

MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – May 14, 2019

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 Vice Mayor Bolin.

COUNCIL MEMBERS PRESENT: Greg Bolin, Scott Lotter, Melissa Schuster, Mike Zuccolillo 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 Gina Will, Public Works Director/Town Engineer Marc Mattox, Administrative Analyst Colette Curtis, Business and Housing Services Director Kate Anderson, Sergeant Nichols and Acting Community Development Susan Hartman.

- 1a. The proclamation recognizing National Police Week May 12-18 was presented by Mayor Jones.
- 1b. A presentation of The Welcome to Paradise Sign was given by Bret Matteis.
- 1b. Updates from the Following:
 - Butte County Mosquito and Vector Control District - Matt Ball
 - Swimming Pools - Susan Hartman
 - Surveys - Marc Mattox
 - Introduction of Contract employees with 4Leaf - Marc Mattox
 - Trees – Greg Eaton
 - CAL OES/Debris Removal - Tina Walker
 - FEMA – David Samaniego

1. Ward Habriel – expressed his concern regarding the amount of dirt the CAL OES debris crews are taking from lots.
2. Teresa McDonald – asked how Surveyors can correctly survey without markers and asked if anyone is thinking of replacement trees.

2. CONSENT CALENDAR

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

- 2a. Approved minutes from the following meetings: January 8, 2019 Regular meeting, January 23, 2019 Adjourned meeting; February 4, 2019 Special meeting, February 12, 2019 Regular meeting, February 22, 2019 Special meeting and March 12, 2019 Regular meeting.
- 2b. Approved cash disbursements for April 2019 in the amount of \$937,901.86.
- 2c. 1. Authorized the Town Manager, Administrative Services Director and Town Attorney to negotiate a service extension with Ernst & Young LLP for Disaster Recovery Management Services; and, 2. Authorized the Town Manager to execute the appropriate documents.
- 2d. Authorized to Extend Public Safety Recruitment Incentives as approved on December 13, 2016 until December 31, 2020.
- 2e. Adopted Resolution No. 19-07, A Resolution of the Town Council of the Town of Paradise declaring two fire department vehicles and two public works pieces of equipment as surplus property and authorizing disposal thereof by the Town Manager.
- 2f. Accepted the various private citizen and business donations offered to the Town of Paradise during the month of April 2019 in the amount of \$107,101.06.
- 2g. Reviewed and filed the 1st and 2nd Quarter Investment Report for the Fiscal Year Ending June 30, 2019.
- 2h. 1. Adopted Resolution No. 19-08 of the Town Council of the Town of Paradise Adopting a List of Projects for Fiscal Year 2019-20 Funded By SB 1: The Road Repair and Accountability Act of 2017.
 - 1. Steve Culleton asked why we were reporting on projects that we will not be building post fire.
- 2i. Concurred with the recommendation of the Planning Commission Interview Panel: and, 2. Appointed applicant Shannon Costa to fill the existing vacancy on the Planning Commission (effective immediately with term to expire June 30, 2023.)

3. ITEMS REMOVED FROM CONSENT CALENDAR - None

4. PUBLIC COMMUNICATION

- 1. Ward Habriel updated the Council on projects that Love Paradise and the Garden Club are working on around town.
- 2. Linda McCann wanted to speak on 6d.
- 3. Mary Bellefeuille spoke on behalf of Paradise Recreation and Park District and asked the Council to promote youth activities being offered by the District.

4. Steve Culleton made a comment on surveys; Asked the Council to write a formal letter to OES concerning the contractors driving too fast in Town; Encouraged Council to use computer models to project the future costs for projects, and asked for a resolution to be drafted asking the federal government to maintain private roads.

5. Mike Greer from the Paradise Unified School District, updated the Council on the status of the schools and confirmed the High School graduation will take place in Paradise.

Mayor Jones adjourned the meeting for recess at 7:37 p.m.

