

MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – July 14, 2020

1. OPENING

The Regular meeting of the Paradise Town Council was called to order by Mayor Bolin 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 Jody Jones.

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

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Town Manager Lauren Gill, Town Attorney Dwight Moore, Town Clerk Dina Volenski, Assistant to the Town Manager Colette Curtis, Administrative Services Director/Town Treasurer Brooke Kerrigan, Police Lieutenant Tony Borgman, Community Development Director Susan Hartman, Town Engineer/Public Works Director Marc Mattox, Disaster Recovery Director Katie Simmons and CAL FIRE Division Chief Garrett Sjolund.

- 1a. Mayor Bolin read proclamations recognizing Planning Commissioners James Clarkson and Stephanie Neumann for their service. The proclamations were accepted by Planning Commissioners Clarkson and Neumann.

2. CONSENT CALENDAR

MOTION by Jones, seconded by Schuster, approved consent calendar items 2a through 2e. Roll call vote was unanimous.

- 2a. Approved minutes from the June 30, 2020 Adjourned Town Council meeting.
- 2b. Approved June 2020 Cash Disbursements in the amount of \$1,311,842.90. (310-10-034)
- 2c. 1. Adopted Resolution No. 20-16, A Resolution of the Town Council of the Town of Paradise declaring certain furniture, desks, chairs and cabinets to be surplus property. (380-10-003)
- 2d. 1. Adopted Resolution No. 20-17, A Resolution of the Town Council of the Town of Paradise accepting Contract No. 16-08, Skyway/Black Olive Drive Signalization Project, performed by ST Rhoades Construction of Redding, CA. (510-20-236, 950-40-30)
- 2e. 1. Authorized the expenditure of \$20,300 from General Fund reserves to leverage a \$50,000 grant given by the North Valley Community Foundation Butte Strong Fund for the Broadband Feasibility Study. (395-25-006)

3. ITEMS REMOVED FROM CONSENT CALENDAR - None

4. PUBLIC COMMUNICATION - None

5. PUBLIC HEARINGS - None

6. COUNCIL CONSIDERATION

Administrative Services Director/Town Treasurer Brooke Kerrigan provided a brief overview of the 2020/2021 Budget. (A detailed presentation of the budget was previously presented at the June 30, 2020 Adjourned Town Council Meeting)

1. Gregg Mowers questioned if there was anything in the resolution to protect future Councils from using the money from the PG&E Settlement in other ways.

Town Attorney Moore stated that one Council cannot bind another Councils decisions.

- 6a. **MOTION by Schuster, seconded by Zuccolillo**, adopted the following resolutions 20-18 through 20-24 related to the 2020/2021 Fiscal Year Budget. Roll call vote was unanimous.

Adopted Resolution No. 20-18 A Resolution of the Town Council of the Town of Paradise Adopting the Final Budget for the Town of Paradise Including all Attachments, Appendices and other related Documents for the 2020-2021 Fiscal Year ending June 30, 2021. (340-40-16)

Adopted Resolution No. 20-19, A Resolution of the Town Council of the Town of Paradise Approving and Adopting the Annual Appropriation Limit for Fiscal Year 2020-2021. (340-40-16)

Adopted Resolution No. 20-20, A Resolution of the Town Council of the Town of Paradise Amending the General Fund Reserves for Fiscal Year 2020-2021. (340-40-16)

Adopted Resolution No. 20-21, A Resolution of the Town Council of the Town of Paradise approving and Adopting the Town of Paradise Capital Improvement Plan (CIP) and Disaster Recovery Plan for the 2020-2021 Fiscal Year. (340-40-16)

Adopted Resolution No. 20-22, A Resolution of the Town Council of the Town of Paradise, California adopting the amended Salary Pay Plan for Town of Paradise Employees for the Fiscal Year 2020-2021. (340-40-16)

Adopted Resolution No. 20-23, A Resolution of the Town Council of the Town of Paradise, Pacific Gas and Electric (PG&E) Settlement Funds Planning for Future Sustainability of Town Operations. (340-40-16)

Adopted Resolution No. 20-24, A Resolution of the Town Council of the Town of Paradise Approving the Request for Proposals (RFP) for Investment and Advisory Services. (340-40-16)

CAL FIRE Division Chief Garrett Sjolund provided an overview of the proposed Ordinance regarding defensible space and hazardous fuel management.

Aubrey Pruis from the Paradise Association of Realtors provided the Town Council with statistics about the Real Estate market in the Town and stated that he would share the information regarding the proposed ordinance with the local real estate community, escrow offices and publicize it nationally.

