

**MINUTES**  
**PARADISE TOWN COUNCIL**  
**REGULAR MEETING – 6:00 PM – October 13, 2020**

**1. OPENING**

The Regular meeting of the Paradise Town Council was called to order by Mayor Bolin at 6:01 p.m. in the Town Council Chamber located at 5555 Skyway, Paradise, California who led the Pledge of Allegiance to the Flag of the United States of America. An invocation was offered by Council Member Jody Jones.

**COUNCIL MEMBERS PRESENT:** Steve Crowder, Jody Jones, Melissa Schuster, Mike Zuccolillo and Greg Bolin, Mayor.

**COUNCIL MEMBERS ABSENT:** None

**STAFF PRESENT:** Town Manager Kevin Phillips, Town Attorney Mark Habib, Town Clerk Dina Volenski, Administrative Services Director/Town Treasurer Brooke Kerrigan, Assistant to the Town Manager Colette Curtis, Police Chief Eric Reinbold, Town Engineer/Public Works Director Marc Mattox, Community Development Director Susan Hartman, Disaster Recovery Director Katie Simmons and Division Chief Garrett Sjolund

- 1a. Charles Brooks and Holly Fisher from the Rebuild Paradise Foundation provided information on Housing Grants availability.
- 1b. Dr. Robert Bernstein, Butte County Health Officer, provided an update on Covid-19 in Butte County.
- 1c. Camp Fire Recovery Updates:
  - Disaster Recovery Director Katie Simmons provided an update on the Hazard Tree Removal Programs, Housing Study and Broadband Update
  - Town Engineer/Public Works Director Marc Mattox provided an update on the Wastewater Disposal System and Road Projects
  - Community Development Director Susan Hartman provided an update on Code Enforcement and the Community Development Department
  - Assistant to the Town Manager Colette Curtis provided an update on new businesses in the Town of Paradise

**2. CONSENT CALENDAR**

**MOTION by Schuster, seconded by Zuccolillo,** approved consent calendar items 2a through 2g. Roll call vote was unanimous.

- 2a. Approved minutes from the September 8, 2020 Special and Regular Town Council meetings.

- 2b. Approved September 2020 Cash Disbursements in the amount of \$2,008,954.98 (310-10-034)
- 2c. Reviewed and filed the 4th Quarter Investment report for the Fiscal Year ended June 30, 2020. (360-30-006)
- 2d. Adopted Resolution No. 20-33, A Resolution of the Town Council of the Town of Paradise rescinding Resolution 09-14 and approving the California Department of Transportation Disadvantaged Business Enterprises (DBE) Implementation Agreement. (930-20-002)
- 2e. Adopted Resolution No. 20-34, A Resolution of the Town Council of the Town of Paradise authorizing agents to execute an application with the California Governor's Office of Emergency Services for obtaining certain federal financial assistance. (420-20-018)
- 2f. Adopted Resolution No. 20-35, A Resolution of the Town Council of the Town of Paradise Adopting Program Guidelines for the Camp Fire Recovery: Septic Repair and Replacement Pilot Program funded by the State Water Resources Control Board. (510-20-262)
- 2g. 1. Adopted Resolution No. 20-36, A Resolution of the Town Council of the Town of Paradise Authorizing Examination of Sales, Use and Transactions Tax Records; and, 2. Authorized the Town Manager to execute an agreement with HdL Companies for services of sales, use, and transactions tax auditing, monitoring and reporting; and, 3. Authorized the examination of sales, use, and transactions tax records on file with the California Department of Tax and Fee Administration (CDTFA) by designated Town Officials and HdL Companies. (510-15-021)

**3. ITEMS REMOVED FROM CONSENT CALENDAR - None**

**4. PUBLIC COMMUNICATION**

- 1. Lorraine Dechter – requested assistance because rebuilding is difficult and some departments at the Town are non-responsive.
- 2. Raymond Klein – is concerned with communication during power outages because there is no official news source and the Radio Station is a Tier 1 need.
- 3. Anna Swanson – asked the Council to address price gouging from contractors and is concerned with neighboring trees that could fall on property.

