



# TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

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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 – October 09, 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
- e. Proclamations:

- (1) Domestic Violence Awareness Month

## **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 September 11, 2012 Regular and Special Meetings; and, the Minutes of the September 17, 2012 Special Meeting.
- 3b. Approve Cash Disbursements in the amount of \$1,719,637.67.
- 3c. Review and acknowledge receipt of the 4th Quarter Investment Report for the Fiscal Year Ended June 30, 2012.
- 3d. Review General Fund budget performance staff report and approve related general fund budget adjustments. These current adjustments increase the General Fund deficit and decrease the General Fund reserves by \$47,979.
- 3e. (1) Approve the final quantities per the attached summary in the amount of \$2,420.00; and, (2) Accept the contract with Granite Construction Company for the South Libby Overlay Project - CIP #010-4903-9361 as complete and authorize the Town Clerk to file a Notice of Completion with the County Recorder's Office with release of the 5% retention in the amount of \$9,820.63 following a 35-day lien period, provided no liens are filed. Total project cost: \$196,412.55.
- 3f. Approve Saturday, December 1, 2012 at 6pm as the date and time for the Town of Paradise's sixth annual Christmas Tree Lighting Ceremony/Food Drive at the Paradise Community Park.

## **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 adoption of the updated Paradise Fire Department Procedural Directive 6.3 - Volunteer Firefighter Program. **(ROLL CALL VOTE)**
- 7b. Consider adopting Resolution No 12-\_\_\_, A Resolution of the Town Council of the Town of Paradise Approving the California Department of Forestry and Fire for Services from November 1, 2012 to June 30, 2017, Contract 2CA01941. **(ROLL CALL VOTE )** (CAL FIRE Personnel Service Contract)
- 7c. Consider (1) Adopting Resolution No. 12-\_\_\_, Resolution Approving the Design, Plans, Specifications and Estimates (PS&E's) for the Pearson/Recreation Drive Signalization Project and authorizing the Public Works Manager to advertise this project for bid; OR (2) Providing alternative direction to staff. **(ROLL CALL VOTE)** Note: Action Item No. 1 is the staff recommendation.
- 7d. (1) Consider the transition in the Town Manager's office and ensure appropriate staffing; AND  
(2) Approve a small modification to the approved FY2012/13 Budget; including the unfreezing of the Administrative Analyst (Business & Housing) position effective immediately and the elimination of the Administrative Assistant II position that was to be implemented 01/01/2013. (Estimated fiscal impact \$1,455 to General Fund). **(ROLL CALL VOTE)**

## **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: Town of Paradise vs. Sierra Preservation Partners, LLC, et al., Butte County Superior Court Case No. 157389.
- 10b. Pursuant to Government Code sections 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.
- 10c. 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	