

MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – October 08, 2019

1. OPENING

The Regular meeting of the Paradise Town Council was called to order by Mayor Jones at 6:02 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 Vice Mayor Bolin.

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

COUNCIL MEMBER ABSENT: None

STAFF PRESENT: Town Manager Lauren Gill, Town Attorney Dwight Moore, Town Clerk Dina Volenski, Administrative Services Director Gina Will, Administrative Analyst Colette Curtis, Business and Housing Services Director Kate Anderson, Acting Community Development Director Susan Hartman, Police Chief Eric Reinbold, Disaster Recovery Manager Laura Page.

- 1a. A presentation was given by Disaster Recovery Manager, Laura Page, Ron Tackett USDA and Dena Wilson, Cal OES on the Funding Sources to Remove Standing Burnt Trees.

2. CONSENT CALENDAR

MOTION by Bolin, seconded by Schuster, approved consent calendar items 2a-2i as presented. Roll Call vote was unanimous.

- 2a. Approved minutes from the August 13, 2019 Regular Town Council meeting.
- 2b. Approved September 2019 cash disbursements in the amount of \$1,488,562.66
- 2c. 1. Approved sole source procurement of information technology services in light of the special qualifications and knowledge of Stratti; and, 2. Authorized the Town Manager to enter into a one-year maintenance agreement with Stratti for information technology services. (510-20-215)
- 2d. 1. Waived second reading of the entire Town Ordinance No. 579 and approved reading by title only; and, 2. Adopted Town Ordinance No. 579, "An Ordinance Amending Sections 17.04.500 and Adding Sections 17.06.960, 17.06.970 and 17.36.100 to the Paradise Municipal Code Relating to Accessory Building; Primary Dwelling, Railroad Tie Material in Site Structures and Mobile Home Provisions". (540-16-148)

1. Ward Habriel asked if there is a contingency for existing railroad tie retaining walls.

Attorney Dwight Moore stated there could be if they are declared a public nuisance.

2. Theresa McDonald pointed out on Ord. 579, there is an error on the definition of a Manufactured home.
- 2e. Waived second reading of the entire Town Ordinance No. 580 and approved reading by title only; and Adopted Town of Paradise Ordinance No. 580 "An Ordinance Amending Text Regulations within Paradise Municipal Code Section 17.39.300 Relative to the Reconstruction of Nonconforming Uses". (540-16-149)
- 2f. Approved award of SAFER grant and approved resulting budget adjustment. (The SAFER Grant program provides funding directly to fire departments to assist in increasing the number of firefighters to help communities meet industry minimum standards to provide adequate protection from fire and fire-related hazards)(440-91-001)
- 2g. Adopted Resolution No. 19-33, A Resolution of the Town Council of the Town of Paradise, California, declaring approximately 2,102 empty safety deposit boxes from the donated Bank of America building as surplus property and authorized disposal thereof by the Town Manager. (380-10-003)
- 2h. Waived second reading of the entire Town of Paradise Ordinance No. 582 and approved reading by title only and 2. Adopted Town of Paradise Ordinance No. 582, "An Ordinance Amending and Adding Text Regulations within Paradise Municipal Code Title 15 (Buildings and Construction) Relating to Accessory Structures and Wildland Urban Interface Requirements; and Non-Combustible Roof Gutters". (540-16-151)
- 2i. Waived the second reading of Town of Paradise Ordinance No. 583 and approved reading by title only, and; 2. Adopted Town of Paradise Ordinance No. 583 relating to the Town's Purchasing Ordinance for goods and services. (540-16-155)

Council Member Zuccolillo asked for bids to be posted to the Website for the public to see.

3. ITEMS REMOVED FROM CONSENT CALENDAR

4. PUBLIC COMMUNICATION

1. Michael Roddy has heard from the Insurance Commissioner, who stated that insurance companies will change course to provide lower insurance for houses built to be fire resistant, such as cinderblock houses.

2. Ward Habriel and Garrison Chaffee spoke about Love Paradise/Make A Difference Day, on Oct 25-26.

3. James Riotto commended Acting Community Development Director Hartman for her work with the Town. Stated he wants to rebuild, but his neighbors have set up marijuana plants and it looks like a homeless camp. Mr. Riotto stated that code enforcement and the police cannot do anything to help him and asked who is paying to remove stumps.
4. Laurie Noble is concerned with stump removal and that the Town is issuing permits for houses when there are trees that could potentially fall on those houses.
5. Fred Kuhlmann stated he noticed that some trees did not burn in the fire.
6. Theresa McDonald hopes that there are people watching the meetings and asked how people out of state are adding their input to the Council meetings.

5. PUBLIC HEARINGS

- 5a. Business and Housing Program Director Kate Anderson asked Council to open a public hearing to solicit comments and/or suggestions regarding the 2019-2020 Annual Plan; and Direct staff to submit the 2019-2020 Annual Action Plan to Housing and Urban Development (HUD). (HUD awards grants to entitlement community grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services.) There was \$164,394 awarded.