**5. PUBLIC HEARINGS**

- 5a.** Community Development Director Susan Hartman provided the Town Council with an update on the proposed ordinance banning a Needle and Syringe exchange program in the Town of Paradise.

Mayor Bolin announced that the Town Council would conduct the duly noticed and scheduled public hearing and upon conclusion of the public hearing consider the following: 1. Concur with the project "CEQA determination" finding presented and considered by the Planning Commission on September 15, 2020, and embodied within Planning Commission Resolution No. 20-02; and, 2. Consider waiving the first reading of Town Ordinance No. 599 and read by title only; and, 3. Introduce Town Ordinance No. 599, An Ordinance Amending Text Regulation within Title 17 of the Paradise Municipal Code Relative to Prohibiting the Establishment of Needle and Syringe Exchange Programs within the Town of Paradise not Associated with a Health Facility"

Mayor Bolin opened the public hearing at 7:46 p.m.

1. Town Clerk Volenski received a public comment from Dawn Durfee supporting the ban on the needle and exchange program.
2. Steve "Woody" Culleton supports a ban on the needle and exchange program.

Mayor Bolin closed the public hearing at 7:48 p.m.

Town Council discussed the recommendation from the Planning Commission and removed the section the Planning Commission added that would allow the program as an accessory activity of a health facility.

**MOTION by Zuccolillo, seconded by Jones**, concurred with the project "CEQA determination" finding presented and considered by the Planning Commission on September 15, 2020, and embodied within Planning Commission Resolution No. 20-02; and, 2. Waived the first reading of Town Ordinance No. 599 and read by title only; and, 3. Introduced Town Ordinance No. 599, An Ordinance Amending Text Regulation within Title 17 of the Paradise Municipal Code Relative to Prohibiting the Establishment of Needle and Syringe Exchange Programs within the Town of Paradise." Roll call vote was unanimous. (540-16-168)

**5b.** Mayor Bolin announced that the Town Council would conduct the duly noticed and scheduled public hearing to solicit comments regarding a proposed Substantial Amendment to the 2019-20 Annual Plan for the Community Development Block Grant. (This is the first of two public hearings, no action was requested at this time.) (710-10-094)

Mayor Bolin opened the public hearing at 7:51 p.m.

There was no public comment.

Mayor Bolin closed the public hearing at 7:51 p.m.

**5c.** Mayor Bolin announced that the Town Council would conduct the duly noticed and scheduled public hearing to establish Underground Utility District 20-1. Upon conclusion of the public hearing Town Council would consider the following: 1. Adopting Resolution No. 20-\_\_\_, A Resolution of the Town Council of the Town of Paradise (1) declaring and determining a certain area with the Town as the Paradise Arterials & Collectors Underground District (Underground District 20-1), and (2) finding and determining that

public necessity, health or safety require the removal of poles, overhead wires, and associated structures, and ordering removal of same (Underground District 20-1)

Mayor Bolin and Council Member Zuccolillo recused themselves from the dais at 7:52 p.m. due to a potential conflict of interest.

Public Works Director/Town Engineer Marc Mattox provided an overview of the process to form a Rule 20-1 District.

Mayor Bolin opened the public hearing at 7:52 p.m.

#### EMAIL COMMENTS

1. Jeffry Miskin wants cooperation from the utility companies.
2. Richard Randlett does not support creating the district because the rates will increase and thinks the Town Council should focus on lowering building costs.
3. Ed Schilling is in favor of removing the poles and undergrounding utilities.
4. John Heebink is in favor of undergrounding utilities
5. John Maquire concurs with the Town Council about undergrounding utilities.
6. Thomas Koegel, AT&T legal, stated that AT&T intends to continue to work with the Town of Paradise, PG&E and all affected parties to reach a prompt and amicable resolution for all concerned.

#### IN PERSON

7. Steve "Woody" Culleton supports the undergrounding of utilities.
8. Alice Perez, AT&T Director, has been committed to working with PG&E and Comcast and will be meeting with them later this week.
9. Carole Wright is concerned that property on Edgewood Lane will not be included in the underground utilities.

Mayor Bolin closed the public hearing at 8:11 p.m.