The meeting was re-adjourned at 7:43 p.m.

5. PUBLIC HEARINGS – None

6. COUNCIL CONSIDERATION

- 6a. Vice Mayor Bolin and Council member Zuccolillo recused themselves from the dais at 7:44 p.m. due to a potential conflict of interest with agenda item 6a.

Assistant Town Manager Marc Mattox gave an overview on the proposed Sewer Project and revisited the 2017 Paradise Sewer Project Feasibility Report. The different phases of the project were highlighted which included the Feasibility Report, Environmental Review, Design, Right of Way and Construction. Staff asked council to decide on a waste water option of either a regional connection with the City of Chico or a local treatment plant.

Council Member Crowder commented that using the local option allows us to control our own destiny.

Council Member Schuster asked if the local option is chosen whether there are public or private companies that can maintain the treatment plant.

Assistant Town Manager Mattox stated there are companies that can maintain the treatment plant. .

Council Member Schuster commented that previously the local option was not as feasible due to the lack of available land for the treatment plant, but the current availability of land has made this option more viable.

Mayor Jones explained a conversation she had with Dustin Cooper, the legal counsel for Paradise Irrigation District (PID): Mr. Cooper stated the sewer coincides with a project that PID is working on in which a pipe line would be built to Chico. PID is hopeful that the Council will pick the regional option, although the pipes need to be built 10 feet apart, PID believes there could be cost savings if the projects are built simultaneously.

1. Ward Habriel is concerned that funds for the Sewer would detract from potential spending on public safety and that public safety should be the Towns number one priority.
2. Steve Culleton disliked the idea of doing the regional option to Chico and encouraged Council to vote for the local option.
3. Theresa McDonald is concerned that if there is pipeline built to Chico, then they have the ability to shut off that pipeline and the sewage would have no place to go. She stated that the right of way will cost less, is worried about not having storage in case the pipe breaks and that having a local treatment plant can produce grey water which can potentially help fight fires.
4. Cliff Jacobson is for the regional option. Mr. Jacobson stated that he knows Chico has adequate capacity to accommodate Paradise sewage, does not believe that Chico will cut the line because that is what we have contracts and attorneys for. He believes CAL Water has a large interest in getting the PID water to Chico and will help us build our sewer line to Chico as well.

Councilmember Schuster asked Mayor Jones her opinion on the available funding for the project.

Mayor Jones thinks that this is the time to build a sewer. If it does not happen now she believes it will never happen. It is not an issue between safety and the sewer. The funds that the Town will receive for the sewer have to be spent solely on the sewer. There is a group of legislators led by Senators Nielson and Maguire who are working on getting the Town 11 million dollars for the first phase of work. On the federal level the Town has been told that they cannot receive money until an option is chosen.

Council Member Schuster commented on Assemblyman Gallagher working on CEQA requirements. She asked if this will be applied to the project.

Mayor Jones stated not at this time that Assemblyman Gallagher had been working on a bill, but could not get it out of committee. She hopes by the time the bill is revisited in two years, the Town would not need it.

Council Member Schuster commented on how previously she was in favor of the pipeline, but since the fire her opinion has changed. She believes problems such as funding and land availability have opened up since the fire. She is in favor of the local option for two reasons: 1. Building a sewage treatment facility can possibly create revenue for the Town in which we could process sewage from the county and surrounding areas, and 2. She likes the idea of providing local jobs.

Council Member Crowder stated that since the fire, Paradise is now in the forefront of legislators minds and believes this is the time to do it now before the country forgets and is in favor of the local option.

Mayor Jones is also in favor of the local option; believes the political realities in Chico are not conducive to accommodating the Towns sewer project and stated the local option will cost the Town less money than the regional option.

MOTION by Crowder, seconded by Schuster, selected the local treatment plant option for the purposes of securing funding for preliminary engineering work (environmental review, project design and right of way). Roll call vote was unanimous with Bolin and Zuccolillo absent (recused) and not voting.

