

**MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – August 11, 2015**

1. OPENING

The Regular Meeting of the Town Council was called to order by Mayor Bolin at 6:00 p.m. in the Town Council Chamber at 5555 Skyway, Paradise, CA. Following the Pledge of Allegiance to the Flag of the United States of America, Vice Mayor Jody Jones offered an invocation.

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

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Town Manager Lauren Gill, Town Attorney Dwight Moore, Town Clerk Joanna Gutierrez, Finance Director Gina Will, Business and Housing Services Supervisor Kate Anderson, Assistant Town Clerk Dina Volenski, Human Resources Manager Crystal Peters, Building Official/Fire Marshal Anthony Lindsey, Assistant Planner Susan Hartman, Public Works Director/Town Engineer Marc Mattox, IT Manager Josh Marquis, Police Chief Gabriela Tazzari-Dineen and North Division Chief David Hawks, Cal Fire/Paradise Fire.

1e. Presentation:

North Division Chief David Hawks and Sharon Christiansen, Bare on the Ridge, recognized the individuals and businesses responsible for donation of cameras, solar panels to power the cameras, and the labor to install equipment to ensure a 24/7 365 day a week operation of the Sawmill Peak lookout tower project. Bare on the Ridge is a non-profit organization whose volunteers plan and hold a variety of fundraising events throughout the year to help maintain the fire watch system at Sawmill Peak Lookout Tower. Sawmill Peak provides critical information to firefighters, which helps reduce the risk to life and land, and save taxpayer money. The state cut regular staff funding for Sawmill Peak in 2001. Since that time, various groups and organizations, including Bare on the Ridge, have stepped in to fill the gap. (630-20-21)

2. ITEMS DEFERRED FROM PREVIOUS MEETINGS – None.

3. CONSENT CALENDAR

MOTION by Jones, seconded by Culleton, approved the following consent calendar items as presented by unanimous roll call vote.

- 3a. Approved Minutes from the Adjourned June 29, 2015 and Regular July 14, 2015 Town Council meetings.

- 3b. Approved cash disbursements for July 2015 in the amount of \$3,121,144.93. (310-10-30)
- 3c. Adopted Town of Paradise Resolution No. 15-30, "A Resolution of the Town of Paradise Authorizing Preparation & Submittal of Fund Applications to Cal Recycle and Other State Agencies". (940-10-28)
- 3d. (1) Awarded the 15/16 Simplivity Bid for hyper converged infrastructure and support services to the sole bidder, Optitec Systems, in the amount of \$92,992.02; and, (2) Authorized the Town Manager to execute the documents necessary to purchase the (3) Simplivity CN2200 appliances and the five-year Gold Support. (510-20-106 & 380-45-53)

Simplivity is a hardware and software vendor that specializes in delivering hyper converged infrastructure. This infrastructure will enable IT staff to further consolidate the Fire and Police (FDPD) and Town Hall (TH) sites for many years.

- 3e. (1) Approved appropriate budget adjustments for automobile purchase, and; (2) Authorized the Police Department to award the Volunteers in Police Service (VIPS) SUV Vehicle Bid (One 2014 Dodge Journey Utility Vehicle) to Red Bluff Dodge, 545 Adobe Road, Red Bluff, CA 96080, and; (3) Authorized the Town Manager to arrange financing for the remaining \$8,877 (either through lease purchase or through the Town of Paradise loaning the funds). (340-40-14, 380-45-53 & 480-35-02)

The purchase of a VIPS vehicle will have no impact on the General Fund. The VIPS currently have \$15,000 to use as a down payment, and the remaining \$8,877 (includes light bar) plus fees and interest would be paid by the VIPS donation fund in the form of a 5 year lease/purchase plan payment. The financing would either be added to the proposed lease purchase detailed in a separate staff report or loaned by the Town of Paradise with the same lease purchase terms.

