

**MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – June 11, 2013**

1. OPENING

The Regular Meeting of the Paradise Town Council was called to order by Mayor Timothy Titus at 6:01 p.m. in the Town of Paradise Council Chamber located at 5555 Skyway, Paradise, California. Following the pledge of allegiance, Council Member John Rawlings offered the invocation.

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

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: Town Clerk Joanna Gutierrez, Interim Town Manager Lauren Gill, Town Attorney Dwight L. Moore, Finance Director Gina Will, Community Development Director Craig Baker, Police Chief Gabriela Tazzari-Dineen, Division Chief Rob Cone, CAL FIRE/Paradise Fire, Assistant Town Clerk Dina Volenski, Associate Civil Engineer Marc Mattox, and Public Works Manager Paul Derr.

Proclamations/Recognitions: Mayor Titus presented Green Ridge Landscaping a Certificate of Appreciation for donation of landscaping services for the Neal/Skyway Gateway Facility and recognized the Rotary Club of Paradise for a monetary donation of \$3,500 for the Town of Paradise Live Stream Program. Mayor Titus presented a proclamation to an American Cancer Society representative recognizing the Relay for Life event to be held in Paradise on June 22-23, 2013.

Presentation: Rob Cone, Division Chief, CAL FIRE/Paradise Fire displayed a Power Point presentation and discussed the fire season outlook in relation to the dry weather conditions that will bring about high fire danger to the west coast this summer.

2. ITEMS DEFERRED FROM PREVIOUS MEETINGS - None.

3. CONSENT CALENDAR

Council concurred to remove agenda item 3c, the proposed contract with the Chico State University (CSU) Geographical Information Center (GIC) for Geographical Information Services (GIS) services from the consent calendar for discussion; and, item 3g, the proposed ordinance relating to amendment to the Town’s noise regulations, for a separate vote. Council concurred to waive the reading of the proposed ordinances in items 3g and 3h and approved reading by title only, and the Town Clerk read the titles of the ordinances for the record. One roll call vote was taken for items 3a, 3b, 3d, 3e, 3f, and 3h.

- 3c. Council concurred to direct staff to investigate the possibility of renegotiating the contract with Chico State University Chico Research

Foundation on behalf of the Geographic Information Center for Geographical Information Services for a lesser amount and tabled action on the item to the budget meeting, which is tentatively scheduled for June 25, 2013 at 6:00 pm.

MOTION by Lotter, seconded by Culleton, approved the following items on the consent calendar by a unanimous roll call vote.

- 3a. Approved Minutes of the May 14, 2013 Regular Meeting and the May 21, 2013 Special Meeting.
- 3b. Approved Cash Disbursements in the amount of \$3,639,212.41. (310-10-29)
- 3c. Following discussion, this item was continued to the budget meeting, tentatively scheduled for June 25, 2013. (To consider approving the agreement with CSU Chico Research Foundation on behalf of the Geographic Information Center (GIC), to provide GIS maintenance updates, which includes existing GIS data and Map Book updates, and GIS support services, for individual departments including dispatch to the Town of Paradise Geographical Information System (GIS) for the period July 1, 2013 through June 30, 2014, in the amount of \$10,000.00.)
- 3d. Adopted Resolution No. 13-28, A Resolution of the Town Council of the Town of Paradise Establishing Credit Card Security Policy. (110-10-36 & 330-10-01)
- 3e. Adopted Resolution No. 13-29, A Resolution of the Town Council of the Town of Paradise Authorizing Certain Police, Fire and Public Works Vehicles to be Surplus Property and Authorizing Disposal Thereof. (380-10-04)
- 3f. Authorized the Mayor and Town Manager to execute the Sixth Amendment to Dismissal and Tolling Agreement between Town of Paradise and Oak Creek Estates. (C07-24)
- 3h. (1) Waived first reading of Town Ordinance No. 530 and approved reading by title only; and, (2) Introduce Town Ordinance No. 530, "An Ordinance Amending Sections 5.12.020 and 5.12.110 of the Paradise Municipal Code relating to Bingo Games". Approval will revise language in the "Eligible Organizations" section and align bingo value prize to the \$500 limit as allowed by California Penal Code. (540-16-99)

ITEMS REMOVED FROM THE CONSENT CALENDAR

Mayor Titus called for public comment on agenda item 3g, the proposed adoption of Ordinance No. 529, an amendment to the noise control regulations to provide for an administrative fee to be charged to recover cost of police services for response to repeated violations.

1. Fred Aldred stated that he is opposed to the regulation that allows for service fees as he believes the current taxes already pay for police services and, if this additional fee is allowed for one infraction, there could be a cost recovery fee for all infractions, and that he thinks it wastes time to collect fees that will make little difference to the general fund.

- 3g. **MOTION by Lotter, seconded by Rawlings**, adopted Town Ordinance No.529, an Ordinance of the Town of Paradise relating to Noise Control. (Allows for an administrative fee to be charged to recover cost of police department response to violations.) Ayes of Bolin, Lotter, Rawlings and Mayor Titus, no of Culleton. (540-16-98)

The reading of the entire proposed Ordinance No. 529 was waived prior to the adoption of the consent calendar. See page 2.

