



TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

TELEPHONE (530) 872-6291 FAX (530) 877-5059

www.townofparadise.com

Management Staff:

Lauren Gill, Interim Town Manager
Dwight L. Moore, Town Attorney
Joanna Gutierrez, Town Clerk
Craig Baker, Community Development Director
Gabriela Tazzari-Dineen, Police Chief
George Morris, Jr., Unit Chief
CAL FIRE/Butte County Fire
Paradise
Gina Will, Finance Director/Town Treasurer

Town Council:

Tim Titus, Mayor
Scott Lotter, Vice Mayor
Greg Bolin, Council Member
Steve "Woody" Culleton, Council Member
John J. Rawlings, Council Member

TOWN COUNCIL AMENDED AGENDA #2*

REGULAR MEETING – 6:00 PM – April 09, 2013

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Town Clerk's Department, at 872-6291 x101 or x102 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Town Clerk.

Town Council Meetings are held at the Paradise Town Hall located at 5555 Skyway, Paradise, California. Members of the public may address the Town Council on any agenda item, including closed session. If you wish to address the Town Council on any matter on the Agenda, it is requested that you complete a "Request to Address Council" card and give it to the Town Clerk prior to the beginning of the Council Meeting. The Mayor or Presiding Chair will introduce each agenda item, and following a report from staff, ask the Clerk to announce each speaker. Agendas and request cards are located outside the entrance door to the Council Chamber.

All writings or documents which are related to any item on an open session agenda and which are distributed to a majority of the Town Council within 72 hours of a Regular Meeting will be available for public inspection at the Town Hall in the Town Clerk Department located at 5555 Skyway, Room 3, at the time the subject writing or document is distributed to a majority of the subject body. Regular business hours are Monday through Thursday from 8:00 a.m. to 5:00 p.m. Agendas and supporting information is posted on the Town's website at www.townofparadise.com in compliance with California's open meeting laws. Click on the Agenda and Minutes button.

1. OPENING

- a. Call to Order
- b. Pledge of Allegiance to the Flag of the United States of America

- c. Invocation
- d. Roll Call
- e. Proclamations:
 - (1) April - Child Abuse Prevention Month
 - (2) April - Sexual Assault Awareness Month
 - (3) National Telecommunicators Week

2. ITEMS DEFERRED FROM PREVIOUS MEETINGS – None.

3. CONSENT CALENDAR

One roll call vote will be taken for all items placed on the consent calendar.

- 3a. Approve the Minutes of the March 8, 2013 Special Meeting and the March 12, 2013 Regular Council Meetings.
- 3b. Approve Cash Disbursements Report in the Amount of \$821,626.60.
- 3c. (1) Waive the reading of entire proposed Ordinance No. 528, and approve reading by title only; and, (2) Introduce Ordinance No. 528, An Ordinance amending Paradise Municipal Code Section 10.02.060 relating to Prima Facie Speed Limit on Pearson Road (between Cherry Lane and Pentz Road). Approval would lower the speed limit on a certain section of roadway.
- *3d. (1) Concur with staff's recommendation of Holdredge & Kull to perform professional Construction Quality Assurance Engineering Services for the Pearson/Recreation Drive Signalization Project; (2) Approve the Professional Services Agreement with Holdredge & Kull in the amount of \$20,083.00, and (3) Authorize the Interim Town Manager and Town Mayor to execute the agreement. (*Amended recommended consultant & posted 4/5/13)
- 3e. Adopt Resolution No. 13-11, A Resolution of the Town Council of the Town of Paradise Authorizing Destruction of Certain Town Records Maintained in the Town Finance Department Pursuant to Government Code Section 34090.
- 3f. Adopt Resolution No. 13-12, A Resolution of the Town Council of the Town of Paradise Authorizing Destruction of Certain Town Records Maintained in the Town Clerk Department Pursuant to Government Code Section 34090.
- 3g. Adopt Resolution No. 13-13, A Resolution of the Town Council of the Town of Paradise Declaring Miscellaneous Town Administrative Office Supplies, Devices And Furnishings as Surplus and Authorizing Disposal through Sale or Donation by the Interim Town Manager.
- 3h. Adopt Resolution No. 13-14, A Resolution of the Town Council of the Town of Paradise Amending and Readopting Conflict of Interest Code for the Agencies and Departments of the Town of Paradise Which Incorporate

By Reference the Fair Political Practices Commission's Standard Model Conflict of Interest.

- 3i. Approve the recommended General Fund Budget Adjustments totaling \$4,639, resulting in a decrease to the General Fund Reserves and an increase to the projected deficit.
- 3j. Accept the 2012 Annual Report of the Paradise Planning Commission Regarding Progress Toward Implementation of the 1994 Paradise General Plan.

4. PUBLIC HEARING PROCEDURE

The Town Council has adopted the following procedure for public hearings:

- a. Staff report to Council (15 minutes total maximum)
- b. Mayor or Presiding Chair opens the hearing for public comment in the following order:
 - 1. Project proponents or in favor of (15-minute time limit)
 - 2. Project opponents or against (15-minute time limit)
 - 3. Rebuttals - when requested
(15-minute time limit or 3 minutes per speaker)
- c. Close hearing to the public
- d. Council discussion
- e. Motion
- f. Vote

5. PUBLIC HEARINGS – None.

6. PUBLIC COMMUNICATION

This is the time for members of the audience who have completed a "Request to Address Council" card and given it to the Clerk to present items not on the Agenda. Comments should be limited to a maximum of three minutes duration. The Town Council is prohibited by State Law from taking action on any item presented if it is not listed on the Agenda.

7. COUNCIL CONSIDERATION

- 7a. Consider authorizing ongoing recruitment for vacancies on the Access Appeals Board, Development Impact Fee Adjustments Board and the Tree Advisory Committee and direct Town Clerk to schedule appointments on a Council agenda when applications are received.
- 7b. Consider adopting Resolution No. 13-15, A Resolution of the Town Council of the Town of Paradise Approving the Plans and Specifications for the Paradise Microsurfacing Project 2013 and Authorizing Advertisement for Bids on the Project. **(ROLL CALL VOTE)**
- 7c. Consider (1) Approving the Program Supplement Agreement No. 011-N to Administering Agency-State Agreement No. 03-5425R for Federal-Aid Project HSIPL-5425 (024) to assure receipt of \$155,800.00 in federal funds; and, (2) Adopting Resolution No. 13-16, A Resolution Authorizing

the Interim Town Manager, or her designee, to sign the Program Supplement Agreement No. 011-N to Administering Agency-State Agreement No. 03-5425R. **(ROLL CALL VOTE)**

7d. Review the 2013-14 Community Development Block Grant (CDBG) Annual Action Plan and consider the following actions:

(1) Adopt the 2013-14 Sub-recipient funding recommendations regarding grant funding for local organizations; and (2) Adopt the FINAL 2013-2014 Annual Plan as submitted; or,

(3) Revise the recommendations and adopt the FINAL 2013-2014 Annual Plan with amendments; and,

(4) Authorize staff to submit the adopted 2013-2014 Annual Plan to the U.S. Department of Housing and Urban Development (HUD). **(ROLL CALL VOTE)**

7e. Consider upcoming vacancy on the Paradise Planning Commission due to expiration of term of office of Commissioner Jody Jones on June 30, 2013, and (1) Authorize recruitment process and schedule appointments for the June 11, 2013 Council meeting; or, (2) Directly appoint to the position from the pool of eligible applicants; or, (3) Provide alternate direction to staff.

7f. Review and consider acknowledging receipt of the Valuation of Retiree Health Benefits under Statement No. 45 of the Governmental Accounting Standards Board (GASB 45) as of July 1, 2012 as submitted by staff.

7g. Consider (1) Authorizing the Police Department to contract with Wild Rose Motors Ltd., 3901 E. La Palma Ave. #A, Anaheim, CA 92807, for the refurbishing of two existing Police Vehicles in the amount of \$51,687.06; and, (2) Authorizing the Police Department to purchase emergency light bars and controllers for the refurbished vehicles from the Traffic Safety Fund in the amount of \$4,800. (Vehicle refurbish would be funded from the COPS grant on a five-year municipal lease purchase plan.) **(ROLL CALL VOTE)**

8. COUNCIL COMMUNICATION (Council Initiatives)

8a. Consider approving the League of California Cities (LCC) proposed bylaws amendments and directing the Town Clerk to record the results on the Mail Ballot on Bylaws Amendments provided by the LCC. The proposed amendments would amend the Bylaws to provide that:

(1) Resolutions submitted to the League for presentation to the General Assembly must be concurred on by at least five or more cities or by city officials from at least five or more cities. (Amends article VI, section 2 of the League's bylaws.) **(ROLL CALL VOTE)** and, (2) The League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present. (Adds article VI, section 16 to the League's bylaws.) **(ROLL CALL VOTE)**

8b. Discuss and consider adopting Resolution No. 13-___, "A Resolution of the Town Council of the Town of Paradise Affirming the Second Amendment of the United States Constitution," as requested by the Paradise Tea Party; **(ROLL CALL VOTE)**; or, (2) Consider alternative direction to staff. **(BOLIN & RAWLINGS)**

8c. Council oral reports of their representation on Committees/Commissions.

8d. Discussion of future agenda items

9. STAFF/COMMISSION/COMMITTEE COMMUNICATION

9a. Town Manager oral reports

Reminder: Special Council Meeting on April 23, 2013 at 9:00 am

10. CLOSED SESSION

10a. Pursuant to Government Code Section 54957, the Town Council will hold a closed session for evaluation of performance of Interim Town Manager, Lauren Gill.

10b. Pursuant to Government Code Section 54957.6, the Town Council will hold a closed session to meet with Lauren Gill, Gina Will and Crystal Peters, its designated representatives, regarding labor relations between the Town of Paradise and the Confidential/Mid-Management Association, General Employees Unit, the Management Group, Police Mid-Management Unit and the Paradise Police Officers Association.

10c. Pursuant to Government Code sections 54956.9(d)(2) and 54956.95, the Town Council will hold closed session to consider the liability claim of the Bank of NY Mellon against the Town of Paradise.

11. 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:	
<hr/>	
TOWN/ASSISTANT TOWN CLERK SIGNATURE	

Town of Paradise, California

PROCLAMATION

WHEREAS, child abuse and neglect continues to be a problem in the Paradise Ridge Area; and,

WHEREAS, preventing child abuse and neglect is a task for all citizens; and,

WHEREAS, the Town of Paradise continues to promote events, activities and programs that strengthen families using the protective factors; and,

WHEREAS, the five protective factors listed here have been proven to strengthen families and prevent child abuse and neglect:

Parental resilience
Social Connections
Knowledge of parenting and child development
Concrete support in times of need
Social and emotional competence of children; and

WHEREAS, knowledge of these factors makes it possible for communities to provide programs and resources to help strengthen families; and,

WHEREAS, the Paradise Ridge has effective services delivered by Youth for Change, North Valley Catholic Social Service (Butte Baby Steps), Feather River Hospital, Sojourners House on the Ridge (SHOR), Paradise Parks and Recreation, Boys and Girls Club, Paradise Library, Paradise Peace and Justice, Butte County Behavioral Health, Public Health and Children Services Division, Paradise Police Department, Interfaith Council Church members plus numerous other groups that help to strengthen families; and, together with the Butte County Child Abuse Prevention Council, provides a collaborative forum for the planning and implementation of family strengthening programs.

NOW, THEREFORE, I, Timothy Titus, Mayor of the Town of Paradise hereby proclaim April 2013 as Child Abuse Prevention Awareness and Family Strengthening Month in the Town of Paradise, commend the efforts of our community's organizations to strengthen families, thereby reducing the incidence of child abuse and neglect in Paradise, and encourage all citizens to become aware of what they can do to strengthen their own families, to share information and work together to prevent child abuse and neglect.

IN WITNESS WHEREOF I have hereunto set my hand and caused the official seal of the Town of Paradise to be affixed hereto this 9th day of April, 2013.



[Redacted Signature]

Timothy Titus, Mayor

Town of Paradise, California

PROCLAMATION

WHEREAS, sexual assault is an intolerable violent crime with public health implications for every person in the Town of Paradise, as either a victim/survivor, or as a family member, significant other, neighbor or co-worker of a victim/survivor; and,

WHEREAS, no one person, organization, agency or community can eliminate sexual assault on their own—we must work together to educate our entire population about what can be done to prevent sexual assault, support victim/survivors and their significant others, and increase support for agencies providing services to victim/survivors; and,

WHEREAS, for the past 39 years **Rape Crisis Intervention & Prevention** has led the way in the Town of Paradise in addressing sexual assault by providing 24-hour hotline services to victim/survivors and their significant others, responding to emergency calls, offering support and comfort to those impacted by sexual assault during medical exams, criminal proceedings, and empowering those impacted by sexual assault to chart their own course for healing; and,

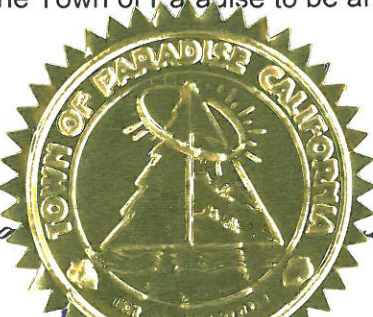
WHEREAS, ending sexual assault in the Town of Paradise must include active collaboration between public and private efforts to *End Sexual Violence*, including conversation about what sexual violence is, how to prevent it, how to help survivors connect with crucial counseling and other support services, and how every segment of our society can work together to better address sexual violence; and,

WHEREAS, **Rape Crisis Intervention & Prevention** staff and volunteers offer sexual assault programs in the Town of Paradise and work year around to support survivors by providing prevention education and survivor empowerment information to schools, churches, civic organizations, as well as to medical, mental health, law enforcement, education, and criminal justice personnel regarding sexual assault issues; and, has set an important example of how forging collaborative relationships between service agencies and organizations serves to improve the quality of service for those most profoundly and directly impacted by sexual violence, thus setting an important example for how the rest of the community might work together to speak out and find solutions to sexual violence; and,

WHEREAS, **Rape Crisis Intervention & Prevention** requests public support and assistance as it continues its effort to bring real hope for freeing the Town of Paradise from the tragedy of sexual violence to create a future where all women, men and children can live free from violence and exploitation.

NOW, THEREFORE, I Timothy Titus, Mayor of the Town of Paradise, do hereby proclaim the month of April as "Sexual Assault Awareness Month" in the Town of Paradise and encourage community awareness of the negative societal impacts of sexual violence and community support for the organizations that seek solutions to end this violence and who provide assistance to those impacted by this crime.

IN WITNESS WHEREOF I have hereunto set my hand and caused the official seal of the Town of Paradise to be affixed hereto this 9th day of April, 2013.



[Redacted signature area]

Timothy Titus, Mayor

Town of Paradise, California

PROCLAMATION

WHEREAS, the citizens of the Town of Paradise depend upon the prompt response of police officers, fire fighters and medical personnel for protection of life and property and,

WHEREAS, our citizens, police officers and fire fighters depend on the Public Safety Dispatchers to answer their calls and provide clear and accurate information on a daily basis, and

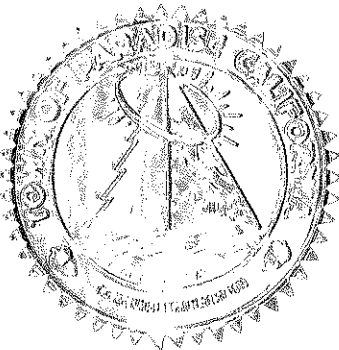
WHEREAS, Public Safety Dispatchers are often the first contact citizens have with emergency services; and, Public Safety Dispatchers provide a vital link for our police officers and fire fighters by monitoring their activities by radio, providing them information, and ensuring their safety; and,

WHEREAS, the Town of Paradise Public Safety Dispatchers have contributed substantially to the apprehension of criminals, suppression of fire and treatment of patients; and,

WHEREAS, the Town of Paradise Public Safety Dispatchers exhibit compassion, understanding and professionalism during the performance of their duties;

NOW, THEREFORE, I, Timothy Titus, Mayor of the Town of Paradise, declare the week of April 8, 2013, to be "National Telecommunicators Week" in the Town of Paradise, in honor of the men and women whose diligence and professionalism assist in keeping our Town and citizens safe.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Town of Paradise to be affixed hereto this 9th day of April, 2013.



Timothy Titus, Mayor

MINUTES
PARADISE TOWN COUNCIL
SPECIAL MEETING – 9:00 AM – March 08, 2013

OPENINGThe Special Town Council meeting was called to order at 9:00 a.m. in the Town Council Chamber located at 5555 Skyway, Paradise, California. Council Member Greg Bolin led the Pledge of Allegiance to the Flag of the United States of America.

COUNCIL MEMBERS PRESENT: Greg Bolin, Steve “Woody” Culleton, Scott Lotter, John J. Rawlings, and Tim Titus, Mayor.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: Town Clerk Joanna Gutierrez, Interim Town Manager Lauren Gill, Finance Director Gina Will, Town Attorney Dwight Moore, Community Development Director Baker, Associate Civil Engineer Marc Mattox, Public Works Manager Paul Derr, Onsite Sanitary Official Doug Danz, Human Resource/Risk Management Analyst Crystal Peters, Fire Marshal/Building Official Tony Lindsey, Police Chief Gabriela Tazzari-Dineen, Rob Cone, Division Chief, CAL FIRE/Butte County Fire, Paradise Fire and Curtis Lawrie, Battalion Chief, CAL FIRE, Paradise Fire.

2. CLOSED SESSION Council concurred to announce the scheduled closed session in order to take public input as there were several citizens in the Council Chamber who have turned in speaker cards to address the subject matter of the closed session.

The purpose of the closed session was for the Town Council to hold a conference with its real property negotiator, Lauren M. Gill, to discuss price and term of payment for purchase of real property owned or previously owned by Mr. Frank Nichols and identified as remainder acreage (the Westerly Portion of Phase 3, approximately 203 acres with a 5-lot approved subdivision map) of the Blue Oak Terrace subdivision located on the south side of Skyway, just west of Skyway Crossroad in Butte County, California further identified by Assessor Parcel Numbers #055-540-001; 055-540-016; and, 055-540-037. Mayor Titus opened the matter to public comment.

1. Jim Harding stated that he lives closest to site proposed for the wastewater treatment facility and is concerned about the location of the pods and the real potential for the smell to affect the nearby residents, that he does not see the need for the Town to have a sewer as many businesses already have specialized systems on constrained lots, that he sees other options for this type of system, perhaps looking at using the empty lots on Skyway, and asked why the Town is looking at lots located near new, custom built homes.
2. Loren Harvey suggested the Town consider buying distressed properties along Skyway to develop for public parking and build the parking spaces over the drain field and asked if the Council is aware that the 203 acres in the Blue Oaks subdivision has a running stream.

3. Claude Means stated that he does not wish to view a sewer plant from his front yard, that the Blue Oaks Subdivision is finally starting to pick up and become self-supporting, and that a sewer system would stop that progress. He stated that there are many empty buildings downtown and asked how any system would be paid for without businesses in the downtown area.
4. Al Ledford stated that he is the president of Blue Oaks Home Owners Association representing 40 lots in the subdivision, is completely opposed to the proposal for a wastewater treatment plant in that area, that all the homes in the subdivision are custom built homes and he doesn't think there should be a wastewater plant right next to it. He further stated if they had known that construction of a wastewater plant in this area was a possibility, they would not have built homes there in the first place. He stated he is concerned that the Town already has easements through the property, asked who would take care of the road, and that even an underground system could hold many pods.
5. Dan Roberts stated that he grew up in this area and as young person had always wanted to live in the Blue Oaks corridor, that the area is designated as a scenic corridor, asked Council to consider the people who worked long and hard to build custom dream homes in an area that they thought would be protected as no one ever thought the Town would buy Phase 3 and park a wastewater treatment system right there, and that if that occurred, the Town might find itself in a lawsuit, and asked the Council to think about finding another solution that would serve the community that the Blue Oaks homeowners could support.
6. John Loero stated that he came from the Bay Area to get away from the rat race and smelly sewer plants and if he knew a wastewater treatment plant was proposed for the Blue Oaks area he would never have purchased there, and that he has no intention of letting the Town put a sewer plant across his ridge.
7. Warner Bullock stated that he has good information from the homeowners living on the Neal Road side of the canyon that there will be properties other than the Blue Oaks subdivision properties that will be affected by a project like this and asked the Town to look at the long term affects of this proposal, as other options might be available that would serve more of the community than this project would.

Mayor Titus closed the public comment on this item and thanked the citizens for coming to the meeting. Mayor Titus stated that the wording on the agenda was the language required in order to hold a closed session for Council discussion and that Council would not making any decision on this matter today.

3. COUNCIL CONSIDERATION

Mayor Titus stated that the purpose of the next agenda item is to conduct a Council Goal-Setting Session and provide general budget direction to staff regarding the 2013/14 fiscal year budget. Interim Town Manager Lauren Gill informed Council that

she and Finance Director Will have a power point presentation to display after which the Council might consider taking a short break prior to discussion and giving direction.

Interim Town Manager Gill stated that without further cuts to operational costs or increases to revenue, the next budget will look similar to the current budget; reviewed the increases to revenue which occurred as combination of NCCSIF refunds, property tax and motor vehicle in lieu adjustments; expense reductions which include but are not limited to the Cal Fire transition, hiring an Interim Town Manager for a six-month period, employee salary and benefit concessions and lay-offs, and early pay-off of lease purchases. Interim Manager Gill also discussed the status of the enterprise funds, in that Animal Control has \$50,000 remaining in donations; no general fund subsidy was necessary for the Business & Safety Services; that the Interim Town Manager provided oversight to Development Services in lieu of hiring a Public Works Director along with restructure and elimination of staff to help the Gas Tax & Streets fund.

Interim Town Manager Gill stated that the projected general fund expenditures total \$10,172,834 and that 5% of expenditures which equate to an amount of \$508,641, will have to be cut to balance the budget, and that staff is seeking direction and prioritization of resources from the Council.

Interim Manager Gill and Finance Director Will reviewed the expenditures by type and by function, discussed the percentages of general fund monies expended by each function and the dollar amounts per function that may have to be cut, as well as the number of full time equivalent personnel that remains in each department. Staff stated that revenue growth is expected to be very conservative, and it was noted that the Town has lost approximately \$2.6 million in tax revenues due to declining property values since 2008. Staff reviewed cost savings options and considerations that include negotiations with employee groups whose contracts expire June 30, 2013; layoffs; outsourcing, position restructuring; amending Cal Fire service contract; other opportunities for workers compensation and general liability coverage; joining State unemployment and disability programs; and renegotiating vendor contracts.

Staff also presented historical data relating to sales and use tax revenue distributions that indicate an estimated \$297 million in sales occur off the ridge and demonstrated how local purchasing would create revenues for Paradise; discussed the strengths, weaknesses, opportunities and training for local government; economic markers that point to recovery; building trends; and projected income from grants – CDGB, HOME, CMAQ, COPS and HSIP.

Mayor Titus called for a 15-minute recess at 10:25 a.m. and reconvened the meeting at 10:40 a.m.

Council discussed the following measures to reduce the structural operating deficit:

- a. Cut Operating Costs
 - i. Renegotiate the Pension Obligation Bond (POB)
 - ii. Balance the budget
 - 1. Departmental cuts to expenses

b. Revenue Opportunities:

- i. Ensure that the cost of Town services are covered by fees
- ii. Review accounts receivables
- iii. Promote local purchasing; Capture retail leakage to surrounding cities
- iv. Promote tourism
 - 1. Bus Tours to local event
 - 2. Partner with hotels
 - 3. Be pro-active with social media
 - 4. "Piggy back" on other cities' events to bring people to Paradise
- v. CDBG mini-grants for local businesses to promote visits to Paradise
- vi. Partner with Chamber of Commerce
 - 1. Meet with and help grow local businesses
 - 2. Conferences
- vii. Promote the Scenic Corridor

4. ADJOURNMENT

Mayor Titus adjourned the Special Council Meeting at 11:30 a.m.

DATE APPROVED:

By: _____
Timothy Titus, Mayor

Joanna Gutierrez, CMC, Town Clerk

**MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – March 12, 2013**

1. OPENING

The Regular Meeting of the Paradise Town Council was called to order by Mayor Timothy Titus at 6:01 p.m. in the Town of Paradise Council Chamber located at 5555 Skyway, Paradise, California. Following the pledge of allegiance, Town of Paradise Council Member John J. Rawlings offered the invocation.

COUNCIL MEMBERS PRESENT: Greg Bolin, Steve “Woody” Culleton, Scott Lotter, John J. Rawlings and Timothy Titus, Mayor.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: Town Clerk Joanna Gutierrez, Interim Town Manager Lauren Gill, Town Attorney Dwight L. Moore, Community Development Director Craig Baker, Police Lieutenant Al Billington, Division Chief Rob Cone, Cal Fire, Paradise Fire; Battalion Chief Curtis Lawrie, Cal Fire, Paradise Fire; Assistant Town Clerk Dina Volenski, Associate Civil Engineer Marc Mattox, and Public Works Manager Paul Derr.

Mayor Titus presented Proclamations recognizing of our Community's Spirit of Volunteerism to several agencies listed in the proclamation; and, presented a Proclamation of Recognition of Sojourners House on the Ridge (SHOR).

2. ITEMS DEFERRED FROM PREVIOUS MEETINGS – None.

3. CONSENT CALENDAR

MOTION by Lotter, seconded by Rawlings, adopted the following items on the consent calendar as presented. Roll call vote was unanimous.

- 3a. Approved the Minutes of the February 12, 2013, Regular Council Meeting.
- 3b. Approved Cash Disbursements in the Amount of \$1,002,301.56. (310-10-29)
- 3c. Adopted Resolution No. 13-04, “A Resolution of the Town Council of the Town of Paradise Authorizing the Submittal of an Application to the California State Department of Housing and Community Development For Funding Under the CALHOME Program; The Execution of a Standard Agreement if Selected for Such Funding and any Amendments Thereto; and any Related Documents Necessary to Participate in the CALHOME Program.” (710-10-79)

- 3d. (1) Declared the described office items as surplus property; and, (2) Adopted Resolution No. 13-05, declaring Public Works Department Street Maintenance Equipment and furniture surplus and obsolete and authorizing disposal through sale or donation by the Interim Town Manager. (380-10-03)
- 3e. (1) Approved the final quantities in the amount of \$32,267.00 per the attached summary; and, (2) Accepted the contract with Centerline Striping Co., Inc. as complete and authorized the Town Clerk to file a Notice of Completion with the County Recorder's Office with release of the retention following a 35-day lien period, provided no liens are filed. (510-20-52)
- 3f. Adopted Resolution No. 13-06, A Resolution of the Town Council of the Town of Paradise Authorizing the Mayor to Execute a Legal Services Agreement with Douglas R. Thorn Relating to Public Nuisance Abatement Lawsuits. Fiscal impact not to exceed \$2,500. (C09-07)
- 3g. Adopted Resolution No. 13-07, A Resolution of the Town Council of the Town of Paradise Identifying the Paradise Chief of Police as the Contact Person for the Department of Alcoholic Beverage Control With the Authority to Determine Public Convenience or Necessity for Liquor License Applications Within an Area of Undue-Concentration of High Crime. (550-50-01)
- 3h. Approved the General Fund Budget Adjustments totaling \$4,777.00 resulting in an increase to the General Fund Reserves and a decrease to the deficit. (340-10-33 & 340-40-12)
- 3i. Approved Resolution 13-08 Rescinding Resolution 08-43 and Authorizing Investment of Monies in the Local Agency Investment Fund. (360-30-02)
- 3j. Acknowledged receipt of the Planning Commission's Annual 1994 General Plan Housing Element Annual Progress Report for the 2012 Calendar year. (760-40-53)
- 3k. Adopted Resolution No. 13-09, A Resolution Declaring Paradise Fire Department 1981 Ford Van Pelt ladder truck as surplus, and authorizing disposal through sale or donation by the Interim Town Manager. (380-10-03 & 380-10-04)

4. PUBLIC HEARING PROCEDURE – Set forth on agenda.

5. PUBLIC HEARINGS – None.

6. PUBLIC COMMUNICATION

1. Fred Aldred requested Council to reaffirm their oath of office by adopting a resolution to confirm the 2nd Amendment to the United States Constitution and supporting the Butte County Sheriff with regard to a citizen's right to keep and bear arms and to place the matter on the next Town Council agenda for discussion and vote of the Town Council.
2. Ward Habriel discussed the Daffodils on the Ridge project and the Paradise Garden Club, shared a publication with the Town Council that discussed the daffodil project and thanked the businesses that planted daffodil bulbs around their businesses. Mr. Habriel informed Council that the Paradise Garden Club has been active for the last fifteen years maintaining the garden triangle at the Foster/Skyway intersection and the garden at the Paradise Library and asked "others to tell others" that a garden provides curb appeal and increases a property's value. He asked that Council use the Town's nuisance abatement ordinance to clean up a property located at the corner of Wagstaff and Clark that used to be a Chinese fast food restaurant
3. Patty Mannel stated that she is part of the "Let's Move" coalition formed to encourage activity in the outdoors to prevent childhood obesity and to put nutrition and physical activity on the map, explained some of the programs they have pioneered such as "Eating Right When Money Is Tight" and the "Strides for Diabetes" program, and invited the Town to join their efforts and to get engaged in their coalition.
4. Ron Serrano stated that he is following up on Council resolutions to abate the Town-declared public nuisance at the property located at 5983 Crestview Drive and that he would like to know if there is any progress on the abatement and if persons other than the property owner can assist in cleaning up the property.

Town Attorney Moore stated that only the Town or the property owner, or someone authorized by the property owner, can legally access the property to abate the nuisances.

Community Development Department Director Baker stated that the he has been in touch with the property owner and the property owner is attempting to hire a local contractor to clean up the nuisances and perhaps demolish the house.

7. COUNCIL CONSIDERATION

- 7a. Associate Civil Engineer Marc Mattox reported to Council on the progress of the Pearson-Recreation Signalization, that five bids were opened on February 12, 2013; that grants will cover 100% of the project; that a 17% construction contingency has been established which could cover a 300' gap of substandard road; discussed cost differences for safety

enhancements relating to the crosswalks, in road warning lights at \$35,000 vs. rapid rectangular flashing beacons at \$10,000; and that full completion is expected in September, 2013 and should come before Council at the October meeting for acceptance.

MOTION by Culleton, seconded by Bolin, (1) Awarded Contract No. 5425022, Pearson-Recreation Signalization Project, to Franklin Construction, Inc. of Chico, CA in the amount of their bid of \$1,157,875.00; and, (2) Authorized the Interim Town Manager to execute the contract on behalf of the Town, following approval by the Town Attorney. Roll call vote was unanimous. (950-40-11 & 510-20-56)

- 7b.** Associate Civil Engineer Marc Mattox informed Council that the Proposition 1B fund must be expended by June 30, 2014, discussed two road management alternatives and explained the cost benefit of Alternative 2, a proposed microsurfacing project that would maintain portions of four heavily travelled roadways as opposed to Alternative 1, providing a temporary overlay to Bille Road, which has many deteriorated sections.

Mayor Titus opened the matter for public comment.

1. Dan Wentland stated that Dean Road has been on the Capital Improvement Project (CIP) list for many years and still remains in need of repair.

MOTION by Rawlings, seconded by Culleton, approved the recommended Revised Plan for Use of Local Proposition 1B Streets and Roads Program Funds (Exhibit A of the staff report). Staff is proposing a revised budget for Council consideration which allocates most remaining Prop 1B funds to Asphalt Maintenance (Various Overlays & Seals); and, (2) Authorized staff to prepare Plans, Specifications and Estimates for the Pavement Microsurfacing Project 2013. Roll call vote was unanimous. (950-40-11)

- 7c. MOTION by Bolin, seconded by Lotter,** (1) Authorized the Town Clerk to advertise the vacancies on the Access Appeals Board, Development Impact Fee Adjustments Board and the Tree Advisory Committee with an application deadline of 4:00 p.m. on March 28, 2013, and scheduled appointment for the April 9, 2013 Council meeting; and, (2) Approved the recommendation of the Fire Marshal/Building Official Town Lindsey and appointed of Frank Sands, Licensed Civil Engineer; Bill Martin, Licensed General Contractor; and, Denis Delucchi, Licensed Plumbing Contractor, to fill the vacancies on the Building/Fire Code Access Appeals Board. Roll call vote was unanimous. (740-20-03, 740-10-06 & 740-60-12)

- 7d. MOTION by Lotter, seconded by Culleton,** adopted Resolution No. 13-10, A Resolution of the Town Council of the Town of Paradise, California, Reporting Unexpended Development Impact Fees in Accordance with Government Code Section 66001 and 66006. Roll call vote was unanimous. (740-10-13)

8. COUNCIL COMMUNICATION (Council Initiatives)

- 8a.** Council oral reports of their representation on Committees/Commissions.

Council Member Rawlings reported on his participation in the Community Development Block Grant (CDBG) sub-recipient interview process on his attendance at the Butte County Association of Governments (BCAG) meeting with Mayor Titus.

Council Member Bolin reported on his participation in the CDBG sub-recipient interview process.

Vice Mayor Lotter reported on his attendance at LAFCo, discussed the need for a Sphere of Influence Update and that the Paradise Community Village is looking for other partners.

Council Member Culleton reported on his attendance at the dedication of Rotary's improvements to Bille Park.

Mayor Titus reported on his attendance at BCAG and Butte County Air Quality Management District (BCAQMD) meetings, and his meeting with the Chamber of Commerce Ambassador. Mayor Titus thanked Town of Paradise employees for concession and taking on additional duties and stated the budget presentation will be taken out into the community so that the community is aware of what has happened to revenues as a result of action by the State government.

- 8b.** Discussion of future agenda items – NONE.

9. STAFF/COMMISSION/COMMITTEE COMMUNICATION

- 9a.** Town Manager oral reports – NONE.

At 7:30 p.m. Mayor Titus announced that the Town Council would adjourn to hold the Successor Agency meeting and reconvened the Council meeting at 7:40 p.m.

10. CLOSED SESSION

At 7:41 p.m. Vice Mayor Lotter announced that the Town Council would adjourn to closed session for the following matters:

- 10a. Pursuant to Government Code Section 54957.6, the Town Council will hold a closed session to meet with Lauren Gill, Gina Will and Crystal Peters, its designated representatives, regarding labor relations between the Town of Paradise and the Paradise Police Officers Association, Confidential Mid-Management Association, General Employees Unit, Police Mid-Management Unit and the Management Group.
- 10b. Pursuant to Government Code section 54956.9(d)(1), the Town Council will hold a closed session to meet with the Town Attorney relating to the following pending litigation: Town of Paradise v. Sierra Preservation Partners, LLC, et al., Butte County Superior Court Case No. 157389.
- 10c. Pursuant to Government Code section 54956.9(d)(1), the Town Council will hold a closed session to meet with the Town Attorney relating to pending litigation: Earl v. Butte County and Town of Paradise, et al., United States District Court for the Eastern District of California Case No. 2:12-CV-01126-KJM-CMK.
- 10d. Pursuant to Government Code sections 54956.9(d)(2) and 54956.95, the Town Council will hold closed session to consider the liability claim of the Bank of NY Mellon against the Town of Paradise.

Mayor Titus reconvened the Council meeting at 9:02 p.m. Town Attorney Moore announced that direction was given and no action taken in closed session.

11. ADJOURNMENT

Mayor Titus adjourned the Council meeting at 9:03 p.m.

