

**MINUTES  
PARADISE TOWN COUNCIL  
REGULAR MEETING – 6:00 PM – May 08, 2018**

**1. OPENING**

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

**COUNCIL MEMBERS PRESENT:** Greg Bolin, Scott Lotter, Melissa Schuster, Mike Zuccolillo and Jody Jones, Mayor

**COUNCIL MEMBERS ABSENT:** None

**STAFF PRESENT:** Town Manager Lauren Gill, Town Attorney Dwight Moore, Town Clerk Dina Volenski, Administrative Services Director Gina Will, Public Works Director/Town Engineer Marc Mattox, Administrative Analyst Colette Curtis, Business and Housing Services Director Kate Anderson, Acting Police Chief Eric Reinbold, Information Technology Manager Josh Marquis and Community Development Director Craig Baker.

- 1a. The presentation of the Measure C Thank You Video was presented by Kirk Trostle, Vice Chair of the Measure C Oversight Committee.
- 1b. The proclamation recognizing National Police Week, May 13-19, 2018 was accepted by Acting Police Chief Reinbold. (180-40-26)
- 1c. The proclamation recognizing Public Service Recognition Week, May 6-12, 2018 was accepted by Town Manager Lauren Gill. (180-40-26)
- 1d. Town Council recognitions of Employee Service to the Town of Paradise were presented by Mayor Jody Jones. (630-20-22)

**10 years**

Kathleen Anderson - Business & Housing  
Martha Besseghini - Police Department  
Shirley Kamm - Police Department/Animal Control  
Eric Reinbold - Police Department

**5 Years**

Steven Bertagna - Police Department  
Manuel Ayala - Police Department  
Marc Mattox - Public Works/Engineering

- 1e. Town of Paradise Employees of the Year was presented by Town Manager Lauren Gill.
  - Chris Nicoletti - Fleet Maintenance Shop Foreman
  - Gina Will - Administrative Services Director/Town Treasurer

- 1f. The Business License Demonstration was presented by Josh Marquis, Information Technology Manager.
- 1g. The Northern Recycling and Waste Services (NRWS) 2017 Annual Report and demonstration of the new Waste Wizard program was presented by Doug Speicher and Jennifer Arbuckle of NRWS. (940-10-020)

## 2. CONSENT CALENDAR

Council Member Zuccolillo requested that item 2e be removed from the consent calendar due to a potential conflict of interest.

**MOTION by Bolin, seconded by Lotter**, approved all consent calendar items 2a-2d as presented. Roll call vote was unanimous.

- 2a. Approved minutes of the April 11, 2018 Regular Town Council Meeting
- 2b. Approved April 2018 cash disbursements in the amount of \$1,188,282.81. (310-10-032)
- 2c. Approved the MOU between the County of Butte and the Town of Paradise for use of, Onsolve LLC, the countywide mass notification system, also known as Reverse 911. This system replaces the previous software provider and provides an even greater quality of service to the public. (510-20-193, 420-30-008)
- 2d. Authorized the Town Manager to award a contract after negotiating for the most reasonable costs for Dragon Law Enforcement Software according to Paradise Municipal Code Section 2.45.070 G.
- 2e. Item removed from consent calendar.

## 3. ITEMS REMOVED FROM CONSENT CALENDAR

Council Member Zuccolillo left the dais at 6:57 p.m.

- 2e. **MOTION by Bolin, seconded by Schuster**, Town Council authorized the Town Manager to execute 1) An amended agreement between the Town of Paradise and Safeway, Inc., to pay the cost for Michael Baker International to provide additional required environmental review associated with Safeway's development project applications; and, 2) An amended agreement between the Town of Paradise and environmental consultants Michael Baker International relating to the additional required environmental review associated with the Safeway's project's environmental document(s). Roll call vote was unanimous with Zuccolillo absent and not voting. (510-20-157, 510-20-158)

Council Member Zuccolillo returned to the dais at 6:57 p.m.