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 HEARINGS

- 5a. Community Development Director Baker reported to Council regarding the Planning Commission recommendation for Town Council adoption of text amendments to the Town's land use regulations contained in Paradise Municipal Code Title 17 (Zoning). If adopted, the amendments would affect municipal code sections related to home occupation regulations with the objective of permitting the establishment of Cottage Food Operations (CFOs), pursuant to Government Code section 51035.

Mayor Titus opened the public hearing at 7:12 p.m. There were no speakers on the matter of the proposed amendments to land use regulations relating to cottage food operations, and Mayor Titus closed the public hearing at 7:12 p.m.

Council Member Culleton asked if the time frame referring to food preparation for fundraising activities which limits activity to three days within a ninety-day period could be removed so non-profit organizations could fully participate in local events and festivals.

Town Attorney suggested amending the cottage food operation definition by eliminating reference to a time frame and providing a definition that would allow exemption for specified organizations, such as federally tax-exempt charitable organizations, because if not specifically exempted, all would be included.

MOTION by Culleton, seconded by Bolin (1) Concurred with the project "CEQA determination" finding adopted by the Planning Commission on May 21, 2013, and embodied within Planning Commission Resolution No. 13-03; (2) Waived the first reading of Town Ordinance No. 531 and approved reading by title only; and, (3) Introduced Town Ordinance No. 531, An Ordinance Amending Text Regulations Within Paradise Municipal Code Chapter 17.33 Relating to Home Occupations and Cottage Food Operations" as amended by the Town Attorney. Roll call vote was unanimous. (540-16-100)

6. PUBLIC COMMUNICATION

1. Ward Habriel gave Council an update on the activities of the Paradise Garden Club which include the annual Paradise Garden Show event on June 1st and 2nd, that the club was recognized that same weekend by the California Garden Club's annual event in San Francisco for the beautification of the Paradise library, the two triangle properties on Skyway, the Daffodils Across the Ridge program and the landscape at the Terry Ashe Park remodel. The club was also recognized for improving its membership and for their generous contributions to the penny Pines project, showing the most growth per capita in contributions.

7. COUNCIL CONSIDERATION

- 7a. **MOTION by Lotter, seconded by Bolin**, approved Agreement between Town of Paradise and Paradise Irrigation District (PID), accepting \$32,000 for the purpose of installing a 0.17' overlay along Bille Road between Fern Lane and Posey Lane. Thereafter, PID will have no further obligation to restore Bille Road pursuant to Encroachment Permit EN12-00024; and, (2) Contingent upon PID Board approval of said Town of Paradise and PID Agreement, awarded Contract No. 13-04, Bille Road Overlay – Posey to Fern, to Folsom Lake Asphalt of Rancho Cordova, CA in the amount of their base bid of \$72,296.10. Roll call vote was unanimous. (950-40-20 & 510-20-61)

8. COUNCIL COMMUNICATION (Council Initiatives)

- 8a. Council Member Rawlings stated that he would like to defer his proposed discussion and direction to staff to include a budget allocation for purchase of a memorial wreath for presentation by the Mayor or designed public official at the Veterans Memorial Day ceremony in Paradise to honor local men and women who have served in our nation's armed forces to a future agenda to allow an opportunity to first secure a funding source.

8b. Council oral reports of their representation on Committees/Commissions.

Council Member Bolin reported on his attendance at 3Core and that the organization is waiting for response from Paradise regarding its continued membership.

Vice Mayor Lotter reported that the Tuesday morning Farmers Market at the Paradise Alliance Church has begun and that the Party in the Park event will start on June 20th at 5 pm at the Paradise Community Park and will continue each Thursday through September 5th from 5 pm until dusk.

Council Member Culleton reported on attendance with Vice Mayor Lotter at a meeting of the Solid Waste Local Task Force, on his attendance at local Memorial Day services in Paradise, and the Diversity Days event in the Community Park, and that he plans to attend a League of California Cities (LCC) meeting in Sacramento on Thursday and an LCC division meeting on July 19th in Sacramento.

Mayor Titus reported on his attendance with Council Member Rawlings at a dedication to local veterans by Feather Canyon Retirement, and at a USO fund raiser at Oak Knoll Retirement for the Wounded Warrior Project and the USO organization activities.

9. STAFF/COMMISSION/COMMITTEE COMMUNICATION

9a. Manager Gill reported the Party in the Park event that is sponsored by the Town and the Chamber of Commerce will be used as a training opportunity in road closure and traffic safety for local emergency operations center (EOC) volunteers and thanked Public Works Manager Paul Derr for the time he volunteers for this training event; and, invited Mayor Titus to the Rotary meeting on Thursday to present the Certificate of Appreciation for the monetary donation of \$3,500 for the Town's Live Stream Program.

10. CLOSED SESSION – None.

11. ADJOURNMENT : 7:40 p.m.

11a. **MOTION by Lotter, seconded by Bolin**, adjourned the Council meeting to June 25, 2013 at 6:00 pm for the purpose of holding an adjourned regular meeting.

DATE APPROVED: June 25, 2013

By: _____/s/_____
Timothy Titus, Mayor

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