DATE APPROVED:

By: _____
Timothy Titus, Mayor

Joanna Gutierrez, CMC, Town Clerk

TOWN OF PARADISE

CASH DISBURSEMENTS REPORT

FOR THE PERIOD OF
MARCH 1, 2013 - MARCH 31, 2013

March 1, 2013 - March 31, 2013

Check Date	Pay Period End	DESCRIPTION	AMOUNT
03/01/13	02/24/13	Net Payroll - Direct Deposits & Checks	\$114,339.55
03/15/13	03/10/13	Net Payroll - Direct Deposits & Checks	\$112,218.51
03/29/13	03/24/13	Net Payroll - Direct Deposits & Checks	\$124,772.85
TOTAL NET WAGES PAYROLL			\$351,330.91

Accounts Payable

PAYROLL VENDORS: TAXES, PERS, DUES, INSURANCE, ETC.	\$319,081.17
OPERATIONS VENDORS: SUPPLIES, CONTRACTS, UTILITIES, ETC.	\$151,214.52
TOTAL CASH DISBURSEMENTS - ACCOUNTS PAYABLE (Detail attached)	<u>\$470,295.69</u>
GRAND TOTAL CASH DISBURSEMENTS	<u><u>\$821,626.60</u></u>

APPROVED BY: _____
LAUREN GILL, INTERIM TOWN MANAGER

APPROVED BY: _____
GINA S. WILL, FINANCE DIRECTOR/TOWN TREASURER

TOWN OF PARADISE
CASH DISBURSEMENTS REPORT

From Payment Date: 3/1/2013 - To Payment Date: 3/31/2013

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>									
57999	03/01/2013	Open			Accounts Payable	FMS DMS CBE GROUP INC.	\$36.64		
58000	03/01/2013	Open			Accounts Payable	ICMA 457 - VANTAGEPOINT	\$1,103.95		
58001	03/01/2013	Open			Accounts Payable	STATE DISBURSEMENT UNIT	\$1,127.53		
58002	03/01/2013	Open			Accounts Payable	STATE OF CALIFORNIA FRANCHISE TAX BOARD	\$264.29		
58003	03/01/2013	Open			Accounts Payable	BRUNO, SHERRY	\$106.30		
58004	03/01/2013	Open			Accounts Payable	BUZZARD, CHRIS	\$687.61		
58005	03/01/2013	Open			Accounts Payable	DHABOLT, OTIS	\$216.05		
58006	03/01/2013	Open			Accounts Payable	HAUNSCHILD, MARK	\$220.55		
58007	03/01/2013	Open			Accounts Payable	HOUSEWORTH, JERILYN	\$428.59		
58008	03/01/2013	Open			Accounts Payable	MOBILITIE INVESTMENTS II, LLC	\$112.49		
58009	03/01/2013	Open			Accounts Payable	MOORE, DWIGHT, L.	\$12,650.00		
58010	03/01/2013	Open			Accounts Payable	ROUGH JR., CHARLES L.	\$81.77		
58011	03/01/2013	Open			Accounts Payable	US BANCORP OFFICE EQUIP FINANCE SERVICES	\$547.84		
58012	03/01/2013	Open			Accounts Payable	WESTAMERICA BANK	\$770.70		
58013	03/01/2013	Open			Accounts Payable	WHALEN, SUZANNE	\$40.88		
58014	03/06/2013	Open			Accounts Payable	BLOOD SOURCE	\$44.00		
58015	03/06/2013	Open			Accounts Payable	Met Life	\$7,213.38		
58016	03/06/2013	Open			Accounts Payable	MYERS STEVENS TOOHEY & COMPANY	\$80.00		
58017	03/06/2013	Open			Accounts Payable	OPERATING ENGINEERS	\$616.00		
58018	03/06/2013	Open			Accounts Payable	PARADISE FIREFIGHTERS ASSOCIATION	\$125.00		
58019	03/06/2013	Open			Accounts Payable	PARADISE FIREFIGHTERS ASSOCIATION - PAC DUES	\$52.00		
58020	03/06/2013	Open			Accounts Payable	PARADISE POLICE OFFICERS ASSOCIATION	\$2,321.69		
58021	03/06/2013	Open			Accounts Payable	SUN LIFE INSURANCE	\$3,728.76		
58022	03/06/2013	Open			Accounts Payable	SUPERIOR VISION SVC NGLIC	\$689.83		
58023	03/06/2013	Open			Accounts Payable	TOP CONFIDENTIAL MID MGMT ASSOCIATION	\$130.00		
58024	03/07/2013	Open			Accounts Payable	ALAMEDA CO. SHERIFF'S DEPT.	\$564.00		
58025	03/07/2013	Open			Accounts Payable	ARAMARK UNIFORM SERV. INC.	\$46.50		
58026	03/07/2013	Open			Accounts Payable	BATTERIES PLUS	\$29.99		
58027	03/07/2013	Open			Accounts Payable	Big O Tires	\$15.00		
58028	03/07/2013	Open			Accounts Payable	BILLINGTON, AL	\$289.75		
58029	03/07/2013	Open			Accounts Payable	BUTTE CO DISTRICT ATTORNEY	\$1,320.00		
58030	03/07/2013	Open			Accounts Payable	Butte Co Environmental Health	\$35.00		
58031	03/07/2013	Open			Accounts Payable	BUTTE REGIONAL TRANSIT	\$3,886.60		
58032	03/07/2013	Open			Accounts Payable	CDW-GOVT	\$3,655.00		
58033	03/07/2013	Open			Accounts Payable	Centerline Striping Company Inc	\$30,653.65		
58034	03/07/2013	Open			Accounts Payable	CITY OF CHICO	\$459.63		
58035	03/07/2013	Open			Accounts Payable	COMCAST CABLE	\$117.43		
58036	03/07/2013	Open			Accounts Payable	DAPPER TIRE COMPANY INC.	\$270.12		
58037	03/07/2013	Open			Accounts Payable	DAY WIRELESS SYSTEMS - MILWAUKIE, OR	\$1,281.64		
58038	03/07/2013	Open			Accounts Payable	DIVISION OF THE STATE ARCHITECT	\$800.00		

TOWN OF PARADISE
CASH DISBURSEMENTS REPORT

From Payment Date: 3/1/2013 - To Payment Date: 3/31/2013

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
58039	03/07/2013	Open			Accounts Payable	Elizaldi, Betty	\$7.84		
58040	03/07/2013	Open			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$12,574.00		
58041	03/07/2013	Open			Accounts Payable	ENLOE MEDICAL CENTER, INC.	\$710.00		
58042	03/07/2013	Open			Accounts Payable	ESRI	\$1,243.50		
58043	03/07/2013	Open			Accounts Payable	EVERGREEN JANITORIAL SUPPLY, INC.	\$29.56		
58044	03/07/2013	Open			Accounts Payable	FEATHER RIVER HOSPITAL	\$528.00		
58045	03/07/2013	Open			Accounts Payable	FOOTHILL MILL & LUMBER	\$365.78		
58046	03/07/2013	Open			Accounts Payable	FULLER'S PARADISE FLOWERS	\$50.00		
58047	03/07/2013	Open			Accounts Payable	GRAPHIC IMPRESSIONS	\$80.90		
58048	03/07/2013	Open			Accounts Payable	GREAT AMERICA LEASING CORP.	\$118.25		
58049	03/07/2013	Open			Accounts Payable	HINDERLITER, DE LLAMAS & ASSOCIATES INC.	\$512.69		
58050	03/07/2013	Open			Accounts Payable	I.M.P.A.C. PAYMENTS IMPAC GOV SVCS/US BANCORP	\$3,463.25		
58051	03/07/2013	Open			Accounts Payable	JC NELSON SUPPLY COMPANY	\$329.00		
58052	03/07/2013	Open			Accounts Payable	KEN'S HITCH & WELDING	\$25.00		
58053	03/07/2013	Open			Accounts Payable	KNIFE RIVER CONSTRUCTION	\$233.08		
58054	03/07/2013	Open			Accounts Payable	KUSTOM SIGNALS , INC.	\$483.80		
58055	03/07/2013	Open			Accounts Payable	LIFE ASSIST INC	\$879.36		
58056	03/07/2013	Open			Accounts Payable	MJB WELDING SUPPLY, INC.	\$31.04		
58057	03/07/2013	Open			Accounts Payable	NORTH STATE RENDERING INC	\$40.00		
58058	03/07/2013	Open			Accounts Payable	NORTHERN RECYCLING & WASTE SERVICES, INC.	\$450.00		
58059	03/07/2013	Open			Accounts Payable	NORTHSTATE AGGREGATE, INC.	\$425.15		
58060	03/07/2013	Open			Accounts Payable	O'REILLY AUTO PARTS	\$492.82		
58061	03/07/2013	Open			Accounts Payable	OFFICE DEPOT ACCT#36233169	\$772.01		
58062	03/07/2013	Open			Accounts Payable	PACIFIC GAS & ELECTRIC	\$8,359.10		
58063	03/07/2013	Open			Accounts Payable	PARADISE IRRIGATION DIST	\$753.21		
58064	03/07/2013	Open			Accounts Payable	PEERLESS BUILDING MAINT	\$887.65		
58065	03/07/2013	Open			Accounts Payable	PMAM CORPORATION	\$227.00		
58066	03/07/2013	Open			Accounts Payable	RELiance PROPANE	\$84.08		
58067	03/07/2013	Open			Accounts Payable	RIEBES AUTO PARTS	\$35.45		
58068	03/07/2013	Open			Accounts Payable	ROWE, STEVE	\$289.75		
58069	03/07/2013	Open			Accounts Payable	SAFEGUARD FIRE PROTECTION	\$88.04		
58070	03/07/2013	Open			Accounts Payable	SIEMENS INDUSTRY, INC	\$10,220.16		
58071	03/07/2013	Open			Accounts Payable	STAPLES BUSINESS ADVANTAGE	\$60.18		
58072	03/07/2013	Open			Accounts Payable	T & L Construction	\$131.04		
58073	03/07/2013	Open			Accounts Payable	The Door Company	\$1,159.00		
58074	03/07/2013	Open			Accounts Payable	THOMAS ACE HARDWARE - ENG. DEPT.	\$130.28		
58075	03/07/2013	Open			Accounts Payable	THOMAS ACE HARDWARE - FIRE DEPT.	\$52.44		
58076	03/07/2013	Open			Accounts Payable	THOMAS ACE HARDWARE - POLICE DEPT.	\$113.07		
58077	03/07/2013	Open			Accounts Payable	THOMSON-WEST/BARCLAYS	\$269.29		
58078	03/07/2013	Open			Accounts Payable	TUCKER PEST CONTROL INC	\$126.00		
58079	03/07/2013	Open			Accounts Payable	VILLAGE PRINTER, INC.	\$924.07		
58080	03/15/2013	Open			Accounts Payable	FMS DMS CBE GROUP INC.	\$20.33		
58081	03/15/2013	Open			Accounts Payable	ICMA 457 - VANTAGEPOINT	\$959.78		

TOWN OF PARADISE

CASH DISBURSEMENTS REPORT

From Payment Date: 3/1/2013 - To Payment Date: 3/31/2013

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
58082	03/15/2013	Open			Accounts Payable	STATE DISBURSEMENT UNIT	\$1,127.53		
58083	03/15/2013	Open			Accounts Payable	STATE OF CALIFORNIA	\$202.45		
58084	03/21/2013	Open			Accounts Payable	FRANCHISE TAX BOARD ACCESS INFORMATION MANAGEMENT	\$104.19		
58085	03/21/2013	Open			Accounts Payable	ACE RENTALS	\$100.00		
58086	03/21/2013	Open			Accounts Payable	ACI ENTERPRISES, INC.	\$484.38		
58087	03/21/2013	Open			Accounts Payable	AMERIGAS	\$430.61		
58088	03/21/2013	Open			Accounts Payable	ARAMARK UNIFORM SERV. INC.	\$135.78		
58089	03/21/2013	Open			Accounts Payable	AT&T	\$104.67		
58090	03/21/2013	Open			Accounts Payable	AT&T	\$999.95		
58091	03/21/2013	Open			Accounts Payable	AT&T CALNET 2-REPEATER LINES	\$200.39		
58092	03/21/2013	Open			Accounts Payable	AT&T-COMMUNITY PARK	\$15.65		
58093	03/21/2013	Open			Accounts Payable	AT&T/CAL NET 2	\$4,111.44		
58094	03/21/2013	Open			Accounts Payable	Bertagna, Steve	\$363.00		
58095	03/21/2013	Open			Accounts Payable	BURTON'S FIRE, INC.	\$360.74		
58096	03/21/2013	Open			Accounts Payable	BUTTE CO RECORDER	\$43.00		
58097	03/21/2013	Open			Accounts Payable	BUTTE COUNTY PUBLIC HEALTH DEPARTMENT - CHICO	\$384.00		
58098	03/21/2013	Open			Accounts Payable	CALIFORNIA STATE DEPARTMENT OF JUSTICE	\$1,262.00		
58099	03/21/2013	Open			Accounts Payable	CERTIFION CORPORATION D.B.A. ENTERSECT	\$84.95		
58100	03/21/2013	Open			Accounts Payable	COMCAST CABLE	\$82.43		
58101	03/21/2013	Open			Accounts Payable	COMCAST CABLE	\$82.43		
58102	03/21/2013	Open			Accounts Payable	COMCAST CABLE	\$87.43		
58103	03/21/2013	Open			Accounts Payable	COMCAST CABLE	\$126.93		
58104	03/21/2013	Open			Accounts Payable	DAY WIRELESS SYSTEMS - MILWAUKIE, OR	\$77.60		
58105	03/21/2013	Open			Accounts Payable	DON'S SAW & MOWER	\$483.75		
58106	03/21/2013	Open			Accounts Payable	EVERGREEN JANITORIAL SUPPLY, INC.	\$310.17		
58107	03/21/2013	Open			Accounts Payable	HUDSON'S APPLIANCE CENTER	\$262.03		
58108	03/21/2013	Open			Accounts Payable	I.M.P.A.C. PAYMENTS IMPAC GOV SVCS/US BANCORP	\$4,064.61		
58109	03/21/2013	Open			Accounts Payable	INLAND BUSINESS MACHINES	\$1,250.04		
58110	03/21/2013	Open			Accounts Payable	INTERSTATE OIL COMPANY	\$911.81		
58111	03/21/2013	Open			Accounts Payable	JENNINGS, MICHAEL	\$188.48		
58112	03/21/2013	Voided	Duplicate Payment	03/21/2013	Accounts Payable	KEN'S HITCH & WELDING	\$32.26		
58113	03/21/2013	Open			Accounts Payable	KNIFE RIVER CONSTRUCTION	\$368.23		
58114	03/21/2013	Open			Accounts Payable	KOEFRAN INDUSTRIES	\$250.00		
58115	03/21/2013	Open			Accounts Payable	L.N. CURTIS & SONS	\$77.46		
58116	03/21/2013	Open			Accounts Payable	Law Office of Gregory P. Einhorn	\$1,620.00		
58117	03/21/2013	Open			Accounts Payable	LEAGUE OF CALIFORNIA CITIES	\$50.00		
58118	03/21/2013	Open			Accounts Payable	LOCATE PLUS CORPORATION	\$25.00		
58119	03/21/2013	Open			Accounts Payable	MARQUIS, JOSH	\$139.59		
58120	03/21/2013	Open			Accounts Payable	MATTOX, MARK	\$101.96		
58121	03/21/2013	Open			Accounts Payable	MYERS STEVENS TOOHEY & COMPANY	\$57.60		
58122	03/21/2013	Open			Accounts Payable	NORTH STATE RENDERING INC	\$40.00		
58123	03/21/2013	Open			Accounts Payable	Northern California Glove & Safety	\$481.60		

TOWN OF PARADISE

CASH DISBURSEMENTS REPORT

From Payment Date: 3/1/2013 - To Payment Date: 3/31/2013

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
58124	03/21/2013	Open			Accounts Payable	NORTHGATE PETROLEUM CO	\$6,665.29		
58125	03/21/2013	Open			Accounts Payable	O'Hern, Casey	\$231.00		
58126	03/21/2013	Open			Accounts Payable	O'REILLY AUTO PARTS	\$189.13		
58127	03/21/2013	Open			Accounts Payable	OFFICE DEPOT ACCT#36233169	\$58.77		
58128	03/21/2013	Open			Accounts Payable	PARADISE IRRIGATION DIST	\$408.50		
58129	03/21/2013	Open			Accounts Payable	PEERLESS BUILDING MAINT	\$562.90		
58130	03/21/2013	Open			Accounts Payable	PETERS RUSH HABIB & MCKENNA	\$760.00		
58131	03/21/2013	Open			Accounts Payable	PETERSON TRACTOR CO	\$4,682.55		
58132	03/21/2013	Open			Accounts Payable	PETTY CASH CUSTODIAN, VIRGINIA MARABLE	\$163.18		
58133	03/21/2013	Open			Accounts Payable	PICKERING, ROBERT	\$550.00		
58134	03/21/2013	Open			Accounts Payable	REINBOLD, ERIC	\$247.50		
58135	03/21/2013	Open			Accounts Payable	ROWE, STEVE	\$408.25		
58136	03/21/2013	Open			Accounts Payable	SINCLAIR'S AUTOMOTIVE & TOWING	\$60.00		
58137	03/21/2013	Open			Accounts Payable	SKYWAY AUTO TUNE	\$39.00		
58138	03/21/2013	Open			Accounts Payable	SUN RIDGE SYSTEMS, INC.	\$975.00		
58139	03/21/2013	Open			Accounts Payable	VALLEY TOXICOLOGY SERVICE	\$2,125.00		
58140	03/21/2013	Open			Accounts Payable	VERIZON WIRELESS	\$568.35		
58141	03/21/2013	Open			Accounts Payable	VERIZON WIRELESS	\$570.15		
58142	03/21/2013	Open			Accounts Payable	VERIZON WIRELESS	\$216.40		
58143	03/21/2013	Open			Accounts Payable	VERIZON WIRELESS	\$77.27		
58144	03/21/2013	Open			Accounts Payable	Vigilant Canine Services	\$175.00		
58145	03/21/2013	Open			Accounts Payable	VILLAGE PRINTER, INC.	\$91.86		
58146	03/21/2013	Open			Accounts Payable	WEST COAST TRUCK EQUIPMENT, INC.	\$495.70		
58147	03/21/2013	Open			Accounts Payable	WILSON PRINTING CO.	\$23.89		
58148	03/27/2013	Voided/Spoiled	New Bank	03/27/2013	Converted/Imported		\$0.00	\$0.00	\$0.00
58149	03/29/2013	Open			Accounts Payable	FMS DMS CBE GROUP INC.	\$26.25		
58150	03/29/2013	Open			Accounts Payable	ICMA 457 - VANTAGEPOINT	\$430.71		
58151	03/29/2013	Open			Accounts Payable	STATE DISBURSEMENT UNIT	\$1,127.53		
58152	03/29/2013	Open			Accounts Payable	STATE OF CALIFORNIA FRANCHISE TAX BOARD	\$286.87		
Type Check Totals:					154 Transactions		\$169,457.30	\$0.00	\$0.00
<u>EFT</u>									
13	03/01/2013	Open			Accounts Payable	CALPERS - RETIREMENT	\$34,578.48		
14	03/01/2013	Open			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$4,504.80		
15	03/01/2013	Open			Accounts Payable	ING LIFE INS & ANNUITY COMPANY	\$2,154.76		
16	03/01/2013	Open			Accounts Payable	INTERNAL REVENUE SERVICE	\$19,986.26		
17	03/06/2013	Open			Accounts Payable	CALPERS	\$115,707.19		
18	03/15/2013	Open			Accounts Payable	CALPERS - RETIREMENT	\$34,471.61		
19	03/15/2013	Open			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$4,258.63		
20	03/15/2013	Open			Accounts Payable	ING LIFE INS & ANNUITY COMPANY	\$2,546.72		
21	03/15/2013	Open			Accounts Payable	INTERNAL REVENUE SERVICE	\$19,253.81		
22	03/21/2013	Open			Accounts Payable	CALPERS - RETIREMENT	\$3,504.00		
23	03/29/2013	Open			Accounts Payable	CALPERS - RETIREMENT	\$33,697.22		
24	03/29/2013	Open			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$4,896.70		
25	03/29/2013	Open			Accounts Payable	ING LIFE INS & ANNUITY COMPANY	\$427.39		

TOWN OF PARADISE
CASH DISBURSEMENTS REPORT

From Payment Date: 3/1/2013 - To Payment Date: 3/31/2013

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
26	03/29/2013	Open			Accounts Payable	INTERNAL REVENUE SERVICE	\$20,883.08		
Type EFT Totals:					14 Transactions		\$300,870.65		
AP - US Bank TOP AP Checking Totals									

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	152	\$169,425.04	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	2	\$32.26	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	154	\$169,457.30	\$0.00

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	14	\$300,870.65	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	14	\$300,870.65	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	166	\$470,295.69	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	2	\$32.26	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	168	\$470,327.95	\$0.00

Grand Totals:

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	152	\$169,425.04	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	2	\$32.26	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	154	\$169,457.30	\$0.00

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	14	\$300,870.65	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	14	\$300,870.65	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	166	\$470,295.69	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	2	\$32.26	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	168	\$470,327.95	\$0.00



TOWN OF PARADISE
Council Agenda Summary
Date: April 9, 2013

Agenda No. 3(c)

Marc Mattox, Associate Civil Engineer

REVIEWED BY:

Lauren Gill, Interim Town Manager

SUBJECT:

Speed Limit Modification on Pearson Road near Hilbe Curve

COUNCIL ACTION REQUESTED:

(1) Waive the reading of entire proposed Ordinance No. 528 and approve reading by title only; and, (2) Introduce Ordinance No. 528, An Ordinance Amending Paradise Municipal Code Section 10.02.060 relating to the Prima Facie Speed Limit along Pearson Road (between Cherry Lane and Pentz Road).

Background:

Chapter 10.02 of the Town of Paradise Municipal Code formally governs the establishment of speed limits based upon Engineering & Traffic Surveys approved by the Town Engineer. The purpose of maintaining established speed limits is to safeguard life and property.

The Town of Paradise Engineering and Traffic Speed Survey was last approved on February 27, 2004. This survey is required to be updated when roadway conditions change or every 5-7 years. The Town of Paradise has received an extension of this current Survey to February 27, 2014.

The current survey identifies 64 public road segments for investigation and approval of posted speed limits. These segments are to be continuous when roadway conditions are constant. Segment 43 is identified as Pearson Road between Sawmill Road and Pentz Road. The approved speed limit is 35 mph with an advisory speed 25 mph at the vertical and horizontal curve between Rockford Lane and Stearns Road, shown in Exhibit A.

The Town of Paradise was notified of resident concern over the curve on March 12, 2013. Staff promptly began a thorough investigation of the roadway conditions, including speed limits.

Analysis:

Upon examination of Pearson Road between Cherry Lane and Pentz Road, staff made the following observations:

1. Horizontal curves with limited sight distances
2. Vertical curves with limited sight distances
3. Residential driveways
4. Private road encroachments
5. High vehicular speeds

Staff used a ball-bank indicator (slope-meter) which provides quantitative safety analysis of the curve at varying speeds. Using this indicator, it was determined that the desired regulatory speed limit should be 25mph rather than 35mph.

Finally, after review of the current Engineering and Traffic Survey which approves Segment 43 as Pearson Road between Sawmill Road and Pentz Road with a speed limit of 35mph, staff made a recommendation which the segment be divided and a new reduced speed limit be posted of 25mph between Cherry Lane and Pentz Road. The roadway conditions between Sawmill Road and Pentz Road are not continuous and should not be treated as such.

In an effort to reduce the speeds immediately, staff authorized the posting of reduced speed limits on Pearson Road between Cherry Lane and Pentz Road from 35mph with an advisory 25mph to 25mph regulatory, as shown in Exhibit B. This change was completed on March 21, 2013.

To formalize the recommended changes, staff requests Council approval of the revised speed limit changes as noted below:

Segment No.	Segment	Between	Speed Limit (mph)
43	Pearson	Sawmill & Pentz	35
43a	Pearson	Sawmill & Cherry	35
43b	Pearson	Cherry & Pentz	25

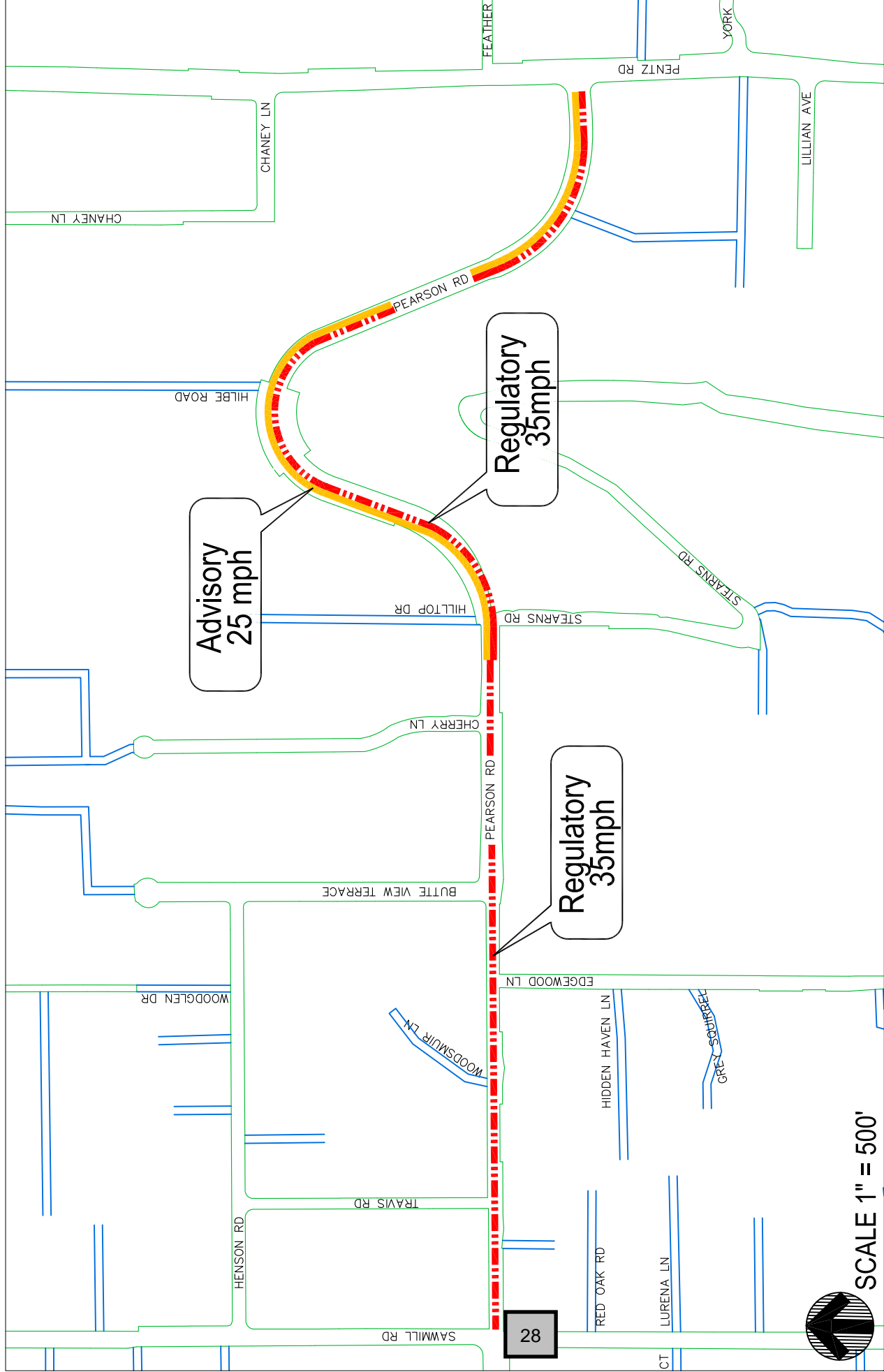
The 2014 Paradise Engineering & Traffic Survey is planned for approval by Council in late 2013. Staff will be collecting data and analyzing all roadway segments this summer to maintain the ability to legally enforce speed limit citations.

Financial Impact:

Minor maintenance and sign costs; legal notice publication costs and codification costs, if adopted.

Alternatives:

Reject proposed changes and return posted speed limit to 35mph.



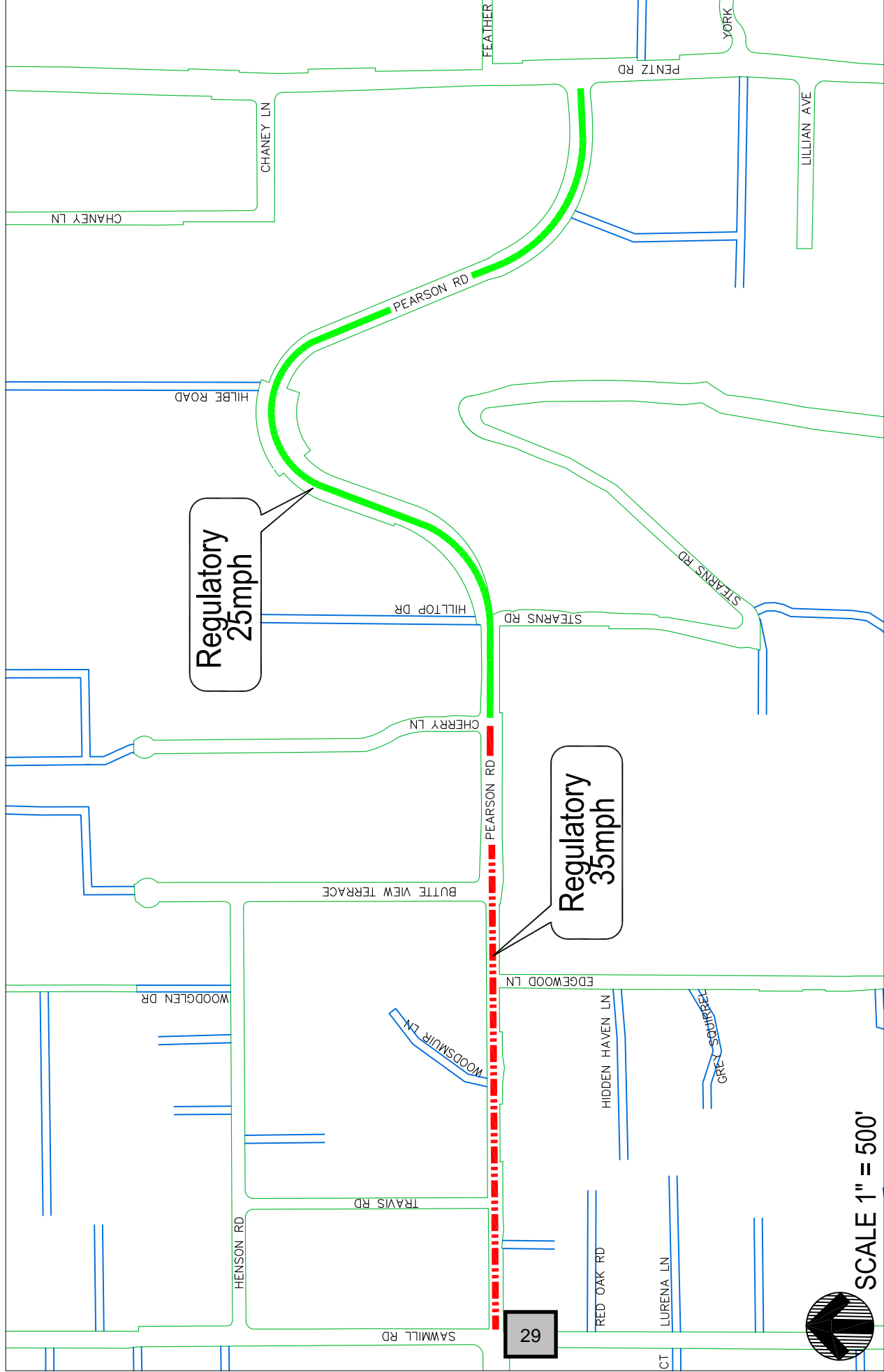
TOWN OF PARADISE
PUBLIC WORKS DEPARTMENT

**Pearson Road between
Sawmill Road and Pentz Road
Original Speed Limits**

EXHIBIT A



5555 Skyway
Paradise, California 95969
Phone: (530) 872-6291 Fax: (530) 877-5059



Pearson Road between Sawmill Road and Pentz Road Revised Speed Limits

EXHIBIT B

TOWN OF PARADISE
PUBLIC WORKS DEPARTMENT

5555 Skyway
Paradise, California 95969
Phone: (530) 872-6291 Fax: (530) 877-5059



**TOWN OF PARADISE
ORDINANCE NO. 528**

**AN ORDINANCE AMENDING SECTION 10.02.060
OF THE PARADISE MUNICIPAL CODE REGARDING
SPEED LIMITS ON PEARSON ROAD**

The Town Council of the Town of Paradise, State of California does **ordain as follows**:

SECTION 1: Section 10.02.060 of the Paradise Municipal Code is hereby amended by the deletion of Segment No. 43 and the addition of new Segment Nos. 43a and 43b to read as follows:

<i>Segment No.</i>	<i>Segment</i>	<i>Between</i>	<i>Speed Limit (mph)</i>
43a	Pearson	Sawmill & Cherry	35
43b	Pearson	Cherry & Pentz	25

SECTION 2: 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 shall be published with the names of the members of the Town Council voting for and against it in a newspaper of general circulation published in the Town of Paradise, California.

PASSED AND ADOPTED by the Town Council of the Town of Paradise, County of Butte, State of California, on this ____ day of May 2013, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

Timothy Titus, Mayor

ATTEST:

By: _____
Joanna Gutierrez, Town Clerk

APPROVED AS TO FORM:

By: _____
Dwight L. Moore, Town Attorney

TOWN OF PARADISE
Council Agenda Summary
Date: April 9, 2013

Agenda No. 3d
Amended 4/5/13

ORIGINATED BY: Marc Mattox, Associate Civil Engineer

REVIEWED BY: Lauren Gill, Interim Town Manager

SUBJECT: Quality Assurance Consultant for Pearson-Recreation
Construction Project

COUNCIL ACTION REQUESTED:

1. Concur with staff's recommendation of Holdredge & Kull to perform professional Construction Quality Assurance Engineering Services, and
2. Approve the attached Professional Services Agreement with Holdredge & Kull in the amount of \$20,083.00, and Authorize the Interim Town Manager and Town Mayor to execute.

Background:

The subject project includes construction of a traffic signal at the intersection of Pearson Road and Recreation Drive. In addition, Pearson Road between Academy Drive and 1,500' east of Recreation Drive will be reconstructed to provide a new structural section and ADA compliant sidewalks, driveways and ramps will be installed and/or upgraded.

The Construction Phase is 100% federally funded through a Congestion Mitigation and Air Quality grant. Federal-aid construction projects are required to implement stringent quality assurance efforts to reduce likelihood of construction errors and/or future failures.

Analysis:

Using the Simplified Acquisition Procedures, On March 4, 2013, staff issued a Request for Proposals for Construction Quality Assurance Engineering Services for the Pearson-Recreation Signalization Project. The threshold for the Simplified Acquisition Procedures is services up to \$150,000.00.

A select number of consulting firms in northern California are qualified to perform subject services with Caltrans approved laboratories and Independent Assurance Programs. Firms contacted to submit proposals are listed below:

1. Holdredge & Kull Consulting Engineers & Geologists of Chico, CA
2. Lumos & Associates of Chico, CA
3. CGI Technical Services of Redding, CA
4. MHM of Marysville, CA
5. ENGEO of Rocklin, CA

The identified scope of work for the request for proposal includes:

1. Provide general geotechnical consulting and test interpretation during construction.
2. Review and accept Job Mix Formula.
3. Perform tests noted in bid schedule and maintain compliance with QAP manual.
4. Prepare clear and accurate test reports of materials tested. Reports may be submitted in electronic format or hand delivered. A hard copy summary shall be submitted at the end of each calendar month, or earlier if requested. Materials tests reports shall be labeled with Town designated project number, the project name, and consultant name, at a minimum. Provide field investigation services, including but not limited to:
 - A. Site preparation work prior to placement of fill,
 - B. Evaluate excavation trench bottom prior to placing pipe bedding material, make recommendations as needed,
 - C. Evaluate pumping subgrade condition and make recommendations for pavement subgrade stabilization,
 - D. Evaluate any unforeseen subsurface conditions that may impact the project,
 - E. Provide base rock placement testing, asphalt concrete placement testing and other geotechnical services
5. Attend pre-construction meeting.
6. Attend site meetings, as requested by the Town.
7. Coordinate with Resident Engineer, Contractor, Town Inspector, applicable utilities or agencies to arrange scheduled samples and tests.
8. Prepare reports summarizing the observations with recommendations, costs estimates (if needed) and conclusion.

