



Town of Paradise Town Council Meeting Agenda 6:00 PM – April 11, 2023

Town of Paradise Council Chamber – 5555 Skyway, Paradise, CA

Mayor, Greg Bolin
Vice Mayor, Rose Tryon
Council Member, Steve Crowder
Council Member, Steve “Woody” Culleton
Council Member, Ron Lassonde

Town Manager, Kevin Phillips
Town Attorney, Scott E. Huber
Town Clerk/Elections Official, Dina Volenski
CDD, Planning & Onsite, Susan Hartman
CDD, Building & Code Enforcement, Tony Lindsey
Finance Director/Town Treasurer – Vacant
Public Works Director/Town Engineer, Marc Mattox
Division Chief, CAL FIRE/Paradise Fire, Patrick Purvis
Chief of Police, Eric Reinbold
Recovery & Economic Development Director, Colette Curtis
Human Resources & Risk Management Director, Crystal Peters
Information Systems Director, Luis Marquez

Meeting Procedures

- I. The Mayor is the Presiding Chair and is responsible for maintaining an orderly meeting. The Mayor calls the meeting to order and introduces each item on the agenda.
- II. The Town staff then provides a report to Council and answers questions from the Council.
- III. Citizens are encouraged to participate in the meeting process and are provided several opportunities to address Council. Any speaker addressing the Council is limited to three minutes per speaker - fifteen minutes per agenda item
 - A. If you wish to address the Council regarding a specific agenda item, please complete a “Request to Address Council” card and give it to the Town Clerk prior to the beginning of the meeting. This process is voluntary and allows for citizens to be called to the speaker podium in alphabetical order. Comments and questions from the public must be directed to the Presiding Chair and Town Council Members (please do not address staff.) Town staff is available to address citizen concerns Monday through Thursday at Town Hall between the hours of 8am and 5pm.
 - B. If you wish to address Council regarding an item not on the agenda, you may do so under Item 4, “Public Communication.” Again, please fill out a card and give it to the Town Clerk before the meeting. State Law prohibits Council action on items not listed on a public agenda.

In compliance with the Americans with Disabilities Act (ADA) Compliance, persons who need special accommodations to participate in the Town Council meeting may contact the Town Clerk at least three business days prior to the date of the meeting to provide time for any such accommodation.

1. **OPENING**

- 1a. Call to Order
- 1b. Pledge of Allegiance to the Flag of the United States of America
- 1c. Invocation
- 1d. Roll Call

- 1e. Proclamation recognizing April as Arts, Culture and Creativity Month.
- 1f. Presentation - Update from PID
- 1g. Camp Fire Recovery Updates - Written reports are included in the agenda packet.
 - p5 Colette Curtis, Recovery and Economic Development Director - Recovery Projects, Advocacy, Economic Recovery and Development, Communications and Emergency Operations.
 - p8 Marc Mattox, Public Works Director/Town Engineer - Infrastructure and Sewer Update
 - p11 Tony Lindsey, CDD-Building and Code Enforcement - Code Enforcement Update
 - p15 Kate Anderson, Business and Housing Manager - Business and Housing Update

2. **CONSENT CALENDAR**

One roll call vote is taken for all items. Consent items are considered to be routine business that does not call for discussion.

- 2a. p17 Approve the Special and Regular minutes of the March 14, 2023, and March 17, 2023 Town Council meetings.
- 2b. p26 Approve March 2023 Cash Disbursements in the amount of \$4,807,499.74.
- 2c. p34 1. Rescind Resolution No. 2022-67 “A Resolution of The Town Council of The Town of Paradise Adopting the New CalHome Homebuyer Acquisition Only/Acquisition With Rehabilitation Programs Guidelines”; and, 2. Adopt Resolution No. 2023 - ____ “A Resolution of The Town Council of The Town of Paradise Adopting the New CalHome Homebuyer Acquisition Only/Acquisition With Rehabilitation Programs Guidelines”.
- 2d. p39 Consider reviewing and ratifying the submission of the letter of sponsorship for AB 556 (Gallagher) and the letter of support for AB 573 (Garcia).

3. **ITEMS REMOVED FROM CONSENT CALENDAR**

4. **PUBLIC COMMUNICATION**

For matters that are not on the Council business agenda, speakers are allowed three (3) minutes to address the Council. The Town Council is prohibited from taking action on matters that are not listed on the public agenda. The Council may briefly respond for clarification and may refer the matter to the Town staff.

5. PUBLIC HEARINGS

For items that require a published legal notice and/or a mailed notice.

Public Hearing Procedure:

- A. Staff Report
- B. Mayor opens the hearing for public comment in the following order:
 - i. Project proponents (in favor of proposal)
 - ii. Project opponents (against proposal)
 - iii. Rebuttals – if requested
- C. Mayor closes the hearing
- D. Council discussion and vote

5a. p42 Conduct the duly noticed and scheduled second public hearing to solicit comments and/or suggestions regarding the Draft 2023-2024 Annual Action Plan; and, 1. Adopt the Draft 2023-2024 Annual Action Plan as submitted; or, 2. Revise the Draft 2023-2024 Annual Action Plan as submitted; and, 3. Authorize staff to submit the adopted 2023-2024 Annual Action Plan to the U.S. Department of Housing and Urban Development should no public comment be received. (ROLL CALL VOTE)

5b. p80 Conduct the duly noticed and scheduled public hearing and 1. Concur with the project “CEQA determination” finding embodied within Planning Commission Resolution No. 2023-01; and, 2.. Waive the first reading of Town Ordinance No. 625 and read by title only; and, 3. Introduce Town Ordinance No. 625 “An Ordinance Amending Text Regulations within Paradise Municipal Code Title 17 [Zoning] Relative to Short-Term Rentals”; or, 4. Adopt an alternative directive to town staff. (ROLL CALL VOTE)

5c. p97 1. Consider discussing and soliciting public input related to the use of “military equipment” by the Paradise Police Department as defined by the Paradise Municipal Code; and, 2. Consider approving the updated Military Equipment policy for Paradise Police Department. (ROLL CALL VOTE)

6. COUNCIL CONSIDERATION

Action items are presented by staff and the vote of each Council Member must be announced. A roll call vote is taken for each item on the action calendar. Citizens are allowed three (3) minutes to comment on agenda items.

6a. p113 Consider reviewing and approving the attached Town of Paradise Early Warning Siren Guidelines. (ROLL CALL VOTE)

6b. p121 Discuss and consider providing direction regarding future spending of transient occupancy tax revenues.

6c. p123 1. Consider adopting Resolution No. 2023-15 “A Resolution of the Town Council of the Town of Paradise Approving the “Second Amendment” with the California Department of Forestry and Fire Protection (CAL FIRE) for Services from July 1, 2021 through June 30, 2025, Contract Agreement Number 2CA05233” for a maximum amount not to exceed \$18,994,417.” OR, 2. Direct staff to negotiate an alternative agreement with CAL FIRE with a reduced level of service and reduced costs.” (ROLL CALL VOTE)

6d. p129 1. Consider appointing a second Town Council member, to replace former Councilmember Jones, to join Councilmember Culleton on the Exceptions Committee; or, 2. Adopt an alternative directive to Town staff. (ROLL CALL VOTE)

6e. p130 1. Consider authorizing the Town Attorney to review and approve the draft MOU agreement to be executed between the Town of Paradise and the “Jurisdictions” regarding SB 1383 which requires the state to reduce organic waste (food waste, green waste, paper products, etc.) disposal by 75% by 2025; and, 2. Authorize the Town Manager, on behalf of the Town of Paradise, to sign the MOU agreement. (ROLL CALL VOTE)

6f. p147 Consider approving the following Project Baseline Agreements that are required to be executed between the Town of Paradise, the California Transportation Commission and California Department of Transportation, binding each to certain responsibilities to process State and federal funded projects:

- Project Baseline Agreement for Go Paradise: Pentz Student Pathway
- Project Baseline Agreement for Go Paradise: Neal Gateway Project; and,

1. Adopt Resolution No. 2023- ____ “A Resolution of the Town Council of the Town of Paradise Authorizing the Town Manager or his Designee to sign the Project Baseline Agreement between the California Transportation Commission, the California Department of Transportation, and the Town of Paradise for the Active Transportation Program Corresponding to Project Go Paradise: Pentz Student Pathway Project.”

2. Adopt Resolution No. 2023- ____ “A Resolution of the Town Council of the Town of Paradise Authorizing the Town Manager or his Designee to sign the Project Baseline Agreement between the California Transportation Commission, the California Department of Transportation, and the Town of Paradise for the Active Transportation Program Corresponding to Project Go Paradise: Neal Gateway Project.” (ROLL CALL VOTE)

7. COUNCIL INITIATED ITEMS AND REPORTS

- 7a. Council initiated agenda items
- 7b. Council reports on committee representation
- 7c. Future Agenda Items

8. STAFF COMMUNICATION

- 8a. Town Manager Report
 - Community Development Director

9. CLOSED SESSION - None

10. ADJOURNMENT

STATE OF CALIFORNIA) COUNTY OF BUTTE)	SS.
I declare under penalty of perjury that I am employed by the Town of Paradise in the Town Clerk's Department and that I posted this Agenda on the bulletin Board both inside and outside of Town Hall on the following date: _____	
TOWN/ASSISTANT TOWN CLERK SIGNATURE	



Town of Paradise
Council Agenda Summary
Date: April 11, 2023

Agenda Item: 1(g)

ORIGINATED BY: Colette Curtis, Recovery and Economic Development Director
REVIEWED BY: Kevin Phillips, Town Manager
SUBJECT: Monthly Recovery Update
LONG TERM RECOVERY PLAN: Yes

COUNCIL ACTION REQUESTED:

- 1. None

Background:

This report continues the Monthly Updates provided to keep the Town Council apprised of important developments related to the recovery of the Town of Paradise from the Camp Fire. Included in this update are items related to recovery projects, advocacy economic recovery and development, communications and emergency operations.

Analysis:

ECONOMC DEVELOPMENT

- Commercial Sign Removal Program
 - Application period opened January 16th, 2023.
 - 9 signs have been removed.
 - About \$80,000 remains in the budget for this program.

Business Retention and Attraction

- The Town continues to work with developers and businesses who are interested in investing in our community.
- BCAG’s updated traffic count data, which is being collected currently, will be very useful in business attraction efforts.

CDBG-DR Economic Development

- The Butte County allocation for CDBG DR Economic Development has been announced at \$18.7 million.
- The Notice of Funding Availability (NOFA) is expected to be released any day, and we will have more information on what projects will be eligible.
- In preparation, the Town is working with our regional workforce partners on potential projects.

RECOVERY

Category 4 Tree Removal Program

- We opened the program to applicants on July 25th and received 577 applicants. This represents 1,014 acres of private property across the Town.
- The assessment Phase has been completed. Nearly 11,000 standing dead trees have been identified, tagged and catalogued for review by FEMA/CalOES
- Phase 2 continues to be in Federal Environmental Review. The draft Environmental Assessment is now complete and in final review with FEMA.
- Tree cutting process would commence after full phase 2 approval of submitted tree inventory.
- We are finalizing the plan for tree removal and anticipate bringing that to council in May.

Early Warning System

- The Early Warning System was fully approved in April 2022 and a contract was awarded in July 2022.
- Our contractor has been in Paradise since March 20 and construction is continuing on multiple locations simultaneously.
- We continue to work with PG&E on power supply and expect the system to be fully operational for this upcoming fire season.

Residential Ignition Resistant Retrofit Program

- Undergoing Federal Environmental Review. The draft Environmental Assessment is now complete and in final review with FEMA.
All other Town required action items are complete.
- We made the decision to handle assessments internally utilizing one of our building inspectors.
- We are finalizing the enrollment packets and anticipate opening the program to applicants by the end of April.

Hazardous Fuels Reduction Program

- Undergoing Federal Environmental Review. The draft Environmental Assessment is now complete and in final review with FEMA.
- All other Town required action items are complete.

Defensible Space Code Enforcement

- Undergoing Federal Environmental Review. The draft Environmental Assessment is now complete and in final review with FEMA.
- All other Town required action items are complete.

COMMUNICATIONS

- TOP POP Events
 - In order to build community in Paradise during the 5th anniversary year after the Camp Fire, the Town is hosting 12 months of pop-up events around town.
 - These events are a way to help acknowledge the progress and rebuilding over the last 5 years.
 - Each month, different pop-up events will take place around town, with a local partner organization hosting the event.
 - March had two events:
 - Wildflower Giveaway with Déjà vu Nursery (rescheduled from Feb.)
 - Goat Yoga at the Paradise Grazing Festival.
- Community Relations Committee (CRC)
 - The CRC continues to meet monthly and has recently added new members representing the Gold Nugget Museum and Paradise Art Center.
 - At the last meeting, one member expressed interest in tailoring some communication to property owners who are not currently living on their property to make sure they are aware of their responsibilities (ie, regarding weed removal).
- Upcoming Recovery Events
 - Staff is planning a media event for the installation of the Early Warning System towers in April.

EMERGENCY MANAGEMENT

- A full scale EOC exercise is in the initial planning stages for June 15, 2023
 - FEMA awarded the Town a grant to assist with the planning and administration of the exercise.
 - The exercise will involve the community and cooperator agencies.
 - A months long information and education campaign will precede the exercise.
 - The Early Warning System will be utilized as part of the exercise.

Financial Impact:

None.



**TOWN OF PARADISE
Council Agenda Summary
Date: April 11, 2023**

Agenda No. 1(g)

ORIGINATED BY: Marc Mattox, Public Works Director / Town Engineer

REVIEWED BY: Kevin Phillips, Town Manager

SUBJECT: Camp Fire Recovery Updates - Infrastructure

COUNCIL ACTION REQUESTED:

1. None, written monthly update only.

Background:

This report continues the Monthly Disaster Recovery Updates provided to keep the Town Council apprised of important developments related to the recovery of the Town of Paradise from the Camp Fire.

Analysis:

Road Rehabilitation

As previously covered in related Agenda Summaries and Updates, the Town of Paradise has secured funding from both FEMA and Federal Highways Administration for the purposes of road rehabilitation associated with Camp Fire damages from the fire itself, debris removal and tree removal operations. These projects cover all Town of Paradise publicly owned and maintained roadways.

A revised paving plan has been published here:

https://www.google.com/maps/d/u/0/viewer?mid=1w-PjuvtL5rmmOj_EM-4IFaj7sV-YVRs&ll=39.763511840651375%2C-121.61120815000001&z=13

This paving plan informs residents of which roads are expected to be paved in which calendar year. The plan will be updated frequently as actual field conditions change.

The first project in this series, Skyway between Crossroads and Westchester Way is nearing full closeout, anticipated to be considered by Council in spring 2023.

The Town of Paradise has awarded and scheduled 9 miles of paving for 2023. The roads planned and tentative schedule is provided below:

Notice to Proceed April 1, 2023:

- Dean Rd
- Merrill Rd
- Stearns Rd
- Country Club
- Wagstaff Rd (Clark to Pentz)
- Bille Rd (Clark to Vista Knolls)

The below roads are slated to begin July 1, 2023.

- Sawmill Rd (Bille to Pearson)
- Elliott Rd (Ingalls to Cameron)
- Pearson Rd (Clark to Pentz)
- S Libby Rd

A Special Notice of Planned Work was distributed to property owners of the paving projects noted above with contact information.

Prior updates have noted the Town plans to pave 19 miles in 2023. The remaining 10 miles schedule are currently on hold until renewed environmental review is completed by FEMA. This second cycle of environmental review is due to the Improved Project status the project received recently. If the Town does not receive approval by FEMA within the next 60-90 days, the feasibility of remaining roads planned for 2023 will be at significant risk for postponement.

Paradise Sewer Project

Efforts for Past Month:

Previous Updates:

- The Central Valley Regional Water Quality Control Board (Regional Board) hosted meetings of the Sewer Regionalization Project Advisory Committee (SRPAC). The SRPAC last met on March 21, 2022 at the City of Chico council chambers and finalized the first draft of the Principles of Agreement (POA). The POA served as a starting point for drafting an inter- municipal agreement (IMA) between Paradise and Chico to address treatment of Paradise wastewater at the Chico Water Pollution Control Plant. Information about SRPAC meetings, including agendas and meeting minutes, are at www.paradiseseWER.com.

The 30-day appeal period for the Final EIR closed on December 8, 2022. No appeals were filed.

Presented the draft IMA to the Paradise Town Council on February 14, 2023 and the Chico City Council on February 21, 2023 for their respective consideration. Both councils approved the IMA (Town approval with direction to Town Manager to execute minor changes from Chico, Chico approval without changes). The IMA was signed by both parties.

On February 22, issued a "Request for Qualifications for an On-call Owner's Agent for the Paradise Sewer Project." The Owner's Agent will assist the Town with the design and construction phases of the Project. SOQs are due to the Town by April 3, 2023.

- The Town met with interested contractors and design teams interested in the Progressive Design Build procurement process.
- Continued RFQ phase of the procurement of an Owner's Agent.
- Continued to update the project's public website (www.paradiseseWER.com).
- Continued funding application efforts with the Federal, State and CDBG-DR.

Efforts for Next Month:

- Review SOQs for Owner's Agent due on April 3, 2023.
- Continue funding application efforts and funding due diligence.



Town of Paradise

Council Agenda Summary

Agenda Item: 1(g)

Date: March 11th, 2023

ORIGINATED BY: Tony Lindsey, Community Development
Director, Building & Code Enforcement

REVIEWED BY: Kevin Philips, Town Manager

SUBJECT: Camp Fire Recovery Updates – Code Enforcement

LONG-TERM RECOVERY PLAN: No

COUNCIL ACTION REQUESTED:

1. Code Enforcement Update

Background:

The mission of the Code Enforcement Division is to promote and maintain a safe and desirable living and working environment. We help maintain and improve the quality of our community by administering a fair and unbiased enforcement program to correct violations of municipal codes and land use requirements. We work with residents, neighborhood associations, public service agencies, and other Town departments to:

- Facilitate voluntary compliance with Town codes.
- Empower community self-help programs.
- Develop public outreach programs.
- Establish community priorities for enforcement programs.

Analysis:

Code Enforcement receives complaints of violations from staff and general community members. Each complaint is investigated and verified by our Officers.

Temporary Use Permits (TUPs) issued under Urgency Ordinance as of 3/29/2023 = 191 (Exhibit A):

- 32 – Parcels with RV Storage only (16 RVs on site)
- 159 – Parcels permitted to occupy an RV (101 currently occupied, 10 occupied sites have submitted building permit applications, and 20 are receiving rebuild assistance (TOP Housing dept, Disaster Case Managers from North Valley Catholic Social Services, Recover California, Tzu Chi)
- 14 – Accessory structures (Sheds, Shops, Non-habitable)

RV Code Enforcement activity for the reporting period Mar 4th – Mar 30th (Exhibit B):

- Occupied sites without TUPs – 28
- Occupied sites with TUP Violations – 1
- Compliance gained/RV cases closed – 1
 - 1 – Violations resolved (storage permit issued)
- Civil Abatement Cases have been forwarded to Town Attorney – 49. Twenty-eight cases have been resolved, and 21 remain eligible for action.

The Community Enhancement Outreach Team, consisting of Fire Prevention, Police, Housing, Disaster Case Managers (DCMs), and Code Enforcement staff, visited 14 RV sites. The team contacted 7 community members in March:

- 4 – tenants and did not own the property
- 10 – owner-occupied
- 0 – purchased the property post-Camp Fire
- 7 – supplied contact information to DCM staff (North Valley Catholic Social Services, Boys & Girls Club DCM's lost their funding source)

Other Code Enforcement Items:

- Abandoned Vehicle Authority abatements – 3
 - One vehicle voluntarily abated.
 - Two vehicles were Towed.
- Complaints regarding waste and refuse, zoning, building without a permit, camping, fire hazards, vehicles, vending, no garbage service, grading, etc.

Fire Prevention is built upon the philosophy of three main objectives: Education, Engineering, and Enforcement. Fire Prevention is vital in the community and our continued economic development. Our defensible space and hazardous fuel management ordinance require property owners to keep their parcels fire-safe, whether they live in Town or not. The Fire Prevention staff performs weed abatement inspections on 11,100 parcels within our community.

Escrow defensible space inspections:

March 2023

Clearance requests received – 90

Certificates issued – 70

Land Surveyor's Certifications on file – 27

First inspection compliance rate – 72%

Year to date 4/1/2022 – 4/1/2023

Clearance requests received – 941

Certificates issued – 889

Land Surveyor's Certifications on file – 224

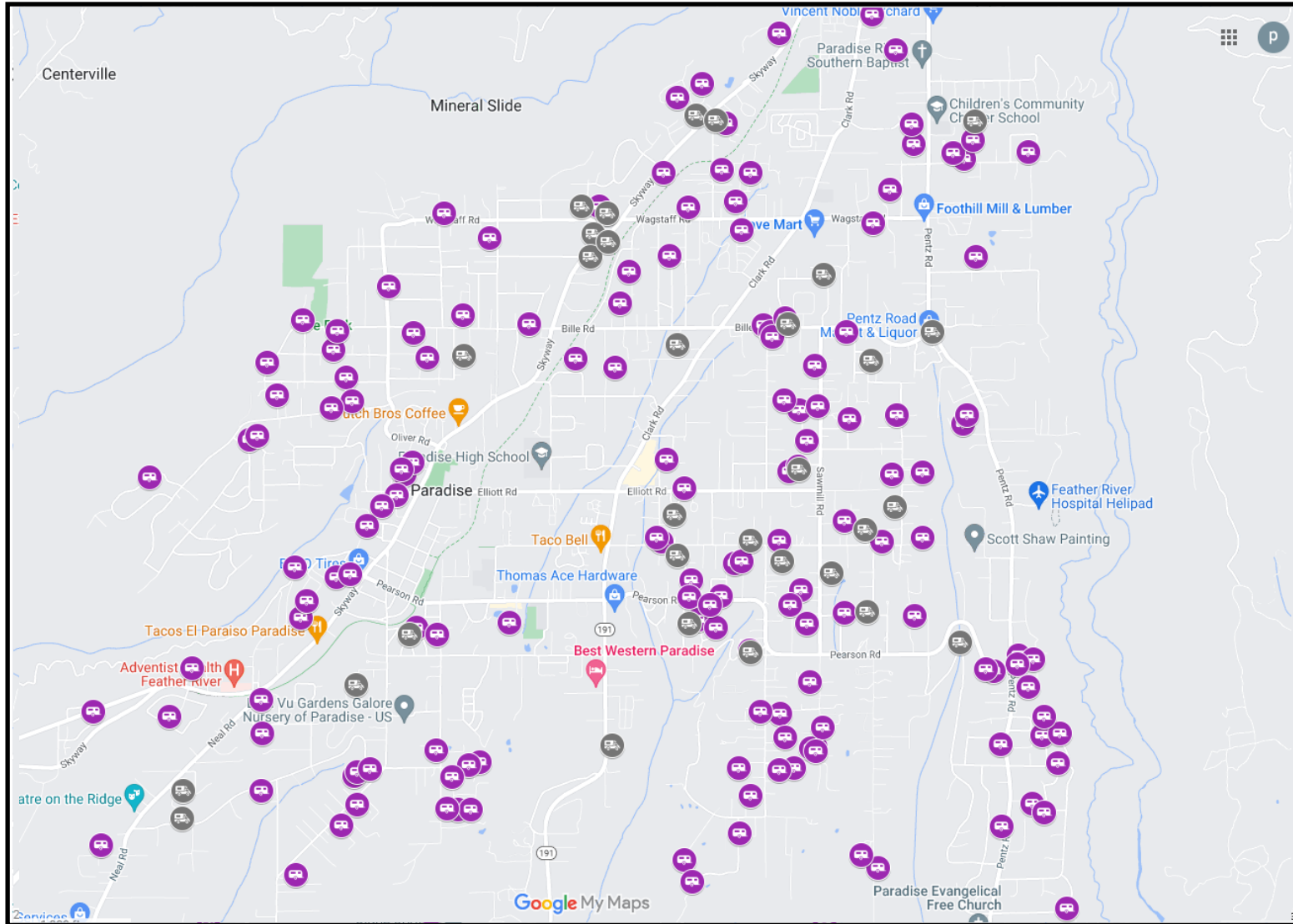
First inspection compliance rate – 68%

Town-wide Defensible Space Program inspections completed as of 3/29/2023:

- Compliant – 8,308 (approx. 72%)
- Non-compliant – 2,590 (not including active code enforcement cases)
- Code Enforcement Referrals for citation – 202 Active Code Cases
 - 14 – Commercial parcels, 188 – Residential parcels

EXHIBIT A

TUPs under ORD 612 3/31/2023



RV TUP STORAGE ONLY
32 Issued, 16 on site



RV TUP OCCUPIED
159 Issued, 101 currently occupied



Violations w/ TUP 1



RV no TUP 28



**Town of Paradise
Council Agenda Summary
Date: April 11, 2023**

Agenda Item: 1(g)

ORIGINATED BY: Kate Anderson, Housing Program Manager
REVIEWED BY: Kevin Phillips, Town Manager
SUBJECT: Housing Recovery Update
LONG TERM RECOVERY PLAN: No

COUNCIL ACTION REQUESTED:

1. None

Background:

This report provide the Town Council with an update of Housing activities. A summary of the programs, with overall interest and change from the last month, follows.

Analysis:

We have 29.94% (+0.38) of our pre-disaster housing stock to-date (1,377 surviving units + 2,220 new CofOs to-date [+45 from last month] = 3,597 habitable dwellings / 12,015 housing units before the Camp Fire). An additional 834 (+36) permits have been issued but have not received their CofO yet.

Town of Paradise Owner-Occupied Rehabilitation/Reconstruction Program (\$21 million)

- This program helps homeowners rehabilitate or reconstruct their home.
- **To-date 33 (+1) homes rebuilt, 17 (-5) under construction, 35 (-1) in the application process.**

State of California/ReCoverCA: Owner-Occupied Rehabilitation/Reconstruction Program (\$47 million across state)

- Grants of up to \$500,000 for property owners.
- **To-date 9 (+1) home rebuilt, 6 (+0) permits issued, 6 +5) home submitted for plan review.**

Town of Paradise First-Time Homebuyer Program (\$2 million)

- Helping to make home ownership more affordable by providing assistance toward the purchase price and closing costs of an owner-occupied, affordable housing unit.
- **To-date 12 (+0) homes purchased and 29 (+3) applications in process. Lots of interest from local lenders and realtors.**

Town of Paradise Septic Grant Program (\$570,000)

- Grants up to \$17,000 to assist Camp Fire survivors to repair or replace septic systems damaged or destroyed during the Camp Fire or subsequent clean-up efforts.
- **To-date 26 (-0), applications in process, 10 (+0) applications approved, 14 (+1) completed.**

CDBG-DR Multifamily Rental Housing Program (\$55 million)

- Goal is to create affordable rental housing

- Large projects (8+ units): **8 project apps received for 368 units, \$64,377,157 requested (oversubscribed); 7 projects to be funded for 290 units.**

HOME Infill New Construction (\$700,000)

- Create affordable housing for first-time homebuyers.
- Working with North Valley Housing Trust to accept land for program.
- **HCD has let us know that we received the award but this program is still suspended.**

CDBG (2022 Annual Allocation: \$107,537, unspent funds=\$288,706.03)

- Timeliness issue continues; a minimum of \$127,400.53 must be spent by May 1, 2023.
 - Skyway sidewalk project = \$40,269.51 to be spent by end of April
 - Property acquisition for affordable homeownership = \$89,410.49 to be spent by end of April
 - Public services (B&GC, Meal on Wheels and PRPD) = \$2,000 by end of April
 - Program administration = \$1,214.35 by end of April
- CV funds (separate from above) ear-marked for Economic Development = \$208,244 awarded, of which \$166,595.20 must be spent by 10/25/24.

Financial Impact:

None.



**MINUTES
PARADISE TOWN COUNCIL
SPECIAL MEETING – 4:30 PM – March 14, 2023**

1. OPENING

The Special meeting of the Paradise Town Council was called to order by Mayor Bolin at 4:32 p.m. in the Council Chambers located at 5555 Skyway, Paradise, California who led the Pledge of Allegiance to the Flag of the United States of America.

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

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Town Manager Kevin Phillips, Town Clerk/Elections Official Dina Volenski, Town Attorney Scott E. Huber, Economic Development Director Colette Curtis, Community Development Director Tony Lindsey and Information Systems Director Luis Marquez.

At 4:33 p.m. Mayor Bolin announced that the Town Council would adjourn to Closed Session for the following items:

2. CLOSED SESSION

- 2a. Pursuant to Government Code section 54956.9(d)(4), the Town Council will meet with the Town Manager and Town Attorney to consider initiation of litigation - nine (9) potential cases
- 2b. Pursuant to Government Code section 54956.9(d)(2), the Town Council will meet with the Town Manager and Town Attorney regarding potential exposure to litigation - two (2) potential cases.

After reconvening from Closed Session at 5:46 p.m., Mayor Bolin announced that no reportable action was taken, direction was given.

3. ADJOURNMENT

Mayor Bolin adjourned the Council meeting at 5:47 p.m.

Date approved:

By:

Attest:

Greg Bolin, Mayor

Dina Volenski, CMC, Town Clerk



TOWN COUNCIL Meeting Minutes

6:00 PM – March 14, 2023

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 Lassonde.

COUNCIL MEMBERS PRESENT: Steve Crowder, Steve “Woody” Culleton, Ron Lassonde, Rose Tryon and Greg Bolin, Mayor

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Town Manager Kevin Phillips, Town Attorney Scott E. Huber, Town Clerk/Elections Official Dina Volenski, Information Systems Director Luis Marquez, Community Development Director Tony Lindsey, Recovery and Economic Development Director Colette Curtis, Business and Housing Manager Kate Anderson, Capital Projects Manager David Kehn, Engineering Division Manager Ashley Stanley, Police Chief Eric Reinbold, and Fire Chief Patrick Purvis.

