

MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – June 14, 2016

1. OPENING

The Regular Meeting of the Paradise Town Council was called to order by Mayor Jody Jones at 6:00 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 Steve “Woody” Culleton.

COUNCIL MEMBERS PRESENT: Greg Bolin, Steve “Woody” Culleton, Scott Lotter, John J. Rawlings and Jody Jones, Mayor.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: Business and Housing Services Director Kate Anderson, Finance Director/Town Treasurer Gina Will, Assistant Town Clerk Dina Volenski, Town Clerk Joanna Gutierrez, Human Resources Manager Crystal Peters, Town Manager Lauren Gill, Public Works Director/Town Engineer Marc Mattox, Community Development Services Director/Planning Director Craig Baker, Information/Technology Manager Josh Marquis, Police Chief Gabriela Tazzari-Dineen and Battalion Chief Curtis Lawrie.

- 1a. Mayor Jones declared June as Alzheimer's and Brain Awareness Month and presented a proclamation to Jane Furrier, representative of the Chico Chapter of Alzheimers Awareness. (180-40-26)
- 1b. Update on Paradise Sewer Project by Warren Bennett, Bennett Engineering.
- 1c. Presentation by Jim Broshears pertaining to the Emergency Evacuation Practice Drill and One-Way Evacuation planned for June 22, 2016.

2. CONSENT CALENDAR

MOTION by Lotter, seconded by Rawlings, approved all consent calendar items 2a – 2j as presented **by unanimous roll call vote.**

- 2a. Approved the minutes of the May 10, 2016 Regular Council Meeting.
- 2b. Approved the Cash Disbursements for May 2016 in the amount of \$1,726,545.72. (310-10-31)
- 2c. Adopted Resolution No. 16-20, A Resolution of the Town Council of the Town of Paradise Rescinding the Agreement with the County of Butte Relating to the Collection of Development Impact Fees for County Jail Facilities. (510-20-74)

- 2d. Authorized the Mayor and Town Manager to execute the Ninth Amendment to Dismissal and Tolling Agreement between the Town of Paradise and Oak Creek Estates. (07-24)
- 2e. Adopted Resolution No. 16-21, A Resolution Authorizing Disposal of Certain Town Records Maintained in the Town Clerk Department Pursuant to Government Code Section 34090. (160-20-17)
- 2f. Adopted Resolution No. 16-22, a Resolution of the Town Council of the Town of Paradise, California, Declaring Certain Information Technology Hardware Surplus and Authorizing the Sale, Donation, or Destruction of Said Surplus. (380-10-03)
- 2g. Authorized the Town Manager to enter into two (2) agreements with Inland Business Systems to provide the following equipment and services for a cost of \$1,179.45 per month:
 - (1) Delivery of five (5) new Konica Minolta Bizhub multifunction devices (Bizhubs) as described in the attached exhibits titled "TOP – Work Order" and "TOP – Addendum to Work Order". Relocation of two (2) existing Bizhubs to alternate locations at Town Hall and remove four (4) existing Bizhubs as described in the attached exhibit titled "TOP – Work Order".
 - (2) Service Maintenance for Seven (7) Bizhubs as described in the attached exhibits titled "TOP – Service Agreement" and "TOP – Addendum to Service Agreement". (510-20-133)
- 2h. Authorized the Town Manager to execute the 2016/2017 FY GIS maintenance agreement with the CSU, Chico Research Foundation for an annual cost of \$10,000. (06-22)
- 2i. Adopted Resolution No. 16-23, A Resolution of the Town Council of the Town of Paradise authorizing an investment strategy option for OPEB funds being invested in the SISC OPEB Trust (formerly the SISC GASB 45 trust). (510-20-32 & 630-10-22)
- 2j. Approved an in-kind match from the Town of Paradise pertaining to permit fees and associated building inspection relating to the Hazard Mitigation Grant Program Ember Ignition Grant; and, authorized the Mayor to sign the letter addressed to the California Office of Emergency Services (Cal OES). FISCAL IMPACT: The in-kind match from the Town would include the waiver of permit fees and subsequent inspection fees relative the vent retrofit on the aforementioned homes. There are minimal fiscal impacts to the Town, through the loss of permit fees estimated at \$105.84 per household or \$2,116.80 for an estimated 20 homes in Paradise. (395-50-13)

3. ITEMS REMOVED FROM CONSENT CALENDAR – None.

4. PUBLIC COMMUNICATION

1. Ward Habriel informed the Council that the revenue from the Paradise Garden Tour will provide four \$1,000 scholarships for the Butte College Foundation to award to students interested in horticulture, that the northern region led the State in water conservation efforts, and the Garden Club will be celebrating 25 years of service.