**MOTION by Jones, seconded by Schuster**, to follow staff recommendation to adjourn the public hearing to October 29, 2020 at 6:00 p.m. AYES: Crowder, Jones and Schuster NOES: None ABSTAIN: None ABSENT: Zuccolillo and Bolin, Mayor.

After further discussion Council rescinded the above motion and made the following motion:

**MOTION by Schuster, seconded by Jones**, rescinded item 5c, adjourning the public hearing to October 29, 2020 and changed the adjourned public hearing meeting date to November 2, 2020 at 6:00 p.m. AYES: Crowder, Jones and Schuster NOES: None ABSTAIN: None ABSENT: Zuccolillo and Bolin, Mayor. (950-90-004)

## 6. COUNCIL CONSIDERATION

- 6a. Community Development Director Susan Hartman provided the Town Council with an update on changes to the proposed Urgency Ordinance relating to interim housing.

## EMAIL COMMENTS

1. Don Primer supports extending the urgency ordinance.
2. Kate Scowsmith from the Camp Fire Collaborative, supports extending the urgency ordinance until December 31, 2021.

## IN PERSON

3. Jacqueline Shearer stated that the rules and restrictions are too strict and wrong, thinks the citizens should be getting the red-carpet treatment and feels that people are being punished.
4. Paul Kliefoth has a standing home, received an Administrative Notice, but asked for an extension because his son is living on his property and he needs more time before he can rebuild.
5. Lorraine Dechter asked Council to remove the building permit requirements until December because of all the delays, does not want to be referred to as squatters and should be on the same time schedule as long-term case managers.
6. Steve "Woody" Culleton doesn't understand why staff recommended six months, with conditions, instead of one year, septic tanks were damaged by debris removal with no liability assumed from FEMA and thinks that codes that don't make sense should be eliminated.
7. Deborah Deming has a house in Magalia but can't stay in it because of dangerous trees on property and is staying in trailer in Paradise and requested extension of ordinance.
8. Randy Viehmeyer came to Paradise for peace and quiet and asked for the ordinance to be extended; they are not squatters but need more time to decide what to do.

Council Member Jones showed pictures of non-compliance properties in her neighborhood that have multiple RV's, port-a-potties and no septic hook-ups. Is concerned that if an extension is passed, the ordinance needs to be strengthened for better enforcement.

Vice Mayor Crowder inquired about the permit that was to be displayed in the RV or on the property and thinks the ordinance should be extended.

Council Member Schuster stated that additional Code Enforcement Officers were added in July and inquired if there was enough staff to address the issues.

Community Development Director Hartman explained that every time the ordinance is updated, everyone with permits are subject to the updated changes, there will be sites that have not been updated, but are being documented for further outreach. There is only enough capacity to issue 15 citations per week.

Ms. Hartman shared that there are approximately 124 open Code Enforcement cases with RV's without a temporary use permit and that individuals living on the property need to show proof that they have been impacted/displaced by the Camp Fire.

Council Member Schuster stated that items approved in the past are allowing information to be gathered for staff to enforce at a policy level; Port-A Potties are on properties for workers and the entire community is confused by what they are supposed to be doing and thinks the ordinance should be extended the proposed six months.

Council Member Zuccolillo thinks that there are two issues; one is the blatant violators related to Code Enforcement who are disregarding the rules and the other issue are the group trying to move forward and decide how to rebuild. Thinks it's reasonable to extend the ordinance.

Mayor Bolin agrees that there are two issues; disagrees that the Council doesn't care and wants people to come back; there are people that are here, they are the ones that need support, but there has to be movement and then there is the other group that needs to be moved on because they are taking advantage of the situation and agrees that the ordinance should be extended.

Council Member Zuccolillo asked if the Code Enforcement issue could be addressed at the November meeting.