- 1a. Mayor Bolin presented a proclamation to Richard Abbott on behalf of the Red Cross, recognizing March as Red Cross Month. (180-40-27)
- 1b. VIP Frank Dodini presented the VIPS 2022 Annual Report (480-60-009)
- 1c. CalFire Chief Patrick Purvis presented the Town's updated Insurance Services Office (ISO) rating.
- 1d. Jim McCourt from Meeder Investments presented the Town's financial update.
- 1e. Camp Fire Recovery Updates - Written reports are included in the agenda packet. (110-60-061)

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 - Business and Housing Update

2. CONSENT CALENDAR

MOTION by Tryon, seconded by Crowder, approved consent calendar items 2a through 2f. Roll call vote was unanimous.

- 2a. Approved the Special and Regular minutes of the February 14, 2023, February 17, 2023, and March 2, 2023 Town Council meetings.
- 2b. Approved February 2023 Cash Disbursements in the amount of \$3,839,961.28. (310-10-034)
- 2c. Acknowledged receipt of and filed the Planning Commission's annual report concerning implementation status of the 1994 Paradise General Plan and Housing Element for the 2022 calendar year. (760-40-55 & 760-40-062)
- 2d. Approved changes to Residential and Fuel Reduction Burn Permits to allow burning in the Town of Paradise to begin at 6:00 a.m., taking effect on April 1st, 2023. (440-60-020, 440-05-027)
- 2e. Adopted Town of Paradise Resolution No. 2023-10, "A resolution approving Summary Vacation of an easement for road and public utility purposes being a Portion of Parcel 1 as described in that Dedication of Right of Way recorded August 26, 1948 in Book 488, page 299, Official Records of Butte County. And approving and accepting an easement for storm drainage purposes. And approving a summary vacation of an easement for storm drainage purposes as described in that Grant Deed recorded April 12, 1973, in Book 1828, at page 356, Official Records of Butte County. Said easements being over and across that real property held by The Eaglepointe Pacific Associates, a California limited partnership, being Assessor Parcel Numbers 053-380-001 through 053-380-044 and 053-380-099, commonly known as 5975 Maxwell Drive." (950-10-029)
- 2f. Adopted Resolution No. 2023-11, "A Resolution of the Town Council of the Town of Paradise Authorizing and Establishing an Order of Succession in the Event of Absence or Disability of the Town Manager." (110-10-029)

3. ITEMS REMOVED FROM CONSENT CALENDAR - None

4. PUBLIC COMMUNICATION

1. Ward Habriel applauded Public Works/Snowplow Crew's diligence during the recent storms. Mr. Habriel spoke in support of the local Garden Club and reminded residents that they will be open for their annual garden tour June 3rd-4th.
2. Rich Gowins thanked Kevin Phillips for his time as Town Manager and Director of PID. Mr. Gowins also expressed interest in Council reviewing the urgency ordinance in consideration of residents rebuilding goals.

5. PUBLIC HEARINGS

- 5a. Business and Housing Manager Kate Anderson provided an update on 2023-2024 Community Development Block Grant Annual Plan funding priorities.

Mayor Bolin opened the public hearing at 6:53 pm.

There was no public comment.

Mayor Bolin closed the public hearing at 6:54 pm.

This was the first of two public hearings to solicit comments and/or suggestions; no action was requested at the time. (710-10-103)

6. COUNCIL CONSIDERATION

- 6a. Town Manager Town Phillips presented the proposed agreement between the Town of Paradise and Marc Mattox to serve as interim Town Manager beginning April 14, 2023. Town Clerk Dina Volenski read a comment from Marc Mattox.

1. Carrie Max stated that she will miss Kevin Phillips.

MOTION by Crowder, seconded by Lassonde, Approved an agreement between the Town of Paradise and Marc Mattox to serve as interim Town Manager beginning April 14, 2023. Roll call vote was unanimous. (510-20-371)

- 6b. Recovery and Economic Development Director Colette Curtis provided an update on the proposed Federal Advocacy Platform.

MOTION by Tryon, seconded by Lassonde, Approved the updated Federal Advocacy Platform. Roll call vote was unanimous. (550-30-001)

- 6c. Community Development Director Susan Hartman provided an overview of the proposed agreements for on-call services for post-fire rebuilding assistance. Ms. Hartman clarified that the selected consultants would not be guaranteed work.

MOTION by Culleton, seconded by Crowder 1. Authorized staff to enter negotiations with recommended consultant(s) for as-needed post-fire rebuilding assistance (Community Development Dept. staff augmentation); and, 2. Authorized the Town Manager to enter into an agreement (or multiple agreements). The agreement(s) will be executed in a form approved by the Town Attorney. Roll call vote was unanimous. (510-20-372)

- 6d. Engineering Division Manager Ashley Stanley provided an overview of the proposed summary vacation.

MOTION by Lassonde, seconded by Culleton, Adopted Town of Paradise Resolution No. 2023-12, "A Resolution of the Town Council of the Town of Paradise Providing for the Summary Vacation of the Existing 12-foot-wide

Public Utility Easement along the South Property Line of Lot 8 of the Rancho Estates Subdivision and Located at 1525 Forest Circle, Paradise California: APN 050-320-009.” Roll call vote was unanimous. (950-10-030)

- 6e. Town Attorney Scott Huber provided an overview of the proposed resolution proclaiming the existence of a local emergency due to the recent snow storms.

MOTION by Culleton, seconded by Tryon, Adopted Resolution No. 2023-13, "A Resolution of the Town Council of the Town of Paradise Proclaiming the Existence of a Local Emergency." Roll call vote was unanimous. (420-50-054)

7. COUNCIL INITIATED ITEMS AND REPORTS

- 7a. Council initiated agenda items:

- 7a1. Discuss expiring Urgency Ordinance No. 612. (CULLETON)

- 7a2. Discuss residential zoning to allow storage on property. (CULLETON)

Council Member Culleton asked to table items 7a1 and 7a2 in lieu of a Special Meeting be to held Friday, March 17th at 11:00 am. All Council concurred.

- 7b. Council reports on committee representation:

Council Member Lassonde attended a Tourism Business Improvement District meeting.

Council Member Crowder met with and toured Paradise with the Press Democrat for an article on Adventist Health.

Vice Mayor Tryon attended the TOP/PID Liaison meeting; a Community Meeting hosted by the Paradise Police to discuss the possible location of a sexually violent predator in the Town of Paradise; a BCAG board meeting and shared that the Town of Paradise was granted over \$240,000 for the downtown sewer zoning overlay and the BCAG is continuing their work on the Paradise Transit Center; Butte County Air Management Board budget and finance committee meeting; and a Solid Waste Management Committee meeting. Ms. Tryon also shared that the recycling center will continue to be open Wednesday through Saturday and the Green Waste Yard is open Friday and Saturday.

Council Member Culleton attended the Solid Waste Management Committee meeting and a Consortium of Care meeting.

Mayor Bolin met with SPI over the lawsuit concerning the use of fire retardant; and attended the monthly LAFCo meeting.

- 7c. Future Agenda Items - None

8. STAFF COMMUNICATION

- 8a. Town Manager Kevin Phillips reported that the Town has partnered with PRPD and the Buffer Zone Project to use the California Resiliency Challenge Grant that Paradise was awarded last year. The contractors for this project have finished the actuarial and are now moving into the Executive Summary stage. Mr. Phillips explained that the next steps include meeting with the Department of California Insurance to update their regulations to allow insurance companies to take the mitigated risks of the buffer zones, hardened homes and maintained areas in Town, into consideration for insurance premiums. Town Manager Phillips presented to the Paradise Rotary an update on the Town's current projects.

Community Development Director Susan Hartman provided an update sharing that the Planning Commission approved two affordable housing projects. The Community Development Department (CDD) has received an application for a use permit to rebuild and expand County Club Market on the corner of Stearns and Pentz. CDD is scheduled to issue permits for a 43-unit affordable housing complex on Maxwell Drive. Rebuild Paradise Foundation is working to get their Master Plans updated with the new code cycle to begin updating their online Master Plan Library. The façade and sign design for the Ross retail store has been approved. The Community Development Department is also working on preparing residential landscape designs for free for the public. Staff has also been working with Jack in the Box to locate a site to purchase and rebuild.

9. CLOSED SESSION - None

10. ADJOURNMENT

Mayor Bolin adjourned the meeting at 7:38 p.m.

Date approved:

By:

Attest:

Greg Bolin, Mayor

Dina Volenski, CMC, Town Clerk



**MINUTES
PARADISE TOWN COUNCIL
SPECIAL MEETING – 10:30 AM – March 17, 2023**

1. OPENING

The Special meeting of the Paradise Town Council was called to order by Mayor Bolin at 10:30 a.m. in the Council Chambers located at 5555 Skyway, Paradise, California who led the Pledge of Allegiance to the Flag of the United States of America.

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

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Town Manager Kevin Phillips, Town Clerk/Elections Official Dina Volenski, Town Attorney Scott E. Huber (via Teams), Economic Development Director Colette Curtis, and Community Development Director Tony Lindsey.

At 10:32 a.m. Mayor Bolin announced that the Town Council would adjourn to Closed Session for the following items:

Town Manager Phillips stated that agenda item 2b had been resolved and would not be discussed in Closed Session.

2. CLOSED SESSION

- 2a. Pursuant to Government Code section 54956.9(d)(4), the Town Council will meet with the Town Manager and Town Attorney to consider initiation of litigation - one (1) potential case.
- 2b. Pursuant to Government Code section 54956.9(d)(2), the Town Council will meet with the Town Manager and Town Attorney regarding potential exposure to litigation – one (1) potential case.

After reconvening from Closed Session at 11:01 a.m., Mayor Bolin announced that no reportable action was taken, direction was given.

3. ADJOURNMENT

Mayor Bolin adjourned the Council meeting at 11:01 a.m.

Date approved:

By:

Attest:

Greg Bolin, Mayor

Dina Volenski, CMC, Town Clerk



**MINUTES
PARADISE TOWN COUNCIL
SPECIAL MEETING – 11:00 PM – March 17, 2023**

1. OPENING

The Special meeting of the Paradise Town Council was called to order by Mayor Bolin at 11:01 p.m. in the Council Chambers located at 5555 Skyway, Paradise, California who led the Pledge of Allegiance to the Flag of the United States of America.

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

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Town Manager Kevin Phillips, Town Clerk/Elections Official Dina Volenski, Town Attorney Scott E. Huber (via Teams), Recovery and Economic Development Director Colette Curtis, Community Development Director Susan Hartman, Community Development Director Tony Lindsey, Code Enforcement Supervisor Roy Wallis, and Code Enforcement Officer Chris Kruger.

2. COUNCIL CONSIDERATION

- 2a. After discussion, consider waiving the reading of entire Town of Paradise Urgency Ordinance No. 624, and adopting Town of Paradise Urgency Ordinance No. 624, “An Urgency Ordinance of the Town Council of the Town of Paradise Amending Urgency Ordinance No. 612 and adopting New Urgency Ordinance 624 Relating to Interim Housing, Accessory Building(s) and Unoccupied Recreational Vehicles Inside the Camp Fire Area”.

Council Member Culleton stated that he asked that this item be discussed prior to the expiration of the ordinance.

Town Council provided an overview of the proposed Urgency Ordinance No. 624, relating to interim housing, accessory building(s) and unoccupied recreational vehicles inside the Camp Fire Area.

Mayor Bolin read a statement regarding the urgency ordinance, hoping that the Town Council would adopt:

“To give temporary use permit holders more time, and to comply with the Town’s Housing Element, Paradise Town Council has extended the expiration of the Housing Urgency Ordinance to April 30, 2024. The Town will continue working in cooperation with each permit holder to rebuild or find permanent housing.”

Mayor Bolin opened discussion on the item:

1. Carrie Max spoke in favor of this item.
2. Rona Coyle asked how the Town informed residents that a permit was needed to stay in RV's and shared that she thought ending the urgency ordinance would negatively affect businesses in Paradise.
3. David Breed spoke in favor of this item.
4. Franci Lamb asked the purpose of the ordinance and supported allowing the storage of the RV's on undeveloped property.
5. Jorge Acosta spoke in favor of this item.
6. Annie Westerbeck spoke in favor of this item.

Motion by Culleton, seconded by Tryon, Waived the reading of entire Town of Paradise Urgency Ordinance No. 624, and adopted Town of Paradise Urgency Ordinance No. 624, "An Urgency Ordinance of the Town Council of the Town of Paradise Amending Urgency Ordinance No. 612 and adopting New Urgency Ordinance 624 Relating to Interim Housing, Accessory Building(s) and Unoccupied Recreational Vehicles Inside the Camp Fire Area". Roll call vote was unanimous. The urgency ordinance is effective immediately.

3. ADJOURNMENT

Mayor Bolin adjourned the Council meeting at 11:24 p.m.

Date approved:

By:

Attest:

Greg Bolin, Mayor

Dina Volenski, CMC, Town Clerk

TOWN OF PARADISE

CASH DISBURSEMENTS REPORT

FOR THE PERIOD OF
March 1, 2023 - March 31, 2023



CASH DISBURSEMENTS REPORT
March 1, 2023 - March 31, 2023

Check Date	Pay Period End	Description	Amount	Total
3/3/2023	2/26/2023	Net Payroll - Direct Deposits and Checks	\$ 226,808.40	
3/8/2023	3/8/2023	Net Payroll - Direct Deposits and Checks	1,852.48	
3/17/2023	3/12/2023	Net Payroll - Direct Deposits and Checks	216,339.28	
3/23/2023	3/23/2023	Net Payroll - Direct Deposits and Checks	11,221.58	
3/31/2023	3/26/2023	Net Payroll - Direct Deposits and Checks	<u>216,308.44</u>	
				\$ 672,530.18
 Accounts Payable				
		Payroll Vendors: Taxes, PERS, Dues, Insurance, Etc.	385,837.61	
		Operations Vendors: Supplies, Contracts, Utilities, Etc.	<u>\$ 3,749,131.95</u>	
		TOTAL CASH DISBURSEMENTS ACCOUNTS PAYABLE		<u>4,134,969.56</u>
		GRAND TOTAL CASH DISBURSEMENTS		<u><u>\$ 4,807,499.74</u></u>

APPROVED BY: _____
 Kevin Phillips, Town Manager

TOWN OF PARADISE
Payment Register

From Payment Date: 3/1/2023 - To Payment Date: 3/31/2023

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
AP - US Bank TOP AP Checking									
<u>Check</u>									
82904	03/02/2023	Open			Accounts Payable	De Lage Landen Public Finance LLC	\$781.25		
82905	03/02/2023	Open			Accounts Payable	SBA Monarch Towers III LLC	\$173.16		
82906	03/07/2023	Open			Accounts Payable	ICMA 457 - MissionSquare	\$2,952.08		
82907	03/07/2023	Open			Accounts Payable	STATE DISBURSEMENT UNIT	\$194.76		
82908	03/09/2023	Open			Accounts Payable	ADVANCED DOCUMENT CONCEPTS	\$310.00		
82909	03/09/2023	Open			Accounts Payable	Aiello, Diane	\$104.22		
82910	03/09/2023	Open			Accounts Payable	All-American Construction, Inc.	\$202,882.19		
82911	03/09/2023	Open			Accounts Payable	American River Benefit Administrators	\$16.80		
82912	03/09/2023	Open			Accounts Payable	AT&T & CALNET3 - CIRCUIT LINES	\$110.79		
82913	03/09/2023	Open			Accounts Payable	AT&T MOBILITY	\$176.55		
82914	03/09/2023	Open			Accounts Payable	AT&T MOBILITY	\$89.46		
82915	03/09/2023	Open			Accounts Payable	AT&T/CALNET3 - REPEATER LINES	\$212.09		
82916	03/09/2023	Open			Accounts Payable	AT&T/CALNET3 - COMMUNITY PARK	\$22.82		
82917	03/09/2023	Open			Accounts Payable	AT&T/CALNET3 - Summary	\$2,144.45		
82918	03/09/2023	Open			Accounts Payable	AT&T/CALNET3 - Summary	\$23.77		
82919	03/09/2023	Open			Accounts Payable	AT&T/CALNET3 - TH/FDPD FIBER LINES	\$1,138.44		
82920	03/09/2023	Open			Accounts Payable	Azco Supply Inc	\$431.00		
82921	03/09/2023	Open			Accounts Payable	Batteries Plus Bulbs	\$94.11		
82922	03/09/2023	Open			Accounts Payable	Big O Tires	\$140.00		
82923	03/09/2023	Open			Accounts Payable	Biometrics4ALL, Inc	\$27.75		
82924	03/09/2023	Open			Accounts Payable	Blue Flamingo Marketing Advocates	\$14,239.96		
82925	03/09/2023	Open			Accounts Payable	Broad & Gusman	\$4,000.00		
82926	03/09/2023	Open			Accounts Payable	BUTTE CO RECORDER	\$670.50		
82927	03/09/2023	Open			Accounts Payable	COMCAST CABLE	\$406.40		
82928	03/09/2023	Open			Accounts Payable	COMCAST CABLE	\$416.40		
82929	03/09/2023	Open			Accounts Payable	Crowder, Steven	\$1,500.00		
82930	03/09/2023	Open			Accounts Payable	Daniel, Joseph	\$174.97		
82931	03/09/2023	Open			Accounts Payable	Dirt to Doorknobs	\$29,711.00		
82932	03/09/2023	Open			Accounts Payable	DOBRICH & SONS SEPTIC	\$1,092.50		
82933	03/09/2023	Open			Accounts Payable	Dokken Engineering, Inc.	\$15,961.24		
82934	03/09/2023	Open			Accounts Payable	DURHAM PENTZ TRUCK CENTER	\$62.43		
82935	03/09/2023	Open			Accounts Payable	Eidhammer, Trenton	\$30.00		
82936	03/09/2023	Open			Accounts Payable	ENLOE MEDICAL CENTER, INC.	\$714.00		
82937	03/09/2023	Open			Accounts Payable	ENTENMANN-ROVIN COMPANY	\$314.35		
82938	03/09/2023	Open			Accounts Payable	ENTERPRISE FM TRUST	\$2,558.33		
82939	03/09/2023	Open			Accounts Payable	ESRI	\$1,200.00		
82940	03/09/2023	Open			Accounts Payable	EVERGREEN JANITORIAL SUPPLY, INC.	\$98.92		
82941	03/09/2023	Open			Accounts Payable	FLORES TOOL & FASTENER	\$195.49		
82942	03/09/2023	Open			Accounts Payable	GOVERNOR'S OFFICE OF EMERGENCY SERVICES	\$200.00		
82943	03/09/2023	Open			Accounts Payable	GREAT AMERICA LEASING CORP.	\$145.47		
82944	03/09/2023	Open			Accounts Payable	GREEN RIDGE LANDSCAPING	\$5,296.00		
82945	03/09/2023	Open			Accounts Payable	Hope Crisis Response Network, Inc	\$47,600.00		
82946	03/09/2023	Open			Accounts Payable	HQE Systems, Inc.	\$191,062.69		
82947	03/09/2023	Open			Accounts Payable	HYDROTEC SOLUTIONS	\$160.00		
82948	03/09/2023	Open			Accounts Payable	I.M.P.A.C. PAYMENTS IMPAC GOV SVCS/US BANCORP	\$19,277.53		
82949	03/09/2023	Open			Accounts Payable	JOHNNY ON THE SPOT PORTABLES	\$186.45		
82950	03/09/2023	Open			Accounts Payable	KNIFE RIVER CONSTRUCTION	\$1,023,151.51		

TOWN OF PARADISE
Payment Register

From Payment Date: 3/1/2023 - To Payment Date: 3/31/2023

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
AP - US Bank TOP AP Checking									
<u>Check</u>									
82951	03/09/2023	Open			Accounts Payable	KOEFRAIN INDUSTRIES	\$1,200.00		
82952	03/09/2023	Open			Accounts Payable	L.N. CURTIS & SONS	\$4,935.14		
82953	03/09/2023	Open			Accounts Payable	LIFE ASSIST INC	\$164.86		
82954	03/09/2023	Open			Accounts Payable	Look Ahead Veterinary Services	\$820.90		
82955	03/09/2023	Open			Accounts Payable	Mark Thomas & Company Inc	\$14,933.47		
82956	03/09/2023	Open			Accounts Payable	Mennonite Disaster Service	\$24,000.00		
82957	03/09/2023	Open			Accounts Payable	Mennonite Disaster Service	\$13,977.00		
82958	03/09/2023	Open			Accounts Payable	Meyers Police K-9 Training, LLC	\$2,800.00		
82959	03/09/2023	Open			Accounts Payable	MID VALLEY TITLE & ESCROW	\$511.00		
82960	03/09/2023	Open			Accounts Payable	MORGAN TREE SERVICE	\$6,700.00		
82961	03/09/2023	Open			Accounts Payable	NORTHERN RECYCLING & WASTE SERVICES, INC.	\$2,327.13		
82962	03/09/2023	Open			Accounts Payable	NORTHSTAR	\$420.00		
82963	03/09/2023	Open			Accounts Payable	NORTHSTATE AGGREGATE, INC.	\$641.12		
82964	03/09/2023	Open			Accounts Payable	O'REILLY AUTO PARTS	\$6,299.78		
82965	03/09/2023	Open			Accounts Payable	OFFICE DEPOT ACCT#36233169	\$1,233.60		
82966	03/09/2023	Open			Accounts Payable	OROVILLE FORD	\$917.66		
82967	03/09/2023	Open			Accounts Payable	Oroville Hospital	\$690.00		
82968	03/09/2023	Open			Accounts Payable	PACIFIC GAS & ELECTRIC	\$1,097.98		
82969	03/09/2023	Open			Accounts Payable	PARADISE AUTO BODY	\$1,124.30		
82970	03/09/2023	Open			Accounts Payable	PARADISE POST	\$90.02		
82971	03/09/2023	Open			Accounts Payable	PARADISE SANITATION COMPANY	\$7,500.00		
82972	03/09/2023	Open			Accounts Payable	PETERSON TRACTOR CO	\$68.75		
82973	03/09/2023	Open			Accounts Payable	PICKERING, ROBERT	\$15.00		
82974	03/09/2023	Open			Accounts Payable	PLATT ELECTRIC SUPPLY	\$195.46		
82975	03/09/2023	Open			Accounts Payable	Psomas	\$112.46		
82976	03/09/2023	Open			Accounts Payable	Psomas	\$18,918.65		
82977	03/09/2023	Open			Accounts Payable	Psomas	\$18,692.52		
82978	03/09/2023	Open			Accounts Payable	Psomas	\$26,543.70		
82979	03/09/2023	Open			Accounts Payable	Psomas	\$17,151.97		
82980	03/09/2023	Open			Accounts Payable	RE CONSTRUCTION	\$1,700.00		
82981	03/09/2023	Open			Accounts Payable	RE CONSTRUCTION	\$1,670.00		
82982	03/09/2023	Open			Accounts Payable	Richardson & Company, LLP	\$2,500.00		
82983	03/09/2023	Open			Accounts Payable	Sadbouy, Sima	\$104.22		
82984	03/09/2023	Open			Accounts Payable	Spherion Staffing	\$1,512.00		
82985	03/09/2023	Open			Accounts Payable	SUTTER BUTTES COMMUNICATIONS, INC.	\$34,526.16		
82986	03/09/2023	Open			Accounts Payable	T & L Construction	\$2,800.00		
82987	03/09/2023	Open			Accounts Payable	T & L Construction	\$750.00		
82988	03/09/2023	Open			Accounts Payable	T & L Construction	\$3,500.00		
82989	03/09/2023	Open			Accounts Payable	T MOBILE USA, INC.	\$1,558.47		
82990	03/09/2023	Open			Accounts Payable	Tatom, Tyler, S	\$45.00		
82991	03/09/2023	Open			Accounts Payable	THOMAS ACE HARDWARE - ENG. DEPT.	\$625.21		
82992	03/09/2023	Open			Accounts Payable	THOMAS ACE HARDWARE - FIRE DEPT.	\$184.04		
82993	03/09/2023	Open			Accounts Payable	TUCKER PEST CONTROL INC	\$90.00		
82994	03/09/2023	Open			Accounts Payable	VALLEY OAK VETERINARY CENTER	\$292.58		
82995	03/09/2023	Open			Accounts Payable	Wayne A. Murphy General Contractor	\$36,500.00		
82996	03/09/2023	Open			Accounts Payable	White Glove Cleaning Svc Inc, Theresa Contreras	\$5,610.00		
82997	03/09/2023	Open			Accounts Payable	WITTMIEIER AUTO CENTER	\$146.35		

TOWN OF PARADISE
Payment Register

From Payment Date: 3/1/2023 - To Payment Date: 3/31/2023

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
AP - US Bank TOP AP Checking									
<u>Check</u>									
82998	03/09/2023	Open			Accounts Payable	YOWZERS.COM	\$150.85		
82999	03/16/2023	Open			Accounts Payable	Aflac	\$57.98		
83000	03/16/2023	Open			Accounts Payable	Met Life	\$11,462.93		
83001	03/16/2023	Open			Accounts Payable	OPERATING ENGINEERS	\$1,071.00		
83002	03/16/2023	Open			Accounts Payable	PARADISE POLICE OFFICERS ASSOCIATION	\$1,820.96		
83003	03/16/2023	Open			Accounts Payable	SUN LIFE INSURANCE	\$7,015.90		
83004	03/16/2023	Open			Accounts Payable	SUPERIOR VISION SVC NGLIC	\$852.09		
83005	03/16/2023	Open			Accounts Payable	TOP CONFIDENTIAL MID MGMT ASSOCIATION	\$80.00		
83006	03/21/2023	Open			Accounts Payable	ICMA 457 - MissionSquare	\$3,452.08		
83007	03/21/2023	Open			Accounts Payable	STATE DISBURSEMENT UNIT	\$194.76		
83008	03/23/2023	Open			Accounts Payable	4LEAF, Inc	\$26,340.00		
83009	03/23/2023	Open			Accounts Payable	ACCELA, INC.	\$30,000.00		
83010	03/23/2023	Open			Accounts Payable	ACCESS INFORMATION PROTECTED	\$237.75		
83011	03/23/2023	Open			Accounts Payable	Adams Ashby Group, Inc.	\$53,700.00		
83012	03/23/2023	Open			Accounts Payable	ADVANCED DOCUMENT CONCEPTS	\$18.85		
83013	03/23/2023	Open			Accounts Payable	ALLIANT INSURANCE	\$2,331.00		
83014	03/23/2023	Open			Accounts Payable	AT&T & CALNET3 - CIRCUIT LINES	\$859.90		
83015	03/23/2023	Open			Accounts Payable	AT&T & CALNET3 - CIRCUIT LINES	\$110.79		
83016	03/23/2023	Open			Accounts Payable	AT&T MOBILITY	\$69.55		
83017	03/23/2023	Open			Accounts Payable	AT&T/CALNET3 - REPEATER LINES	\$212.09		
83018	03/23/2023	Open			Accounts Payable	AT&T/CALNET3 - COMMUNITY PARK	\$22.82		
83019	03/23/2023	Open			Accounts Payable	AT&T/CALNET3 - Summary	\$1,998.34		
83020	03/23/2023	Open			Accounts Payable	AT&T/CALNET3 - Summary	\$23.94		
83021	03/23/2023	Open			Accounts Payable	AT&T/CALNET3 - TH/FDPD FIBER LINES	\$1,138.44		
83022	03/23/2023	Open			Accounts Payable	AWARDS COMPANY	\$30.57		
83023	03/23/2023	Open			Accounts Payable	BIDWELL TITLE & ESCROW	\$175.00		
83024	03/23/2023	Open			Accounts Payable	BIDWELL TITLE & ESCROW	\$175.00		
83025	03/23/2023	Open			Accounts Payable	Big O Tires	\$447.57		
83026	03/23/2023	Open			Accounts Payable	Bob Walters Jr. Construction Inc.	\$98,075.00		
83027	03/23/2023	Open			Accounts Payable	BUTTE CO DISTRICT ATTORNEY	\$5,000.00		
83028	03/23/2023	Open			Accounts Payable	Butte Co Public Health	\$6,374.65		
83029	03/23/2023	Open			Accounts Payable	BUTTE COMMUNITY COLLEGE	\$1,918.54		
83030	03/23/2023	Open			Accounts Payable	CALIFORNIA STATE DEPARTMENT OF JUSTICE	\$826.00		
83031	03/23/2023	Open			Accounts Payable	Chico Meals on Wheels	\$2,000.00		
83032	03/23/2023	Open			Accounts Payable	COMCAST CABLE	\$401.40		
83033	03/23/2023	Open			Accounts Payable	COMCAST CABLE	\$421.40		
83034	03/23/2023	Open			Accounts Payable	COMCAST CABLE	\$148.40		
83035	03/23/2023	Open			Accounts Payable	CRAIG DREBERTS AUTOMOTIVE	\$6,200.00		
83036	03/23/2023	Open			Accounts Payable	Creative Composition Inc	\$785.80		
83037	03/23/2023	Open			Accounts Payable	DEPARTMENT OF FORESTRY & FIRE PROTECTION	\$1,167,123.72		
83038	03/23/2023	Open			Accounts Payable	DOGGIE WALK BAGS, INC.	\$259.31		
83039	03/23/2023	Open			Accounts Payable	Dokken Engineering, Inc.	\$8,239.93		
83040	03/23/2023	Open			Accounts Payable	ENTENMANN-ROVIN COMPANY	\$216.88		
83041	03/23/2023	Open			Accounts Payable	Entersect	\$109.95		
83042	03/23/2023	Open			Accounts Payable	Escherman Construction Company	\$36,781.83		
83043	03/23/2023	Open			Accounts Payable	FEATHER RIVER CONSTRUCTION	\$1,500.00		
83044	03/23/2023	Open			Accounts Payable	Flud, Michael	\$379.50		