2. Dennis Therien addressed the Council regarding the high volume of traffic on Scottwood between Buschmann and Pearson that he believes is the result of motorists avoiding travel on Skyway, that the motorists are traveling at very high rates of speed making it difficult for residents to get out of their driveways, and that he would like an officer dedicated for traffic control as soon as possible.

3. Bill Hartley and Mark Thorp stated that they are representing the Gold Nugget Yellowstone Kelly Committee and the Chamber of Commerce, provided background on Luther Sage "Yellowstone" Kelly, a Paradise resident of national prominence, and requested an opportunity to present information to the Town Council that would educate and inspire an appreciation for Luther Sage "Yellowstone" Kelly and perhaps lead to the designation of the Trailway as the Yellowstone Kelly Heritage Trail.

Council concurred to direct the Town Manager to schedule this presentation on the July 12, 2016 Council agenda.

4. Representatives from Boy Scout Troop 316 informed the Town Council that they are attending the Council meeting to earn the "Citizen in the Community" merit badge and asked that their individual names be entered into the record. The following boy scouts either introduced themselves to the Council or signed their name for the Town Clerk to record: A.J. Fabris, Austin Ladd, Sean Mookley, Andy Linville, Atticus R. Sprague, Levi L. Sprague, Geoffrey Seidenglanz, Trent Cissna and Xavier Peck.

5. PUBLIC HEARINGS – None.

6. COUNCIL CONSIDERATION

6a. **MOTION by Bolin, seconded by Lotter,** (1) Concurred with staff's recommendation of Mark Thomas & Company to perform engineering services for the Almond St Multi-Modal Improvements Project; (2) Approved a Professional Services Agreement with Mark Thomas & Company and authorized the Town Manager and Town Mayor to execute; and, (3) Authorized the Town Manager to execute additional work orders up to 10% of the contract amount. **FISCAL IMPACT:** The professional services agreement and respective services will be 97.5% funded by the State Active Transportation Program. The budgeted grant amount for Preliminary Engineering is \$235,000 and Right of Way is \$100,000. The estimated total contract cost for Mark Thomas & Company is \$265,361 (\$222,786 Preliminary Engineering and \$30,472 Right of Way). The local

matching portion of the contract (\$6,634) will be paid from local gas tax funds. Roll call vote was unanimous. (510-20-130)

- 6b. Following a report by Public Works Director/Town Engineer Marc Mattox on the engineering services for the Ponderosa Elementary Safe Routes to School project, Mayor Jones opened the matter for public comment.

1. Ward Habriel stated that he is concerned about traffic as he lives in the neighborhood near the project, would like to know statistics of accidents and injuries on this road, and stated perhaps there are other areas that could better benefit from this grant.

Staff explained that the grant funding for this project is very specific and must be used for active transportation improvement such as bike and walkways and that this area is very dangerous for students traveling to school and need improvement.

2. Atticus Sprague, Boy Scout Troop 316, stated that he has never walked to school but has seen other students walking and is very nervous for them and is in favor of the project.
3. Ellen Michaels, Butte County Public Health, is very pleased to hear about this grant and the inclusion of an education piece and that she would be happy to partner with the town.

MOTION by Bolin, seconded by Lotter, (1) Concurred with staff's recommendation of NorthStar Engineering to perform engineering services for the Ponderosa Elementary SR2S Project; (2) Approved a Professional Services Agreement with NorthStar Engineering and authorized the Town Manager and Town Mayor to execute; and, (3) Authorized the Town Manager to execute additional work orders up to 10% of the contract amount. FISCAL IMPACT: The professional services agreement and respective services will be 88% funded by the State Active Transportation Program. The budgeted grant amount for the pre-construction phases of the project is \$250,000. The estimated total contract cost is \$171,222.96. The local matching portion of the contract (20,546) will be paid from local gas tax funds. Roll Call Vote was unanimous (510-20-131)

- 6c. Following a report from Public Works Director/Town Engineer Marc Mattox regarding the Safe Routes to School Pearson Road Connectivity Project, Mayor Jones opened the matter for public input.

1. Jay Shepard asked if a retaining wall is necessary for this project as he would like to see the nature rock formation left intact.

Staff explained that the wall will be molded to match the existing rock and that the plan is to complement and improve the existing post rock formation.

