



# Town of Paradise

## Town Council Meeting Agenda

### 6:00 PM – March 09, 2021

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**Town of Paradise Council Chamber – 5555 Skyway, Paradise, CA**

Mayor, Steve Crowder  
Vice Mayor, Jody Jones  
Council Member, Greg Bolin  
Council Member, Steve “Woody” Culleton  
Council Member, Rose Tryon

Town Manager, Kevin Phillips  
Town Attorney, Mark A. Habib  
Town Clerk, Dina Volenski  
CDD Director- Planning, Onsite - Susan Hartman  
CDD Director-Building, Code Enforcement - Tony Lindsey  
Administrative Services Director/Town Treasurer – Vacant  
Public Works Director/Town Engineer, Marc Mattox  
Division Chief, CAL FIRE/Paradise Fire, Garrett Sjolund  
Chief of Police, Eric Reinbold  
Disaster Recovery Director, Katie Simmons

### Meeting Procedures

- I. The Mayor is the Presiding Chair and is responsible for maintaining an orderly meeting. The Mayor calls the meeting to order and introduces each item on the agenda.
- II. The Town staff then provides a report to Council and answers questions from the Council.
- III. Citizens are encouraged to participate in the meeting process and are provided several opportunities to address Council. Any speaker addressing the Council is limited to three minutes per speaker - fifteen minutes per agenda item

### **Public Participation**

In accordance with Governor Newsom’s Executive Order N-29-20, remote public participation is allowed in the following ways:

Town Council meetings are available to be viewed on YouTube at

<https://www.youtube.com/channel/UCpo2Gy0EGJwcFvDU2xnjqbw>

Public comment will be accepted by email with the subject line PUBLIC COMMENT ITEM \_\_\_\_ to [dvolenski@townofparadise.com](mailto:dvolenski@townofparadise.com) prior to 5:00 p.m. on the day of the meeting and will be read into the record during public comment. Written comments are subject to the regular time limitations of three minutes per speaker, please limit to 200 words or less. If you are unable to provide your comments in writing, please contact the Town Clerk’s office for assistance at (530) 872-6291.

Public comment may be submitted by telephone during the meeting, prior to the close of public comment on an item by calling (530) 872-5951 at the time indicated by the Mayor. Alternately, you may send an email with the subject line:

TELEPHONE PUBLIC COMMENT ITEM \_\_\_\_ to the Town Clerk [dvolenski@townofparadise.com](mailto:dvolenski@townofparadise.com) prior to 5:00 p.m. on the day of the meeting, include your telephone number and the Mayor will call you during public comment.

Disabled persons may request reasonable modifications or accommodations relating to the use of telephonic or electronic observation and participation prior to the Council meeting by contacting the Town Clerk at (530) 872-6291 ext. 102.

In compliance with the Americans with Disabilities Act (ADA) Compliance, persons who need special accommodations to participate in the Town Council meeting may contact the Town Clerk at least three business days prior to the date of the meeting to provide time for any such accommodation.

## **1. OPENING**

1a. Call to Order

1b. Pledge of Allegiance to the Flag of the United States of America

1c. Invocation

1d. Roll Call

1a. p6 Proclamation - Recognizing March as Red Cross Month- Matthew Foor

1b. Online Market Place Update from the Chamber of Commerce - Monica Nolan

1c. CalOES – Government Hazard Tree Removal Program

Katie Simmons – Private Tree Program, Abatement, Advocacy,  
Emergency Planning

Marc Mattox– Transportation Master Plan / Sewer Update

Colette Curtis – Business Update / Nonresidential Market Study / Design  
Standards

## **2. CONSENT CALENDAR**

One roll call vote is taken for all items. Consent items are considered to be routine business that does not call for discussion.

2a. p7 Approve minutes of the February 9, 2021 Regular and February 18 and 23, 2021 Special Council meetings.

2b. p17 Approve February 2021 Cash Disbursements in the amount of \$2,314,864.30.

