

**MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – August 07, 2012**

1. OPENING

The Regular Meeting of the Paradise Town Council was called to order at 6:00 pm by Mayor Culleton in the Town Hall Council Chambers at 5555 Skyway, Paradise, California. Following the pledge of allegiance to the flag of the United States of America, Mayor Culleton offered an invocation.

COUNCIL MEMBERS PRESENT: Joe DiDuca, Scott Lotter, Alan White and Steve "Woody Culleton, Mayor.

COUNCIL MEMBERS ABSENT: Tim Titus.

Mayor Culleton presented a Proclamation to Craig Woodhouse recognizing his two terms of service as a Paradise Planning Commissioner.

2. ITEMS DEFERRED FROM PREVIOUS MEETINGS – None.

3. CONSENT CALENDAR

MOTION by Lotter, seconded by White, adopted the consent calendar items as presented. Roll call vote was unanimous; Titus absent and not voting.

- 3a. Approved the Minutes of the July 10, 2012 Regular Council Meeting.
- 3b. Approved Check Register in the Amount of \$1,386,224.40. (310-10-28)
- 3c. (1) Waived second reading of entire Ordinance No 525 (relating to changing the regular meeting date of the Council from the first to the second Tuesday of the month) and approved reading by title only; and, (2) Adopted Ordinance No 525, An Ordinance Amending Section 2.08.010 of the Paradise Municipal Code Relating to Regular Meeting Date for the Paradise Town Council. The regular meeting date of the Town will change from the 1st Tuesday to the 2nd Tuesday of each month commencing October 9, 2012. (540-10-94)
- 3d. Approved Plans, Specifications and Estimates for the 2012 Thermoplastic Pavement Markings Replacement Project and authorized the Development Services staff to advertise for bids for the project. (510-20)
- 3e. Approved an extension of the Butte County Abandoned Vehicle Abatement Service Authority Pursuant to Sections 9250.7 and 22710 of the California Vehicle Code; and adopted Resolution No. 12-28, "A

Resolution of the Town Council of the Town of Paradise Authorizing Establishment of a Service Authority for Abandoned Vehicle Abatement and Continuing the Appointment of the Town Representative to the Service Authority.” (540-15-12)

- 3f. Approved the updated job description for Associate Civil Engineer position. (610-10-15; 610-10-17)
- 3g. Accepted the Project Description for the Town of Paradise Community Wastewater Collection System. (960-40-02)

4. PUBLIC HEARING PROCEDURE

- a. Staff report (15 minutes total maximum)
- b. Open hearing to the public
 - 1. Project proponents or in favor of (15 minutes total maximum)
 - 2. Project opponents or against (15 minutes total maximum)
 - 3. Rebuttals - when requested (15 minutes total maximum or 3 minutes maximum 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 a proposed General Plan amendment/rezone application proposing the assignment of a Community Services (CS) land use designation and zoning for a vacant 1.66 acre property proposed to be developed with a 19,972 square foot community care facility; and, for an adjacent 4.16 acre property currently developed for religious assembly purposes. The subject properties are currently designated and zoned Rural Residential (RR) and Rural Residential-2/3 acre minimum (RR-2/3), respectively. The subject parcels are located at 6975 and 6983 Pentz Road in Paradise and are further identified as Assessor parcel numbers 050-082-023 and 050-082-105.

Mayor Culleton opened the public hearing at 6:20 pm. There were no speakers on the matter and Mayor Culleton closed the public hearing at 6:20 pm.

MOTION by Lotter, seconded by White, (1) Concurred with the Planning Commission's decision to adopt the environmental document (negative declaration) prepared for the project under requirements of the California Environmental Quality Act (CEQA); (2) Concurred with the project recommended General Plan land use map amendment and rezone action adopted by the Planning Commission on July 17, 2012, and embodied within Planning Commission Resolution No. 12-03; (3) Adopted Town of

Paradise Resolution No. 12-29, "A Resolution of the Town Council of the Town of Paradise Adopting a Negative Declaration and Amending the Land Use Map of the 1994 Paradise General Plan (PL12-00075: Grand Sierra Lodge); (4) Waived the first reading of Town Ordinance No. 526 and approve reading by title only; and, (5) Introduced Town of Paradise Ordinance No. 526, "An Ordinance Rezoning Certain Real Properties From "RR-2/3" (Rural Residential, 2/3-Acre Minimum) to a "CS" (Community Services) Zone Pursuant to Paradise Municipal Code Sections 17.45.500 Et. Seq. (PL12-00075; Grand Sierra Lodge)". Roll call vote was unanimous with Titus absent and not voting. (760-40-56; 760-40-38)

6. PUBLIC COMMUNICATION

1. Mark Maranto stated that that he just experienced a compliance check from the police department relating to medical marijuana, that it is not possible for him to comply because of the size of his lot, that he is perplexed by the regulations as his only option is to apply for an indoor permit which defeats the whole purpose of gardening, and asked for clarification about growing in greenhouses.