The Public Hearing was opened at 6:43 p.m.

The Public Hearing was closed at 6:44 p.m.

MOTION by Schuster seconded by Bolin, directed staff to submit the 2019-2020 Annual Action Plan to Housing and Urban Development (HUD). Roll call vote was unanimous. (710-10-093)

- 5b. ACDD Susan Hartman presented Ordinance 584 an Ordinance Amending Text Regulations within Paradise Municipal Code Title 17 [Zoning] Relating to Temporary Commercial Buildings”.

At 6:45 Bolin recused himself and left the dais.

At 6:47 Zuccolillo recused himself and left the dais.

Schuster asked how many businesses have come forward requesting temporary buildings.

Crowder expressed concern about out of Town business coming in and not renting our available space, but does not want contractors from outside the town to be turned away because they can't afford to rent space.

Schuster questioned the price difference between a temporary dwelling and a rental.

Mayor Jones stated she has many concerns regarding the ordinance. Nothing in the ordinance states what constitutes an acceptable commercial

building other than it needing to be the correct number. Expressed her dislike for the ordinance.

Schuster concurred that what we have now is sufficient, not sure who this applies to.

Jones asked if the ordinance can be amended to only include construction sites.

The public hearing was opened at 7:04 p.m.

1. Theresa McDonald stated her issue was already addressed.
2. Mike Roddy stated anyone building at production values will want a large space.
3. Kathryn McLaughlin stated there is a lot of infrastructure that needs to be built as well before other building are being built.
4. Mike Zuccolillo asked Council to think of those businesses that need yards such as landscaping.

Jones said the Ordinance could state construction sales and those related businesses.

5. Al Sickie stated Yurts are not permanent but will house a family of 5 comfortably.

The public hearing was closed at 7:11 p.m.

MOTION by Crowder, seconded by Schuster, concurred with the project “CEQA determination” finding presented and considered by the Planning Commission on September 17, 2019, and embodied within Planning Commission Resolution No. 19-05; and waived the first reading of Town Ordinance No.584 and read by title only; and, introduced Town Ordinance No. 584, “An Ordinance Amending Text Regulations within Paradise Municipal Code Title 17 [Zoning] Relating to Temporary Commercial Buildings”; with added language to what constitutes as a temporary structure and applicable to construction sales service and related. Roll call vote was unanimous with Bolin and Zuccolillo absent and not voting.

Council Members Bolin and Zuccolillo returned to the dais at 7:12 p.m.

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. Greg Adams, the Building Official with 4Leaf, asked the Council to adopt the current 2019 California Building code standards. Mr. Adams stated that

most changes are to the current codes with the biggest code update being to the energy code.

Bolin asked for clarification about the solar requirements and who is going to regulate.

Crowder asked about addendum 15.09 concerning burning and about eliminating the east and west burning.

Chief Messina stated that staff had discussed the east and west burning and decided to leave it in the ordinance, since the burn season is projected to be longer.

Theresa McDonald asked about solar panels, stated her insurance will pay 25% more for code upgrades, but if this ordinance is passed, she will not get reimbursed by insurance for upgrades.

Jones clarified this an approval of a state law.

MOTION by Bolin, seconded by Zuccolillo, waived the first reading of Town Ordinance No. 585 and read by title only; and, 2. Introduced Town Ordinance No. 585, " An Ordinance Of The Town Of Paradise Repealing Paradise Municipal Code Chapters 15.01, 15.02, 15.03, 15.04, 15.05, 15.06, 15.07, 15.08, 15.09, 15.10, 15.11, 15.12, 15.13 And Adopting New Paradise Municipal Code Chapters 15.01, 15.02, 15.03, 15.04, 15.05, 15.06, 15.07, 15.08, 15.09, 15.10, 15.11, 15.12 And 15.13 And Making Findings Of Facts Relating To Local Climatic, Geological, And Topographic Conditions, All Relating To The Amendments And Adoption Of The 2019 California Building Standards Code. Roll call vote was unanimous.

- 6b. Fire Chief John Messina reintroduced Ordinance 581 and asked Council to consider a public discussion adding Chapter 8.58 to the Paradise Municipal Code Relating to Defensible Space and Hazardous Fuel Management.

Attorney Moore went over the changes that were requested in the prior Council meeting.

Theresa McDonald asked the Council to change the length of time that a citizen has to review when they get a citation and stated that 10 days is not enough time.

MOTION by Bolin, seconded by Schuster, 1. Waived the first reading of Town Ordinance No. 581 and read by title only; and, 2. Re-introduce Town Ordinance No. 581. "An Ordinance Adding Chapter 8.58 to the Paradise Municipal Code Relating to Defensible Space and Hazardous Fuel Management". With amendment to response time for appeal to 15 business days after mailing of a certified letter. Roll call vote was unanimous. (540-16-150)

- 6c. Greg Eaton, recovery advisor gave an overview of the 7 applications being submitted to CAL OES for a total of \$382,128,997, \$15,103,220 will need to be covered by the Town. Mr. Eaton requested a commitment letter from the Council for the seven projects; which consists of Category 4 tree removal, residential ignition resistant improvement program, early warning system, Hazardous fuel reduction program, Building Code Inspectors, Storm drain Master Plan and a Reseeding program.

