



Town of Paradise Town Council AMENDED Special Meeting Notice/Agenda

2:00 P. M. – March 23, 2020

Town of Paradise, 5555 Skyway, Paradise, CA 95969

Mayor, Greg Bolin
Vice Mayor, Mike Zuccolillo
Council Member, Steve Crowder
Council Member, Jody Jones
Council Member, Melissa Schuster

Town Manager, Lauren Gill
Town Attorney, Dwight L. Moore
Town Clerk, Dina Volenski
Community Development Director, Susan Hartman
Administrative Services Director/Town Treasurer, Gina Will
Public Works Director/Town Engineer, Marc Mattox
Division Chief, CAL FIRE/Paradise Fire, John Messina
Chief of Police, Eric Reinbold

NOTICE IS HEREBY GIVEN that at the call of a majority of the Town Council a Special meeting has been set for Monday, March 23, 2020 at 2:00 p.m., at 5555 Skyway, Paradise, California, for the following purpose:

Consider Adopting Resolution No. 20-03, A Resolution of the Town Council of the Town of Paradise ratifying and confirming the Town Manager/Director of Emergency Services Proclamation of Existence of Local Emergency on March 20, 2020 relating to COVID-19 and Authorizing the Expenditure of Public Money. **(ROLL CALL VOTE)**

The meeting will be available for the public to watch on Livestream at <https://livestream.com/accounts/2756198/events/9049413>. If there are any comments the public would like to make prior to the meeting, please email them to dvolenski@townofparadise.com before 1:30 p.m. and they will be read into the record. If the public would like to make a comment during the meeting, please call 530-872-6146.

Members of the public may address the Paradise Town Council only on the items listed on the special meeting agenda. The Council is prohibited by law from considering any other business at this meeting.

Disabled persons may request reasonable modifications or accommodations relating to the use of telephonic or electronic observation and participation prior to the Council meeting by contacting the Town Clerk at (530) 872-6291 ext. 102.

Dated: March 21, 2020

By: Dina Volenski, CMC
Town Clerk

**TOWN OF PARADISE
RESOLUTION NO. 20-03**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE RATIFYING
AND CONFIRMING THE TOWN MANAGER/DIRECTOR OF EMERGENCY SERVICES
PROCLAMATION OF EXISTENCE OF LOCAL EMERGENCY ON MARCH 20, 2020
RELATING TO COVID-19 AND AUTHORIZING THE EXPENDITURE OF PUBLIC MONEY**

WHEREAS, Section 2.40.060 of the Paradise Municipal Code, empowers the Director of Emergency Services/Town Manager to proclaim a local emergency if the Town Council is not in session and requires that the Town Council shall take action to ratify the proclamation within seven days thereafter. A copy of the proclamation is attached as Exhibit A; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within the Town of the Paradise, as a result of the COVID-19 pandemic as of March 20, 2020, at which time the Town Council of the Town of Paradise was not in session; and

WHEREAS, the Town Council does hereby find that the above-described conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local emergency in the vicinity of Paradise, California; and

WHEREAS, the Town Manager acting as the Director of Emergency Services did proclaim the existence of a local emergency within the Town of Paradise on March 20, 2020 relating to the COVID-19 pandemic.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Paradise as follows:

Section 1. That the Proclamation of Existence of a Local Emergency, as issued by the Director of Emergency Services/Town Manager on March 20, 2020, is hereby ratified and confirmed.

Section 2. That the local emergency shall be deemed to continue to exist until its termination is proclaimed by the Town Council of the Town of Paradise.

Section 3. That the Director of Emergency Services is authorized to expend public money to provide for the safeguard of life, health or property without complying with Paradise Municipal Code Chapter 2.45.

Section 4. That the Town of Paradise is seeking assistance from the County of Butte and, additionally, petitioning the Governor of the State of California to declare that the Town of Paradise be included in any declaration of emergency and that natural disaster assistance funding be made available as soon as possible.

Section 5. That during the existence of such local emergency the powers, functions and duties of the Director of Emergency Services and the Emergency Organization of the Town of Paradise shall be those prescribed by State, County and local law, ordinances and resolutions of the Town of Paradise.

Section 6. That Lauren M. Gill, or her successor, is hereby designated as the authorized representative of the Town of Paradise for the purpose of receipt, processing and coordination of all inquiries and requirements necessary to obtain available federal and state assistance and to execute all documents relating thereto.

Section 7. That a copy of this resolution be forwarded to the State Director of the Office of Emergency Services in accordance with provisions of the Natural Disaster Assistance Act.

Section 8. Pursuant to Government Code section 8630, the Town Council shall review the need for the local emergency at least once every 60 days until it is terminated.

