

**MINUTES**  
**PARADISE TOWN COUNCIL**  
**REGULAR MEETING – 6:00 PM – March 06, 2012**

**1. OPENING**

The Regular Meeting of the Town Council was called to order at 6:02 pm by Mayor Culleton in the Town Hall Council Chambers at 5555 Skyway, Paradise, California. The Pledge of Allegiance to the Flag of the United States of America was led by the Girl Scouts of Northern California and the invocation was offered by Mayor Culleton.

**COUNCIL MEMBERS PRESENT:** Joe DiDuca, Scott Lotter, Tim Titus, Alan White and Steve "Woody" Culleton, Mayor.

**STAFF MEMBERS PRESENT:** Town Clerk Gutierrez, Town Manager Rough, Town Attorney Moore, Assistant Town Manager Gill, Community Development Director Baker, Police Chief Buzzard, Interim Fire Chief Cone and Finance Director Will.

Mayor Culleton presented the Girls Scouts of America 100-Year Anniversary Proclamation to a local Paradise representative of the Girl Scouts. Mayor Culleton asked the troop members present if they would like to address the Council and several scouts came forward to share what being a girl scout means to them as individuals, and the Daisy troop came forward and sang a song for the Council.

2012 Town Council Employee Recognitions for 5, 10, 15, 20, 25 & 30 Years of Service were presented by Mayor Steve "Woody" Culleton:

**Five-Year Employees:**

Christopher Pilgrim, Police Officer  
Wesley Dinsmore, Fleet Manager  
Kay Manley, Criminal Records Technician  
Joanne Nichols, Criminal Records Technician  
Wendy Brown, Administrative Assistant II  
Joshua Fisher, Fire Engineer  
Douglas Danz, Onsite Sanitary Official  
Keith Albertson, Firefighter  
Brian Van Iderstine, Fire Engineer  
Robert Wright, Police Officer

**Ten-Year Employees:**

Phillip Rose, Fire Engineer  
Karen Braun, Public Safety Dispatcher  
Robert Grignon, Jr., Public works Maintenance Worker II  
Jason Maxson, Fire Captain  
Alejandro Saise, Fire Captain

Brian Youngblood, Fire Captain  
Brandon Resendez, Fire Engineer  
Allan Billington, Police Lieutenant  
Valerie Lynch, Administrative Assistant II  
Charles Rollo, Community Services Officer - Property Evidence

**Fifteen-Year Employee:**

Charles L. Rough, Jr., Town Manager

**Twenty-Year Employees:**

Craig Baker, Community Development Director  
Chris Main, Fire Captain

**Twenty-Five Year Employees:**

Joanna Gutierrez, Town Clerk

**Thirty-Year Employee:**

Ron Morris, Public Works Maintenance Worker III

**2. ITEMS DEFERRED FROM PREVIOUS MEETINGS**

None.

**3. CONSENT CALENDAR**

**MOTION by White**, seconded by Lotter, approved the following Consent Calendar Items 3a through 3g as presented. Roll call vote was unanimous.

- 3a. Approved the Town Council Minutes of the 1/30/12 Special Meeting; the 2/7/12 Regular Meeting; and, the 2/22/12 Special Meeting.
- 3b. Approved Cash Disbursements in the Amount of \$1,244,269.22. (310-10-28)
- 3c. Relating to bids received on February 23, 2012 for the South Libby Overlay Project, (1) Accepted the Low Bid of \$190,599.00 from Granite Construction for the South Libby Overlay project; (2) Awarded the contract for the South Libby Overlay Project to Granite Construction and authorized the Town Manager to sign the contract; AND, (3) Authorized the Town Manager to approve change orders up to 10% contingency limit on this project. (940-40-16 & 510-20-43)
- 3d. Authorized the Town Manager to: (1) Accept transfer of 130 KW Portable Generator and related equipment, Daniel UHF Radio Receiver and related

equipment, and (8) ION Eclipse model IEO3828 in-car video equipment from Butte County Emergency Services Division which were received and accepted by Butte County OES on the Town's behalf from Federal Homeland Security Grant funds; and, (2) Enter into an agreement with Butte County to "Transfer Property for Homeland Security Grant Program Purposes". (510-10-44)