2c. p25 Adopt Resolution No. 21-08, A Resolution of the Town Council of the Town of Paradise authorizing the Town Manager, Kevin Phillips, to execute all escrow and other documents pertaining to the acquisition by the Town of Paradise for real property from Church of Christ Paradise, known as 1181 Pearson Road, Paradise, CA, APN 054-152-077.

2d. p28 1. Waive the second reading of Town Ordinance No. 603 and read by title only; and, 2. Adopt Town Ordinance No. 603. "An Ordinance of the Town Council of the Town of Paradise Amending Section 15.09.100 of the Paradise Municipal Code relating to General Open Burning.

2e. p32 Approve First Amendment to Agreement Between the Town of Paradise and Chico State Enterprises for Professional Services for Paradise Broadband Feasibility Study.

2f. p34 Acceptance of the 2020 Annual Report of the Paradise Planning Commission to the Town Council Regarding the Implementation Status of the 1994 Paradise General Plan & Housing Element.

- 2g. p59 Adopt Resolution No.21-09, A Resolution of the Town Council of the Town of Paradise granting Pacific Gas & Electric Company necessary utility easements along portions of the Yellowstone Kelly Heritage Trailway.
- 2h. p84 Adopt Resolution No. 21-10, A Resolution of the Town Council of the Town of Paradise Approving an Amended Agreement for Professional Services with Town Attorney Mark A. Habib.

### **3. ITEMS REMOVED FROM CONSENT CALENDAR**

### **4. PUBLIC COMMUNICATION**

For matters that are not on the Council business agenda, speakers are allowed three (3) minutes to address the Council. The Town Council is prohibited from taking action on matters that are not listed on the public agenda. The Council may briefly respond for clarification and may refer the matter to the Town staff.

### **5. PUBLIC HEARINGS**

A. Staff Report

B. Mayor opens the hearing for public comment in the following order:

- i. Project proponents (in favor of proposal)
- ii. Project opponents (against proposal)
- iii. Rebuttals – if requested

C. Mayor closes the hearing

D. Council discussion and vote

- 5a. p86 1. Conduct the second public hearing to solicit comments regarding a proposed Substantial Amendment to the 20196-20 Annual Plan; and, 2. Consider authorizing the Town Staff to submit the Substantial Amendment to HUD. (ROLL CALL VOTE)
- 5b. p90 Conduct the duly noticed and scheduled public hearing related to the General Plan Land Use Map amendment and rezone for the Simmons property identified as APN 066-430-006. Upon conclusion of this public hearing, introduce and adopt the Planning Commission's recommended actions: 1. Concur with the Planning Director's determination that the project application is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15601 (General Rule Exemption); and, 2. Concur with the project recommended General Plan Land Use Map amendment and rezone action adopted by the Planning Commission on February 16, 2021, and set forth within Planning Commission Resolution No. 21-01; and, 3. Adopt Town of Paradise Resolution No. 21-11, "A Resolution of the Town Council of the Town of Paradise Amending the Land Use Map of the 1994 Paradise General Plan (SIMMONS: PL21-00011); and, 4. Waive the first reading of Town Ordinance No. 605 and read by title only; and, 5. Introduce Town of Paradise Ordinance No. 605, "An Ordinance Rezoning Certain Real Property From "Unclassified" to a "C-C" (Community-Commercial) Zone Pursuant to Paradise Municipal Code Sections 17.45.500 Et. Seq. (SIMMONS: PL21-00011)" (ROLL CALL VOTE)

## 6. COUNCIL CONSIDERATION

Action items are presented by staff and the vote of each Council Member must be announced. A roll call vote is taken for each item on the action calendar. Citizens are allowed three (3) minutes to comment on agenda items.