MOTION by Lotter, seconded by Culleton, adopted Resolution No. 16-24, A Resolution Approving the Plans and Specifications for the Pearson Rd SR2S Connectivity Project and Authorizing Advertisement for Bids on the Project. The construction of the Pearson Rd SR2S Connectivity Project will be 100% funded from the Active Transportation Program. The project engineer's estimate and grant budget for construction is \$1,100,000. Roll call vote was unanimous. (950-40-25)

6d. **MOTION by Rawlings, seconded by Bolin**, adopted Resolution No. 16–25, “A Resolution of the Town Council of the Town of Paradise Adopting the HOME Tenant Based Rental Assistance Program Guidelines.” Roll call vote was unanimous. (710-10-088 & 510-20-132)

6e. **MOTION by Culleton, seconded by Lotter**, adopted Resolution No. 16 – 26, “A Resolution of the Town Council of the Town of Paradise Authorizing the Town Manager to execute the Agreement Between the Town of Paradise and the Housing Authority of the County of Butte for Use of Home investment Partnership Program (HOME) Funds for the Town's Tenant Based Rental Assistance Program.” Roll call vote was unanimous. (710-10-088 & 510-20-132)

6f. Reviewed and acknowledged receipt of the financial information provided by Finance Director/Town Treasurer Gina Will concerning (1)The 2015/16 Operating and Capital Budget Update; (2) Measure C Citizen Oversight Committee recent meeting; and, (3) Budget planning process for fiscal year 2016/17. (340-40-14 & 395-70-17)

6g. **MOTION by Rawlings, seconded by Lotter**, authorized the Town Manager to enter into an agreement to purchase from HLP, Inc. the Web Licensing add-on to our existing Chameleon/CMS product to provide for an online licensing option for dog owners. Roll call vote was unanimous. (510-20-134)

Mayor Jones called for a ten minute recess at 7:50 p.m. and reconvened the meeting at 8:00 p.m.

7. COUNCIL INITIATED ITEMS AND REPORTS

Council initiated agenda items

7a. Council Member Rawlings reported to the Council that he would like the Town Council to reconsider Town Council priorities relating to animal control services and requested that Council re-prioritize the revenues generated by the sales tax measure (Measure C funds) related to animal control services and allocate funding in a total amount \$170,000 from Measure C Funds in the 2016/2017 budget to upgrade the animal control

facility, specifically, the construction of a 900 square foot building to sit immediately adjacent to the existing animal control facility in order to improve the animal control services department (17% of total Measure C Funds for one year). Council Member Rawlings read a letter from a Paradise citizen who shared how he has benefited from two cats he adopted from the Paradise shelter during his treatments for cancer.

Mayor Jones opened the matter for public input.

1. Rick McCormick stated that he is the current president of the Paradise Animal Shelter Helpers (PASH) and on behalf of the PASH Board of Directors stated that they support Council Member Rawlings' proposal for use of Measure C Funds to improve the animal shelter.
2. Ellen Michels stated that she is a longtime PASH volunteer, that she is in support of a separate cat structure, thanked Council Member Rawlings for reading the letter that supports comfort animals and shared pictures of the condition of the animal shelter.
3. Jay Shepard, stated that animals are also taken in from the County, neighboring cities have superior facilities, and thinks the current Paradise facility is a dangerous place for the animals and for the people that work there, and that he would like to see a facility built that the community can be proud of.
4. Ward Habriel stated that he thinks the real problem is the irresponsible pet owners, that there should be more enforcement and, although he appreciates the compassion of John Rawlings and the work of the volunteers, that Measure C funds should not be used for the animal shelter, that the money should come from the pet owners.

Mayor Jones invited Police Chief Gabriela Tazzari-Dineen to speak to the Council regarding priorities she has set for the Police Department. Chief Tazzari-Dineen stated that an animal facility is not a critical need, that current budgeted funds to sustain the current shelter will be expended within two years, Measure C revenue will cease in five years and the Measure N revenue is not sufficient to sustain the operation. Chief Gabby further advised that she takes issue with the information provided by the PASH volunteers relating to the conditions of the shelter, that she evaluated data over the past five years that shows a significant decrease in the euthanizing of animals, that purchase of isolation units as proposed in the budget will also continue to improve the processing of animals, and that all town buildings have outgrown the intended capacity but are still functional. The online licensing approved by Council will improve operations whereas an additional facility will only add to the cost of operations. Chief Tazzari-Dineen stated that state mandates for animal control services are being met, that shelters are not required, that

rabies control and pickup of dead animals is required, and that the Town provides animal control, not animal protection.

