



TOWN OF PARADISE

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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 – March 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
- e. Proclamations:

- (1) Recognition of our Community's Spirit of Volunteerism
- (2) Recognition of Sojourners House on the Ridge (SHOR)

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 February 12, 2013, Regular Council Meeting.
- 3b. Approve Cash Disbursements in the Amount of \$1,002,301.56.
- 3c. Adopt Resolution No. 13-04, "A Resolution of the Town Council of the Town of Paradise Authorizing the Submittal of an Application to the California State Department of Housing and Community Development For Funding Under the CALHOME Program; The Execution of a Standard Agreement if Selected for Such Funding and any Amendments Thereto; and any Related Documents Necessary to Participate in the CALHOME Program."
- 3d. (1) Declare the office items described in the proposed resolution as surplus property; and, (2) Adopt Resolution No. 13-05, A Resolution Declaring Public Works Department Street Maintenance Equipment and Furniture Surplus and Obsolete and Authorizing Disposal Through Sale or Donation by the Interim Town Manager.
- 3e. (1) Approve the final quantities for the Thermoplastic Pavement Markings Replacement Project in the amount of \$32,267.00 per the attached summary; and, (2) Accept the contract with Centerline Striping Co., 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.
- 3f. Adopt Resolution No. 13-06, A Resolution of the Town Council of the Town of Paradise Authorizing the Mayor to Execute a Legal Services Agreement with Douglas R. Thorn Relating to Public Nuisance Abatement Lawsuits. (**ROLL CALL VOTE**) The fiscal impact is not to exceed \$2,500.
- 3g. Adopt Resolution No. 13-07, A Resolution of the Town Council of the Town of Paradise Identifying the Paradise Chief of Police as the Contact Person for the Department of Alcoholic Beverage Control With the Authority to Determine Public Convenience or Necessity for Liquor License Applications Within an Area of Undue-Concentration of High Crime.

- 3h. Approve the recommended General Fund Budget Adjustments totaling \$4,777.00, resulting in an increase to the General Fund Reserves and a decrease to the projected deficit.
- 3i. Approve Resolution 13-08, A Resolution Rescinding Resolution 08-43 and Authorizing Investment of Monies in the Local Agency Investment Fund.
- 3j. Acknowledge receipt of the Planning Commission's Annual 1994 General Plan Housing Element Annual Progress Report for the 2012 Calendar year.
- 3k. Adopt Resolution No. 13-09, A Resolution Declaring Paradise Fire Department 1981 Ford Van Pelt Ladder Truck as Surplus, and Authorizing Disposal through Sale or Donation by the Interim Town Manager.

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 – 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) Awarding Contract No. 5425022, Pearson-Recreation Signalization Project, to Franklin Construction, Inc. of Chico, CA in the amount of their bid of \$1,157,875.00; and, (2) Authorizing the Interim Town Manager to execute the contract on behalf of the Town, following approval by the Town Attorney. **(ROLL CALL VOTE)**

- 7b. Consider (1) Approving the recommended Revised Plan for Use of Local Proposition 1B Streets and Roads Program Funds (Exhibit A of staff report). Staff is proposing a revised budget for Council consideration which allocates most remaining Prop 1B funds to Asphalt Maintenance (Various Overlays & Seals); and, (2) Authorizing staff to prepare Plans, Specifications and Estimates for the Pavement Microsurfacing Project 2013. **(ROLL CALL VOTE)**
- 7c. Consider recruitment and/or appointment to vacancies on the Access Appeals Board – one vacancy; the Development Impact Fee Adjustments Board – two vacancies; the Building/Fire Code Appeals Board- three vacancies; and the Tree Advisory Committee, one vacancy.
- 7d. Consider (1) Adopting Resolution No. 13-___, A Resolution of the Town Council of the Town of Paradise, California, Reporting Unexpended Development Impact Fees in Accordance with Government Code Section 66001 and 66006; **(ROLL CALL VOTE)** or, (2) Referring the matter back to staff for further development and clarification.

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 54957.6, the Town Council will hold a closed session to meet with Lauren Gill, Gina Will and Crystal Peters, its designated representatives, regarding labor relations between the Town of Paradise and the Paradise Police Officers Association, Confidential Mid-Management Association, General Employees Unit, Police Mid-Management Unit and the Management Group.
- 10b. Pursuant to Government Code section 54956.9(d)(1), 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.
- 10c. Pursuant to Government Code section 54956.9(d)(1), the Town Council will hold a closed session to meet with the Town Attorney relating to pending litigation: Earl v. Butte County and Town of Paradise, et al., United States District Court for the Eastern District of California Case No. 2:12-CV-01126-KJM-CMK.

- 10d. Pursuant to Government Code sections 54956.9(d)(2) and 54956.95, the Town Council will hold closed session to consider the liability claim of the Bank of NY Mellon against the Town of Paradise.

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	