

**MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – March 08, 2016**

1. OPENING

- a. Called to order by Mayor Jody Jones at 6:01 p.m.
- b. Pledge of Allegiance to the Flag of the United States of America
- c. Invocation by Council Member John J. Rawlings.

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

COUNCIL MEMBER ABSENT: None.

STAFF PRESENT: Town Clerk Joanna Gutierrez, Town Manager Lauren Gill, Town Attorney Dwight L. Moore, Finance Director/Town Treasurer Gina Will, Human Resources Manager Crystal Peters, Administrative Assistant

- e. Town Council Recognitions of Employee Service to the Town Presented by Mayor Jody Jones (630-20-22)

20 Years

Stephen Rowe - Police Lieutenant

15 Years

Robert Nichols - Police Sergeant

5 Years

Crystal Peters - Human Resources Manager
Gabriela Tazzari-Dineen - Police Chief
Anthony Lindsey - Fire Marshal/Building Official
Jake Smith - Police Sergeant

- f. Town of Paradise Employees of the Year Presented by Town Manager Lauren Gill
 - Susan Hartman, Assistant Planner
 - Anthony Lindsey, Fire Marshal/Building Official
- g. Volunteers in Police Services (VIPS) 2015 Annual Report – Presented by Community Services Officer Charlie Rollo. (480-60-09)

2. CONSENT CALENDAR

MOTION by Bolin, seconded by Culleton, approved the following consent calendar items as presented. Roll call vote was unanimous. One roll call vote is taken for all items.

- 2a. Approved Minutes of the January 25 and February 9, 2016 Regular Council meetings.
- 2b. Approved February 2016 Cash Disbursements in the amount of \$1,732,375.12. (310-10-31)
- 2c. Waived reading of entire Ordinance No. 559 and approved reading by title only; and, adopted Ordinance No. 559, An Ordinance Amending Paradise Municipal Code Sections 13.04.05, 13.04.040, 13.04.070, 13.04.080, 13.04.110 and 13.04.112 Relating to Onsite Sewage Disposal Regulations. The revisions to the Paradise Municipal Code contained in the ordinance were necessary to put the Town in a position to submit Town regulations (PMC & Onsite Manual) relating to onsite wastewater treatment to the State Water Resources Control Board pursuant to State Policy to consider authorizing Town establishment of a Local Agency Management Program (LAMP) for the Town of Paradise. (540-16-128)

3. ITEMS REMOVED FROM CONSENT CALENDAR – None.

4. PUBLIC COMMUNICATION

1. Claudia Benike spoke about hydraulic fracturing to inform the Council of its negative effects to the environment.

2. Ward Habriel believes that the Town could influence motorist behavior by parking an empty police vehicle with flashing lights at various places on Skyway to slow down the speeders, especially those that are diverting to Clark Road to avoid Skyway.

3. Michael Ledbetter asked the Town Council to refund the fines that are on his tax bill as a result of his not having garbage service, that he does not need garbage service and that he had been granted an exception by the previous Community Development Director as a self-hauler.

4. Jon Remalia stated that the Cobblestone Pharmacy in Paradise is closing, that he understands they were bought out by a big-box store and asked the Town Council to do something to stop big-box stores from taking over the smaller businesses in Paradise.

5. PUBLIC HEARINGS

5a. Following a report from Town Manager Gill, Mayor Jones opened the public hearing at 6:38 p.m. regarding the proposed ordinance and resolution relating to the administrative civil citation penalty process and establishment of a temporary amnesty program relating to payment of administrative civil citation penalties and liens.

1. Ward Habriel spoke in favor of the proposed program and that he believes it will help to address issues of blight in the Town and bring up the property values for all residents.
2. Jon Remalia thinks this is a step in the right direction, that the 75% reduction is too much, that there is a constitutional issue when the punishment does not fit the crime, that fines should be assessed based on an individual's ability to pay and that there should be a hearing process.

Mayor Jones closed the public hearing at 6:45 p.m.

MOTION by Bolin, seconded by Culleton, adopted Resolution No. 16-05, A Resolution of the Town Council of the Town of Paradise Establishing a Temporary Amnesty Relating to the Payment of Administrative Civil Citation Penalties and Liens. Roll call vote was unanimous. (395-70-13 & 540-15-10)

Council directed staff to bring back a report on the amnesty program in six months for review.

MOTION by Culleton, seconded by Rawlings, concurred with the California Environmental Quality Act (CEQA) determination signed by the Town Planning Director, waived the reading of entire Ordinance No. 560 and approved reading by title only, and introduced Ordinance No. 560, An Ordinance Amending Section 1.09.050 of Paradise Municipal Code Chapter 1.09 Relating to Administrative Civil Citation Penalties. Roll call vote was unanimous. (540-16-129)

Council concurred to direct staff to bring this matter back to Council on a future agenda for further discussion of issues related to the administrative civil citation process, including but not limited to how property owners are billed for outstanding, unpaid fines for code violations, hearing and appeal processes, and other mechanisms to address public nuisances and to gain compliance by property owners.

6. COUNCIL CONSIDERATION

- 6a. **MOTION by Bolin, seconded by Culleton**, approved the Professional Services Agreement with CSU Chico Research Foundation, on behalf of the Center for Healthy Communities related to the Pearson Road SR2S Connectivity Project Education and Outreach Services (Non-Infrastructure Component) for an estimated amount of \$71,289 and authorized the Town Manager to execute the agreement. Roll call vote was unanimous. (540-20-120 & 950-40-25)

The services for this effort will be 100% funded by the State Active Transportation Program. The budgeted grant amount for the Non-Infrastructure phase of the project is \$91,000. The estimated total contract cost is \$71,189.