On March 14, 2013, two proposals were received for consideration. Proposals were received from Holdrege & Kull of Chico, CA and Lumos & Associates of Chico, CA. Proposals were distributed among three staff members for review and evaluation.

Both proposals were deemed equal in scope of services provided. Their proposals satisfied all minimum requirements and met the project objectives adequately. Proposers were asked to equally budget and estimate cost of services for the proposed scope of work. A cost comparison of the two proposals is shown below:

Firm	Cost of Services
Lumos & Associates	\$12,925.00
Holdrege & Kull	\$20,083.00

Initially, staff selected Lumos & Associates for recommendation of award based upon the lower costs estimated for the project.

On April 4, 2013, staff learned of a potential conflict of interest between Lumos & Associates and the Town's construction contractor, Franklin Construction. Staff learned Franklin Construction has an existing and ongoing contract with Lumos & Associates to prepare the job mix formula and perform quality control services, including pavement sampling. The purpose of Quality Assurance is to perform similar tests as quality control which are enforceable and could require substantial remediation by the contractor. Per the Town's Professional Services Agreement, prohibited interests are clearly defined and unacceptable. If the Quality Assurance contract was indeed awarded to Lumos, there would be a potential conflict of interest as Lumos has an incentive to maintain a positive working relationship with Franklin for future services.

As a result, staff recommends award of the Quality Assurance contract to Holdrege & Kull. The higher costs estimated are due to a difference between budgeted hours for completion.

Compensation for this contract will be made on a time and materials basis. Both Lumos & Associates and Holdrege & Kull's fee schedules are nearly identical. Holdrege & Kull will perform a valuable and required service for this contract.

Financial Impact:

The proposed Professional Services Agreement will be 100% funded by CMAQ Construction Engineering through Federal-Aid Project No. CML 5425 (022). The authorized budget for Construction Engineering which includes staff time and professional services is \$173,607. The proposed contract amount is \$20,083.00.

Attachments:

1. Professional Services Contract Agreement
2. Federal Funding Programming Authorization Summary (E-76) for Construction

AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement is made and entered into on April 9, 2013 by and between the Town of Paradise, a municipal corporation (“Town”) and Holdrege & Kull (Consultant”).

RECITALS

- A. Consultant is specially trained, experienced and competent to perform the special engineering and software services which will be required by this Agreement; and
- B. Consultant possesses the skill, experience, ability, background, certification, and knowledge to provide the services described in this Agreement on the terms and conditions described herein.
- C. Town desires to retain Consultant to render professional engineering services as set forth in this Agreement.

AGREEMENT

1 SCOPE OF SERVICES.

The Consultant shall furnish the following services in a professional manner under this Agreement:

Consultant shall perform all materials testing, inspection, and geotechnical Services under this Agreement as directed by the Town Engineer. Consultant’s services and any of its Town-approved sub-consultants shall perform all services in accordance with Exhibit “A” that is attached hereto and incorporated herein by reference. Consultant shall provide the services at the place and in the manner specified in Exhibit “A”, subject to the direction of the Town through its staff that it may provide from time to time. Consultant shall adhere to the Town’s most current Quality Assurance Program (QAP) for materials testing.

1.1 Town Obligations

All data applicable to the project and in possession of the Town are to be made available to the Consultant.

2 TIME OF PERFORMANCE.

The services of Consultant shall commence on April 9, 2013, and shall terminate upon full project completion.

3 COMPENSATION.

Consultant's compensation for all services under this Agreement shall not exceed \$20,083.00 and shall be in accordance with the charges set forth in Exhibit "B". In no event shall Consultant's compensation exceed Costs and Fees set forth in Exhibit "B" without the prior approval of the Town Council.

4 METHOD OF PAYMENT.

Consultant shall submit monthly billings, or progress invoices to Town describing the work performed during the preceding month. Consultant's bills shall include a brief description of the services performed, the date the services were performed, the number of hours spent and by whom, and a description of any reimbursable expenditures and segregated by test methods or by specific tasks. Town shall pay Consultant progress payments no later than 30 days after approval of the monthly invoice by Town staff. Approval of the monthly invoice requires the submittal of certified payrolls when prevailing wages rates are in effect for work done during applicable month. Certified payrolls are to be submitted on a weekly basis and within ten days after the week in question.

4.1 Retention Of Payment

When payments made by Town equal 95% of the maximum fee provided for in this

Agreement, no further payments shall be made until the final work under this Agreement, or for each individual project relating to the Consultant's services has been accepted by the Town.

4.2 Cost Principles

4.2.a The Consultant agrees that the Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31 et seq., shall be used to determine the allowability of individual items of cost.

4.2.b The Consultant also agrees to comply with Federal procedures in accordance with 49 CFR, part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

4.2.c Any costs for which payment has been made to Consultant that are determined by subsequent audit to be unallowable under 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31 et seq., OR 49 CFR, Part 18, Uniform Administrative requirements for Grants and Cooperative Agreements to State and Local Governments, are subject to repayment by the Consultant to State.

4.2.d Any subcontract in excess of \$25,000, entered into as a result of this Agreement, shall contain all the provisions of this Section.

4.3 Contingent Fee

The Consultant warrants, by execution of this Agreement, that no person or selling agency has been employed or retained to solicit or secure this Agreement upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the Consultant for the purpose of securing business. For breach or

violation of this warranty, the State has the right to annul this Agreement without liability, pay on the value of the work actually performed, or in its discretion, to deduct from the agreement price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

4.4 Retention Of Records/Audit

4.4.a For the purpose of determining compliance with Public Contract Code Section 10115, et seq. And Title 21, California Code of Regulations, Chapter 21, Section 2500 et. seq., when applicable, and other matters connected with the performance of the Agreement pursuant to Government Code Section 8546.7, the Consultant, subconsultants, and the State shall maintain all books, documents, papers, accounting records, and other evidence pertaining to the performance of the Agreement, including but not limited to, the costs of administering the agreement. All parties shall make such materials available at their respective offices at all reasonable times during the Agreement period and for three years from the date of final payment under the Agreement. The State, the State Auditor, FHWA, or any duly authorized representative of the Federal government having jurisdiction under Federal laws or regulations (including the basis of Federal funding in whole or in part) shall have access to any books, records, and documents of the Consultant that are pertinent to the Agreement from audits, examinations, excerpts, and transactions, and copies thereof shall be furnished if requested.

4.4.b Any subcontract in excess of \$25,000, entered into as a result of this Agreement, shall contain all the provisions of this Section.

5 EXTRA WORK.

At any time during the term of this Agreement, Town may request that Consultant

perform Extra Work. As used herein, “Extra Work” means any work which is determined by Town to be necessary for the proper completion of Consultant’s services, but which the parties did not reasonably anticipate would be necessary at the execution of this Agreement. Consultant shall not perform, nor be compensated for, Extra Work without prior written authorization from Town.

6 TERMINATION.

This Agreement may be terminated by the Town immediately for cause or by either party without cause upon fifteen (15) days written notice of termination. Upon termination, Consultant shall be entitled to compensation for services properly performed up to the effective date of termination.

7 OWNERSHIP OF DOCUMENTS.

All reports, plans, studies, documents, and other writings prepared by and for Consultant, in the course of implementing this Agreement, except working notes and internal documents, shall become the property of the Town upon payment to Consultant for such work, and the Town shall have the sole right to use such materials in its discretion without further compensation to Consultant or to any other party. Consultant shall, at Consultant’s expense, provide such reports, plans, studies, documents, and other writings to Town within three (3) days after written request. Consultant shall not be responsible for liabilities, losses, or claims resulting from unauthorized modifications, or reuse other than original intended purpose.

8 LICENSING OF INTELLECTUAL PROPERTY.

This Agreement creates a nonexclusive and perpetual license for Town to copy, use, modify, reuse, or sublicense any and all copyrights, designs, and other intellectual property embodied in documents or works of authorship fixed in any tangible medium of

expression, including, but not limited to, data magnetically or otherwise recorded on computer diskettes, which are prepared or caused to be prepared by Consultant under this Agreement (“Documents and Data”). Consultant represents and warrants that Consultant has the legal right to license any and all Documents and Data. Consultant makes no such representation and warranty in regard to Documents and Data which may be provided to Consultant by Town. Town shall not be limited in any way in its use of the Documents and Data at any time.

8.1 Confidentiality.

All ideas, memoranda, specifications, plans, procedures, drawings, descriptions, computer program data, input record data, written information, and other Documents and Data either created by or provided to Consultant in connection with the performance of this Agreement shall be held confidential by Consultant. Such materials shall not, without the prior written consent of Town, be used by Consultant for any purposes other than the performance of the services under this Agreement. Nor shall such materials be disclosed to any person or entity not connected with the performance of the services under this Agreement. Nothing furnished to Consultant, which is otherwise known to Consultant or is generally known, or has become known, to the related industry shall be deemed confidential. Consultant shall not use Town’s name, seal, or photographs relating to project for which Consultant’s services are rendered, or participate in any publicity pertaining to the Consultant’s services under this Agreement in any magazine, trade paper, newspaper, television or radio production or other similar medium without the prior written consent of Town.

8.2 Consultant's Books and Records.

- 8.2.a Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services, expenditures and disbursements charged to Town for a minimum period of two (2) years, or for any longer period required by law, from the date of final payment to Consultant to this Agreement.
- 8.2.b Consultant shall maintain all documents and records which demonstrate performance under this Agreement for a minimum of **three (3) years**, or for any longer period required by law, from the date of termination or completion of this Agreement.
- 8.2.c Any records or documents required to be maintained pursuant to this Agreement shall be made available for inspection or audit, at any time during regular business hours, upon written request by the Town Manager, Town Attorney, Town Finance Director, or a designated representative of these officers. Copies of such documents shall be provided to the Town for inspection at Town Hall when it is practical to do so. Otherwise, unless an alternative is mutually agreed upon, the records shall be available at Consultant's address indicated for receipt of notices in this Agreement.
- 8.2.d Where Town has reason to believe that such records or documents may be lost or discarded due to dissolution, disbandment or termination of Consultant's business, Town may, by written request by any of the above named officers, require that custody of the records be given to the Town and that the records and documents be maintained by Town Hall.

9 INDEPENDENT CONTRACTOR.

It is understood that Consultant, in the performance of the work and services agreed to be performed, shall act as and be an independent contractor and shall not act as an agent or employee of the Town. Consultant shall obtain no rights to retirement benefits or other benefits which accrue to Town's employees, and Consultant hereby expressly waives any claim it may have to any such rights.

10 INTEREST OF CONSULTANT.

Consultant (including principals, associates, and professional employees and subcontractors) covenants and represents that it does not now have any investment or interest in real property and shall not acquire any interest, direct or indirect, in the area covered by this Agreement or any other source of income, interest in real property or investment which would be affected in any manner or degree by the performance of Consultant's services hereunder. Consultant further covenants and represents that in the performance of its duties hereunder no person having any such interest shall perform any services under this Agreement.

Consultant is not a designated employee within the meaning of the Political Reform Act because

Consultant:

- a. will conduct research and arrive at conclusions with respect to its rendition of information, advice, recommendation, or counsel independent of the control and direction of the Town or any Town official, other than normal agreement monitoring; and
- b. possesses no authority with respect to any Town decision beyond rendition of information, advice, recommendation or counsel. (FPPC Reg. 18700(a)(2).)

11 PROFESSIONAL ABILITY OF CONSULTANT.

Town has relied upon the professional training and ability of Consultant to perform the services hereunder as a material inducement to enter into this Agreement. Consultant shall have Shane Cummings, CEG manage and approve the work of all persons performing professional services under this Agreement. All work performed by Consultant under this Agreement shall be in accordance with applicable legal requirements and shall meet the standard of quality ordinarily to be expected of competent professionals in Consultant's field of expertise.

12 COMPLIANCE WITH LAWS.

Consultant shall use the standard of care in its profession to comply with all applicable federal, state and local laws, codes, ordinances and regulations.

13 LICENSES.

Consultant represents and warrants to Town that it has all licenses, permits, qualifications, insurance, and approvals of whatsoever nature, which are legally required of Consultant to practice its profession. Consultant represents and warrants to Town that Consultant shall, at its sole cost and expense, keep in effect or obtain at all times during the term of this Agreement, any licenses, permits, certifications, insurance and approvals which are required by the Town for its business.

14 INDEMNITY.

Consultant agrees to defend, indemnify and hold harmless the Town, its officers, officials, employees and volunteers from and against any and all claims, demands, actions, losses, damages, injuries, and liability, direct or indirect (including any and all costs and expenses in connection therein), arising from its negligent performance, misconduct or omissions relating to the services under this Agreement or its failure to

comply with any of its obligations contained in this Agreement, except for any such claim arising from the sole negligence or willful misconduct of the Town, its officers, agents, employees or volunteers.

15 INSURANCE REQUIREMENTS.

Consultant, at Town's own cost and expense, shall procure and maintain, for the duration of the Agreement, the insurance coverage and policies as set forth in Exhibit "C" attached hereto.

16 NOTICES.

Any notice required to be given under this Agreement shall be in writing and will either be served personally or sent prepaid, first class mail. Any such notice shall be addressed to the other party at the address set forth below. Notice shall be deemed communicated within 48 hours from the time of mailing if mailed as provided in this section.

If to Town: Marc Mattox
 Associate Civil Engineer
 Town of Paradise
 5555 Skyway
 Paradise, CA 95969

If to Consultant: Shane Cummings, CEG
 Project Manager
 Holdrege & Kull
 8 Seville Court
 Chico, CA 95928

17 ENTIRE AGREEMENT.

This Agreement constitutes the complete and exclusive statement of Agreement between the Town and Consultant. All prior written and oral communications, including correspondence, drafts, memoranda, and representations are superseded in total by this Agreement.

18 AMENDMENTS.

This Agreement may be modified or amended only by a written document executed by both Consultant and Town and approved as to form by the Town Attorney.

19 ASSIGNMENT AND SUBCONTRACTING.

The parties recognize that a substantial inducement to Town for entering into this Agreement is the professional reputation, experience, and competence of Consultant. Assignments of any or all rights, duties, or obligations of the Consultant under this Agreement will be permitted only with the express prior written consent of the Town. No subcontractors (other than those listed on Exhibit "A") shall work under this Agreement without the prior written authorization of the Town. If Town consents to such subcontract, Consultant shall be fully responsible to Town for all acts or omissions of the subcontractor. Nothing in this Agreement shall create any contractual relationship between Town and a subcontractor of the Consultant nor shall it create any obligation on the part of the Town to pay or to see to the payment of any monies due to any such subcontractor other than as otherwise required by law. Subcontracts shall physically contain the provisions contained in Federal Form 1273.

20 WAIVER.

Waiver of a breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this Agreement.

21 SEVERABILITY.

If any term or portion of this Agreement is held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions of this Agreement shall continue in full force and effect.

22 CONTROLLING LAW VENUE.

This Agreement and all matters relating to it shall be governed by the laws of the State of California and any action brought relating to this Agreement shall be held exclusively in a state court in the County of Butte.

23 LITIGATION EXPENSES AND ATTORNEY'S FEES.

If either party to this Agreement commences any legal action against the other party arising out of this Agreement, the prevailing party shall be entitled to recover its reasonable litigation expenses, including court costs, expert witness fees, discovery expenses, and attorneys' fees.

24 MEDIATION.

The parties agree to make a good faith attempt to resolve any disputes arising out of this Agreement through mediation prior to commencing litigation. The parties shall mutually agree upon the mediator and shall divide the costs of mediation equally. If the parties are unable to agree upon a mediator, the dispute shall be submitted to American Arbitration Association (AAA) or its successor in interest. AAA shall provide the parties with the names of five qualified

25 MEDIATORS.

The Town and Consultant shall meet to select a mediator by each striking the names of two different proposed mediators and thereafter the mediator remaining shall hear the dispute. If the dispute remains unresolved after mediation, either party may commence litigation.

26 EXECUTION.

This Agreement may be executed in several counterparts, each of which shall constitute one and the same instrument and shall become binding upon the parties when at least one copy hereof shall have been signed by both parties hereto. In approving this Agreement,

it shall not be necessary to produce or account for more than one such counterpart.

27 AUTHORITY TO ENTER AGREEMENT.

Consultant has all requisite power and authority to conduct its business and to execute, deliver, and perform the Agreement. Each party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and to bind each respective party.

28 PROHIBITED INTERESTS.

Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, Town shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer or employee of Town, during the term of his or her service with Town, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising there from.

29 EQUAL OPPORTUNITY EMPLOYMENT.

Consultant represents that it is an equal opportunity employer and it shall not discriminate against any subcontractor, employee or applicant for employment because of race, religion, color, national origin, disability, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination. IN WITNESS WHEREOF the parties have cause this Agreement to

be executed on the date first written above.

30 CERTIFICATIONS OF LOCAL AGENCY AND CONSULTANT

In addition, this Agreement is subject to both the Town and Consultant Certification Statements set forth in Exhibit D.

31 FEDERAL AID PROVISIONS AND PARTICIPATION

In addition, this Agreement is subject to the Federal Contract Provisions set forth in Exhibit E.

31.1 Federal Minimum Wage Rates

In addition, this Agreement is subject to the aforementioned Federal Contract Provisions and subsequently Federal Minimum Wage Rates discussed in Exhibit E. These Federal Wage Rates can be found at the following website: <http://www.gpo.gov/davisbacon/> . Consultant shall pay the greater of either the State minimum wage rate or Federal minimum wage rates that are current at the time of work performed. The minimum wage rates as determined by the State of California can be found at the following website: <http://www.dir.ca.gov/DLSR/PWD/index.htm> .

32 REPORTING, CERTIFICATION AND COMMITMENT FORMS AND PROVISIONS

In addition, this Agreement is subject to compliance with provisions, instructions, and timely submission of the forms and documents set forth in Exhibit G.

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TOWN OF PARADISE

“CONSULTANT”

By: _____

Lauren Gill, Interim Town Manager

By: _____

Shane Cummings, Project Manager

By: _____

Timothy Titus, Town Mayor

APPROVED AS TO FORM:

ATTEST:

By: _____

Dwight L. Moore, Town Attorney

By: _____

Joanna Gutierrez, Town Clerk

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EXHIBIT “A”

Scope of Services

Project Understanding

The Town of Paradise has designed plans and received a grant to construct a traffic signal and associated streetscape improvements at the intersection of Pearson Road and Recreation Drive in Paradise, California. In general, the signalization project will include demolition of existing streetscape features, preparation of subgrade soil to receive engineering fill and class II aggregate base rock (AB), installation of underground utilities, placement of class II AB and hot mix asphalt, and construction of a keystone retaining wall and new concrete sidewalks, curbs and gutters.

The construction quality assurance (CQA) services will follow H&K's Independent Assurance (IA) program and performed in accordance with the Town of Paradise Quality Assurance Plan, project specifications, American Society of Testing Materials (ASTM) and Caltrans test methods.



Scope of Work

The proposed scope of services is based on H&K's project understanding and professional experience. The time estimated for these services is based on the approximate total quantities of items to be constructed, H&K's proximity to the project site, and estimated time on site to perform CQA services. However, actual time will be solely dependent on the contractor's schedule.

H&K will provide geotechnical and materials testing consulting services as directed by the Town of Paradise. Based on the information presented in the RFP and the project specifications, H&K proposes to perform the following CQA engineering services:

- Attend one kickoff/pre-construction meeting with the Town, contractor and subcontractors.
- Attend site meetings and weekly/bi-weekly progress meetings as requested by the Town.
- Coordinate with the Town, contractor, and subcontractors schedule to provide testing and observation services.
- Review the approved plans, specifications, quality assurance plan, addendums, requests for information (RFI), change orders, job mix formulas, earthwork material submittals, and other pertinent project related information; and discuss changes, issues, and recommendations with the Town of Paradise engineering personnel.
- Observe and evaluate the exposed native subgrade soil surface for relative competency and stability.
- Obtain representative bulk soil samples of the subgrade soil and borrow soil for laboratory compaction curve testing consistent with the American Society for Testing and Materials (ASTM) D1557 guideline procedures.
- Observe scarification, ripping, moisture conditioning, placement, and compaction of the subgrade soil and subsequent engineered fill soil lifts below roadways, sidewalks, and behind retaining walls.
- Perform in-place field moisture and density tests on testable native and imported fill materials consistent with the ASTM D6938 – 10 guideline procedures to determine the percent relative compaction in relation to the ASTM D1557 maximum dry density and optimum moisture content. Random compaction testing for native subgrade and imported fill materials will be at a minimum frequency of one test per 5000 square feet per lift. Perform re-test of failed areas, if necessary.
- Perform in-place field moisture and density tests on Class II AB materials including the compacted subgrade soil and each subsequent engineered fill soil lift (layer) consistent with the ASTM D6938 – 10 guideline procedures to determine the percent relative compaction in relation to the ASTM D1557 maximum dry density and optimum moisture content. Random compaction testing for native subgrade and imported fill materials will be at a minimum frequency of one test per 5000 square feet per lift. Perform re-test of failed areas, if necessary.

- Testing and observation of the underground utilities backfill including; bottom of trench excavations, placement of pipe bedding, shading, and cover material, and upper trench backfill, as needed. Perform re-test of failed areas, if necessary. Random compaction testing for trench backfill materials will be on a minimum frequency of one test per 100 linear feet per lift. H&K assumes each lift not exceed 12-inches loose, and 8 inches compacted.
- Prepare a site plan that shows the approximate limits of engineered fill and the approximate compaction test locations.
- Obtain representative hot mix asphalt (HMA) aggregate, recycled asphalt pavement (RAP), oil, and mix samples (at the plant and in the field) for laboratory testing in accordance with the plans and specifications, the project or agency Quality Assurance Program (QAP), and the applicable Caltrans Standard Specification Section 39. The HMA field sampling and laboratory testing will be consistent with Caltrans test (CT) methods.
- Determine the number of sublots from the quantity in tons to be placed. The subplot quantity to be sampled is one sample of aggregate/RAP/asphalt binder and HMA for every 750 tons produced. Random sampling milestones (or tonnages at which samples will be taken) will be per Caltrans Construction Manual Form CEM-3502. Samples will be from the positions discussed during the pre-paving conference.
- Perform density testing during Asphalt Concrete (AC) placement and compacting using a thin-lift nuclear density gauge and or collecting AC cores.
- AC coring will be performed by the contractor at random locations selected by H&K per the CT methods. Collect relatively undisturbed asphalt concrete cores at a frequency of one core per every 250 tons of HMA placed road surface once compaction efforts have been completed and the material has cooled to a temperature less 120°F.
- Prepare daily field reports to document CQA observation made during each of our site visits including: weather conditions, earthwork contractor's work activities, work progress, completed work products, equipment used and personnel, CQA compaction testing, and other pertinent CQA information.
- Prepare a final CQA report to document the earthwork and HMA field and laboratory testing performed by H&K. The CQA report will include: a description

of the work performed; figures showing the locations of tests; field and laboratory test results.

H&K will keep an open line of communication with key parties so that no outstanding issues, defects, or work performed outside the approved documents falls through the cracks or waits for resolution. Working closely with the contractor, Town Inspector, and design Engineer allows H&K to be responsive under short notice to facilitate quick correction of deficiencies and approval of modifications to keep the project on track and within budget.

Firm Qualifications and Experience

H&K is a certified small business corporation, with a reputation for technical innovation and a strong client service orientation. H&K was founded in 1993 to provide geotechnical engineering, environmental engineering, solid waste engineering, construction management, materials testing, special inspection and quality assurance/quality control to clients located throughout California, Oregon and Nevada. H&K's clientele include municipal and government agencies, development firms, civil engineering and planning firms, non-profit organizations, and private property owners and homeowners. Since 1993, our professional experience has grown with industry and regulatory demand based on increased exposure in high profile geotechnical and environmental projects, commercial developments, residential subdivisions, schools and hospitals, sanitary landfill design and construction, landslide repair, canal rehabilitation, earth-rock dam design and construction, leaking underground storage tank sites and abandoned mine land assessments. H&K has an established reputation for providing responsive, quality recommendations and solutions for a wide variety of engineering problems and environmental concerns.

H&K has the qualifications, experience, knowledge, and ability to perform materials sampling and testing for the Town of Paradise. H&K is an award winning, innovative and successful engineering and materials testing firm with five offices located throughout Northern California. H&K knows the secret of our success is our ability to understand and solve our client's problems, be responsive and proactive, and to complete our client's projects on-time and within budget.

EXHIBIT “B”

Compensation

APPENDIX B – TASK & BID SCHEDULE

All Proposals shall complete the task and bid schedule form shown below. This table will be used to compare proposals and assist with consultant selection.

Task 1 – Administration

Item	Rate	Hours	Total
Construction Services Engineer	\$155	30	\$ 4,650
Administration	\$70	10	\$700

Task 2 – Field Work

Item	Rate	Hours/Miles	Total
Field Tech (Prevailing Wage)	\$103	80	\$8,240
Vehicle Mileage	\$0.65	300	\$195

Task 3 – Laboratory Testing*

Item	Rate	Quantity	Total
Moisture Density Curve – Subgrade (ASTM 1557)	\$190	1	\$190
Moisture Density Curve – Agg. Base (ASTM 1557)	\$200	1	\$200
Aggregate Gradation (CT 202)	\$120	8	\$960
Asphalt Binder Content (CT 379)	\$150	8	\$1,200
Percent of Max. Theoretical Density (CT 309)	\$150	8	\$1,200
Sand Equivalent (CT 217)	\$100	8	\$800
HMA Moisture Content (CT 226)	\$27	4	\$108
Stabilometer Value (CT 366)	\$325	2	\$650
Air Voids Content	\$200	2	\$400
Percent Crushed Particles Coarse & Fine Aggregate (CT 205)	\$80	1	\$80
Los Angeles Rattler (CT 211)	\$150	1	\$150
Fine Aggregate Angularity (CT 234)	\$100	1	\$100
Cores (CT 308)	\$35	16	\$560

Total Amount Bid: **\$ 20,083**

*Consultant may recommend additional tests and quantities to maintain QAP compliance. Indicate additional tests and associated costs as needed. Proposals will be compared based upon the above bid schedule.

2013 FEE SCHEDULE

Personnel	Hourly Rate
Project Assistant	\$70
AutoCAD Operator	\$90
Technical Editor	\$88
Assistant Engineer/Geologist	\$100
Staff Scientist/Toxicologist	\$115
Staff Engineer/Geologist	\$115
Project Engineer/Geologist	\$130
Senior Engineer/Geologist	\$145
Associate Engineer/Geologist	\$155
Principal	\$215
Expert Testimony and Deposition (four-hour minimum)	\$300
Engineering Technician I	\$75
Engineering Technician II	\$80
Engineering Technician III	\$85
Certified Welding Inspector (CWI/AWS)	\$95
Non-Destructive Testing (NDT) Technician	\$95
ASNT Level III	\$155
Supervisory Technician	\$105
Construction Services Manager I	\$130
Construction Services Manager II	\$155

Prevailing Wage Services	Hourly Rate
Field Soils and Materials Tester, Soils/Asphalt	\$103
ACI Concrete Tester	\$103
ICC Fireproofing	\$103
Proofload/Torque Testing	\$103
Certified Welding Inspector (CWI/AWS)	\$108
ICC Certified Structural Inspector	\$108
DSA Masonry/Shotcrete and Lead Inspector	\$108

Field Equipment	Unit Rate
All-Terrain Vehicle	\$35/Day
Cone Penetrometer	\$150/Day
Core Drill Machine	\$150 Half Day/\$200 Full Day
DAQ III/Seismic Refraction Survey	\$500/Day
Excavator with Operator	\$95/Hour
Pachometer	\$40/Day
pH/Conductivity Meter	\$50/Day
Photoionization Detector (PID)	\$100/Day
Tension Ram	\$25/Day
Thin Lift Asphalt Concrete Nuclear Density Gauge	\$100/Day
Turbidity Meter	\$50/Day
Water Quality Meter (pH, conductivity, temperature, DO)	\$100/Day
1.5-Inch Pump and Controllers	\$125/Day
4-Inch Pump with Trailer	\$150/Day

Notes

- Mileage and hourly rates will be charged portal to portal. Mileage will be billed at \$0.65 per mile.
- Outside services will be billed at our cost plus 20 percent.
- Overtime rates for Saturday, Sunday, holiday or over 8 hours/day: hourly rate plus \$30/Hour.
- Prevailing wage overtime rates for Saturday or over 8 hours/day: hourly rate plus \$30/Hour.
- Prevailing wage double time rates for Sunday, holiday or over 12 hours/day: hourly rate plus \$60/Hour.
- Prevailing wage second shift rates: hourly rate plus \$10/Hour.
- A minimum 2 hour fee will be charged for any site visit.
- Per Diem will be billed at cost unless other arrangements are made.

2013 LABORATORY TESTING SERVICES

Soil
Aggregate
Concrete
Asphalt

ASTM Test Methods				Unit Cost
	■	ASTM A615, Reinforcing Steel Tensile Test to #8		\$80
	■	ASTM A615, Reinforcing Steel Bend Test to #8		\$25
	■	ASTM C39, Concrete Compressive Strength		\$30
	■	ASTM C78, Flexural Strength of Concrete		\$95
	■	ASTM C140, CMU Strength, Unit Weight, Absorption		\$180
	■	ASTM C780, Compressive Strength Mortar		\$30
	■	ASTM C1019, Compressive Strength Grout		\$30
	■	ASTM C1314, Compressive Strength Masonry Prisms		\$100
■	■	ASTM C136, D422A Full Sieve Particle Size Analysis		\$120
■	■	ASTM D422B, Long Hydrometer Particle Size Analysis (specific gravity not included)		\$120
■	■	ASTM D422C, Full Sieve w/ Long Hydrometer Particle Size Analysis (spec. gravity not incl.)		\$160
■	■	ASTM D698, D1557, Compaction Curves (4-inch mold)		\$190
■	■	ASTM D698, D1557, Compaction Curves (6-inch mold)		\$200
■	■	ASTM D854, Specific Gravity		\$85
■	■	ASTM C117, D1140, No. 200 Mesh Wash Particle Size Analysis		\$80
■	■	ASTM D2166, Unconfined Compression Shear Strength		\$90
■	■	ASTM D2216, Oven Moisture Content		\$27
■	■	ASTM D2419, Sand Equivalent		\$100
■	■	ASTM D2434, Constant Head Permeability		\$160
■	■	ASTM D2435, One-Dimensional Consolidation (per point)		\$80
■	■	ASTM D2844, Resistance Value		\$250
■	■	ASTM D2850, Unconsolidated, Undrained, Triaxial Shear Strength (per point)		\$135
■	■	ASTM D2937, Density-Moisture		\$32
■	■	ASTM D3080, Direct Shear Strength (3 points minimum)		\$280
■	■	ASTM D4318, Atterberg Indices (Dry Method)		\$140
■	■	ASTM D4546, One-Dimensional Settlement or Swell (per point)		\$80
■	■	ASTM D4767, Consolidated, Undrained, Triaxial Shear Strength (per point)		\$160
■	■	ASTM D4829, Expansion Index (UBC Expansion Index)		\$140
■	■	ASTM D4832, Strength of CLSM		\$40
■	■	ASTM D5084, Falling Head Permeability		\$230
California Test Methods				
■	■	CTM 202, Analysis of Fine Coarse Aggregate		\$120
■	■	CTM 205, Percent of Crushed Particles		\$80
■	■	CTM 206, Specific Gravity/Absorption Coarse Aggregate		\$100
■	■	CTM 207, Specific Gravity/Absorption Fine Aggregate		\$100
■	■	CTM 208, Apparent Specific Gravity of Fine Aggregate		\$90
■	■	CTM 216, Maximum Wet Density Determination		\$200
■	■	CTM 217, Sand Equivalent		\$100
■	■	CTM 226, Moisture Content by Oven		\$27
■	■	CTM 227, Evaluating Cleanness of Coarse Aggregate		\$95
■	■	CTM 229, Durability Index		\$140
■	■	CTM 234, Uncompacted Void Content of Fine Aggregate		\$100
■	■	CTM 235, Percent of Flat and Elongated Particles		\$80
■	■	CTM 308, Bulk Density Hot Mix Asphalt (HMA)		\$35
■	■	CTM 309, Max Specific Gravity of HMA		\$150
■	■	CTM 370, Moisture Content with Microwave		\$22
■	■	CTM 382, Asphalt Content by Ignition Method		\$145
■	■	Caltrans LP 2, Voids in Mineral Aggregate		\$50
■	■	Caltrans LP 3, Voids Filled with Asphalt		\$50
■	■	Caltrans LP 4, Dust Proportion		\$50

EXHIBIT “C” – Insurance Requirements

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

Minimum Scope of Insurance

Coverage shall be at least as broad as:

1. Insurance Services Office Commercial General Liability Coverage (occurrence form CG 0001).
2. Insurance Services Office form number CA 0001 (Ed. 1/87) Coverage Automobile Liability, code 1 (any auto).
3. Workers’ Compensation insurance as required by the State of California and Employer’s Liability Insurance.
4. Errors and Omissions liability insurance appropriate to the consultants profession. Architects’ and engineers’ coverage is to be endorsed to include contractual liability.

Minimum Limits of Insurance

Consultant shall maintain limits no less than:

1. General Liability: \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: \$1,000,000 per accident for bodily injury and property damage.
3. Employer’s Liability: \$1,000,000 per accident for bodily injury or disease.
4. Errors and omissions liability: \$1,000,000 per claim & \$1,000,000 aggregate.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions exceeding \$25,000 must be declared to and approved by the Town. At the option of the Town, either: the insurer shall reduce or eliminate such deductibles or self- insured retentions as respects the Town, its officers, officials, employees and volunteers; or the Consultant shall provide a financial guarantee satisfactory to the Town guaranteeing payment of losses and related investigations, claim

administration and defense expenses.

Other Insurance Provisions

The commercial general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The Town, its officers, officials, employees and volunteers are to be covered as insured as respects: liability arising out of work or operations performed by or on behalf of the Consultant; or automobiles owned, leased, hired or borrowed by the Consultant.
2. For any claims related to this project, the Consultant's insurance coverage shall be primary insurance respects the Town, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the Town, its officers, officials, employees or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the Town.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A. M. Best's rating of no less than A: VII, unless otherwise acceptable to the Town.

Verification of Coverage

Consultant shall furnish the Town with original certificates and amendatory endorsements effecting coverage required by this clause. The endorsements should be on forms provided by the Town or on other than the Town's forms provided, those endorsements conform to Town requirements. All certificates and endorsements are to be received and approved by the Town before work commences. The Town on reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required.

EXHIBIT “D”

Required Certifications of Local Agency and Consultant- to be completed at AWARD

Certification of Consultant, Commissions & Fees (*LAPM 10-F*)

And

Certification of Local Agency (*LAPM 10-G*)

EXHIBIT 10-F CERTIFICATION OF CONSULTANT, COMMISSIONS & FEES

I HEREBY CERTIFY that I am the _____, and duly authorized representative of the firm of _____, whose address is _____, and that, except as hereby expressly stated, neither I nor the above firm that I represent have:

- (a) employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above consultant) to solicit or secure this agreement; nor
- (b) agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the agreement; nor
- (c) paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above consultant) any fee, contribution, donation, or consideration of any kind, for or in connection with, procuring or carrying out this agreement.

I acknowledge that this Certificate is to be made available to the California Department of Transportation (Caltrans) in connection with this agreement involving participation of Federal-aid Highway funds, and is subject to applicable state and federal laws, both criminal and civil.

(Date)

(Signature)

Distribution: 1) Local Agency Project File (Original & Contract)
2) DLAE (with contract copy)

EXHIBIT 10-G CERTIFICATION OF LOCAL AGENCY

I HEREBY CERTIFY that I am the _____ (title) _____ of the _____ (local agency) _____, and that the consulting firm of _____ (firm name) _____, or its representative has not been required (except as herein expressly stated), directly or indirectly, as an express or implied condition in connection with obtaining or carrying out this Agreement to:

- (a) employ, retain, agree to employ or retain, any firm or person, or
- (b) pay or agree to pay, to any firm, person or organization, any fee, contribution, donation, or consideration of any kind.

