



TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

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www.townofparadise.com

Management Staff:

Lauren Gill, Interim 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 AGENDA

REGULAR MEETING – 6:00 PM – May 14, 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
- e. Proclamations/Presentations
 - (1) Presentation by Paradise Fire Safe Council
 - (2) Presentation by InReach regarding the Police Department Mobile Phone Application
 - (3) Presentation by Northern Recycling and Waste Services - Annual Report of Franchised Waste Services provided to the Town of Paradise

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 April 9, 2013 Regular Meeting and the April 23, 2013 Special Council Meeting.
- 3b. Approve cash disbursements in the amount of \$897,755.78.
- 3c. Accept a donation of labor and equipment from Green Ridge Landscaping to maintain the Neal Road/Skyway Gateway facility valued in an amount \$2,140 per year.
- 3d. (1) Waive second reading of entire Ordinance No 528 and approve reading by title only; and, (2) Adopt Ordinance No. 528, An Ordinance Amending Town of Paradise Municipal Code Section 10.02.060 - Prima Facie Speed Limit to reflect speed limit modification along Pearson Road between Cherry Lane and Pentz Road.
- 3e. Adopt Resolution No. 13-24, A Resolution Declaring Town of Paradise Fire Department Equipment Surplus and Authorizing Disposal of Said Equipment. (Outdated communication equipment including radios, pagers and cell phones.)
- 3f. Pursuant to Paradise Municipal Code section, 2.45.120, (1) Find that the bid shall not be awarded to the lowest bidder in light of the circumstances; and, (2) Approve purchase of UniMac Washer/Extractor from Longfellow Commercial Appliance in the budgeted amount of \$10,942.63. (Equipment is necessary to comply with OSHA/NFPA requirements for decontaminating Firefighter Personal Protective Equipment (PPE) after contamination from working in hazardous environments.)
- 3g. Review and acknowledge receipt of the 3rd Quarter Investment Report for the Fiscal Year Ended June 30, 2013.

- 3h. Adopt Resolution No. 13-25, A Resolution of The Town Council of the Town of Paradise Establishing Privacy and Refund Policies for Internet Transactions.
- 3i. Review and acknowledge receipt of the Fiscal Year 2011/12 financial statement audit report as submitted.
- 3j. Adopt Resolution No. 13-26, A Resolution of the Town Council of the Town of Paradise, California, Authorizing the Execution and Delivery of a Lease with Option to Purchase, and authorizing certain actions in connection therewith. (Lease purchase with Leasource Financial Services, Inc., for the refurbish of two (2) police vehicles in the amount of \$51,687.06 approved by Council on April 9, 2013.)

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 a public hearing relating to establishment of an updated and revised schedule of fees for Town services for the Town of Paradise during the 2013/2014 Fiscal Year and after the close of the hearing consider adopting Resolution No. 13-___, A Resolution of the Town Council of the Town of Paradise Establishing a New Master Schedule of Fees for Town Services (repealing the fees scheduled previously adopted by Resolution No. 09-43 and 09-48). **(ROLL CALL VOTE)**

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 awarding Contract No. 13-03, Paradise Micro-Surfacing Project 2013, to Intermountain Slurry Seal of Reno, Nevada in the amount of their base bid of \$291,949.02. **(ROLL CALL VOTE)**
- 7b. Consider (1) Waiving the reading of entire proposed Ordinance No. 529 and approve reading by title only; and, (2), Introducing Ordinance No. 529, An Ordinance Adding Section 9.18.415 to the Paradise Municipal Code relating to Noise. **(ROLL CALL VOTE)** Approval of the ordinance will allow for an administrative fee to be charged to recover the cost of police department response to violations of the noise control statutes.
- 7c. Consider (1) Waiving the reading of entire proposed Ordinance No. 530 and approve reading by title only; and, (2) Introducing Ordinance No. 530, An Ordinance of the Town Council of the Town of Paradise Repealing Chapter 9.60 of the Paradise Municipal Code and Adding a New Chapter 9.60 to the Paradise Municipal Code Relating to Alarm Systems. **(ROLL CALL VOTE)** The purpose of this chapter is to provide a permit and registration system with appropriate regulations to facilitate the reduction of false alarms, provide police response and administration, and to advance the proper use of alarm systems by alarm users.
- 7d. Review correspondence from Department of Alcoholic Beverage Control and consider whether or not to file a written objection on or before May 30, 2013, relating to the request from the licensee for the Department of ABC to modify certain conditions assigned to the liquor license affiliated with Lynn's Optimo Restaurant located at 9225 Skyway, Paradise, California.
- 7e. Consider (1) Waiving the reading of entire proposed Ordinance No. 531 and approve reading by title only; and, (2) Introducing Ordinance No. 531, An Ordinance of the Town Council of the Town of Paradise Adding Chapter 5.22 to the Paradise Municipal Code relating to Business Registration; and (3) Amending the Town Master Fee Schedule to include the registration fee; **(ROLL CALL VOTE)** or (4) Provide feedback to staff and give alternative direction on this proposal.

If approved, the Town business registration system will apply to all businesses operating within the Town of Paradise and the Town's Master Fee Schedule will be amended to include the \$54 annual registration fee.

8. COUNCIL COMMUNICATION (Council Initiatives)

- 8a. Council oral reports of their representation on Committees/Commissions.
- 8b. Discussion of future agenda items
- 8c. Consider designating a voting delegate and up to two alternates to take action on proposed resolutions that establish League policy that will be

presented at the Annual Business Meeting at the League of Cities Annual Conference in Sacramento, California, September 18-20, 2013.

9. STAFF/COMMISSION/COMMITTEE COMMUNICATION

- 9a. Town Manager oral reports
 - Presentation to discuss the Art Gallery at Town Hall

10. CLOSED SESSION

- 10a. Pursuant to Government Code Section 54957.6, the Town Council will hold a closed session to meet with Dwight Moore and Crystal Peters, its designated representatives, regarding labor relations as they relate to the employment agreement for Town Manager services with Lauren Gill.

Pursuant to Government Code Section 54957, the Town Council will hold a closed session relating to the duration of the employment agreement with Lauren Gill for Town Manager services.

- 10b. Pursuant to Government Code Section 54957.6, the Town Council will hold a closed session to meet with Dwight Moore and Crystal Peters, its designated representatives, regarding labor relations as they relate to the employment agreement for Town Clerk services with Joanna Gutierrez.

Pursuant to Government Code Section 54957, the Town Council will hold a closed session relating to the duration of the employment agreement for Town Clerk services with Joanna Gutierrez.

- 10c. Pursuant to Government Code Section 54957.6, the Town Council will hold a closed session to meet with its designated representative, Lauren Gill, regarding labor relations as they relate to the agreement for Town Attorney services with Dwight Moore.

Pursuant to Government Code Section 54957, the Town Council will hold a closed session relating to the duration of the agreement for Town Attorney services with Dwight Moore.

- 10d. Pursuant to Government Code section 54956.9(b), the Town Council will hold a closed session to meet with the Town Attorney relating to the following pending litigation: Town of Paradise v. Sierra Preservation Partners, LLC, et al., Butte County Superior Court Case No. 157389.

The Town Council will reconvene the meeting to discuss and consider the following:

- (1) Approving an employment agreement with Lauren Gill for Town Manager services.
- (2) Approving an amended and restated employment agreement with Joanna Gutierrez for Town Clerk services; and,

- (3) Approving an amended and restated employment agreement with Dwight Moore for Town Attorney services.

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	