



TOWN OF PARADISE

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Management Staff:

Lauren Gill, Town Manager

Dwight L. Moore, Town Attorney

Joanna Gutierrez, Town Clerk

Craig Baker, Community Development Director

Gabriela Tazzari-Dineen, Police Chief

George Morris, Jr., Unit Chief

CAL FIRE/Butte County Fire

Paradise

Gina Will, Finance Director/Town Treasurer

Town Council:

Tim Titus, Mayor

Scott Lotter, Vice Mayor

Greg Bolin, Council Member

Steve "Woody" Culleton, Council Member

John J. Rawlings, Council Member

TOWN COUNCIL AMENDED AGENDA

REGULAR MEETING – 6:00 PM – November 12, 2013

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Town Clerk's Department, at 872-6291 x101 or x102 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Town Clerk.

Town Council Meetings are held at the Paradise Town Hall located at 5555 Skyway, Paradise, California. Members of the public may address the Town Council on any agenda item, including closed session. If you wish to address the Town Council on any matter on the Agenda, it is requested that you complete a "Request to Address Council" card and give it to the Town Clerk prior to the beginning of the Council Meeting. The Mayor or Presiding Chair will introduce each agenda item, and following a report from staff, ask the Clerk to announce each speaker. Agendas and request cards are located outside the entrance door to the Council Chamber. All writings or documents which are related to any item on an open session agenda and which are distributed to a majority of the Town Council within 72 hours of a Regular Meeting will be available for public inspection at the Town Hall in the Town Clerk Department located at 5555 Skyway, Room 3, at the time the subject writing or document is distributed to a majority of the subject body. Regular business hours are Monday through Thursday from 8:00 a.m. to 5:00 p.m. Agendas and supporting information is posted on the Town's website at www.townofparadise.com in compliance with California's open meeting laws. Click on the Agenda and Minutes button.

1. OPENING

- a. Call to Order
- b. Pledge of Allegiance to the Flag of the United States of America
- c. Invocation
- d. Roll Call

2. ITEMS DEFERRED FROM PREVIOUS MEETINGS - None.

3. CONSENT CALENDAR

One roll call vote will be taken for all items placed on the consent calendar.

- 3a. Approve Minutes of the October 8, 2013 Regular meeting
- 3b. Approve Cash Disbursements report in the amount of \$2,484,008.64.
- 3c. (1) Increase the final contract cost of awarded Contract No. 5425022, Construction Quality Assurance Engineering Services for the Pearson-Recreation Signalization Project with Holdrege & Kull of Chico, CA to \$39,706.08; and, (2) Acknowledge completion of Town Contract No. 510-20-35 between the Town of Paradise and Holdrege & Kull. The \$19,706.08 increase in cost was necessitated by discovery of unsuitable soils which required additional testing and is 100% reimbursable through Congestion Mitigation and Air Quality (CMAQ) grant funding.
- 3d. Adopt Resolution No. 13-51, A Resolution of the Town Council of the Town of Paradise Authorizing Destruction of Certain Town Records Maintained in the Town Clerk Department Pursuant to Government Code Section 34090.
- 3e. Approve writing off \$3,975.06 of uncollectible miscellaneous invoices.
- 3f. Approve request by representative Katie Guild and Pastor Lloyd Tremain of the Paradise Community Church of the Nazarene for the adoption of the Memorial Trailway, from Neal Road to Foster Road.
- 3g. Adopt Resolution 13-52, A Resolution of the Town Council of the Town of Paradise Accepting the Office of Traffic Safety (OTS) AVOID the 8 Grant Funds for FY2013/2014 at an estimated amount of up to \$89,000.
- 3h. (1) Waive the second reading of Town Ordinance No. 533 and approve reading by title only; and, (2) Adopt Town Ordinance No. 533, "An Ordinance Amending Text Regulations and adopting the 2013 California Building Standards Code within Paradise Municipal Code Title 15 relating to Buildings and Construction".
- 3i. Adopt Resolution No. 13-53, A Resolution of the Town Council of the Town of Paradise Authorizing the Town Manger to execute a Memorandum of Understanding between the City of Chico, City of Oroville, City of Gridley and the Town of Paradise for AB-109 funds. Funds are to offset costs of front line law enforcement necessitated by AB-109 State legislation that shifted certain prison responsibilities from the State to the counties.
- 3j. (1) Acknowledge receipt of the 1st Quarter Investment Report for the Fiscal Year Ended June 30, 2014; and, (2) Approve the attached Investment Policy - Administrative Policy No. 140.