TOWN OF PARADISE
Payment Register

From Payment Date: 3/1/2023 - To Payment Date: 3/31/2023

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
AP - US Bank TOP AP Checking									
<u>Check</u>									
83045	03/23/2023	Open			Accounts Payable	FOOTHILL MILL & LUMBER	\$501.57		
83046	03/23/2023	Open			Accounts Payable	Golden State Emergency Vehicle Service, Inc.	\$1,179.70		
83047	03/23/2023	Open			Accounts Payable	Granicher Appraisals, Inc	\$400.00		
83048	03/23/2023	Open			Accounts Payable	GREAT AMERICA LEASING CORP.	\$129.31		
83049	03/23/2023	Open			Accounts Payable	HDR Engineering, Inc	\$22,692.50		
83050	03/23/2023	Open			Accounts Payable	HDR Engineering, Inc	\$36,880.05		
83051	03/23/2023	Open			Accounts Payable	Huggins, Jeannette	\$117.12		
83052	03/23/2023	Open			Accounts Payable	I.M.P.A.C. PAYMENTS IMPAC GOV SVCS/US BANCORP	\$16,172.02		
83053	03/23/2023	Open			Accounts Payable	INTERSTATE OIL COMPANY	\$362.70		
83054	03/23/2023	Open			Accounts Payable	Jennifer Arbuckle	\$6,250.00		
83055	03/23/2023	Open			Accounts Payable	Kevin Sharrah Designs	\$1,222.35		
83056	03/23/2023	Open			Accounts Payable	LEHR AUTO ELECTRIC STOMMEL, INC.	\$32,990.32		
83057	03/23/2023	Open			Accounts Payable	LES SCHWAB TIRE CENTER - MOTORPOOL	\$229.93		
83058	03/23/2023	Open			Accounts Payable	LIFE ASSIST INC	\$625.75		
83059	03/23/2023	Open			Accounts Payable	LOCATE PLUS CORPORATION	\$25.00		
83060	03/23/2023	Open			Accounts Payable	Mark Thomas & Company Inc	\$2,939.29		
83061	03/23/2023	Open			Accounts Payable	MID VALLEY TITLE & ESCROW	\$89,410.49		
83062	03/23/2023	Open			Accounts Payable	Midwest Veterinary Supply, Inc	\$3.87		
83063	03/23/2023	Open			Accounts Payable	MILLER GLASS INC	\$446.63		
83064	03/23/2023	Open			Accounts Payable	MORGAN TREE SERVICE	\$1,700.00		
83065	03/23/2023	Open			Accounts Payable	MOTOROLA	\$138.44		
83066	03/23/2023	Open			Accounts Payable	MUNIMETRIX SYSTEMS CORP	\$39.99		
83067	03/23/2023	Open			Accounts Payable	NICOLETTI, CHRISTOPHER	\$1,350.46		
83068	03/23/2023	Open			Accounts Payable	Nor-Cal Integrated Builders	\$30,000.00		
83069	03/23/2023	Open			Accounts Payable	North State Tire Co. Inc.	\$3,263.99		
83070	03/23/2023	Open			Accounts Payable	Northern California Glove & Safety	\$44.07		
83071	03/23/2023	Open			Accounts Payable	NORTHGATE PETROLEUM CO	\$17,744.68		
83072	03/23/2023	Open			Accounts Payable	NORTHSTAR	\$3,455.00		
83073	03/23/2023	Open			Accounts Payable	NorthWestern Construction	\$3,600.00		
83074	03/23/2023	Open			Accounts Payable	NV5, Inc.	\$1,860.00		
83075	03/23/2023	Open			Accounts Payable	NV5, Inc.	\$3,877.09		
83076	03/23/2023	Open			Accounts Payable	O'REILLY AUTO PARTS	\$741.15		
83077	03/23/2023	Open			Accounts Payable	OFFICE DEPOT ACCT#36233169	\$183.87		
83078	03/23/2023	Open			Accounts Payable	OROVILLE FORD	\$479.99		
83079	03/23/2023	Open			Accounts Payable	Oroville Tow & Salvage	\$1,670.00		
83080	03/23/2023	Open			Accounts Payable	PACIFIC GAS & ELECTRIC	\$19,337.66		
83081	03/23/2023	Open			Accounts Payable	PARADISE ALLIANCE CHURCH	\$120.00		
83082	03/23/2023	Open			Accounts Payable	PG&E CFM/PPC Department	\$9,226.04		
83083	03/23/2023	Open			Accounts Payable	PG&E CFM/PPC Department	\$3,033.69		
83084	03/23/2023	Open			Accounts Payable	PG&E CFM/PPC Department	\$5,753.03		
83085	03/23/2023	Open			Accounts Payable	PG&E CFM/PPC Department	\$17,470.65		
83086	03/23/2023	Open			Accounts Payable	PG&E CFM/PPC Department	\$8,225.87		
83087	03/23/2023	Open			Accounts Payable	PG&E CFM/PPC Department	\$5,221.78		
83088	03/23/2023	Open			Accounts Payable	PG&E CFM/PPC Department	\$12,230.37		
83089	03/23/2023	Open			Accounts Payable	PG&E CFM/PPC Department	\$11,369.71		
83090	03/23/2023	Open			Accounts Payable	PG&E CFM/PPC Department	\$10,866.71		
83091	03/23/2023	Open			Accounts Payable	PG&E CFM/PPC Department	\$13,306.27		

TOWN OF PARADISE
Payment Register

From Payment Date: 3/1/2023 - To Payment Date: 3/31/2023

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
AP - US Bank TOP AP Checking									
<u>Check</u>									
83092	03/23/2023	Open			Accounts Payable	PG&E CFM/PPC Department	\$6,001.10		
83093	03/23/2023	Open			Accounts Payable	PG&E CFM/PPC Department	\$10,488.21		
83094	03/23/2023	Open			Accounts Payable	PG&E CFM/PPC Department	\$9,825.61		
83095	03/23/2023	Open			Accounts Payable	Premeir Solar Energy	\$254.40		
83096	03/23/2023	Open			Accounts Payable	RegasGroup Environmental Consultants	\$635.00		
83097	03/23/2023	Open			Accounts Payable	RENTAL GUYS - CHICO	\$809.00		
83098	03/23/2023	Open			Accounts Payable	Sigler Pest Control	\$50.00		
83099	03/23/2023	Open			Accounts Payable	SKYWAY TOOL CENTER	\$418.25		
83100	03/23/2023	Open			Accounts Payable	SONSRAY MACHINERY LLC	\$282.87		
83101	03/23/2023	Open			Accounts Payable	Spherion Staffing	\$2,936.26		
83102	03/23/2023	Open			Accounts Payable	SRM General Contracting	\$4,842.00		
83103	03/23/2023	Open			Accounts Payable	Tahoe Pure Water Co.	\$54.00		
83104	03/23/2023	Open			Accounts Payable	THOMAS ACE HARDWARE - ENG. DEPT.	\$321.53		
83105	03/23/2023	Open			Accounts Payable	THOMAS ACE HARDWARE - FIRE DEPT.	\$104.23		
83106	03/23/2023	Open			Accounts Payable	THOMAS ACE HARDWARE - MOTORPOOL	\$45.72		
83107	03/23/2023	Open			Accounts Payable	THOMAS ACE HARDWARE - POLICE DEPT.	\$81.51		
83108	03/23/2023	Open			Accounts Payable	THRIFTY ROOTER	\$220.00		
83109	03/23/2023	Open			Accounts Payable	Tri Flame Propane	\$898.05		
83110	03/23/2023	Open			Accounts Payable	TUCKER PEST CONTROL INC	\$38.00		
83111	03/23/2023	Open			Accounts Payable	Valley Lock & Safe	\$219.76		
83112	03/23/2023	Open			Accounts Payable	Vannucci, Dominic	\$408.25		
83113	03/23/2023	Open			Accounts Payable	VERIZON WIRELESS	\$1,147.50		
83114	03/23/2023	Open			Accounts Payable	VERIZON WIRELESS	\$247.32		
83115	03/23/2023	Open			Accounts Payable	VERIZON WIRELESS	\$342.09		
83116	03/23/2023	Open			Accounts Payable	Williams Scotsman, Inc. (Mobile Mini)	\$475.93		
83117	03/23/2023	Open			Accounts Payable	WITTMEIER AUTO CENTER	\$1,574.95		
83118	03/23/2023	Open			Accounts Payable	X-Ray Engineering, Inc	\$1,550.00		
Type Check Totals:									
					215 Transactions		\$3,764,621.45		
<u>EFT</u>									
1400	03/01/2023	Open			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$11,790.38		
1401	03/01/2023	Open			Accounts Payable	INTERNAL REVENUE SERVICE	\$40,961.03		
1402	03/07/2023	Open			Accounts Payable	CALPERS - RETIREMENT	\$52,496.84		
1403	03/07/2023	Open			Accounts Payable	ING LIFE INS & ANNUITY COMPANY	\$8,800.76		
1404	03/09/2023	Open			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$77.84		
1405	03/09/2023	Open			Accounts Payable	INTERNAL REVENUE SERVICE	\$333.67		
1406	03/09/2023	Open			Accounts Payable	CALPERS	\$142,173.36		
1407	03/16/2023	Open			Accounts Payable	CALPERS - RETIREMENT	\$52,652.05		
1408	03/16/2023	Open			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$10,361.38		
1409	03/16/2023	Open			Accounts Payable	INTERNAL REVENUE SERVICE	\$37,035.76		
1410	03/21/2023	Open			Accounts Payable	ING LIFE INS & ANNUITY COMPANY	\$8,800.76		
1411	03/23/2023	Open			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$1,365.26		
1412	03/23/2023	Open			Accounts Payable	INTERNAL REVENUE SERVICE	\$3,499.02		
Type EFT Totals:									
					13 Transactions		\$370,348.11		
AP - US Bank TOP AP Checking Totals									

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	215	\$3,764,621.45	\$0.00

TOWN OF PARADISE
Payment Register

From Payment Date: 3/1/2023 - To Payment Date: 3/31/2023

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
AP - US Bank TOP AP Checking									
<u>Check</u>									
					Reconciled	0	\$0.00	\$0.00	
					Voided	0	\$0.00	\$0.00	
					Stopped	0	\$0.00	\$0.00	
					Total	215	\$3,764,621.45	\$0.00	
EFTs									
					Status	Count	Transaction Amount	Reconciled Amount	
					Open	13	\$370,348.11	\$0.00	
					Reconciled	0	\$0.00	\$0.00	
					Voided	0	\$0.00	\$0.00	
					Total	13	\$370,348.11	\$0.00	
All									
					Status	Count	Transaction Amount	Reconciled Amount	
					Open	228	\$4,134,969.56	\$0.00	
					Reconciled	0	\$0.00	\$0.00	
					Voided	0	\$0.00	\$0.00	
					Stopped	0	\$0.00	\$0.00	
					Total	228	\$4,134,969.56	\$0.00	
Grand Totals:									
Checks									
					Status	Count	Transaction Amount	Reconciled Amount	
					Open	218	\$3,779,785.21	\$0.00	
					Reconciled	0	\$0.00	\$0.00	
					Voided	0	\$0.00	\$0.00	
					Stopped	0	\$0.00	\$0.00	
					Total	218	\$3,779,785.21	\$0.00	
EFTs									
					Status	Count	Transaction Amount	Reconciled Amount	
					Open	316	\$1,027,714.53	\$0.00	
					Reconciled	0	\$0.00	\$0.00	
					Voided	0	\$0.00	\$0.00	
					Total	316	\$1,027,714.53	\$0.00	
All									
					Status	Count	Transaction Amount	Reconciled Amount	
					Open	534	\$4,807,499.74	\$0.00	
					Reconciled	0	\$0.00	\$0.00	
					Voided	0	\$0.00	\$0.00	
					Stopped	0	\$0.00	\$0.00	
					Total	534	\$4,807,499.74	\$0.00	



Town of Paradise
Council Agenda Summary
Date: April 11, 2023

Agenda Item: 2(c)

ORIGINATED BY: Sarah Richter, Housing Program Technician
REVIEWED BY: Kate Anderson, Housing Program Manager
SUBJECT: Amendment to the CalHome First-Time Home Buyer Program Guidelines

LONG TERM RECOVERY PLAN: No

COUNCIL ACTION REQUESTED:

1. Rescind Resolution No. 2022-67 “A Resolution of The Town Council of The Town of Paradise Adopting the New CalHome Homebuyer Acquisition Only/Acquisition With Rehabilitation Programs Guidelines”; and,
2. Adopt Resolution No. 2023 - ____ “A Resolution of The Town Council of The Town of Paradise Adopting the New CalHome Homebuyer Acquisition Only/Acquisition With Rehabilitation Programs Guidelines”.

Background:

Since 1995, through various grant sources, the Town of Paradise has provided financial assistance in the form of down-payment assistance to low-income residents. In September of 2022, the Town reduced the number of overlays to increase the funding available per household. Since that time, the Town has received 35 applications, has made 4 loans, and has 7 applicants in escrow, which is a substantial increase in activity in this program since the fire. Because the Town is lending larger amounts, the risk to the Town as the lender has also increased.

Analysis:

It is the recommendation of Staff to adopt changes to the down-payment assistance program under CalHome to include minimum credit requirements. Staff recommends a minimum credit score of 620 and no items in collections. Lending institutions periodically adjust minimum credit requirements based on market conditions for their industry, so these credit requirements are more stringent than other institutions but only in this current real estate and lending market. It does mean that some applicants who are otherwise qualified for the Town’s downpayment assistance program will be ineligible, but credit scores and collection accounts are improvable. The number of otherwise qualified applicants is minimal, and doing so makes the Town better equipped to remain a prudent lender of CalHome funds.

Financial Impact:

There will be impact to the general fund and little to no impact to the Housing department budget.

**TOWN OF PARADISE
RESOLUTION NO. 2023-_____**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE
RESCINDING RESOLUTION 2022-67 AND ADOPTING THE NEW CALHOME
SPONSORED FIRST-TIME HOMEBUYER MORTGAGE ASSISTANCE PROGRAM
GUIDELINES**

WHEREAS, the Town Council desires to rescind Resolution No. 2022-67 and adopt the updated guidelines for the CalHome Sponsored First-Time Homebuyer Mortgage Assistance Program.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARADISE AS FOLLOWS:

1. The Town hereby adopts the CalHome Sponsored First-Time Homebuyer Mortgage Assistance Program Guidelines dated March 28, 2023, as shown in the attached as "Exhibit A".
2. This resolution is effective immediately upon adoption.

PASSED AND ADOPTED by The Town Council of The Town of Paradise this 11th day of April 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

By: _____
Greg Bolin, Mayor

ATTEST:

Dina Volenski, Town Clerk

APPROVED AS TO FORM:

Scott E. Huber, Town Attorney

“EXHIBIT A”

**TOWN OF PARADISE
CalHome-Disaster Assistance Sponsored
First-Time Homebuyer Mortgage Assistance Program**

PROGRAM GUIDELINES

CalHome Program	The Town of Paradise has an allocation of State CalHome funds available for mortgage assistance to qualified borrowers. This funding is administered in accordance with Guidelines adopted by the State Department of Housing and Community Development (HCD). CalHome financing is “gap” financing, that is, the difference between the typical mortgage low-income households can pay, plus their down payment, subtracted from the cost of a modest home. The subsidy amount will be the gap, plus non-recurring closing costs. Funds are provided to qualified households in the form of a 30-year, deferred-payment mortgage. The CalHome First-Time Homebuyer Mortgage Assistance loan helps buyers purchase homes by providing financial assistance to reduce the amount of the first mortgage.
Application Process/Selection	Applicant(s) work with Town-certified lenders of choice to obtain the primary lender’s pre-qualification. Applicant(s) then work with a certified real estate agent to select a home and enters into a purchase contract, contingent upon receiving Town program loan approval. Lender provides Town with a copy of loan packet. Town will review the packet for compliance with program guidelines and submit the package and recommendation to the Town Manager for approval. The Town provides the applicant with a decision letter. Eligible buyers will be qualified on a first-come, first-served basis.
Eligible Homebuyer(s)	The applicant(s) must be a first-time homebuyer(s), which means a borrower(s) who has not owned a home during the three-year period before the purchase of a home with CalHome assistance. Former home owners of a home that was destroyed in the Camp Fire are also eligible. In addition, the homebuyer(s) must meet the income eligibility requirements.
Displaced Homemaker	The CalHome Section 7716(m) contains a provision for displaced homemakers, single parents, and individuals who have owned a housing unit not permanently affixed to a foundation or a severely dilapidated housing unit to be considered eligible for the program.
Household Size	Any person whose primary residence will be the housing unit being purchased is considered a member of the household. You may not count, as part of your household, foster children, unborn children and children not living in the home. Children with two residences may only be counted if the child lives with the qualified applicant 50% of the time.
Household Income	The CalHome borrower household must have a gross annual income not exceeding 80% of county median income for the size of the household or 120% of county median income if the household owned a home destroyed in the Camp Fire or former renters who were physically or economically displaced by

the Camp Fire. For program eligibility, the total annual income includes income of all adult members of the household 18 years of age or older. Income also includes income from assets over \$5,000 calculated at 2% of the value of the asset. Borrower must be income qualified not more than 180 days prior to the closing of their loan.

Homebuyer Costs	Eligible households must document that they have the funds necessary for their amount of the down payment and closing costs as required by the primary lender and/or the Town of Paradise. The Town of Paradise requires the homebuyer to contribute a minimum of 2% of sales price of home as a down payment. These funds can be gifted from a relative and are NOT in addition to any first lender minimum down payment requirements. If the household is participating in a self-help build, their hours-worked can satisfy the 2% contribution.
Credit Worthiness	Qualifying ratios are a guideline in determining a potential borrower's credit worthiness. All applicants must have a credit score of at least 620 and no items in collections. Prior bankruptcies and/or foreclosures will be taken into consideration and a determination will be made based on the circumstances.
Homebuyer Education	The CalHome homebuyer must attend a Town of Paradise-approved homebuyer education class. The class will cover such topics as: preparing for homeownership, available financing, credit analysis, loan closing, homeownership responsibilities, home maintenance, and loan servicing.
Housing Unit Eligibility	Housing units eligible for the program must be located within Paradise town limits and be in compliance with State and local codes and ordinances. Said units include new or previously-owned single-family detached houses, condominiums, townhouses, units in residential loft structures or manufactured homes in a common-interest development or on a single-family lot and placed on a permanent foundation system.
Housing Debt Ratio	Monthly housing costs (front-end ratio) shall be between 25% and 35% of the borrower's gross monthly income. Total debt costs (back-end ratio) shall not exceed 45% of the borrower's gross monthly income. Compensating factors (with pre-approval by the Town) might allow for variances in these ratios.
Maximum Sales Price	The maximum allowable sales price of the assisted unit cannot exceed the current median sales price of a single-family home in Butte County as published monthly by the California Association of Realtors.
Maximum Loan Amount	Up to 40% of the purchase price with a maximum of \$100,000.00.
Term	30-year, deferred-payment mortgage as long as the residence continues to be owner-occupied; the entire loan is due and payable when the home is no longer occupied by borrower. If the loan in first position is a USDA 502 loan, the term of the loan from the Town will match the term of the USDA loan if it is longer than 30-years.
Interest Rate	1% simple interest for 10 years.
Primary Loan	Borrower shall obtain the maximum first lien mortgage loan with a term and interest rate from an institutional mortgage lender consistent with affordable

housing costs outlined above. The term of the loan shall be fully amortized in a minimum of 30 years. Mortgage loans shall not include provisions for negative amortization, principal increases, balloon payments, or deferred interest. The first mortgage lender is required to collect and manage impound account for payment of taxes, assessments and hazard insurance according to the lender's requirements. All subordinate financing provided shall defer principal and interest payment for the term of the CalHome Program loan.

Subordination

The Town of Paradise will only subordinate to a first trust deed loan if the primary loan has a fixed interest rate, is fully amortized, and is provided by an institutional lender when the interest and/or term are reduced. Neither debt consolidation nor cash-out is permitted.

Max CLTV

The loan-to-value ratio for the CalHome Program loan, when combined with all other indebtedness to be secured by the property, shall not exceed one hundred percent (100%) of the property value at the time the loan is made.

Loan Repayment

Loans shall be repayable upon sale or transfer of the property, when the property ceases to be owner-occupied, or upon the CalHome program loan maturity date. Program loans are not assumable. In only these circumstances is the loan transferable: a transfer to a surviving joint tenant by devise, descent, or operation of law on the death of a joint tenant; a transfer in which the transferee is a person who occupies or will occupy the property, which is: a transfer where the spouse becomes an owner of the property; a transfer resulting from a decree of dissolution of marriage, legal separation agreement, or from an incidental property settlement agreement by which the spouse becomes an owner of the property; or, a transfer into an inter-vivo or living trust in which the homebuyer is and will remain the beneficiary and occupant of the property. Borrower may begin making voluntary payment to the Town at any time.



Town of Paradise
Council Agenda Summary
Date: April 11, 2023

Agenda Item: 2(d)

ORIGINATED BY: Colette Curtis, Recovery and Economic Development Director

REVIEWED BY: Kevin Phillips, Town Manager

SUBJECT: Legislative Committee Actions – Letters of Support AB 556 and AB 573

LONG TERM RECOVERY PLAN: Yes

COUNCIL ACTION REQUESTED:

1. Consider reviewing and ratifying the submission of the letter of sponsorship for AB 556 (Gallagher) and the letter of support for AB 573 (Garcia).

Background:

At the February and March 2023 Council meetings, Paradise Town Council indicated their desire to submit a letter of sponsorship for AB 556 and a letter of support for AB 573.

Analysis:

AB 556 is a bill introduced by Assembly Member James Gallagher which allows the base year value of property that is substantially damaged or destroyed by a disaster, as declared by the Governor, to be transferred to a comparable property in the same county, which is acquired or newly constructed within 5 years of the disaster. The attached letter indicates Paradise Town Council's sponsorship of this bill.

AB 573 is a bill introduced by Assembly Member Eduardo Garcia which would assist local jurisdictions in meeting their SB 2383 organic waste diversion requirements by allowing California-derived material processed at existing out-of-state compost facilities to count towards their procurement requirements.

Financial Impact:

There is no financial impact associated with this item.

Attachments: Letter of sponsorship for AB 556 (Gallagher) and the letter of support for AB 573 (Garcia).

BROAD & GUSMAN
GOVERNMENTAL ADVOCACY

To: All Members of the Assembly Revenue and Taxation Committee

From: Shane Gusman
Matt Broad

Date: March 23, 2023

Re: AB 556 (Gallagher)- **SPONSOR**

The Town of Paradise is proud to sponsor AB 556 by Assembly Member James Gallagher. RTC §69 allows the base year value of property that is substantially damaged or destroyed by a disaster, as declared by the Governor, to be transferred to comparable property in the same county, which is acquired or newly constructed within five years of the disaster. AB 556 would ensure that victims of the 2018 Camp Fire whose homes were damaged or destroyed have additional time to purchase or construct a replacement property without triggering a full reassessment of the replacement property. For these reasons, AB 556 is a much-needed measure to ensure the revitalization and recovery of our Town.

The Camp Fire started on November 5, 2018, near Pulga, CA. Due to high winds the fire grew swiftly and engulfed the community of Concow and the Town of Paradise before spreading to impact other areas of Butte County. By the time the fire was declared 100% contained on November 25, 2018, eighty-six members of our community perished in the Camp Fire, tens of thousands were displaced, and 18,804 buildings were destroyed. Only 5% of buildings in the town remained without severe damage after the fire. To this day, the Camp Fire remains the deadliest and most destructive fire in California history.

Efforts to rebuild from the devastation of the Camp Fire have encountered significant roadblocks, with a looming deadline of November 2023. Although more than 1,400 homes have been rebuilt, and nearly 10,000 people call Paradise home again, there is still much work to be done. For Camp Fire victims, the near absolute destruction of their communities meant that various burned properties included heavy metals, fiberglass, asbestos, and other hazardous materials, which "left a lethal film on the 240- square mile area burned." The clean-up effort, which removed 3.66 million tons of debris, delayed reconstruction for a full year. Since then, difficulty finding home builders, skyrocketing cost of raw materials, and even contractor fraud, have slowed the Town's recovery efforts. Many victims did not receive their settlement payments until last year, with some still waiting on payments. Despite these challenges, residents of Paradise remain committed to rebuilding their homes and a more resilient community in the process.

AB 556 will allow the residents of Paradise to rebuild in a more affordable and equitable manner. For these reasons, the Town is proud to sponsor this incredibly important bill. We urge your "aye" vote.

cc: Assembly Member James Gallagher

To: Members of the Assembly Natural Resources Committee

From: Shane Gusman
Matt Broad

Date: March 22, 2023

Re: AB 573 (Garcia) - **SUPPORT**

On behalf of the Town of Paradise, we write in support of AB 573 by Assembly Member Eduardo Garcia. AB 573 would assist local jurisdictions in meeting their SB 1383 organic waste diversion requirements by allowing California-derived material processed at existing out-of-state compost facilities to count towards their procurement requirements.

Organic materials make up half of what Californians dispose of in landfills. In a critical effort to reduce methane and other short-lived climate pollutant emissions, California set organic waste diversion targets of 50% by 2020 and 75% by 2025 (SB 1383 Lara, 2016). To drive infrastructure investment and create demand for organic waste products, the SB 1383 regulations required cities and counties by January 1, 2022, to procure or purchase a specific quantity of organic waste products based on their population.

As jurisdictions ramp up their organic waste collection programs, many cities and counties have struggled to meet their procurement targets due to a limited amount of organic waste infrastructure across the state. CalRecycle acknowledges that the state still needs approximately 50-100 new or expanded facilities for the successful implementation of SB 1383 and that it can take several years to site and permit new facilities.

While jurisdictions wait for in-state compost facilities to get sited and permitted, AB 573 will help local jurisdictions to meet their SB 1383 procurement targets by allowing jurisdictions near the state border to purchase California-derived compost processed at existing out-of-state facilities. It is noteworthy that the feedstock for much of the material composted at these out-of-state facilities originated within California. They are the closest composting facilities to these jurisdictions, and it is therefore intuitive that these communities be allowed to procure material from compost facilities that have processed their organics.

For these reasons, we are proud to support AB 573.

cc: Assembly Member Eduardo Garcia



Town of Paradise
Council Agenda Summary
Date: April 11, 2023

Agenda Item: 5(a)

ORIGINATED BY: Kate Anderson, Housing Program Manager
REVIEWED BY: Kevin Phillips, Town Manager
SUBJECT: 2nd Public Hearing and Approval of Community Development Block Grant (CDBG) 2023-2024 Annual Action Plan

LONG TERM RECOVERY PLAN: No

COUNCIL ACTION REQUESTED:

1. Conduct the duly noticed and scheduled second public hearing to solicit comments and/or suggestions regarding the Draft 2023-2024 Annual Action Plan; and
2. Adopt the Draft 2023-2024 Annual Action Plan as submitted; or
3. Revise the Draft 2023-2024 Annual Action Plan as submitted; and
4. Authorize staff to submit the adopted 2023-2024 Annual Action Plan to the U.S. Department of Housing and Urban Development should no public comment be received.

Background:

The Town of Paradise has been a U.S. Department of Housing and Development (HUD) entitlement city since 1994. HUD awards grants to entitlement communities to carry out a wide range of community development activities directed toward housing, public infrastructure and improvements, economic development, and public services.

Entitlement communities develop their own programs and funding priorities. However, grantees must give maximum feasible priority to activities which benefit low- and moderate-income persons. A grantee may also carry out activities which aid in the prevention or elimination of slum or blight. Additionally, grantees may fund activities when the grantee certifies that the activities meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health and welfare of the community where other financial resources are not available to meet such needs. CDBG funds may not be used for activities which do not meet these broad national objectives.

HUD determines the amount of each entitlement grant by a statutory formula which uses several objective measures of community needs, including the extent of poverty, population, housing overcrowding, age of housing and population growth lag in relationships to other metropolitan areas.

Annual Action Plan Proposed Funding Allocations:

The Town will continue to support low- and moderate-income households by providing housing assistance to support development of affordable homeownership and public services for LMI households in Paradise.

2023 Staff Recommended Funding Breakdown:

Housing Assistance	\$65,449
Public Services	\$15,104
Program administration	\$20,138
TOTAL:	\$100,691

Fiscal Impact Analysis:

The impact of this agenda item and subsequent actions related to the CDBG Program is positive, as it will result in the award of approximately \$100,691 in federal funds. There is no impact to the General Fund.



2023 Annual Action Plan

DRAFT

Town of Paradise
5555 Skyway
Paradise, CA 95969

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The Town of Paradise, through its Community Development Block Grant (CDBG) program, strives to provide affordable and decent housing, a suitable living environment and economic opportunities especially for low- to moderate-income (LMI) households and special needs communities. The Town is designated as an entitlement community by the U.S. Department of Housing and Urban Development (HUD), enabling it to be eligible for federal CDBG funds allocated through HUD's Community Planning Development program. These funds will help the Town address the community development objectives outlined by HUD, which include, but are not limited to: affirmatively furthering fair housing, affordable housing activities, public infrastructure & facilities improvements, and public services.

The PY 2023 Annual Action Plan (AAP) describes the eligible activities that will work towards accomplishing the goals established in the strategic plan. By addressing the identified priority needs, the Town will improve the quality of life of residents in Paradise.

Paradise is still recovering from the aftermath of the Camp Fire, on November 8, 2018, that displaced over 25,000 residents and destroyed 90% of its homes and businesses. The Town's priorities are focused on helping our residents return home, rebuild and improve our Town's infrastructure, and support our community with public services as it repopulates.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The Town of Paradise has developed its strategic plan based on an analysis of the data presented in its plan and the community participation and stakeholder consultation process. Through these efforts, the Town has identified two priority needs and associated goals to address those needs. The priority needs and goals are as follows:

Priority Need: Public Services & Quality of Life Improvements

2A Provide Public Services for LMI & Special Needs

Priority Need: Affordable Housing Development & Preservation

3A Increase Affordable Housing Opportunity

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The Town of Paradise, with other public, private and nonprofit community housing providers and non-housing service agencies, continue to make significant contributions toward rebuilding housing and public facilities and infrastructure. The need for affordable housing, public improvements and services is also documented by this Consolidated Plan and the most recent program year 2021 Consolidated Annual Performance and Evaluation Report (CAPER).

The PY 2021 CAPER reports that the Town of Paradise continued to focus on our housing program in the program years.

