Paradise Police Department Building Electrical Emergency Repair - The generator that was purchased was delivered, but was mistakenly made too small by the manufacturer. The manufacturer will start production on the correct sized tank which is projected to take 10-12 weeks. The manufacturer has agreed to absorb the cost increase of the larger tank and deliver the tank full with diesel fuel for no extra charge, a combined savings of \$5,200.

Community Development Director Craig Baker reported on the progress of the following projects: Hunter-Hanosh, The Eye Life Institute, Safeway, Lynn's Paradise Plaza, a 6000 sq ft. Industrial Building on lower Clark Rd., The Carousel Motel Project, 6066 Lucky John Rd., Quail Run Professional Plaza, and a 6 lot subdivision located at the West end of Buchman Rd.

9. CLOSED SESSION

- 9a. Pursuant to Government Code sections 54956.95 and 54956.9(e)(3), the Town Council will hold a closed session with Town Attorney Dwight Moore and Town Manager Lauren Gill concerning claims against the Town of Paradise by Victoria Woodward, Edward Thomas, Estate of Andrew Thomas, Manuel C. Hernandez, AAL/Personal Representative, Estate of Darien Rayne Ehorn and Brent Ehorn, Guardian ad litem for Kolbi Hernandez.
- 9b. Pursuant to Government Code Section 54956.8, the Town Council will hold a closed session with the Town's negotiators relating to an exchange of real property as follows:

Property:

- 951 American Way, Paradise, CA, Assessor Parcel No. 055-180-077
- American Way, Paradise, CA, Assessor Parcel No. 055-180-075 (western portion)

Town Negotiator: Lauren M. Gill

Negotiating Party: M. C. Horning, Jr. - Tom Wrinkle

Issue: Terms-Price

At 8:37 p.m. Mayor Jones reconvened the Town Council meeting and reported that direction was given to staff: no action taken.

10. ADJOURNMENT

Mayor Jones adjourned the Council meeting at 8:37 p.m.

Date approved: December 13, 2016

By: _____/s/_____
Jody Jones, Mayor

Attest:

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