- 3k. Approve hiring a non-senior code enforcement officer at increased hours (36/week) as opposed to our current approved position, which is a senior code enforcement officer at 32 hours/week and authorize a \$4,288.24 budget adjustment for increased hours of the code enforcement officer position.
- 3l. Consider application and appointment to disabled member position to the vacancy on the Access Appeals Board. Position has been vacant since May 8, 2012.
- 3m. Approve the amended job descriptions and the position control and budget appropriations for the Town Engineer and the Human Resources and Risk Manager positions.

4. PUBLIC HEARING PROCEDURE

The Town Council has adopted the following procedure for public hearings:

- a. Staff report to Council (15 minutes total maximum)
- b. Mayor or Presiding Chair opens the hearing for public comment in the following order:
 - 1. Project proponents or in favor of (15-minute time limit)
 - 2. Project opponents or against (15-minute time limit)
 - 3. Rebuttals - when requested (15-minute time limit or 3 minutes per speaker)
- c. Close hearing to the public
- d. Council discussion
- e. Motion
- f. Vote

5. PUBLIC HEARINGS

- 5a. Conduct the duly noticed and scheduled public hearing regarding the Planning Commission recommendation to amend text regulations within the Paradise Municipal Code relating to definitions of major and minor utility services. Upon conclusion of the public hearing adopt either the recommended action or an alternative action.

RECOMMENDATION: (1) Concur with the project "CEQA determination" finding adopted by the Planning Commission on September 17, 2013, and embodied within Planning Commission Resolution No. 13-05; (2) Waive the first reading of Town Ordinance No. 534 and approve reading by title only; AND, (3) Introduce Town Ordinance No. 534, "An Ordinance Amending Text Regulations Within Paradise Municipal Code Chapter 17.04 Relating to the Definitions of Major and Minor Utility Services. **(ROLL CALL VOTE)** OR (4) Adopt an alternative directive to town staff. The intent of the proposed amendments is to create the ability for the Town to authorize establishment of privately owned and operated clustered wastewater treatment plants and other utilities as primary land uses on independent parcels in order to assist in establishment of new commercial and residential land uses within the Town of Paradise.

6. PUBLIC COMMUNICATION

This is the time for members of the audience who have completed a "Request to Address Council" card and given it to the Clerk to present items not on the Agenda. Comments should be limited to a maximum of three minutes duration. The Town Council is prohibited by State Law from taking action on any item presented if it is not listed on the Agenda.

7. COUNCIL CONSIDERATION

- 7a. Consider (1) Approving increase to the final construction cost of awarded Contract No. 5425022, Pearson-Recreation Signalization Project with Franklin Construction to \$1,485,188.87; and, (2) Adopt Resolution No. 13-54, A Resolution of the Town Council of the Town of Paradise Accepting the Work Performed by Franklin Construction Under Contract No 5425022, the Pearson-Recreation Signalization Project. **(ROLL CALL VOTE)**
- 7b. Consider adopting Resolution No. 13-55, A Resolution of the Town Council of the Town of Paradise accepting Contract No. 13-03, Paradise Micro-surfacing Project 2013, performed by Intermountain Slurry Seal. **(ROLL CALL VOTE)** Final Construction Cost: \$295,406.88.
- 7c. Approve budget adjustment that will decrease the General Fund net income and decrease the General Fund reserves by \$113. **(ROLL CALL VOTE)**

8. COUNCIL COMMUNICATION (Council Initiatives)

- 8a. Council oral reports of their representation on Committees/Commissions.
- 8b. Discussion of future agenda items

9. STAFF/COMMISSION/COMMITTEE COMMUNICATION

- 9a. Town Manager oral reports

10. CLOSED SESSION

- 10a. Pursuant to Government code section 54956.9(a), the Town Council will hold a closed session to meet with Town Attorney Dwight Moore relating to existing litigation, Harold Funk vs. Town of Paradise, Case No. 2:09-CV-01000-MCE-KJM, U. S. District Court, Eastern District of California.

11. ADJOURNMENT

STATE OF CALIFORNIA) COUNTY OF BUTTE)	SS.
I declare under penalty of perjury that I am employed by the Town of Paradise in the Town Clerk's Department and that I posted this Agenda on the bulletin Board both inside and outside of Town Hall on the following date:	
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TOWN/ASSISTANT TOWN CLERK SIGNATURE	