During 2021-2022, the Town of Paradise focused on reallocating its program income funds and prior awards into the Public Infrastructure category to be used for a sidewalk infill project. To do this, the Town needed to make a Substantial Amendment and change our Public Participation Plan with regards to Substantial Amendments after discovering redundant public notification processes were inadvertently written into the plan which doubled the Public Noticing Period before an action could be taken. In addition, the Town was able to fund one Public Service project and assist one first-time home buyer using HOME funds.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

The Town's citizen participation process adheres to HUD's requirements set within the Town's Citizen Participation Plan. This plan includes participation from all Town residents, especially low- and moderate-income persons and the special needs community such as the elderly and those with any disability.

Citizen participation efforts for the development of the 2023 AAP included a public comment period and two public hearings to allow members from the public an opportunity to review and provide comments on the draft plan.

A 30-day public comment period was held from April 12, 2023 to May 14, 2023 to give the public an opportunity to review and comment on the plan. Copies of the plan were available from April 12, 2023 to May 14, 2023 at the following locations: Butte County Public Library Paradise Branch, Paradise Chamber of Commerce, Building Resiliency Center, Town Hall and at www.townofparadise.com. For

comments or additional information, interested persons could contact the Housing Department at (530) 872-6291 ext 122 or housing@townofparadise.com

Two public hearings were held on Tuesday, March 14, 2023 and on Tuesday, April 11, 2023 both at 6:00 p.m. at Town Hall, 5555 Skyway, Paradise, CA. During the public hearings, the goals and activities in the Annual Action Plan were discussed. The public was given an opportunity to make comments/suggestions on funding priorities during the hearing.

All comments were welcome. Details of the citizen participation outreach efforts are located in AP-12 Citizen Participation.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

All comments were welcome. Details of the citizen participation outreach efforts are located in AP-12 Citizen Participation.

6. Summary of comments or views not accepted and the reasons for not accepting them

All comments were welcome. Details of the citizen participation outreach efforts are located in AP-12 Citizen Participation.

7. Summary

The PY 2023 AAP is the fourth program year of the Consolidated Plan. The draft plan was made available to the public through the public comment review period and a public hearing. Input from citizens of Paradise helped to determine the projects and activities for PY 2023.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	PARADISE	Business & Housing Services

Table 1 – Responsible Agencies

Narrative (optional)

The Town of Paradise’s Business & Housing Services is the responsible entity for carrying out the administration of the housing and community development programs in Paradise. Town staff works with other Town departments, local nonprofit and for-profit organizations, and contractors to carry out the activities in the Annual Action Plan.

Consolidated Plan Public Contact Information

Kate Anderson
Housing Program Manager
Town of Paradise
(530) 872-6291 x122
kanderson@townofparadise.com

AP-10 Consultation – 91.100, 91.200(b), 91.215(I)

1. Introduction

This section identifies the organizations consulted in the development of the priority needs and goals of the Consolidated Plan . The organizations listed in the table below represent key stakeholder organizations which consist of nonprofits, government departments and agencies and planning organizations in Paradise and the region. Stakeholder organizations consulted through an online stakeholder survey. The results helped to identify the community’s priority needs over the next five years and the basis of the Strategic Plan.

Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))

The Town of Paradise worked closely with local and regional partners to gather feedback for the Consolidated Plan. This included community stakeholders which were specific to Paradise and as well as Butte County, the Housing Authority of Butte County and the Butte County Continuum of Care. This helped to ensure participation efforts would be maximized and the community needs were accurately identified and recorded.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The Butte County Continuum of Care (CoC) is the local CoC for the entire county, and includes the Town of Paradise. The CoC is responsible for coordinating with various local and county homeless service providers, as well as organize the annual Point-in-Time Count which is a survey of the homeless population in the county. The Town of Paradise benefits from the coordinated efforts of the Continuum of Care through referral of resources, connections to homeless prevention initiatives in the region and access to resources not found locally in the Town.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The Town of Paradise is not a recipient of HUD’s Emergency Solutions Grant (ESG). The CoC coordinates the distribution of ESG funds along with other resources to provide street outreach services, supportive services, emergency and transitional housing and permanent-supportive housing to prevent homelessness in the region. The Homeless Management Information System (HMIS) is the system

used for administering the ESG program. While the Town of Paradise does not specifically use or manage the HMIS system, the Town benefits from the CoC's HMIS administration across the county.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

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Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Town of Paradise
	Agency/Group/Organization Type	Housing Services - Housing Service-Fair Housing Other government - Local Planning organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs Market Analysis Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Town is the lead responsible agency in the development and implementation of the Consolidated Plan.

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2	Agency/Group/Organization	BUTTE COUNTY
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Service-Fair Housing Health Agency Other government - County Regional organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Market Analysis Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Town coordinated with Butte County with the housing and community development needs. The Town also coordinates with the County on emergency services information and fire evacuation plans.

3	Agency/Group/Organization	Housing Authority of the County of Butte
	Agency/Group/Organization Type	Housing Services - Housing Services-homeless Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Town coordinated with the housing authority with the housing and community development needs.
4	Agency/Group/Organization	Butte County Continuum of Care
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Town coordinated with the Butte County Continuum of Care regarding homeless needs.
5	Agency/Group/Organization	California Public Utilities Commission
	Agency/Group/Organization Type	Services - Broadband Internet Service Providers Services - Narrowing the Digital Divide

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Town consulted with the California Public Utilities Commission for highspeed internet provider and broadband data for the Market Analysis.
6	Agency/Group/Organization	Paradise Ridge Fire Safe Council
	Agency/Group/Organization Type	Services - Hazard Mitigation; Services - Fire Safety
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Town provides links to the Paradise Ridge Fire Safe Council website and emergency evacuation plan.

Identify any Agency Types not consulted and provide rationale for not consulting

All comments were welcome. There were no agency types not consulted during this process.

Other local/regional/state/federal planning efforts considered when preparing the Consolidated Plan

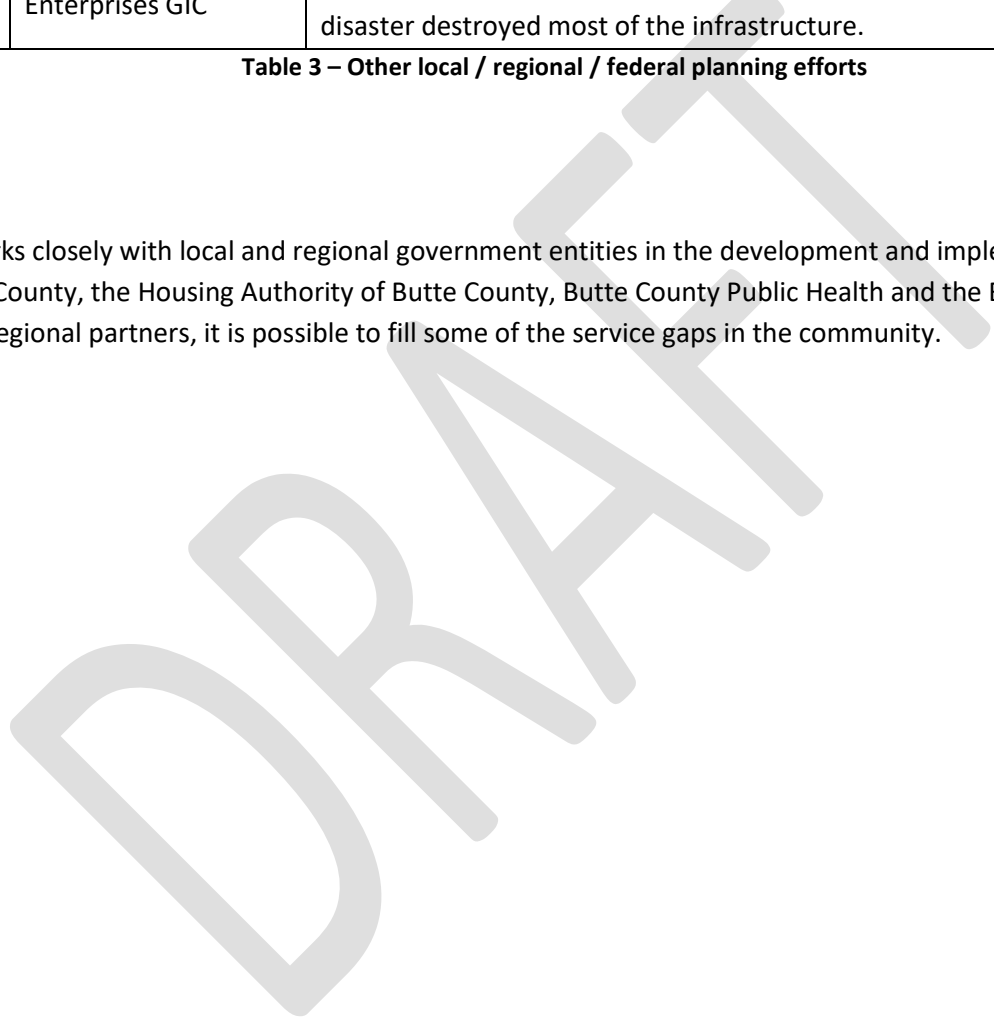
Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Butte Countywide Continuum of Care	The Strategic Plan is consistent with the goals and strategic plan of the Continuum of Care and the plan to end homelessness.

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
2021 Paradise Broadband Feasibility Study	Chico State Enterprises GIC	The Geographical Information Center (GIC), at Chico State Enterprises conducted a broadband feasibility study that helped determine broadband needs after the Camp Fire disaster destroyed most of the infrastructure.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

The Town of Paradise works closely with local and regional government entities in the development and implementation of the Consolidated Plan. This included Butte County, the Housing Authority of Butte County, Butte County Public Health and the Butte County Continuum of Care. With the cooperation of regional partners, it is possible to fill some of the service gaps in the community.



AP-12 Participation – 91.105, 91.200(c)

**1. Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal-setting**

The Town’s citizen participation process adheres to HUD’s requirements set within the Town’s Citizen Participation Plan. This plan ensures and encourages participation from all Town residents, especially low- and moderate-income persons and the special needs community such as the elderly and those with any disability. Citizen participation efforts for the development of the AAP included a public comment period and two public hearings to allow members from the public an opportunity to review and provide comments on the draft plan.

For details of the citizen participation outreach efforts, please see the following table below.

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Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Hearing	Non-targeted/broad community	A public hearing was held on Tuesday, March 14, 2023 at 6:00 p.m. at Town Hall, 5555 Skyway, Paradise, CA. During the first public hearing, the goals and activities in the Annual Action Plan were discussed. The public was given an opportunity to make comments/suggestions on funding priorities during the hearing.	All comments will be accepted.	All comments were accepted.	
2	Public Meeting	Non-targeted/broad community	A second public hearing was held on Tuesday, April 11, 2023 at 6:00 p.m. at Town Hall, 5555 Skyway, Paradise, CA. Similar to the first public hearing, the goals and activities in the Annual Action Plan was discussed and a draft plan was provided. The public was given an opportunity to make comments/ suggestions on funding priorities during the hearing.	All comments will be accepted.	All comments were accepted.	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Public Comment Period	Non-targeted/broad community	A 30-day public comment period was held from April 12, 2023 to May 14, 2023 to give the public an opportunity to review and comment on the plan. Copies of the plan were available from April 12, 2023 to May 14, 2023 at the following locations: Paradise Public Library, Paradise Chamber of Commerce, Building Resiliency Center, Town Hall and at www.townofparadise.com . For comments or additional information, interested persons could contact Housing Department at (530) 872-6291 ext 122 or housing@townofparadise.com	All comments will be accepted.	All comments were accepted.	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The Town of Paradise’s CDBG allocation for program year 2023 was \$100,691.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 4				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	100,691	0	12,899	113,590	100,691	The expected amount available for the remainder of the ConPlan is 1x more years of the annual allocation for PY 2023.

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The Town of Paradise will utilize any and all funds available to leverage CDBG funds to make them go as far as possible. CDBG funds will be used to support the local Meals on Wheels program and Boys and Girls Club programs, each being supported by various local, state and/or federal funding source. CDBG funds will acquire lots for local non-profits who are building homes for affordable homeownership utilizing local, state and/or federal funds. The Town is awaiting an award of HOME funds by HCD to develop an Infill New Construction program; CDBG funds will be used to support this effort.

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If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

N/A

Discussion

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Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	3A Increase Affordable Housing Opportunity	2023	2024	Affordable Housing		Affordable Housing Development & Preservation	CDBG: \$65,449	Homeowner Housing Added: 2 Household Housing Unit
2	2A Provide Public Services for LMI & Special Needs	2023	2024	Non-Housing Community Development		Public Services & Quality of Life Improvements	CDBG: \$15,104	Public service activities other than Low/Moderate Income Housing Benefit: 100 Persons Assisted
3	5A Planning and general administration	2023	2024	Non-Housing Community Development			CDBG: \$20,138	

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	3A Increase Affordable Housing Opportunity
	Goal Description	The Town will acquire lots for affordable homeownership.
2	Goal Name	2A Provide Public Services for LMI & Special Needs
	Goal Description	The Town will provide vital support services for low- to moderate-income households and special needs groups in Paradise. Public services activities will fund programs run by non-profit organizations.
3	Goal Name	5A Planning and general administration
	Goal Description	Program administration of the CDBG program not to exceed 20% of allocation funds.

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Projects

AP-35 Projects – 91.220(d)

Introduction

In the table below are the proposed projects for the 2023 program year. The projects will address the highest priority needs in the Town which are housing assistance and supportive services for LMI and special needs groups. Administration of the CDBG program is capped at 20% of the CDBG 2023 funding allocation, as well as public services which has a grant cap of 15%. Details of the proposed projects are located in the following AP-38.

Projects

#	Project Name
1	CDBG: Housing Assistance (2023)
2	CDBG: Public Services (2023)
3	CDBG: Program Administration (2023)

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The projects address the highest priority needs in the Town. Affordable housing assistance is a high priority for the Town and its residents. Due to demand for housing, low- to moderate-income households are priced out of homeownership; infill new construction and self-help builds can provide a small number of affordable homes for purchase by low- to moderate-income households. Public services for LMI and special needs groups such as the elderly and persons with a disability are need to help improve the quality of life in Paradise. While public services is a high priority, there is a grant allocation cap for public services at 15%.

In PY 2023 the Town will focus on housing and public services.

AP-38 Project Summary

Project Summary Information

1	Project Name	CDBG: Housing Assistance (2023)
	Target Area	
	Goals Supported	3A Increase Affordable Housing Opportunity
	Needs Addressed	Affordable Housing Development & Preservation
	Funding	CDBG: \$65,449
	Description	The Town will acquire lots for affordable homeownership.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	Five (2) low- to moderate-income households
	Location Description	Townwide
	Planned Activities	The Town acquire lots for its HOME-funded Infill New Construction program and local self-help programs.
2	Project Name	CDBG: Public Services (2023)
	Target Area	
	Goals Supported	2A Provide Public Services for LMI & Special Needs
	Needs Addressed	Public Services & Quality of Life Improvements
	Funding	CDBG: \$15,104
	Description	The Town will provide vital support services for low- to moderate-income households and special needs groups in Paradise. Public services activities will fund programs run by non-profit organizations.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	100 low- to moderate-income households
	Location Description	Townwide
	Planned Activities	The Town will provide vital support services for low- to moderate-income households and special needs groups in Paradise. Public services activities will fund programs run by non-profit organizations.
3	Project Name	CDBG: Program Administration (2023)
	Target Area	

Goals Supported	5A Planning and general administration
Needs Addressed	
Funding	CDBG: \$20,138
Description	Program administration of the CDBG program not to exceed 20% of allocation funds.
Target Date	6/30/2023
Estimate the number and type of families that will benefit from the proposed activities	N/A
Location Description	Townwide
Planned Activities	Program administration of the CDBG program not to exceed 20% of allocation funds.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The Town of Paradise does not allocate funding based solely on geographic requirements. Individuals or households must meet income qualifications in order to receive direct assistance from activities and services in the CDBG program.

Geographic Distribution

Target Area	Percentage of Funds

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The Town of does not allocate funding based solely on geographic requirements. When the planned activities are intended to serve individuals or households directly, those individuals or households must meet income qualifications, as well as residency requirements, in order to receive assistance from the program. In these instances, Town staff and/or one of its partner agencies shall complete an in-take and eligibility status review of the applicant individual or household, before the project/activity is initiated.

When the Town has identified infrastructure and public facility improvement activities, planned activities will serve a community, neighborhood or “area”. These projects (or activities) are said to have an “area-wide” benefit. Per HUD requirements, these areas must be within an eligible Census Block Group Tract, as defined by HUD-CDBG regulations. HUD determines Low/Mod block groups tracts as those with 51% LMI population, however the Town of Paradise is an exception grantee with the LMI block group threshold lowered to 50.6%.

HUD CDBG Low/Mod Income Summary Data (LMISD), which have defined the eligible Low/Mod block group tracts within the jurisdiction can be found on the HUD Exchange website at:
<https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

Discussion

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

The Town on Paradise’s goal is to expand affordable housing in the jurisdiction. In the program year, the Town will acquire lots for its HOME-funded Infill New Construction program and/or local self-help programs to construct modest housing to provide homeownership to low- to moderate-income households.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	2
Special-Needs	0
Total	2

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	2
Rehab of Existing Units	0
Acquisition of Existing Units	0
Total	2

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

Lot acquisition (1A) to construct modest housing to provide homeownership to low- to moderate-income households: 2 household housing units

AP-60 Public Housing – 91.220(h)

Introduction

The Town of Paradise receives support from the Housing Authority of the County of Butte (HACB). The mission of HACB is to assist LMI residents of Butte County to secure and maintain high quality affordable housing. HACB administers and/or manages many different housing programs such as public housing, Housing Choice Vouchers (Section 8) and the Family Self-Sufficiency Program. These program are available in Paradise and across the county.

Actions planned during the next year to address the needs to public housing

Prior to the fire, the Town did not have any public housing within Town limits. One of the reasons for this was the lack of a sewer system. Installing a sewer system is part of our Long Term Recovery Plan, and with a sewer the Town will look at the options for public housing. HACB will open wait lists for public housing and Section 8. For Section 8, due to limited funding, not all applicants will be placed on the waitlist and only 2,500 will be selected.

For public housing, HACB will be accepting applications for Public Housing waiting lists for three (3) bedroom units located in Biggs/Gridley, Chico, and Oroville. Applications can be obtained, mailed or dropped off at 2039 Forest Ave., Chico, CA 95928 or online by looking under Public Housing at the following: <http://www.butte-housing.com/applicants/applications/>

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Public housing residents can participate in the HACB Family Self-Sufficiency (FSS) program. The FSS program works with support agencies throughout Butte County to help families develop strengths, skills and experiences necessary to achieve economic independence. A guidebook is offered to help participants learn how the program can benefit residents. The FSS program links participants with the education, job training, counseling, and other services necessary for them to become employed and to earn self-sufficient wages so they no longer need to rely on governmental financial assistance. Families are assisted through this program with a dedicated FSS Coordinator, which also supports them with referrals to needed resources.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

N/A. The PHA is not designated as troubled and is a “High Performer”.

Discussion

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The most recent Point-in-Time (PIT) Count survey was conducted at the Continuum of Care (CoC) level by the Butte Countywide Homeless Continuum of Care (CA-519 Chico/Paradise/Butte County CoC) taken on January 26, 2022. Due to three variables -- the COVID-19 pandemic, four years of natural disasters in the area, and fatigue/burnout of local organizations and community volunteers – a true count is difficult to determine. Data from the NA-40 Homeless Needs Assessment suggests that a majority of persons experiencing homelessness continue to be unsheltered, in particular the chronically homeless and veterans. Homelessness, and the prevention of homelessness continues to be a priority for the Town of Paradise.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Town of Paradise benefits from the homeless initiatives through the CoC. The Countywide CoC is a multi-agency planning body with the common goal of ending homelessness. This goal is accomplished by assisting individuals and families experiencing homelessness to receive rapid, adaptive, quality services which lead to the long-term stability of permanent housing and self-sufficiency. Specifically, the CoC administers the Homeless Managements Information System (HMIS) and the Coordinated Entry System (CES) for homeless within the region. HMIS information is tracked to inform the CoC and its members of the homeless population details in the region and the CES helps members to identify needs and services that will assist persons and families experiencing homelessness with referrals and resources. Currently, data suggests that a majority of persons experiencing homelessness continue to be unsheltered, and in particular the chronically homeless and veterans. As such, the Town will focus on these identified homeless groups.

In addition, the Town’s Code Enforcement division, Housing Division, and local Disaster Case Managers has been visiting sites for the past three years known to have individuals and families living in RVs to provide resources to assist.

Addressing the emergency shelter and transitional housing needs of homeless persons

The Town of Paradise relies on our neighboring communities for shelters such as the Torres Shelter in Chico for homeless individuals from Paradise. Youth 4 Change has a several shelters for homeless youth in the area including Chico and Oroville. Those who are in need of emergency shelter can contact the Butte County Sheltering Hotline. The Sheltering Hotline is for Butte County residents who have evacuated due to their home being in an evacuation zone and need sheltering or for those who have

been placed in non-congregate shelter (hotel voucher stays). There are 2 options to receive sheltering assistance from the county: The County's Sheltering Hotline is available 8am-5pm, 7 days per week. Call: 530-552-6150, and Email the County Sheltering program at northcomplexsheltering@buttecounty.net

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The Town of Paradise continues to work with neighboring jurisdictions and Butte County to find a solution for homelessness after the Camp Fire. For services that help the homeless transition to temporary or long-term housing, the Continuum of Care partners with many organizations and agencies that provide these services, both in Paradise and regionally. The Butte-Glenn 2-1-1 is a referral resource that connects persons experiencing to entities that can help assist them with their unique situations. The 2-1-1 service is also connected to many of the CoC members. The Housing Authority of Butte County helps low income households with Section 8 Housing Choice Vouchers. An important nonprofit transition housing support resource in the area is the Jesus Center, which heads a collaborative of transitional housing partners. In response to the complexity of homelessness, hunger and poverty, the Jesus Center works with the community to restore those suffering from isolation to community integration. The Jesus Center is accepting applicants and can be reached by calling 530-345-2640 or access the application online at the following link: jesuscenter.org/housing/

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

As mentioned above, the Town of Paradise continues to work with neighboring jurisdictions and Butte County to find a solution for homelessness after the Camp Fire. For services that help the homeless, especially low-income individuals and families to avoid returning to homelessness, the Continuum of Care partners with many member organizations and agencies that provide various services in the area, both in Paradise and regionally. These organizations include, but are not limited to:

Catalyst Domestic Violence Services for persons affected by domestic violence. Catalyst provides a safe and confidential place for children and families, including drop-in services, counseling, legal services and

more.

Elijah House Foundation: An addiction treatment that provides a variety of services including substance abuse and mental treatment, residential treatment services, alcohol and drug free housing and the Back to Work employment program.

The Jesus Center: A collaborative of transitional housing partners that work with persons experiencing or are at-risk of homelessness.

The Housing Authority of Butte County: The PHA helps low income households with Section 8 Housing Choice Vouchers.

Disability Action Center (DAC): DAC is a private, non-profit which helps to meet specific needs of people with disabilities living in Northern California. Dedicated staff provides free support to help community members with disabilities achieve and/or maintain their optimal level of self-reliance and independence. DAC provide support services such as information, housing assistance, and provider referrals.

Youth 4 Change: The organization has several locations throughout the area which help to prevent youth homelessness. Paradise youth may be referred to Youth 4 Change services.

Discussion

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

The primary negative effects on affordable housing and investment are not based on public policies. The 2018 Camp fire continues to be the defining event in determining priorities and the availability of housing, and the Town is working to ensure that public policies encourage development of housing units as quickly and safely as possible. Historically, one of the barriers to affordable housing is the Town of Paradise's lack of a municipal wastewater treatment facility. Typical septic tanks and leach lines are adequate for single-family development but this is not a viable alternative for new housing developments which are at higher densities. Typically, affordable housing units are built in clusters and would require a more advanced wastewater treatment system, which typically is very expensive and may lead to costs being passed on to the developer or whomever is financing the project.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The Town intends to support Paradise residents who are rebuilding housing as soon as possible, and with the construction of the sewer, the Town will help to construct multi-family and affordable housing as well.

Discussion:

AP-85 Other Actions – 91.220(k)

Introduction:

This section outlines other actions the Town will take to improve the quality of life for Paradise residents and address underserved needs in the community. CDBG funds enable the Town to address the priority needs in Paradise such as improvements to public facilities and infrastructure in LMI areas, the construction of affordable housing and homeownership opportunity for LMI households, and vital supportive services for LMI and special needs groups such as the elderly. Other actions identified in this section are additional resources the Town has to assist vulnerable residents and underserved needs in the community.

Actions planned to address obstacles to meeting underserved needs

The activities identified in this plan will work to directly address the underserved needs of the LMI and special needs population. CDBG funded programs will work to expand on successful programs and the goal is to fill service gaps. There are many needs for residents of the Town of Paradise after the Camp Fire, and many barriers to meeting those needs. The Town is working tirelessly to assist our residents with their housing needs.

Actions planned to foster and maintain affordable housing

The Town will continue its FirstTime Home Buyer and Owner-Occupied Rehabilitation programs to help homeowners rebuild after the Camp Fire. The Town will work with them on additional affordable housing opportunities in Paradise once a sewer is constructed. CDBG funds will be used to support a HOME-funded Infill New Construction program and self-help affordable homeownership.

Actions planned to reduce lead-based paint hazards

Since the Camp Fire burned 95% of the Town of Paradise, most homes with lead based paint have been destroyed. As new homes are built, they will not have lead based paint. Any home that survived that takes part in our Owner Occupied Rehabilitation Program would be required to undergo lead-based paint testing. The Town will comply with federal regulations regarding lead testing, containment, and abatement. Paradise residents have access to Butte County Public Health services including the county Childhood Lead Poisoning Prevention Program (CLPPP). To report a health emergency, the county public health department can be contacted at 530-552-4000 or phinfo@buttecounty.net. More information

about lead poison prevention can be found on the county website at:

<https://www.buttecounty.net/ph/Programs/MaternalChildHealth/ChildhoodLeadPoisoningPrevention>

Actions planned to reduce the number of poverty-level families

The activities in this plan work directly to reduce the number of poverty level families in Paradise. While CDBG funds are limited and the Town cannot possible address every poverty issue in Paradise, the Town will utilize CDBG funds where they have the most impact.

Actions planned to develop institutional structure

The Town will continually work to develop its institutional structure by working closely with other Town departments. Ongoing communication and planning with these Town departments and programs will help strengthen the institutional structure of the CDBG program.

The Town Institutional Structure is as follows: Five member Town Council - The Town Council holds public hearings on Consolidated Plan, Annual Action Plans and CAPER reports and approves submittal to HUD. Town Council also approves funding for Public Service Agencies. The Town of Paradise, Business and Housing Services staff provides the main administrative and project management duties over the CDBG program. The BHS Staff is under the management of the Community Development Director. Staff prepares the Consolidated Plan, Annual Action Plans and CAPER for each CDBG program year. The oversight of the CDBG program is provided by the five-member Town Council whom are elected officials voted in by the citizens of Paradise. All reports and plans are reviewed by Council before they are submitted to HUD.

The Camp Fire has united several organizations that are working cooperatively for the betterment of the community. The degree of commitment and cooperation needed to move this community forward establishes a new paradigm in institutional structure and brings local resources together in a whole new way.

The Town works closely with non-profit organizations in the area that provide specific programs to the citizens of Paradise. These organizations provide services to very low-, low- and moderate-income residents, including the frail and elderly, mentally disabled, physically disabled, homeless, and at-risk youth. These organizations submit funding requests to the Town to qualify for money that comes out of the Community Needs Category. Up to 15% of annual funding is set-aside for these organizations. Once applications for grant funding are received and reviewed by staff, they go through a competitive review process and recommendations are decided by a funding committee and forwarded to the Town Council for final approval. Once funding decisions are made, organizations are required to sign a contract with the Town outlining the rules and regulations of public service funds. They are required to

submit the required documents and reference material related to grant funding. After the contract is signed, the organizations submit quarterly and year end reports for staff review. Organizations are audited and staff performs site visits on a yearly basis. If organizations are not submitting reports on-time or are unable to follow through with program requirements, staff will monitor the organizations to make sure that HUD regulations are being met, or funding is withdrawn.

Actions planned to enhance coordination between public and private housing and social service agencies

The Town will focus on collaboration between government agencies, local non-profits, community-needs organizations, and local businesses. The town will continue to work with stakeholder and other community service agencies, and organizations. The Town will continue to work with housing and service agencies on affordable housing. Once the sewer is completed, the Town anticipates more opportunities for private/public partnership for affordable housing.

Discussion:

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction:

This section describes the program specific requirements of the CDBG grant program.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%



Town of Paradise

Council Agenda Summary

Agenda Item: 5(b)

Date: April 11, 2023

ORIGINATED BY: Susan Hartman, Community Development
Director – Planning & Wastewater

REVIEWED BY: Kevin Phillips, Town Manager
Scott Huber, Town Attorney

SUBJECT: Public Hearing to Consider Adoption of Paradise
Municipal Code Zoning Text Amendments Relative to
Short-term Rentals

**LONG TERM
RECOVERY PLAN:** Planning and Zoning – Tier 1

COUNCIL ACTION REQUESTED:

1. Concur with the project “CEQA determination” finding embodied within Planning Commission Resolution No. 2023-01; and,
2. Waive the first reading of Town Ordinance No. 625 and read by title only; and,
3. Introduce Town Ordinance No. 625 “An Ordinance Amending Text Regulations within Paradise Municipal Code Title 17 [Zoning] Relative to Short-Term Rentals”; ot
4. Adopt an alternative directive to town staff

Background:

At the September 13, 2022 Town Council meeting, staff and council members had a discussion as to the possibility of creating a short-term rental (STR) ordinance that would allow for home and room rentals that were less than 31 days. Currently, only bed and breakfast facilities are potentially permitted as short-term rentals in residential zones with the issuance of a conditional use permit by the Planning Commission. Different standards, from jurisdictions already regulating short-term rentals, were reviewed, and discussed. At the end of the conversation, staff was directed to prepare a list of proposed standards for Council consideration before formally drafting an ordinance for Planning Commission review.

