

MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – August 10, 2021

1. OPENING

The Regular meeting of the Paradise Town Council was called to order by Mayor Crowder at 6:01 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 Tryon.

COUNCIL MEMBERS PRESENT: Greg Bolin, Steve “Woody” Culleton, Jody Jones, Rose Tryon and Steve Crowder, Mayor.

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Town Manager Kevin Phillips, Town Clerk Dina Volenski, Public Works Director/Town Engineer Marc Mattox, Town Attorney Scott Huber, Finance Director Ross Gilb, Recovery and Economic Development Director Colette Curtis, Community Development Director Susan Hartman, Community Development Director Tony Lindsey, Sergeant John Alvies, Police Chief Eric Reinbold, Police Officer Vanucci, and Hazard Tree Removal Project Manager Brian Solecki.

- 1a. Mayor Steve Crowder read a proclamation recognizing Dan Hansen for his time on the Measure C and V Oversight and also presented Committee Members Chris Buzzard (absent), Linda Dye, Nicki Jones (absent), George Morris, Jr., and Sharon Simonton with proclamations recognizing their time on the committee. (180-40-027)
- 1b. Camp Fire Recovery Updates:
(110-60-061)

Cole Glenwright from CAL OES provided an update on the Hazard Tree Removal Program via Teams.

The following items were written reports that were included in the agenda packet:

Colette Curtis, Recovery and Economic Development Director - Recovery, Projects, Advocacy Economic Recovery and Development, Communications and Emergency Operations.

Marc Mattox, Public Works Director/Town Engineer - Infrastructure and Sewer Update.

Tony Lindsey, CDD-Building and Code Enforcement - Code Enforcement Update.

Kate Anderson, Business and Housing Manager - Housing Update.

- 1c. The financial update from Meeder Investments was postponed until the September meeting due to technical difficulties.

2. **CONSENT CALENDAR**

MOTION by Bolin, seconded by Culleton, approved consent calendar items 2a through 2j. Roll call vote was unanimous.

- 2a. Approved minutes from the June 30, 2021 Special and the July 13, 2021 Regular Town Council meetings.
- 2b. Approved July 2021 Cash Disbursements in the amount of \$6,807,467.61. (310-10-034)
- 2c. Adopted Resolution No. 21-33, "A Resolution of the Town Council of the Town of Paradise Authorizing Destruction of Certain Town Records Maintained in the Finance Division Pursuant to Government Code Section 34090. The records have been retained for four or more years and are eligible for destruction." (160-20-017)
- 2d. Adopted Resolution No. 21-34, "A Resolution of the Town Council of the Town of Paradise Authorizing a Grant of a Temporary Construction Easement at 5733 Pentz Road and 1181 Pearson Road to Pacific Gas and Electric Company." (850-20-011)
- 2e. Appointed Ronald Baker, an alternate, to fill a vacancy on the Measure V Citizen Oversight Committee due to the resignation of committee member, Dan Hansen. (395-70-020)
- 2f. 1. Concurred with staff's recommendation for Psomas to perform on-call construction management and inspection services on a variety of federally, state and locally funded efforts, contingent upon Caltrans Office of Audits and Investigation acceptance of financial document submittals; and, 2. Approved the Master Professional Services Agreement and authorized the Town Manager to execute an agreement relating to on-call construction management and inspection services; and, 3. Adopted Resolution No. 21-35, "A Resolution of the Town Council of the Town of Paradise Designating Authority to the Paradise Town Manager to Execute Individual Task Orders Under the Resultant Master Agreement for RFQ 2021-005 On-Call Construction Management and Inspection Services up to the Maximum Contract Aggregate Amount of Eleven Million Five Hundred Thousand Dollars (\$11.5M) to Expedite and Facilitate Camp Fire Recovery Efforts." (510-20-312)
- 2g. Authorized the Town Manager to sign onto the Butte Regional Interoperable Communications System (BRICS) Primary User Agreement for Butte County Radio Network Access. (510-20-286)
- 2h. Reviewed and instructed Staff to file the 4th Quarter Investment Report for the Fiscal Year ending June 30, 2021. (360-30-006)

