

MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – February 11, 2014

1. OPENING

The Regular Meeting of the Town Council was called to order by Mayor Lotter at 6:03 p.m. Following the Pledge of Allegiance to the Flag of the United States of America, Council Member Culleton offered an invocation.

STAFF PRESENT: Town Manager Lauren Gill, Town Clerk Joanna Gutierrez, Town Attorney Dwight Moore, Finance Director Gina Will, Community Development Director Baker, Assistant Town Clerk Dina Volenski, Town Engineer Marc Mattox, Public Works Manager Paul Derr, Construction Inspector Matt Gilbert, Police Chief Gabriela Tazzari-Dineen, Unit Chief Greg McFadden, Division Chief David Hawks, Battalion Chief Curtis Lawrie, Administrative Analyst Colette Curtis, and Housing Supervisor Kate Anderson.

Mayor Lotter announced the January 16, 2014 Resignation of Timothy Titus and subsequent appointment of Jody Jones to fill the vacancy, term ending December 9, 2014. Town Clerk Gutierrez administered an Oath of Office to appointed Council Member Jody Jones who was welcomed and seated on the Council dais. Mayor Lotter requested the roll call.

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

COUNCIL MEMBERS ABSENT: None. (Timothy Titus resigned on January 16, 2014.)

Timothy Titus was recognized for his service as an elected official on the Paradise Town Council by Town of Paradise Mayor Scott Lotter and by the California State Senator Jim Nielsen’s representative Jerry Crow.

Recognitions were made by Police Chief Tazzari-Dineen and Battalion Fire Chief Curtis Lawrie on behalf of Fire Chief Greg McFadden:

- Civilian Employee of the Year, Charlie Rollo
- Paradise Animal Shelter Helper (PASH) of the Year, Ray Foulks
- Police Officer of the Year, Detective Jake Smith
- Public Safety Dispatcher of the Year, Meghan McGee
- Volunteer in Police Service (VIPS) of the Year, Dave Saul
- Firefighter of the Year, Tim Butolph
- Volunteer Firefighter of the Year, Dan Ramos

Charlie Rollo, Paradise Police Department Community Services Officer presented the VIPS Annual 2013 Report.

The Teen Dating Violence Awareness and Prevention Month proclamation was accepted by Alyssa Cozine, representative from Catalyst.

2. ITEMS DEFERRED FROM PREVIOUS MEETINGS - None.

3. CONSENT CALENDAR

MOTION by Bolin, seconded by Rawlings, approved all consent calendar items as presented. Roll call vote was unanimous.

- 3a. Approved Minutes of the January 14, 2014 Regular Council Meeting and the January 16, 2014 Special Meeting. The special meeting minutes were distributed as additional agenda material on February 7, 2014.
- 3b. Approved Cash Disbursements in the amount of \$1,118,208.02. (310-10-30)
- 3c. The following actions implemented Council's direction to dissolve certain city advisory committees: (1) Adopted Resolution No. 14-03, Repealing Resolutions No. 81-42 and 03-05 Relating to the Access Appeals Board and the Paradise Economic Development Commission; and, (2) Waived the reading of entire Ordinance No. 538 and approved reading by title only; and, (3) Introduced Ordinance No. 538, An Ordinance of the Town Council of the Town of Paradise Amending Section 3.40.070 of the Paradise Municipal Code relating to the Development Impact Fee Adjustments Board and Repealing Section 8.12.030 of the Paradise Municipal Code relating to the Tree Advisory Committee. (120-10-09, 110-30-21 & 740-20-03)
- 3d. Adopted Resolution No. 14-04, A Resolution of the Town Council of the Town of Paradise Approving the Application for Grant Funds for the Sustainable Communities Planning Grant and Incentives Program Under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84). (550-40-34)

Note: The principal Goal of the grant program is to fund the development and implementation of plans that lead to significant reductions in greenhouse gas emissions (GHGs). The project proposed by the Town would facilitate the conduct of a feasibility study, the formation of a special service district and the development of design plans and specifications for a community wastewater collection system to serve the core commercial areas of the Town of Paradise.