I acknowledge that this Certificate is to be made available to the California Department of Transportation (Caltrans) in connection with this Agreement involving participation of federal-aid highway funds, and is subject to applicable state and federal laws, both criminal and civil.

(Date)

(Signature)

Distribution: 1) Local Agency Project File (original & Contract)
2) DLAE (with contract copy)

EXHIBIT “E”

Required Contract Provisions for Federal-Aid Construction Contracts:

(Form 1273)

REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS

- I. General
- II. Nondiscrimination
- III. Nonsegregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
- X. Compliance with Governmentwide Suspension and Debarment Requirements
- XI. Certification Regarding Use of Contract Funds for Lobbying

ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under Title 23 (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services). The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in bid proposal or request for proposal documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors.

II. NONDISCRIMINATION

The provisions of this section related to 23 CFR Part 230 are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR 60, 29 CFR 1625-1627, Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding \$10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR 60, and 29 CFR 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), and Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR 230, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

1. Equal Employment Opportunity: Equal employment opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (28 CFR 35, 29 CFR 1630, 29 CFR 1625-1627, 41 CFR 60 and 49 CFR 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140 shall constitute the EEO and specific affirmative action standards for the contractor's project activities under

this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR 35 and 29 CFR 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract.

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

2. EEO Officer: The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

3. Dissemination of Policy: All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

4. Recruitment: When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees, and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

5. Personnel Actions: Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

6. Training and Promotion:

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are

applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs, i.e., apprenticeship, and on-the-job training programs for the geographical area of contract performance. In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

7. Unions: If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, national origin, age or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, national origin, age or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

8. Reasonable Accommodation for Applicants / Employees with Disabilities: The contractor must be familiar

with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established there under. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment: The contractor shall not discriminate on the grounds of race, color, religion, sex, national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors and suppliers and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

10. Assurance Required by 49 CFR 26.13(b):

a. The requirements of 49 CFR Part 26 and the State DOT's U.S. DOT-approved DBE program are incorporated by reference.

b. The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the contracting agency deems appropriate.

11. Records and Reports: The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women; and

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women;

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project, indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on [Form FHWA-1391](#). The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor

will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more.

The contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location, under the contractor's control, where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

IV. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding \$2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size). The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. Contracting agencies may elect to apply these requirements to other projects.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 "Contract provisions and related matters" with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

1. Minimum wages

a. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics.

Contributions made or costs reasonably anticipated for bona fide fringe benefits under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions

of paragraph 1.d. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under paragraph 1.b. of this section) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b. (1) The contracting officer shall require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefore only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is utilized in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by the contracting officer to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, DC 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(3) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Wage and Hour Administrator for determination. The Wage and Hour Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or

will notify the contracting officer within the 30-day period that additional time is necessary.

(4) The wage rate (including fringe benefits where appropriate) determined pursuant to paragraphs 1.b.(2) or 1.b.(3) of this section, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

c. Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

d. If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program. Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

2. Withholding

The contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor under this contract, or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees, and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee, or helper, employed or working on the site of the work, all or part of the wages required by the contract, the contracting agency may, after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

3. Payrolls and basic records

a. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in section 1(b)(2)(B) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-

Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

b. (1) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to the contracting agency. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i), except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to the contracting agency for transmission to the State DOT, the FHWA or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to the contracting agency..

(2) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(i) That the payroll for the payroll period contains the information required to be provided under §5.5 (a)(3)(ii) of Regulations, 29 CFR part 5, the appropriate information is being maintained under §5.5 (a)(3)(i) of Regulations, 29 CFR part 5, and that such information is correct and complete;

(ii) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 CFR part 3;

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(3) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(2) of this section.

(4) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under section 1001 of title 18 and section 231 of title 31 of the United States Code.

c. The contractor or subcontractor shall make the records required under paragraph 3.a. of this section available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, the FHWA may, after written notice to the contractor, the contracting agency or the State DOT, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and trainees

a. Apprentices (programs of the USDOL).

Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice.

The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed.

Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly

rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination.

In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

b. Trainees (programs of the USDOL).

Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration.

The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration.

Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed.

In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

c. Equal employment opportunity. The utilization of apprentices, trainees and journeymen under this part shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

d. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeymen shall not be greater than permitted by the terms of the particular program.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

6. Subcontracts. The contractor or subcontractor shall insert Form FHWA-1273 in any subcontracts and also require the subcontractors to include Form FHWA-1273 in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in 29 CFR 5.5.

7. Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

9. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

10. Certification of eligibility.

a. By entering into this contract, the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1).

c. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

The following clauses apply to any Federal-aid construction contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchmen and guards.

1. Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

2. Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (1.) of this section, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1.) of this section, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1.) of this section.

3. Withholding for unpaid wages and liquidated damages. The FHWA or the contracting agency shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2.) of this section.

4. Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1.) through (4.) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1.) through (4.) of this section.

VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term "perform work with its own organization" refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions:

(1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;

(2) the prime contractor remains responsible for the quality of the work of the leased employees;

(3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and

(4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract.

2. The contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. The contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is

evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract.

5. The 30% self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements.

VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C.3704).

VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 1, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

By submission of this bid/proposal or the execution of this contract, or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, or subcontractor, as appropriate, will be deemed to have stipulated as follows:

1. That any person who is or will be utilized in the performance of this contract is not prohibited from receiving an award due to a violation of Section 508 of the Clean Water Act or Section 306 of the Clean Air Act.

2. That the contractor agrees to include or cause to be included the requirements of paragraph (1) of this Section X in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements.

X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more – as defined in 2 CFR Parts 180 and 1200.

1. Instructions for Certification – First Tier Participants:

a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this

covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

2. Instructions for Certification - Lower Tier Participants:

(Applicable to all subcontracts, purchase orders and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200)

a. By signing and submitting this proposal, the prospective lower tier is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which

this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180 and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a grantee or subgrantee of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a grantee or subgrantee of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the Excluded Parties List System website (<https://www.epls.gov/>), which is compiled by the General Services Administration.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the

department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

* * * * *

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

* * * * *

XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed \$100,000 (49 CFR 20).

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

**ATTACHMENT A - EMPLOYMENT AND MATERIALS
PREFERENCE FOR APPALACHIAN DEVELOPMENT
HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS
ROAD CONTRACTS**

This provision is applicable to all Federal-aid projects funded under the Appalachian Regional Development Act of 1965.

1. During the performance of this contract, the contractor undertaking to do work which is, or reasonably may be, done as on-site work, shall give preference to qualified persons who regularly reside in the labor area as designated by the DOL wherein the contract work is situated, or the subregion, or the Appalachian counties of the State wherein the contract work is situated, except:

a. To the extent that qualified persons regularly residing in the area are not available.

b. For the reasonable needs of the contractor to employ supervisory or specially experienced personnel necessary to assure an efficient execution of the contract work.

c. For the obligation of the contractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that the number of nonresident persons employed under this subparagraph (1c) shall not exceed 20 percent of the total number of employees employed by the contractor on the contract work, except as provided in subparagraph (4) below.

2. The contractor shall place a job order with the State Employment Service indicating (a) the classifications of the laborers, mechanics and other employees required to perform the contract work, (b) the number of employees required in each classification, (c) the date on which the participant estimates such employees will be required, and (d) any other pertinent information required by the State Employment Service to complete the job order form. The job order may be placed with the State Employment Service in writing or by telephone. If during the course of the contract work, the information submitted by the contractor in the original job order is substantially modified, the participant shall promptly notify the State Employment Service.

3. The contractor shall give full consideration to all qualified job applicants referred to him by the State Employment Service. The contractor is not required to grant employment to any job applicants who, in his opinion, are not qualified to perform the classification of work required.

4. If, within one week following the placing of a job order by the contractor with the State Employment Service, the State Employment Service is unable to refer any qualified job applicants to the contractor, or less than the number requested, the State Employment Service will forward a certificate to the contractor indicating the unavailability of applicants. Such certificate shall be made a part of the contractor's permanent project records. Upon receipt of this certificate, the contractor may employ persons who do not normally reside in the labor area to fill positions covered by the certificate, notwithstanding the provisions of subparagraph (1c) above.

5. The provisions of 23 CFR 633.207(e) allow the contracting agency to provide a contractual preference for the use of mineral resource materials native to the Appalachian region.

6. The contractor shall include the provisions of Sections 1 through 4 of this Attachment A in every subcontract for work which is, or reasonably may be, done as on-site work.



**Town of Paradise
Council Agenda Summary
Date: April 3, 2012**

Agenda Item: 3e

Originated by: Joanna Gutierrez, Town Clerk

Reviewed by: Lauren M. Gill, Interim Town Manager

Subject: Authorize destruction of certain records maintained in the Town Finance Department in keeping with the principles of an effective and cost efficient Records Management Program

Council Action Requested: Adopt Resolution No. 13-11, A Resolution of the Town Council of the Town of Paradise Authorizing Destruction of Certain Town Records Maintained in the Town Finance Department Pursuant to Government Code Section 34090. The records listed in Exhibit B have been retained for the required number of years and are eligible for destruction.

Alternatives: Consider making a determination that certain records listed for destruction have value to the agency, and direct that the Town Finance Director continue to maintain all, or some, of the records listed in Exhibit B.

Background: The Town Clerk Department has had an established records management program since the early 1980's. Based upon recommendations from the California Secretary of State, all records have been appraised, inventoried and scheduled with a retention/destruction code pursuant to Town of Paradise Resolution No. 04-27 (originally adopted in 1993 by Resolution No. 93-30). This resolution provides the Town with legal authority to dispose of certain records that are no longer of value to the agency.

Discussion: Once records have fulfilled their administrative, fiscal, or legal function they should be disposed of as soon as possible in order to maintain an efficient, effective and economical management of information. Resolution No. 04-27 provides the legal authority, with the Town Attorney's consent (Exhibit A to the resolution), to dispose of records that no longer serve the administrative, legal and/or fiscal purposes for which they were created.

Conclusion: Since the records are eligible for destruction and no longer have value to the Town, it is appropriate that the Council adopted the proposed resolution.

Fiscal Impact Analysis: None. These records are not of a confidential nature and may be recycled, rather than shredded.

TOWN OF PARADISE

RESOLUTION NO. 13-11

**ADOPT RESOLUTION NO. 13-11, A RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF PARADISE AUTHORIZING DISPOSAL OF CERTAIN TOWN
RECORDS MAINTAINED IN STORAGE FOR THE FINANCE DEPARTMENT
PURSUANT TO GOVERNMENT CODE SECTION 34090.**

WHEREAS, Government Code Section 34090 authorizes the head of a town department, with the written consent of the Town Attorney, to destroy certain records over two years of age upon approval of the legislative body; and,

WHEREAS, the Town Attorney consent is incorporated into this resolution as Exhibit A approving the destruction of those certain records set forth in Exhibit "B; and,

WHEREAS the specific records are set forth on Exhibit "B"; and,

WHEREAS, the Town Clerk is requesting to dispose certain records maintained in Finance Department storage as set forth on the attached Exhibit "B".

NOW, THEREFORE, the Town Council of the Town of Paradise does resolve as follows:

SECTION 1: The Town Clerk of the Town of Paradise is hereby authorized to dispose of the records set forth in Exhibit "B "of this resolution.

PASSED AND ADOPTED by the Town Council of the Town of Paradise this ____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

Timothy Titus, Mayor

ATTEST:

Joanna Gutierrez, CMC, Town Clerk

APPROVED AS TO FORM:

Dwight L. Moore, Town Attorney

EXHIBIT "A"

**Consent to Destruction of Certain Records, Documents
and Papers of the Town of Paradise**

Pursuant to the Government Code Section 34090, I hereby consent to the destruction of those certain records, documents and papers of the Town of Paradise listed on Exhibit "B" and made a part of Resolution No. 13-11, A Resolution Authorizing Destruction of Town Finance Department Records.

DATED:

DWIGHT L. MOORE, Town Attorney

Town of Paradise - Finance Department

Exhibit A Resolution No. 13-11

List of Files to be Disposed and/or Destroyed

Last Audit Completed: 2010/2011

Description/Detail/Retention Period	Years	Purge Date	Dispose	Destroy
Accounts Payable Vendor Paid Invoices Vendors A-Z : Check copy with Invoices Completed Audit + 4 years	2006-2007	06/07 + 4 YRS = 2010/2011	X	
Accounts Payable Batch Report Listing of Vendor and Invoice Detail Completed Audit + 4 years	2006-2007	06/07 + 4 YRS = 2010/2011	X	
Warrant Register Computer report of payments Completed Audit + 2 years	2000-2001	00/01 + 2 YRS = 2002/2003	X	
	2001-2002	01/02 + 2 YRS = 2003/2004	X	
	2002-2003	02/03 + 2 YRS = 2004/2005	X	
	2003-2004	03/04 + 2 YRS = 2005/2006	X	
	2004-2005	04/05 + 2 YRS = 2006/2007	X	
	2005-2006	06/04 + 2 YRS = 2007/2008	X	
Account Payable Cancelled Checks numeric cancelled check from reconciled bank statement Completed Audit + 5 years	1995-1998	95/98 + 5 YRS = 2000/2003	X	
	1998-1999	98/99 + 5 YRS = 2003/2004	X	
	1999-2001	99/01 + 5 YRS = 2004/2006	X	
	2001-2002	01/02 + 5 YRS = 2006/2007	X	
	2002-2003	02/03 + 5 YRS = 2007/2008	X	
	2003-2004	03/04 + 5 YRS = 2008/2009	X	
	2005-2006	04/05 + 5 YRS = 2009/2010	X	
Accounts Receivable - Cash Receipts Deposit Detail and Customer Payments Completed Audit + 4 years	2005-2006	05/06 + 4 YRS = 2009/2010	X	
	2006-2007	06/07 + 4 YRS = 2010/2011	X	
Accounts Receivable Reports computer generated listings of cash receipts activity Completed Audit + 4 years	1997	1997 + 4 YRS = 2001	X	
	1998-1999	98/99 + 4 YRS = 2002/2003	X	
Payroll - Time Cards Overtime and attendance Completed Audit + 6 years	1997-1998	97/98 + 6 YRS = 2004/2005		X
	1999-2000	99/00 + 6 YRS = 2005/2006		X
	2000-2001	00/01 + 6 YRS = 2006/2007		X
	2001-2002	01/02 + 6 YRS = 2007/2008		X
	2002-2003	02/03 + 6 YRS = 2008/2009		X
	2003-2004	03/04 + 6 YRS = 2009/2010		X
	2004-20	04/05 + 6 YRS = 2010/2011		X

Employee Payroll Statements Copies of pay date wages/deductions distributed to employees each pay period Completed Audit + 5 years	2000	2000 + 5 YRS = 2005		X
	2001	2001 + 5 YRS = 2006		X
	2002	2002 + 5 YRS = 2007		X
	2003	2003 + 5 YRS = 2008		X
	2004	2004 + 5 YRS = 2009		X
	2005	2005 + 5 YRS = 2010		X

Payroll Accrual History Report Sick/Vacation earnings and use Completed Audit + 5 years	1997	1997 + 5 YRS = 2002	X	
	1999	1999 + 5 YRS = 2004	X	
	2000-2001	00/01 + 5 YRS = 2005/2006	X	
	2001-2002	01/02 + 5 YRS = 2006/2007	X	
	2002-2003	02/03 + 5 YRS = 2007/2008	X	
	2003-2004	03/04 + 5 YRS = 2008/2009	X	
	2004-2005	04/05 + 5 YRS = 2009/2010	X	
	2005-2006	05/06 + 5 YRS = 2010/2011	X	

Payroll Vendor Paid Invoices Benefit Invoices and checks copies except PERS Retirement Contributions Completed Audit + 5 years	1996	1996 + 5 YRS = 2001	X	
	1997	1997 + 5 YRS = 2002	X	
	1998	1998 + 5 YRS = 2003	X	
	1999	1999 + 5 YRS = 2004	X	
	2000	2000 + 5 YRS = 2005	X	
	2001	2001 + 5 YRS = 2006	X	
	2002	2002 + 5 YRS = 2007	X	
	2003	2003 + 5 YRS = 2008	X	
	2004	2004 + 5 YRS = 2009	X	
	2005	2005 + 5 YRS = 2010	X	

Payroll Month End Reports Recap of Payroll Benefit Activity Completed Audit + 5 years	2003-2004	03/04 + 5 YRS = 2008/2009	X	
	2004-2005	04/05 + 5 YRS = 2009/2010	X	
	2005-2006	05/06 + 5 YRS = 2010/2011	X	

Payroll Year End Reports year end close data for wages, benefits, deductions, etc - no detail per employee Completed Audit + 5 years	1998-1999	98/99 + 5 YRS = 2003/2004	X	
	1999-2000	99/00 + 5 YRS = 2004/2005	X	
	2000-2001	00/01 + 5 YRS = 2005/2006	X	
	2001-2002	01/02 + 5 YRS = 2006/2007	X	
	2002-2003	02/03 + 5 YRS = 2007/2008	X	
	2003-2004	03/04 + 5 YRS = 2008/2009	X	
	2004-2005	04/05 + 5 YRS = 2009/2010	X	
	2005-2006	05/06 + 6 YRS = 2010/2011	X	

Payroll Cancelled Checks numeric cancelled check from reconciled bank statement Completed Audit + 5 years	1997-1998	97/98 + 5 YRS = 2002/2003		X
	1998-1999	98/99 + 5 YRS = 2003/2004		X
	1999-2000	99/00 + 5 YRS = 2004/2005		X
	2000-2001	00/01 + 5 YRS = 2005/2006		X
	2001-2002	01/02 + 5 YRS = 2006/2007		X
	2002-2003	02/03 + 5 YRS = 2007/2008		X
	2003-2004	03/04 + 5 YRS = 2008/2009		X
	2004-2005	04/05 + 5 YRS = 2009/2010		X

Payroll Adjustments back up documentation of employee requested payroll changes Completed Audit + 5 years	1999	1999 + 5 YRS = 2004		X
	2000	2000 + 5 YRS = 2005		X
	2001	2001 + 5 YRS = 2006		X
	2002	2002 + 5 YRS = 2007		X
	2003	2003 + 5 YRS = 2008		X
	2004	2004 + 5 YRS = 2009		X
	2005	2005 + 5 YRS = 2010		X
Payroll Employee Documentation back up documentation for employee changes and maintenance (duplicates of permanent Personnel file) Terminated + 3 years	2004	2004 + 3 years = 2007		X
	2005	2005 + 3 years = 2008		X
	2006	2006 + 3 years = 2009		X
	2007	2007 + 3 years = 2010		X
	2008	2008 + 3 years = 2011		X
Bank Reconciliations Bank Statement plus work sheets Completed Audit + 5 years	1993-1999	1999 + 5 YRS = 2004		X
	2000-2005	2005 + 5 YRS = 2010		X
Audit Documentation work papers for audit Completed Audit + 5 years	1979-1980	1980 + 5 YRS = 1985	X	
	1980-1990	1990 + 5 YRS = 1995	X	
	1990-2000	2000 + 5 YRS = 2005	X	
	2000-2005	2005 + 5 YRS = 2010	X	
Financial Work Papers and Printouts various documentation and reports of portions of financial activity Completed Audit + 5 years	1994-1995	94/95 + 5 YRS = 1999/2000	X	
	1995-1996	95/96 + 5 YRS = 2000/2001	X	
	1996-1997	96/97 + 5 YRS = 2001/2002	X	
	1997-1998	97/98 + 5 YRS = 2002/2003	X	
	1998-1999	98/99 + 5 YRS = 2003/2004	X	
	1999-2000	99/00 + 5 YRS = 2004/2005	X	
	2000-2001	00/01 + 5 YRS = 2005/2006	X	
	2001-2002	01/02 + 5 YRS = 2006/2007	X	
	2002-2003	02/03 + 5 YRS = 2007/2008	X	
	2003-2004	03/04 + 5 YRS = 2008/2009	X	
	2004-2005	04/05 + 5 YRS = 2009/2010	X	
	2005-2006	05/06 + 5 YRS = 2010/2011	X	



**Town of Paradise
Council Agenda Summary
Date: April 9, 2013**

Agenda Item: 3f

Originated by: Joanna Gutierrez, Town Clerk

Reviewed by: Lauren M. Gill, Interim Town Manager

Subject: Authorize destruction of certain records maintained in the Town Clerk's Department in keeping with the principles of an effective and cost efficient Records Management Program

Council Action Requested: Adopt Resolution No. 13-12, A Resolution of the Town Council of the Town of Paradise Authorizing Destruction of Certain Town Records Maintained in the Town Clerk Department Pursuant to Government Code Section 34090. The records listed in Exhibit B have been retained for the required number of years and are eligible for destruction.

Alternatives: Consider making a determination that certain records listed for destruction have value to the agency, and direct that the Town Clerk continue to maintain all, or some, of the records listed in Exhibit B.

Background: The Town Clerk Department has had an established records management program since the early 1980's. Based upon recommendations from the California Secretary of State, all records have been appraised, inventoried and scheduled with a retention/destruction code pursuant to Town of Paradise Resolution No. 04-27 (originally adopted in 1993 by Resolution No. 93-30). This resolution provides the Town with legal authority to dispose of certain records that are no longer of value to the agency.

Discussion: Once records have fulfilled their administrative, fiscal, or legal function they should be disposed of as soon as possible in order to maintain an efficient, effective and economical management of information. Resolution No. 04-27 provides the legal authority, with the Town Attorney's consent, attached as Exhibit A, to dispose of records that no longer serve the administrative, legal and/or fiscal purposes for which they were created.

Conclusion: Since the records are eligible for destruction and no longer have value to the Town, it is appropriate that the Council adopted the proposed resolution.

Fiscal Impact Analysis: None. These records are not of a confidential nature and may be recycled, rather than shredded.

**TOWN OF PARADISE
RESOLUTION NO. 13-12**

**ADOPT RESOLUTION NO. 13-12, A RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF PARADISE AUTHORIZING DISPOSAL OF CERTAIN TOWN
RECORDS MAINTAINED IN STORAGE FOR THE TOWN CLERK DEPARTMENT
PURSUANT TO GOVERNMENT CODE SECTION 34090.**

WHEREAS, Government Code Section 34090 authorizes the head of a town department, with the written consent of the Town Attorney, to destroy certain records over two years of age upon approval of the legislative body; and,

WHEREAS, the Town Attorney consent is incorporated into this resolution as Exhibit A approving the destruction of those certain records set forth in Exhibit "B"; and,

WHEREAS the specific records are set forth on Exhibit "B"; and,

WHEREAS, the Town Clerk is requesting to dispose certain records maintained in Town Clerk Department storage as set forth on the attached Exhibit "B".

NOW, THEREFORE, the Town Council of the Town of Paradise does resolve as follows:

SECTION 1: The Town Clerk of the Town of Paradise is hereby authorized to dispose of the records set forth in Exhibit "B" of this resolution.

PASSED AND ADOPTED by the Town Council of the Town of Paradise this ____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

Timothy Titus, Mayor

ATTEST:

Joanna Gutierrez, CMC, Town Clerk

APPROVED AS TO FORM:

Dwight L. Moore, Town Attorney

EXHIBIT "A"

**Consent to Destruction of Certain Records, Documents
and Papers of the Town of Paradise**

Pursuant to the Government Code Section 34090, I hereby consent to the destruction of those certain records, documents and papers of the Town of Paradise listed on Exhibit "B" and made a part of Resolution No. 13-12, A Resolution Authorizing Destruction of Town Clerk Department Records.

DATED:

DWIGHT L. MOORE, Town Attorney

EXHIBIT B

BOX #94 – Partial; #98 & #99 – Old System

All files are CU +2 (current year plus 2) Eligible for destruction

INDEX NUMBER	DESCRIPTION
110-10-01	Administration - Services Department
110-10-02	Administration- Goals & Objectives 1984 - 7/98
110-10-08	Administrative Policies File #2 01/98 - 10/02
110-10-12	Goals & Objectives 1997 & 1998
110-10-13	Goals & Objectives 1998 Council & Staff
110-10-14	Goals & Objectives FY 1998 & 1999
110-10-17	Leave Status Report Clerk Dept through 12/10/01
110-60-07	Department Reports - CDD All Divisions File #3
110-70-01	Computer User Group
140-10-03	Organizations - Chamber of Commerce
140-40-01	Organizations - League of Women Voters
150-10-03	Butte Co Assoc. Of Gov. Studies/Reports & Correspond.
150-10-08	Butte County Planning Commission - Agendas
150-50-29	League of California Cities (LCC General File 9/99 - 12/00
150-70-16	CCAC- City Clerks Association 01/99 -12/99 File #5
150-70-22	IIMC (International Institute of Municipal Clerks) File #8
150-70-23	IIMC News Digest
150-70-25	National Organization of Disability (NOE) File #3
150-70-27	NCCA Northern California City Clerks Association
150-70-28	International Institute Municipal Clerks News Digest File 2
150-70-40	CCAC- City Clerks Assoc. Newsletter 2000
160-20-05	Retention/Destruction - Optical Imaging
160-20-07	Retention/Destruction - Optical Imaging File #2
160-50-01	Records Management - Computer Software-Legislative Hist. (DOS Program)
175-40-01	State Jurisdiction - Dept of Motor Vehicles
180-30-17	Correspondence - Town manager File #3 8/96 - 2000
180-30-21	Correspondence- Town Mayor 5/95 - 12/2000
180-30-32	Correspondence - Fax Transmissions File #3 2001
180-30-40	Correspondence - Town Clerk File #9 2000
180-40-16	Proclamation File 13 7/99 - 11/2000
310-10-16	Accounts Payable - Check Registers 2000
380-40-01	Purchasing - Centrex Telephone System
385-10-19	1999/2000 FY Annual Audit Report
385-20-24	Appropriation Summaries-Revenue & Expenditure 11/98-6/99
385-20-27	Budget Reports - Revenue/Expenditure Reports 8/00 - 12/00
760-45-04	CU + 2 Planning Commission Agendas 7/95 –12/2000 1982 State Roster: CA Housing Authorities Redevelopment Agencies CDD & Other Housing Offices "Using Tax-Exempt Mortgage Revenue Bonds in California"
770-40-02	CU +2 Corres. Only .Transportation Congestion Mgt Planning
770-40-08	CU +2 Upper Ridge Transportation Task Force Thru 1/3/1992



TOWN OF PARADISE
Council Agenda Summary
April 9, 2013

AGENDA NO. 3g

ORIGINATED BY: Joanna Gutierrez, Town Clerk

REVIEWED BY: Lauren Gill, Interim Town Manager

SUBJECT: Request for Declaration and Authorization to Dispose of Surplus Property - Miscellaneous Administrative Office Supplies, Devices and Furnishings

COUNCIL ACTION REQUESTED:

Adopt Resolution No. 13-13, A Resolution of the Town Council of the Town of Paradise Declaring Miscellaneous Town Administrative Office Supplies, Devices And Furnishings as Surplus and Authorizing Disposal through Sale or Donation by the Interim Town Manager.

BACKGROUND:

Recent reorganization of Town Administrative Departments has resulted in an excess of miscellaneous office supplies, devices and furnishings. The proposed resolution includes Exhibit A, eight photographs depicting the items that are no longer useful in administering the business of the Town. As such, it is recommended the Town Council declare the items to be surplus and authorize the Interim Town Manager to dispose of the property.

FINANCIAL IMPACT:

The disposal of these office items will have no negative impact on the General Fund. A small sum of revenue is anticipated from the sale of these items.

**TOWN OF PARADISE
RESOLUTION NO. 13-13**

**RESOLUTION DECLARING MISCELLANEOUS TOWN ADMINISTRATIVE
OFFICE SUPPLIES, DEVICES AND FURNISHINGS AS SURPLUS PROPERTY AND
AUTHORIZING DISPOSAL THROUGH SALE OR DONATION**

WHEREAS, various Town of Paradise Administrative Departments wish to dispose of miscellaneous office supplies, devices and furnishing that are either inoperable, obsolete and/or no longer useful for the administration of Town business; and,

WHEREAS, the Town of Paradise Administration wishes to dispose of the miscellaneous office supplies, devices and furnishing through donation or sale.

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

Section 1. The Town hereby declares the miscellaneous office supplies, devices and furnishings depicted in the photographs set forth in Exhibit "A", attached hereto and made a part hereof by reference.

Section 2. Pursuant to Paradise Municipal Code Section 2.45.130 A & B, the Interim Town Manager is hereby authorized to dispose of the property in Exhibit "A" by donation or sale.

PASSED AND ADOPTED by the Town Council of the Town of Paradise this 9th day of April, 2013, by the following votes:

AYES:

NOES:

ABSENT:

NOT VOTING:

Timothy Titus, Mayor

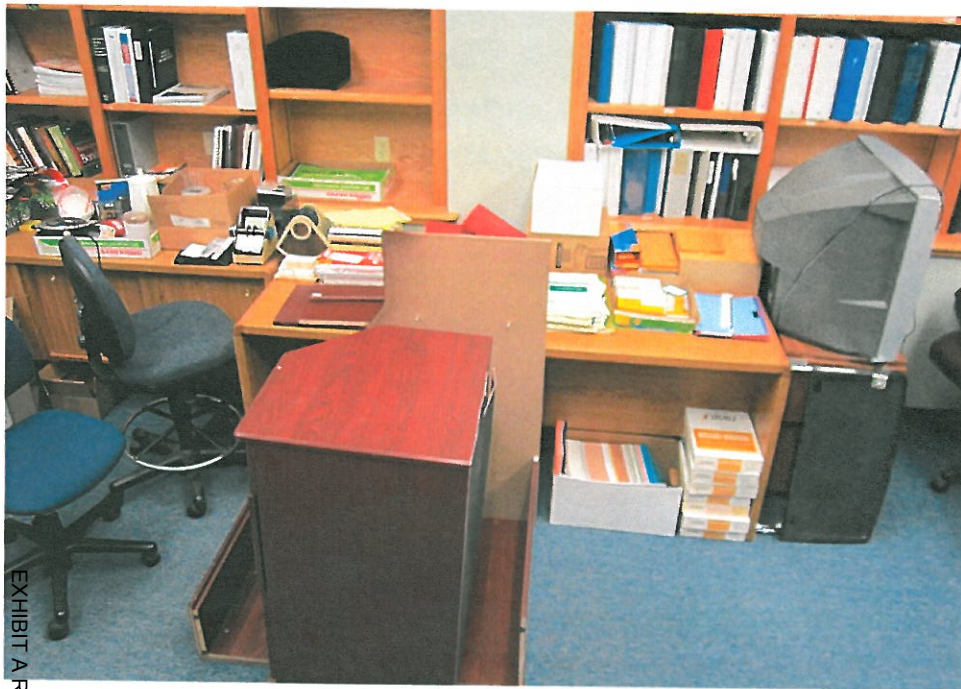
ATTEST:

BY: _____
Joanna Gutierrez, CMC, Town Clerk

APPROVED AS TO FORM:

BY: _____
Dwight L. Moore, Town Attorney







TOWN OF PARADISE COUNCIL AGENDA SUMMARY

DATE: April 9, 2013

ORIGINATED BY: Joanna Gutierrez, Town Clerk

AGENDA ITEM: 3(h)

REVIEWED BY: Lauren Gill, Interim Town Manager
Dwight L. Moore, Town Attorney

SUBJECT: Amendment to the Town of Paradise Conflict of Interest Code

COUNCIL ACTION REQUESTED: Adopt Resolution No. 13-14, A Resolution of the Town Council of the Town of Paradise Amending and Re-Adopting Conflict of Interest Code for the Agencies and Departments of the Town of Paradise Which Incorporate by Reference the Fair Political Practices Commission's Standard Model Conflict of Interest.

BACKGROUND: The Political Reform Act, Government Code Section 87300, et seq., requires every local government agency to adopt and promulgate a Conflict of Interest Code that sets forth Town officials/employees who make decisions that might benefit them financially and, as such, must publicly disclose certain financial interests. The proposed resolution incorporates by reference the Fair Political Practices Commission adopted regulation (2 Cal. Code of Reg., Section 18730) which contains the terms of a standard model Conflict of Interest Code.

DISCUSSION: Upon review, it was determined that the Successor Agency to the Paradise Redevelopment Agency and the Oversight Board to the Paradise Redevelopment Agency may be added to the Town of Paradise Conflict of Interest Code; and, that the Fleet Manager position added as a designated employee position. The changes are reflected within Exhibit A to the proposed resolution as follows:

Town Council	1
Successor Agency to Paradise Redevelopment Agency	1
Planning Commissioners	1
Oversight Board to the Successor Agency to the Paradise Redevelopment Agency	1
Town Manager/Successor Agency Manager	1
Assistant Town Manager/Assistant Successor Agency Manager	1
Town Attorney/Successor Agency Counsel	1
Finance Director/Successor Agency Finance Director	1
Town Clerk/Successor Agency/Oversight Board Clerk	1
Assistant Town Clerk/Assistant Successor Agency/Oversight Board Clerk	3
Fleet Manager	2

FINANCIAL IMPACT: None

**TOWN OF PARADISE
RESOLUTION NO. 13-14**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE AMENDING AND RE-ADOPTING CONFLICT OF INTEREST CODE FOR THE AGENCIES AND DEPARTMENTS OF THE TOWN OF PARADISE WHICH INCORPORATE BY REFERENCE THE FAIR POLITICAL PRACTICES COMMISSION'S STANDARD MODEL CONFLICT OF INTEREST

WHEREAS, the Political Reform Act, Government Code Section 87300, et seq., requires every local government agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Reg., Section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which will be amended to conform to amendments in the Political Reform Act; and

WHEREAS, this Council has determined that the attached Appendices A, B and C accurately set forth those positions which should be designated and the categories of financial interests which should be made reportable;

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

1. The provisions of Title 2 of the California Code of Regulations Section 18730 and any amendment to it duly adopted by the Fair Political Practices Commission along with the attached Appendices in which officials and employees are designated and disclosure categories are set forth, are hereby amended and re-adopted and incorporated by reference and constitute the Conflict of Interest Codes of the Town of Paradise.

2. Persons holding designated positions shall file statements of economic interest pursuant to Section 18730. All designated employees shall file their statement with the Paradise Town Clerk to whom the Town Council hereby delegates the authority to carry out the duties of filing officer.

3. Statements of economic interest for members of the Town Council, Town Manager, Town Attorney, Director of Finance/Town Treasurer shall be filed with the Town Clerk who shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission.

"AMENDS RESOLUTION 11-37"

RESOLUTION NO. 13-14, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE AMENDING AND RE-ADOPTING CONFLICT OF INTEREST CODE FOR THE AGENCIES AND DEPARTMENTS OF THE TOWN OF PARADISE WHICH INCORPORATE BY REFERENCE THE FAIR POLITICAL PRACTICES COMMISSION'S STANDARD MODEL CONFLICT OF INTEREST

PASSED AND ADOPTED by the Town Council of the Town of Paradise this 9th day of April, 2013, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

Timothy Titus, Mayor

ATTEST:

Joanna Gutierrez, CMC, Town Clerk

APPROVED AS TO FORM:

Dwight L. Moore, Town Attorney

"AMENDS RESOLUTION 11-37"

APPENDIX A RESOLUTION NO. 13-14

GENERAL PROVISIONS

When a designated employee is required to disclose investments and sources of incomes, he/she need only disclose investments in business entities and sources of income which do business in the Town of Paradise, plan to do business in the Town of Paradise or have done business in the Town of Paradise within the past two years. In addition to other activities, a business entity is doing business within the Town of Paradise if it owns real property within the Town limits. When a designated employee is required to disclose interests in real property, he need only disclose real property which is located in whole or in part within, or no more than two miles outside, the boundaries of the Town of Paradise or within two miles of any land owned or used by the Town of Paradise.

Designated employees shall disclose their financial interest pursuant to the appropriate disclosure category as indicated in Appendix B.