- 2i. 1. Adopted Resolution No. 21-36, "A Resolution of the Town Council of the Town of Paradise Certifying to the County of Butte the Validity of the Legal Process Used to Place Direct Charges (Special Assessments) on the Secured Tax Roll"; and, 2. Authorized the Town Manager and Finance Director to approve direct charge (special assessment) changes; and, 3. Authorized the Town Manager and Finance Director to execute the governing authority certification related to the direct assessments on the property tax roll. (550-40-051, 510-20-107, 540-10-20)
- 2j. Authorized the Town Manager to execute a three-year (FY 21/22-23/24) GIS maintenance agreement with the CSU, Chico Research Foundation. (510-15-042)

3. ITEMS REMOVED FROM CONSENT CALENDAR - None

4. PUBLIC COMMUNICATION

1. Claudia Gallentine, spoke to the need to protect the watershed/creek areas from debris, dirt and trees during the rebuilding process and asked Council to help communicate that need with the public regarding safe practices.

5. PUBLIC HEARINGS - None

6. COUNCIL CONSIDERATION

- 6a. Community Development Director Susan Hartman provided an update on the interim housing ordinance, the temporary use permits by the numbers, and potential options moving forward.
1. Town Clerk Volenski read an email submitted by Michael Perry who outlined the struggles of rebuilding and asked Council for more time for those who have followed the rules and for residents to receive the PG&E payout through the Fire Victims' Trust.
2. Town Clerk Volenski read an email submitted by Angela Casler who asked for Council to extend the Interim Housing Ordinance another two years and listed reasons why she thought people needed more time.
3. Bruce Yerman from Campfire Collaborative stated they are working on finding permanent housing for Camp Fire victims, but they need more time. Campfire Collaborative supports a two-year extension on the ordinance with the understanding and support that someday it should sunset.
4. Kate Scowsmith, a disaster case manager for the Campfire Collaborative, discussed the effects of displacement and thanked Council for their consideration to extend the ordinance.
5. Erin Kennedy, Director of Case Management at the Boys and Girls Club shared the barriers their clients are facing and why they haven't rebuilt and/or pulled permits yet.

6. David Breed shared his story and struggles of finding work after the Camp Fire and the pandemic and asked that the ordinance be extended for those families who have followed the rules and just need more time to get back on their feet.
7. Tammy Spirlock spoke in favor of Council extending the ordinance another two years.
8. Aaron Momany doesn't think Council has a right to make people leave their homes/properties.
9. Joule Charney spoke in support of the ordinance being extended and commended Susan Hartman on outlaying the struggles of those trying to rebuild.
10. Randy Viehmeyer spoke in favor of the ordinance being extended.
11. Annette Hochletru asked that those who couldn't afford insurance or were underinsured not be penalized forever and that they mattered too.
12. Lawrence Graham said that people want to rebuild, but that they need more time and asked Council to consider that.
13. Erna Friedeberg, Disaster Case Management Chair for the Campfire Collaborative, asked Council to consider how long it took for Disaster Case Managers to be funded and brought into the area, the lack of contractors, cost of building, and the housing crisis when considering the extension.
14. Greg Thomas spoke in favor of extending the ordinance another two years and about how hard it has been to find contractors to do the work.
15. Jennifer Christensen spoke in favor of extending the ordinance and wants help for families, like hers, who have done everything they have been asked to do but haven't received the PG&E settlement yet and who have been denied other grant opportunities.

After discussion, Town Council gave staff direction to bring back a revised Interim Housing Ordinance extending the ordinance, for those people who already have temporary use permits, until April 30, 2023, with the following conditions: residents must be connected to water, electric, septic, have trash service and no violations by September 30, 2021 and no more than two violations in a calendar year or two citations on a single violation or the Temporary Use Permit can be revoked. Previous thresholds for showing progress towards rebuilding, such as proof of contract with a contractor, will be removed. An Exception Committee, comprised of two Council Members who have the ability to bring grant exceptions in extenuating circumstances to the full Council for approval, will be initiated. (510-16-177)

At 8:17 p.m. Mayor Crowder recessed the meeting for a five-minute break.

At 8:27 p.m. Mayor Crowder resumed the Council meeting.

- 6b. Community Development Director Susan Hartman provided an overview of the solid waste franchise agreement and the proposed new assignment with Waste Management.
 1. Town Clerk Volenski read a comment submitted by email from Andrea Petersen, a Chico resident, who spoke in opposition of the potential solid waste franchise agreement assignment to Waste Management.
 2. Steve Rodowick, spoke in favor of a new agreement which would include a local call center and a buy-back facility.
 3. Joe Cadelago, Waste Management Contract Manager, clarified that the proposal does include a stipulation for a regional call center and that Waste Management would pledge to have customer service calls directed toward the Chico office.
 4. Joe Cassin, VP Business Development for Waste Management commented virtually via Teams. He stated that Waste Management was open to agreeing to a green waste yard but would need to work with staff to work out the economics.