- 3e. Authorized the Police Department to award the Police/Fire Audio Logger/Recorder Bid to J.E. I., 3087 Alhambra Drive, Cameron Park, California 95682 for a total amount of \$15,924.75, which includes a three year service agreement. Approved as five-year lease purchase in FY 2011/12 budget. (Lease Purchase 380-45)
- 3f. Authorized the Town Manager to Execute Amendment No. 2 to Professional Services Agreement with Lumos & Associates dated April 5, 2010. Amendment extends term of agreement for one year and adds \$60,000 to the not-to-exceed cost. (Contract related to on-call Materials Testing and Geotechnical consultant services - Funded by various Capital Improvements contracts). (C10-02)
- 3g. Ratified a contract in the amount of \$6,750.00 between the Town of Paradise and Spota Engineering for Third Party Reviews on Construction Easements for the Pearson Road/Recreation Drive Intersection Project. (510-10-45 & 950-40-11)

#### **4. PUBLIC HEARING PROCEDURE**

- a. Staff report (15 minutes total maximum)
- b. Open hearing to the public
  - 1. Project proponents or in favor of (15 minutes total maximum)
  - 2. Project opponents or against (15 minutes total maximum)
  - 3. Rebuttals - when requested (15 minutes total maximum or 3 minutes maximum per speaker)
- c. Close hearing to the public
- d. Council discussion
- e. Motion
- f. Vote

#### **5. PUBLIC HEARINGS**

- 5a. Assistant Manager Gill reported to Council regarding the Community Development Block (CDBG) Grant Program 2012-2013 Annual Action Plan; and discussed the process relating to the creation of the draft of the 2012-2013 Annual Plan. The Annual Plan outlines how the community will use its CDBG funds for activities that further community and economic development; provide improved community facilities and services; and, provide affordable housing opportunities to low and disadvantaged residents to meet the CDBG program's three broad national objectives: benefit low and moderate incomes persons, aid in the prevention or

elimination of slums or blight, or meet community development needs having a particular urgency. Action on the final plan is scheduled for the first Council Meeting in May.

At 6:26 pm, Mayor Culleton opened the public hearing to solicit public comment on the draft annual CDBG 2012/13 Annual Action Plan. There were no speakers and Mayor Culleton closed the public hearing at 6:26 pm. (710-10-72)

- 5b. Community Development Director Baker reported to Council that the Town needs an updated Master Bicycle Plan in order to remain eligible for State of California bicycle funds for local bicycle facilities project; and, that Figure 3 on page 13 of the plan will be amended to reflect an existing Class II Bikeway on Pearson from Stearns to Pentz. He asked Council to conduct the public hearing to solicit public comment on the proposed Town of Paradise Master Bicycle and Pedestrian Plan dated March, 2012 and consider adopting Resolution No. 12-11, A Resolution of the Town Council of the Town of Paradise Rescinding Resolution No. 06-53 and Adopting the Town of Paradise Master Bicycle and Pedestrian Plan, March 2012.

At 6:30 pm Mayor Culleton opened the public hearing to solicit public comment on the Master Bicycle and Pedestrian Plan, March 2012. There were no speakers and Mayor Culleton closed the public hearing at 6:30 pm.

**MOTION by DiDuca, seconded by Lotter**, adopted Resolution No. 12-11, A Resolution of the Town Council of the Town of Paradise Rescinding Resolution No. 06-53 and Adopting the Town of Paradise Master Bicycle and Pedestrian Plan, March 2012. Roll call vote was unanimous. (950-18-05)

## **6. PUBLIC COMMUNICATION**

1. Larry Biegler stated that he owns the property located at 5240 Edgewood Lane and provided Council with copies of documents relating to Permit No 2006.460 issued 6/13/2006 which includes administrative citations for zoning violation for unlawful additional residence and unlawful sewage disposal system lacking Town approval and permit and stated that he would like them to read for themselves what is occurring at the property.
2. Austin Haggerty stated that he a senior at Paradise High School, that his senior project involves building a library for the charter middle school and asked if the Town would waive all permit fees for this project.

Mayor Culleton explained to Mr. Haggerty that the Town Council could take no action on the request as the matter was not on the agenda, and Manager Rough asked Mr. Haggerty to call and make an appointment with him so he could review the project and answer any questions.