Bolin and Zuccolillo returned to the dais.

- 6b. Council Member Schuster recused herself from the dais due to a friendship with the Hartley's.

Administrative Analyst Colette Curtis gave an overview of the history of the Town property located at 5456 Black Olive Dr. that the Hartley's are interested in purchasing.

Mr. Hartley provided additional information concerning the sale. Stated they have changed their original intent and would now like to buy the parking lot adjacent to the property in question and offered \$15,000.

Mayor Jones asked Assistant Manager Mattox if \$15,000 would be sufficient enough to put a parking lot on 5456 Black Olive Dr.

Mattox said no; believes a parking lot would cost more.

Town Manger Gill stated that the Town does not know yet if there are restrictions concerning the sale of the adjacent parking lot.

Attorney Moore stated that the adjacent property is not on the agenda so the Council would have to vote on it at a later date.

Council Member Zuccolillo expressed concern regarding creating another parking lot.

Council Member Crowder asked Mr. Hartley if his business parking would be available for Town festivities.

Council Member Bolin clarified that Mr. Hartley is actually not going to build any parking and would utilize the Town parking.

Acting Community Development Director Susan Hartman stated that the downtown zoning does not require businesses to provide parking.

Council directed staff to look into these options and the costs associated with selling the property and return with information for Council.

Council Member Schuster returned to the dais.

- 6c. Assistant Manager Marc Mattox gave an overview of the Skyway/Black Olive Signalization project and the reasons behind moving forward.

Council Member Bolin asked whether it would be synchronized with Elliott and Pearson.

Assistant Town Manager Mattox stated that it could be synchronized with Elliott and Pearson roads.

Council Member Zuccolillo asked if there is a deadline.

Assistant Town Manager Mattox stated that construction needs to be done within 3 years of acceptance of the project

Council Member Zuccolillo questioned whether it is wise to go ahead with this project before we know how the traffic flows will be post fire.

Vice Mayor Bolin thinks the light is needed due to how unsafe the intersection is and the amount of large trucks that have been speeding through the area. Speaking as a developer, he believes the light would make the area more attractive.

MOTION by Schuster, seconded by Bolin, 1. Awarded Contract No. 16-08.CON, Skyway/Black Olive Signalization, to ST Rhoades Construction of Redding, CA in the amount of their total bid of \$683,816.00; and, 2. Authorized the Town Manager to execute an agreement with S.T. Rhoades Construction relating to Contract No. 16-08.CON and to approve contingency expenditures not exceeding 10%. Roll call vote was unanimous.

6d. Acting Community Development Director (ACCD) Susan Hartman gave a presentation on existing zoning regulations on accessory building uses, listed discussion points and asked Council for direction regarding changing Ordinance No. 575 or Paradise Municipal Code Title 17 relating to the issuance of permits for accessory builds, prior to issuance of permits for the primary residence, to present at a future Council meeting.

Mayor Jones sees the potential for people to build accessory structures that later impede the building of a primary structure.

Vice Mayor Bolin asked exactly why there is a need for people to build accessory structures.

Council Member Schuster used her own situation as an example of why accessory buildings are needed prior to building a primary structure and

asked if there is predominantly certain zone property owners are asking for accessory structures.

ACDD Hartman said it is a mix of properties.

Mayor Jones suggested requiring a plot plan for the proposed garage and potential house so they meet all requirements.

Vice Mayor Bolin is concerned with people building garages, then walking away from the garage and suggested having different requirements for each zone.

Council Member Crowder commented that storage containers would be easier to walk away from than built structures.

Council Member Zuccolillo agreed with the other Council members and also suggested the plot plan and differing between zones.

Vice Mayor Bolin requested a deadline for this change.

Council Member Schuster asked if Santa Rosa had made any special provisions regarding accessory buildings.

ACDD Hartman said no, but they had covenants that citizens would sign.