At the November 7, 2022 Town Council meeting, staff and council members reviewed and discussed proposed standards relating to the use of short-term rentals resulting in a consensus from the Council regarding the standards and direction to move forward with a proposed ordinance for Planning Commission review and recommendation.

The Planning Commission reviewed the proposed ordinance, including the standards and prohibitions, at their regularly scheduled meeting on March 21, 2023 and made a recommendation of approval to the Council, with revisions, of the proposed ordinance.

Analysis:

During the public hearing, the Commission engaged in an information conversation with the Association Executive of the Paradise Association of Realtors who spoke both on behalf the Association as well as the Chamber of Commerce. The crux of the discussion was opposition to limiting the overall number of STRs permitted. Both the Commission and the Association Executive questioned the need, at this time, to limit the number of STRs when they are being viewed as a viable option for workforce housing. STRs also provide additional housing opportunities during community event weekends when Paradisians, who have not yet rebuilt, are looking to come back to the Ridge for the weekend to join in the festivities. Commission recommended that staff be given direction by Council to bring back the ordinance, if adopted, in 5 years to determine if a cap is merited at that time.

Ultimately, the Commission voted to amend the proposed ordinance to remove any language regarding a cap on STRs. Shown below are the standards originally proposed by staff, followed by the Council's recommendation to those standards, as well as the Commission's final recommendation embodied in Planning Commission Resolution 2023-01.

Category	11/07/2022 Staff Recommendation	11/07/22 Council Recommendation	Commission Recommendation
STANDARDS			
Planning Permit Required	Yes – Administrative Permit (no hearing)	AGREED	AGREED
Business License	Yes & Transient Occupancy Tax (TOT)	AGREED	AGREED
Renewal Frequency	Business license – annually	AGREED	AGREED
Setback from other STRs	None	AGREED	AGREED
Threshold for Revocation	Any violation grounds for revocation	AGREED	AGREED
Quiet hours	10pm-7am (PMC times for music and loudspeakers)	AGREED	AGREED
Max number of occupants	2/bedroom	AGREED	AGREED
Max number of rental rooms	None	AGREED	AGREED
Max number of rentals on lot	None	DISAGREE – Council Consensus was for only 1-unit per lot	AGREED with 1-unit per lot
Min/Max annual nights per month/year	None	AGREED	AGREED
Max number of STRs townwide	None	DISAGREE – Council Consensus was to cap the number of STRs to 1% of the total housing inventory	DISAGREE – Strike STR cap and give staff direction to bring back ordinance for review in 5 years to determine if cap is merited
Hosted homestay (Room rental with owner on-site)	Yes	AGREED – Council Consensus was not to count homestays as part of 1% STR cap	AGREED
Parking rules	1 on-site space per bedroom	AGREED	AGREED
Zoning districts	All that permit residential use	AGREED	AGREED
Property Owner/Manager	Available 24/7 and within 30 minutes	AGREED	AGREED
Neighborhood noticing	Yes, within 300' and on a private road	AGREED	AGREED
Special events	Prohibited	AGREED	AGREED
Exterior Signage	Prohibited	AGREED	AGREED
Interior posting requirements	Inside – contact info, evacuation info & rules	AGREED	AGREED
Fire Inspection	Yes, annually (extinguisher, alarms, defensible space)	AGREED	AGREED
Transferrable permit	No	AGREED	AGREED
PROHIBITIONS			
	No incidental camping in tents or RVs	AGREED	AGREED
	Red Flag Warning – outdoor open flame prohibited	AGREED	AGREED
	Deed restricted affordable housing cannot be used for STRs	AGREED	AGREED
	Not allowed in structures not built for residential occupancy	AGREED	AGREED

	Not rented when there is an open building permit	AGREED	AGREED
	Not rented when there is a failed septic inspection on file	AGREED	AGREED

As previously presented to the Council, there is a cost to the applicant for operating a short-term rental. That cost is highest the first year, when the land use entitlement needs to be secured, and then averages \$70-75/year for each subsequent year’s licensing in addition to submittal of the Transient Occupancy Tax to the Town when the unit is operated as an STR. The licensing fees are as follows:

- 1st year:
 - Planning entitlement (minor use permit) to operate a motel/lodging land use (short-term rental) in a residential zone. Once approved, the entitlement does not have to be renewed until/unless the property is sold. **\$352.14.**
 - Business license for operating an STR in the Town. **\$40.00.**
 - Annual fire inspection (fire extinguisher, fire alarms, defensible space). **\$43.49 for a unit up to 1,000 sq ft. \$52.19 for a unit up to 2,000 sq ft.**
- 2nd and subsequent years:
 - Business license renewal for operating an STR in the Town. **\$25.00.**
 - Annual fire inspection (fire extinguisher, fire alarms, defensible space). **\$43.49 for a unit up to 1,000 sq ft. \$52.19 for a unit up to 2,000 sq ft.**

The Planning Division would be tasked with overseeing the short-term rental program and would coordinate with the Fire Prevention Office regarding inspections, Town Hall for TOT submittals and business licensing, and Code Enforcement for corrective actions.

Financial Impact:

If the ordinance is ultimately adopted, additional TOT revenues would potentially be realized as currently non-compliant short-term rentals became permitted and tracked for compliance. The staff cost for review and issuance of the zoning permit and the fire prevention inspections would be covered by the Council-adopted fees for those services. The cost of tracking software, to physically locate rentals being advertised, send notices, and act as a 24/7 complaint line, would cost approximately \$5,300 a year.

ATTACHMENTS:

1. Copy of the notice of public hearing for the proposed text amendments.
2. Copy of Notice of Exemption dated March 14, 2023.
3. Copy of Planning Commission Resolution No. 2023-01, “A Resolution of the Paradise Planning Commission Recommending Town Council Adoption of Text amendments to Title 17 of the Paradise Municipal Code Relative to Short-Term Rentals within the Town of Paradise”.
4. Town Ordinance No. 625 “An Ordinance Amending Text Regulations within Paradise Municipal Code Title 17 [Zoning] Relative to Short-Term Rentals”.

**TOWN OF PARADISE
NOTICE OF PUBLIC HEARING
PARADISE TOWN COUNCIL**

NOTICE IS HEREBY GIVEN by the Paradise Town Council that a public hearing will be held on **Tuesday, April 11, 2023** at 6:00 p.m., or as soon thereafter as possible, in the Town Hall Council Chambers, 5555 Skyway, Paradise, California, regarding the following matter:

- a. Item determined to be exempt from environmental review under CEQA Guidelines section 15061(b)(3) (General rule exemption)

PARADISE MUNICIPAL CODE: Town Council consideration of a Planning Commission Resolution recommending Town Council approval of text amendments in Paradise Municipal Code (PMC) Title 17 (Zoning Ordinance). If adopted by the Town Council, the amendments would: 1) add a new chapter of regulations pertaining to residential short-term rentals; and 2) enumerate the standards for establishment and operation of short-term rentals within the Town of Paradise.

The project file is available for public inspection at the Building Resiliency Center by appointment. If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this notice, or in written correspondence delivered to the Town Clerk at, or prior to, the public hearing. For further information please contact the Planning Director, Building Resiliency Center, 6295 Skyway, Paradise, CA (530) 872-6291, extension 424.

Dina Volenski
Town Clerk

NOTICE OF EXEMPTION

To: File

From: Town of Paradise, Development Services Department,
Planning Division, 6295 Skyway, Paradise, CA 95969

Project Title: PMC Title 17 [Zoning] Text Amendments

Project Applicant: Town of Paradise

Project Location: N/A

Project Description: Add a new chapter of regulations pertaining to residential short-term rentals and enumerate the standards for establishment and operation of short-term rentals within the Town of Paradise.

Approving Public Agency: Town of Paradise

**Person or Agency
Carrying Out Project:** Town of Paradise

Exempt Status: _____ Ministerial (Section 15268)
_____ Emergency Project (Section 15269)
_____ Categorical Exemption (Section 15302)
 X General Rule Exemption (Section 15061)

Reason for Exemption: The amendments do not constitute a project under CEQA, no physical activity is planned and there is no possibility of a significant environmental effect.

Contact Person: Susan Hartman, Planning Director
(530) 872-6291 x424

Signature: 

Date: _____ 03/14/2023 _____

**TOWN OF PARADISE PLANNING COMMISSION
RESOLUTION 2023-01**

**A RESOLUTION OF THE PARADISE PLANNING COMMISSION RECOMMENDING TOWN COUNCIL
ADOPTION OF TEXT AMENDMENTS TO TITLE 17 OF THE PARADISE MUNICIPAL CODE RELATIVE
TO SHORT-TERM RENTALS WITHIN THE TOWN OF PARADISE**

WHEREAS, the Town of Paradise is legally required to direct and regulate land development and land uses via zoning regulations and other means that are consistent with its current Paradise General Plan as well as current state planning and zoning law; and

WHEREAS, the Paradise Planning Commission finds that there is a compelling need for the Town Council of the Town of Paradise to adopt the foregoing Paradise Municipal Code (PMC) amendments to assist with post-fire recovery efforts relating to short-term housing accommodations and to minimize any related effects to the health, property, safety and welfare of Town citizens, and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on March 21, 2023 to study and consider recommending Town Council adoption of text amendments to PMC Title 17 (Zoning Ordinance) as proposed by Town staff; and

WHEREAS, the public review also included review and determination that the proposed PMC text amendment is an activity that is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (general rule exemption) because there is no possibility that the amendment would result in a significantly adverse effect upon the environment; and

WHEREAS, the Planning Commission has considered the recommendation of the Town staff, etc., as well as input received during the public hearing; and on the basis of the foregoing, has determined that the text amendments to PMC Title 17 (Zoning Ordinance) is warranted at this time in order to allow the establishment of short-term rentals within the Town of Paradise.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF PARADISE as follows:

The Planning Commission hereby recommends to the Town Council of the Town of Paradise, adoption of the proposed text amendments to PMC Title 17 (Zoning Ordinance) as set forth in **Exhibit "A"** attached hereto and made a part of by reference; and recommends to the Town Council that the proposed Paradise Municipal Code text amendments is not subject to the requirements of the California Environmental Quality Act (CEQA) in accordance with the general rule categorical exemption provisions of CEQA Guidelines Section 15061.

**TOWN OF PARADISE
PLANNING COMMISSION
RESOLUTION NO. 2023-01**

PASSED AND ADOPTED by the Planning Commission of the Town of Paradise this 21st day of March 2023 by the Following Vote:

AYES: Carissa Garrard (via Teams), Charles Holman, Kim Morris, Zeb Reynolds (via Teams) and Lynn Costa, Chair

NOES: None

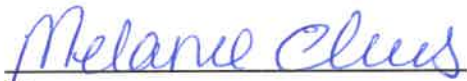
ABSENT: None

ABSTAIN: None



Lynn Costa, Chair

ATTEST: 3-22-23



Melanie Elvis, Deputy Town Clerk

EXHIBIT "A"

SECTION 1: A new Chapter 17.30 [SHORT-TERM RENTALS] shall be added to Paradise Municipal Code Title 17 [Zoning Ordinance] to read as follows:

Sections:

17.30.100 Purpose

17.30.200 Types of short-term rentals

17.30.300 Applicability

~~17.30.400 Permit cap~~

17.30.500 Operational standards

17.30.600 Prohibitions and restrictions

17.30.700 Penalties

17.30.100 Purpose.

The purpose of these regulations is to ensure that short-term rentals located in the town are compatible with the neighborhood in which they are located and do not create an adverse impact on adjacent properties through the establishment of an appropriate permitting process and standards for the short-term rental of residential dwelling units.

17.30.200 Types of short-term rentals.

For the purposes of this chapter, the following short-term rental facilities are established:

- A. Homestay: An owner-occupied (or primary occupant with the written permission of the owner) residential dwelling unit where, for compensation, individual overnight room accommodations are provided for a period of thirty (30) days or less while the owner is in residence.
- B. Vacation Rental: An entire residential dwelling unit where, for compensation, overnight accommodations are provided for a period of thirty (30) days or less without concurrently being occupied by the owner.

17.30.300 Applicability.

- A. The regulations of this chapter apply to short-term rentals in any multiple-family residential, town-residential, rural-residential, or agricultural-residential zoning district. Any property owner or property management company who leases, rents, or otherwise makes available for compensation a short-term rental unit for a period of thirty (30) days or less, must first obtain an administrative permit prior to advertising and/or operating the short-term rental unit. The administrative permit is non-transferrable and in addition to the transient occupancy tax that is required pursuant to Chapter 3.24 and the business license required pursuant to Chapter 5.22. Upon issuance, the administrative permit shall be mailed to all property owners within 300 feet of the subject parcel and to all property owners located on any private road serving the short-term rental as notice of the standards and limitations placed upon the short-term rental unit and will include the contact name and number provided under section 17.30.4500.H.
- B. This article does not apply to the use of single-family dwellings when not occupied as a short-term rental.
- C. This article does not apply during times of a declared emergency when short-term rentals are offered at no cost to individuals displaced from their home as a result of a disaster.

17.30.400 Permit cap.

- ~~A. The total number of residential short-term rental unit permits issued shall be capped at 1% of the townwide inventory of dwelling units. Hotels, motels, and bed & breakfast facilities are not subject to this article and therefore not subject to this cap.~~
- ~~B. Homestays are exempt from the cap but otherwise subject to all other provisions of this article.~~

17.30.4500 Operational standards.

All short-term rentals are required to comply with the following standards and shall not generate other potential disturbances which may disrupt the peace, safety, and general welfare of communities. Failure to comply with the standard conditions of this section may result in fines and permit revocation as outlined in Section 17.30.6700.

- A. Occupancy shall be limited to a maximum of two people per rented room.
- B. A minimum of one on-site parking space shall be provided for each room rented. Guest parking spaces shall be within the primary driveway or other on-site location.
- C. All short-term rental guests are required to comply with Chapter 9.18 Noise Control. Quiet hours shall be imposed between the hours of ten p.m. and seven a.m. during which no sound from the short-term rental shall be audible across a property boundary.

- D. Trash and recycling services through the solid waste franchisee shall be provided for each short-term rental unit. Refuse containers shall be serviced on a weekly basis and after pickup shall be stored outside of the front yard setback.
- E. Short-term rentals shall meet all applicable building, health, fire, and related safety codes at all times, including provision of working smoke and carbon monoxide detectors.
- F. Each short-term rental shall be equipped with a minimum 2-A:10-B:C fire extinguisher.
- G. The property owner shall be responsible for maintaining the property at all times in compliance with Chapter 8.58 Defensible Space and Hazardous Fuel Management.
- H. The operator of the unit shall, at all times the unit is being occupied as a short-term rental, maintain a contact person within a thirty-minute drive of the property. The contact person or entity must be available via telephone twenty-four (24) hours a day, seven days a week, to respond to questions or concerns regarding the operation of the short-term rental.
- I. A written notice shall be conspicuously placed inside each short-term rental unit identifying the name and phone number of the contact person required in subsection H. The notice shall also contain the address of the unit, evacuation information, and operational standards at a minimum pertaining to noise, parking, fire restrictions, occupancy limits, and garbage collection day.
- J. Short-term rentals shall be subject to an annual fire inspection prior to initial permit issuance for all short-term rental permits and then once every year thereafter for the duration the unit is licensed as a short-term rental. The fire inspection is to ensure the rental complies with the smoke and carbon monoxide alarm requirements, the fire extinguisher requirement, and defensible space. Inspections are subject to the adopted fee schedule cost for annual fire inspections.

17.30.5600 Prohibitions and restrictions.

- A. Prohibited and restricted structures.
 - 1. No more than one dwelling unit on a parcel may be used at any one time for short-term rental purposes.
 - 2. Structures with deed restrictions or an agreement restricting its use as affordable housing shall not be used for short-term rental purposes.
 - 3. Short-term rentals are not allowed in structures not constructed for residential occupancy under the California Building Code Standards.

4. Short-term rentals shall not be rented during construction, remodeling, additions, or an active building permit.

5. Short-term rentals shall not be rented when there is a failed septic system evaluation on file or an active septic construction permit.

B. Camping restrictions.

1. A short-term rental administrative permit does not authorize any overnight camping, sleeping in tents, travel trailers, campers, or recreational vehicles. Recreational vehicles are permitted if they are the primary transportation for the renter or visitor, but they may not be used for overnight accommodations during the stay.

C. Fire restrictions.

1. When a red flag warning is in effect for the area where the short-term rental is located, all sources of outdoor open flame are prohibited.

2. The use and discharge of fireworks are prohibited within the town as stated in Chapter 8.44.

D. Special events.

1. The property shall not be used to host non-owner related weddings, parties, commercial functions, or other similar events.

E. Signage restrictions.

1. On-site advertising of the short-term rental is prohibited.

17.30.6700 Penalties.

Any violation of these requirements shall constitute grounds for revocation of the administrative permit. Enforcement of the provisions of this chapter may include the civil remedies as permitted by state law, the issuance of a citation or fine, or other legal remedy as provided by Chapter 1.08 of the Paradise Municipal Code. Upon notification by the town, any short-term rental operating in violation of the requirements of this chapter must terminate operations immediately. Further, an administrative permit issued under the authority of this chapter may be revoked in accordance with the procedures established in Chapter 17.45.

**TOWN OF PARADISE
ORDINANCE NO. 625**

**AN ORDINANCE AMENDING TEXT REGULATIONS WITHIN
PARADISE MUNICIPAL CODE TITLE 17 [ZONING] RELATIVE TO SHORT-TERM RENTALS
WITHIN THE TOWN OF PARADISE**

SECTION 1. A new Chapter 17.30 [SHORT-TERM RENTALS] shall be added to Paradise Municipal Code Title 17 [Zoning Ordinance] to read as follows:

Sections:

17.30.100 Purpose

17.30.200 Types of short-term rentals

17.30.300 Applicability

~~17.30.400 Permit cap~~

17.30.500 Operational standards

17.30.600 Prohibitions and restrictions

17.30.700 Penalties

17.30.100 Purpose.

The purpose of these regulations is to ensure that short-term rentals located in the town are compatible with the neighborhood in which they are located and do not create an adverse impact on adjacent properties through the establishment of an appropriate permitting process and standards for the short-term rental of residential dwelling units.

17.30.200 Types of short-term rentals.

For the purposes of this chapter, the following short-term rental facilities are established:

- A. Homestay: An owner-occupied (or primary occupant with the written permission of the owner) residential dwelling unit where, for compensation, individual overnight room accommodations are provided for a period of thirty (30) days or less while the owner is in residence.

- B. Vacation Rental: An entire residential dwelling unit where, for compensation, overnight accommodations are provided for a period of thirty (30) days or less without concurrently being occupied by the owner.

17.30.300 Applicability.

- A. The regulations of this chapter apply to short-term rentals in any multiple-family residential, town-residential, rural-residential, or agricultural-residential zoning district. Any property owner or property management company who leases, rents, or otherwise makes available for compensation a short-term rental unit for a period of thirty (30) days or less, must first obtain an administrative permit prior to advertising and/or operating the short-term rental unit. The administrative permit is non-transferrable and in addition to the transient occupancy tax that is required pursuant to Chapter 3.24 and the business license required pursuant to Chapter 5.22. Upon issuance, the administrative permit shall be mailed to all property owners within 300 feet of the subject parcel and to all property owners located on any private road serving the short-term rental as notice of the standards and limitations placed upon the short-term rental unit and will include the contact name and number provided under section 17.30.4500.H.
- B. This article does not apply to the use of single-family dwellings when not occupied as a short-term rental.
- C. This article does not apply during times of a declared emergency when short-term rentals are offered at no cost to individuals displaced from their home as a result of a disaster.

~~17.30.400 Permit cap.~~

- ~~A. The total number of residential short-term rental unit permits issued shall be capped at 1% of the townwide inventory of dwelling units. Hotels, motels, and bed & breakfast facilities are not subject to this article and therefore not subject to this cap.~~
- ~~B. Homestays are exempt from the cap but otherwise subject to all other provisions of this article.~~

17.30.4500 Operational standards.

All short-term rentals are required to comply with the following standards and shall not generate other potential disturbances which may disrupt the peace, safety, and general welfare of communities. Failure to comply with the standard conditions of this section may result in fines and permit revocation as outlined in Section 17.30.6700.

- A. Occupancy shall be limited to a maximum of two people per rented room.

- B. A minimum of one on-site parking space shall be provided for each room rented. Guest parking spaces shall be within the primary driveway or other on-site location.
- C. All short-term rental guests are required to comply with Chapter 9.18 Noise Control. Quiet hours shall be imposed between the hours of ten p.m. and seven a.m. during which no sound from the short-term rental shall be audible across a property boundary.
- D. Trash and recycling services through the solid waste franchisee shall be provided for each short-term rental unit. Refuse containers shall be serviced on a weekly basis and after pickup shall be stored outside of the front yard setback.
- E. Short-term rentals shall meet all applicable building, health, fire, and related safety codes at all times, including provision of working smoke and carbon monoxide detectors.
- F. Each short-term rental shall be equipped with a minimum 2-A:10-B:C fire extinguisher.
- G. The property owner shall be responsible for maintaining the property at all times in compliance with Chapter 8.58 Defensible Space and Hazardous Fuel Management.
- H. The operator of the unit shall, at all times the unit is being occupied as a short-term rental, maintain a contact person within a thirty-minute drive of the property. The contact person or entity must be available via telephone twenty-four (24) hours a day, seven days a week, to respond to questions or concerns regarding the operation of the short-term rental.
- I. A written notice shall be conspicuously placed inside each short-term rental unit identifying the name and phone number of the contact person required in subsection H. The notice shall also contain the address of the unit, evacuation information, and operational standards at a minimum pertaining to noise, parking, fire restrictions, occupancy limits, and garbage collection day.
- J. Short-term rentals shall be subject to an annual fire inspection prior to initial permit issuance for all short-term rental permits and then once every year thereafter for the duration the unit is licensed as a short-term rental. The fire inspection is to ensure the rental complies with the smoke and carbon monoxide alarm requirements, the fire extinguisher requirement, and defensible space. Inspections are subject to the adopted fee schedule cost for annual fire inspections.

17.30.5600 Prohibitions and restrictions.

- A. Prohibited and restricted structures.
 - 1. No more than one dwelling unit on a parcel may be used at any one time for short-term rental purposes.

2. Structures with deed restrictions or an agreement restricting its use as affordable housing shall not be used for short-term rental purposes.
3. Short-term rentals are not allowed in structures not constructed for residential occupancy under the California Building Code Standards.
4. Short-term rentals shall not be rented during construction, remodeling, additions, or an active building permit.
5. Short-term rentals shall not be rented when there is a failed septic system evaluation on file or an active septic construction permit.

B. Camping restrictions.

1. A short-term rental administrative permit does not authorize any overnight camping, sleeping in tents, travel trailers, campers, or recreational vehicles. Recreational vehicles are permitted if they are the primary transportation for the renter or visitor, but they may not be used for overnight accommodations during the stay.

C. Fire restrictions.

1. When a red flag warning is in effect for the area where the short-term rental is located, all sources of outdoor open flame are prohibited.
2. The use and discharge of fireworks are prohibited within the town as stated in Chapter 8.44.

D. Special events.

1. The property shall not be used to host non-owner related weddings, parties, commercial functions, or other similar events.

E. Signage restrictions.

1. On-site advertising of the short-term rental is prohibited.

17.30.6700 Penalties.

Any violation of these requirements shall constitute grounds for revocation of the administrative permit. Enforcement of the provisions of this chapter may include the civil remedies as permitted by state law, the issuance of a citation or fine, or other legal remedy as provided by Chapter 1.08 of the Paradise Municipal Code. Upon notification by the town, any short-term rental operating in violation of the requirements of this chapter must terminate operations immediately. Further,

an administrative permit issued under the authority of this chapter may be revoked in accordance with the procedures established in Chapter 17.45.

SECTION 2. CEQA COMPLIANCE. The Town Council finds and determines that the enactment of this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines section 15061(b)(3) (General Rule Exemption).

SECTION 3. This ordinance shall take effect thirty (30) days after the date of its passage. Before the expiration of fifteen (15) days after its passage, this ordinance or a summary thereof shall be published in a newspaper of general circulation published and circulated within the Town of Paradise along with the names of the members of the Town Council of Paradise voting for and against same.

PASSED AND ADOPTED by the Town Council of the Town of Paradise, County of Butte, State of California, on this _____ day of _____, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Greg Bolin, Mayor

ATTEST:

Dina Volenski, Town Clerk

APPROVED AS TO FORM:

Scott E. Huber, Town Attorney



Town of Paradise

Council Agenda Summary

Agenda Item: 5(c)

Date:

ORIGINATED BY: Eric Reinbold, Chief of Police
Scott Huber, Town Attorney
REVIEWED BY: Kevin Phillips, Town Manager
SUBJECT: Receive Report Related to Use of “Military Equipment”
as Defined in Paradise Municipal Code

LONG TERM RECOVERY PLAN: No

COUNCIL ACTION REQUESTED:

1. Consider discussing and soliciting public input related to the use of “military equipment” by the Paradise Police Department as defined by the Paradise Municipal Code; and, 2. Consider approving the updated Military Equipment policy for Paradise Police Department. (ROLL CALL VOTE)

Background:

In early 2022, the Town of Paradise adopted an ordinance and policy which allowed the Paradise Police Department (PPD) to use “military equipment” as defined in Government Code sections 7070 through 7075. These sections of the Government Code also require a public agency that utilizes “military equipment” to provide an annual report on the ownership and use of such equipment. The Council will receive the report. In addition, the Council will consider the approval of the updated Military Equipment policy. At the next Town Council meeting, the Town Council will conduct a public hearing related to the report.

Analysis:

Items deemed to be “military equipment” by Government Code sections 7070 through 7075 are used as a component of overall best practices for LEAs throughout the country. These tools have been tested in the field, and are used by LEAs to enhance citizen safety, officer safety. Loss of these items would jeopardize the welfare of citizens and peace officers within the Town of Paradise Police Department.

The term “military equipment” in fact does not necessarily indicate equipment that has been used by the military. Pursuant to Government Code sections 7070 through 7075, items deemed to be “military equipment” include, but are not limited to, unmanned aerial or ground vehicles, armored vehicles, command and control vehicles, pepper balls, less lethal shotguns, less lethal 40mm projectile launchers, long range acoustic devices, and flashbangs.

PPD is committed to using the most up to date tools and equipment to safeguard the citizens of the Town of Paradise. Some of the items deemed to be “military equipment” by Government Code sections 7070 through 7075 are utilized by PPD, and LEAs across the country, in order to specifically reduce risk to community members. These items provide peace officers with the ability to safely resolve volatile situations which otherwise might rise to the level of a lethal force

encounter. The items listed in the Military Equipment Use Policy, also provide PPD's peace officers with vital tools that facilitate compliance with its stringent use of force policy.

An annual report is required pursuant to Government Code sections 7070 through 7075. The report is required to include the following items:

1. A summary of how the Military Equipment was used and the purpose of its use.
2. A summary of any complaints or concerns received concerning the Military Equipment.
3. The results of any internal audits, any information about violations of the Military Equipment Use Policy, and any actions taken in response.
4. The total annual cost for each type of Military Equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the Military Equipment in the calendar year following submission of the annual Military Equipment Report.
5. The quantity possessed for each type of Military Equipment.
6. If the law enforcement agency intends to acquire additional Military Equipment in the next year, the quantity sought for each type of Military Equipment.

The Council will receive the "military equipment" use report and will consider approval of modifications to the Military Equipment Policy, which is attached. Strikeouts from the current policy appear in red strikethrough text and additions appear in blue underlined text.

Financial Impact:

None at this time. Requests for acquisitions of new equipment will come to Council separately.

Attachments:

Amended Military Equipment Use Policy
Annual Report on Military Equipment Use

Military Equipment

708.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

708.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Department.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

Paradise Police Department

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Military Equipment

708.2 POLICY

It is the policy of the Paradise Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

708.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of the Paradise Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting.
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

708.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Paradise Police Department:

MILITARY USE EQUIPMENT – Current Inventory

- (a) **Less Lethal Shotgun:** Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Beanbag Round.
 - (a) Description, quantity, capabilities, and purchase cost
 - (a) REMINGTON 870 LESS LETHAL SHOTGUN, cost: \$946, quantity: 7. The Remington 870 Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Beanbag Round up to a distance of 75 feet. The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat which is a principle of De-escalation.

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- (b) 12-GAUGE SUPER-SOCK BEANBAG ROUND, cost: \$5, quantity: 300. A less lethal 2.4-inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of lead shot at a velocity of 270-290 feet per second (FPS). CTS Super-Sock rounds are discharged from a dedicated 12-gauge shotgun that is distinguishable by an orange butt stock and fore grip. This round provides accurate and effective performance when fired from the approved distance of not fewer than five (5) feet. The maximum effective range of this munition is up to 75 feet from the target. The Model 2581 Super-Sock is in its deployed state immediately upon exiting the barrel. It does not require a minimum range to "unfold" or "stabilize." The Super-Sock is an aerodynamic projectile. However, accuracy is relative to the shotgun, barrel length, environmental conditions, and the operator. The Super-Sock is very accurate. However, effectiveness depends on many variables, such as distance, clothing, stature, and the point where the projectile impacts.
- (b) Purpose To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.
- (c) Authorized Use Situations for use of the less lethal weapon systems may include, but are not limited to:
 - (a) Self-destructive, dangerous and/or combative individuals.
 - (b) Riot/crowd control and civil unrest incidents.
 - (c) Circumstances where a tactical advantage can be obtained.
 - (d) Potentially vicious animals.
 - (e) Training exercises or approved demonstrations
- (d) Lifespan
 - (a) Remington 870 Less Lethal Shotgun- 25 years. Super Sock Round- No listed expiration date.
- (e) Fiscal Impact
 - (a) Annual maintenance is approximately \$50 for each shotgun.
- (f) Training
 - (a) All officers are trained in the 12 gauge less lethal shotgun as a less lethal option by in-service training.
- (g) Legal and Procedural Rules
 - (a) Use is established under PPD Policy 308.9, 308.10, and 308.11. It is the policy of the PPD to utilize the less lethal shotgun only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.
- (b) **Distraction Devices:** A distract device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.