**MOTION by Zuccolillo, seconded by Schuster,** the Council choose option C and requested that information regarding Code Enforcement and the needs for enforcement be brought to the November 10, 2020 Town Council meeting; and, waived the reading of entire Town of Paradise Urgency Ordinance No. 600 and Adopted Town of Paradise Ordinance No. 600, "An Urgency Ordinance of the Town Council of the Town of Paradise Repealing Urgency Ordinance No. 598 and Adopting New Ordinance Relating to Interim Housing, Accessory Building(s) and Unoccupied Recreational Vehicle Inside the Camp Fire Area". Roll call vote was unanimous.

After discussion the Town Council rescinded 6a, the above motion, regarding the information related to Code Enforcement being brought back at the November 10, 2020 Town Council meeting to reflect the following:

**MOTION by Zuccolillo, seconded by Schuster,** rescinded the date of the Code Enforcement update from the November 10, 2020 Town Council meeting to the Special Town Council meeting date of November 2, 2020. Roll call vote was unanimous. (540-16-169)

At 9:14 p.m. Mayor Bolin recessed the Council meeting for a five-minute break.

At 9:20 p.m. Mayor Bolin resumed the Council meeting.

- 6b.** Administrative Services Director/Town Treasurer Brooke Kerrigan provided an updated on the process of selecting Meeder Investment Management for investment advisory services.

Jim McCork from Meeder Investment Management provided the Town Council information on the company and how funds are managed.

**MOTION by Zuccolillo, seconded by Schuster** authorized the Town Manager to execute a contract, upon legal review, with Meeder Investment Management for investment advisory services and an agreement with US Bank to hold the PG&E settlement funds in a Custodial Account. Roll call vote was unanimous. (510-20-275)

- 6c. MOTION by Jones, seconded by Bolin** concurred with the recommendation of the interview panel, Council Members Jones and Schuster, and appointed applicant Carissa Garrard to fill the current vacancy created by the sudden passing of Vice Chair Anita Towslee, effective immediately, expiring June 30, 2023. Roll call vote was unanimous.(760-45-012)

- 6d.** Disaster Recovery Director Katie Simmons provided the Town Council with an update on the Early Warning System.

1. Gregg Mowers stated that he is familiar with air raid sirens and if they went off at odd times people were wondering what was going on.

Council requested a campaign to get information out to the public regarding the early warning system so that they are aware.

**MOTION by Jones, seconded by Schuster**, ratified the contract award to Genasys for advance planning of an Early Warning System. Roll call vote was unanimous. (510-20-276)

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

- 7a. Council initiated agenda items - None

- 7b. Council reports on committee representation

Council Member Schuster reported on the Butte County Mosquito and Vector Control District meeting and the first report of Yellow Fever in the County, the Resolution at the League of California Cities was considered advisory and sent to the Executive Board and Explore Butte County-TBID was granted 10-year extension and attended Council Candidate Orientation.

- 7c. Future Agenda Items - None

## **8. STAFF COMMUNICATION**

- 8a. Town Manager Report

Town Manager Kevin Phillips thanked prior Town Manager Lauren Gill for service to the Town and the transition training; updated the Council on coordinating with the local municipalities to work together and working with local organization ; focusing on the Long-Term Recovery Plan and is meeting with staff to understand the needs within the organization.

## **9. CLOSED SESSION**

At 9:57 p.m. Mayor Bolin announced that the Town Council would go into closed session for the following item:

- 9a. Pursuant to Government Code section 54956.8, the Town Council will hold a closed session to confer with the Town's negotiators about whether to accept an offer from the property owner to acquire the below identified real property:

Property location: 1181 Pearson Road, Paradise, CA 95969 (APN 054-152-077-000)

Town negotiators: Kevin Phillips, Town Manager and Mark Habib, Town Attorney

Property negotiator: Fred Hayden, Paradise Church of Christ

At 10:12 p.m. Town Attorney Habib announced that the Town Council considered the offer to purchase property and 1181 Pearson Road and rejected the offer. All Council concurred. (820-10-044)

## **10. ADJOURNMENT**

Mayor Bolin adjourned the Town Council meeting at 10:13 p.m.

Date Approved: December 8, 2020

\_\_\_\_\_/s/\_\_\_\_\_  
Greg Bolin, Mayor

Attest:

\_\_\_\_\_/s/\_\_\_\_\_  
Dina Volenski, CMC, Town Clerk