## 4. PUBLIC COMMUNICATION

1. Ward Habriel commented on transparency in the Town of Paradise and how it is being done better; he attended the Measure C event and was disappointed with the limited amount of public at the event; he thinks that people should recognize how the Measure C spending plan has actually worked and that the Town needs to do more promotion to involve the public, to draw them in and show them the benefit of Measure C. Mr. Habriel has also received comments that Eric should be the chief.

2. Lynn Hansen stated that she supported the Town of Paradise being represented by the Police Department at the monthly meetings of the Human Relations Network in Butte County.

3. Wayne Medley thanked the Town Council for listening to his concerns, taking action on some of his requests and putting up reflective markers on Wagstaff Rd.

**5. PUBLIC HEARINGS - None**

**6. COUNCIL CONSIDERATION**

6a. **MOTION by Lotter, seconded by Schuster**, waived the second reading of the entire Town Ordinance No. 569 and approved reading by title only; and, 2. Adopted Town of Paradise Ordinance No. 569, extending the one-half percent Transactions and Use Tax "Measure C" for a period of ten years to maintain Town services such as Police, Fire, Roads and Animal Control. Ayes of Bolin, Lotter, Schuster and Mayor Jones. Noes of Zuccolillo. Motion passed four to one.

6b. Town Clerk Volenski provided a brief overview of the November 6, 2018 election process and requested the Town Council approve the resolutions, appoint two Council Members to file a single written argument in favor of the Town Ballot measure and review the proposed new wording to be placed on the ballot.

1. Ward Habriel asked if the measure was for one-half percent or half a cent? He stated that it is still confusing and most of the community is negative about the measure because people don't understand, as well as they should, why this should be continued. Mr. Habriel stated that the people who don't want it are loud, vocal, negative and are hard to turn. There is still work to do and he wants to keep the item in the forefront.

Attorney Moore asked to add five words to the new proposed wording on the ballot measure which would read:

To preserve Town of Paradise police protection, fire suppression, road improvements, animal control and other services, with required review by the citizen oversight committee; shall the Town's existing temporary half percent transactions and use tax be extended for ten years to March 31, 2031 **pursuant to Ordinance No. 569?** (Projected tax revenues are \$1.4 million per year.)

**MOTION by Lotter, seconded by Bolin** to approve the following resolutions with one roll call vote:

1. Adopted Resolution No. 18-08, A Resolution Calling and Giving Notice for the Holding of a General Municipal Election for the Election of Two Council Members and For Submission to the Voters a Question Relating to Approval of Ordinance No.569, An Ordinance of the Town Council of the Town of Paradise Extending, Subject to Voter Approval, The Town's Existing General Transaction and Use Tax for an additional Ten Years to March 31, 2031, Pursuant to Revenue & Taxation code Section 7251 et seq. Roll call vote was unanimous. (530-10-55, 530-10-56, 540-16-138)

2. Adopted Resolution No 18-09, A Resolution of the Town Council of the Town of Paradise Requesting the Supervisors of the County of Butte to Consolidate a General Municipal Election to be held on November 6, 2018, with the Statewide General Election to be held on that Date for the Election of two (2) Town Council Members; and, For Submission to the Voters a Question Relating to Approval of Ordinance No. 569, An Ordinance Extending, Subject to Voter Approval, the Town's Existing General Transaction and Use Tax for an Additional Ten Years to March 31, 2013, Pursuant to Revenue & Taxation Code Sections 7251 Et.Seq. Roll call vote was unanimous. (530-10-55, 530-10-56, 540-16-138)

3. Adopted Resolution No. 18-10, A Resolution of the Town Council of the Town of Paradise, California Adopting Regulations for Candidates for Elective Office Pertaining to Candidate Statements submitted to the Voters at a General or Special Municipal Election. Roll call vote was unanimous. (530-10-055)

4. Adopted Resolution No. 18-11, A Resolution of the Town Council of the Town of Paradise, California, Setting Priorities for Filing Written Arguments and Rebuttals, directing the Town Attorney to Prepare an Impartial Analysis. Roll call vote was unanimous. (530-10-55, 530-10-56, 540-16-138)

After the vote, Town Clerk Volenski asked the Town Council to appoint two Council Members to write the Written Argument in favor of the Town Ballot Measure. Council Member Lotter nominated Mayor Jones and Vice Mayor Bolin to write the written argument in favor of the Town Ballot Measure. An amendment was made to Resolution No. 18-11 appointing Mayor Jones and Vice Mayor Bolin to File the Written Argument in favor of the Town Ballot Measure.