Mayor Jones clarified that for the tree removal program the property owners would need to pay for 25% of the cost.

Teresa McDonald asked if the tree program is retroactive.

Ward Habriel estimated it would cost each property owner \$3,300.

Mayor Jones clarified the cost is dependent on how many trees are on the property.

Jim Riotto asked for clarification for which roads would be included.

MOTION by Schuster, seconded by Zuccolillo, authorized submission of seven subapplications for CalOES and directed Gina Will, Finance Director, to sign commitment letters for the Non Federal Cost Share requirements for the seven subapplications funded through the Hazard Mitigation Grant Program. Roll call vote was unanimous. (395-25-006)

- 6d. Town Manager Lauren Gill gave an overview of the proposed dig once policy which would implement an open trench approach that requires coordination between the Town, public utilities and telecommunication companies. The object of the ordinance is to support an open and transparent process for notifying telecom companies and combined coordination between public works, public utilities that are planning to trench within the Town right-of-way, and telecom companies for the installation of conduit.

MOTION by Schuster, seconded by Bolin, waived the first reading of Town Ordinance No. 586, and read by title only; and, introduced Town Ordinance No.586, “ An Ordinance of the Town Council of the Town of Paradise, California, establishing an Ordinance adding Chapter 12.26 to the Paradise Municipal Code Relating to Telecommunications Infrastructure Improvements. Roll call vote was unanimous. (950-90-004)

7. COUNCIL INITIATED ITEMS AND REPORTS

7a. Council initiated agenda items

- 7a. Melissa Schuster presented the resolutions being proposed by the League of California Cities for the 2019 Annual Conference to be held October 16-18 in Long Beach, CA. Suggested approving the Resolution No. 1, Amendment to Rule 20A. Stated that the leagues rules prevent resolutions

that are Regional in nature and that Resolution No. 2 for International Transboundary Pollution Flows was a regional resolution not local.

Council concurred with Councilmember Schuster.

- 7b. Member Zuccolillo stated that along with Charles Brooks and Rebuild North Bay he will be visiting Washington D.C, where he will be talking about items of significance in relation to the fire. Council Member Zuccolillo asked Council what they thought the items of importance should.

Mayor Jones suggested setting the stage for roads.

Vice Mayor Bolin recommended strengthening PID.

7b. Council reports on committee representation

Council Member Bolin went to a LAFCo meeting, met with PG&E and Communication Reps.

Council Member Crowder went to the Jonny Appleseed Festival, stated there were a lot of positive response from the public.

Council Member Zuccolillo met with PG&E and communication Reps.

Council Member Schuster has been working on the memorial events, stated North Valley Foundation has committed \$50,000 on events and also attended the Johnny Appleseed Festival.

Mayor Jones reported on the Butte County Air Quality Meeting and shared that in regards to the Towns waste yard, there are rules that burn green waste can only happen upon the property in which it grew, also burning green waste can only happen at 1500 ft. elevation and above. The green waste yard is at 1475 feet elevation, but Butte County Air Quality Management District has already submitted the waivers to start the process to allow the green waste yard in Paradise.

Dave Hienke asked to come up and speak and stated that his property is considered light industrial, has spent money preparing the property and was not able pull permits to build a house.

7c. Future Agenda Items

Council Member Zuccolillo stated Butte County was submitting a letter to PG&E regarding the safety power shut offs and how it negatively effects the rebuild effort and asked the Town to submit a similar letter.

Council Member Zuccolillo also asked staff to look at a zoning amendment that would allow for temporary commercial uses within commercial areas with a sunset clause.

8. STAFF COMMUNICATION

8a. Town Manager Report

Town Manager Lauren Gill stated that during the Safety Power Outages the traffic lights will blink red for a while but will eventually go dark and the Town is looking for a solution to allow the lights to go longer. The law states that when traffic signal goes dark that drivers must treat the intersection as a four way stop.

Schuster asked if we could put stop signs up temporarily during the power shut off.

Manager Gill stated says that if the Town put up signs and something happens to the sign the Town becomes legally responsible and reminded citizens to drive very cautiously. The Town will be looking at battery backups that will last longer, but at this time the Town does not have the battery backups as an option.

Council suggested using the PG&E electronic boards to notify/remind drivers of the rules of the road during a power outage.

9. CLOSED SESSION - None

10. ADJOURNMENT

Mayor Jones adjourned the Council meeting at 8:17 p.m.

Date Approved: December 10, 2019

By: _____/s/_____
Jody Jones, Mayor

Attest:

_____/s/_____
Dina Volenski, CMC, Town Clerk