1. Warren Bullock stated that out of the area escrow companies are not always aware of our regulations and sometimes items get missed: inquired as to the turn around time for inspections to be completed and that property values could be affected by the ordinance.
- 6b. **MOTION by Jones, seconded by Crowder**, waived the first reading of Town Ordinance No. 597 and read by title only; and, 2. Introduced Town Ordinance No. 597. "An Ordinance Amending Paradise Municipal Code Section 8.58.060 Relating to Defensible Space and Hazardous Fuel Management". Roll call vote was unanimous. (540-16-166)
- 6c. **MOTION by Zuccolillo, seconded by Crowder**, waived the reading of entire Town of Paradise Urgency Ordinance No.598 and adopted Town of Paradise Ordinance No. 598, "An Urgency Ordinance of the Town Council of the Town of Paradise Repealing Urgency Ordinance No. 593 and Adopting New Ordinance Relating to Interim Housing, Accessory Building(s) and Unoccupied Recreational Vehicle Inside the Camp Fire Area". Roll call vote was unanimous. (540-16-167)
- 6d. Town Engineer Marc Mattox provided Town Council with an informational update relating to the status of Town-wide undergrounding of utilities.
MOTION by Jones, seconded by Schuster authorized staff to file a formal complaint to the California Public Utilities Commission relating to the public welfare and safety issues arising out of Comcast and AT&T's lack of participation in a Town-wide joint trench opportunity and 2. Authorized staff to notice the public hearing for the creation of a Rule 20A Underground Utility District consisting of all parcels with property boundaries along On-System Federal-Aid Arterials and Collectors within 45 days if no agreement is reached between PG&E, Comcast and AT&T for Town-wide joint trench participation. Roll call vote was unanimous. (950-90-004)
- 6e. **MOTION by Schuster, seconded by Crowder**, authorized the Town Manager to execute a license agreement with Nicki Jones relating to the proposed license area expansion for 6265 Skyway. Roll call vote was unanimous. (510-20-265)
- 6f. **MOTION by Crowder, seconded by Jones**, authorized the Town Manager to enter into an Agreement between the Town of Paradise and Pacific Gas and Electric Company relating to transference of 2" conduit from the

ongoing joint trench work for electrical undergrounding. Roll call vote was unanimous. (510-20-270)

- 6g. 1. Megan Armstrong from Butte County Public Health supports the ban on flavored tobacco
2. Shelly Brantley supports the ban on flavored tobacco.

Town Clerk Volenski read the names of emails received supporting and opposing the ban on flavored tobacco and shared that 192 petitions had been received that oppose the ban on flavored tobacco.

Support

Shelly Brantley, Ellen Michels and Bruce Baldwin

Oppose

Amritpal Hayey/Jivtesh Gill and Rima Khoury

1. **MOTION by Jones and seconded by Schuster** waived second reading of the entire Town Ordinance No. 596 and approved reading by title only; and, 2. Adopted Town Ordinance No. 596, "An Ordinance of the Town of Paradise Amending Section 8.46.020 of the Paradise Municipal Code and Adding Section 8.46.025 to the Paradise Municipal Code Relating to Prohibiting the Sale of Flavored Tobacco". Ayes of Jones, Schuster and Bolin, Mayor; Noes of Crowder and Zuccolillo. Motion passes. (540-16-165)
- 6n. 1. Kevin Phillips thanked the Town Council for the trust in appointing him to the position of Town Manager.

MOTION by Crowder, seconded by Zuccolillo, approved the Employment Agreement with Kevin Phillips for the Town Manager position effective August 31, 2020. Roll call vote was unanimous. (510-20-271)

7. COUNCIL INITIATED ITEMS AND REPORTS

7a. Council initiated agenda items

- 7a1. Consider designating a voting delegate and two (2) alternate(s) and providing direction to the Town's voting delegate regarding the League of California Cities proposed Resolution(s) for the 2020 League General Assembly to be held October 9, 2020.

Council Member Schuster asked that this item be postponed until the August meeting due to uncertainty of the meeting being held in person or virtually. All Council concurred to place the item on the August agenda.

- 7a2. Council Member Crowder brought to the Town Council's attention that needle distribution, unless prohibited, is able to be distributed in the Town and requested that a resolution be placed on the next Town Council agenda.

Town Attorney Moore stated that research needs to be done to determine if the Town has any authority regarding the issue and that an Ordinance would need to be brought to the Council.

Town Council concurred to have staff research and place an Ordinance on the next Council agenda banning the distribution of needles in the Town of Paradise.

7b. Council reports on committee representation

Council Member Jones attended the Butte County Association of Governments meeting and reported that Caltrans moved up the 99-Neal Road signalization project to the Fall due to safety concerns.

Council Member Schuster attended the Butte County Tourism Business District meeting and reported the occupancy rates are up in the County; and the Best Western in Paradise is open.

7c. Future Agenda Items

Council Member Jones asked that the Town Council send a strongly worded letter to the state addressing safety concerns and the need for urgency in getting the State Tree Removal program going.

8. STAFF COMMUNICATION

8a. Town Manager Report

Disaster Recovery Director Katie Simmons provided an update on the private and state hazard tree removal program.

Assistant to the Town Manager Colette Curtis provided an update on the United States Department of Agriculture grants that the Town has applied for.

Community Development Director Susan Hartman provided an update on the Community Development activities in the Town of Paradise.

9. CLOSED SESSION

At 8:38 p.m. Mayor Bolin announced that the Town Council would adjourn to closed session for the following item:

- 9a. Pursuant to Government Code Section 54956.9(a), the Town Council will hold a closed session with the Town Attorney and Town Manager concerning the following pending court case:

Blue Oaks Terrace Neighborhood Advisory Committee v. Town of Paradise, Town of Paradise Town Council and Anderson Brothers Corporation, County of Butte Superior Court Case No. 20CV01082.

At 9:01 p.m. Mayor Bolin announced that the Town Council met with the Town Attorney regarding the Blue Oaks Terrace Neighborhood Advisory Committee v. Town of Paradise and was given a brief update on the status of the litigation. No action was taken.

10. ADJOURNMENT

Mayor Bolin adjourned the Town Council meeting at 9:01 p.m.

Date Approved: August 11, 2020

_____/s/_____
Greg Bolin, Mayor

Attest:

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