Attorney Moore said it is still an extensive legal process to remove the buildings even if there is a covenant.

1. Theresa McDonald stated she owns a 1/3 acre lot and a 120 sq. ft storage building would be adequate.

Mayor Jones summarized that she wants something tiered for the size of the lot and the building and that she would like to see a plot plan and a sunset date.

2. Cliff Jacobson is upset that the Council thinks that he will build a shop, then abandon it and that all parcels cannot be treated the same.

3. Monz Jensen lives in an RV and plans to rebuild but does not know how large he wants to build his house but he had a shop on his lot prior to the fire. Mr. Jensen approves of submitting a plot plan but asked for the size of the potential residence not be required.

Vice Mayor Bolin said exact sq. footage wouldn't be needed if there was a shop there prior that would be considered.

Town Council asked for an emergency ordinance to be presented at the May 22 meeting.

7. COUNCIL INITIATED ITEMS AND REPORTS

7a. Council initiated agenda items

7a. Items brought to the Council by Mayor Jones. Jones stated her belief that both Bill No. 394, Relating to Exemptions from the California Environmental Quality Act; and No. 430, Relating to an Expedited Ministerial Process for Development Projects; would help with the rebuild.

1. Ward Habriel stated that part of the bill is for better evacuation routes, this is a no brainer.

MOTION by Zuccolillo, seconded by Schuster, adopted Resolution No. 19-09, A Resolution of the Town Council of the Town of Paradise supporting the adoption of Assembly Bill No. 394. Roll call vote was unanimous.

MOTION by Zuccolillo, seconded by Crowder, adopted Resolution No. 19-10, A Resolution of the Town Council of the Town of Paradise supporting the Adoption of Assembly Bill No. 430. Roll call vote was unanimous.

7b. Mayor Jones presented this item and explained that it is a bill being proposed by higher populated areas wanting the active transportation tax appropriated by population leaving only 10% available for competition for Town such as Paradise. Currently 50% is available for competition.

MOTION by Bolin, seconded by Zuccolillo, authorized Mayor Jones to sign and submit a formal letter of opposition relating to Senate Bill 152 which proposes significant changes to the Active Transportation Program. Roll call vote was unanimous.

7b. Council reports on committee representation

Vice Mayor Bolin attended a LAFCO meeting, reported that Chico annexed a large portion of North Chico and conducted the Planning Commissioner interviews.

Council Member Crowder participated in the Chamber of Commerce's operation Clip Board and was surprised by the amount of businesses that were open in Town. He also met with Congressman La Malfa, gave an update on Paradise and provided suggestions.

Council Member Schuster went to two Butte County Mosquito and Vector Control District meetings, participated in the clipboard survey, attended all the UDA presentations, CAL Poly and University of Montana presented projects they have been working on. Met with Insurance Commissioner Laura, Comcast Cares, Zone Captain Meetings, met with PG & E, Explore Butte County, League of Cities and Sacramento Division Meeting.

Mayor Jones has attended meetings concerning the Sewer. She and Council Member Zuccolillo have met with CUPC many times about their oversight role with PG&E, attended a meet and greet with new PG&E CEO.

7c. Future Agenda Items

Council Member Zuccolillo asked staff to outline how the Town will address new fire hazards and how code enforcement will handle the increased properties out of compliance.

8. STAFF COMMUNICATION

Town Manager Report – Town Manger Lauren Gill announced that Christy Moore from the Ferguson group has offered to provide pro bono legal representation for the Town of Paradise in Washington D.C. and asked for Council to authorize the Mayor to sign a letter accepting this work at a future Council meeting. Manager Gill asked the Council to give staff direction regarding a green waste yard. Mayor Jones asked for staff to explore options.

9. CLOSED SESSION - None

10. ADJOURNMENT

Mayor Jones adjourned the Council meeting at 9:40 p.m.

Date Approved: July 09, 2019

By:

_____/s/_____
Jody Jones, Mayor

Attest:

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