- 3f. Authorized the award of the Police Patrol Vehicle Bid (Three 2016 Ford Interceptor Utility Vehicles) to Downtown Ford, 525 North 16th St., Sacramento, CA 95811; and, authorized the Town Manager to execute documents necessary for the purchase of the vehicles. Downtown Ford is the low bidder at \$28,066.25 for each vehicle - \$84,198.75 for three vehicles. (380-45-53, 340-40-14 & 480-35-02)
- 3g. (1) Authorized the Police Department to award the Police Unmarked Investigation Vehicle Bid (Two 2014 Dodge Journey Utility Vehicles) to Red Bluff Dodge, 545 Adobe Road, Red Bluff, CA 96080. Red Bluff Dodge is the low bidder at \$21,377.00 (or \$42,754.00 for two vehicles; AND, (2) Authorized the Town Manager to execute the necessary document to purchase the vehicles. (380-45-53, 340-40-14 & 480-35-02)

- 3h. Authorized the Town Manager to execute the documents necessary to order and purchase a Type 1 Pierce fire engine. The total cost of the engine is \$487,550.00 and will be paid for by lease purchase. (380-45-53 & 440-30-04)
- 3i. (1) Approved Resolution No. 15-31, A Resolution of the Town of Paradise Certifying to the County of Butte the Validity of the Legal Process Used to Place Direct Charges (Special Assessments) on the Secured Tax Roll; (2) Authorized the Town Manager and Finance Director to approve direct charge (special assessment) changes; and, (3) Authorized the Town Manager to execute an agreement with Butte County for continued services related to the direct assessments on the property tax roll. (395-70-13, 540-10-20, 550-40-51 & 510-20-107)

4. PUBLIC HEARING PROCEDURE

Mayor Bolin informed the public of the Town Council adopted public hearing procedure.

5. PUBLIC HEARINGS

- 5a. Following a report from Assistant Planner Hartman regarding the official request for a change to the name of a private road from Derrough Lane to Sir Court, Mayor Bolin opened the public hearing at 6:23 p.m. There were no speakers for or against the matter and Mayor Bolin closed the public hearing at 6:23 p.m.

MOTION by Lotter, seconded by Rawlings, adopted Resolution No. 15-32, "A Resolution of the Town Council of the Town of Paradise Officially Changing the Name of a Certain Private Road (Derrough Lane) located in the Town of Paradise to be Henceforth Named: Sir Court." Roll call vote was unanimous. (950-65-06)

- 5b. Following a report from Public Works Director/Town Engineer Marc Mattox regarding the recommendation to file CEQA exemptions on three Capital Improvement Projects, Mayor Bolin opened the public hearing at 6:29 pm.

1. Jon Remalia stated that his concern is that the speed of traffic might increase if the Cypress Curve is straightened out, that the curve currently slows traffic.

Mayor Bolin closed the public hearing at 6:30 p.m.

MOTION by Rawlings, seconded by Lotter, concurred with staff recommendation and authorized the filing of California Environmental Quality Act Notice of Exemptions for the following projects:

(1) Cypress Curve Realignment Project - Clark Road between Adams Road and Kimberly Lane Road rehabilitation and realignment for purposes of safety; (2) Pearson Rd Shoulder Widening Project - Pearson Road between Clark Road and Pentz Road rehabilitation and shoulder widening for purposes of installing bicycle lanes and safety; and, (3) Clark Road

Safety Enhancements - Clark Road between Bille Road and Wagstaff Road rehabilitation and re-striping for the purposes of safety. Roll call vote was unanimous. (950-40-21, 950-40-23 & 950-40-24)

6. PUBLIC COMMUNICATION – Non Agenda Items

1. Jerry Smith, retired Butte County Sheriff, representative of the Butte County Fair, appointed by Fifth District Supervisor Doug Teeter, invited the Town Council to the fair and to the Butte County Fair Board business meeting on August 27, 2015.
2. Michael Zuccolillo addressed Council regarding his removal from the Paradise Planning Commission, alleged violation of the Brown Act relating to his removal, and asked for the Town Council Members' resignations. Mr. Zuccolillo provided a written copy of his presentation to the Town Council and to the Town Clerk to be retained for the public record.