MOTION by Bolin, seconded by Culleton, to reject the proposal as presented. Roll call vote was unanimous.

- 6c. Public Works Director/Town Engineer Marc Mattox provided an overview of the Skyway and Pearson Road Traffic Signal Repair project.

MOTION by Bolin, seconded by Culleton, 1. Adopted Resolution No.21-37, "A Resolution of the Town Council of the Town of Paradise Awarding Contract No. 8403.CON, Skyway and Pearson Road Traffic Signal Repair Project to the lowest responsible and responsive bidder, Bear Electrical Solutions, Inc., in the amount of their base bid, \$254,710.00"; and, 2. Authorized the Town Manager to execute an agreement with the lowest responsible and responsive bidder, Bear Electrical Solutions, Inc., relating to Contract No. 8403.CON and to approve contingency expenditures not exceeding 10%. Roll call vote was unanimous. (510-20-319, 950-40-062)

- 6d. Public Works Director/Town Engineer Marc Mattox provided an overview of the Ponderosa Elementary SR2S ATP Education Services project.

MOTION by Bolin, seconded by Jones, authorized the Town Manager to execute a Professional Services Agreement with Butte County Public Health for the Ponderosa Elementary SR2S ATP Education Services contract, 9380.NI. Roll call vote was unanimous. (950-40-032, 510-20-314)

- 6e. Town Attorney Huber provided an overview of the proposed administrative hearing officer candidates.

MOTION by Bolin, seconded by Tryon, approved a Master Hearing Officer Services agreement as was provided in the agenda packet and authorized the Town Manager to execute the agreement for administrative hearing officer services with Armento and Hynes LLP, Jones & Mayer, Vadim Sidelnikov, and Silver & Wright LLP. Roll call vote was unanimous. (510-20-315, 510-20-316, 510-20-317, 510-20-318)

- 6f. Recovery and Economic Development Director Colette Curtis provided an overview of the proposed ordinance to change the design of the Town Seal.

MOTION by Jones, seconded by Tryon, waived the first reading of Town Ordinance No. 610; and 2. Read by title only; and 3. Introduced Town Ordinance No. 610., "An Ordinance of the Town Council of the Town of Paradise Amending Paradise Municipal Code Section 1.12 relating to the description of the Town Seal." Roll call vote was unanimous. (540-16-179)

7. COUNCIL INITIATED ITEMS AND REPORTS

7a. Council initiated agenda items

- 7a. Council discussed dead and/or dying trees that are still standing on private property that were not removed by the State Tree Removal program. Recovery and Economic Development Director Colette Curtis reviewed the Paradise Municipal Code and the current requirements. Town Attorney Scott Huber clarified that residents could submit complaints as a public nuisance and provided options for those who felt unsafe, toward other resources while the Town worked on the programs and funding for the Tier 4 Trees.
1. Jon Remalia spoke in favor the Council instating regulations that would require property owners to fell hazardous trees.

7b. Council reports on committee representation

Vice-Mayor Jones attended the Paradise High School Groundbreaking, BCAG meeting, and the Paradise Sewer Advisory Committee in which the committee is working with the Water Board and Chico's Committee to draft the Principals of Agreement for the project.

Council Member Culleton participated in the Consortium of Care meeting.

Council Member Tryon attended her committee meetings and worked with Town Manager Phillips on a resident complaint.

- 7c. Future Agenda Items - None

8. STAFF COMMUNICATION

8a. Town Manager Report – Town Manager Phillips reported that the Town is moving forward with grant applications and hazard mitigation funding and ensuring that the funding that needs to be reimbursed is being reimbursed through the FEMA projects.

9. CLOSED SESSION

At 10:30 p.m. Mayor Crowder announced that the Town Council gave direction on the following items:

- 9a. No reportable action was taken in Closed session concerning the settlement agreement with AT& T relating to the undergrounding of utilities.
- 9b. The Town Council provided the Town Manager with a satisfactory performance review.

10. ADJOURNMENT

Mayor Crowder adjourned the Council meeting at 10:31 p.m.

Date approved: September 14, 2021

By:

_____/s/_____
Steve Crowder, Mayor

Attest:

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