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- (a) Description, quantity, capabilities, and purchase cost
 - (a) DEFENSE TECHNOLOGY, 8901SC FLASH-BANG, cost: \$45, quantity: 11. A non-bursting, non-fragmenting multi-bang device that produces a thunderous bang with an intense bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.
 - (b) DEFENSE TECHNOLOGY, 1082 CS GRENADE, cost: \$30, quantity: 12. The Riot Control CS Grenade is designed specifically for outdoor use in crowd control situations with a high volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive. This launchable grenade is 6.0 in. by 2.35 in. and holds approximately 2.7 oz. of active agent.
- (b) Purpose
 - (a) To produce atmospheric over-pressure and brilliant white light and, as a result, can cause short-term (6 - 8 seconds) physiological/psychological sensory deprivation to give officers a tactical advantage.
- (c) Authorized Use
 - (a) Diversionary Devices shall only be used:
 - (a) By officers who have been trained in their proper use.
 - (b) In hostage and barricaded subject situations.
 - (c) In high-risk warrant (search/arrest) services where there may be extreme hazards to officers.
 - (d) During other high-risk situations where their use would enhance officer safety.
 - (e) During training exercises.
- (d) Lifespan
 - (a) Until used.
- (e) Fiscal Impact
 - (a) No annual maintenance.
- (f) Training
 - (a) Prior to use, officers must attend diversionary device training that is conducted by Post certified instructors.
- (g) Legal and Procedural Rules
 - (a) Use is established under Paradise Police Policy 408. It is the policy of the PPD to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

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- (c) **Rifles:** Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a long distance.
- (a) Description, quantity, capabilities, and purchase cost
 - (a) Colt M16A1 RIFLE, Converted to Semi-Automatic AR-15, received from military at no cost. cost: \$150 to convert and outfit rifles for police use, quantity: 5. The M16 rifle, officially designated Rifle, Caliber 5.56MM.
 - (b) Palmetto State Armory Semi-Automatic AR-15, cost: \$750, for patrol use, quantity: 15, officially designated Rifle, Caliber 5.56MM
 - (c) SPEER GOLD DOT.223 CALIBER 62 GRAIN RIFLE ROUND, cost: \$260 per case of 500, quantity: 8 cases. Remington ammo made by Speer is reloadable, features nickel plated brass cases and Boxer primers and this is a non-corrosive round. The Gold Dot LE ammunition goes through a process of joining the jacket and core one molecule at a time, thanks to this Speer eradicates the potential for the leading cause of bullet failure (jacket/core separation). This process will guarantee extraordinary weight retention through barriers as strong as auto-glass. In addition to its remarkable strength, Gold Dot rifle ammunition asserts remarkable accuracy. With exact tolerances and unparalleled bullet uniformity of jacket thickness.
 - (d) WOLF GOLD.223 55GR RIFLE ROUND, cost: \$170 per case of 1000, quantity: 2 cases. Wolf Gold 223 Remington ammo features a 55 Grain FMJ bullet, brass casing and a non-corrosive primer. This 223 Rem ammunition is 100% reloadable if you choose to save your brass and reload your 223 ammo. The Wolf Gold.223 ammo offers muzzle velocity of 3250 feet per second and muzzle energy of 1290 ft lbs.
 - (b) Purpose
 - (a) To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.
 - (c) Authorized Use
 - (a) Only members that are POST certified are authorized to use a rifle.
 - (d) Lifespan
 - (a) Colt M16A1rifle converted to semi-automatic AR-15- no expiration.
 - (b) Palmetto State Armory AR-15 – No expiration
 - (e) Fiscal Impact
 - (a) Annual maintenance is approximately \$50 for each rifle.
 - (f) Training
 - (a) Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification two times a year.
 - (g) Legal and Procedural Rules

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- (a) Use is established under PPD Policy 312. It is the policy of the PPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.
- (d) **Simunition Equipment (SIM):** The GLOCK Training Pistols were developed with the purpose of enabling reality-based tactical operations training using color marking or plastic projectile ammunition.
 - (a) Description, quantity, capabilities, and purchase cost
 - (a) FX 9mm TRAINING SIMUNITION, cost: \$50 per box of 50 rounds, quantity: 50 boxes. The FX® marking cartridges, which come in six colors, are at the core of the FX® Training System known as "the world's most realistic close-range combat training system". The patented, reduced-energy, non-lethal cartridges leave a detergent-based, water-soluble color-marking compound. The visible impacts allow accurate assessment of simulated lethality. The cartridges are available in .38 cal. and 9mm and feature tactical accuracy up to 25 feet (7.6 meters). The 5.56mm is tactically accurate with ball cartridges to 100 feet (30 meters). No special ballistic facilities are required. They meet the need for a force-on-force and man-to-man training system that is realistic, effective, inexpensive, adaptable and fully portable.
 - (b) GLOCK 17T, cost: \$500, quantity 10. These pistols use the popular FX or FOF ammunition, which are used by military and law enforcement units around the world. The Modular back strap system makes it possible to instantly customize its grip to accommodate any hand size. The reversible magazine catch makes it ideal for left and right-handed shooters.
 - (b) Purpose
 - (a) To provide officers with realistic, tactical scenarios while maintaining a safe environment for training.
 - (c) Authorized Use
 - (a) Only those officers who have been trained in the use of Simunitions.
 - (d) Training
 - (a) Sworn members utilizing Simunitions are trained in their use by POST certified less lethal and firearm instructors.
 - (e) Lifespan
 - (a) Simunition FX training rounds – three years
 - (b) Glock 17T training handgun does not expire
 - (f) Fiscal Impact
 - (a) FX Simunitions – Replacement costs when used
 - (b) Annual maintenance of the Glock 17T - \$10 per year, per training handgun
 - (g) Legal and Procedural Rules

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- (a) Use is established under Paradise Police Policy 312.6. It is the policy of the PPD to utilize Simunitions only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.
- (e) **PepperBall Launcher:** A device that discharges irritant projectiles.
 - (a) Description, quantity, capabilities, and purchase cost
 - (a) PepperBall FTS CARBINE, cost: \$700, quantity 1. The Full Tactical Carbine (FTS) is a compressed-air powered launcher designed to fire non-lethal PepperBall projectiles.
 - (b) PepperBall LIVE PROJECTILE, cost: \$2 per projectile, quantity 90. The basic PepperBall projectile contains 2% PAVA pepper powder, and is designed for direct impact and area saturation, especially in confined, interior spaces. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and an area of saturation of 150+ft. The projectile contains 0.5% PAVA Powder.
 - (c) PepperBall LIVE-X PROJECTILE, cost: \$3 per projectile, quantity 90. The Live Projectile contains a concentrated amount of PAVA pepper powder. One round of LIVE-X contains the equivalent to 10 PepperBall rounds. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and an area of saturation of 150+ft. The projectile contains 5% PAVA Powder.
 - (b) Purpose
 - (a) To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include but are not limited to:
 - (a) Self-destructive, dangerous and/or combative individuals.
 - (b) Riot/crowd control and civil unrest incidents.
 - (c) Circumstances where a tactical advantage can be obtained.
 - (d) Potentially vicious animals.
 - (e) Training exercises or approved demonstrations.
 - (c) Authorized Use
 - (a) Only those officers who have been trained in the use of PepperBall launchers are authorized to use the PepperBall launchers.
 - (d) Training
 - (a) Sworn members utilizing PepperBall launchers and projectiles are trained in their use by POST certified less lethal and chemical agent instructors.
 - (e) Lifespan
 - (a) PepperBall FTC Carbine- 20 years

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- (b) PepperBall Live Projectile- 3 years
- (c) PepperBall Live-X Projectile- 3 years
- (f) Fiscal impact
 - (a) Annual maintenance is approximately \$50 for each PepperBall launcher.
- (g) Legal and Procedural Rules
 - (a) Use is established under Paradise Police Policy 308.7.2. It is the policy of the PPD to utilize PepperBall only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

MAINTENANCE OF MILITARY USE SUPPLY LEVELS

When stocks of military equipment have reached significantly low levels or have been exhausted, the Department may order up to 10% of stock in a calendar year without city council approval to maintain essential availability for the Department's needs.

ANNUAL PUBLIC RESPONSE

- Since the adoption of this policy, there has been no reported complaints of the department's possession and acquisition of approved military equipment.

MILITARY USE EQUIPMENT – Purchase Request ~~MILITARY USE EQUIPMENT – Purchase Request~~

1. Unmanned Aerial Systems (UAS): Also known as drones, are used to provide an extra level of protection, service, perspective, and convenience when conducting criminal investigations, reporting traffic collisions, and search and rescue operations.
 - (a) Description, Quantity, Capabilities, and purchase cost:
 - (a) ~~The DJI M30T was specifically built to serve industries and applications in public safety, inspection, search & rescue, fire response, and law enforcement. This Unmanned Aerial System (UAS) is a battery powered, remote operated device with a mounted camera, speaker, light and thermal imaging device. This UAS has proven to be useful to public safety agencies in firefighting, search and rescue, pre-operational surveillance, and other tactical situations where aerial views enhance the safety and efficiency of public safety personnel. This UAS has a flight time of 30 minutes.~~ The DJI M30T was specifically built to serve industries and applications in public safety, inspection, search & rescue, fire response, and law enforcement. This Unmanned Aerial System (UAS) is a battery powered, remote operated device with a mounted camera, speaker, light and thermal imaging device. This UAS has proven to be useful to public safety agencies in firefighting, search and rescue, pre-operational surveillance, and other tactical

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situations where aerial views enhance the safety and efficiency of public safety personnel. This UAS has a flight time of 30 minutes.

(b) DJI Mavic Mini drone, Quantity 4, Cost \$1,200 each

(a) The Mavic Mini was specifically built to serve enthusiasts. This small UAS is a battery powered, remote operated device with a mounted camera and lights. This UAS has proven to be useful to public safety agencies in firefighting, search and rescue, pre-operational surveillance, and other tactical situations where aerial views enhance the safety and efficiency of public safety personnel. This UAS has a flight time of 30 minutes.

(b) Purpose:

(a) May be deployed when an aerial view would enhance situational awareness and assist officers or incident commanders during, but not limited to, the following occurrences:

1. Arrest/Search Warrant
2. CBRNE (Chemical, Biological, Radiological, Nuclear, Explosives)
3. Crowd Control/Special Events
4. Dignitary Protection Detail
5. Disaster Management
6. Ongoing Criminal Investigation
7. Explosive Ordnance Disposal/Investigation
8. Fire
9. Forensic/Crime Scene
10. Missing Persons Investigations
11. Perimeter Search and Security
12. Search and Rescue
13. SWAT / Tactical Operations
14. Traffic Collision
15. Training
16. Public Relations/Multimedia Productions
17. Assisting outside agencies in any of the above situations
18. Assisting other Town of Paradise departments with carrying out their mission of better serving Paradise residents and visitors

(c) Authorized Use:

(a) UAS may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available

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or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations. The use of UAS shall not be used in the following circumstance:

1. To conduct random surveillance.
 2. To target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
 3. To harass, intimidate, or discriminate against any individual or group.
 4. To conduct personal business of any type.
 5. UAS shall never be weaponized.
- (d) Expected Lifespan:
- (a) 5 - 10 years
- (e) Fiscal Impact:
- (a) Annually \$500 - \$1000 for battery replacements / flight and data logs.
2. **Rifles:** Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a long distance.
- (a) Description, quantity, capabilities, and purchase cost
 - (a) Palmetto State Armory Semi-Automatic AR-15, cost: \$750, for patrol use, quantity: 3, officially designated Rifle, Caliber 5.56MM
 - (b) Purpose
 - (a) To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.
 - (c) Authorized Use
 - (a) Only members that are POST certified are authorized to use a rifle.
 - (d) Lifespan
 - (a) Palmetto State Armory AR-15 – No expiration
 - (e) Fiscal Impact
 - (a) Annual maintenance is approximately \$50 for each rifle.
 - (f) Training
 - (a) Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification two times a year.
 - (g) Legal and Procedural Rules

Paradise Police Department

Law Enforcement Services Manual

Military Equipment

- (a) [Use is established under PPD Policy 312. It is the policy of the PPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.](#)

708.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

708.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy.

708.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

Paradise Police Department

Law Enforcement Services Manual

Military Equipment

708.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

TOWN OF PARADISE POLICE DEPARTMENT
ANNUAL REPORT OF MILITARY EQUIPMENT USE

Pursuant to Government Code sections 7070 through 7075, the Town of Paradise Police Department is required to provide an annual report outlining the use of “military equipment” as defined in the Government Code and in Paradise Municipal Code Chapter 9.70. The annual report is required to include the following information:

1. A summary of how the Military Equipment was used and the purpose of its use.
2. A summary of any complaints or concerns received concerning the Military Equipment.
3. The results of any internal audits, any information about violations of the Military Equipment Use Policy, and any actions taken in response.
4. The total annual cost for each type of Military Equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the Military Equipment in the calendar year following submission of the annual Military Equipment Report.
5. The quantity possessed for each type of Military Equipment.
6. If the law enforcement agency intends to acquire additional Military Equipment in the next year, the quantity sought for each type of Military Equipment.

The information will be provided in the same order required.

1. Summary of How the Military Equipment was used and the Purpose of its Use.

During the past year, military equipment was used in the following circumstances:

The Patrol Rifles were deployed as a function of the Paradise Police Department patrol operations. The additional listed equipment was not utilized in the last fiscal year.

As to the purpose of the use of each item of military equipment, the Military Equipment Policy passed by the Town Council contains the purpose of each item of military equipment. Each response is incorporated as if included herein.

2. Summary of any Complaints or Concerns Received Concerning the Military Equipment.

The Town of Paradise and the Paradise Police Department have not received any complaints or concerns related to the use of military equipment.

3. The results of any internal audits, any information about violations of the Military Equipment Use Policy, and any actions taken in response.

4. The Total Annual Cost for Each Type of Military Equipment, Including Acquisition, Personnel, Training, Transportation, Maintenance, Storage, Upgrade, and Other Ongoing Costs, and from What Source Funds Will Be Provided for the Military Equipment in the Calendar Year Following Submission of the Annual Military Equipment Report.

The annual cost for each type of equipment is outlined in the current Proposed Policy Revision.

5. The Quantity Possessed for Each Type of Military Equipment.

The quantity of each type of military equipment is outlined in the Military Equipment Policy passed by the Town Council. Each response is incorporated as if included herein.

6. If the law enforcement agency intends to acquire additional Military Equipment in the next year, the quantity sought for each type of Military Equipment.

Military equipment items that the PPD intends to acquire in the next year are outlined in the Military Equipment Policy passed by the Town Council. Each response is incorporated as if included herein.

I certify that the above information is correct to the best of my knowledge and information.

By: 
Eric Reinbold, Chief of Police



Town of Paradise
Council Agenda Summary
Date: April 11, 2023

Agenda Item: 6(a)

ORIGINATED BY: Colette Curtis, Recovery and Economic Development Director

REVIEWED BY: Kevin Phillips, Town Manager

SUBJECT: Early Warning Siren Guidelines

LONG TERM RECOVERY PLAN: Yes

COUNCIL ACTION REQUESTED:

1. Consider reviewing and approving the attached Town of Paradise Early Warning Siren Guidelines. (ROLL CALL VOTE)

Background:

Following the 2018 Camp Fire, the Paradise community expressed the desire for a redundant warning system to be used in emergencies. The Long Term Community Recovery Plan, adopted in June 2019, identified an emergency notification system as one of the top priorities in recovery. Of the 1,111 comments received during the public engagement process for the Long Term Community Recovery Plan, 1,068 were in favor of the system representing a 96% approval from those commenting.

Funded through two FEMA Hazard Mitigation Grant Program projects, one for design/scope and one for construction, the Early Warning Sirens, consisting of 21 siren towers throughout town, are being installed at the time of this meeting and will be fully operational this summer.

Analysis:

The attached guidelines are designed to be a guide to Town officials in the operation of the Early Warning Sirens. The Early Warning Sirens is part of the overall emergency notification strategy known as "Alert Paradise". The purpose of the Early Warning Sirens is to provide a redundant warning system for residents and visitors in Paradise of potential or emergent hazards that threaten life and property. The Early Warning Sirens are designed to work in coordination with existing emergency notification systems and processes and to alert residents of emergencies which require evacuation.

Financial Impact:

The approval of this document has no impact on the General Fund. The Hazard Mitigation Grant Program (HMGP) though FEMA has provided funding for this project, which has previously been approved and accepted by Council and is included in the approved budget for 2022-23.

Attachments:

1. Attachment A – Town of Paradise Early Warning Siren Guidelines



Town of Paradise Early Warning Sirens Guidelines

The Town of Paradise Early Warning System (EWS) consists of twenty-one siren towers located within the town limits of Paradise, California. This system will be known as the Early Warning Sirens (EWS) and is part of the overall emergency notification strategy known as "Alert Paradise". The purpose of the EWS is to provide a redundant warning system for residents and visitors in Paradise of potential or emergent hazards that threaten life and property. The EWS is designed to work in coordination with existing emergency notification systems and processes and to alert residents of emergencies.

This document is intended to guide Town Officials in the operation of the Early Warning Sirens.

Sections:

- Section 1. Siren Locations
- Section 2. Activation
- Section 3. Siren Tones and Voice Commands
- Section 4. Testing Procedure

Section 1: Siren Locations

Siren locations were chosen after analysis of the topography and geography of the Paradise ridge. The 21 sirens are located primarily in public rights of way, or on public property, with the goal of providing audible warnings within Paradise Town limits. The tower locations are listed in table 1 below.

Eight siren locations will also have traffic cameras installed. These cameras are for Town of Paradise internal use only to monitor traffic and conditions during emergencies. Cameras with visibility to private property will have private property blocked from view of the camera. **Data from cameras will stream live and will not be retained beyond 24 hours.**



Town of Paradise Early Warning Sirens Guidelines

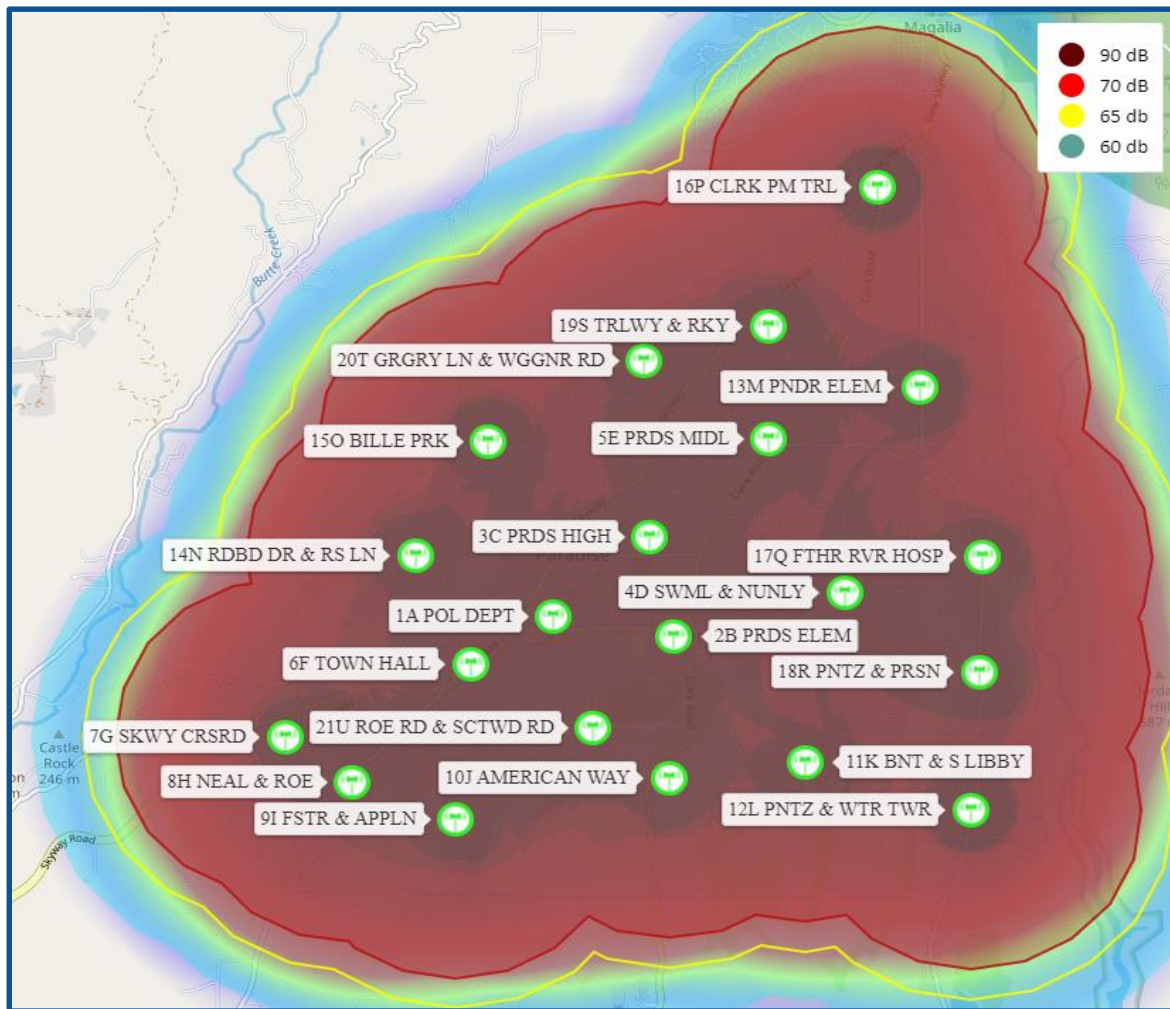
Table 1: Siren Tower Locations

SITE	DESCRIPTION	LATITUDE	LONGITUDE	Zone & (C) Camera
1	Police Department – TOP Property	39°45'15.54"N	121°37'27.86"W	9
2	Pearson & Clark ROW	39°45'7.77"N	121°36'23.77"W	5 (C)
3	Maxwell & Fairview ROW	39°45'47.99"N	121°36'44.46"W	5
4	Sawmill & Nunneley ROW	39°45'21.00"N	121°35'20.80"W	7
5	Clark & Bille ROW	39°46'17.52"N	121°35'47.31"W	2 (C)
6	Paradise Town Hall TOP Property	39°44'57.10"N	121°38'0.70"W	9 (C)
7	Russell Drive & Skyway ROW	39°44'42.60"N	121°39'8.53"W	9 (C)
8	Neal & Grinding Rock ROW	39°43'57.97"N	121°39'4.61"W	10
9	Foster & Apple ROW	39°43'59.55"N	121°38'10.12"W	11
10	American Way TOP Property	39°44'12.60"N	121°36'36.76"W	12 (C)
11	Bennett & S. Libby ROW	39°44'15.75"N	121°35'38.06"W	13
12	Pentz & Water Tower ROW	39°44'3.05"N	121°34'24.84"W	14
13	Pentz & Ely ROW	39°46'36.30"N	121°34'47.03"W	3 (C)
14	Crestmore & Rose ROW	39°45'38.00"N	121°38'18.70"W	4
15	Bille & West Wagstaff ROW	39°46'13.42"N	121°37'48.39"W	1 & 4*
16	Clark & YSK Trail ROW	39°47'45.56"N	121°35'6.62"W	2 (C)
17	Pentz & Peach ROW	39°45'30.40"N	121°34'20.90"W	8
18	Pentz & Pearson ROW	39°44'52.00"N	121°34'23.30"W	14 & 8* (C)
19	Rocky Ln. & YSK Trail ROW	39°46'53.51"N	121°35'53.68"W	2 & 1*
20	Gregory & Waggoner ROW	39°46'44.00"N	121°36'47.90"W	1
21	Roe & Scottwood ROW	39°44'28.26"N	121°37'18.28"W	11



Town of Paradise Early Warning Sirens Guidelines

The most proximal areas to the towers can expect 90db emitting from the towers, down to 60db outside Town limits. This system is designed to be audible for residents and visitors who are outdoors when the warning (siren tone or voice command) is given.





Town of Paradise Early Warning Sirens Guidelines

Section 2: Activation

Standardized signals for early warning devices have been established by the Federal Emergency Management Agency (FEMA). Additional information on policies and guidelines for Early Warning Systems can be found in the FEMS CPG 1-17 Outdoor Warning Systems Guide and the 2019 CA Alert Warning Guidelines. These standard guidelines have **been incorporated** in this document.

Activation Procedure

In the event of an evacuation order being issued, the Early Warning Sirens will be activated at the direction of the Paradise Police Chief (or their designee), Police Lieutenant, Police Sergeant, or Watch Commander.

The activation process will be initiated by Town of Paradise Police Department Dispatch once approval has been given. The process flow is shown visually below:



The Early Warning Sirens are only intended to be activated in a true emergency in which evacuation is required, such as a wildfire, flood, extreme weather event, or other life-threatening emergency. Additional notification and information channels are to be used in tandem with the EWS. This emergency communication framework is known as Alert Paradise. The activation of the EWS is intended to indicate to all residents and visitors to seek further emergency information through radio, television, social media, or other channels.

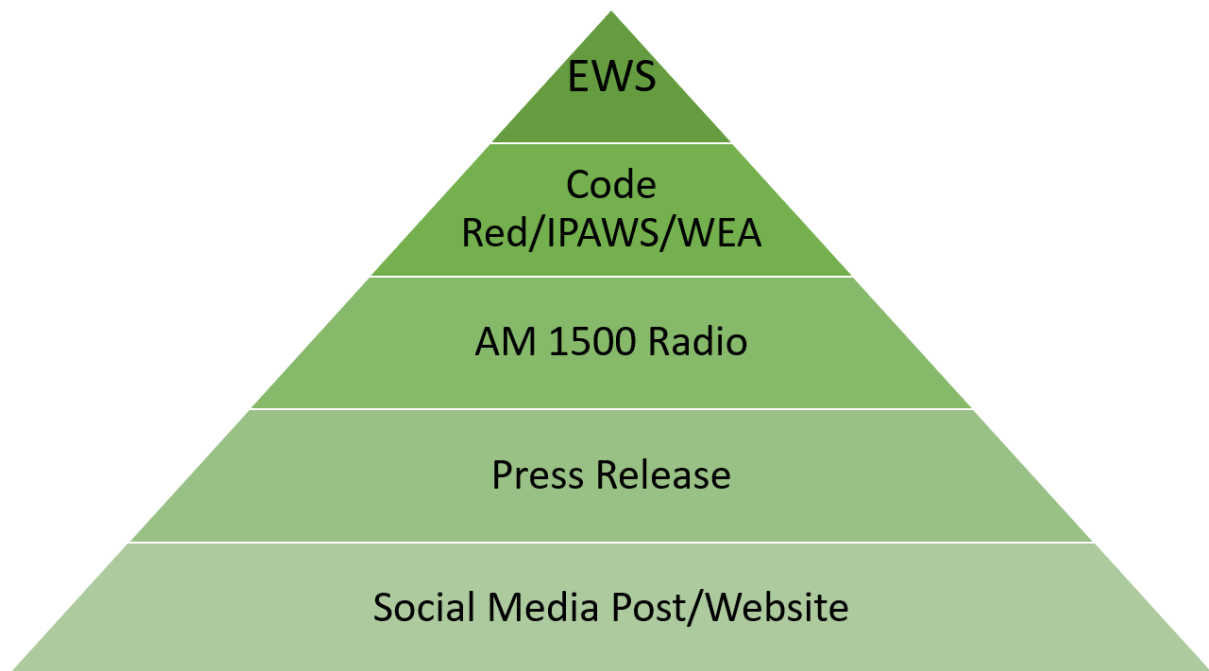
Depending on the emergency, different levels of public notification will be appropriate. Activation of the Early Warning Sirens will be used for the most acute emergencies. The below table illustrates the



Town of Paradise Early Warning Sirens Guidelines

hierarchy of notification channels within Alert Paradise. Once a notification channel is activated, all those below it in the hierarchy should also be utilized.

Alert Paradise



Section 3: Siren Tones and Voice Commands

Any activation of the EWS should include both siren tone and voice command with further instructions. It is understood that sirens may be audible for a distance beyond the immediate area for which the notification is intended, and clear instruction through the voice commands and on other communication channels will be important for the system to be used effectively.

Emergency Activation Siren and Voice

Immediate Evacuation Orders will prompt the activation of the Early Warning Sirens. A 1-minute-long siren tone will indicate residents should evacuate immediately. The siren tone should then be followed



Town of Paradise Early Warning Sirens Guidelines

by a Voice Command telling residents to evacuate immediately and any appropriate additional information, such as direction of evacuation. The protocol will be as follows:

Siren Tone for a 1-minute duration

Voice Command: "An Immediate Evacuation Order has been issued for _____. "

Additional instructions for the evacuation direction or where to find further information can be included here.

Siren Tone for a 1-minute duration

This 3-step siren-message-siren interval will be repeated in the following manner:

10-minute loop of siren-message-siren intervals

5-minute break with no intervals

5-minute loop of intervals

5-minute break with no intervals

The 5-minute interval – break loop will continue until the emergency has subsided.

Section 4: Testing Procedures

The EWS will be tested both internally and externally. Internal-only tests will be performed weekly and will be done silently to test functionality but will not be audible to the public. External tests will be performed monthly, on the first Saturday of each month at 12:00 pm. The public will be notified of these tests in advance, with press releases, social media posts, website information, and Code Red notifications sent prior to testing for the first six months of operation. Following this period, notification will be made by social media Post and website updates.

The testing protocol will be as follows:

Voice Command: This is a test of the Paradise Early Warning Sirens

Siren Tone for a 30 second duration

Voice Command: This was a test of the Paradise Early Warning Sirens. The was only a test.

For testing, only one interval of message-siren-message will be utilized.

During testing for the first six months, the Town will conduct a "can you hear me" campaign which will encourage residents to provide input on their location and what they can hear. This campaign will be



Town of Paradise Early Warning Sirens Guidelines

for Town residents as well as residents of nearby communities and will help the Town understand the audibility of the system in actual conditions.