7. COUNCIL CONSIDERATION

- 7a. **MOTION by Lotter, seconded by Rawlings**, approved Resolution No. 15-33, A Resolution of the Town Council of the Town of Paradise authorizing the execution and delivery of a lease with option to purchase, and authorizing certain actions in connection therewith; and, approve recommended budget adjustments outlined under the financial impact section of this report. Approval will result in the lease purchase of computer hardware, IT infrastructure and public safety vehicles. Roll call vote was unanimous. (380-45-53)
- 7b. **MOTION by Jones, seconded by Culleton**, adopted Resolution 15-34, A Resolution of the Town of Paradise Authorizing and Approving the Borrowing of Funds for Fiscal Year 2015-2016, the Issuance and Sale of a 2015-2016 Tax and Revenue Anticipation Note Therefore, and Approving Certain Other Actions Related thereto. Roll call vote was unanimous. Approval authorizes an amount not to exceed \$2.5 million at a fixed interest rate of 1.35% for ten (10) months. (350-40-16)

Following a report by Public Works Director/Town Engineer Marc Mattox on the engineering services for Pearson Road Safe Routes to School Connectivity Project, Mayor Bolin called for public comment.

1. Ward Habriel stated that he would like the funding for Pearson Road Safe Routes to School Project to be applied to other roads that are in worse shape.
2. Thomas Wahl stated that the storm drain and entire corner near his home on Pearson is a problem for him, that the new sidewalk will be one-foot from his property line, that the Town permitted his neighbor's project and created problem for his property.

- 7c. **MOTION by Culleton, seconded by Jones,** (1) Concurred with staff's recommendation of NorthStar Engineering to perform engineering services for the Pearson Rd SR2S Connectivity Project; (2) Approved a Professional Services Agreement with NorthStar Engineering in the amount of \$166,385.01 and authorized the Town Manager to execute; and, (3) Authorized the Town Manager to execute additional work orders up to 10% of the contract amount. Roll call vote was unanimous. The professional services agreement and respective services will be 100% funded by the State Active Transportation Program. (510-20-108 & 950-40-25)
- 7d. Following a report from Public Works Director/Town Engineer Marc Mattox regarding the Clark Road Safety Enhancements project, Mayor Bolin called for public comment cards.

1. Ward Habriel stated that he objects to expenditure of tax money at this intersection when there are other roads in greater states of disrepair.
2. Jon Remalia asked questions relating to funding sources for the project and type of equipment that will be used for the repair and if there is a chance that Elliott Road could be addressed when the construction equipment is in the area.
3. Brenton Stockwell asked how the construction will affect businesses in the area and that he supports the project.

MOTION by Culleton, seconded by Jones, adopted Resolution No. 15-35, A Resolution of the Town Council of the Town of Paradise approving the Plans and Specifications for the Clark Road Safety Enhancements and Authorizing Advertisement for Bids on the Project. Roll call vote was unanimous. (950-40-24)

8. COUNCIL COMMUNICATION (Council Initiatives)

- 8a. Consider direction to staff regarding extension of the Northern Recycling and Waste Services (NRWS) Franchise Agreement for solid and vegetative waste removal and recycling, specifically including a 15-year extension, review of agreement provisions and notice requirements.
(CULLETON)

Council Member Culleton stated that he placed this item on the agenda as he believes there is cause to act sooner than later in addressing the provision in the contract with NRWS that provides for an automatic three-year extension, and asked Council to direct a work effort from staff to review the terms of the renewal, to determine if a notice to the ratepayers and/or a local code amendment will be necessary.

Council concurred to direct the staff, along with the Mayor and Vice Mayor, to meet with NRWS staff with regard to the franchise renewal process.

1. Ward Habriel stated that the Town should be very proud of what has been accomplished by NRWS, as everything being done is for the good of the Town, that he supports a 15-year extension, and that Paradise made the 50% waste

reduction to the landfill long before any other jurisdiction, and that the California Integrated Waste Management Board is considering a 75% reduction mandate.