- 3e. Adopted Resolution No. 14-05, a Resolution Declaring the Assorted Emergency Response, Operating, and Personal Protective Equipment from the Paradise Fire Department as Surplus/Discard as they are Non-compliant, Outdated, and/or Damaged Beyond Repair, and Authorizing Donation to Butte College Fire Academy and/or Disposal or Recycling as Warranted by the Town Manager. (380-10-03)

4. PUBLIC HEARING PROCEDURE

The Town Council has adopted the following procedure for public hearings:

- a. Staff report to Council (15 minutes total maximum)
- b. Mayor or Presiding Chair opens the hearing for public comment in the following order:
 1. Project proponents or in favor of (15-minute time limit)
 2. Project opponents or against (15-minute time limit)
 3. Rebuttals - when requested
(15-minute time limit or 3 minutes per speaker)
- c. Close hearing to the public
- d. Council discussion
- e. Motion
- f. Vote

5. PUBLIC HEARING

- 5a. Town Manager Gill reported that the Town Council is being requested to:
(1) Conduct the second public hearing on the Town's Community Development Block Grant Funding for the 2014-2015 program year to solicit input and public comments on the draft Annual Plan; and, (2) Review the Draft Annual Plan for FY 2014-15 and select two Council Members to serve on the sub-recipient selection committee. The Town Council may allocate 15% of its program year funding to eligible public service agencies that serve low and moderate income residents.

As a HUD established entitlement community, the Town of Paradise receives annual Community Development Block Grant (CDBG) funding from the Department of Housing and Urban Development (HUD). As a condition of funding, the Town must establish an Annual Plan, or budget, outlining how the community will use its CDBG funds.

Manager Gill introduced Administrative Analyst Colette Curtis and Housing Manager Kate Anderson who reported to Council regarding goals and accomplishments relating to the CDBG programs.

Council concurred to appoint Council Members John Rawlings and Jody Jones to serve on the sub-recipient selection committee.

Mayor Lotter opened the public hearing at 6:45 p.m. There were no speakers and Mayor Lotter closed the public hearing at 6:45 p.m.

Council will be requested to approve a final Action Plan at the April 8, 2014 meeting.

6. PUBLIC COMMUNICATION

1. Doug Flesher invited the Town Council and public to attend the Elks Citizens of the Year recognition dinner on Saturday, February 15, 2014.

2. Ward Habriel informed the Town Council that the annual Garden Club garden tour has been cancelled because of the drought and that an alternative activity will be held at the Paradise Grange that will include a benefit drawing and an educational element in partnership with Paradise Irrigation District relating to drought tolerant plants and water conservation measures.
3. Kathy McCreary introduced herself as Resource Developer for the ARC of Butte County, informed Council that ARC is opening up a store in Paradise that will be of great benefit to the clients they serve as well as to the community and provided handouts relating to the organization.

7. COUNCIL CONSIDERATION

- 7a. Council concurred to appoint council representation and alternates to represent the Town of Paradise on various local and regional boards, committees and commissions as indicated on Exhibit A attached hereto and incorporated herein by reference. (120-10-10)
- 7b. Council acknowledged the vacancy on the Paradise Planning Commission, term to expire June 30, 2017, directed the Town Clerk to advertise the vacancy with an application deadline of Monday, February 24, 2014 at 5:00 p.m., appointed Vice Mayor Bolin and Council Member Jones to serve as a pre-appointment committee to meet with applicants; and, scheduled appointment to the vacancy at the March 11, 2014 Council Meeting. (760-45-12)
- 7c. Town Engineer Marc Mattox reported on the public outreach workshop conducted on February 5, 2014 relating to the design of the Downtown Paradise Safety Project on Skyway between Vista Way and Elliott Road. No action was requested, report for information update only. The Downtown Paradise Safety Project presents an opportunity for a public investment in the community by creating a safer commercial corridor which addresses high speeds, difficult crosswalks, limited parking, common collision hazards, and an aging roadway. The one-million dollar project is grant funded through the Highway Safety Improvement Program administered by the California Department of Transportation with a local 10% matching commitment. This grant was awarded to the Town of Paradise in October of 2012 and finalized by Town Council in April 2013. A copy of the project can be viewed on the Town's internet website at www.townofparadise.com.