Council concurred to direct the Town Manager to meet with Mr. Maranto to address his concerns, as he is the first citizen to come to Council to discuss the medical marijuana regulations.

2. Ian Steenson stated that he is a six-month resident of Paradise, and invited the Council to support his Celtic Music Concert on October 13, 2012 at the Paradise Performing Arts Center.

7. COUNCIL CONSIDERATION

- 7a. MOTION by DiDuca, seconded by Lotter**, waived the second reading of Ordinance No. 524 and approve reading by title only. Roll call vote was unanimous; Titus absent and not voting.

MOTION by DiDuca, seconded by Lotter, adopted Town Ordinance No. 524, "An Ordinance Amending Text Regulations within Paradise Municipal Code Chapter 17.38 Relating to Off-Street Parking Regulations". Ayes of DiDuca, Lotter, and Mayor Culleton; no of White; Titus absent and not voting. (540-10-93)

The amendments will affect municipal code sections related to off-street parking regulations and would result in a change in the formula for calculating the amount of off-street parking required for retail services, an adjustment in the threshold for a loading space requirement and the establishment of a formal process by which a reduction in off-street

parking requirements could be granted under certain specific circumstances.

- 7b. MOTION by White, seconded by DiDuca**, (1) Awarded the contract for the Various Asphalt Repairs 2012 Project, Public Works Maintenance Project 2120-45-4755-472 to Franklin Construction in the amount of \$71,805.00 and authorized the Town Manager to sign the contract; AND; (2) Approved a budget appropriation adjustment of \$26,805 to Gas Tax 2120.45.4755.5213.100 and a \$26,805 transfer in from Transportation Fund 2110.00.0000.5910.120. Roll call vote was unanimous; Titus absent and not voting. (510-20-51; 950-40-17)

8. COUNCIL COMMUNICATION (Council Initiatives)

Council oral reports of their representation on Committees/Commissions:

Council Member White reported that the B-Line received an \$18,000 BCAG grant towards the building of its own bus yard.

Council Member DiDuca reported on the liaison meeting with the Paradise Irrigation District and outcome of discussion relating to development of policy relating to trench work by PID on Town streets. Manager Rough reported that staff will be coming back with a proposal relating to PID drainage work.

Mayor Culleton reported on the third annual Dutch Oven Cook Off, a fundraiser held at and for the Paradise Gold Nugget Museum.

- 8a. Council concurred to appoint Council Member Lotter as representative on the Paradise Community Village Board. Council Member White requested that he be replaced as the Town representative as he would like to volunteer serve as Executive Director to the board.
- 8b. Council Member White discussed his request for Council to consider directing staff to draft an ordinance eliminating smoking on Town Facilities excluding Paradise Community Park and the Paradise Memorial Trailway. Council took no action on this item.

9. STAFF/COMMISSION/COMMITTEE COMMUNICATION - None.

At 7:05 pm, Mayor Culleton adjourned the Council meeting in order to hold the Successor Agency meeting and reconvened the meeting at 7:15 pm.

10. CLOSED SESSION

- 10a. At 7:15 pm, Mayor Culleton announced that pursuant to Government Code Section 54957.6, the Town Council will hold a closed session to

meet with Charles L. Rough, Jr., Lauren Gill, Gina Will and Crystal Peters, its designated representatives, regarding labor relations between the Town of Paradise and the Paradise Firefighters Association and the Paradise Police Officers Association.

Mayor Culleton reconvened the Council meeting at 7:40 pm and announced that direction was given; no action taken taken in closed session.

11. ADJOURNMENT

At 7:40 pm, Council concurred to adjourn the regular meeting to September 11, 2012.

DATE APPROVED: September 11, 2012

By: _____
Steve "Woody" Culleton, Mayor

Joanna Gutierrez, Town Clerk