- 6b. **MOTION by Bolin, seconded by Rawlings,** (1) Concurred with staff's recommendation of Rolls Anderson & Rolls to perform engineering services for the Maxwell Drive Safe Routes to School Project; (2) Approved the Professional Services Agreement with Rolls Anderson & Rolls 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. (510-20-121 & 950-40-26)

The professional services agreement and respective services will be 100% funded by the State Active Transportation Program. The budgeted grant amount for the Preliminary Engineering phase of the project is \$98,000. The estimated total contract cost is \$59,856.00.

- 6c. Following a report from Public Works Director/Town Engineer Mattox, Mayor Jones called for public comment cards.
1. Ward Habriel stated that he would like to see more law enforcement and that he thinks people remember that Measure C monies are for police and fire.

MOTION by Lotter, seconded by Rawlings, adopted Resolution No. 16-06, A Resolution Approving the Plans and Specifications for the Measure C Road Rehabilitation Project 2016 for an estimated construction cost of \$500,000 with 10% contingency from local transportation/transit and authorized advertisement for bids on the project. Roll call vote was unanimous. (950-40-029 & 395-70-17)

Council concurred to direct staff to include an addendum within the contract that would allow for a contractor to rehabilitate additional priority roadways including Oliver, Elliott, Wagstaff and Pentz south of Pearson if the project came in under the \$500,000 budget. The proposed project includes micro-surfacing, re-striping and placing recessed markers to maintain and extend the life of critical roadways.

- 6d. **MOTION by Lotter, seconded by Bolin,** (1) Authorized staff to award a contract Crisp Company of Woodland, CA to perform striping modifications at the intersection of Skyway at Elliott Road at a cost not to exceed \$7,335.00; and, (2) Authorized in-house public works staff to make structural changes to the Skyway/Elliott triangle, permitting two northbound lanes to proceed straight through intersection. Roll call vote was unanimous. (510-20-122 & 950-40-19)
- 6e. **MOTION by Lotter, seconded by Culleton,** reinstated the Community Development Block Grant Small Business Assistance Program to offer loans and grants to small businesses for start up and expansion. The proposed total budget for the program in its first year 2016-2017 would be \$153,000. Roll call vote was unanimous. (710-05-20)

7. COUNCIL INITIATED ITEMS AND REPORTS

- 7a. Council concurred to oppose Measure SB876 (Liu), a measure that would preempt local authority to address important issues affecting public health and safety and approved sending a letter in opposition of SB 876 (Liu).
(550-40-18)
- 7b. Council Member Rawlings stated that he would like the Council to consider a specific allocation of Measure C Funds for the Animal Control shelter to build a 900' building next to the existing Animal Control facility that would be dedicated to the care and keeping of cats, that he has met with PASH members and other community volunteers and that he believes the cost of such a building would be \$200 per square foot for a cost of \$180,000.
1. Dan Wentland stated that he and other members of PASH realize that this type of facility is not a funding priority for Measure C funds, that PASH anticipates holding fund raisers for the project and that he thinks there will be volunteers for the construction with the exception of the masonry work.

Council concurred to request that Council Member Rawlings and the PASH committee keep the Council informed on how to participate in the community fundraising efforts for this proposed facility.

7c. Council Reports on Committee Representation

Council Member Rawlings participated in the CDBG Sub-recipient review process, attended Destination Downtown meetings and a PASH committee meeting.

Council Member Lotter attended the Local Area Formation Commission (LAFCo) meeting.

Council Member Culleton attended the Local Task Force (LTF) meeting on February 18, 2016 and a Fire Pals presentation at the Paradise Intermediate School.

Mayor Jones attended Butte County Association of Governments and Air Quality Management District meetings, presented sewer information to the Lions Service Group, that the Downtown Destination Committee has scheduled a Wine Walk in Paradise on September 16, 2016, and that the assistant pastor of the Seventh Day Adventist Church has informed her that they would like to assist the Town with any projects in any way that they can.

7d. Future Agenda Items: Vice Mayor Lotter requested that a Butane Control Ordinance similar to the City of Anderson's be brought to the Council for consideration.

8. STAFF COMMUNICATION

- a. Town Manager Gill reported that development of apartments on the site of the form Carousel Motel is in progress, that there will a hearing regarding tree removal from the construction site of the Eye Life Institute, DRP opened up in the Liberty Plaza on Skyway, and a mattress clearance business and a Priced Right Chair and Sofa shop are also open in Paradise.

9. CLOSED SESSION

At 8:30 p.m. Town Attorney Moore announced that the Town Council would meet in closed session for the following matters:

- 9a. Pursuant to Government Code Section 54957.6, the Town Council will hold a closed session to meet with Lauren Gill, Gina Will and Crystal Peters, its designated representatives, regarding labor relations between the Town of Paradise and the Confidential/Mid-Management Association, General Employees Unit, Management Group, Police Mid-Management and the Paradise Police Officers Association; and,
- 9b. Pursuant to Government Code section 54956.9(a), the Town Council will meet in closed session with Town Attorney Dwight Moore and Town Manager Lauren Gill relating to existing litigation as follows: Town of Paradise vs. Brandy L. Braun, Butte County Superior Court Case No. 164611.

Mayor Jones reconvened the Council meeting at 9:08 p.m. Town Attorney Moore reported that direction was given to staff regarding labor relations matters and that Council concurred unanimously to approve a stipulation relating to the sale of property located at 1433 Bille Road, the property that is the subject of existing litigation, Town of Paradise vs. Brandy L. Braun.

10. ADJOURNMENT

Mayor Jones adjourned the Council Meeting at 9:10 p.m.

Date Approved: April 12, 2016

By: _____/s/_____
Jody Jones, Mayor

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