Following discussion, Council concurred to direct staff to bring back information relating to the potential impacts of island placements near driveways, such as the driveways at Town Hall and Annie's restaurant, and the impacts of pedestrian activated crossings at crosswalks will have on traffic flow. (950-40-19)

Mayor Lotter opened the matter for public comment.

1. Dan Wentland stated that he is happy to hear there will be more public outreach regarding this project, and that although he sees the value of many of the improvements, he is against necking down of four lanes to two lanes. Mr. Wentland would like another public hearing in a facility other than Town Hall.
2. Barry Stein stated that he is a resident of Paradise and an owner of a building and a business in the downtown area, that it is not pleasant to see customers trying to cross the street, that something needs to happen to create a viable business area, and that the presentation by the Town was wonderful and his questions about driveways were answered.
3. Thomas Wahl stated that he owns a house located at Sierra Park and Pearson Road, and he has concerns about potential rear-end traffic collisions and traffic backing up on Skyway, thinks there needs to be more community education to get drivers to slow down and he would like more warnings on Pearson Road.
4. Dan Wentland asked if the funding was contingent upon the change to two lanes.

Staff informed Council that the design must meet certain criteria in order to be eligible for the funding for the project which includes the two-way, left turn lane. A final design will come to Council in May for approval.

7d. **MOTION by Jones, seconded by Culleton**, adopted Resolution No. 14-06, A Resolution Authorizing Staff to Award Fire Station No. 83 Remediation Project to Truitt Group of Oroville, CA in the Amount of Their Bid \$14,732.00. Roll call vote was unanimous. (510-20-73)

7e. **MOTION by Rawlings, seconded by Jones**, accepted the Mid-Year Budget Report and approved budget adjustments for the following funds as presented. Roll call vote was unanimous. (340-40-13)

- 1010 – General Fund
- 2030 – Building Safety & Waste Water Services
- 2070 – Animal Control
- 2120 – Gas Tax
- 5900 – Transit

Staff informed the Council that the Town's expenses have outgrown revenues, resulting in an ongoing structural revenue deficit that the Town has faced year after year. This structural deficit has resulted in the Town not being able to budget for important expenditures such as equipment maintenance and replacement, maintenance and repairs on aging Town facilities, necessary public safety training, cost of living adjustments, and contribution to the retiree health trust fund. The annual amount needed to fund this structural deficit is estimated to be \$485,000.

Council concurred to direct staff to bring back revenue options that include a ballot measure that would propose a one-half percent sales tax with a sunset

clause and a sustainability plan for after the sunset along with a report as to where these revenues would be allocated. There would be an educational component wherein the need for and benefits of a sustainable revenue would be explained to the public, such as the cost of public safety, roads, animal control services, building maintenance and vehicle and fire engine replacement. Council commended the staff for the give-backs requested by Council and concurred that the Council has done its due diligence in cutting expenses to maintain a balanced budget, but thinks that the community would like to see public safety in Town improved at a low cost to the citizens, possible \$31 or so per individual annually.

Town Manager Gill discussed how many communities have passed a one-half cent sales tax for themselves because the funds come back directly to the community and are not subject to State take-ways, that she thinks this is a fair tax that would result in enough funds to eliminate the structural deficit with funds left over that could go out into the community. Town Manager Gill noted that the structural deficit is a result of state take-aways, as well as the decline in property tax revenue, which is forcing local jurisdictions to go their citizens to provide a revenue source for necessary public improvements.

