



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

Greg McFadden, Unit Chief, CAL FIRE/

Butte County Fire/Paradise Fire

Gina Will, Finance Director/Town Treasurer

Town Council:

Scott Lotter, Mayor

Greg Bolin, Vice Mayor

Steve "Woody" Culleton, Council Member

Jody Jones, Council Member

John J. Rawlings, Council Member

TOWN COUNCIL AGENDA

REGULAR MEETING – 6:00 PM – November 12, 2014

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 of POST Executive Certificate to Paradise Chief of Police, Gabriela Tazzari-Dineen by Mario Rodriguez, Police Office Standards and Training (POST) Senior Consultant, Region 2.

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, 2014 Special Meeting and October 14, 2014 Regular Meeting.
- 3b. Approve cash disbursements for October 2014 in the amount of \$1,602,276.07.
- 3c. Accept donation from Matt Thompson of \$1,200.00 worth of labor and equipment to place donated concrete at the Town of Paradise Fire Station #81 for front porch modifications during the re-roofing project.
- 3d. Accept the donation from Paul Derr of an apartment size refrigerator valued at \$100.00 for the Town of Paradise Animal Control Facility.
- 3e. Approve writing off \$14,186.47 of uncollectible miscellaneous invoices.
- 3f. Adopt Resolution 14-46, A Resolution Authorizing Acceptance of Grant Funding from the Office of Traffic Safety (OTS) AVOID the 8 Grant Funds for FY 2014/2015 at an estimated amount of up to \$86,000.
- 3g. Adopt Resolution No. 14-47, 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 34090.
- 3h. Adopt Resolution No. 14-48, A Resolution of the Town Council of the Town of Paradise Amending and Readopting Conflict of Interest Code for the Agencies and Departments of the Town of Paradise Which Incorporate by Reference the Fair Political Practices Commission's Standard Model Conflict of Interest

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 concerning the Planning Commission recommendation to amend the Paradise Municipal Code and consider: (1) Concurring with the project "CEQA determination" finding adopted by the Planning Commission on October 21, 2014, and embodied within Planning Commission Resolution No. 14-6; (2) Waiving the first reading of Town Ordinance No. ____ and approve reading by title only; (3) Introducing Town Ordinance No. ____, "An Ordinance Amending Section 17.06.940 Within the Paradise Municipal Code Regarding Exterior Displays of Merchandise In Commercial Zones" **(ROLL CALL VOTE)**; OR, (4) Adopting an alternative directive to town staff.

If adopted by the Town Council as proposed, the amendment would add a new category of merchandise (prefabricated storage sheds and carports) that is exempt from outdoor merchandise display regulations contained within PMC Chapter 17.06.

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 adopting Resolution No. 14-49, A Resolution of the Town Council of the Town of Paradise Accepting the Work Performed Under the Downtown Paradise Safety Project (CONTRACT NO. 13-02). **(ROLL CALL VOTE)**
- 7b. Consider (1) Rejecting all bids received relating to Contract 14-03, Paradise Signal Upgrades Project; and, (2) Authorizing staff to re-advertise the project immediately. **(ROLL CALL VOTE)**
- 7c. Consider (1) Concurring with staff's recommendation of L&L Surveying to perform professional topographic surveying and mapping services for four Federal Aid projects; (2) Approving the attached Professional Services Agreement with L&L Surveying; and, (3) Authorizing the Town Manager and Town Mayor to execute the document. **((ROLL CALL VOTE)** Project will be funded by a combination of federal funds with a 10% match from Town Capital Improvement Project funds.
- 7d. Consider (1) Waiving the reading of entire Ordinance No. ____ and approve reading by title only; and, (2) Introducing Ordinance No. ____, An Ordinance Amending Text Regulations Within Paradise Municipal Code Chapter 8.04 Relating to Public Nuisance Abatement. **(ROLL CALL VOTE)**

If adopted, the text amendments would result in changes to public nuisance abatement regulations (PMC Chapter 8.04) to articulate the

purpose of the regulations and expand upon the current list of conditions and circumstances that would constitute an unlawful public nuisance in the Town of Paradise primarily by placing a greater emphasis upon maintenance of private property in a manner that does not significantly affect the use, enjoyment and value of adjacent and nearby property.

- 7e. Consider (1) Waiving the reading of entire Ordinance No. ____ and approve reading by title only: and, (2) Introducing Ordinance No. _____, an Ordinance Amending Text Regulations within Paradise Municipal Code Chapter 5.11 Relating to Vending, Hawking Peddling and Sales. **(ROLL CALL VOTE)**

If adopted, the amendments would result in changes to the Town's vending, hawking and peddling to limit sales from private property that is not a fixed place of business to food concessions (prepared food and drinks, produce, etc.) and flowers.

- 7f. Approve budget adjustments which will decrease the General Fund net income and reserves by \$10,429.

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
9b. Community Development Director oral reports

10. CLOSED SESSION

- 10a. Pursuant to Government Code Section 54956.9(d) (1), the Town Council will hold a closed session with the Town Attorney and the Town Manager relating to the following pending litigation: Town of Paradise, a Municipal Corporation, vs. Rose E. Kallunki; Pacific Gas and Electric Company; Doe 1 through Doe 50, inclusive, Butte County Superior Court Case No. 161781.

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	