- 6c. Town Engineer Marc Mattox provided the Town Council with an overview of the proposed changes to the Skyway and Clark Road intersection which includes removing the yield turning movement for northbound Clark Road converging to Skyway by installing new signal controlled right turn poles and indicators. Overall benefits of the changes will improve the level of service for Vicinity side streets such as Bader Mine Road and area

businesses and will improve safety by removing a merge/yield/terminating lane condition. The total estimated cost of the project is \$21,845 and will come from previously budgeted "Repair and Maintenance Services" identified in the FY 17/18 Public Works streets/gas tax budget.

**MOTION by Zuccolillo, seconded by Lotter**, authorized staff to issue a Notice to Proceed for Bear Electrical Solutions, the Town's signal maintenance on-call contractor, to perform signal modifications at the Skyway and Clark Road intersection to improve intersection and vehicular operations. Roll call vote was unanimous. (950-40-041)

Mayor Jones took a recess at 7:29 p.m. and resumed the meeting at 7:35 p.m.

- 6d. **MOTION by Lotter, seconded by Bolin** 1. Filed the Financial information presented to the Town Council; and, 2. Approved 2017/18 recommended budget adjustments relating to Measure C funds. Roll call vote was unanimous. (340-40-15, 395-70-17)

Council Member Zuccolillo left the dais at 7:42 p.m. due to a potential conflict of interest.

- 6e. Town Engineer Marc Mattox provided Council with an overview of the Downtown Paradise Equal Mobility Project which was awarded by the Active Transportation Program Grant in October, 2015. The purpose of the grant was to increase ADA compliance by replacing non-compliant driveways, replacing asphalt "sidewalks" and removing potential tripping hazards. The design was completed by Bennett Engineering in 2017 and on April 10, 2018 the Town Council authorized advertisement for bids. Four bids for the project were received on Monday, May 7, 2018 with an additive bid option modifying work hours from daytime work to nighttime work. (950-40-035, 510-20-194)

Town staff requested that the Town Council award the contract to ST Rhodes Construction of Redding, CA in the amount of their bid of \$497,926 and consider impacts of awarding the additive bid for night work.  
Option 1 - (Base Bid Only) = \$522,926 Contract & Contingency  
Option 2 - (Night work) = \$545,926 Contract & Contingency

After discussion, the Town Council determined that the night work option was most beneficial to the businesses on Skyway, because there would be less impact on traffic and the businesses. There would be some noise to the residence in the area. The job is to be completed within 25 working days.

**MOTION by Lotter, seconded by Bolin**, awarded a contract for the Downtown Paradise Equal Mobility Project. Contract No. 16-03 State Project No. ATPL 5425 (034) to ST. Rhodes Construction of Redding, choosing Option 2 – Night work, for a total cost of \$545,926. Roll call vote was unanimous with Zuccolillo absent and not voting.

Council Member Zuccolillo returned to the dais at 8:03 p.m.

## **7. COUNCIL INITIATED ITEMS AND REPORTS**

### **7a. Council initiated agenda items**

7a. Council Member Zuccolillo requested the Town Council discuss and adopt Resolution No. 18-\_\_\_, A Resolution of the Town Council of the Town of Paradise Opposing the California Values Act (SB54) and the Immigrant Worker Protection Act (AB450) Due to Conflict with Federal Legislation (Zuccolillo)

Council Member Zuccolillo stated that there has been a growing movement in California regarding SB54 and AB450 and its impacts on Public Safety, concerning Sanctuary Cities and the legislation around it. When State and Federal laws differ with each other, there's conflict in trying to figure out what the Town can and can't do. Council Member Zuccolillo stated that Butte County recently adopted a resolution; he worked with the Town Manager to create a similar resolution and asked the Council to support it.