8. COUNCIL COMMUNICATION (Council Initiatives)

- 8a. Council Member Rawlings provided a handout that indicated more rainfall in the last five days than in the last five months due to a "Pineapple Express" weather pattern and stated that his rain gauge showed a 15.5" rainfall in Paradise. BCAQMD had the woodstove program kickoff on January 15th to announce that \$200,000 in grant money was available for stove upgrades and that applications for future funding are being accepted for next year. He also attended the new Council member training in Sacramento.

Council Member Culleton stated that he attended the League of California Cities Employee Relations Policy Committee meeting in Sacramento that included a CAL PERS presentation on pension reform and that there is a Sacramento Valley Division Meeting in March in Orland. He also attended a Paradise Recreation and Park District meeting where ideas for parks were discussed.

Council Member Jones stated that she attended the public workshop regarding the proposed Downtown Safety Project.

Mayor Lotter stated that he has attended several meetings regarding proposed legislation to regulate outdoor merchandise displays and that the proposed ordinance is going forward to the Planning Commission for review. He attended the VFW Public Safety Awards and dinner and the retirement dinner for George Morris, retired Cal Fire Chief and the LCC Public Safety Policy Committee meeting in Sacramento.

9. STAFF/COMMISSION/COMMITTEE COMMUNICATION

- 9a. Town Manager Gill reported that the Town will be participating in the Experience Works Program, a re-entry employment program, and the employee will be working in the Onsite Division of Development Services beginning February 26, 2014. A Paradise citizen who owns a street sweeping business in Oregon has volunteered to sweep the streets at no charge in light of the recent loss of the Town's street sweeper due to a malfunction that caused the sweeper to catch on fire and become inoperable and irreparable.

10. CLOSED SESSION

- 10a. At 9:55 p.m. Mayor Lotter announced that pursuant to Government Code Section 54956.9(d)(4), the Town Council will hold a closed session to consider initiation of litigation, one potential case.

Mayor Lotter reconvened the meeting at 10:20 p.m. Town Attorney Moore announced that the Town Council considered initiating litigation against Truck Site and authorized action relating to rescission of the agreement between the Town and Truck Site for purchase of a street sweeper.

11. ADJOURNMENT

Mayor Lotter adjourned the meeting at 10:20 p.m.

Date Approved: March 11, 2014

By: _____/s/_____
Scott Lotter, Mayor

_____/s/_____
Joanna Gutierrez, CMC, Town Clerk

**2014 TOWN COUNCIL
REPRESENTATION**

**BUTTE COUNTY
COMMITTEES/COMMISSIONS**

BUTTE COUNTY		Mayor Lotter	V Mayor Bolin	Culleton	Jones	Rawlings
1	Air Quality Management District			R		A
2	Association of Governments			R		A
3	City Selection Committee (Mayor)	R				
4	Disaster Services Council (Mayor)	R				
	Local Area Formation Commission (LAFCo) (Lotter through 5/2015 – Appointed by City Selection Committee)	R				
5	Waste Mgt Local Task Force	A		R		
6	Water Advisory Committee (4-year term)				R	
7	City/County Ad Hoc Committee	R			R	
8	Lake Oroville Supplemental Benefits Funds- Alternate: Citizen Sam Dresser					R
9	3CORE (formerly Tri County Economic Dev Corp) (Two year term as of 1/1/2013)		R			

LOCAL COMMITTEES/COMMISSIONS

PARADISE		Mayor Lotter	V Mayor Bolin	Culleton	Jones	Rawlings
1	Paradise Community Village	R				
2	Paradise Irrigation District Liaison		R			R
3	Paradise Rec. & Park District Liaison		R	R		
4	Youth Council (Project Vision)			R		
5	Onsite Ad Hoc Committee	R	R			
6	Investment Committee (Mayor & Council Member)	R			R	
7	Oversight Board to Successor Agency (Mayor Appointment)			R		

Exhibit A

February 11, 2014