DISCLOSURE CATEGORIES

Category 1: Designated Employees Whose Duties are Broad and Indefinable

All sources of income, interests in real property, and investments and business positions in business entities.

Category 2: Designated Employees Whose Duties Involve Contracting or Purchasing

Contracts or makes purchases for entire agency: Investments and business positions in business entities and sources of income which provide services, supplies, materials, machinery or equipment of the type utilized by the agency.

Contracts or makes purchases for specific department within the agency: Investments and business positions in business entities and sources of income which provide services, supplies, materials, machinery or equipment of the type utilized by the designated employee's department or division.

Category 3: Designated Employees Whose Duties Involve Regulatory, Permit, or Licensing Powers

All investments and business positions in business entities and sources of income which are subject to the regulatory permit or licensing authority of the Town.

"AMENDS RESOLUTION 11-37"

APPENDIX A (Continued)
RESOLUTION NO. 13-14

Category 4: Designated Employees Whose Decisions May Affect Real Property Interests

Investments and business positions in business entities and sources of income which engage in land development, construction or the acquisition or sale of real property, and all interests in real property.

"AMENDS RESOLUTION 11-37"

APPENDIX B RESOLUTION 13-14

Town Council	1
Successor Agency to Paradise Redevelopment Agency Director	1
Planning Commissioners	1
Oversight Board to the Successor Agency to the Paradise Redevelopment Agency	1
Town Manager/Successor Agency Manager	1
Assistant Town Manager/Assistant Successor Agency Manager	1
Town Attorney/Successor Agency Counsel	1
Finance Director/Successor Agency Finance Director	1
Town Clerk/Successor Agency/Oversight Board Clerk	1
Assistant Town Clerk/Assistant Successor Agency/Oversight Board Clerk	3
Housing Coordinator	3
Information Technology (IT) Manager	3
Fleet Manager	2
Chief of Police	1
Police Lieutenant	2
Fire Chief	1
Fire Marshall/Building Official	3
Fire Battalion Chief	2
Community Development Department (CDD) Director	1
Senior Planner	2
Assistant Planner	2
Code Enforcement Officer	3
Public Works Director/Town Engineer	1
Assistant Public Works Director	2
Associate Engineer	3
Construction Inspector	3
Building Inspector	3
Onsite Sanitary Official	1
Assistant Onsite Sanitary Official	1
Environmental Health Technician	1
Senior Accountant	3
Finance Supervisor	3

"AMENDS RESOLUTION 11-37"

**APPENDIX C
RESOLUTION NO. 13-14**

Consultant/Contract Employee Disclosure Category

Consultants/contract employees shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Town Attorney may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's/contractor's duties and, based upon that description, a statement of the extent of disclosure requirements. The Town Attorney's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

"AMENDS RESOLUTION 11-37"



**Town of Paradise
Council Agenda Summary
Date: April 9, 2013**

Agenda Item: 3(i)

Originated by: Lauren Gill, Interim Town Manager
Gina S. Will, Finance Director/Town Treasurer

Subject: Town 2012/13 Operating and Capital Budget Status Update

Council Action Requested:

Approve the following budget adjustments; or,

Alternatives:

Refer the matter back to staff for further development and consideration.

Background:

Since the 2012/13 Operating and Capital Budget was adopted in July 2012, Town Council has received and approved monthly adjustments to the budget. This budget status report includes trends that we can identify at this point in the fiscal year, as well as recommended changes and budget adjustments based on additional information or transactions recorded.

Discussion:

Fund 1010 – General Fund

Staff ran and analyzed a General Fund Budget Performance Report to date for the 2012/13 fiscal year in order to review trends or significant swings in revenues and expenses. A copy of this report is attached for review. Not a lot has changed since the extensive mid-year budget report presented to the Town Council in February 2013. Following are a few items identified for discussion:

- The most recent quarter for Franchise Fees and Transient Occupancy Taxes ended March 31, 2013. Staff will complete analysis and report back to Town Council once the receipts are received. The first two quarters showed modest growth and improved receipts in these categories.
- Council approved \$3,900 in the budget to purchase additional backup media in order to properly backup the Town's data and systems. Frequent backups are required in order to safeguard the financial, operational, and public safety data and information of the Town. This amount was insufficient to purchase sufficient media to backup these extensive systems through the end of the fiscal year. The Interim Town Manager recently approved the purchase of \$4,600 additional backup media in order to ensure that the process can be completed through the end of the current fiscal year.

- In light of the current staffing challenges being experienced by the police department, staff is keeping a careful on budgeted overtime costs. Analysis currently indicates that overtime costs are trending at budgeted levels.

Conclusion:

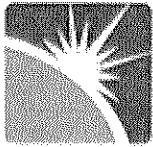
Following are the recommended General Fund Budget Adjustments

General Fund (1010)	Amount	Description
Beginning Fund Balance	1,356,937	
2012/13 Budgeted Revenues	9,312,415	
Recommended Adjustments		
Adjusted Revenues	9,312,415	
Transfers in From Other Funds	603,209	
Total Resources	9,915,624	
2012/13 Budgeted Expenditures	10,205,112	
Recommended Adjustments		
1. 20.4201.5202.100	4,639	Backup Media
Adjusted Expenses	10,209,751	
General Fund Net Income	(294,127)	
Projected Ending Fund Balance	1,062,810	

The adopted 2012/13 General Fund deficit started at \$161,176 and increased to \$229,930 as a result of Fire Department overtime and other transitional costs. With all the recommended adjustments to date, the deficit is \$294,127. To maintain appropriate reserves and protect the Town's fiscal solvency additional steps are being taken to further reduce this General Fund structural deficit by the end of the 2012/13 fiscal year. Staff will continue to update Council monthly on the progress made in reducing this deficit.

Fiscal Impact Analysis:

These current adjustments increase the General Fund deficit and decrease the General Fund reserves by \$4,639.

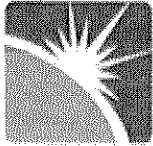


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
REVENUE										
Department 00 - Non Department Activity										
Program 0000 - Non Program Activity										
3110.311	Property Tax Current Secured	3,954,685.00	(14,038.00)	3,940,647.00	.00	.00	2,136,330.00	1,804,317.00	54	4,016,789.74
3110.312	Property Tax Current Unsecured	202,640.00	12,608.00	215,248.00	.00	.00	204,773.09	10,474.91	95	190,450.90
3110.315	Property Tax Prior Secured/Unsecured	7,344.00	.00	7,344.00	.00	.00	4,967.17	2,376.83	68	9,351.55
3110.320	Property Tax General Supplemental	10,000.00	.00	10,000.00	.00	.00	256.48	9,743.52	3	13,700.90
3130.325	General Sales and Use Tax Sales and Use Tax	1,687,446.00	20,553.00	1,707,999.00	.00	.00	837,194.54	870,804.46	49	1,633,595.19
3167.330	Real Property Transfer Tax Real Property Transfer Tax	37,351.00	6,127.00	43,478.00	.00	.00	29,395.53	14,082.47	68	36,536.66
3182.335	Franchise Taxes Franchise Taxes	800,353.00	6,450.00	806,803.00	.00	.00	278,618.18	528,184.82	35	790,283.18
3185.340	Transient Occupancy Tax Transient Occupancy Tax	168,341.00	6,373.00	174,714.00	.00	.00	69,175.23	105,538.77	40	171,221.69
3210.110	Business Licenses and Permits Business Regulation	3,000.00	(200.00)	2,800.00	.00	.00	2,043.00	757.00	73	3,099.67
3210.120	Business Licenses and Permits Bingo Regulation	66.00	17.00	83.00	.00	.00	82.50	.50	99	132.00
3345.200	State Revenues - Other Miscellaneous	24,000.00	.00	24,000.00	.00	.00	.00	24,000.00	0	26,222.24
3351.001	Property Tax Homeowners Apportionment	70,643.00	(1,207.00)	69,436.00	.00	.00	34,718.09	34,717.91	50	71,356.68
3356.001	State Motor Vehicle In Lieu Motor Vehicle In Lieu Tax	1,929,937.00	(28,236.00)	1,901,701.00	.00	.00	957,700.28	944,000.72	50	1,962,652.93
3410.101	Administrative Services General Administrative Fees	.00	15.00	15.00	.00	.00	18.60	(3.60)	124	38.22
3410.104	Administrative Services Returned Check Processing	300.00	(130.00)	170.00	.00	.00	140.00	30.00	82	401.00
3410.107	Administrative Services Electronic Audio Reproduction	10.00	(5.00)	5.00	.00	.00	.00	5.00	0	5.16
3410.112	Administrative Services Printed Material Production/Sale	250.00	240.00	490.00	.00	.00	672.15	(182.15)	137	206.50
3410.113	Administrative Services Document Copying	350.00	(100.00)	250.00	.00	.00	174.00	76.00	70	379.78
3410.114	Administrative Services Document Certification	100.00	(65.00)	35.00	.00	.00	20.00	15.00	57	122.50
3410.115	Administrative Services Research on Request/Dept Records	550.00	(290.00)	260.00	.00	.00	152.00	108.00	58	684.00
3410.150	Administrative Services Late Fees	.00	.00	.00	.00	.00	(1.50)	1.50	+++	1.50
3610.100	Interest Revenue Investments	13,162.00	(5,162.00)	8,000.00	.00	.00	2,698.11	5,301.89	34	6,337.50
3610.150	Interest Revenue Interfund Loans	.00	.00	.00	.00	.00	.00	.00	+++	29,870.94
3630.200	Rents and Royalties Billboard Rents and Leases	440.00	.00	440.00	.00	.00	440.00	.00	100	440.00
3901.100	Refunds & Reimbursements Miscellaneous	1,000.00	(375.00)	625.00	.00	.00	364.74	260.26	58	19,340.06
3902.100	Miscellaneous Revenue General	1,000.00	100.00	1,100.00	.00	.00	938.24	161.76	85	9,530.34
3902.110	Miscellaneous Revenue Cash Over and Short	.00	11.00	11.00	.00	.00	12.76	(1.76)	116	(1.79)
3910.030	Transfers In From Development Services Fund	111,415.00	.00	111,415.00	.00	.00	55,953.00	55,462.00	50	88,640.00
3910.070	Transfers In From Animal Control	26,320.00	.00	26,320.00	.00	.00	11,621.00	14,699.00	44	23,394.00
3910.112	Transfers In From Federal CMAQ Fund	12,799.00	.00	12,799.00	.00	.00	1,095.24	11,703.76	9	24,208.11
3910.120	Transfers In From State Gas Tax Fund	124,067.00	.00	124,067.00	.00	.00	60,605.00	63,462.00	49	102,124.00
3910.140	Transfers In From Traffic Safety Fund	30,000.00	.00	30,000.00	.00	.00	20,000.00	10,000.00	67	26,000.00
3910.160	Transfers In From BHS Development Svcs Fund	23,274.00	.00	23,274.00	.00	.00	5,000.00	18,274.00	21	24,444.00
3910.204	Transfers In From State SLESF Grant Fund	50,000.00	.00	50,000.00	.00	.00	33,336.00	16,664.00	67	45,000.00
3910.215	Transfers In From Aband Vehicle Abate Fund	5,000.00	(2,000.00)	3,000.00	.00	.00	2,063.69	936.31	69	3,795.41
3910.308	Transfers In From BHS CDBG 2008 Grant	.00	.00	.00	.00	.00	.00	.00	+++	5,222.05

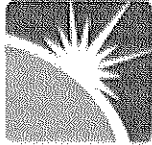


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
REVENUE										
Department 00 - Non Department Activity										
Program 0000 - Non Program Activity										
3910.502	Transfers In From Signal Development Fund	.00	.00	.00	.00	.00	.00	.00	+++	9,125.82
3910.503	Transfers In From Drainage Trust	.00	.00	.00	.00	.00	.00	.00	+++	17,755.78
3910.505	Transfers In From Memorial Trailway Fund	.00	.00	.00	.00	.00	.00	.00	+++	2,225.51
3910.510	Transfers In From Impact Fees Road Imp Fund	1,657.00	.00	1,657.00	.00	.00	1,588.06	68.94	96	4,076.67
3910.551	Transfers In From Impact Fees Drainage Fund	.00	.00	.00	.00	.00	.00	.00	+++	20,000.00
3910.807	Transfers In From Dr. Horlic Renovation Donat	.00	.00	.00	.00	.00	.00	.00	+++	21,430.06
3910.900	Transfers In From Transit Fund	3,172.00	.00	3,172.00	.00	.00	1,739.00	1,433.00	55	2,557.00
3910.920	Transfers In From RDA Non Housing Fund	.00	.00	.00	.00	.00	.00	.00	+++	2,624.00
3910.921	Transfers In From RDA Housing Fund	.00	.00	.00	.00	.00	.00	.00	+++	502.00
3910.970	Transfers In From Self Insurance Trust Fund	215,505.00	.00	215,505.00	.00	.00	215,505.00	.00	100	143,646.00
Program 0000 - Non Program Activity Totals		\$9,516,177.00	\$686.00	\$9,516,863.00	\$0.00	\$0.00	\$4,969,389.18	\$4,547,473.82	52%	\$9,559,519.45
Department 00 - Non Department Activity Totals		\$9,516,177.00	\$686.00	\$9,516,863.00	\$0.00	\$0.00	\$4,969,389.18	\$4,547,473.82	52%	\$9,559,519.45
Department 25 - Finance										
Program 5005 - Rental Properties										
3901.100	Refunds & Reimbursements Miscellaneous	1,840.00	.00	1,840.00	.00	.00	1,577.88	262.12	86	1,553.52
Program 5005 - Rental Properties Totals		\$1,840.00	\$0.00	\$1,840.00	\$0.00	\$0.00	\$1,577.88	\$262.12	86%	\$1,553.52
Department 25 - Finance Totals		\$1,840.00	\$0.00	\$1,840.00	\$0.00	\$0.00	\$1,577.88	\$262.12	86%	\$1,553.52
Department 30 - Police										
Program 0000 - Non Program Activity										
3320.100	Federal Revenue - Other Refunds and Reimbursements	500.00	.00	500.00	.00	.00	900.85	(400.85)	180	6,484.20
3345.004	State Revenues - Other POST Reimbursements	19,000.00	1,000.00	20,000.00	.00	.00	17,742.35	2,257.65	89	18,238.70
3345.100	State Revenues - Other Refunds & Reimbursements	24,000.00	(12,000.00)	12,000.00	.00	.00	11,950.91	49.09	100	27,149.83
3380.100	Local Government Revenue Fines and Forfeitures	32,000.00	(2,000.00)	30,000.00	.00	.00	12,814.12	17,185.88	43	35,338.62
3380.106	Local Government Revenue Administrative Citations	.00	3,200.00	3,200.00	.00	.00	3,200.00	.00	100	.00
Police										
3421.100	Police Vehicle Repossession	200.00	(100.00)	100.00	.00	.00	84.00	16.00	84	231.00
3421.103	Police Weapons Storage Fee	500.00	(292.00)	208.00	.00	.00	.00	208.00	0	479.00
3421.105	Police Cite Sign Off / VIN Verification	1,800.00	(760.00)	1,040.00	.00	.00	779.44	260.56	75	1,801.00
3421.111	Police Vehicle Impound Fee	2,500.00	(1,156.00)	1,344.00	.00	.00	784.00	560.00	58	2,576.00
3421.115	Police Police Report (Copy)	6,800.00	(965.00)	5,835.00	.00	.00	4,144.58	1,690.42	71	7,050.00
3421.120	Police Fingerprint Processing	9,000.00	(1,751.00)	7,249.00	.00	.00	5,591.72	1,657.28	77	8,699.12
3421.122	Police Visa/Clearance Letter	78.00	.00	78.00	.00	.00	52.00	26.00	67	65.00
3421.128	Police Statutory Registration	840.00	.00	840.00	.00	.00	270.00	570.00	32	870.00
3421.130	Police Reproduce/Sale of Tapes & Photos	150.00	.00	150.00	.00	.00	143.00	7.00	95	170.25
3421.140	Police Alarm System Registration	150.00	.00	150.00	.00	.00	184.50	(34.50)	123	154.00
3421.141	Police False Alarm Response	2,000.00	340.00	2,340.00	.00	.00	1,682.30	657.70	72	2,370.56
3421.180	Police Special Services	2,500.00	(683.00)	1,817.00	.00	.00	1,060.00	757.00	58	3,207.00

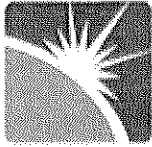


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
REVENUE										
Department 30 - Police										
Program 0000 - Non Program Activity										
3421.182	Police Research on Request	15.00	(8.00)	7.00	.00	.00	.00	7.00	0	15.00
3421.185	Police Bicycle License	.00	.00	.00	.00	.00	.00	.00	+++	3.75
3421.187	Police Subpoena Duces Tecum	.00	30.00	30.00	.00	.00	30.00	.00	100	180.00
3901.100	Refunds & Reimbursements Miscellaneous	1,000.00	.00	1,000.00	.00	.00	1,697.62	(697.62)	170	1,637.55
3901.140	Refunds & Reimbursements Negligence Cost Recovery Fees	1,000.00	(500.00)	500.00	.00	.00	185.00	315.00	37	216.80
3902.100	Miscellaneous Revenue General	.00	.00	.00	.00	.00	.00	.00	+++	16.75
Program 0000 - Non Program Activity Totals		\$104,033.00	(\$15,645.00)	\$88,388.00	\$0.00	\$0.00	\$63,296.39	\$25,091.61	72%	\$116,954.13
Department 30 - Police Totals		\$104,033.00	(\$15,645.00)	\$88,388.00	\$0.00	\$0.00	\$63,296.39	\$25,091.61	72%	\$116,954.13
Department 35 - Fire										
Program 0000 - Non Program Activity										
3320.100	Federal Revenue - Other Refunds and Reimbursements	.00	.00	.00	.00	.00	30,975.14	(30,975.14)	+++	.00
3345.100	State Revenues - Other Refunds & Reimbursements	34,000.00	88,890.00	122,890.00	.00	.00	23,150.62	99,739.38	19	5,608.60
3380.103	Local Government Revenue Fines and Citations Fire	4,000.00	(900.00)	3,100.00	.00	.00	1,800.00	1,300.00	58	4,766.53
3410.150	Administrative Services Late Fees	100.00	.00	100.00	.00	.00	409.91	(309.91)	410	336.20
3422.303	Fire Out Of Hours Burning Response	1,200.00	(1,100.00)	100.00	.00	.00	55.59	44.41	56	1,481.02
3422.304	Fire Fuel Reduction Burn Permit	500.00	(209.00)	291.00	.00	.00	884.00	(593.00)	304	602.00
3422.310	Fire Report Copying	150.00	150.00	300.00	.00	.00	199.50	100.50	66	180.00
3422.315	Fire Residential Burning Regulation	10,000.00	.00	10,000.00	.00	.00	8,140.00	1,860.00	81	9,262.00
3422.330	Fire Campfire/Special Activity Permit	100.00	(50.00)	50.00	.00	.00	.00	50.00	0	22.00
3422.335	Fire Land Clearing Fire Regulation	75.00	(37.00)	38.00	.00	.00	.00	38.00	0	75.00
3422.341	Fire Hydrant Flow Review	.00	.00	.00	.00	.00	.00	.00	+++	50.00
3422.344	Fire Negligent/Reckless Cost Recovery	.00	4,993.00	4,993.00	.00	.00	4,993.34	(.34)	100	.00
3422.367	Fire Plan Review/Variance	.00	236.00	236.00	.00	.00	.00	236.00	0	.00
3422.375	Fire Stand By	.00	585.00	585.00	.00	.00	585.46	(.46)	100	.00
3901.100	Refunds & Reimbursements Miscellaneous	500.00	(398.00)	102.00	.00	.00	59.49	42.51	58	.00
3902.100	Miscellaneous Revenue General	.00	.00	.00	.00	.00	.00	.00	+++	150.00
Program 0000 - Non Program Activity Totals		\$50,625.00	\$92,160.00	\$142,785.00	\$0.00	\$0.00	\$71,253.05	\$71,531.95	50%	\$22,533.35
Department 35 - Fire Totals		\$50,625.00	\$92,160.00	\$142,785.00	\$0.00	\$0.00	\$71,253.05	\$71,531.95	50%	\$22,533.35
Department 40 - Community Development										
Program 4720 - CDD Planning										
3380.101	Local Government Revenue Fines and Citations Comm Develop	38,000.00	(10,000.00)	28,000.00	.00	.00	8,805.00	19,195.00	31	37,201.85
3400.104	CDD Planning Tentative Parcel Map	3,300.00	(1,632.00)	1,668.00	.00	.00	.00	1,668.00	0	1,650.00
3400.107	CDD Planning Major Map Modification Review	.00	.00	.00	.00	.00	.00	.00	+++	680.00
3400.108	CDD Planning Road Name Review	160.00	.00	160.00	.00	.00	178.00	(18.00)	111	.00
3400.111	CDD Planning Landscape Plan	500.00	100.00	600.00	.00	.00	648.00	(48.00)	108	864.00
3400.123	CDD Planning Tree Pres/Protect Plan Review	.00	.00	.00	.00	.00	.00	.00	+++	285.00

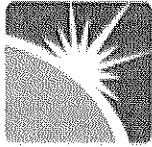


Budget Performance Report

Fiscal Year to Date 06/30/13

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Fund 1010 - General Fund										
REVENUE										
Department 40 - Community Development										
Program 4720 - CDD Planning										
3400.130	CDD Planning General Plan Amend and Rezoning	3,000.00	(1,500.00)	1,500.00	.00	.00	.00	1,500.00	0	4,500.00
3400.140	CDD Planning Comm Zoning Interpretation	.00	.00	.00	.00	.00	266.00	(266.00)	+++	.00
3400.147	CDD Planning Remote (Offsite) Parking Review	.00	95.00	95.00	.00	.00	95.00	.00	100	.00
3400.149	CDD Planning DIF Adjust/Waiver Application	.00	127.00	127.00	.00	.00	127.00	.00	100	127.00
3400.171	CDD Planning Use Permit Class B	952.00	.00	952.00	.00	.00	952.00	.00	100	1,904.00
3400.173	CDD Planning Temporary Use Permit	328.00	(164.00)	164.00	.00	.00	84.00	80.00	51	412.00
3400.174	CDD Planning Administrative Permit	3,000.00	(640.00)	2,360.00	.00	.00	1,593.00	767.00	68	2,150.00
3400.176	CDD Planning Home Occupation Permit	.00	215.00	215.00	.00	.00	215.00	.00	100	215.00
3400.178	CDD Planning Site Plan/Use Permit Mod Class B	476.00	(238.00)	238.00	.00	.00	.00	238.00	0	2,380.00
3400.184	CDD Planning Site Plan Review Class A	.00	1,020.00	1,020.00	.00	.00	1,020.00	.00	100	.00
3400.195	CDD Planning Public Convenience/Necessity	88.00	(44.00)	44.00	.00	.00	.00	44.00	0	88.00
3400.200	CDD Planning Tree Felling Permit	17,500.00	1,500.00	19,000.00	.00	.00	14,534.00	4,466.00	76	18,960.76
3400.307	CDD Planning Design Review Application	.00	1,920.00	1,920.00	.00	.00	2,304.00	(384.00)	120	.00
3901.100	Refunds & Reimbursements Miscellaneous	.00	.00	.00	.00	.00	.00	.00	+++	346.16
3902.100	Miscellaneous Revenue General	.00	109.00	109.00	.00	.00	108.92	.08	100	.00
Program 4720 - CDD Planning Totals		\$67,304.00	(\$9,132.00)	\$58,172.00	\$0.00	\$0.00	\$30,929.92	\$27,242.08	53%	\$71,763.77
Program 4780 - CDD - Waste Management										
3182.335	Franchise Taxes Franchise Taxes	35,904.00	(358.00)	35,546.00	.00	.00	17,950.82	17,595.18	51	35,018.98
3345.200	State Revenues - Other Miscellaneous	4,500.00	.00	4,500.00	.00	.00	(7,367.00)	11,867.00	-164	7,376.00
3380.104	Local Government Revenue Fines and Citations Waste Mgmt	18,000.00	(7,700.00)	10,300.00	.00	.00	6,129.00	4,171.00	60	18,564.88
Program 4780 - CDD - Waste Management Totals		\$58,404.00	(\$8,058.00)	\$50,346.00	\$0.00	\$0.00	\$16,712.82	\$33,633.18	33%	\$60,959.86
Department 40 - Community Development Totals		\$125,708.00	(\$17,190.00)	\$108,518.00	\$0.00	\$0.00	\$47,642.74	\$60,875.26	44%	\$132,723.63
Department 45 - Public Works										
Program 4740 - Public Works - Engineering										
3402.201	PW Engineering Final Parcel Map	3,000.00	(500.00)	2,500.00	.00	.00	680.00	1,820.00	27	1,360.00
3402.220	PW Engineering Land Divisn/Pvt Develop Projects	22,000.00	(2,000.00)	20,000.00	.00	.00	7,035.20	12,964.80	35	31,544.44
3402.221	PW Engineering Prepare/Record Covenant Agreement	1.00	.00	1.00	.00	.00	.00	1.00	0	1.00
3402.222	PW Engineering Improvement Agreement Review	.00	260.00	260.00	.00	.00	260.00	.00	100	.00
3402.223	PW Engineering Engineering Site Plan	500.00	364.00	864.00	.00	.00	864.00	.00	100	.00
3402.224	PW Engineering Grading Check/Inspection	2,000.00	(225.00)	1,775.00	.00	.00	1,159.50	615.50	65	2,131.50
3402.225	PW Engineering Cert of Correct w/out Hearing	200.00	(100.00)	100.00	.00	.00	.00	100.00	0	.00
3402.227	PW Engineering Lot Merger Review	247.00	247.00	494.00	.00	.00	684.00	(190.00)	138	247.00
3402.228	PW Engineering Lot Line Adjustment	1,500.00	200.00	1,700.00	.00	.00	1,010.00	690.00	59	1,361.90
3402.229	PW Engineering Cert of Compliance Review w/Hear	.00	.00	.00	.00	.00	.00	.00	+++	443.00
3402.230	PW Engineering Engineer Drain Plan/Calc Review	4,000.00	8,503.00	12,503.00	.00	.00	12,502.98	.02	100	12,683.88
3402.232	PW Engineering Erosion Control Plan Review	200.00	521.00	721.00	.00	.00	721.00	.00	100	864.00

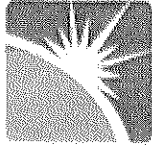


Budget Performance Report

Fiscal Year to Date 06/30/13

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Fund 1010 - General Fund										
REVENUE										
Department	45 - Public Works									
Program	4740 - Public Works - Engineering									
3402.250	PW Engineering Oversized Vehicle Regulation	500.00	200.00	700.00	.00	.00	497.00	203.00	71	568.00
3402.270	PW Engineering Encroachment Permit Fees	11,000.00	312.00	11,312.00	.00	.00	11,642.11	(330.11)	103	20,991.73
3901.140	Refunds & Reimbursements Negligence Cost Recovery Fees	.00	.00	.00	.00	.00	.00	.00	+++	100.00
Program 4740 - Public Works - Engineering Totals		\$45,148.00	\$7,782.00	\$52,930.00	\$0.00	\$0.00	\$37,055.79	\$15,874.21	70%	\$72,296.45
Program	4745 - Paradise Community Park									
3470.251	Parks & Recreation Space Rental	2,500.00	.00	2,500.00	.00	.00	2,460.96	39.04	98	1,460.00
3470.258	Parks & Recreation Miscellaneous	.00	.00	.00	.00	.00	.00	.00	+++	1,110.00
3470.259	Parks & Recreation Donations	.00	1,800.00	1,800.00	.00	.00	1,300.00	500.00	72	.00
Program 4745 - Paradise Community Park Totals		\$2,500.00	\$1,800.00	\$4,300.00	\$0.00	\$0.00	\$3,760.96	\$539.04	87%	\$2,570.00
Department 45 - Public Works Totals		\$47,648.00	\$9,582.00	\$57,230.00	\$0.00	\$0.00	\$40,816.75	\$16,413.25	71%	\$74,866.45
REVENUE TOTALS		\$9,846,031.00	\$69,593.00	\$9,915,624.00	\$0.00	\$0.00	\$5,193,975.99	\$4,721,648.01	52%	\$9,908,150.53
EXPENSE										
Department	00 - Non Department Activity									
Program	0000 - Non Program Activity									
5225	Bank Fees and Charges	10,500.00	1,000.00	11,500.00	.00	.00	8,680.31	2,819.69	75	9,885.01
5280.100	Bad Debt Write Off Expense	500.00	(250.00)	250.00	.00	.00	146.00	104.00	58	49.00
5501	Debt Service Payment - Principal	609,441.00	.00	609,441.00	.00	.00	.00	609,441.00	0	623,643.30
5502	Debt Service Payment - Interest	225,559.00	.00	225,559.00	.00	.00	.00	225,559.00	0	186,356.70
5502.150	Debt Service Payment - Interest Interfund Loans	5,606.00	.00	5,606.00	.00	.00	2,717.40	2,888.60	48	8,122.83
5502.201	Debt Service Payment - Interest Tax Anticipation Notes	25,991.00	.00	25,991.00	.00	.00	.00	25,991.00	0	51,558.33
5510.201	Bond Payments - Issuance Costs Tax Anticipation Notes	8,150.00	(750.00)	7,400.00	.00	.00	7,400.00	.00	100	8,150.00
Program 0000 - Non Program Activity Totals		\$885,747.00	\$0.00	\$885,747.00	\$0.00	\$0.00	\$18,943.71	\$866,803.29	2%	\$887,765.17
Department 00 - Non Department Activity Totals		\$885,747.00	\$0.00	\$885,747.00	\$0.00	\$0.00	\$18,943.71	\$866,803.29	2%	\$887,765.17
Department	10 - Legislative									
Program	4000 - Town Council									
5101	Salaries - Permanent	16,920.00	270.00	17,190.00	.00	.00	12,930.00	4,260.00	75	16,920.00
5107	Car Allowance/Mileage	5,400.00	.00	5,400.00	.00	.00	4,050.00	1,350.00	75	5,400.00
5111	Medicare	324.00	11.00	335.00	.00	.00	254.37	80.63	76	339.60
5112.102	Retirement Contribution Social Security	1,384.00	48.00	1,432.00	.00	.00	1,088.10	343.90	76	1,450.80
5113	Worker's Compensation	179.00	.00	179.00	.00	.00	134.25	44.75	75	141.44
5202.100	Operating Supplies General	345.00	50.00	395.00	.00	.00	349.41	45.59	88	107.25
5220.100	Employee Development General	12,000.00	(50.00)	11,950.00	.00	.00	11,878.50	71.50	99	10,710.63
Program 4000 - Town Council Totals		\$36,552.00	\$329.00	\$36,881.00	\$0.00	\$0.00	\$30,684.63	\$6,196.37	83%	\$35,069.72
Department 10 - Legislative Totals		\$36,552.00	\$329.00	\$36,881.00	\$0.00	\$0.00	\$30,684.63	\$6,196.37	83%	\$35,069.72

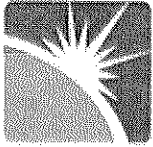


Budget Performance Report

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Fund 1010 - General Fund										
EXPENSE										
Department 15 - Town Clerk										
Program 4100 - Town Clerk										
5101	Salaries - Permanent	157,366.00	(392.00)	156,974.00	.00	.00	114,130.44	42,843.56	73	153,716.44
5103.102	Differential Pay Out of Class	.00	.00	.00	.00	.00	216.78	(216.78)	+++	.00
5106.100	Incentives & Admin Leave Administrative Leave	8,179.00	.00	8,179.00	.00	.00	.00	8,179.00	0	7,898.88
5107	Car Allowance/Mileage	2,400.00	.00	2,400.00	.00	.00	1,800.00	600.00	75	3,692.00
5111	Medicare	2,435.00	(67.00)	2,368.00	.00	.00	1,602.17	765.83	68	2,293.36
5112.101	Retirement Contribution PERS	19,361.00	(48.00)	19,313.00	.00	.00	14,077.31	5,235.69	73	18,542.90
5113	Worker's Compensation	1,665.00	.00	1,665.00	.00	.00	1,248.75	416.25	75	1,220.80
5114.101	Health Insurance Medical	18,891.00	(380.00)	18,511.00	.00	.00	11,709.21	6,801.79	63	18,832.46
5114.102	Health Insurance Dental	.00	.00	.00	.00	.00	1,799.32	(1,799.32)	+++	.00
5114.103	Health Insurance Vision	.00	.00	.00	.00	.00	215.46	(215.46)	+++	.00
5115	Unemployment Compensation	1,007.00	(1,007.00)	.00	.00	.00	1,271.12	(1,271.12)	+++	2,871.00
5116.101	Life and Disability Insurance Life & Disab.	1,405.00	52.00	1,457.00	.00	.00	427.50	1,029.50	29	1,402.88
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	668.96	(668.96)	+++	.00
5119.100	Retiree Costs Medical Insurance	23,543.00	(1,139.00)	22,404.00	.00	.00	15,080.73	7,323.27	67	22,191.10
5122	Accrual Bank Payoff	.00	.00	.00	.00	.00	.00	.00	+++	173.55
5201.100	Office Supplies General	635.00	(235.00)	400.00	.00	.00	176.42	223.58	44	81.51
5202.100	Operating Supplies General	775.00	(275.00)	500.00	.00	.00	.00	500.00	0	(248.99)
5204	Subscriptions and Code Books	1,525.00	508.00	2,033.00	.00	.00	2,033.35	(.35)	100	1,766.95
5210.100	Postage General	.00	168.00	168.00	.00	.00	134.43	33.57	80	140.88
5213.100	Professional/Contract Services General	9,702.00	(315.00)	9,387.00	.00	.00	5,370.67	4,016.33	57	5,619.34
5214.100	Repair and Maint Service General	.00	315.00	315.00	.00	.00	315.15	(.15)	100	.00
5218.100	Advertising General	3,000.00	(1,000.00)	2,000.00	.00	.00	948.40	1,051.60	47	943.51
5220.100	Employee Development General	1,280.00	.00	1,280.00	.00	.00	30.00	1,250.00	2	1,480.00
5221	Election-County Services	35,000.00	(17,000.00)	18,000.00	.00	.00	17,976.72	23.28	100	.00
5501	Debt Service Payment - Principal	194.00	.00	194.00	.00	.00	193.95	.05	100	194.00
Program 4100 - Town Clerk Totals		\$288,363.00	(\$20,815.00)	\$267,548.00	\$0.00	\$0.00	\$191,426.84	\$76,121.16	72%	\$242,812.57
Department 15 - Town Clerk Totals		\$288,363.00	(\$20,815.00)	\$267,548.00	\$0.00	\$0.00	\$191,426.84	\$76,121.16	72%	\$242,812.57
Department 20 - Administrative Services										
Program 4200 - Town Manager										
5101	Salaries - Permanent	75,935.00	2,830.00	78,765.00	.00	.00	26,204.31	52,560.69	33	99,127.52
5102	Salaries - Temporary	.00	.00	.00	.00	.00	46,687.20	(46,687.20)	+++	42,089.85
5106.100	Incentives & Admin Leave Administrative Leave	482.00	3,965.00	4,447.00	.00	.00	3,987.60	459.40	90	.00
5107	Car Allowance/Mileage	168.00	.00	168.00	.00	.00	126.00	42.00	75	84.00
5111	Medicare	1,561.00	7.00	1,568.00	.00	.00	1,518.38	49.62	97	1,972.55
5112.101	Retirement Contribution PERS	3,258.00	478.00	3,736.00	.00	.00	2,995.67	740.33	80	10,630.05
5113	Worker's Compensation	244.00	.00	244.00	.00	.00	183.00	61.00	75	1,472.60