The MOTION by Rawlings to approve Measure C funding to improve the animal control facility died for lack of a second.

b. Council reports on committee representation:

Vice Mayor Lotter attended the LCC Public Safety Policy Committee meeting and reported on pending legislation that will not be beneficial to cities such as mandated entitlement for projects that provide low income housing, discussed the Adult Use of Marijuana Act which the league opposes, and the legislation requiring a background check for citizens prior to purchase of ammunition and the eight pages of new crimes that will no longer be considered as violent including sex trafficking of minors.

Council Member Culleton reported on the swear-in of four new police officers, as well as a lieutenant and dispatcher.

Mayor Jones attend the LCC Transportation Policy Committee meeting, that the League is opposing the allocations proposed for transportation; attended the swear-in of the police officers and noted that three of the four officers were sponsored through the academy by Measure C Funds.

c. Future Agenda Items: None.

8. STAFF COMMUNICATION

a. Town Manager Report – None.

b. Community Development Director Craig Baker reported on the progress of the following projects: Carousel remodel, Eye Life Institute, Safeway, Lynn's Paradise Plaza, Verizon cell tower, Mountain Terrace Subdivision map extension, Paradise Community Village pending map extension, Hunter/Hanosh dental facility, Feather River Brew Pub potential location to the downtown and M-F expansion at property next to town hall at 5571 Skyway.

9. CLOSED SESSION

At 9:12 p.m. Mayor Jones announced that the Town Council would adjourn to hold the following closed sessions:

9a. 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 Confidential/Mid-Management Association,

General Employees Unit, Management Group, Police Mid-Management and the Paradise Police Officers Association.

- 9b. Pursuant to Government Code section 54956.9(a), the Town Council will meet in closed session with Town Attorney Dwight Moore and Town Manager Lauren Gill relating to existing litigation as follows: Town of Paradise vs. Brandy L. Braun, Butte County Superior Court Case No. 164611.
- 9c. Pursuant to Government Code section 54956.9(d)(e)(3), the Town Council will hold a closed session with the Town Legal Counsel and Town Manager relating to significant exposure to litigation based on a Tort Claim from Edward Thomas against the Town of Paradise.
- 9d. Pursuant to Government Code Section 54957 the Town Council will hold a closed session to review amending and restating of the agreement between the Town of Paradise and Dwight L. Moore for Town Attorney services.

At 10:00 p.m., the Mayor Jones reconvened the Town Council meeting.

- (1) **MOTION by Lotter, seconded by Bolin**, approved the amended and restated agreement between the Town of Paradise and Dwight Moore relating to Town Attorney legal services. Roll call vote was unanimous.
(93-01)
- (2) **MOTION by Lotter, seconded by Rawlings, adopted the following resolutions by unanimous roll call vote:**
 - (1) Resolution No. 16-27, A Resolution of the Town Council of the Town of Paradise Approving the Memorandum of Understanding Between the Town of Paradise and the Town of Paradise Police Officers Association relating to Employment Covering the Period from July 1, 2016 to June 30, 2019.
 - (2) Resolution No. 16-28, A Resolution of the Town Council of the Town of Paradise Approving a Memorandum of Understanding Between the Town of Paradise and the Town of Paradise Management Group Relating to Employment Covering the Period from July 1, 2016 to June 30, 2019.
 - (3) Resolution No. 16-29, A Resolution of the Town Council of the Town of Paradise Approving a Memorandum of Understanding Between the Town of Paradise and the Town of Paradise Confidential Mid-Management Group Relating to Employment Covering the Period from July 1, 2016 to June 30, 2019.
 - (4) Resolution No. 16-30, A Resolution of the Town Council of the Town of Paradise Approving a Memorandum of Understanding Between the Town of Paradise and the Town of Paradise Police Management and Mid-

Management Group Relating to Employment Covering the Period from July 1, 2016 to June 30, 2019.

Mayor Jones announced that direction was given; no action was taken, relating to the closed sessions listed as 9a, 9b and 9c.

10. ADJOURNMENT

10a. Mayor Jones adjourned the meeting to June 20, 2016 at 3:00 p.m. for the purpose of holding a regular adjourned meeting to consider approving a final budget for the Town of Paradise for fiscal year 2016/2017.

Date approved: July 12, 2016

By: _____/s/_____
Jody Jones, Mayor

Attest: _____/s/_____
Dina Volenski, Acting Town Clerk