- 6a. p108 1. Consider approving the salary schedule for part-time/hourly Building/Onsite Inspector I and Building/Onsite Inspector II positions effective March 9, 2021; and, 2. Authorizing the addition of up to four (4) less than half-time, extra help, part-time/hourly Building/Onsite Inspector I and Building/Onsite Inspector II positions to the FY 2020/21 salary pay plan and position control effective March 9, 2021; and, 3. Authorizing the addition of a 25 hour per week, part-time Building/Onsite Inspector I position effective March 9, 2021. (ROLL CALL VOTE)
- 6b. p112 1. Consider waiving the first reading of the entire Town of Paradise Ordinance No. 606 and approve reading by title only; and, 2. Introduce Town of Paradise Ordinance No. 606, An Ordinance Adding Chapter 13.13 to the Paradise Municipal Code Relating to Undergrounding New Utility Infrastructure; or, 3. Delay and/or modify recommended action. (ROLL CALL VOTE)
- 6c. p120 1. Consider appointing three regular and one alternate to the Measure V Citizen's oversight Committee; and, 2. Consider adopting Resolution No. 21-12, A Resolution of the Town Council Approving By-laws for the Governance of the Measure V Citizen Oversight Committee approved by the voters on November 6, 2018. (ROLL CALL VOTE)
- 6d. p125 Consider discussing Urgency Ordinance No. 600. relating to interim housing, accessory building(s) and unoccupied recreational vehicles inside the Camp Fire Area and provide direction to staff. (This item is for discussion and direction only, no action is requested at this time.)
- 6e. p152 1. Consider accepting Broadband Feasibility Report; and, 2. Authorizing staff to move forward with an RFI for a new third-party provider to create a business model which would leverage existing infrastructure which the town has access to. (ROLL CALL VOTE)
- 6f. p219 1. Concur with the project "CEQA determination" finding made by the Town Planning Director; and, 2. Waive the first reading of Town Ordinance No. 607 and read by title only; and, 3. Introduce Town Ordinance No. 607, "An Ordinance Amending Text Regulations Within Paradise Municipal Code Chapter 5.11 Related To: Vending, Hawking, Peddling and Sales". or, 3. Provide an alternative directive to town staff. (ROLL CALL VOTE)
- 6g. p226 Consider adopting Resolution No.21-13, A Resolution of the Town Council of the Town of Paradise approving the plans and specifications for Ponderosa Elementary Safe Routes to School Project and authorizing advertisement for bids on the project. (ROLL CALL VOTE)
- 6h. p232 1. Consider an update relating to the current status of fleet management workload and staffing; and 2. Approve the salary schedule for reclassification of the existing Senior Mechanic position to Fleet Division

Manager for Fiscal Year 2020/21 effective March 9, 2021; and, 3. Approve the salary schedule and position control for Fiscal Year 2020/21 effective March 9, 2021 for the addition of one (1) full time Mechanic; or, 4. Delay and/or modify recommended action. (ROLL CALL VOTE)

- 6i. p246 Consider adopting Resolution No. 21-14, a Resolution of the Town Council of the Town of Paradise approving and authorizing execution of the California Department of Forestry and Fire Protection (CAL FIRE) for services from July 1, 2021 through June 30, 2025, Contract 2CA05233 Agreement, for a maximum amount not to exceed \$17,082,951. (ROLL CALL VOTE)

## **7. COUNCIL INITIATED ITEMS AND REPORTS**

- 7a. Council initiated agenda items
- 7a1. p277 Discuss Ordinance No. 597. Relating to Defensible Space and Hazardous Fuel Management, Section 8.58.060 item E,” at the time of transfer of ownership of a parcel from the owner to another, the buyer shall sign and agree to the terms of this section 8.58.060. Based on a monthly list of parcels sold within the Town of Paradise, thirty (30) days after the transfer of each parcel the Town shall determine whether the parcel complies with this section.” After discussion provide direction to staff. (CULLETON)
- 7b. Council reports on committee representation
- 7c. Future Agenda Items

## **8. STAFF COMMUNICATION**

- 8a. Town Manager Report

## **9. CLOSED SESSION**

- 9a. Pursuant to Government Code section 54956.9(d)(1) The Town Council will hold a closed session with the Town Attorney Dwight L. Moore and Town Manager Kevin Phillips relating to the following pending litigation: Town of Paradise vs. Comcast Phone of California and Comcast Digital Phone and AT&T Corp. – Case No. 20-08-018 before the Public Utilities Commission of the State of California.

## **10. 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	