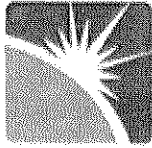


Budget Performance Report

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Fund 1010 - General Fund										
EXPENSE										
Department 20 - Administrative Services										
Program 4200 - Town Manager										
5114.101	Health Insurance Medical	7,319.00	(1,384.00)	5,935.00	.00	.00	5,535.52	399.48	93	14,913.76
5114.102	Health Insurance Dental	.00	.00	.00	.00	.00	553.94	(553.94)	+++	.00
5114.103	Health Insurance Vision	.00	.00	.00	.00	.00	46.20	(46.20)	+++	.00
5115	Unemployment Compensation	.00	.00	.00	.00	.00	1,096.15	(1,096.15)	+++	.00
5116.101	Life and Disability Insurance Life & Disab.	318.00	(36.00)	282.00	.00	.00	100.57	181.43	36	666.18
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	163.48	(163.48)	+++	.00
5119.100	Retiree Costs Medical Insurance	37,375.00	3,960.00	41,335.00	.00	.00	22,341.80	18,993.20	54	23,868.48
5122	Accrual Bank Payoff	39,629.00	(5,259.00)	34,370.00	.00	.00	34,370.37	(.37)	100	.00
5201.100	Office Supplies General	450.00	.00	450.00	.00	.00	30.88	419.12	7	544.85
5202.100	Operating Supplies General	350.00	.00	350.00	.00	.00	.00	350.00	0	43.92
5210.100	Postage General	50.00	(25.00)	25.00	.00	.00	3.10	21.90	12	27.97
5213.100	Professional/Contract Services General	5,000.00	.00	5,000.00	.00	.00	18.64	4,981.36	0	.00
5214.100	Repair and Maint Service General	130.00	370.00	500.00	.00	.00	500.00	.00	100	130.00
5218.100	Advertising General	500.00	.00	500.00	.00	.00	.00	500.00	0	.00
5220.100	Employee Development General	160.00	.00	160.00	.00	.00	.00	160.00	0	.00
5223.105	Meals and Refreshments Emergencies and Meetings	75.00	.00	75.00	.00	.00	.00	75.00	0	78.58
5260	Miscellaneous	.00	.00	.00	.00	.00	234.30	(234.30)	+++	87.12
5304	Furniture & Equipment	.00	.00	.00	.00	.00	.00	.00	+++	643.49
5501	Debt Service Payment - Principal	194.00	.00	194.00	.00	.00	193.95	.05	100	194.00
Program 4200 - Town Manager Totals		\$173,198.00	\$4,906.00	\$178,104.00	\$0.00	\$0.00	\$146,891.06	\$31,212.94	82%	\$196,574.92
Program 4201 - Central Services										
5101	Salaries - Permanent	121,077.00	(325.00)	120,752.00	.00	.00	87,639.35	33,112.65	73	119,224.17
5106.100	Incentives & Admin Leave Administrative Leave	3,764.00	.00	3,764.00	.00	.00	.00	3,764.00	0	3,573.68
5111	Medicare	1,810.00	(8.00)	1,802.00	.00	.00	1,278.81	523.19	71	1,760.15
5112.101	Retirement Contribution PERS	13,327.00	(35.00)	13,292.00	.00	.00	9,646.96	3,645.04	73	12,283.25
5113	Worker's Compensation	1,281.00	.00	1,281.00	.00	.00	960.75	320.25	75	1,353.20
5114.101	Health Insurance Medical	13,555.00	361.00	13,916.00	.00	.00	9,318.77	4,597.23	67	14,304.57
5114.102	Health Insurance Dental	.00	.00	.00	.00	.00	1,226.11	(1,226.11)	+++	.00
5114.103	Health Insurance Vision	.00	.00	.00	.00	.00	87.16	(87.16)	+++	.00
5115	Unemployment Compensation	.00	.00	.00	.00	.00	994.69	(994.69)	+++	.00
5116.101	Life and Disability Insurance Life & Disab.	1,137.00	23.00	1,160.00	.00	.00	341.81	818.19	29	1,115.34
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	515.27	(515.27)	+++	.00
5122	Accrual Bank Payoff	.00	.00	.00	.00	.00	.00	.00	+++	1,904.20
5199.199	Other Fund Support IT-Serv from Tech Fee	(51,000.00)	.00	(51,000.00)	.00	.00	(34,000.00)	(17,000.00)	67	(51,000.00)
5201.100	Office Supplies General	100.00	.00	100.00	.00	.00	341.82	(241.82)	342	1,397.76
5202.100	Operating Supplies General	14,200.00	1,266.00	15,466.00	.00	.00	20,105.19	(4,639.19)	130	8,537.00

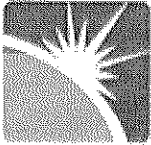


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
EXPENSE										
Department 20 - Administrative Services										
Program 4201 - Central Services										
5203.100	Repairs and Maint Supplies General	900.00	.00	900.00	.00	.00	465.33	434.67	52	302.01
5209.101	Auto Fuel Expense Town Vehicles	305.00	(155.00)	150.00	.00	.00	37.03	112.97	25	288.92
5209.105	Auto Fuel Expense Employee Personal Vehicle Use	.00	100.00	100.00	.00	.00	96.91	3.09	97	.00
5210.100	Postage General	150.00	(75.00)	75.00	.00	.00	.00	75.00	0	.00
5211.135	Utilities Water and Sewer	725.00	(25.00)	700.00	.00	.00	490.87	209.13	70	713.52
5211.137	Utilities Electric and Gas	21,000.00	1,500.00	22,500.00	.00	.00	13,042.28	9,457.72	58	21,259.23
5212.100	Insurance General	175,123.00	(270.00)	174,853.00	.00	.00	174,852.88	.12	100	167,651.59
5213.100	Professional/Contract Services General	43,780.00	.00	43,780.00	.00	.00	36,243.26	7,536.74	83	42,364.09
5214.100	Repair and Maint Service General	67,230.00	.00	67,230.00	.00	.00	61,690.06	5,539.94	92	63,920.73
5215.100	Rents and Leases Miscellaneous	1,429.00	.00	1,429.00	.00	.00	965.29	463.71	68	1,556.75
5215.106	Rents and Leases Copiers	5,122.00	.00	5,122.00	.00	.00	3,844.71	1,277.29	75	5,093.46
5216.100	Communications General Services	33,468.00	(2,468.00)	31,000.00	.00	.00	19,939.08	11,060.92	64	29,925.98
5218.100	Advertising General	.00	.00	.00	.00	.00	.00	.00	+++	177.15
5219.100	Printing General	2,000.00	(1,000.00)	1,000.00	.00	.00	316.05	683.95	32	2,002.65
5220.100	Employee Development General	1,000.00	(500.00)	500.00	.00	.00	.00	500.00	0	1,295.00
5225	Bank Fees and Charges	105.00	.00	105.00	.00	.00	100.00	5.00	95	105.44
5260	Miscellaneous	23,050.00	(50.00)	23,000.00	.00	.00	22,978.84	21.16	100	21,144.83
5304	Furniture & Equipment	6,575.00	1,123.00	7,698.00	.00	.00	7,698.19	(.19)	100	14,668.26
5500	Bond Payments - Fiscal Agent	2,500.00	.00	2,500.00	.00	.00	.00	2,500.00	0	2,500.00
5501	Debt Service Payment - Principal	12,427.00	.00	12,427.00	.00	.00	12,424.12	2.88	100	16,238.91
5510	Bond Payments - Issuance Costs	2,000.00	.00	2,000.00	.00	.00	.00	2,000.00	0	1,926.19
Program 4201 - Central Services Totals		\$518,140.00	(\$538.00)	\$517,602.00	\$0.00	\$0.00	\$453,641.59	\$63,960.41	88%	\$507,588.03
Program 4203 - HR and Risk Management										
5101	Salaries - Permanent	35,526.00	2,174.00	37,700.00	.00	.00	27,306.69	10,393.31	72	46,272.86
5105	Salaries - Overtime/FLSA	.00	.00	.00	.00	.00	44.44	(44.44)	+++	49.22
5111	Medicare	515.00	69.00	584.00	.00	.00	418.15	165.85	72	634.69
5112.101	Retirement Contribution PERS	3,859.00	291.00	4,150.00	.00	.00	3,005.61	1,144.39	72	4,759.73
5113	Worker's Compensation	359.00	.00	359.00	.00	.00	269.25	89.75	75	366.16
5114.101	Health Insurance Medical	8,407.00	1,560.00	9,967.00	.00	.00	6,413.06	3,553.94	64	18,300.41
5114.102	Health Insurance Dental	.00	.00	.00	.00	.00	506.09	(506.09)	+++	.00
5114.103	Health Insurance Vision	.00	.00	.00	.00	.00	53.77	(53.77)	+++	.00
5115	Unemployment Compensation	.00	.00	.00	.00	.00	328.30	(328.30)	+++	.00
5116.101	Life and Disability Insurance Life & Disab.	559.00	(101.00)	458.00	.00	.00	154.85	303.15	34	557.33
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	182.48	(182.48)	+++	.00
5119.120	Retiree Costs PERS 1959 Survivor Benefits	2,200.00	.00	2,200.00	.00	.00	2,256.00	(56.00)	103	2,480.40
5122	Accrual Bank Payoff	.00	925.00	925.00	.00	.00	924.87	.13	100	.00

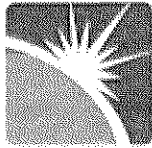


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
EXPENSE										
Department 20 - Administrative Services										
Program 4203 - HR and Risk Management										
5201.100	Office Supplies General	380.00	(180.00)	200.00	.00	.00	.00	200.00	0	320.85
5202.100	Operating Supplies General	350.00	113.00	463.00	.00	.00	463.39	(.39)	100	363.71
5204	Subscriptions and Code Books	75.00	.00	75.00	.00	.00	.00	75.00	0	64.35
5210.100	Postage General	100.00	11.00	111.00	.00	.00	64.60	46.40	58	121.49
5213.100	Professional/Contract Services General	2,700.00	(200.00)	2,500.00	.00	.00	1,607.58	892.42	64	2,905.00
5219.100	Printing General	100.00	(50.00)	50.00	.00	.00	.00	50.00	0	.00
5220.100	Employee Development General	800.00	(125.00)	675.00	.00	.00	675.00	.00	100	.00
5223.105	Meals and Refreshments Emergencies and Meetings	75.00	.00	75.00	.00	.00	48.51	26.49	65	75.00
Program 4203 - HR and Risk Management Totals		\$56,005.00	\$4,487.00	\$60,492.00	\$0.00	\$0.00	\$44,722.64	\$15,769.36	74%	\$77,271.20
Program 4300 - Legal Services										
5210.100	Postage General	10.00	1,995.00	2,005.00	.00	.00	1.35	2,003.65	0	.44
5213.100	Professional/Contract Services General	163,800.00	.00	163,800.00	.00	.00	119,478.21	44,321.79	73	165,408.50
Program 4300 - Legal Services Totals		\$163,810.00	\$1,995.00	\$165,805.00	\$0.00	\$0.00	\$119,479.56	\$46,325.44	72%	\$165,408.94
Department 20 - Administrative Services Totals		\$911,153.00	\$10,850.00	\$922,003.00	\$0.00	\$0.00	\$764,734.85	\$157,268.15	83%	\$946,843.09
Department 25 - Finance										
Program 4400 - Finance										
5101	Salaries - Permanent	142,225.00	(440.00)	141,785.00	.00	.00	103,089.84	38,695.16	73	145,778.41
5106.100	Incentives & Admin Leave Administrative Leave	7,296.00	.00	7,296.00	.00	.00	.00	7,296.00	0	7,242.90
5107	Car Allowance/Mileage	2,160.00	.00	2,160.00	.00	.00	1,620.00	540.00	75	3,159.22
5111	Medicare	2,199.00	(58.00)	2,141.00	.00	.00	1,454.91	686.09	68	2,128.48
5112.101	Retirement Contribution PERS	19,066.00	(59.00)	19,007.00	.00	.00	13,842.85	5,164.15	73	19,677.69
5113	Worker's Compensation	1,543.00	.00	1,543.00	.00	.00	1,157.25	385.75	75	1,348.20
5114.101	Health Insurance Medical	23,654.00	(4,909.00)	18,745.00	.00	.00	12,248.72	6,496.28	65	24,725.88
5114.102	Health Insurance Dental	.00	.00	.00	.00	.00	1,611.01	(1,611.01)	+++	.00
5114.103	Health Insurance Vision	.00	.00	.00	.00	.00	147.16	(147.16)	+++	.00
5115	Unemployment Compensation	907.00	(907.00)	.00	.00	.00	1,150.82	(1,150.82)	+++	6,022.00
5116.101	Life and Disability Insurance Life & Disab.	1,247.00	44.00	1,291.00	.00	.00	372.86	918.14	29	1,285.67
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	592.44	(592.44)	+++	.00
5119.100	Retiree Costs Medical Insurance	9,778.00	(454.00)	9,324.00	.00	.00	6,274.93	3,049.07	67	9,449.72
5122	Accrual Bank Payoff	.00	.00	.00	.00	.00	.00	.00	+++	308.30
5201.100	Office Supplies General	250.00	(50.00)	200.00	.00	.00	37.09	162.91	19	197.51
5202.100	Operating Supplies General	400.00	.00	400.00	.00	.00	236.32	163.68	59	324.14
5203.100	Repairs and Maint Supplies General	50.00	.00	50.00	.00	.00	.00	50.00	0	.00
5210.100	Postage General	1,800.00	(300.00)	1,500.00	.00	.00	1,071.85	428.15	71	1,602.30
5213.100	Professional/Contract Services General	720.00	.00	720.00	.00	.00	372.68	347.32	52	3,085.76
5214.100	Repair and Maint Service General	200.00	.00	200.00	.00	.00	.00	200.00	0	200.09

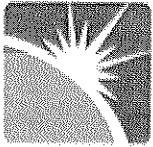


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
EXPENSE										
Department 25 - Finance										
Program 4400 - Finance										
5216.100	Communications General Services	.00	.00	.00	.00	.00	.00	.00	+++	152.77
5219.100	Printing General	1,095.00	.00	1,095.00	.00	.00	859.91	235.09	79	1,097.91
5220.100	Employee Development General	439.00	.00	439.00	.00	.00	14.00	425.00	3	725.00
5304	Furniture & Equipment	800.00	400.00	1,200.00	.00	.00	.00	1,200.00	0	.00
Program 4400 - Finance Totals		\$215,829.00	(\$6,733.00)	\$209,096.00	\$0.00	\$0.00	\$146,154.64	\$62,941.36	70%	\$228,511.95
Program 5005 - Rental Properties										
5211.175	Utilities Rental Properties	1,840.00	.00	1,840.00	.00	.00	1,355.63	484.37	74	1,863.52
Program 5005 - Rental Properties Totals		\$1,840.00	\$0.00	\$1,840.00	\$0.00	\$0.00	\$1,355.63	\$484.37	74%	\$1,863.52
Department 25 - Finance Totals		\$217,669.00	(\$6,733.00)	\$210,936.00	\$0.00	\$0.00	\$147,510.27	\$63,425.73	70%	\$230,375.47
Department 30 - Police										
Program 4510 - Police Administration										
5101	Salaries - Permanent	311,163.00	(3,526.00)	307,637.00	.00	.00	223,225.43	84,411.57	73	260,600.59
5102	Salaries - Temporary	.00	.00	.00	.00	.00	.00	.00	+++	37,080.00
5103.102	Differential Pay Out of Class	.00	.00	.00	.00	.00	184.33	(184.33)	+++	.00
5104	Wages - PS Holiday Pay	14,121.00	(953.00)	13,168.00	.00	.00	10,059.08	3,108.92	76	11,271.85
5105	Salaries - Overtime/FLSA	500.00	(250.00)	250.00	.00	.00	.00	250.00	0	501.14
5106.100	Incentives & Admin Leave Administrative Leave	5,698.00	.00	5,698.00	.00	.00	.00	5,698.00	0	7,729.53
5106.101	Incentives & Admin Leave School Incentive	8,400.00	(175.00)	8,225.00	.00	.00	6,075.00	2,150.00	74	6,521.00
5109.100	Allowances Uniform Allowance	2,360.00	.00	2,360.00	.00	.00	1,769.94	590.06	75	2,323.98
5111	Medicare	4,963.00	(75.00)	4,888.00	.00	.00	3,493.80	1,394.20	71	4,243.16
5112.101	Retirement Contribution PERS	89,104.00	(1,261.00)	87,843.00	.00	.00	64,043.04	23,799.96	73	72,088.67
5113	Worker's Compensation	41,688.00	(2.00)	41,686.00	.00	.00	31,266.00	10,420.00	75	39,746.84
5114.101	Health Insurance Medical	42,276.00	(2,871.00)	39,405.00	.00	.00	25,327.81	14,077.19	64	32,560.31
5114.102	Health Insurance Dental	.00	.00	.00	.00	.00	2,669.28	(2,669.28)	+++	.00
5114.103	Health Insurance Vision	.00	.00	.00	.00	.00	300.66	(300.66)	+++	.00
5115	Unemployment Compensation	.00	.00	.00	.00	.00	2,723.47	(2,723.47)	+++	.00
5116.101	Life and Disability Insurance Life & Disab.	2,566.00	118.00	2,684.00	.00	.00	709.74	1,974.26	26	2,171.68
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	1,259.13	(1,259.13)	+++	.00
5119.100	Retiree Costs Medical Insurance	55,850.00	(20.00)	55,830.00	.00	.00	40,294.11	15,535.89	72	45,028.55
5119.120	Retiree Costs PERS 1959 Survivor Benefits	1,632.00	.00	1,632.00	.00	.00	1,248.00	384.00	76	1,123.20
5122	Accrual Bank Payoff	.00	.00	.00	.00	.00	.00	.00	+++	42,995.08
5201.100	Office Supplies General	3,862.00	.00	3,862.00	.00	.00	1,380.55	2,481.45	36	3,057.78
5202.100	Operating Supplies General	8,676.00	.00	8,676.00	.00	.00	5,630.87	3,045.13	65	8,005.34
5203.100	Repairs and Maint Supplies General	1,990.00	.00	1,990.00	.00	.00	1,663.61	326.39	84	1,824.10
5204	Subscriptions and Code Books	300.00	.00	300.00	.00	.00	.00	300.00	0	97.95
5210.100	Postage General	2,750.00	.00	2,750.00	.00	.00	1,130.84	1,619.16	41	1,893.39

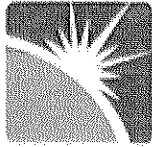


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
EXPENSE										
Department 30 - Police										
Program 4510 - Police Administration										
5211.135	Utilities Water and Sewer	900.00	(50.00)	850.00	.00	.00	469.93	380.07	55	872.29
5211.137	Utilities Electric and Gas	29,780.00	(280.00)	29,500.00	.00	.00	16,857.23	12,642.77	57	26,666.42
5211.139	Utilities Propane	3,000.00	.00	3,000.00	.00	.00	168.90	2,831.10	6	2,707.19
5213.100	Professional/Contract Services General	38,894.00	.00	38,894.00	.00	.00	32,637.93	6,256.07	84	39,652.72
5214.100	Repair and Maint Service General	58,179.00	.00	58,179.00	.00	349.75	23,318.58	34,510.67	41	54,206.92
5215.100	Rents and Leases Miscellaneous	636.00	.00	636.00	.00	.00	507.85	128.15	80	561.30
5215.106	Rents and Leases Copiers	4,331.00	.00	4,331.00	.00	.00	3,250.71	1,080.29	75	5,585.77
5216.100	Communications General Services	8,705.00	(56.00)	8,649.00	.00	.00	3,738.61	4,910.39	43	7,236.10
5218.100	Advertising General	.00	56.00	56.00	.00	.00	56.11	(.11)	100	2,811.87
5219.100	Printing General	1,950.00	.00	1,950.00	.00	.00	1,355.89	594.11	70	2,893.58
5220.100	Employee Development General	6,650.00	800.00	7,450.00	.00	.00	4,061.31	3,388.69	55	5,635.52
5220.110	Employee Development Education Reimb MOU Program	.00	.00	.00	.00	.00	.00	.00	+++	550.00
5223.105	Meals and Refreshments Emergencies and Meetings	350.00	.00	350.00	.00	.00	163.09	186.91	47	894.36
5225	Bank Fees and Charges	500.00	.00	500.00	.00	.00	1,155.31	(655.31)	231	666.30
5260	Miscellaneous	.00	.00	.00	.00	.00	.00	.00	+++	11.24
5304	Furniture & Equipment	800.00	.00	800.00	.00	.00	.00	800.00	0	.00
5501	Debt Service Payment - Principal	4,791.00	.00	4,791.00	.00	.00	3,882.94	908.06	81	6,304.19
Program 4510 - Police Administration Totals		\$757,365.00	(\$8,545.00)	\$748,820.00	\$0.00	\$349.75	\$516,079.08	\$232,391.17	69%	\$738,119.91
Program 4520 - Police Operations										
5101	Salaries - Permanent	1,088,183.00	(30,449.00)	1,057,734.00	.00	.00	743,643.35	314,090.65	70	1,106,483.70
5102	Salaries - Temporary	.00	.00	.00	.00	.00	817.76	(817.76)	+++	.00
5103.102	Differential Pay Out of Class	.00	.00	.00	.00	.00	2,724.51	(2,724.51)	+++	314.46
5103.105	Differential Pay Swing/Graveyard Shift	.00	.00	.00	.00	.00	23,767.44	(23,767.44)	+++	1,350.08
5103.108	Differential Pay Canine Maintenance	.00	.00	.00	.00	.00	2,870.88	(2,870.88)	+++	208.08
5104	Wages - PS Holiday Pay	52,824.00	(32,762.00)	20,062.00	.00	.00	20,062.20	(.20)	100	52,633.63
5105	Salaries - Overtime/FLSA	203,000.00	6,150.00	209,150.00	.00	.00	139,162.50	69,987.50	67	223,072.65
5106.101	Incentives & Admin Leave School Incentive	40,226.00	1,125.00	41,351.00	.00	.00	30,917.51	10,433.49	75	38,033.57
5106.103	Incentives & Admin Leave Team Pay	.00	.00	.00	.00	.00	3,833.34	(3,833.34)	+++	109.00
5106.200	Incentives & Admin Leave Gym Reimbursement	840.00	.00	840.00	.00	.00	450.00	390.00	54	713.08
5109.100	Allowances Uniform Allowance	17,422.00	(9,806.00)	7,616.00	.00	.00	7,445.23	170.77	98	20,888.71
5111	Medicare	20,336.00	(1,303.00)	19,033.00	.00	.00	13,512.36	5,520.64	71	20,472.66
5112.101	Retirement Contribution PERS	291,370.00	(17,706.00)	273,664.00	.00	.00	203,376.07	70,287.93	74	289,691.63
5113	Worker's Compensation	100,517.00	.00	100,517.00	.00	.00	75,387.75	25,129.25	75	108,347.64
5114.101	Health Insurance Medical	265,729.00	(13,264.00)	252,465.00	.00	.00	169,901.13	82,563.87	67	255,946.22
5114.102	Health Insurance Dental	.00	.00	.00	.00	.00	19,061.20	(19,061.20)	+++	.00
5114.103	Health Insurance Vision	.00	.00	.00	.00	.00	1,770.14	(1,770.14)	+++	.00

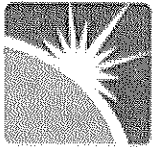


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
EXPENSE										
Department 30 - Police										
Program 4520 - Police Operations										
5115	Unemployment Compensation	6,674.00	(1,624.00)	5,050.00	.00	.00	20,698.31	(15,648.31)	410	3,164.00
5116.101	Life and Disability Insurance Life & Disab.	10,839.00	(208.00)	10,631.00	.00	.00	3,211.00	7,420.00	30	11,012.42
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	4,981.83	(4,981.83)	+++	.00
5119.100	Retiree Costs Medical Insurance	93,441.00	2,464.00	95,905.00	.00	.00	62,008.38	33,896.62	65	77,231.40
5122	Accrual Bank Payoff	.00	4,607.00	4,607.00	.00	.00	3,139.78	1,467.22	68	39,854.82
5199.130	Other Payroll Expenses Interfund Payroll Transfers	(183,282.00)	21,433.00	(161,849.00)	.00	.00	(76,969.86)	(84,879.14)	48	(164,133.86)
5202.100	Operating Supplies General	21,721.00	.00	21,721.00	.00	.00	10,524.67	11,196.33	48	17,085.35
5204	Subscriptions and Code Books	.00	.00	.00	.00	.00	.00	.00	+++	527.67
5209.101	Auto Fuel Expense Town Vehicles	73,000.00	.00	73,000.00	.00	.00	44,855.02	28,144.98	61	67,069.71
5213.100	Professional/Contract Services General	19,500.00	(3,000.00)	16,500.00	.00	.00	5,500.23	10,999.77	33	22,939.59
5214.100	Repair and Maint Service General	800.00	.00	800.00	.00	.00	659.74	140.26	82	747.65
5216.100	Communications General Services	8,683.00	.00	8,683.00	.00	.00	4,345.41	4,337.59	50	6,001.78
5217	Extradition/Transportation Expen	1,000.00	.00	1,000.00	.00	.00	40.01	959.99	4	.00
5218.100	Advertising General	600.00	.00	600.00	.00	.00	.00	600.00	0	496.60
5220.100	Employee Development General	38,060.00	(3,550.00)	34,510.00	1,609.50	.00	23,245.24	11,264.76	67	36,216.71
5220.110	Employee Development Education Reimb MOU Program	4,950.00	.00	4,950.00	.00	.00	1,100.00	3,850.00	22	550.00
5223.105	Meals and Refreshments Emergencies and Meetings	200.00	.00	200.00	.00	.00	43.49	156.51	22	159.01
5304	Furniture & Equipment	800.00	.00	800.00	.00	.00	.00	800.00	0	.00
5501	Debt Service Payment - Principal	193.00	.00	193.00	.00	.00	96.65	96.35	50	.00
Program 4520 - Police Operations Totals		\$2,177,626.00	(\$77,893.00)	\$2,099,733.00	\$1,609.50	\$0.00	\$1,566,183.27	\$533,549.73	75%	\$2,237,187.96
Program 4530 - Public Safety Communications										
5101	Salaries - Permanent	352,969.00	(9,410.00)	343,559.00	.00	.00	245,439.44	98,119.56	71	366,773.91
5102	Salaries - Temporary	70,158.00	(5,038.00)	65,120.00	.00	.00	51,259.34	13,860.66	79	69,287.14
5103.102	Differential Pay Out of Class	.00	.00	.00	.00	.00	1,039.81	(1,039.81)	+++	58.16
5103.105	Differential Pay Swing/Graveyard Shift	.00	.00	.00	.00	.00	7,906.58	(7,906.58)	+++	317.30
5104	Wages - PS Holiday Pay	15,830.00	(9,330.00)	6,500.00	.00	.00	6,499.96	.04	100	16,944.04
5105	Salaries - Overtime/FLSA	25,000.00	14,854.00	39,854.00	.00	.00	32,215.77	7,638.23	81	20,557.22
5106.101	Incentives & Admin Leave School Incentive	8,903.00	(677.00)	8,226.00	.00	.00	6,329.42	1,896.58	77	9,696.91
5109.100	Allowances Uniform Allowance	5,655.00	(2,756.00)	2,899.00	.00	.00	3,197.40	(298.40)	110	6,290.43
5111	Medicare	6,765.00	(298.00)	6,467.00	.00	.00	4,820.95	1,646.05	75	6,004.95
5112.101	Retirement Contribution PERS	40,631.00	(2,183.00)	38,448.00	.00	.00	28,753.17	9,694.83	75	41,897.85
5112.102	Retirement Contribution Social Security	.00	.00	.00	.00	.00	222.60	(222.60)	+++	24.73
5113	Worker's Compensation	16,100.00	.00	16,100.00	.00	.00	12,075.00	4,025.00	75	16,998.96
5114.101	Health Insurance Medical	97,493.00	(4,441.00)	93,052.00	.00	.00	63,490.85	29,561.15	68	99,630.59
5114.102	Health Insurance Dental	.00	.00	.00	.00	.00	7,347.59	(7,347.59)	+++	.00
5114.103	Health Insurance Vision	.00	.00	.00	.00	.00	680.43	(680.43)	+++	.00

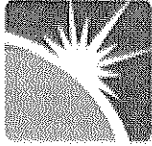


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
EXPENSE										
Department 30 - Police										
Program 4530 - Public Safety Communications										
5115	Unemployment Compensation	2,348.00	6,412.00	8,760.00	.00	.00	9,883.39	(1,123.39)	113	8,665.00
5116.101	Life and Disability Insurance Life & Disab.	4,064.00	(271.00)	3,793.00	.00	.00	1,293.04	2,499.96	34	4,073.83
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	1,625.09	(1,625.09)	+++	.00
5119.100	Retiree Costs Medical Insurance	50,178.00	(347.00)	49,831.00	.00	.00	29,406.12	20,424.88	59	28,873.12
5122	Accrual Bank Payoff	4,512.00	(191.00)	4,321.00	.00	.00	4,320.85	.15	100	6,209.60
5202.100	Operating Supplies General	6,449.00	.00	6,449.00	.00	.00	3,193.60	3,255.40	50	2,415.25
5204	Subscriptions and Code Books	152.00	.00	152.00	.00	.00	144.00	8.00	95	144.00
5213.100	Professional/Contract Services General	3,000.00	.00	3,000.00	.00	.00	3,376.90	(376.90)	113	2,715.82
5214.100	Repair and Maint Service General	31,965.00	.00	31,965.00	.00	.00	.00	31,965.00	0	31,965.00
5216.100	Communications General Services	23,000.00	.00	23,000.00	.00	.00	16,699.56	6,300.44	73	25,406.74
5218.100	Advertising General	450.00	.00	450.00	.00	.00	.00	450.00	0	824.64
5220.100	Employee Development General	12,340.00	(6,661.00)	5,679.00	.00	.00	2,558.26	3,120.74	45	6,284.83
5223.105	Meals and Refreshments Emergencies and Meetings	200.00	.00	200.00	.00	.00	10.00	190.00	5	96.35
5501	Debt Service Payment - Prindpal	68,072.00	.00	68,072.00	.00	.00	66,667.26	1,404.74	98	73,501.46
Program 4530 - Public Safety Communications Totals		\$846,234.00	(\$20,337.00)	\$825,897.00	\$0.00	\$0.00	\$610,456.38	\$215,440.62	74%	\$845,657.83
Program 4550 - Fleet Management										
5101	Salaries - Permanent	62,714.00	(169.00)	62,545.00	.00	.00	45,396.80	17,148.20	73	59,143.03
5106.100	Incentives & Admin Leave Administrative Leave	2,722.00	.00	2,722.00	.00	.00	.00	2,722.00	0	2,462.24
5109.100	Allowances Uniform Allowance	500.00	.00	500.00	.00	.00	374.94	125.06	75	499.92
5109.102	Allowances Tool Allowance	1,000.00	.00	1,000.00	.00	.00	1,000.00	.00	100	1,000.00
5111	Medicare	971.00	(78.00)	893.00	.00	.00	576.76	316.24	65	788.83
5112.101	Retirement Contribution PERS	6,903.00	13.00	6,916.00	.00	.00	5,038.07	1,877.93	73	6,142.82
5113	Worker's Compensation	2,640.00	.00	2,640.00	.00	.00	1,980.00	660.00	75	1,909.96
5114.101	Health Insurance Medical	15,218.00	(5.00)	15,213.00	.00	.00	10,147.20	5,065.80	67	15,042.40
5114.102	Health Insurance Dental	.00	.00	.00	.00	.00	1,142.95	(1,142.95)	+++	.00
5114.103	Health Insurance Vision	.00	.00	.00	.00	.00	124.92	(124.92)	+++	.00
5115	Unemployment Compensation	.00	.00	.00	.00	.00	441.52	(441.52)	+++	.00
5116.101	Life and Disability Insurance Life & Disab.	631.00	(15.00)	616.00	.00	.00	171.00	445.00	28	596.99
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	301.57	(301.57)	+++	.00
5119.100	Retiree Costs Medical Insurance	10,193.00	372.00	10,565.00	.00	.00	7,081.95	3,483.05	67	8,920.30
5201.100	Office Supplies General	50.00	.00	50.00	.00	.00	.00	50.00	0	.00
5202.100	Operating Supplies General	250.00	361.00	611.00	.00	.00	680.96	(69.96)	111	436.21
5203.100	Repairs and Maint Supplies General	36,550.00	(5,550.00)	31,000.00	.00	.00	25,226.46	5,773.54	81	34,962.78
5204	Subscriptions and Code Books	400.00	.00	400.00	.00	.00	.00	400.00	0	.00
5209.101	Auto Fuel Expense Town Vehicles	1,500.00	.00	1,500.00	.00	.00	1,274.51	225.49	85	2,084.45
5210.100	Postage General	50.00	.00	50.00	.00	.00	50.42	(.42)	101	.00

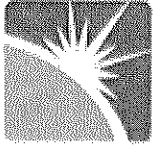


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
EXPENSE										
Department 30 - Police										
Program 4550 - Fleet Management										
5213.100	Professional/Contract Services General	3,300.00	.00	3,300.00	.00	.00	1,701.00	1,599.00	52	2,250.25
5214.100	Repair and Maint Service General	22,000.00	5,000.00	27,000.00	.00	.00	24,589.98	2,410.02	91	20,004.17
5216.100	Communications General Services	840.00	.00	840.00	.00	.00	771.42	68.58	92	1,359.48
5220.100	Employee Development General	1,500.00	.00	1,500.00	.00	.00	.00	1,500.00	0	1,459.11
5501	Debt Service Payment - Principal	4,365.00	.00	4,365.00	.00	.00	4,365.67	(.67)	100	4,366.02
Program 4550 - Fleet Management Totals		\$174,297.00	(\$71.00)	\$174,226.00	\$0.00	\$0.00	\$132,438.10	\$41,787.90	76%	\$163,428.96
Department 30 - Police Totals		\$3,955,522.00	(\$106,846.00)	\$3,848,676.00	\$1,609.50	\$349.75	\$2,825,156.83	\$1,023,169.42	73%	\$3,984,394.66
Department 35 - Fire										
Program 0000 - Non Program Activity										
5280.100	Bad Debt Write Off Expense	.00	2,662.00	2,662.00	.00	.00	2,662.28	(.28)	100	.00
Program 0000 - Non Program Activity Totals		\$0.00	\$2,662.00	\$2,662.00	\$0.00	\$0.00	\$2,662.28	(\$0.28)	100%	\$0.00
Program 4610 - Fire - Administrative										
5101	Salaries - Permanent	34,356.00	(179.00)	34,177.00	.00	.00	16,365.60	17,811.40	48	21,470.16
5102	Salaries - Temporary	.00	.00	.00	.00	.00	8,433.72	(8,433.72)	+++	9,580.41
5111	Medicare	498.00	24.00	522.00	.00	.00	393.54	128.46	75	495.50
5112.101	Retirement Contribution PERS	3,227.00	(18.00)	3,209.00	.00	.00	1,801.35	1,407.65	56	2,778.16
5112.102	Retirement Contribution Social Security	.00	.00	.00	.00	.00	522.88	(522.88)	+++	27.53
5113	Worker's Compensation	727.00	.00	727.00	.00	.00	545.25	181.75	75	6,692.84
5114.101	Health Insurance Medical	3,123.00	.00	3,123.00	.00	.00	2,342.16	780.84	75	3,122.88
5115	Unemployment Compensation	.00	.00	.00	.00	.00	297.23	(297.23)	+++	399.77
5116.101	Life and Disability Insurance Life & Disab.	283.00	(6.00)	277.00	.00	.00	102.60	174.40	37	271.19
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	108.35	(108.35)	+++	.00
5119.100	Retiree Costs Medical Insurance	57,354.00	(4,917.00)	52,437.00	.00	.00	37,887.13	14,549.87	72	53,717.16
5119.120	Retiree Costs PERS 1959 Survivor Benefits	.00	.00	.00	.00	.00	.00	.00	+++	1,029.60
5201.100	Office Supplies General	1,000.00	.00	1,000.00	.00	.00	389.23	610.77	39	607.56
5202.100	Operating Supplies General	2,186.00	.00	2,186.00	.00	.00	1,824.81	361.19	83	859.36
5203.100	Repairs and Maint Supplies General	1,325.00	2,310.00	3,635.00	.00	.00	4,044.17	(409.17)	111	2,159.99
5204	Subscriptions and Code Books	500.00	446.00	946.00	.00	.00	945.99	.01	100	1,021.61
5209.101	Auto Fuel Expense Town Vehicles	100.00	.00	100.00	.00	.00	.00	100.00	0	.00
5210.100	Postage General	420.00	.00	420.00	.00	.00	246.63	173.37	59	465.66
5211.135	Utilities Water and Sewer	2,700.00	(200.00)	2,500.00	.00	.00	1,330.12	1,169.88	53	2,515.46
5211.137	Utilities Electric and Gas	21,000.00	(1,000.00)	20,000.00	.00	.00	11,067.75	8,932.25	55	18,526.26
5211.139	Utilities Propane	550.00	.00	550.00	.00	.00	203.83	346.17	37	523.45
5213.100	Professional/Contract Services General	5,130.00	.00	5,130.00	.00	.00	4,398.57	731.43	86	138,598.32
5214.100	Repair and Maint Service General	31,597.00	(2,310.00)	29,287.00	.00	.00	9,465.21	19,821.79	32	18,352.30
5215.100	Rents and Leases Miscellaneous	.00	.00	.00	.00	.00	.00	.00	+++	39.69

