



# TOWN OF PARADISE

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[www.townofparadise.com](http://www.townofparadise.com)

## **Management Staff:**

Charles L. Rough, Jr., Town Manager  
Dwight L. Moore, Town Attorney  
Joanna Gutierrez, Town Clerk  
Lauren Gill, Assistant Town Manager  
Craig Baker, Community Development Director  
Gabriela Tazzari-Dineen, Police Chief  
Rob Cone, Interim Fire Chief  
Gina Will, Finance Director/Town Treasurer

## **Town Council:**

Steve "Woody" Culleton, Mayor  
Tim Titus, Vice Mayor  
Joe DiDuca, Council Member  
Scott Lotter, Council Member  
Alan White, Council Member

# TOWN COUNCIL AGENDA

## REGULAR MEETING – 6:00 PM – November 13, 2012

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

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.

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.

## **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 the Minutes of the October 9, 2012 Regular Town Council Meeting.
- 3b. Approve Cash Disbursements report in the amount of \$1,348,578.85.
- 3c. (1) Approve the final quantities per the summary attached to the staff report; (2) Accept the contract for Various Asphalt Repairs 2012 Project with Franklin Construction Company, Inc. as complete and authorize the Town Clerk to file a Notice of Completion with the County Recorder's Office with release of the retention following a 35-day lien period, provided no liens are filed; and, (3) Approve additional budget appropriation to transfer \$704.37 from the Transportation Fund (2110) to the Gas Tax Fund (2120) to cover the additional cost of materials. (Total project cost: \$72,509.37)
- 3d. (1) Declare the office items described in the staff report as surplus property; and, (2) Adopt Resolution No. 12-37, A Resolution Declaring Development Services Office Furniture and Property Surplus and Authorizing Disposal Through Sale or Donation by the Public Works Manager.
- 3e. Approve writing off \$4,222.04 of uncollectible miscellaneous invoices to bad debt.
- 3f. Review the General Fund Budget status update report and approve the general fund budget adjustments. The adjustments increase the General Fund deficit and decrease the General Fund reserves by \$20,775.

## **4. PUBLIC HEARING PROCEDURE**

- a. Staff report (15 minutes total maximum)
- b. Open hearing to the public
  - 1. Project proponents or in favor of (15 minutes total maximum)
  - 2. Project opponents or against (15 minutes total maximum)
  - 3. Rebuttals - when requested (15 minutes total maximum or 3 minutes maximum per speaker)
- c. Close hearing to the public
- d. Council discussion
- e. Motion
- f. Vote

## **5. PUBLIC HEARINGS** – None.

## **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 the purchase of the 1987 SPI Quint Ladder Truck from the City of Marysville in the amount of \$30,000 (no interest), with equal payments of \$10,000 spread over three years; and (2) Authorizing the Town Manager to execute the purchase order and payment of all other related documents on behalf of the Town. **(ROLL CALL VOTE)**
- 7b. Consider adopting Resolution No. 12-\_\_\_, A Resolution of the Town of Paradise Approving a Post-Retirement Health Care Vesting Promissory Note Between the Town and the California Department of Forestry and Fire Protection (CAL Fire). **(ROLL CALL VOTE)** The amount of the obligation is \$747,471.60 and would be paid out over a ten-year period at 0.0382%.

## **8. COUNCIL COMMUNICATION (Council Initiatives)**

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

## **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 the Town Attorney relating to the following pending litigation: Silverstein et al vs. Town of Paradise et al., United States District Court Eastern District of California, Case No. 2:12-CV-02592-WBS-CMK.
- 10b. Pursuant to Government Code section 54956.9(a) the Town Council will hold a closed session to meet with the Town Attorney relating to the following pending litigation: Town of Paradise vs. Sierra Preservation Partners, LLC, et al., Butte County Superior Court Case No 157389.
- 10c. Pursuant to Government Code section 54956.9 and 54956.95, the Town Council will hold a closed session to consider the liability claim by Bank of NY Mellon against the Town of Paradise.
- 10d. Pursuant to Government Code Section 54957.6, the Town Council will hold a closed session to meet with Charles L. Rough, Jr., Lauren Gill, Gina Will and Crystal Peters, its designated representatives, regarding

labor relations between the Town of Paradise and the Paradise Police Officers Association.

**11. ADJOURNMENT**

STATE OF CALIFORNIA )	SS.
COUNTY OF BUTTE )	
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	