Town of Paradise
Council Agenda Summary
Date: April 11, 2023

Agenda Item: 6(b)

ORIGINATED BY: Colette Curtis, Recovery and Economic Development Director

REVIEWED BY: Kevin Phillips, Town Manager

SUBJECT: Transient Occupancy Tax Discussion

LONG TERM RECOVERY PLAN: No

COUNCIL ACTION REQUESTED:

1. Discuss and consider providing direction regarding future spending of transient occupancy tax revenues.

Background:

Transient Occupancy Tax (TOT) funds are intended to be used by local jurisdictions to offset impacts of short-term stays in the community. These funds may be used at the discretion of the local jurisdiction and may be used to promote tourism and increase the number of visitors to local hotels, thereby increasing revenue to local businesses and ultimately supporting economic vitality.

Per Paradise Municipal Code section 3.24.30, the current transient occupancy tax (TOT) rate is ten percent of the rent charged by the operator of the temporary lodging establishment. Based on the current TOT rate, the Town is expected to receive approximately \$200,000 in TOT revenues during fiscal year (FY) 2022-23. This current budget amount is estimated based on the trend of average revenues following the 2018 Camp Fire.

Prior to the 2018 Camp Fire, the historical 13-year annual average TOT revenue was approximately \$191,000, while the historical 5-year annual average TOT revenue was \$209,000.

All TOT revenues are currently maintained within the General Fund and applied toward budgeted General Fund expenditures. The use of TOT revenues towards General Fund expenditures has been the practice of the Town since FY 2009-10. Prior to FY 2009-10, the Town had allocated approximately 50% of all TOT revenues received to three outside agencies. Of the 50% allocated, approximately 50% was allocated to the Paradise Ridge Chamber of Commerce, 25% was allocated to the Gold Nugget Museum, and 25% was allocated to the Paradise Performing Arts Center. The average annual TOT revenues collected during the time period in which TOT revenues were allocated totaled approximately \$185,000.

Analysis:

At the February 2023 Council Meeting, Council heard a presentation regarding the current financial impact of the TOT revenues and had a discussion regarding how to potentially allocate

TOT funds in the future. Based on that discussion, Council asked Staff to bring back options for how to allocate funds directly to tourism-focused organizations in Paradise.

Organization Selection

Some of the organizations mentioned in Council discussion included the Paradise Ridge Chamber of Commerce, the Paradise Performing Arts Center, the Gold Nugget Museum, Theater on the Ridge, the Paradise Art Center, and the Paradise Arts Theater and Culture Alliance (PATCH).

Council may choose to allocate funding to any, all, or none of these organizations. In deciding which organizations to allocate TOT funds to, Council may want to expand their review and allow Paradise organizations to submit their names for consideration. This process would not constitute a formal grant or application, just a notice of interest from the organization so all Paradise tourism-focused organizations could be considered.

Financial Impact:

As previously stated, the Town is currently expected to receive approximately \$200,000 in transient occupancy taxes during fiscal year 2022-23. This amount is estimated based on the trend of average revenues following the 2018 Camp Fire.

Based on the most recent updates to the fiscal sustainability model, the amount of the original settlement amount reserved for use toward operational costs (~\$200 million) remaining as of the end of the 25-year projection period is projected to be \$62.4 million. This projected reserve balance incorporates the assumption that transient occupancy taxes will be applied toward General Fund expenditures for the entirety of the 25-year projection period. Any allocation of current and future TOT revenues will reduce the projected reserve balance based on the proportionate share of TOT revenues provided to outside agencies and not utilized toward General Fund expenditures.



Town of Paradise
Council Agenda Summary
Date: April 11, 2023

Agenda Item: 6(c)

ORIGINATED BY: Patrick Purvis, Fire Chief
REVIEWED BY: Kevin Phillips, Town Manager
SUBJECT: California Department of Forestry and Fire Protection (CAL FIRE) Cooperative Fire Programs Fire Protection Reimbursement Agreement - Amendment

LONG TERM RECOVERY PLAN: No

COUNCIL ACTION REQUESTED:

1. Consider adopting Resolution No. 2023- ____ “A Resolution of the Town Council of the Town of Paradise Approving the “Second Amendment” with the California Department of Forestry and Fire Protection (CAL FIRE) for Services from July 1, 2021 through June 30, 2025, Contract Agreement Number 2CA05233” for a maximum amount not to exceed \$18,994,417.” OR
2. Direct staff to negotiate an alternative agreement with CAL FIRE with a reduced level of service and reduced costs.” (ROLL CALL VOTE)

Background:

On March 9, 2021, the Town Council of the Town of Paradise approved the CAL FIRE contract for services from July 1, 2021 through June 30, 2025 for a maximum amount not to exceed \$17,082,951.

On March 8, 2022 the Town Council of the Town of Paradise approved the CAL FIRE agreement amendment for an amount not to exceed \$18,620,847. These increases were due to a 7.62% increase in salaries and a benefit rate increase of 20.41%.

Analysis:

The Town of Paradise will need to increase the contracted amount for FY 23/24 and FY 24/25 to maintain service levels provided within the Fire Department. The following factors have contributed to a \$373,570 increase:

1. In FY 22/23 and 23/24 the Department experienced an increase of 6.5% in employee salaries associated with the current MOU with CAL FIRE Firefighters.
2. Department employees received a 2% increase in longevity pay.
3. Department employees received an increase of \$75 per month for education incentives.

The contract is billed based on actual costs to provide services. It potentially has some savings built in as the maximum contract assumes that all employees are paid at the top step salary range. The following shows the contracted amount versus what was paid (actual) from FY 18/19 through FY 21/22:

Fiscal Years	Contract	Actual	Savings
2018/19	\$3,874,279	\$2,948,047	\$926,232
2019/20	\$3,988,633	\$2,945,047	\$409,868
2020/21	\$4,103,806	\$3,578,765	\$987,757
2021/22	\$4,307,949	\$3,587,715	\$335,767
2022/23	\$4,937,037	\$4,370,009	\$567,028

Cost projection for FY 2022/2023

Financial Impact:

The amended contract for FY 23/24 and FY 24/25 will increase the contract cost by \$373,570. The amended contract price will not exceed \$18,994,417. This increase will be covered out of the General Fund.

**TOWN OF PARADISE
RESOLUTION NO. 2023-____**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE
APPROVING THE “SECOND AMENDMENT” WITH THE CALIFORNIA
DEPARTMENT OF FORESTRY AND FIRE FOR SERVICES FROM JULY 1, 2021 TO
JUNE 30, 2025, CONTRACT AGREEMENT NUMBER 2CA05233**

WHEREAS, the California Department of Forestry and Fire (CAL FIRE) has provided fire protection and other services to the Town of Paradise since November 1, 2012. CAL FIRE has submitted a new Agreement to provide fire protection service to the Town of Paradise; and

WHEREAS, Town Council has reviewed the provisions of the Amended Agreement from CAL FIRE and determined that it is in the best interest of the Town to enter into an Amended Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARADISE as follows:

Section 1. Town Council does hereby approve the Amended Agreement with the California Department of Forestry and Fire Protection (CAL FIRE) dated April 11, 2023 (Agreement). This Agreement provides fire protection services by CAL FIRE for the Town during the State fiscal year 2021/2022 through fiscal year 2024/2025.

Section 2. The Town Manager of the Town of Paradise is authorized to sign and execute the amended agreement on behalf of the Town of Paradise.

Section 3. The Town Manager shall be the Contract Administrator for the Agreement.

PASSED AND ADOPTED by the Paradise Town Council of the Town of Paradise, County of Butte, State of California, on this 11th day of April, 2023, by the following vote:

AYES:
NOES:
ABSENT:
NOT VOTING:

Greg Bolin, Mayor

ATTEST:

APPROVED AS TO FORM:

DINA VOLENSKI, CMC, Town Clerk

SCOTT E. HUBER, Town Attorney

--CERTIFICATION OF RESOLUTION--

ATTEST:

I, Dina Volenski, Town Clerk of the Town of Paradise, California do hereby certify that this is a true and correct copy of the original Resolution No. 2023-____.

WITNESS MY HAND OR THE SEAL OF THE TOWN OF PARADISE, on this 11th day of April, 2023.

Dina Volenski, CMC, Town Clerk
Town of Paradise

**COOPERATIVE FIRE PROGRAMS
FIRE PROTECTION REIMBURSEMENT AGREEMENT AMENDMENT**

AGREEMENT
NUMBER

AMENDMENT
NUMBER

LG-1A REV. 1/2023

CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED 1 Pages

2CA05233

2

1. This Agreement is entered into between the State Agency and the Local Agency named below:

STATE AGENCY'S NAME

California Department of Forestry and Fire Protection – (CAL FIRE)

LOCAL AGENCY'S NAME

Town of Paradise

2. The term of this Agreement is: July 1, 2021 through June 30, 2025

3. The maximum amount of this Agreement is: \$ 18,994,417.00
Eighteen million, nine hundred ninety four thousand, four hundred seventeen dollars and no cents

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

This amendment increases funding to an existing contract for years 23/24 and 24/25. This increase is due to Memorandum of Understanding Bargaining Unit salary adjustments. The original contract was for \$17,082,951.00, the first amendment added \$1,537,896.00 for a total of \$18,620,847.00. This second amendment increases the 4-year contract by \$373,570.00 (see attached) to a total of \$18,994,417.00. Fiscal year 21/22 includes a grant for (4) positions that will be reimbursed through February 2023.

All other terms and conditions shall remain the same.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

LOCAL AGENCY

LOCAL AGENCY'S NAME
Town of Paradise

BY (Authorized Signature)



DATE SIGNED(Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING
Kevin Phillips, Town Manager

ADDRESS
5555 Skyway, Paradise, CA 95969

**California Department of General
Services Use Only**

STATE OF CALIFORNIA

AGENCY NAME
California Department of Forestry and Fire Protection

BY (Authorized Signature)



DATE SIGNED(Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING
Matthew Sully, Assistant Deputy Director, Cooperative Fire

ADDRESS P.O. Box 944246, Sacramento, CA 94244-2460

Cooperative Agreement between the Town of Paradise and the State of California

Contract Amendment of 2CA05233

March 28, 2023

<u>Original Agreement Costs</u>	<u>Amended Agreement Costs</u>
FY 21/22 \$4,307,949	\$4,307,949
FY 22/23 \$4,305,076	\$4,937,037
FY 23/24 \$4,151,925	\$4,826,451*
FY 24/25 \$4,318,001	\$4,922,980
Total \$17,082,951	\$18,994,417

*Safer Grant ends.



Town of Paradise

Council Agenda Summary

Agenda Item: 6(d)

Date: April 11, 2023

ORIGINATED BY: Susan Hartman, Community Development Director – Planning & Wastewater

REVIEWED BY: Kevin Phillips, Town Manager

SUBJECT: Town Council Appointment of a 2nd Member of the Exceptions Committee Relating to the Interim Housing Urgency Ordinance

LONG TERM RECOVERY PLAN: No

COUNCIL ACTION REQUESTED: Upon conclusion of the public discussion of this agenda item, adopt either the recommended action or an alternative action.

1. Consider appointing a second Town Council member, to replace former Councilmember Jones, to join Councilmember Culleton on the Exceptions Committee.
OR
2. Adopt an alternative directive to Town staff. (ROLL CALL VOTE)

Background:

At the September 14, 2021 Town Council meeting, the Interim Housing Urgency Ordinance was amended to add language creating an Exceptions Committee comprised of two (2) Town Council members. At that time, Councilmembers Jones and Culleton were selected to serve on the Committee. In 2022 Councilmember Jones announced that she would not be seeking re-election in the November 2022 elections leaving a vacancy on the Exceptions Committee at the end of her term in December 2022.

At the March 17, 2023 Special Council meeting, the urgency ordinance was extended to April 30, 2024 thereby necessitating the filling of the vacancy on the Exceptions Committee.

Analysis:

The Exceptions Committee reviews requests for exceptions to the urgency ordinance due to extraordinary circumstances and, if merited, would refer the request to the full Town Council for review and approval and the next available Town Council meeting. Over the time the Exceptions Committee has existed, they have been tasked with reviewing four applications. However, with the extension of the urgency ordinance, that number may increase if current temporary use permit holders fall out of compliance and become subject to permit revocation.

Financial Impact:

There is no cost to the Town's General Fund for the appointment of a second Councilmember to serve on the Exceptions Committee.



Town of Paradise
Council Agenda Summary
Date: April 11, 2023

Agenda Item: 6(e)

ORIGINATED BY: Susan Hartman, Community Development Director – Planning & Wastewater

REVIEWED BY: Kevin Phillips, Town Manager
Scott Huber, Town Attorney

SUBJECT: Consider Entering into a Memorandum of Understanding (MOU) with the Cities of Biggs, Chico, Gridley, Oroville, and Butte County for SB 1383 Edible Food Recovery Regulatory Requirements

LONG TERM RECOVERY PLAN: No

COUNCIL ACTION REQUESTED: Upon conclusion of the public discussion of this agenda item, adopt either the recommended action or an alternative action.

1. Consider authorizing the Town Attorney to review and approve the draft MOU agreement to be executed between the Town of Paradise and the “Jurisdictions” regarding SB 1383 which requires the state to reduce organic waste (food waste, green waste, paper products, etc.) disposal by 75% by 2025; and,
2. Authorize the Town Manager, on behalf of the Town of Paradise, to sign the MOU agreement.
(ROLL CALL VOTE)

Background:

In 2016, SB 1383 *Short-Lived Climate Pollutants* (Lara) was adopted which requires the state to reduce organic waste (food waste, green waste, paper products, etc.) disposal by 75% by 2025. The law also includes a target to increase food recovery by 20% of currently disposed edible food for human consumption by January 1, 2025.

To meet the mandated statewide goal, the law requires each jurisdiction in California to establish and monitor a robust food recovery program, which will strengthen the relationships between commercial edible food generators and food recovery organizations within their communities, requiring certain food businesses to send the maximum amount of edible food they would otherwise dispose to food recovery organizations.

SB 1383 places commercial edible food generators into two tiers to allow businesses and jurisdictions time to expand or build new food recovery infrastructure and capacity to donate foods that are harder to safely store and distribute.

Tier One Donors, of which the Town has none, were required to send surplus food to food organizations starting January 1, 2022. Those businesses include:

- Supermarkets with revenue \geq \$2M

- Grocery stores with facilities \geq 10,000 sq ft.
- Food service providers
- Food distributors
- Wholesale food vendors

Tier Two Donors are required to begin sending surplus food to food organizations starting January 1, 2024. Those businesses include:

- Restaurants with facilities \geq 5,000 sq ft or 250+ seats
- Hotels with an on-site food facility and 200+ rooms
- Health facilities with an on-site food facility and 100+ beds
- Large venues and events
- State agency cafeterias with facilities \geq 5,000 sq ft or 250+ seats
- Local education agency with an on-site food facility (PUSD already donates their surplus food to the 530 Food Rescue Coalition)

Butte County has been working with a consultant, R3 Consulting Group, for their edible food recovery capacity study, which involved coordination with each local jurisdiction. This segment of SB 1383 is about identifying eligible food generators/providers/distributors/wholesale vendors and capturing food that is recoverable for donation to hunger relief programs. While Paradise does not have any “Tier 1” commercial edible food generators whose recoverable foods must be donated beginning January 1, 2022, we do have work ahead of us in being part of the creation of a regional food recovery network, to collect and distribute the food, before the next threshold in January 2024.

The draft implementation schedule that came out of the edible food recovery capacity study was:

- **JUNE 2023:**
 - Draft and execute an MOU between member jurisdictions that will establish Program goals and objectives, establish who will be responsible for coordinating the Program, and establish responsibilities for individual jurisdictions and other relevant stakeholders.
 - Establish individual jurisdiction funding mechanisms for their proportionate support of the Program.
 - Coordination with food recovery organizations and services regarding capacity and reporting.
- **FALL 2023:**
 - Develop Tier 2 outreach and implementation plans for each individual Tier 2 business category (e.g. restaurants, hotels, health facilities, etc.).
- **Mid-Late 2024:**
 - Roll out recovery services to Tier 2 commercial edible food generators.

Analysis:

Following up on the County’s consultant’s work, staff from the member agencies of the CA Integrated Waste Management Local Task Force (Biggs, Chico, Gridley, Oroville, Paradise, & Butte County) have continued to work on the creation of a regional edible food recovery working group (EFRWG) to manage the edible food recovery portion of SB 1383.

The MOU between all Butte County jurisdictions and managed under the Edible Food Recovery Working Group (EFRWG) strengthens the local food recovery ecosystem by spurring funding and innovation in the fight against food waste; propagating waste prevention and recovery strategies; and supporting local food recovery programs that can manage the increase food recovery and data collection needed to support countywide SB 1383 compliance for the foreseeable future.

Under SB 1383, cities are required to help connect food generators with local organizations, to track the donations, and to enforce the mandates. In Butte County, the Community Action Agency had already established a pilot app-based food recovery program (530 Food Rescue Coalition, <https://www.buttecaa.com/foodrescue/>). This pilot program has the needed food recovery capacity to address edible food recovery requirements under SB 1383, and has proven to be the best local option for Tier 2 generator food recovery and data collection requirements. Providing the funding to assure that 530 Food Rescue Coalition remains a permanent part of our local food recovery program is the responsibility of all jurisdictions and ensures the needed capacity to be in full compliance with SB 1383, and provide a reliable and expandable food recovery infrastructure to assure food security for our community.

The regional coordination of efforts to fulfill portions of SB 1383, such as edible food recovery, is a benefit to the individual jurisdictions as a cost sharing mechanism and it allows the work efforts to be shared among a jointly funded Program Manager and jurisdictional staff members alleviating the burden of a full project roll-out on any one person or jurisdiction. Butte County would act as the lead jurisdiction in submittal of countywide SB 1383 reporting pertaining to edible food recovery.

The cost of jurisdictional participation in the food recovery program is allocated according to CA Dept of Finance population numbers. The proposed budget for the first year of Program funding is \$367,000 with a 4% budget allocation (\$14,026) assigned to Paradise which is commensurate with the Town's percentage of the County's population (see Attachment A). The budget will cover a Program Manager, Capacity Grants for the food rescue organizations, and Lead Jurisdiction funding (see Attachment B). As the Town's population grows, future years' budget allocations would be adjusted accordingly.

This MOU works to create an equitable, economical, and effective means by which all the member jurisdictions can comply with SB 1383 edible food recovery requirements.

Financial Impact:

As part of the 2022/23 FY budget, \$7,500 in solid waste franchise tax fees were budgeted towards 530 Food Rescue Coalition which is less than half of the estimated fund revenues for the fiscal year. If all the countywide MOUs are executed before July, the \$7,500 currently budgeted can be paid towards the Town's \$14,026 allocation for the Program's 2023/24 budget and the balance allocated out of the Town's 2023/24 solid waste budget. Historically, the solid waste franchise tax fees were used to offset the cost of staff assigned to solid waste management, but current staff funding through the Enterprise Fund allows those revenues to be reallocated to programs such as edible food recovery which brings us closer to compliance with SB 1383.

The Town currently receives sufficient solid waste franchise tax fees to cover the proposed Program allocations to Paradise. As the Town grows, so will the Program allocations but so will the franchise tax fees.

Attachments:

- Attachment A – Votes per jurisdiction and population counts
- Attachment B – Budget and jurisdictional per capita contributions
- Draft MOU

EXHIBIT A

Votes per jurisdiction and population counts

	Population 1/1/2022	Percent of Total	1 Vote / 50,000 Pop or portion thereof
			# Votes
Biggs	1,939	1%	1
Chico	102,892	51%	3
Gridley	7,205	4%	1
Oroville	18,863	9%	1
Paradise	7,705	4%	1
Balance of County	63,004	31%	2
Total	201,608	100%	9

EXHIBIT B

Proposed Year 1 Program Budget

FY1 Budget	
Program Manager	\$ 30,000
Capacity Grants	
530 FRC 1-Year Tier 1 + Tier 2 Pilot Program	\$ 275,000
Other Capacity Grants	\$ 50,000
Year 1 Work Plan Task Funding	\$ 0
Lead Jurisdiction Funding	\$ 12,000
DEH Inspection/Enforcement Funding	TBD
Total	\$ 367,000

Program Budget Allocations

FY 1 Budget Allocation			
Jurisdiction	Population 1/1/2022	Percent of Total	FY 1 Budget Allocation
Biggs	1,939	1%	\$ 3,530
Chico	102,892	51%	\$ 187,301
Gridley	7,205	4%	\$ 13,116
Oroville	18,863	9%	\$ 34,338
Paradise	7,705	4%	\$ 14,026
Balance of County	63,004	31%	\$ 114,690
Total	201,608	100%	\$ 367,000

RECITALS

ARTICLE 1: PURPOSE OF THE MOU

ARTICLE 2: DEFINITIONS

ARTICLE 3: EDIBLE FOOD RECOVERY PROGRAM GOAL

ARTICLE 4: EDIBLE FOOD RECOVERY PROGRAM ELEMENTS

- 4.1 General Elements
- 4.2 Program Management and Administration
- 4.3 Grant Funding for Commercial Edible Food Recovery Capacity
- 4.4 Tier 1 and Tier 2 Edible Food Recovery Capacity
- 4.5 Allocation of Annual Funding Requirements Among the Jurisdictions

ARTICLE 5: RESPONSIBILITIES OF THE INDIVIDUAL JURISDICTIONS

- 5.1 Designated Representative and Surrogate
- 5.2 Jurisdictional Contact
- 5.3 Funding
- 5.4 Updating List of Food Recovery Organizations
- 5.5 Public Education and Outreach
- 5.6 Inspection and Enforcement
- 5.7 Recordkeeping and Reporting

ARTICLE 6: STRUCTURE AND RESPONSIBILITIES OF THE EDIBLE FOOD WORKING GROUP

- 6.1 EFRWG Composition
- 6.2 EFRWG Meetings
- 6.3 Overall Program Responsibilities
- 6.4 Voting
- 6.5 Develop and Approve Annual Program Work Plan and Annual Program Budget
- 6.6 Program Funding Decisions
- 6.7 Grant Funding Applications
- 6.8 Capacity Planning
- 6.9 Countywide Food Security Planning Coordination

ARTICLE 7: JURISDICTION FUNDING RESPONSIBILITIES

- 7.1 Annual Program Budget
- 7.2 Allocation of Funding Requirements Among Individual Jurisdictions

ARTICLE 8: RESPONSIBILITIES OF THE LEAD JURISDICTION

- 8.1 Overall Program Responsibilities
- 8.2 Contracting with the Program Manager
- 8.3 Managing of Program Related Funds
- 8.4 Countywide Reporting
- 8.5 Tracking and Reimbursement of Lead Jurisdiction Costs

ARTICLE 9: RESPONSIBILITIES OF THE PROGRAM MANAGER

- 9.1 Overall Program Development and Implementation
- 9.2 Administration of Tier 1 Edible Food Recovery
- 9.3 Administration of Tier 2 Edible Food Recovery
- 9.4 Develop Annual Program Work Plan and Annual Program Budget
- 9.5 Quarterly Meetings
- 9.6 Pursuing Grant Funding Opportunities
- 9.7 Overseeing Capacity Grant Applications and Awards

ARTICLE 10: CAPACITY GRANTS

- 10.1 Capacity Grant Funding
- 10.2 Capacity Grant Application and Award Process
- 10.3 Equitable Distribution of Capacity Grant Monies

ARTICLE 11: RESPONSIBILITIES OF THE COUNTY

- 11.1 Countywide Reporting

ARTICLE 12: TERM AND WITHDRAWAL

- 12.1 Term
- 12.2 Withdrawal

Attachments:

- A. Allocation of EFRWB Votes Among Jurisdictions
- B. Allocation of Funding Responsibilities Among Jurisdictions

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITIES OF BIGGS, CHICO, GRIDLEY, AND OROVILLE, THE TOWN OF
PARADISE, AND BUTTE COUNTY,
FOR MEETING CERTAIN SB 1383 EDIBLE FOOD RECOVERY REGULATORY
REQUIREMENTS**

This Memorandum of Understanding (MOU) is entered into by and between the Cities of Biggs, Chico, Gridley and Oroville, the Town of Paradise and Butte County, individually referred to as a “Jurisdiction” and collectively referred to as the “Jurisdictions” on _____ [day, month, year] (Effective Date).

RECITALS

A. **WHEREAS**, the State of California passed Senate Bill 1383 (SB 1383) (Chapter 395, Statutes of 1383), which required the California Department of Resources Recycling and Recovery (CalRecycle) to adopt regulations to reduce organic waste by 50 percent from its 2014 baseline level by 2020 and 75 percent by 2025; and,

B. **WHEREAS**, CalRecycle has finalized regulations and revised Chapter 12 (Short-lived Climate Pollutants) of Division 7 of Title 14 of the California Code of Regulations (“SB 1383 Regulations”); and,

C. **WHEREAS**, SB 1383 establishes a goal that not less than 20% of edible food that is currently disposed is recovered for human consumption by 2025; and,

D. **WHEREAS**, SB 1383 Regulations require local agencies and jurisdictions to, among other things, ensure capacity for commercial edible food recovery and obtain funding for any additional required capacity, as necessary; and,

E. **WHEREAS**, jurisdictions may designate a public or private entity to fulfill their responsibilities of the SB 1383 Regulations, except that the jurisdictions shall remain ultimately responsible for compliance in accordance with Section 18981.2 of the SB 1383 Regulation; and,

F. **WHEREAS**, the Jurisdictions intend to meet SB 1383’s requirement that jurisdictions implement an edible food recovery program through a coordinated county-wide program rather than individual jurisdiction-specific programs; and,

G. **WHEREAS**, the Jurisdictions are entering into this MOU to establish certain SB 1383 edible food recovery program roles and responsibilities that will be coordinated and implemented on a countywide basis under the terms and conditions set forth herein.

H. **NOW, THEREFORE**, the City Councils of the of Cities of Biggs, Chico, Gridley, and Oroville, the Town Council of the Town of Paradise, and the Board of Supervisors of Butte County resolve as follows:

ARTICLE 1: PURPOSE OF THE MOU

The purpose and intent of this MOU is to provide an equitable, economical, and effective means by which the Jurisdictions can comply with certain SB 1383 edible food recovery program requirements, as specified below.

ARTICLE 2: DEFINITIONS

Capacity Grants – Grants awarded by the Edible Food Recovery Working Group (EFRWG), to Food Recovery Organizations, Food Recovery Services, and/or other entities for expenses related to the provision of Tier 1 and Tier 2 Edible Food Recovery Capacity.

Edible Food Recovery Working Group (EFRWG) - Representatives of each of the Jurisdictions who shall have overall responsibility for Program management and oversight of, and coordination with, the Program Manager.

Effective Date – The date on which this MOU has been executed by all Jurisdictions.

Fiscal Year – The fiscal year is July 1st through June 30th.

Fiscal Year Annual Program Work Plan or Annual Program Work Plan -The Fiscal Year Annual Program Work Plan is the document that is prepared annually by the Program Manager with direction from the EFRWG that identifies planned tasks to be addressed during the next fiscal year. The Annual Program Work Plan includes associated task schedules, and the entities responsible for completing those tasks.

Fiscal Year Annual Program Budget or Annual Program Budget - The Fiscal Year Annual Program Budget provides line item Program Fund revenues and expenses, and Program Fund balances for the fiscal year starting July 1st.

Food Justice - Food justice is a holistic and structural view of the food system that sees healthy food as a human right and addresses structural barriers to that right.

Food Recovery Organization - An entity that engages in the collection or receipt of edible food from commercial edible food generators and distributes that edible food to the public for food recovery either directly or through other entities including, but not limited to: (A) A food bank as defined in Section 113783 of the Health and Safety Code; (B) A nonprofit charitable organization as defined in Section 113841 of the Health 20 and Safety code; and, (C) A nonprofit charitable temporary food facility as defined in Section 113842 of 22 the Health and Safety Code.

Food Recovery Service – A person or entity that collects and transports edible food from a commercial edible food generator to a food recovery organization or other entities for food recovery.

Food Security - Means that all people at all times, have physical, social, and economic access to sufficient, safe, and nutritious foods that meets their food preferences and dietary needs for an active and healthy life.

Jurisdictional Contact – The member of the EFRWG with responsibility for working with the Program Manager on applicable Program issues and items on behalf of their respective Jurisdiction, as agreed to by the EFRWG. The Jurisdiction Contact may or may not be the Jurisdictional Designated Representative.

Jurisdictional Designated Representative - The member of the EFRWG who has voting authority for their respective Jurisdiction.

Lead Jurisdiction – The Jurisdiction that assumes the responsibilities listed in **Article 11** of this MOU.

Program - The coordinated countywide edible food recovery program that the Jurisdictions intend to implement to comply with SB 1383 edible food recovery program requirements.

Program Expenses – All expenses related to the Program including but not limited to program management and administrative expenses, and funding for Capacity Grants.

Program Fund – The fund to which individual Jurisdictions remit agreed upon Annual Program Budget funding and from which Program Expenses are paid.

Program Manager - The third party entity the Jurisdictions contract with to manage and administer the Program.

Real Time Donor and Recipient Matching Software - Software applications that allow businesses that have food available for donation to post the availability of that food on an actively managed website. Food distribution agencies or other neighborhood food programs can then claim that food for subsequent distribution to food insecure individuals and families. Collection of the food from the donor business and delivery to the receiving party is most commonly facilitated by volunteers, although the donating business or receiving party can also collect and delivery the food.

Tier 1 Commercial Edible Food Generator - A commercial edible food generator that is one of the following:

- (A) Supermarket.
- (B) Grocery store with a total facility size equal to or greater than 10,000 square feet.
- (C) Food service provider.
- (D) Food distributor.
- (E) Wholesale food vendor.

Tier 1 Edible Food Recovery Capacity - The capacity (resources) needed to ensure that all Tier 1 Commercial Edible Food Generators have the ability to meet their regulatory requirement to arrange to recover the maximum amount of edible food that would otherwise be disposed.