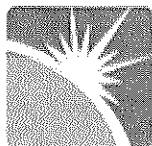


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
EXPENSE										
Department 35 - Fire										
Program 4610 - Fire - Administrative										
5215.106	Rents and Leases Copiers	6,600.00	.00	6,600.00	.00	.00	4,986.73	1,613.27	76	6,470.30
5216.100	Communications General Services	14,653.00	.00	14,653.00	.00	.00	10,585.58	4,067.42	72	14,880.08
5219.100	Printing General	806.00	.00	806.00	.00	.00	.00	806.00	0	4.13
5220.100	Employee Development General	1,200.00	.00	1,200.00	.00	.00	459.00	741.00	38	838.44
5223.105	Meals and Refreshments Emergencies and Meetings	150.00	.00	150.00	.00	.00	.00	150.00	0	261.95
5260	Miscellaneous	150.00	.00	150.00	.00	.00	.00	150.00	0	265.88
5303	Improvements	8,220.00	.00	8,220.00	.00	.00	6,473.60	1,746.40	79	387.75
5304	Furniture & Equipment	6,589.00	.00	6,589.00	.00	.00	.00	6,589.00	0	2,053.02
5501	Debt Service Payment - Principal	10,831.00	.00	10,831.00	.00	.00	10,830.14	.86	100	10,829.83
Program 4610 - Fire - Administrative Totals		\$215,275.00	(\$5,850.00)	\$209,425.00	\$0.00	\$0.00	\$136,051.17	\$73,373.83	65%	\$319,246.24
Program 4615 - Fire - EOC										
5202.100	Operating Supplies General	100.00	.00	100.00	.00	.00	56.45	43.55	56	69.06
5203.100	Repairs and Maint Supplies General	500.00	.00	500.00	.00	.00	.00	500.00	0	.00
5213.100	Professional/Contract Services General	120.00	.00	120.00	.00	.00	32.00	88.00	27	304.00
5214.100	Repair and Maint Service General	12,000.00	.00	12,000.00	.00	.00	12,000.00	.00	100	12,000.00
5216.100	Communications General Services	3,783.00	.00	3,783.00	.00	.00	2,796.80	986.20	74	3,779.64
5220.100	Employee Development General	.00	.00	.00	.00	.00	.00	.00	+++	99.00
5223.105	Meals and Refreshments Emergencies and Meetings	150.00	.00	150.00	.00	.00	.00	150.00	0	129.00
Program 4615 - Fire - EOC Totals		\$16,653.00	\$0.00	\$16,653.00	\$0.00	\$0.00	\$14,885.25	\$1,767.75	89%	\$16,380.70
Program 4630 - Fire - Suppression										
5101	Salaries - Permanent	725,888.00	(16,017.00)	709,871.00	.00	.00	678,094.24	31,776.76	96	1,333,956.95
5103.102	Differential Pay Out of Class	.00	.00	.00	.00	.00	1,710.68	(1,710.68)	+++	48.00
5104	Wages - PS Holiday Pay	13,644.00	14,322.00	27,966.00	.00	.00	29,031.82	(1,065.82)	104	86,229.76
5105	Salaries - Overtime/FLSA	73,536.00	138,230.00	211,766.00	.00	.00	211,681.13	84.87	100	437,481.20
5105.200	Salaries - Overtime/FLSA State Assistance Overtime	.00	46,794.00	46,794.00	.00	.00	46,794.00	.00	100	.00
5106.102	Incentives & Admin Leave Emergency Medical Tech	.00	.00	.00	.00	.00	4,028.55	(4,028.55)	+++	.00
5106.103	Incentives & Admin Leave Team Pay	.00	.00	.00	.00	.00	27,511.52	(27,511.52)	+++	1,699.53
5106.200	Incentives & Admin Leave Gym Reimbursement	3,420.00	(762.00)	2,658.00	.00	.00	2,298.47	359.53	86	5,130.00
5109.100	Allowances Uniform Allowance	10,945.00	184.00	11,129.00	.00	.00	11,128.99	.01	100	21,890.88
5111	Medicare	11,729.00	3,474.00	15,203.00	.00	.00	14,789.28	413.72	97	26,430.36
5112.101	Retirement Contribution PERS	204,737.00	(10,653.00)	194,084.00	.00	.00	190,636.73	3,447.27	98	365,964.82
5113	Worker's Compensation	120,898.00	7,452.00	128,350.00	.00	.00	90,673.50	37,676.50	71	127,432.12
5114.101	Health Insurance Medical	157,576.00	(4,408.00)	153,168.00	.00	.00	139,425.81	13,742.19	91	282,897.83
5114.102	Health Insurance Dental	.00	.00	.00	.00	.00	12,714.54	(12,714.54)	+++	.00
5114.103	Health Insurance Vision	.00	.00	.00	.00	.00	1,190.84	(1,190.84)	+++	.00
5115	Unemployment Compensation	.00	23,400.00	23,400.00	.00	.00	14,007.56	9,392.44	60	.00
5116.101	Life and Disability Insurance Life & Disab.	4,092.00	(479.00)	3,613.00	.00	.00	2,166.00	1,447.00	60	8,184.00

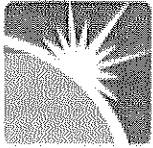


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
EXPENSE										
Department 35 - Fire										
Program 4630 - Fire - Suppression										
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	1,372.00	(1,372.00)	+++	.00
5119.100	Retiree Costs Medical Insurance	216,491.00	(5,294.00)	211,197.00	.00	.00	144,598.36	66,598.64	68	203,179.06
5122	Accrual Bank Payoff	147,082.00	(40,150.00)	106,932.00	.00	.00	90,472.19	16,459.81	85	.00
5202.100	Operating Supplies General	24,899.00	5,188.00	30,087.00	.00	1,990.00	16,252.95	11,844.05	61	21,976.42
5203.100	Repairs and Maint Supplies General	11,280.00	.00	11,280.00	.00	.00	1,449.99	9,830.01	13	13,432.03
5204	Subscriptions and Code Books	700.00	.00	700.00	.00	.00	.00	700.00	0	43.00
5209.101	Auto Fuel Expense Town Vehicles	32,000.00	.00	32,000.00	.00	.00	21,254.44	10,745.56	66	28,514.86
5213.100	Professional/Contract Services General	1,259,588.00	175,630.00	1,435,218.00	.00	.00	77,602.02	1,357,615.98	5	7,134.95
5214.100	Repair and Maint Service General	20,725.00	.00	20,725.00	.00	(1,487.50)	8,588.73	13,623.77	34	13,386.97
5216.100	Communications General Services	7,400.00	.00	7,400.00	.00	.00	660.17	6,739.83	9	1,710.87
5219.100	Printing General	100.00	.00	100.00	.00	.00	.00	100.00	0	.00
5220.100	Employee Development General	5,340.00	.00	5,340.00	.00	.00	2,137.86	3,202.14	40	18,546.88
5223.105	Meals and Refreshments Emergencies and Meetings	1,000.00	.00	1,000.00	.00	.00	16.95	983.05	2	770.16
5269.135	Emergency Incident Costs Fire Related	2,000.00	.00	2,000.00	.00	.00	1,818.81	181.19	91	827.25
5304	Furniture & Equipment	31,086.00	.00	31,086.00	.00	.00	.00	31,086.00	0	17,870.06
5501	Debt Service Payment - Principal	73,108.00	.00	73,108.00	.00	.00	68,219.56	4,888.44	93	136,764.47
Program 4630 - Fire - Suppression Totals		\$3,159,264.00	\$336,911.00	\$3,496,175.00	\$0.00	\$502.50	\$1,912,327.69	\$1,583,344.81	55%	\$3,161,502.43
Program 4640 - Fire - Volunteer Program										
5118	Volunteer Benefits	16,392.00	.00	16,392.00	.00	.00	10,828.40	5,563.60	66	11,415.09
5202.100	Operating Supplies General	2,000.00	.00	2,000.00	.00	825.00	.00	1,175.00	41	.00
5213.100	Professional/Contract Services General	5,000.00	(1,000.00)	4,000.00	.00	.00	2,253.25	1,746.75	56	5,515.51
5220.100	Employee Development General	1,010.00	.00	1,010.00	.00	.00	368.00	642.00	36	140.00
Program 4640 - Fire - Volunteer Program Totals		\$24,402.00	(\$1,000.00)	\$23,402.00	\$0.00	\$825.00	\$13,449.65	\$9,127.35	61%	\$17,070.60
Department 35 - Fire Totals		\$3,415,594.00	\$332,723.00	\$3,748,317.00	\$0.00	\$1,327.50	\$2,079,376.04	\$1,667,613.46	56%	\$3,514,199.97
Department 40 - Community Development										
Program 4720 - CDD Planning										
5101	Salaries - Permanent	102,051.00	(8,366.00)	93,685.00	.00	.00	69,136.40	24,548.60	74	131,036.10
5106.100	Incentives & Admin Leave Administrative Leave	2,352.00	.00	2,352.00	.00	.00	.00	2,352.00	0	3,573.90
5106.200	Incentives & Admin Leave Gym Reimbursement	108.00	(9.00)	99.00	.00	.00	54.00	45.00	55	225.00
5107	Car Allowance/Mileage	1,128.00	.00	1,128.00	.00	.00	846.00	282.00	75	2,792.00
5111	Medicare	1,530.00	(148.00)	1,382.00	.00	.00	1,115.29	266.71	81	1,972.99
5112.101	Retirement Contribution PERS	7,844.00	842.00	8,686.00	.00	.00	5,737.90	2,948.10	66	12,490.76
5113	Worker's Compensation	2,547.00	.00	2,547.00	.00	.00	1,910.25	636.75	75	1,964.12
5114.101	Health Insurance Medical	13,394.00	777.00	14,171.00	.00	.00	9,695.55	4,475.45	68	19,063.35
5114.102	Health Insurance Dental	.00	.00	.00	.00	.00	817.55	(817.55)	+++	.00
5114.103	Health Insurance Vision	.00	.00	.00	.00	.00	145.25	(145.25)	+++	.00

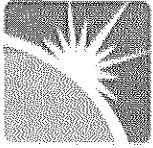


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
EXPENSE										
Department 40 - Community Development										
Program 4720 - CDD Planning										
5115	Unemployment Compensation	5,653.00	(3,153.00)	2,500.00	.00	.00	956.87	1,543.13	38	11,284.00
5116.101	Life and Disability Insurance Life & Disab.	968.00	(92.00)	876.00	.00	.00	225.67	650.33	26	1,221.22
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	380.54	(380.54)	+++	.00
5119.100	Retiree Costs Medical Insurance	16,080.00	(192.00)	15,888.00	.00	.00	10,747.11	5,140.89	68	14,455.98
5122	Accrual Bank Payoff	.00	.00	.00	.00	.00	9,690.78	(9,690.78)	+++	11,727.49
5201.100	Office Supplies General	150.00	.00	150.00	.00	.00	104.22	45.78	69	16.18
5202.100	Operating Supplies General	400.00	.00	400.00	.00	.00	414.82	(14.82)	104	333.24
5209.101	Auto Fuel Expense Town Vehicles	1,800.00	100.00	1,900.00	.00	.00	1,285.33	614.67	68	1,922.26
5210.100	Postage General	600.00	.00	600.00	.00	.00	268.68	331.32	45	558.50
5213.100	Professional/Contract Services General	200.00	.00	200.00	.00	.00	32.00	168.00	16	172.50
5214.100	Repair and Maint Service General	7,347.00	.00	7,347.00	.00	.00	7,147.34	199.66	97	6,018.81
5218.100	Advertising General	700.00	.00	700.00	.00	.00	276.87	423.13	40	1,306.26
5220.100	Employee Development General	1,000.00	(400.00)	600.00	.00	.00	300.00	300.00	50	662.60
5223.105	Meals and Refreshments Emergencies and Meetings	.00	.00	.00	.00	.00	28.85	(28.85)	+++	.00
5501	Debt Service Payment - Principal	2,663.00	.00	2,663.00	.00	.00	2,662.81	.19	100	13,740.10
Program 4720 - CDD Planning Totals		\$168,515.00	(\$10,641.00)	\$157,874.00	\$0.00	\$0.00	\$123,980.08	\$33,893.92	79%	\$236,537.36
Program 4780 - CDD - Waste Management										
5101	Salaries - Permanent	21,204.00	(58.00)	21,146.00	.00	.00	15,420.41	5,725.59	73	20,602.78
5106.100	Incentives & Admin Leave Administrative Leave	600.00	.00	600.00	.00	.00	.00	600.00	0	571.82
5106.200	Incentives & Admin Leave Gym Reimbursement	79.00	(6.00)	73.00	.00	.00	39.60	33.40	54	59.40
5107	Car Allowance/Mileage	288.00	.00	288.00	.00	.00	216.00	72.00	75	384.00
5111	Medicare	320.00	(11.00)	309.00	.00	.00	212.41	96.59	69	305.55
5112.101	Retirement Contribution PERS	2,777.00	(8.00)	2,769.00	.00	.00	2,016.75	752.25	73	2,702.62
5113	Worker's Compensation	224.00	.00	224.00	.00	.00	168.00	56.00	75	164.52
5114.101	Health Insurance Medical	3,326.00	322.00	3,648.00	.00	.00	2,648.45	999.55	73	3,307.48
5114.102	Health Insurance Dental	.00	.00	.00	.00	.00	331.95	(331.95)	+++	.00
5114.103	Health Insurance Vision	.00	.00	.00	.00	.00	34.92	(34.92)	+++	.00
5115	Unemployment Compensation	.00	.00	.00	.00	.00	164.58	(164.58)	+++	.00
5116.101	Life and Disability Insurance Life & Disab.	202.00	15.00	217.00	.00	.00	68.40	148.60	32	221.50
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	101.79	(101.79)	+++	.00
5122	Accrual Bank Payoff	.00	.00	.00	.00	.00	.00	.00	+++	1,105.26
5202.100	Operating Supplies General	100.00	.00	100.00	.00	.00	.00	100.00	0	85.05
5211.135	Utilities Water and Sewer	2,200.00	300.00	2,500.00	.00	.00	1,605.22	894.78	64	2,332.49
Program 4780 - CDD - Waste Management Totals		\$31,320.00	\$554.00	\$31,874.00	\$0.00	\$0.00	\$23,028.48	\$8,845.52	72%	\$31,842.47
Department 40 - Community Development Totals		\$199,835.00	(\$10,087.00)	\$189,748.00	\$0.00	\$0.00	\$147,008.56	\$42,739.44	77%	\$268,379.83

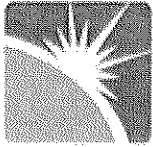


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
EXPENSE										
Department 45 - Public Works										
Program 4740 - Public Works - Engineering										
5101	Salaries - Permanent	11,054.00	320.00	11,374.00	.00	.00	7,669.86	3,704.14	67	21,981.98
5105	Salaries - Overtime/FLSA	.00	.00	.00	.00	.00	.00	.00	+++	254.54
5106.100	Incentives & Admin Leave Administrative Leave	183.00	19.00	202.00	.00	.00	.00	202.00	0	165.60
5106.200	Incentives & Admin Leave Gym Reimbursement	4.00	(1.00)	3.00	.00	.00	1.80	1.20	60	8.10
5107	Car Allowance/Mileage	.00	.00	.00	.00	.00	.00	.00	+++	156.00
5109.101	Allowances Boot Allowance	45.00	.00	45.00	.00	.00	45.00	.00	100	.00
5111	Medicare	164.00	12.00	176.00	.00	.00	120.39	55.61	68	463.59
5112.101	Retirement Contribution PERS	1,080.00	20.00	1,100.00	.00	.00	752.20	347.80	68	2,301.40
5113	Worker's Compensation	967.00	.00	967.00	.00	.00	725.25	241.75	75	5,124.96
5114.101	Health Insurance Medical	1,808.00	82.00	1,890.00	.00	.00	1,198.02	691.98	63	1,742.87
5114.102	Health Insurance Dental	.00	.00	.00	.00	.00	232.94	(232.94)	+++	.00
5114.103	Health Insurance Vision	.00	.00	.00	.00	.00	16.56	(16.56)	+++	.00
5115	Unemployment Compensation	.00	.00	.00	.00	.00	113.67	(113.67)	+++	.00
5116.101	Life and Disability Insurance Life & Disab.	121.00	72.00	193.00	.00	.00	37.62	155.38	19	185.51
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	114.28	(114.28)	+++	.00
5119.100	Retiree Costs Medical Insurance	12,936.00	(1,667.00)	11,269.00	.00	.00	7,861.85	3,407.15	70	12,719.75
5122	Accrual Bank Payoff	.00	.00	.00	.00	.00	.00	.00	+++	7,023.74
5201.100	Office Supplies General	200.00	.00	200.00	.00	.00	.00	200.00	0	10.52
5202.100	Operating Supplies General	850.00	(129.00)	721.00	.00	.00	218.95	502.05	30	790.00
5203.100	Repairs and Maint Supplies General	100.00	.00	100.00	.00	.00	.00	100.00	0	.00
5204	Subscriptions and Code Books	.00	129.00	129.00	.00	.00	129.30	(.30)	100	.00
5210.100	Postage General	150.00	(50.00)	100.00	.00	.00	41.76	58.24	42	86.66
5213.100	Professional/Contract Services General	26,400.00	.00	26,400.00	.00	.00	11,346.49	15,053.51	43	23,994.25
5214.100	Repair and Maint Service General	6,542.00	(542.00)	6,000.00	.00	.00	4,985.09	1,014.91	83	4,621.00
5216.100	Communications General Services	600.00	.00	600.00	.00	.00	447.76	152.24	75	13.38
5218.100	Advertising General	400.00	.00	400.00	.00	.00	.00	400.00	0	367.00
5219.100	Printing General	100.00	.00	100.00	.00	.00	1.00	99.00	1	.00
5220.100	Employee Development General	750.00	(250.00)	500.00	.00	.00	131.96	368.04	26	30.00
5223.105	Meals and Refreshments Emergencies and Meetings	50.00	.00	50.00	.00	.00	.00	50.00	0	10.70
5260	Miscellaneous	1.00	(1.00)	.00	.00	.00	.00	.00	+++	.00
5501	Debt Service Payment - Principal	2,470.00	.00	2,470.00	.00	.00	2,372.51	97.49	96	13,546.10
Program 4740 - Public Works - Engineering Totals		\$66,975.00	(\$1,986.00)	\$64,989.00	\$0.00	\$0.00	\$38,564.26	\$26,424.74	59%	\$95,597.65
Program 4745 - Paradise Community Park										
5101	Salaries - Permanent	7,314.00	422.00	7,736.00	.00	.00	5,084.39	2,651.61	66	17,144.72
5103.101	Differential Pay On Call	.00	.00	.00	.00	.00	769.20	(769.20)	+++	.00
5105	Salaries - Overtime/FLSA	.00	139.00	139.00	.00	.00	166.54	(27.54)	120	72.57

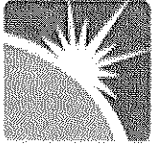


Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Account	Account Description	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year Total
Fund 1010 - General Fund										
EXPENSE										
Department 45 - Public Works										
Program 4745 - Paradise Community Park										
5109.100	Allowances Uniform Allowance	60.00	.00	60.00	.00	.00	.00	60.00	0	.00
5109.101	Allowances Boot Allowance	.00	.00	.00	.00	.00	60.00	(60.00)	+++	.00
5111	Medicare	107.00	18.00	125.00	.00	.00	100.46	24.54	80	318.21
5112.101	Retirement Contribution PERS	812.00	(9.00)	803.00	.00	.00	582.76	220.24	73	1,660.73
5113	Worker's Compensation	930.00	.00	930.00	.00	.00	697.50	232.50	75	1,765.52
5114.101	Health Insurance Medical	1,041.00	65.00	1,106.00	.00	.00	845.72	260.28	76	2,602.33
5115	Unemployment Compensation	.00	.00	.00	.00	.00	116.78	(116.78)	+++	.00
5116.101	Life and Disability Insurance Life & Disab.	93.00	4.00	97.00	.00	.00	37.05	59.95	38	209.48
5116.102	Life and Disability Insurance Long Term/Short Term Disability	.00	.00	.00	.00	.00	37.74	(37.74)	+++	.00
5202.100	Operating Supplies General	2,050.00	.00	2,050.00	.00	.00	2,422.35	(372.35)	118	2,210.22
5203.100	Repairs and Maint Supplies General	1,200.00	.00	1,200.00	.00	.00	1,534.96	(334.96)	128	904.47
5211.135	Utilities Water and Sewer	2,500.00	.00	2,500.00	.00	.00	1,555.52	944.48	62	2,562.67
5211.137	Utilities Electric and Gas	2,300.00	.00	2,300.00	.00	.00	1,778.89	521.11	77	2,340.25
5213.100	Professional/Contract Services General	.00	50.00	50.00	.00	.00	50.00	.00	100	.00
5214.100	Repair and Maint Service General	2,000.00	.00	2,000.00	.00	.00	280.00	1,720.00	14	280.00
5215.100	Rents and Leases Miscellaneous	.00	.00	.00	.00	.00	100.00	(100.00)	+++	.00
5216.100	Communications General Services	190.00	.00	190.00	.00	.00	125.08	64.92	66	184.12
5223.101	Meals and Refreshments Employee Meals-MOU Overtime	.00	.00	.00	.00	.00	3.00	(3.00)	+++	.00
5260	Miscellaneous	.00	81.00	81.00	.00	.00	81.00	.00	100	.00
5304	Furniture & Equipment	2,800.00	(300.00)	2,500.00	.00	.00	.00	2,500.00	0	1,600.00
Program 4745 - Paradise Community Park Totals		\$23,397.00	\$470.00	\$23,867.00	\$0.00	\$0.00	\$16,428.94	\$7,438.06	69%	\$33,855.29
Program 4747 - Public Facilities										
5203.100	Repairs and Maint Supplies General	2,400.00	.00	2,400.00	.00	.00	44.82	2,355.18	2	459.71
5211.135	Utilities Water and Sewer	4,000.00	.00	4,000.00	.00	.00	2,765.28	1,234.72	69	3,886.81
Program 4747 - Public Facilities Totals		\$6,400.00	\$0.00	\$6,400.00	\$0.00	\$0.00	\$2,810.10	\$3,589.90	44%	\$4,346.52
Department 45 - Public Works Totals		\$96,772.00	(\$1,516.00)	\$95,256.00	\$0.00	\$0.00	\$57,803.30	\$37,452.70	61%	\$133,799.46
EXPENSE TOTALS		\$10,007,207.00	\$197,905.00	\$10,205,112.00	\$1,609.50	\$1,677.25	\$6,262,645.03	\$3,940,789.72	61%	\$10,243,639.94
Fund 1010 - General Fund Totals										
REVENUE TOTALS		9,846,031.00	69,593.00	9,915,624.00	.00	.00	5,193,975.99	4,721,648.01	52	9,908,150.53
EXPENSE TOTALS		10,007,207.00	197,905.00	10,205,112.00	1,609.50	1,677.25	6,262,645.03	3,940,789.72	61	10,243,639.94
Fund 1010 - General Fund Totals		(\$161,176.00)	(\$128,312.00)	(\$289,488.00)	(\$1,609.50)	(\$1,677.25)	(\$1,068,669.04)	\$780,858.29		(\$335,489.41)
Grand Totals										
REVENUE TOTALS		9,846,031.00	69,593.00	9,915,624.00	.00	.00	5,193,975.99	4,721,648.01	52	9,908,150.53
EXPENSE TOTALS		10,007,207.00	197,905.00	10,205,112.00	1,609.50	1,677.25	6,262,645.03	3,940,789.72	61	10,243,639.94



Budget Performance Report

Fiscal Year to Date 06/30/13

Exclude Rollup Account

Grand Totals	(\$161,176.00)	(\$128,312.00)	(\$289,488.00)	(\$1,609.50)	(\$1,677.25)	(\$1,068,669.04)	\$780,858.29	(\$335,489.41)
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TOWN OF PARADISE
Council Agenda Summary

Date: April 9, 2013

AGENDA ITEM 3(j)

ORIGINATED BY: Craig Baker, Community Development Director

REVIEWED BY: Lauren Gill, Interim Town Manager

SUBJECT: Acceptance of the 2012 Annual Report of the Paradise Planning Commission to the Town Council Regarding the Implementation Status of the 1994 Paradise General Plan

COUNCIL ACTION REQUESTED: Adopt a **MOTION TO:**

1. Acknowledge receipt of and file the Planning Commission's 2012 annual report concerning implementation status of the 1994 Paradise General Plan.

BACKGROUND: California Government Code Section 65400 requires a local planning agency (Paradise Planning Commission and staff) to annually review and provide a report to the local legislative body (i.e. the Town Council) concerning progress achieved toward the implementation of its General Plan. The wording of the Government Code Section is as follows:

Provide an annual report to the Town Council on the status of the "General Plan" and progress in its implementation, including the progress in meeting its share of regional housing needs determined pursuant to section 65584 and local efforts to remove governmental constraints to the maintenance, improvement and development of housing...

On behalf of the Paradise Planning Commission, town staff is pleased to officially submit to the Town Council its annual "Calendar Year 2012 1994 Paradise General Plan Implementation Status Report" dated March 2013 (NOTE: Refer to attached copy of the report). The content of this report reflects General Plan implementation progress made during the 2012 calendar year. The report is a culmination of a work effort of the staff and Planning Commissioners.

Similar to the contents of prior annual reports, the attached annual report is submitted in a format that is directly linked with the 1994 Paradise General Plan Volume I - Policy Document. The report specifically lists individual General Plan policies and implementation measures, their respective text page number where located within the General Plan Volume I - Policy Document, and their respective implementation status.

In order for the attached report to be meaningful, each Town Council member should refer to their individual copy of the 1994 Paradise General Plan Volume I - Policy Document to read the actual text of each General Plan policy or implementation measure corresponding to the comments within the report.

During the 2012 calendar year and over the last several years, the Town of Paradise achieved additional progress toward implementation of the 1994 Paradise General Plan. As you read the attached annual report in regards to the implementation status of our Paradise General Plan you should note that those items that received special emphasis by staff and the Planning Commission are shown in "**BOLD**" text. "**SHADED**" text indicates a new or revised comment.

It should be noted that, due to new and specific Housing Element implementation reporting requirements adopted by the State of California that are not applicable to other General Plan elements, a separate report exclusively detailing implementation of the Paradise General Plan Housing Element was prepared by staff, reviewed by the Planning Commission and appeared on for the Town Council agenda in March, 2013.

FINANCIAL IMPACT: Acceptance of this March, 2013 annual report concerning the implementation status of the 1994 Paradise General Plan shall have no financial impact upon the Town of Paradise.

Attachment



CALENDAR YEAR 2012

1994 PARADISE GENERAL PLAN

IMPLEMENTATION STATUS REPORT

**Presented by
Paradise Planning Commission**

March 2013

REPORT OF THE PLANNING COMMISSION

1994 PARADISE GENERAL PLAN IMPLEMENTATION STATUS REPORT

FOR CALENDAR YEAR 2012

LAND USE ELEMENT:

GROWTH AND LAND USE DEVELOPMENT:

<u>Policy/ Implementation Measure</u>	<u>Text Page</u>	<u>Implementation Status</u>
LUP-1	(6-3)	Implemented and ongoing.
LUP-2	(6-3)	Implemented and ongoing.
LUP-3	(6-3)	Implementation ongoing as opportunity so afforded.
LUP-4	(6-3)	Not yet implemented. Private work effort was initiated in 2006 for a portion of the secondary planning area south of town limits, but has slowed due to funding and staffing shortages. New Butte County General Plan adopted October 2010 includes directive to develop a specific plan for a portion of this area, for which the Town will provide input.
LUP-5	(6-3)	Implemented.
LUP-6	(6-3)	Ongoing directive that will be implemented as opportunities arise. (Note: Reference to Lime Saddle Community Services District is outdated.)
LUP-7	(6-3)	Implemented and ongoing.
LUP-8	(6-3)	Required by law; implemented and ongoing.
LUP-9	(6-3)	Implemented and ongoing.
LUP-10	(6-3)	Ongoing directive; implemented as opportunities arise.
LUP-11	(6-3)	Implemented and ongoing.
LUI-1	(6-4)	Implemented and ongoing.
LUI-2	(6-4)	Not implemented. See LUP-4, above.
LUI-3	(6-4)	Largely implemented via Town adoption of the 2010 California Green Building Standards Code.
LUI-4	(6-4)	Fully implemented (1997).

PUBLIC SERVICES AND INFRASTRUCTURE:

LUP-12; 13; 14	(6-4)	Implemented via planning process reforms; an ongoing directive.
LUP-15	(6-5)	Implemented and an ongoing directive.
LUP-16	(6-5)	Implemented and ongoing.
LUP-17	(6-5)	Partially implemented and ongoing as opportunities arise.
LUP-18	(6-5)	The last joint Town Council/P.I.D. meeting was held on May 30, 2006.
LUP-19	(6-5)	Implemented and ongoing.
LUP-20	(6-5)	Implemented and ongoing.
LUP-21	(6-5)	Partially implemented, ongoing as needed.
LUP-22	(6-5)	Partially implemented via the Town's development impact fee program.
LUP-23	(6-5)	Implemented and an ongoing directive.
LUP-24	(6-5)	The development of feasibility studies has been tabled by the Town Council pending adequate funding and other factors.
LUP-25	(6-5)	Fully implemented.
LUP-26	(6-6)	Implemented and ongoing.
LUI-5	(6-6)	Implemented. The Town successfully developed and adopted a 5 year capital improvements program in the summer of 2011.
LUI-6 thru 13	(6-6)	Partially implemented and ongoing.

LAND USE DISTRIBUTION AND LOCATION

LUP-27; LUP-28	(6-7)	Implemented via Town Council adoption of Town Resolution No. 01-37 in November, 2001.
LUP-29	(6-7)	Implemented and ongoing.
LUP-30	(6-7)	Ongoing Directive. A number of pedestrian, park, signal and other infrastructure improvement projects completed within downtown and former RDA areas in recent years. Construction of an additional Park & Ride facility was completed in 2011 and new signal and street improvements are scheduled for Summer 2013 along Pearson Road between Scottwood Road and Clark Road.
LUP-31	(6-7)	Partially implemented and ongoing as opportunities arise.
LUP-32	(6-7)	Ongoing directive.
LUP-33; 34; 35	(6-8)	Ongoing directive.
LUP-36	(6-8)	Town efforts to acquire/develop additional business or industrial

		park property continue as opportunities arise.
LUP-37; 38	(6-8)	Implemented.
LUP-39	(6-8)	Ongoing directive and implemented.
LUP-40; 41	(6-8)	Ongoing directive.
LUP-42; 43; 44	(6-8)	Implemented.
LUI-14; 15; 16	(6-8)	Implemented.
LUI-17	(6-8)	Implemented. See comment for LUI-5.
LUI-18	(6-8)	Largely implemented via adoption of town-wide design standards in March, 2010.

LAND USE DENSITIES

LUP-45	(6-9)	Ongoing directive.
LUP-46	(6-9)	Partially implemented and ongoing.
LUP-47	(6-9)	Ongoing implementation.
LUP-48	(6-9)	Partially implemented and ongoing.
LUP-49	(6-9)	Ongoing directive, implemented as opportunities are afforded.
LUP-50	(6-9)	Ongoing directive and partially implemented.
LUI-19	(6-9)	Implemented and ongoing directive.
LUI-20	(6-9)	Implemented and ongoing.
LUI-21	(6-9)	Implemented.
LUI-22	(6-9)	Implemented and ongoing.

ECONOMIC DEVELOPMENT/REDEVELOPMENT

LUP-51	(6-10)	Partially implemented; target industry study completed. Additional implementation as new opportunities arise.
LUP-52	(6-10)	Ongoing directive, however, dissolution of RDA has eliminated a primary funding source for the façade renovation program, which targets reuse of existing buildings.
LUP-53, 54	(6-11)	Implemented. Town-wide Design Standards are adopted. Various PMC sign regulation changes adopted in 2010 have assisted as well.
LUP-55	(6-11)	Implemented and ongoing.
LUP-56	(6-11)	Ongoing directive; implemented.
LUP-57	(6-11)	Chamber of Commerce and the Paradise Art Association continue

	to sponsor cultural events.
LUP-58	(6-11) Ongoing directive; partially implemented.
LUP-59	(6-11) Ongoing directive.
LUP-60	(6-11) Implemented via PMC zoning code text amendments and adoption of design standards in 2010.
LUP-61	(6-11) Ongoing directive.
LUP-62; 63	(6-11) Ongoing and partially implemented.
LUP-64	(6-11) This directive is implemented via Town's zoning regulations.
LUP-65	(6-11) Ongoing directive.
LUP-66	(6-11) Plan is adopted and implementation is promoted via 2010 adoption of Design Standards.
LUP-67	(6-12) Partially implemented. See LUP-51.
LUI-23	(6-12) Functionally Implemented. "Main Street" concepts/components are incorporated within the adopted Downtown Revitalization Plan and the 2010 Design Standards.
LUI-24; 25	(6-12) Ongoing implementation.
LUI-26	(6-12) Implemented.
LUI-27	(6-12) Implemented.
LUI-28;29	(6-12) Implemented.
LUI-30	(6-12) Implemented via adoption of scenic highway corridor zoning regulations and 2010 adoption of Design Standards specific to gateway areas.
LUI-31	(6-12) Partially implemented as opportunities arise.
LUI-32	(6-12) Partially implemented; private efforts have assisted.
LUI-33	(6-12) Ongoing directive and implemented.
LUI-34	(6-12) Implemented.
LUI-35	(6-12) Implementation ongoing.
LUI-36	(6-12) Ongoing directive as part of the Downtown Revitalization Master Plan.
LUI-37	(6-12) Implemented and ongoing as funds permit.
LUI-38	(6-12) Partially implemented (see LUI-37).
LUI-39	(6-13) Ongoing directive.

INTERGOVERNMENTAL COORDINATION

LUP-68; 69; 70; 71	(6-13) Ongoing and partially implemented as opportunities are afforded.
LUI-40; 41; 42	(6-13) Ongoing and partially implemented as opportunities are afforded.

LAND USE CONTROLS

LUP-72	(6-14) Ongoing directive.
LUP-73	(6-14) Implemented and ongoing as opportunities are afforded.
LUP-74	(6-14) Implemented, though economic conditions affecting General Fund revenues have resulted in a reduction in Code Enforcement staff at the end of 2010. Recently, the Town Council unanimously affirmed its support of the program and its current staffing level (one 32 hour/week officer).
LUP-75	(6-14) Ongoing and implemented.
LUP-76	(6-14) Implemented.
LUI-43; 44	(6-14) Implemented and ongoing.
LUI-45	(6-14) Implemented and ongoing.