2. Loren Harvey asked if the contract is extended to a sole provider, how will the costs be controlled, that the Town receives a quarter of a million dollars from the franchise, and he is concerned that there is no competition.

8b. Council oral reports of their representation on Committees/Commissions.

Vice Mayor Jones is working on a presentation to the Chico City Council relating to a wastewater solution for the Town of Paradise that could involve the City of Chico.

Council Member Culleton reported that the Dutch Oven Cook-off for the benefit of the Gold Nugget Museum was a success netting \$2,000 for the museum and the Boys and Girls Club.

Council Member Lotter hosted a K-9 Training at his Cinema Seven theatre, that trainers from CCSI, Tehama County and Willows were present; that he went on a CALFIRE ride along and toured the command center and viewed pictures taken by the Sawmill Peak ForestWatch cameras and Chico Air Tac Base; and, attended the Dutch Over Cook-off.

Council Member Rawlings attended an animal control meeting which is refocusing on sustainability of the operation; the agenda setting meeting in the Manager's office; the joint meeting with Paradise Irrigation District; several evenings at Party in the Park as a town representative; and the BCAG and the BCAQMD meetings as the alternate.

Mayor Bolin attended the K-9 training and thanked Council Member Lotter for providing the training venue; and, informed Council that Alliance Kingdom Builders (AKB) will be painting the fire station.

8c. Discussion of future agenda items

9. STAFF/COMMISSION/COMMITTEE COMMUNICATION

9a. Town Manager oral reports – None

9b. Community Development Director oral reports

Assistant Planner Susan Hartman provided a project update as follows:

- Two new businesses established at Liberty Plaza: Kaia Fit and a boxing gym
- Pheasant Commons working towards Certificates of Compliance by September 1st for three of the five building units
- Verizon cell tower at Extra Storage on Elliott
- St. Thomas More request to modify a use permit to add a fifth module
- Hunter-Hanosh dental facility being established on Skyway behind Holiday – Public hearing is set for the Planning Commission to consider a request to modify setback line by two feet.

- Online submittal of onsite evaluations has ‘gone live’ but is not mandatory
- Code enforcement has served a 30-day public nuisance abatement notice on property located at Nunneley and Sawmill and the owners are responsive.

10. CLOSED SESSION

At 8:03 p.m. Mayor Bolin announced that the Town Council would recess to closed session for the following:

10a. Pursuant to Government Code Section 54956.9(d)(1), the Town Council will hold a closed session with Town Attorney Dwight Moore and Town Manager Lauren Gill pertaining to the following existing litigation: Town of Paradise vs. Brandy L. Braun, Butte County Superior Court Case No. 164611.

10b. Pursuant to Government Code section 54957, the Town Council will hold a closed session relating to performance evaluation of Town Manager.

Town Clerk Gutierrez and Town Attorney Moore exited the closed session at 8:20 p.m. Attorney Moore announced that the following action was taken in closed session:

MOTION by Lotter, seconded by Culleton, authorized the Town Manager and the Town Attorney to execute the “Agreement to Settle Pending Petition for the Appointment of a Receiver to Abate Public Nuisances and State Housing Law Violations on Real Property that Substantially Endanger the Health and Safety of the Residents and Public”. Roll call vote was unanimous.

Mayor Bolin reconvened the meeting at 9:35 p.m. and announced that the following action was taken in closed session:

Council concurred unanimously to extend the term of the Professional Services Agreement with Lauren Gill for Town Manager Services by four years, expiring June 30, 2020, and directed Town Manager Lauren Gill to bring forward an amended and restated professional services agreement to the September 8, 2015 Council Meeting as a consent calendar item.

11. ADJOURNMENT

Mayor Bolin adjourned the meeting at 9:35 p.m.

Date approved: September 8, 2015

By: _____/s/_____
Greg Bolin, Mayor

_____/s/_____
Joanna Gutierrez, CMC, Town Clerk