Tier 2 Commercial Edible Food Generator - A commercial edible food generator that is one of the following:

- (A) Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
- (B) Hotel with an on-site food facility and 200 or more rooms.
- (C) Health facility with an on-site food facility and 100 or more beds.

- (D) Large venue.
- (E) Large event.
- (F) A state agency with a cafeteria with 250 or more seats or a total cafeteria facility size equal to or greater than 5,000 square feet.
- (G) A local education agency with an on-site food facility.

Tier 2 Edible Food Recovery Capacity - The capacity needed to ensure that all Tier 2 Commercial Edible Food Generators have the ability to meet their regulatory requirement to arrange to recover the maximum amount of edible food that would otherwise be disposed.

ARTICLE 3: EDIBLE FOOD RECOVERY PROGRAM GOAL

To develop and implement a coordinated countywide SB 1383 edible food recovery program (Program) that is fully compliant with SB 1383 Regulations, and that provides cost effective edible food recovery capacity so that all Tier 1 and Tier 2 Commercial Edible Food Generators have access to the recovery capacity needed to arrange to recover the maximum amount of edible food that would otherwise be disposed.

ARTICLE 4: EDIBLE FOOD RECOVERY PROGRAM ELEMENTS

4.1 General Elements - The Program, as envisioned, will require developing, implementing, and, as necessary, funding additional Tier 1 and Tier 2 Edible Food Recovery Capacity, and developing other required and/or agreed upon Program components.

4.2 Program Management and Administration – The Lead Jurisdiction may contract with a third-party Program Manager, on behalf of the Jurisdictions, as specified in **Article 11**.

4.3 Funding of Commercial Edible Food Recovery Capacity – The EFRWG will secure required Tier 1 and Tier 2 commercial edible food recovery capacity through various methods, including providing funding for Capacity Grants to local edible food recovery organizations or service providers.

4.4 Tier 1 and Tier 2 Edible Food Recovery Capacity - It is envisioned that any additional required Tier 1 and Tier 2 Edible Food Recovery Capacity will be provided through existing non-profit recovery capacity, and new recovery capacity developed by existing non-profits or other organizations, as required, with funding provided by the Jurisdictions, as necessary and agreed to.

4.5 Real-time Donor/Recipient Software - It is envisioned that the required Edible Food Recovery Capacity may be provided through a Real-time Donor and Recipient Matching Software application.

4.6 Allocation of Annual Funding Requirements Among the Jurisdictions - Agreed upon annual funding requirements will be distributed among the jurisdictions based on population. The populations of the Jurisdictions, and associated funding requirements, will be reviewed and adjusted annually based on the then current

populations, as reported by the California Department of Finance. **Attachment A** contains the calculated Funding Requirements by Jurisdiction, as of January 1, 2022.

ARTICLE 5: RESPONSIBILITIES OF THE INDIVIDUAL JURISDICTIONS

5.1 Designated Representative and Alternate – Each Jurisdiction shall assign a Designated Representative who will have voting authority on behalf of the jurisdiction, and an alternate who will have voting authority in the event the Designated Representative is not available.

5.2 Jurisdictional Contact - Each Jurisdiction shall designate the primary jurisdictional point of contact with responsibility for working with the Program Manager on applicable Program issues and items, as directed by the EFRWG. The Jurisdiction Contact may or may not be a Designated Representative.

5.3 Funding - Each Jurisdiction shall establish funding mechanism(s) and remit their portion of the Annual Program Budget to the Lead Jurisdiction on a monthly, quarterly or annual basis, as agreed to.

5.4 Updating List of Food Recovery Organizations - Each Jurisdiction shall identify any known changes to the then current list of Food Recovery Organizations in their respective jurisdictions and report that information to the Program Manager by January 31st of each year.

5.5 Public Education and Outreach - The Jurisdictions will seek to develop a uniformly branded, multi-lingual edible food recovery public education and outreach program and associated education and outreach materials. Each Jurisdiction shall be responsible for SB 1383 public education and outreach requirements as they apply to their respective Jurisdiction, unless otherwise agreed to by the Jurisdictions.

5.6 Inspection and Enforcement – Each Jurisdiction shall be responsible for SB 1383 inspection and enforcement requirements as they apply to their respective Jurisdiction, unless otherwise agreed to by the Jurisdictions.

5.7 Recordkeeping and Reporting – Each Jurisdiction shall be responsible for SB 1383 recordkeeping and reporting requirements as they apply to their respective Jurisdiction, unless otherwise agreed to by the Jurisdictions.

ARTICLE 6: STRUCTURE AND RESPONSIBILITIES OF THE EDIBLE FOOD WORKING GROUP

6.1 EFRWG Composition - The EFRWG is to be comprised of each Jurisdiction's Designated Representative and Jurisdictional Contact.

6.2 EFRWG Meetings - The EFRWG shall meet no less than quarterly with the Program Manager to receive quarterly updates, conduct Program planning and take any other necessary or desired actions. In addition to each Jurisdiction's Designated Representative and Jurisdictional Contact, other staff of the jurisdictions, and consultants to the Jurisdictions, may attend EFRWG meetings. Other relevant parties may also attend

EFRWG meetings, as agreed to by the EFRWG. EFRWG meetings will be held on-line unless otherwise agreed to.

6.3 Overall Program Responsibilities - The EFRWG will have overall responsibility for administering the Program, and for oversight of the Program Manager and his/her implementation of the approved Annual Work Plan, and other agreed upon short-, medium-, and long-term tasks.

6.4 Voting - As necessary, Program decisions of the EFRWG will be based on the votes cast by each Jurisdiction's Designated Representative. Voting results shall be based on majority rule, unless another benchmark has been established for determining the results of voting on a particular item (e.g., a unanimous decision), as agreed to by the EFRWG by a vote of the majority.

Each Jurisdiction shall receive one weighted vote for every 50,000 residents, or portion thereof. Based on the current population of the Jurisdictions, the weighted votes per Jurisdiction are as follows:

Biggs	1 vote
Chico	3 votes
Gridley	1 vote
Oroville	1 vote
Paradise	1 vote
<u>Butte County</u>	<u>2 votes</u>
Total	9 votes

The number of votes per Jurisdiction shall be reviewed annually and adjusted, if and as necessary, based on the then current populations of the Jurisdictions, as reported by the California Department of Finance. **Attachment A** contains the calculated number of votes by Jurisdiction as of January 1, 2022

6.5 Develop and Approve Annual Program Work Plan and Annual Program Budget – The EFRWG shall develop and approve an Annual Program Work Plan and Annual Program Budget, in coordination with the Program Manager each year.

6.6 Program Funding Decisions - The EFRWG will be responsible for Program funding decisions.

6.7 Grant Funding Applications – The EFRWG shall make decisions as to any grant funds to be pursued and shall help facilitate grant applications, as necessary.

6.8 Capacity Planning – The EFRWG shall coordinate future required capacity planning, including the preparation of required implementation schedules and associated reporting as required by SB 1383 Section 18992.3.

6.9 Countywide Food Security Planning Coordination – The EFRWG shall coordinate with broader Food Security and Food Justice planning in Butte County as it deems appropriate.

ARTICLE 7: JURISDICTION FUNDING RESPONSIBILITIES

7.1 Allocation of Funding Requirements Among Individual Jurisdictions

- The Annual Program Budget shall be allocated among the individual jurisdictions based on their percentage of the overall Countywide population, as of January 1st of each year, as reported by the California Department of Finance. at: <https://dof.ca.gov/forecasting/demographics/estimates-e1/>. **Attachment B:** contains the jurisdictional per capita contributions as of **July 1, 2023**.

7.2 Annual Program Budget - The Jurisdictions shall be responsible for remitting their portion of the Annual Program Budget into the Program Fund to be maintained by the Lead Jurisdiction as per **Article 8**, on a monthly, quarterly or annual basis, or as otherwise agreed to.

ARTICLE 8: RESPONSIBILITIES OF THE LEAD JURISDICTION

8.1 Overall Program Responsibilities – The Lead Jurisdiction shall manage the Program Fund.

8.2 Program Manager - It shall be the responsibility of the Lead Jurisdiction to provide a Program Manager or contract with the third party Program Manager on behalf of the Jurisdictions. The Program Manager shall be funded by Program Funds.

8.3 Managing of Program Related Funds - The Lead Jurisdiction shall create and maintain the Program Fund, fund centers, and cost centers necessary to support the Program's revenues, expenditures, and fund balance. Tasks associated with the management of the Program Fund include initial fund set-up, collection of funds, distribution of funds, and annual reporting of account activities to the EFRWG.

8.4 Tracking and Reimbursement of Lead Jurisdiction Costs - The Lead Jurisdiction shall track its administrative costs associated with its responsibilities as listed above and shall be reimbursed for such expenses out of the Program Fund. The Lead Jurisdiction shall invoice the EFRWG on a quarterly basis. Billing shall be based on a billing rate schedule that will be updated annually. Total annual Lead Jurisdiction compensation shall not exceed \$_____ annually, adjusted for inflation.

ARTICLE 9: RESPONSIBILITIES OF THE PROGRAM MANAGER

9.1 Overall Program Development and Implementation – The Program Manager shall have overall responsibility for the development and implementation of the Program as documented in the Annual Work Plan tasks, and/or as otherwise directed by the EFRWG.

9.2 Administration of Tier 1 Edible Food Recovery – The Program Manager, in coordination with the Jurisdictional Contacts, shall be responsible for facilitating the provision of any required Tier 1 Edible Food Recovery Capacity to Tier 1 Commercial Edible Food Generators.

9.3 Administration of Tier 2 Edible Food Recovery - The Program Manager, in coordination with the Jurisdictional Contacts, shall be responsible for facilitating the

provision of any required Tier 2 Edible Food Recovery Capacity to Tier 2 Commercial Edible Food Generators.

9.4 Develop Fiscal Year Annual Program Work Plan and Fiscal Year Annual Program Budget - The Program Manager, along with the EFRWG, shall develop a draft Annual Program Work Plan and Annual Program Budget each year. The Program Manager may make changes to the Annual Program Work Plan and Annual Program Budget as directed by the EFRWG and prepare and submit a final Annual Program Work Plan and Annual Program Budget to the EFRWG each year.

9.5 EFRWG Meetings – The Program Manager shall facilitate meetings with the EFRWG quarterly, as needed or directed by the EFRWG. The Program Manager shall be responsible for preparing meeting agendas, to be approved by the EFRWG, and which are may include Program updates and provide for Program planning and any other appropriate Program actions.

9.6 Pursuing Grant Funding Opportunities – The Program Manager, in coordination with the Jurisdictional Contacts, shall be responsible for tracking and identifying grant funding opportunities, and shall prepare or otherwise facilitate EFRWG approved grant applications, as directed by the EFRWG.

9.7 Managing Capacity Grant Applications and Awards – The Lead Jurisdiction and Program Manager shall be responsible for developing and managing the Capacity Grant application and award process in conjunction with the EFRWG.

ARTICLE 10: CAPACITY GRANTS

10.1 Capacity Grant Funding – Funding for Capacity Grants shall be provided in the Annual Program Budget, as determined by the EFRWG. Unless otherwise directed by the EFRWG, any Annual Program Budget funding earmarked for Capacity Grants that are not awarded in the fiscal year they were budgeted shall be made available for Capacity Grant funding in future years,.

10.2 Capacity Grant Application and Award Process – The EFRWG shall develop and administer a Capacity Grant application, award, and agreement process to be managed by the Program Manager. It is anticipated that Capacity Grants may be awarded for both additional Tier 1 and Tier 2 Edible Food Recovery Capacity, as well as for costs related to existing Tier 1 and Tier 2 Edible Food Recovery Capacity in support of maintaining the ongoing viability of that existing capacity.

10.3 Equitable Distribution of Capacity Grant Monies - It is the intention of the Jurisdictions that Capacity Grant monies will be distributed among Food Recovery Organizations, Food Recovery Services and/or other entities that recover and/or distribute food from Tier 1 or Tier 2 Commercial Edible Food Generators in a manner that best supports optimizing commercial edible food recovery and distribution in the County, with consideration for equitably distributing Capacity Grant monies among those entities that apply for Capacity Grants.

ARTICLE 11: RESPONSIBILITIES OF THE COUNTY

11.1 Countywide SB 1383 Reporting – The Jurisdictions agree to allow the County to submit agreed upon Program related records and/or other information to CalRecycle and/or other entities on behalf of the individual Jurisdictions as directed by the EFRWG.

ARTICLE 12: TERM AND WITHDRAWAL

12.1 Term - This MOU shall commence on the Effective Date and remain in full force and effect unless or until terminated as specified in **Section 12.2** below.

12.2 Withdrawal - Any Jurisdiction may withdraw as a party to this MOU upon giving one hundred and eighty (180) calendar days’ prior written notice to the EFRWG.

Any Jurisdiction withdrawing as a party to this MOU shall assume all applicable SB 1383 edible food recovery regulatory requirements, and all other responsibilities otherwise provided for through this MOU.

Any Jurisdiction withdrawing as a party to this MOU shall be reimbursed for that portion of any Program Fund balance provided by the jurisdiction that exists at the end of the then current fiscal year. Any such then existing balance will be reimbursed to a Jurisdiction consistent with that Jurisdiction’s Allocation of Funding Requirements, as established in Section 5.6.

CITY OF BIGGS

By:
City Administrator

CITY OF CHICO

By: Mark Sorensen
City Manager

CITY OF GRIDLEY

By: Cliff Wagner
City Administrator

CITY OF OROVILLE

By: Brian Ring
City Administrator

COUNTY OF BUTTE

By: Andy Pickett
Chief Administrative Officer

TOWN OF PARADISE

By: Marc Mattox
Interim Town Manager

DRAFT



Town of Paradise
Council Agenda Summary
Date: April 11, 2023

Agenda Item: 6(f)

ORIGINATED BY: Jessica Erdahl, Sr. Capital Projects Manager
REVIEWED BY: Kevin Phillips, Town Manager
SUBJECT: Project Baseline Agreements - Go Paradise: Pentz Student Pathway and Go Paradise: Neal Gateway Project

LONG TERM RECOVERY PLAN: Yes, Tier 1, Evacuation Routes

COUNCIL ACTION REQUESTED:

1. Consider approving the following Project Baseline Agreements that are required to be executed between the Town of Paradise, the California Transportation Commission and California Department of Transportation, binding each to certain responsibilities to process State and federal funded projects:
 - Project Baseline Agreement for Go Paradise: Pentz Student Pathway
 - Project Baseline Agreement for Go Paradise: Neal Gateway Project
2. Adopt Resolution No. 2023- ____ “A Resolution of the Town Council of the Town of Paradise Authorizing the Town Manager or his Designee to sign the Project Baseline Agreement between the California Transportation Commission, the California Department of Transportation, and the Town of Paradise for the Active Transportation Program Corresponding to Project Go Paradise: Pentz Student Pathway Project.”
3. Adopt Resolution No. 2023- ____ “A Resolution of the Town Council of the Town of Paradise Authorizing the Town Manager or his Designee to sign the Project Baseline Agreement between the California Transportation Commission, the California Department of Transportation, and the Town of Paradise for the Active Transportation Program Corresponding to Project Go Paradise: Neal Gateway Project.”

Background:

On September 26, 2013, Governor Brown signed legislation creating the Active Transportation Program (ATP) in the Department of Transportation (Senate Bill 99, Chapter 359 and Assembly Bill 101, Chapter 354). The ATP consolidates existing federal and state transportation programs, including the Transportation Alternatives Program (TAP), Bicycle Transportation Account (BTA), and State Safe Routes to School (SR2S), into a single program with a focus to make California a national leader in active transportation. The ATP administered by the Division of Local Assistance, Office of Active Transportation and Special Programs. The objective of the ATP is to achieve the following objectives:

- Increase the proportion of biking and walking trips,
- Increase safety for non-motorized users,
- Increase mobility for non-motorized users,

- Advance the efforts of regional agencies to achieve greenhouse gas reduction goals,
- Enhance public health, including the reduction of childhood obesity through the use of projects eligible for Safe Routes to Schools Program funding,
- Ensure disadvantaged communities fully share in program benefits, and
- Provide a broad spectrum of projects to benefit many types of active transportation users.

In Spring 2022, Caltrans announced the Call-for-Projects for the Active Transportation Program Cycle 6. In June 2022 the Town of Paradise submitted five complete grant applications for funding, including: (1) Go Paradise: Neal Gateway Project, (2) Go Paradise: Pentz Student Pathway, (3) Go Paradise: Skyway Link Project, (4) Go Paradise: Oliver-Park Connection Project, and (5) Go Paradise: Yellowstone Kelly Heritage Trail Western Spur.

On December 7, 2022, the California Transportation Committee announced the adoption of Statewide and Small Urban and Rural components of the program, including three of the Town’s infrastructure applications – totaling over \$41 million.

The three awarded projects and their descriptions are provided below.

Project Title	Project Limits	Description	ATP Programmed Amount	Total Project Cost
Go Paradise: Neal Gateway Project	Neal Rd Between Skyway and Town Limits	Construct a Class 1 bike path along Neal Road. The bike path will tie into Yellowstone Kelly Heritage Trail and Butte County Class II Bike Lanes terminating at Town Limits.	\$12.348M	\$13.068M
Go Paradise: Pentz Student Pathway	Pentz Road between Wagstaff and Bille Rd to Malibu Drive.	Construct a Class 1 bike path along Pentz Road, between Skyway to Wagstaff and Bille Rd to Malibu Drive.	\$22.009M	\$23.293M
Go Paradise: Skyway Link Project	Skyway between Bille Road and Wagstaff Road	Construct on-street bicycle lanes, sidewalk infill, and ADA ramps along Skyway between Bille Road and Wagstaff Road.	\$6.704M	\$6.810M

Note that baseline agreements are only required for projects with an ATP programmed amount of greater than \$10M.

All three projects include costs for preliminary engineering, right of way, construction and construction engineering.

Analysis:

To remain eligible for the allocated grant funding, the Town of Paradise is required to execute a Project Baseline Agreement. These agreements serve as a contract between the Town of Paradise, the California Transportation Commission and California Department of Transportation, binding each to certain responsibilities to process State and federal funded projects. The attached agreements must be approved by the Town to continue receipt of the recently awarded Cycle 6 ATP funds.

Financial Impact:

The estimated funding breakdown for each project and appropriate phases is shown on the next page:

Project Title	PE - FY 23/24			RW - FY 23/24			CON/CE -FY 25/26			Total
	ATP	CMAQ	Total	ATP	CDBG-DR	Total	ATP	CDBG-DR	Total	
Go Paradise - Pentz Student Pathway	\$150,000	\$700,000	\$850,000	\$1,948,000	\$52,000	\$2,000,000	\$19,911,000	\$532,000	\$20,443,000	\$23,293,000
Go Paradise - Neal Gateway Project	\$352,000	\$550,000	\$902,000	\$1,486,000	\$21,000	\$1,507,000	\$10,510,000	\$149,000	\$10,659,000	\$13,068,000

Project Title	Funding Source			Total
	ATP	CMAQ	CDBG-DR	
Go Paradise - Pentz Student Pathway	\$22,009,000	\$700,000	\$584,000	\$23,293,000
Go Paradise - Neal Gateway Project	\$12,348,000	\$550,000	\$170,000	\$13,068,000

Attachments:

1. Resolution Project Baseline Agreement for Go Paradise: Pentz Student Pathway
2. Resolution Project Baseline Agreement for Go Paradise: Neal Gateway Project
3. Project Baseline Agreement for Go Paradise: Pentz Student Pathway
4. Project Baseline Agreement for Go Paradise: Neal Gateway Project

**TOWN OF PARADISE
RESOLUTION NO. 2023 - ____**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE
AUTHORIZING THE TOWN MANAGER OR HIS DESIGNEE TO SIGN THE PROJECT
BASELINE AGREEMENT BETWEEN THE CALIFORNIA TRANSPORTATION
COMMISSION, THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, AND THE
TOWN OF PARADISE FOR THE ACTIVE TRANSPORTATION PROGRAM
CORRESPONDING TO PROJECT GO PARADISE: PENTZ STUDENT PATHWAY
PROJECT.**

WHEREAS, the State of California through its Department of Transportation (Caltrans) administers the Active Transportation Program (ATP) and selects projects for funding; and,

WHEREAS, the Go Paradise: Pentz Student Pathway project has been awarded \$22,009,000 from the California Transportation Commission's 2023 ATP; and,

WHEREAS, the SB1 Accountability and Transparency Guidelines require projects with a total project cost of \$25 million or greater or a total ATP programmed amount of \$10 million or greater to complete a Baseline Agreement; and,

WHEREAS, Caltrans under the SB1 Accountability and Transparency Guidelines requires the Town of Paradise to execute a Project Baseline Agreement in order to be eligible to receive Federal-Aid and State-Aid for eligible project costs for the Go Paradise: Pentz Student Pathway project; and,

WHEREAS, these funds will require that they are managed in accordance with the Caltrans Local Assistance Procedures Manual; and,

WHEREAS, the Town Council of the Town of Paradise has approved and agreed to this Project Baseline Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF
THE TOWN OF PARADISE AS FOLLOWS:**

Section 1. That the Town Manager of the Town of Paradise, or her designee, is hereby authorized to sign said Agreement on behalf of the Town.

Section 2. The Town Clerk shall certify the passage and adoption of this resolution.

PASSED AND ADOPTED by the Town Council of the Town of Paradise
on this 11th day of April, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

By: _____
Greg Bolin, Mayor

ATTEST:

Dina Volenski, CMC, Town Clerk

APPROVED AS TO FORM:

Scott E. Huber, Town Attorney

--CERTIFICATION OF RESOLUTION--

ATTEST:

I, Dina Volenski, Town Clerk of the Town of Paradise, California do hereby certify that this is a true and correct copy of the original Resolution No. 2023-__.

WITNESS MY HAND OR THE SEAL OF THE TOWN OF PARADISE, on this 11th day of April, 2023.

Dina Volenski, CMC, Town Clerk
Town of Paradise

**TOWN OF PARADISE
RESOLUTION NO. 2023 - _____**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE
AUTHORIZING THE TOWN MANAGER OR HIS DESIGNEE TO SIGN THE
PROJECT BASELINE AGREEMENT BETWEEN THE CALIFORNIA
TRANSPORTATION COMMISSION, THE CALIFORNIA DEPARTMENT OF
TRANSPORTATION, AND THE TOWN OF PARADISE FOR THE ACTIVE
TRANSPORTATION PROGRAM CORRESPONDING TO PROJECT GO
PARADISE: NEAL GATEWAY PROJECT.**

WHEREAS, the State of California through its Department of Transportation (Caltrans) administers the Active Transportation Program (ATP) and selects projects for funding; and,

WHEREAS, the Go Paradise: Neal Gateway project has been awarded \$12,348,000 from the California Transportation Commission's 2023 ATP; and,

WHEREAS, the SB1 Accountability and Transparency Guidelines require projects with a total project cost of \$25 million or greater or a total ATP programmed amount of \$10 million or greater to complete a Baseline Agreement; and,

WHEREAS, Caltrans under the SB1 Accountability and Transparency Guidelines requires the Town of Paradise to execute a Project Baseline Agreement in order to be eligible to receive Federal-Aid and State-Aid for eligible project costs for the Go Paradise: Neal Gateway project; and,

WHEREAS, these funds will require that they are managed in accordance with the Caltrans Local Assistance Procedures Manual; and,

WHEREAS, the Town Council of the Town of Paradise has approved and agreed to this Project Baseline Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARADISE AS FOLLOWS:

Section 1. That the Town Manager of the Town of Paradise, or her designee, is hereby authorized to sign said Agreement on behalf of the Town.

Section 2. The Town Clerk shall certify the passage and adoption of this resolution.

PASSED AND ADOPTED by the Town Council of the Town of Paradise on this 11th day of April, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

By: _____
Greg Bolin, Mayor

ATTEST:

Dina Volenski, CMC, Town Clerk

APPROVED AS TO FORM:

Scott E. Huber, Town Attorney

--CERTIFICATION OF RESOLUTION--

ATTEST:

I, Dina Volenski, Town Clerk of the Town of Paradise, California do hereby certify that this is a true and correct copy of the original Resolution No. 2023-_____.

WITNESS MY HAND OR THE SEAL OF THE TOWN OF PARADISE, on this 11th day of April, 2023.

Dina Volenski, CMC, Town Clerk
Town of Paradise

ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017
PROJECT BASELINE AGREEMENT
Go Paradise: Pentz Student Pathway

Resolution _____
(will be completed by CTC)

1. FUNDING PROGRAM

- Active Transportation Program
- Local Partnership Program (Competitive)
- Solutions for Congested Corridors Program
- State Highway Operation and Protection Program
- Trade Corridor Enhancement Program

2. PARTIES AND DATE

2.1 This Project Baseline Agreement (Agreement) for the *Go Paradise: Pentz Student Pathway*, effective on, _____ (will be completed by CTC), is made by and between the California Transportation Commission (Commission), the California Department of Transportation (Caltrans), the Project Applicant, *The Town of Paradise*, and the Implementing Agency, *The Town of Paradise*, sometimes collectively referred to as the "Parties".

3. RECITAL

- 3.2 Whereas at its December 7, 2022 meeting the Commission approved the Active Transportation Program, and included in this program of projects the *Go Paradise: Pentz Student Pathway*, the parties are entering into this Project Baseline Agreement to document the project cost, schedule, scope and benefits, as detailed on the Project Programming Request Form attached hereto as Exhibit A and the Project Report attached hereto as Exhibit B, as the baseline for project monitoring by the Commission.
- 3.3 The undersigned Project Applicant certifies that the funding sources cited are committed and expected to be available; the estimated costs represent full project funding; and the scope and description of benefits is the best estimate possible.

4. GENERAL PROVISIONS

The Project Applicant, Implementing Agency, and Caltrans agree to abide by the following provisions:

- 4.1 To meet the requirements of the Road Repair and Accountability Act of 2017 (Senate Bill [SB] 1, Chapter 5, Statutes of 2017) which provides the first significant, stable, and on-going increase in state transportation funding in more than two decades.
- 4.2 To adhere, as applicable, to the provisions of the Commission:
- Resolution G-22-70, "Adoption of Program of Projects for the Active Transportation Program", dated December 7, 2022
 - Resolution *Insert Number*, "Adoption of Program of Projects for the Local Partnership Program", dated _____
 - Resolution *Insert Number*, "Adoption of Program of Projects for the Solutions for Congested Corridors Program", dated _____
 - Resolution *Insert Number*, "Adoption of Program of Projects for the State Highway Operation and Protection Program", dated _____
 - Resolution *Insert Number*, "Adoption of Program of Projects for the Trade Corridor Enhancement Program", dated _____

- 4.3 All signatories agree to adhere to the Commission's Active Transportation Program, Guidelines. Any conflict between the programs will be resolved at the discretion of the Commission.
- 4.4 All signatories agree to adhere to the Commission's SB 1 Accountability and Transparency Guidelines and policies, and program and project amendment processes.
- 4.5 The Town of Paradise agrees to secure funds for any additional costs of the project.
- 4.6 The Town of Paradise agrees to report to Caltrans on a quarterly basis; after July 2019, reports will be on a semi-annual basis on the progress made toward the implementation of the project, including scope, cost, schedule, outcomes, and anticipated benefits.
- 4.7 Caltrans agrees to prepare program progress reports on a quarterly basis; after July 2019, reports will be on a semi-annual basis and include information appropriate to assess the current state of the overall program and the current status of each project identified in the program report.
- 4.8 The Town of Paradise agrees to submit a timely Completion Report and Final Delivery Report as specified in the Commission's SB 1 Accountability and Transparency Guidelines.
- 4.9 All signatories agree to maintain and make available to the Commission and/or its designated representative, all work related documents, including without limitation engineering, financial and other data, and methodologies and assumptions used in the determination of project benefits during the course of the project, and retain those records for four years from the date of the final closeout of the project. Financial records will be maintained in accordance with Generally Accepted Accounting Principles.
- 4.10 The Transportation Inspector General of the Independent Office of Audits and Investigations has the right to audit the project records, including technical and financial data, of the Department of Transportation, the Project Applicant, the Implementing Agency, and any consultant or sub-consultants at any time during the course of the project and for four years from the date of the final closeout of the project, therefore all project records shall be maintained and made available at the time of request. Audits will be conducted in accordance with Generally Accepted Government Auditing Standards.

5. SPECIFIC PROVISIONS AND CONDITIONS

5.1 Project Schedule and Cost

See Project Programming Request Form, attached as Exhibit A.

5.2 Project Scope

See Project Report or equivalent, attached as Exhibit B. At a minimum, the attachment shall include the cover page, evidence of approval, executive summary, and a link to or electronic copy of the full document.

5.3 Other Project Specific Provisions and Conditions

Attachments:

Exhibit A: Project Programming Request Form

Exhibit B: Project Report

SIGNATURE PAGE
TO
PROJECT BASELINE AGREEMENT
Go Paradise: Pentz Student Pathway

Resolution _____

Date

Project Applicant

Date

Implementing Agency

Date

District Director

California Department of Transportation

Date

Toks Omishakin

Director
California Department of Transportation

Date

Mitchell Weiss

Executive Director
California Transportation Commission

ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017
PROJECT BASELINE AGREEMENT
Go Paradise: Neal Gateway Project

Resolution _____

(will be completed by CTC)

1. FUNDING PROGRAM

- Active Transportation Program
- Local Partnership Program (Competitive)
- Solutions for Congested Corridors Program
- State Highway Operation and Protection Program
- Trade Corridor Enhancement Program

2. PARTIES AND DATE

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- 3.2 Whereas at its December 7, 2022 meeting the Commission approved the Active Transportation Program, and included in this program of projects the *Go Paradise: Neal Gateway Project*, the parties are entering into this Project Baseline Agreement to document the project cost, schedule, scope and benefits, as detailed on the Project Programming Request Form attached hereto as Exhibit A and the Project Report attached hereto as Exhibit B, as the baseline for project monitoring by the Commission.
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SIGNATURE PAGE
TO
PROJECT BASELINE AGREEMENT

Go Paradise: Neal Gateway Project

Resolution _____

Date

Project Applicant

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