## **7. COUNCIL CONSIDERATION**

- 7a. **MOTION by Titus, seconded by White**, authorized the Town Clerk to advertise for applicants to fill the three vacancies on the Access Appeals Board - one for a public member, and two for members with construction experience - with an application deadline of Thursday March 22, 2012 at 5:00 pm; and, scheduled appointments to the vacancies on the April 3, 2012, Town Council regular meeting agenda. The board consists of five members, no term limits on the positions. Roll call vote was unanimous. (740-20-03)
- 7b. Finance Director Will and Town Manager Rough reviewed the Valuation of Retiree Health Benefits as of July 1, 2011, [the Governmental Accounting Standards Board (GASB 45) Actuary Report] , explaining that the GASB legislation requires that liabilities associated with other (pension) post-employment benefits (OPED) be measured and reported in financial statements beginning with the 2009/10 fiscal year; that the Town received its first actuary study in July 1, 2010 that valued the Town's future benefit liability at \$45,810,590; and, discussed the actions taken to begin to reduce the obligation which includes: retiree health vesting schedule for new hires; reductions in work force; health benefit caps with four of six employee groups; and, establishment of an irrevocable trust (IRS 115 Trust) beginning with \$50,000 in May, 2011 to begin pre-funding the long term liability. As of July 1, 2011, the future benefit liability has been reduced to \$29,922.237 which reduces the Annual Required Contribution to \$2,185,779, the amount the Town is required to record on its balance sheet. Finance Director Will and Town Manager Rough stated that the Town needs to continue reducing the obligation to prevent the Town ending up with negative net assets as early as 2011/12.

Mayor Culleton opened the matter for public comment.

1. Loren Harvey stated that he is glad to hear that the Town can no longer make a minimum payment on a debt and deny that there is debt, which he thinks was the case in 2010.
2. Tom Kelley stated that he thinks this debt is the biggest problem facing this Town, asked for confirmation on the total number of employees and the actual cost paid per employee for health benefits.

**MOTION by White, seconded by DiDuca**, acknowledged receipt of the Valuation of Retiree Health Benefits as of July 1, 2011, the Governmental Accounting Standards Board (GASB 45) Actuary Report as submitted. Roll call vote was unanimous. (380-60-22)

- 7c. Finance Director Will and Town Manager Rough reported to Council regarding the recommended budget adjustments for each department, explained the reduced revenues from the State to local governments (for

an estimated decrease of \$149,044), and that approval of the adjustments will result in an increase of \$72,511 to the projected deficit for an overall General Fund deficit amount of \$377,162.00.

Mayor Culleton opened the matter for public comment.

1. Loren Harvey stated that these issues were discussed a couple of years ago, that he does not think the Town has planned for bad times, and that he is not surprised that property tax revenue to the Town has declined.
2. Jon Remalia discussed the declining value of property and future reassessments mentioned by the Town Manager, that he also thinks the decline in property tax revenue will continue as properties will continue to be reassessed and that he is concerned as does not see where else the budget can be cut.

**MOTION by DiDuca, seconded by White,** (1) Approved the recommended budget adjustments for the following funds: 1010 - General Fund, 2030 - Building Safety & Waste Water Services, 2070 - Animal Control, 2120 - Gas Tax, and 5900 Transit; and consider, (2) Authorized the Town Manager to administratively freeze spending from some general fund purchasing and operating accounts to further reduce the general fund deficit. Roll call vote was unanimous. (380-60-22)

Council Member DiDuca left the Council Meeting at 7:35 pm.

## **8. COUNCIL COMMUNICATION (Council Initiatives)**

- 8a. Council Member White reported on the status of the Paradise Community Village Project, discussing the many changes since its inception, and shared the board's discussion to include advisory members with expertise in economics on the board to assist with the business incubation project.

Vice Mayor Titus reported on his attendance at Butte County Association of Governments and Butte County Air Quality Management District.

Council Member Lotter reported on his attendance at the Local Area Formation Commission meetings (LAFCo) and the swear-in ceremony of our new police officer.

Mayor Culleton reported on his attendance at the swear-in of the police officer, his participation in the annual fund raiser for local youth organization, the Chocolate Festival, and that the solid waste meeting is scheduled to meet.

## **9. STAFF/COMMISSION/COMMITTEE COMMUNICATION**

- 9a. Manager Rough reminded Council of the police chief interview process that is scheduled for March 8, 2012 which involves the Community

Interview Panel meeting in the morning and the Special Meeting for the Assessment Center process in the afternoon.

#### **10. CLOSED SESSION**

- 10a. At 7:50 pm, Mayor Culleton announced pursuant to Government Code Section 54956.9(c), the Town Council will hold a closed session with the Town Attorney to consider initiating litigation, one potential case.
- 10b. Mayor Culleton announced the cancellation of the closed session scheduled to meet with Charles L. Rough, Jr., Lauren Gill, Gina Will and Crystal Peters, its designated representatives, regarding labor relations between the Town of Paradise and the Paradise Firefighters Association and the Paradise Police Officers Association.

Mayor Culleton reconvened the meeting at 8:12 pm and announced that no action had been taken in closed session.

#### **11. ADJOURNMENT**

Mayor Culleton adjourned the Town Council meeting at 8:12 pm.

**DATE APPROVED:** April 3, 2012

By: \_\_\_\_\_  
Steve "Woody" Culleton, Mayor

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Joanna Gutierrez, CMC, Town Clerk