Council Member Lotter was disappointed to see the resolution on the agenda and does not think there is any benefit to the Town; he thinks it is a divisive political issue and that the Sheriff would be the agency to call Immigration; he thinks that the Town needs to focus on filling potholes, keeping the streets/roads safe and delivering services to the community. He does not support the resolution.

Council Member Schuster thinks the resolution is divisive and polarizing and that asking the Council to take a position on one side of the aisle is not the Council's job or appropriate. Council Member Schuster stated that she was troubled that Council Member Zuccolillo voted against allowing the citizens to voice their opinion through the voting process and then asking the Council to establish a political stance on behalf of the citizens feels like it is an attempt to politicize the Council. She does not support the resolution

Council Member Bolin stated that he has been watching this issue across the State, and is disappointed in what Sacramento did and thinks the Town of Paradise is affected by what the State does. The Town is not exempt from what happens in other counties, and he thinks the timing is not right. He wants to watch and see what other counties do and does not want to get into a lawsuit or fight with the Federal Government. He does not think the timing is right and does not support the resolution.

Mayor Jones stated that she ran for Town Council because it is a non-partisan body and was drawn to the job to make the town better and do good things for the residents; the Town is not about national politics. This is an issue between the Federal Government and the State Government and does not think the Town of Paradise should get involved in it. Immigration laws are not made by cities and towns and it is not in the best interest of Paradise to pass this resolution. She does not support the resolution.

Council Member Zuccolillo withdrew the request due to a lack of support. (580-10-053, 550-30-01)

7b. Council reports on committee representation

Council Member Bolin attended the Measure C Appreciation Day.

Council Member Lotter attended the Measure C Appreciation Day, LAFCO meeting and Community Leaders breakfast.

Council Member Schuster attended the Shasta Cascade Wonderland Tourism Summit, Butte County Mosquito and Vector Control District, Tourism Business Improvement District Strategic Planning Session, Measure C Appreciation Day, Gold Nugget Day Parade and Blue Zones meeting.

Council Member Zuccolillo attended the Community Leaders breakfast and judged at the Gold Nugget Parade.

Mayor Jones attended Butte County Association of Governments, Butte County Air Quality Management District, Annual Disaster Council meeting, Measure C Appreciation Day, Gold Nugget Days and Community Leaders Breakfast

c. Future Agenda Items - None

**8. STAFF COMMUNICATION**

Town Manager Report – Manager Gill announced that she had received four letters from Assembly Member Gallagher, on behalf of the Town of Paradise, in support of our sewer project: State Water Resources Control Board, California Environmental Protection Agency, California Department of Water Resources and California Infrastructure and Economic Development Bank. Emails were received from Laura Paige from Congressman LaMalfa's office and Senator Neilson is working on the issue too.

Community Development Director Craig Baker reported on the following projects: Safeway Black Olive Village Project, Lynn's Optimo, Mamma Celeste's Gastropub and Pizzeria, Woodview Retirement Cottages, Gleason parcel map, Children Community Charter School, Meehos, Jack in the Box, General Plan Amendment Rezone application, Bank of the West demolition and Achieve Charter School.

Marc Mattox announced that Friday, May 11, 2018 is the conclusion of the Safe Routes to School project and that green bracelets were made from the grant funding.

**9. CLOSED SESSION - None**

**10. ADJOURNMENT**

Mayor Jones adjourned the Council meeting at 8:25 p.m.

Date Approved: June 12, 2018

By:

Attest:

\_\_\_\_\_/s/\_\_\_\_\_  
Jody Jones, Mayor

\_\_\_\_\_/s/\_\_\_\_\_  
Dina Volenski, CMC, Town Clerk