PASSED AND ADOPTED by the Town Council of the Town of Paradise, County of Butte, State of California, this 23rd day of March 2020 by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

Greg Bolin, Mayor

Attest:

Approved as to Form:

Dina Volenski, CMC, Town Clerk

Dwight L. Moore, Town Attorney

**TOWN OF PARADISE
PROCLAMATION DECLARING A LOCAL EMERGENCY**


WHEREAS, Section 2.40.060 of the Paradise Municipal Code empowers the Mayor or the Director of Emergency Services to declare the existence or threatened existence of a local emergency when the Town is affected or is likely to be affected by a public calamity and the Town Council is not in session; and,

WHEREAS, the Director of Emergency Services of the Town of Paradise does hereby find that:

1. The threat of COVID-19 has been determined to be a pandemic by the World Health Organization; and,
2. Conditions of extreme peril to the safety of citizens have arisen within the Town as a result of COVID-19; and,
3. The Town Council is not in session and cannot immediately be called into session.

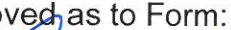
NOW, THEREFORE, IT IS HEREBY DECLARED that a local emergency now exists throughout the Town of Paradise because of COVID-19; and,

IT IS FURTHER DECLARED AND ORDERED that during the existence of this local emergency the powers, functions and duties of the Town of Paradise Emergency Operations Center shall be those as prescribed by California law, the Paradise Municipal Code, related resolutions of the Paradise Town Council and the Town of Paradise Emergency Plan. This Emergency Proclamation shall expire in 7 days after issuance unless confirmed and ratified by the Town of Paradise Town Council.

_____
Lauren Gill, Director of Emergency Services

3-20-2020

Date

Approved as to Form: 

Dwight L. Moore, Town Attorney

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

EXECUTIVE ORDER N-29-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus continues to spread and is impacting nearly all sectors of California; and

WHEREAS the threat of COVID-19 has resulted in serious and ongoing economic harms, in particular to some of the most vulnerable Californians; and

WHEREAS time bound eligibility redeterminations are required for Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries to continue their benefits, in accordance with processes established by the Department of Social Services, the Department of Health Care Services, and the Federal Government; and

WHEREAS social distancing recommendations or Orders as well as a statewide imperative for critical employees to focus on health needs may prevent Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries from obtaining in-person eligibility redeterminations; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. As to individuals currently eligible for benefits under Medi-Cal, CalFresh, CalWORKs, the Cash Assistance Program for Immigrants, the California Food Assistance Program, or In Home Supportive Services benefits, and to the extent necessary to allow such individuals to maintain eligibility for such benefits, any state law, including but not limited to California Code of Regulations, Title 22, section 50189(a) and Welfare and Institutions Code sections 18940 and 11265, that would require redetermination of such benefits is suspended for a period of 90 days from the date of this Order. This Order shall be construed to be consistent with applicable federal laws, including but not limited to Code of Federal Regulations, Title 42, section 435.912, subdivision (e), as interpreted by the Centers for Medicare and Medicaid Services (in guidance issued on January 30, 2018) to permit the extension of

otherwise-applicable Medicaid time limits in emergency situations.

2. Through June 17, 2020, any month or partial month in which California Work Opportunity and Responsibility to Kids (CalWORKs) aid or services are received pursuant to Welfare and Institutions Code Section 11200 et seq. shall not be counted for purposes of the 48-month time limit set forth in Welfare and Institutions Code Section 11454. Any waiver of this time limit shall not be applied if it will exceed the federal time limits set forth in Code of Federal Regulations, Title 45, section 264.1.
3. Paragraph 11 of Executive Order N-25-20 (March 12, 2020) is withdrawn and superseded by the following text:

Notwithstanding any other provision of state or local law (including, but not limited to, the Bagley-Keene Act or the Brown Act), and subject to the notice and accessibility requirements set forth below, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

- (i) state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- (ii) each teleconference location be accessible to the public;
- (iii) members of the public may address the body at each teleconference conference location;
- (iv) state and local bodies post agendas at all teleconference locations;
- (v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and
- (vi) during teleconference meetings, at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction

are hereby suspended.

A local legislative body or state body that holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements set forth below, shall have satisfied any requirement that the body allow

members of the public to attend the meeting and offer public comment. Such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

Accessibility Requirements: If a local legislative body or state body holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the body shall also:

- (i) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act and resolving any doubt whatsoever in favor of accessibility; and
- (ii) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to subparagraph (ii) of the Notice Requirements below.

Notice Requirements: Except to the extent this Order expressly provides otherwise, each local legislative body and state body shall:

- (i) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and
- (ii) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in such means of public observation and comment, or any instance prior to the issuance of this Order in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of such means, a body may satisfy this requirement by advertising such means using "the most rapid means of communication available at the time" within the meaning of Government Code, section 54954, subdivision (e); this shall include, but need not be limited to, posting such means on the body's Internet website.

All of the foregoing provisions concerning the conduct of public meetings shall apply only during the period in which state or local public health officials have imposed or recommended social distancing measures.

All state and local bodies are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Bagley-Keene Act and the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have
hereunto set my hand and caused
the Great Seal of the State of
California to be affixed this 17th day
of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State