TERTIARY PLANNING AREA

LUP-77; 78; 79	(6-15) Partially implemented and ongoing directive.
LUP-80; 81; 82	(6-15) Partially implemented and ongoing as opportunities are afforded.
LUI-46; 47	(6-15) Implemented and ongoing. Town staff provided input for the new Butte County General Plan adopted in October, 2010.
LUI-48; 49	(6-15) Partially implemented.

CIRCULATION ELEMENT:

CP-1	(6-18) Partially implemented and ongoing.
CP-2	(6-18) Circulation problems have been formally prioritized for elimination as funding permits via BCAG adoption of Regional Transportation Plan.
CP-3	(6-18) Ongoing directive and implemented.
CP-4	(6-19) Ongoing and implemented on case by case basis.
CP-5	(6-19) Partially implemented and ongoing. Butte County collects development impact fees for upper ridge development, a portion of which is earmarked for Skyway and Clark Roads in Paradise.
CP-6	(6-19) Ongoing directive with little progress due to limited opportunities, constraints.

CP-7	(6-19) Not implemented due to existing spatial distribution of signaled intersections, resource limitations, etc.
CP-8	(6-19) Implemented and ongoing.
CP-9	(6-19) Ongoing, partially implemented and in process.
CP-10	(6-19) Ongoing directive. Pearson, Foster Roads sidewalk improvements completed. Additional Pearson Road improvements/signalization at Recreation Drive are scheduled for Summer of 2013 .
CP-11	(6-19) Ongoing directive; partially implemented. A Master Bicycle and Pedestrian Plan is adopted and current through March, 2017. A BTA grant funding application was filed by the Town with Caltrans in April, 2012 but was not chosen for funding. Staff will continue efforts to secure similar grant funding as opportunities arise.
CP-12	(6-19) Implemented. Butte County and the Town have adopted compatible road standards for the Town's Sphere of Influence.
CP-13	(6-19) Partially implemented and ongoing.
CP-14	(6-19) Ongoing directive; partially implemented via Paradise Express service.
CP-15	(6-19) Consolidation of County-wide transit services has helped promote implementation.
CP-16	(6-19) Ongoing directive implemented as opportunities arise. Construction of an additional public parking facility in the Central Commercial area was completed in 2011.
CP-17	(6-19) Ongoing and partially implemented.
CP-18	(6-20) Ongoing and partially implemented.
CP-19	(6-20) Partially implemented. The component regarding children has not been implemented due to lack of available funding.
CP-20	(6-20) Not being implemented due to lack of resources and staff.
CI-1	(6-20) Ongoing directive.
CI-2	(6-20) Not being implemented due to lack of resources, staff and opportunities.
CI-3	(6-20) Implemented and ongoing.
CI-4; 5; 6	(6-20) Ongoing and partially implemented.
CI-7	(6-20) Ongoing directive; partially implemented by covenant agreements.
CI-8	(6-20) Ongoing implementation continuing via various small scale public infrastructure projects.
CI-9	(6-20) Ongoing directive.
CI-10	(6-21) Ongoing implementation as funds permit.
CI-11	(6-21) Refer to comment for CP-5.

HOUSING ELEMENT:

NOTE: A separate report detailing implementation of the Town of Paradise Housing Element was reviewed by the Planning Commission on February 19, 2013 and accepted by the Town Council on March 12, 2013. The format and contents of the Housing Element report is dictated by the California Department of Housing and Urban Development and is therefore generated as a stand-alone, but related document.

NOISE ELEMENT:

NP-1 thru NP-7	(6-33) Ongoing implementation as needed.
NP-8	(6-33) Ongoing directive.
NP-9	(6-33) Ongoing implementation in accordance with noise regulations of Paradise Municipal Code.
NP-10	(6-34) Ongoing implementation as needed.
NI-1; 2	(6-34) Ongoing implementation as needed.
NI-3	(6-34) Implemented and ongoing.
NI-4; 5	(6-34) Ongoing implementation as required.
NI-6	(6-34) Implemented and ongoing.
NI-7	(6-34) Implemented.

SAFETY ELEMENT:

SP-1	(6-41) Ongoing implementation as needed.
SP-2	(6-42) Ongoing implementation as needed.
SP-3	(6-42) Implemented and ongoing.
SP-4	(6-42) Ongoing implementation at staff level. See note for LUP-6.
SP-5; 6; 7	(6-42) Implemented and ongoing.
SP-8	(6-42) Ongoing directive.
SP-9	(6-42) Implemented and ongoing.
SP-10; 11; 12	(6-42) Implemented and ongoing.
SP-13	(6-42) Ongoing implementation as needed.
SP-14	(6-42) Ongoing implementation via regulatory efforts of the Town's Onsite Sanitation Division, the County Dept. of Public Health Services and RWQCB.
SP-15; 16; 17	(6-43) Ongoing implementation as needed.

SI-1	(6-43) Implemented and ongoing.
SI-2	(6-43) Ongoing directive.
SI-3	(6-43) Implemented and ongoing.
SI-4	(6-43) Not implemented at this time due to legal (Prop.218) constraints.
SI-5; 6; 7	(6-43) Implemented and ongoing.
SI-8	(6-43) Ongoing and partially implemented.
SI-9	(6-43) Ongoing as opportunities arise and funding sources become available.
SI-10	(6-43) Implemented.
SI-11	(6-43) Ongoing implementation as needed.
SP-18; 19	(6-45) Functionally implemented and ongoing as a result of establishment and successful operation of the Town's HHW facility.
SP-20; 21; 22	(6-45) Ongoing. See County Hazardous Waste Management Plan.
SP-23; 24	(6-45) Implemented.
SI-12 thru SI-19	(6-46) Ongoing implementation as needed.
SI-20; 21; 22	(6-46) Ongoing and implemented.

OPEN SPACE/CONSERVATION ELEMENT:

OCEP-1	(6-49) Implemented.
OCEP-2; 3; 4	(6-49) Implemented and ongoing.
OCEP-5; 6	(6-49) Ongoing implementation as needed.
OCEI-1	(6-50) Implemented via Town adoption of scenic highway zoning regulations.
OCEI-2	(6-50) Implemented as needed.
OCEI-3	(6-50) Implemented and ongoing.
OCEP-7	(6-51) Partially implemented, ongoing directive.
OCEP-8	(6-51) Ongoing and partially implemented as needed; Memorial Trailway extension completed in 2010 indicates progress.
OCEP-9	(6-51) Implemented. Butte County has completed the first phase of significant public access improvements for Lookout Point.
OCEP-10	(6-51) Partially implemented and ongoing via Paradise Memorial Trailway Plan.
OCEP-11	(6-51) Implemented and ongoing.
OCEP-12	(6-51) Ongoing directive.

OCEI-4;	(6-51) The PRPD adopted a revised and updated 15 year District Master Plan during 2010 that will assist in implementation of this directive.
OCEI-5	(6-51) Implemented and ongoing. Recent Terry Ashe Recreation Center facilities improvements assisted and additional improvements are planned, including the PCV project, etc.
OCEI-6	(6-51) Not implemented due to lack of necessity and direction.
OCEI-7	(6-51) Partially implemented as an ongoing directive.
OCEP-13	(6-52) Ongoing directive.
OCEP-14; 15; 16	(6-52) Partially implemented and ongoing.
OCEP-17	(6-52) Ongoing directive.
OCEP-18; 19; 20; 21	(6-53) Ongoing and partially implemented.
OCEP-22	(6-53) Partially implemented and ongoing.
OCEP-23	(6-53) Implemented and ongoing.
OCEP-24; 25	(6-53) Implemented and ongoing.
OCEP-26	(6-53) Partially implemented and ongoing via case by case analysis.
OCEP-27	(6-53) Implemented and ongoing.
OCEP-28	(6-53) Partially implemented and ongoing. Adoption of 2010 California Green Building Standards Code has assisted.
OCEP-29	(6-53) Ongoing directive.
OCEP-30	(6-53) Partially implemented and ongoing.
OCEP-31	(6-53) Ongoing partial implementation.
OCEP-32	(6-53) Implemented and ongoing.
OCEP-33	(6-54) Implemented.
OCEP-34; 35	(6-54) Implemented/ongoing via execution of a solid waste franchise agreement with NRWS.
OCEP-36	(6-54) Implemented and ongoing.
OCEI-8	(6-54) Implemented and ongoing.
OCEI-9	(6-54) Implemented and ongoing.
OCEI-10	(6-54) Implemented and ongoing via RWQCB and the Town's Wastewater Management District.
OCEI-11	(6-54) Partially implemented and ongoing as opportunity affords itself.
OCEI-12	(6-54) Largely implemented via tree ordinance regulations.
OCEI-13	(6-54) Ongoing directive.
OCEI-14	(6-54) Implemented and ongoing.
OCEI-15	(6-54) Partially implemented and ongoing.
OCEI-16	(6-54) Not implemented; lack of funding.
OCEI-17	(6-54) Not implemented; lack of local opportunities.
OCEI-18	(6-55) Implemented and ongoing directive.

OCEI-19; 20	(6-55) Implemented and ongoing.
OCEI-21; 22; 23; 24	(6-55) Implemented and ongoing. See comments for OCEP-34; 35 and SP-18; 19.
OCEI-25	(6-55) Progress toward implementation has been achieved; Town Council has adopted regulations resulting in a reduction in leaf burning.
OCEI-26	(6-55) Partial implementation and ongoing. See note for LUP-6.
OCEI-27	(6-55) Implemented and ongoing.
OCEP-37	(6-56) Not implemented; Opportunities for implementation have not been available.
OCEP-38	(6-56) Implemented.
OCEP-39	(6-56) Ongoing directive.
OCEP-40	(6-56) Implemented by Town-wide Design Standards adopted in 2010.
OCEP-41	(6-57) Implemented and ongoing.
OCEP-42	(6-57) Ongoing and partially implemented on a case by case basis.
OCEP-43	(6-57) Limited implementation due to lack of resources, staff, etc.
OCEI-28	(6-57) Partially implemented and ongoing.
OCEI-29	(6-57) Not fully implemented, though adoption of 2010 Green Building Standards Code has assisted.
OCEI-30	(6-57) Ongoing directive.

EDUCATION AND SOCIAL SERVICES ELEMENT:

SOCIAL SERVICES ELEMENT - (Education and Schools)

ESP-1 thru ESP-7	(6-59) Ongoing directives; implemented as opportunities arise.
ESP-8	(6-60) Ongoing directive.
ESP-9; 10	(6-60) Implemented and ongoing.
ESI-1	(6-60) Implemented and ongoing.
ESI-2; 3; 4	(6-60) Ongoing directives implemented as opportunities arise.
ESI-5	(6-61) Not implemented.
ESI-6	(6-61) Not implemented; prohibited by California State law.

SOCIAL SERVICES ELEMENT - (Senior Services):

ESP-11; 12; 13	(6-62) Partially implemented and ongoing.
ESP-14; 15; 16	(6-62) Partially implemented and ongoing.
ESI-7	(6-62) Partially implemented and ongoing but no formally established liaison.
ESI-8; 9	(6-62) Implemented.
ESI-10	(6-62) Partially implemented via federally funded Town housing programs.

SOCIAL SERVICES ELEMENT - (Child Day Care):

ESP-17; 18; 19	(6-63) Implemented.
ESI-11	(6-63) Implemented.

SOCIAL SERVICES ELEMENT - (The Arts)

ESP-20	(6-64) Partially implemented and ongoing as opportunities are afforded.
ESP-21	(6-64) Implemented and ongoing.
ESP-22	(6-64) Implementation ongoing.
ESP-23	(6-64) Partially implemented and ongoing.
ESI-12	(6-64) Partially implemented.
ESI-13	(6-64) Not being implemented by local government efforts but via private sector (Paradise Ridge Chamber, etc.).
ESI-14	(6-64) Partially implemented and ongoing.
ESP-24	(6-65) Limited implementation effort.
ESP-25	(6-65) Not implemented. Such opportunities have yet to materialize.
ESP-26	(6-65) Limited implementation effort.

SOCIAL SERVICES ELEMENT - (Library Services)

ESI-15	(6-65) Limited implementation effort.
ESI-16	(6-65) Not implemented. No advocacy nor demand for implementation currently exists.

SOCIAL SERVICES ELEMENT - (Activities for Teenagers):

ESP-27; 28	(6-66) Implemented and ongoing. Boys and Girls Club, PRPD programs/activities contribute greatly.
ESP-29	(6-66) Limited implementation as opportunities are afforded.
ESI-17; 18	(6-66) Implemented as the opportunity arises.
ESI-19	(6-66) Limited implementation.

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TOWN OF PARADISE
Council Agenda Summary
April 9, 2013

AGENDA NO. 7a

ORIGINATED BY: Joanna Gutierrez, Town Clerk

REVIEWED BY: Lauren Gill, Interim Town Manager

SUBJECT: Consider authorizing recruitment for vacancies on Access Appeals Board, Development Impact Fee Adjustments Board and Tree Advisory Committee.

COUNCIL ACTION REQUESTED: Consider authorizing recruitment for vacancies on the Access Appeals Board, the Development Impact Fee Adjustments Board and the Tree Advisory Committee and direct the Town Clerk to schedule appointments on a meeting agenda when applications are received; or, (2) Consider alternate direction to staff.

BACKGROUND: The Town Council has authorized the creation of various committees to serve either advisory boards or as appeals boards for decisions made by the Town Fire Marshal/Building Official pursuant to state or laws and policies.

DISCUSSION: On March 12, 2013, the Town Council appointed a licensed civil engineer, a licensed general contractor and a licensed plumbing contractor to serve on the Building/Fire Code Appeals Board, and authorized recruitment for the remaining vacancies on the Access Appeals Board, the Development Impact Fee Adjustments Board, and the Tree Advisory Committee, as it is in the best interests of the Town to have a quorum appointed to each board to ensure that a timely meeting can be called in the event that an appeal hearing is needed.

As of the March 28, 2013 deadline, no applications were received.

RECOMMENDATION: Authorize staff to continue recruitment for the vacancies and to schedule appointments on a Council agenda when applications are received; or, consider alternate direction to staff.



TOWN OF PARADISE
Council Agenda Summary
Date: April 9, 2013

Agenda No. 7(b)

ORIGINATED BY: Marc Mattox, Associate Civil Engineer

REVIEWED BY: Lauren Gill, Interim Town Manager

SUBJECT: Paradise Microsurfacing Project 2013

COUNCIL ACTION REQUESTED:

1. Adopt a resolution approving the plans and specifications for the Paradise Microsurfacing Project 2013 and authorizing advertisement for bids on the project.

Background:

On March 12, 2013, Council authorized staff to proceed preparing a road maintenance project for bid which helps maintain and extend the life of the Town's most critical roadways. The proposed project will apply a microsurfacing seal application which involves placing a thin layer composed of fine aggregate, asphalt emulsion, additives, water and cement. This microsurfacing will extend the life of the road and reduce future maintenance costs.

Analysis:

Staff has established a street list for the Paradise Microsurfacing Project by collecting field data, indentifying repair methods, grouping the repairs into areas of need, and considering future projects in different locations in the Town, see attached Exhibit A. The prioritized street list for the subject project is shown below:

- | | |
|-----------------|---------------------------------|
| 1. Clark Road* | Pearson Road to Elliott Road |
| 2. Pearson Road | Skyway to Academy Drive |
| 3. Skyway | Elliott Road to Bille Road |
| 4. Skyway | Neal Road to Pearson Road |
| 5. Pearson Road | Hilbe Curve |
| 6. Clark Road** | Armstrong Road to Wagstaff Road |

*Clark Road between Pearson Road and Nunnely Road will be restriped following the microsurfacing treatment to accommodate a two-way left turn lane. On-street parking along this segment will be restricted.

**Clark Road between Armstrong Road and Wagstaff Road will be included in this project as an Add-Alternate bid item, allowing the area to be included in the project if construction costs are lower than estimated.

Engineering staff is coordinating the project schedule with Paradise Irrigation District (PID). PID currently has an active encroachment permit along Skyway between Jewell Road and Pearson Road. The coordination efforts are expected to allow completion of PID's water service replacements prior to commencement of the microsurfacing project.

Engineering has prepared the plans, specifications, and cost estimate for Paradise Microsurfacing Project 2013. With Council approval of the plans and specifications and authorization to advertise for bids, staff proposes the following schedule:

Advertise for bid:	April – May 2013
Award Contract:	June 11, 2013
Construction:	August 2013

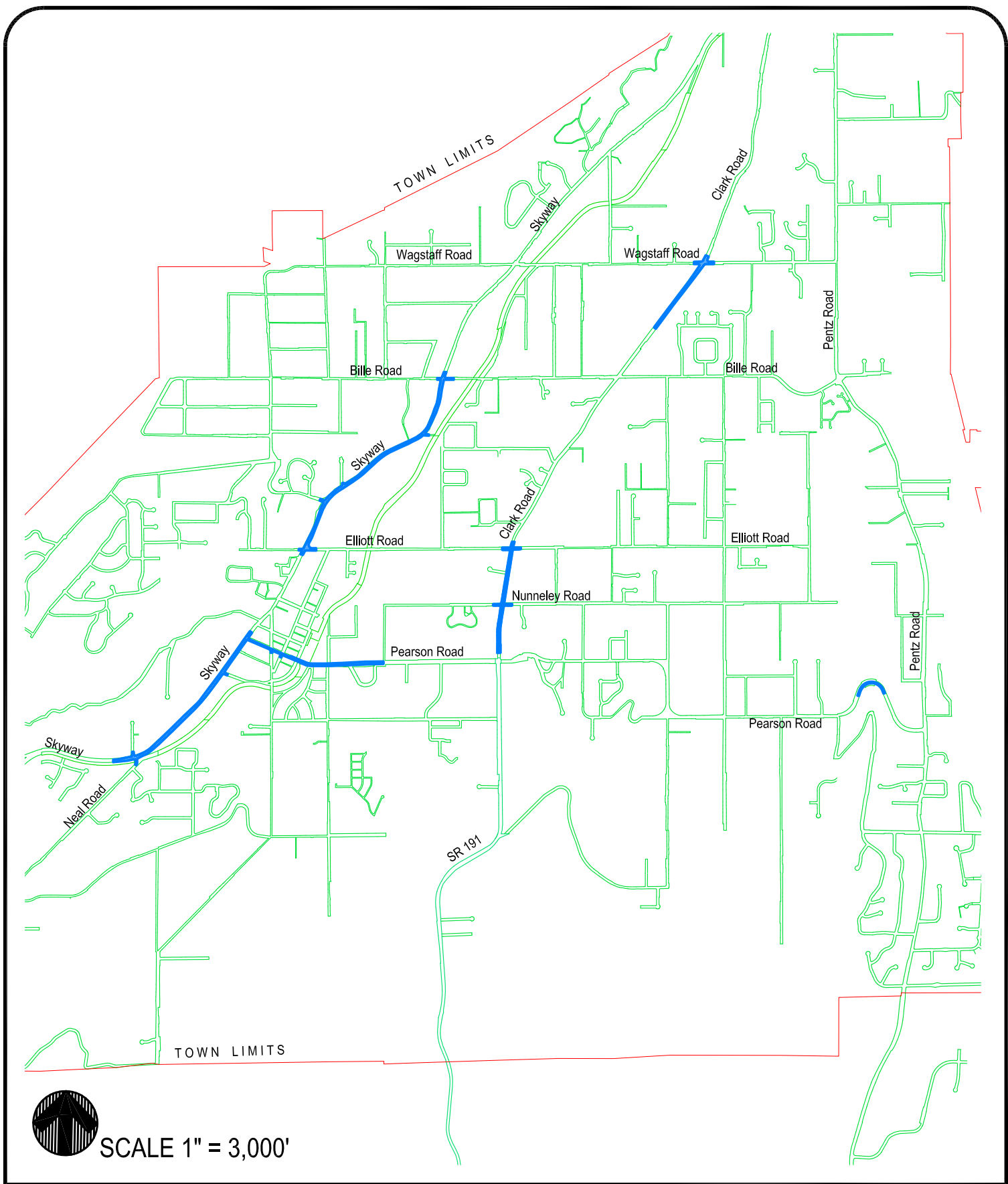
The plans and specifications for the project are on file in the Public Works office for review.

Financial Impact:

Funding for the Paradise Microsurfacing Project 2013 will come from a combination of Proposition 1B Funds and Road Funds. There are sufficient funds available to cover the estimated \$315,000 required for this project. A detailed project accounting description will be made available at the time of contract award.

Alternatives:

Delay or modify the recommended action.



SCALE 1" = 3,000'



TOWN OF PARADISE

PUBLIC WORKS DEPARTMENT

5555 Skyway
Paradise, California 95969
Phone: (530) 872-6291 Fax: (530) 877-5059

137

Paradise Microsurfacing Project 2013
Project Vicinity Map
01 of 13

**TOWN OF PARADISE
RESOLUTION NO. _____**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PARADISE APPROVING THE PLANS, SPECIFICATIONS AND
ESTIMATES FOR PARADISE MICROSURFACING PROJECT 2013
AND AUTHORIZING ADVERTISEMENT FOR BIDS ON THE PROJECT.**

WHEREAS, staff has identified streets that should receive a surface treatment utilizing microsurfacing, a unique mixture of asphalt emulsion, cement, water aggregate and additives; and,

WHEREAS, maintenance of the Town's critical roads in fair condition is imperative to reducing future construction costs; and,

WHEREAS, Council authorized staff to proceed with preparation of the subject project at the regularly scheduled March 12, 2013 Council meeting.

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

Section 1. The design, plans, specifications and estimates for the Paradise Microsurfacing Project 2013 described in the Town Council Agenda Summary for this Resolution are hereby approved.

Section 2. The Public Works Department is authorized to advertise the Paradise Microsurfacing Project 2013.

PASSED AND ADOPTED by the Town Council of the Town of Paradise on this 9th day of April, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

By: _____
Timothy Titus, Mayor

ATTEST:

Joanna Gutierrez, CMC, Town Clerk

APPROVED AS TO FORM:

Dwight L. Moore, Town Attorney



**TOWN OF PARADISE
Council Agenda Summary
Date: April 9, 2013**

Agenda No. 7c

ORIGINATED BY: Marc Mattox, Associate Civil Engineer

REVIEWED BY: Lauren Gill, Interim Town Manager

SUBJECT: Program Supplement Agreement for Skyway HSIP Project

COUNCIL ACTION REQUESTED:

1. Approve the Program Supplement Agreement No. 011-N to Administering Agency-State Agreement No. 03-5425R for Federal-Aid Project HSIPL-5425 (024) to assure receipt of \$155,800.00 in federal funds.
2. Adopt a resolution authorizing the Interim Town Manager, or her designee, to sign the Program Supplement Agreement No. 011-N to Administering Agency-State

Background:

On May 22, 2007, Town Council approved a Master Administering Agency-State Agreement for Federal-Aid Projects with the California Department of Transportation (Caltrans). The Master Agreement establishes terms and conditions the Town must meet and comply with in order to receive federal funds to implement transportation improvement projects.

On April 23, 2012, Caltrans announced Cycle 5 Call-for-Projects for the Highway Safety Improvement Program (HSIP). The purpose of this program is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads. The HSIP requires a data-driven, strategic approach to improving highway safety on all public roads that focuses on performance.

By July 20, 2012, the Town of Paradise submitted the Skyway HSIP Project application. The project limits are defined as Skyway between Vista Way and Elliott Road, as shown in Exhibit A. The proposed scope of work includes pedestrian and motorist safety enhancements.

On October 19, 2012, Caltrans approved the Skyway HSIP Project for Federal funding. This project was selected based upon the calculated high Benefit-Cost Ratio using actual collision data between 2006 and 2010 and implementation of safety countermeasures.

Analysis:

On February 13, 2013, the Federal Highway Administration approved the Town of Paradise to begin reimbursable Preliminary Engineering for the Skyway HSIP Project. This Authorization / Agreement Summary (E-76) is attached as Exhibit B.

To remain eligible for the allocated grant funding, the Town of Paradise is required to adopt a resolution identifying the subject project and an official authorized to execute the approved Program Supplement Agreement by May 11, 2013. The Agreement is attached as Exhibit C.

Once executed, staff proposes moving the project forward by completion of the following tasks:

1. Town Environmental Review – California Environmental Quality Act
2. Caltrans Environmental Review – National Environmental Policy Act
3. Field Work
4. Engineering Design
5. 75% Plans, Specifications and Estimates
6. Public Outreach
 - a. Workshops
 - b. Council Meeting
 - c. Community Input
7. 100% Plans, Specifications and Estimates
8. Caltrans & FHWA Authorization to Proceed with Construction (October 2014)
9. Council Approval of Plans, Specifications and Estimates
10. Advertise Project
11. Council Award Construction Contract
12. Construction (Summer 2015)
13. Project Close-Out (May 2016)

As noted above, Council's final approval is required prior to proceeding with the construction phase of the project.

Financial Impact:

The estimated total project cost is \$1,025,000. The minimum local match is 10%. The maximum federal contribution is \$900,000. The estimated funding breakdown for the Preliminary Engineering and Construction phases are shown below:

Phase	Total Cost	Federal Funds	Local Funds
Preliminary Engineering	\$183,100	\$155,800	\$27,300
Construction	\$841,900	\$744,200	\$97,700
Total	\$1,025,000	\$900,000	\$125,000

Matching funds for the Preliminary Engineering phase shall come from Local Transportation Funds (Transit Fund 5900).

Alternatives:

Bid the original project design as approved on October 9 or modify the recommended action.

Attachments:

1. Exhibit A - Project Location Map
2. Exhibit B - Authorization / Agreement Summary (E-76)
3. Exhibit C - Program Supplement Agreement No. 011-N
4. Exhibit D - Resolution



TOWN OF PARADISE PUBLIC WORKS DEPARTMENT

5555 Skyway
Paradise, California 95969
Phone: (530) 872-6291 Fax: (530) 877-5059

141

Skyway HSIP Project Project Location Map

EXHIBIT A

CALTRANS SIGNATURE HISTORY	
DOCUMENT TYPE SIGNED BY	SIGNED ON
AUTH/AGREE AMBROSINI, ADAM	02/11/2013

PROGRAM SUPPLEMENT NO. N011
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO 03-5425R

Adv Project ID Date: February 25, 2013
0313000097 Location: 03-BUT-0-PRDS
Project Number: HSIPL-5425(024)
E.A. Number:
Locode: 5425

This Program Supplement hereby adopts and incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 06/05/07 and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. _____ approved by the Administering Agency on _____
(See copy attached).

The Administering Agency further stipulates that as a condition to the payment by the State of any funds derived from sources noted below obligated to this PROJECT, the Administering Agency accepts and will comply with the special covenants or remarks set forth on the following pages.

PROJECT LOCATION:

Skyway Rd. between Vista Way and Elliot Rd.

TYPE OF WORK: Modify traffic signals; install crosswalks

LENGTH: 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds	
	MS30		LOCAL	OTHER
\$183,100.00		\$155,800.00	\$27,300.00	\$0.00

TOWN OF PARADISE

STATE OF CALIFORNIA

Department of Transportation

By _____

By _____
Chief, Office of Project Implementation
Division of Local Assistance

Title _____

Date _____

Date _____

Attest _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer _____

Date 3/1/13

\$155,800.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT

SPECIAL COVENANTS OR REMARKS

1. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).
2. In the event that right of way acquisition for or construction of this project of the initial federal authorization for preliminary engineering is not started by the close of the tenth fiscal year following the fiscal year in which the project is authorized, the ADMINISTERING AGENCY shall repay the Federal Highway Administration through Caltrans the sum of Federal funds paid under the terms of this agreement.
3. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.
4. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract.

Failure to do so will cause a delay in the State processing invoices for the construction phase. Please refer to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

5. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations for Federal aid projects, or encumbrances for State funded projects, as well as to suspend invoice payments for any on-going or future project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

6. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the

SPECIAL COVENANTS OR REMARKS

limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the District Local Assistance Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

7. The Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
8. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Excluded Parties List System (EPLS).

**TOWN OF PARADISE
RESOLUTION NO. 13-16**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PARADISE AUTHORIZING THE INTERIM TOWN MANAGER OF THE
TOWN OF PARADISE OR HER DESIGNEE TO SIGN PROGRAM
SUPPLEMENT AGREEMENT NO 011-N TO THE ADMINISTERING
AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS.**

WHEREAS, the Town of Paradise has received and will continue to receive federal funds for various transportation projects and has entered into an Agency-State Agreement for Federal-Aid Projects with the California Department of Transportation; and,

WHEREAS, the State of California through its Department of Transportation (Caltrans) administers the Federal Highway Safety Improvement Program (HSIP) and selects projects for funding; and,

WHEREAS, the Skyway HSIP Project currently has \$900,000 of federal funds allocated to the Project; and,

WHEREAS, on February 15, 2013, Caltrans issued the E-76 document authorizing the Town to utilize \$155,800 of federal funds for Preliminary Engineering; and,

WHEREAS, Caltrans provides Program Supplement Agreements in accordance with Administering Agency-State Agreement for Federal Aid Projects, Agreement No. 03-5425R (Master Agreement), which upon full execution enables the Town of Paradise to request and receive Federal funds for certain street projects; and,

WHEREAS, Caltrans requires the Town of Paradise to execute the Program Supplement Agreement No. 011-N for the Skyway HSIP Project, in order to be eligible to receive Federal-Aid for eligible project costs; 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 Program Supplement Agreement.

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

Section 1. That the Interim 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 to the passage and adoption of this resolution.

EXHIBIT D

PASSED AND ADOPTED by the Town Council of the Town of Paradise on this
9th day of April, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

By: _____
Timothy Titus, Mayor

ATTEST:

Joanna Gutierrez, CMC, Town Clerk

APPROVED AS TO FORM:

Dwight L. Moore, Town Attorney



**Town of Paradise
Council Agenda Summary
Date: April 9, 2013**

Agenda Item: 7(d)

**Originated and
Reviewed by:**

Lauren Gill, Interim Town Manager

Subject:

**Community Development Block Grant Program (CDBG)
Approval of Annual Action Plan and Subrecipient Funding
Recommendations**

Council Action Requested:

1. Adopt the 2013-14 Subrecipient funding recommendations regarding grant funding for local organizations; and
2. Adopt the FINAL 2013-2014 Annual Plan as submitted; or
3. Revise the FINAL 2013-2014 Annual Plan; and
4. Authorize staff to submit the adopted 2013-2014 Annual Plan to the U.S. Department of Housing and Urban Development.

Background:

On February 12, 2013 Council held the second of two public hearings on the 2013-2014 Annual Action Plan. The Annual Action Plan has been available for public comment during a mandatory 30-day public notice period from February 12th to March 14th, 2013. The Action Plan was available for viewing and comment at Town Hall, The Family Resource Center, the Public Library and the Senior Center, and posted on the Town's website for comment. Residents were encouraged to participate in the plan's development through the public hearing process or by submitting comments to staff by the end of the Council meeting on April 9, 2013. Today's meeting is the final approval of the Annual Plan. Staff will submit the plan to the U.S. Department of Housing and Urban Development for review and approval before the next funding cycle begins July 1, 2013.

HUD recently notified the Town that due to the Federal Sequestration, entitlement communities can expect a 5% decrease in funding this program year. Based on last year's funding Staff estimates the Town will receive \$149,968 this program year.

Subrecipient Funding:

In January, non-profit organizations doing business in Paradise were given 30-days to submit applications for grant funding to the Town. Thirteen applications were submitted and scheduled to interview with the subrecipient funding sub-committee. The funding Committee, consisting of Councilmember's Bolin and Rawlings, along with the Interim Town Manager and Administrative Analyst, met with each of the applicants on March 1, 2013.

Although all of the organizations that submitted applications were deserving of the funding, the Town's allotment was much smaller than the requests for funding. The Town estimates we will receive \$22,495 this program year, which represents a 5% decrease from last year's funding. The sub-committee's recommendation to Council is depicted in the funding chart below.

Applicant Name	Requested Amount	Committee Recommendation	Proposed Program
The Salvation Army	\$2,000	\$2,000	Provide monetary assistance to residents for temporary shelter.
His Cupboard Food Pantry	\$6,000	0	Provide supplemental food, dairy, eggs and produce for families.
Youth for Change	\$8,000	\$5,000	Assistance to low income families to pay for emergency needs and bills.
California Vocations	\$10,000	\$4,831	Move and expand their CRV buy back recycling program from Stratton's Market to 8279 Skyway.
SHOR Nomadic Homeless Shelter	\$5,000	0	Nomadic shelter providing homeless individuals and families with an overnight shelter, including meals and shower.
Help-4-People	\$7,000	0	Provide residents with a five-day supply of food.
Loaves and Fishes Community Program	\$4,000	0	Supplemental pantry that provides families with a one-year commitment to receive groceries two times a month.
Paradise Recreation and Park District	\$4,000	0	Scholarships for low/moderate income youth to participate in PRPD Youth Sports.
Made in Paradise-Work Training Center, Inc.	\$3,446	\$2,832	Purchase a pottery wheel to offer a new art medium and lessons for clients.
Paradise Community Wellness Connection	\$6,000	\$2,832	Repair existing school gardens at Paradise Elementary School (purchase new fencing, repair garden beds & purchase raw materials).
Catalyst	\$10,000	\$5,000	Provides services to meet the needs of domestic violence victims and children, provide shelters, hotlines, counseling, restraining orders.
Peg Taylor	\$7,520	0	Services for physically & developmentally challenged residents and services for senior population.
Paradise Gleaners	\$25,000	0	Creation of handicapped parking spaces (\$2,500) and purchase of vegetables, meat and dairy products.
Total:	\$72,966	\$22,495	

In forming its recommendation, the Committee focused on funding organizations that served those in need of critical emergency services (e.g. Red Cross Shelter, Youth for Change family emergency support, and Catalyst). The Committee also voted to support organizations that were requesting initial funding to assist them in growing and sustaining programs and services for disabled residents. This year, the Paradise Community Wellness Program asked for support for a program that teaches children about healthy living through gardening.

Annual Plan 2013-14 Proposed Funding Allocation:

This year, the Town will continue to support low and moderate income homeowners who need repairs to their home, and low income first-time homebuyers who are seeking down-payment assistance to purchase a home. The town will also be allocating funding for a commercial business façade program, continue funding public services through our subrecipient funding process and allocate funds for the program's planning and administrative activities.

2013-2014 Staff Recommended Funding Breakdown:

Program Administration	\$29,994
Business Assistance	\$40,000
Housing	\$57,479
Public Services	\$22,495
TOTAL:	\$149,968

Financial Impact:

The impact of this agenda item and subsequent actions related to the CDBG Program is positive, as it will result in the award of \$149,968 in federal funds. There is no impact to the General Fund.

Staff Recommendation:

Adopt the 2013-2014 Subrecipient funding recommendations regarding grant funding for local organizations and adopt the Final Community Development Block Grant Program's 2013-2014 Annual Action Plan. Authorize staff to submit the adopted 2013-2014 Annual Plan to the U.S. Department of Housing and Urban Development.



Fourth Program Year Action Plan – 2013-2014

The CPMP Annual Action Plan includes the and Narrative Responses to Action Plan questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations. The Executive Summary narratives are optional.

Narrative Responses

GENERAL

Executive Summary

The Town of Paradise, through its Community Development Block Grant (CDBG) program, has developed a strategy that focuses on cultivating Paradise as a viable community by providing decent housing, a suitable living environment, and by expanding economic opportunities, principally for low and moderate income persons.

A decent and safe, affordable housing is an important component of a communities' housing stock. The Town is working in conjunction with several Town agencies on the development of the Paradise Community Village project. This development will provide 36 affordable rental housing units and will also includes soccer fields, a skate park, and some market rate housing units. Past CDBG funds have assisted with the development of a wastewater treatment facility at the site. The project applicant received a HOME grant and is currently completing the infrastructure portion of this important collaborative project. The first phase is expected to be complete later this summer.

This year, the Town will continue to support low and moderate income homeowners who need repairs to their home, and low income first-time homebuyers who are seeking downpayment assistance to purchase a home. The town will also be allocating funding for a commercial business façade program, continue funding public services through our subrecipient funding process and allocate funds for the program's planning and administrative activities.

2013-2014 Staff Recommended Funding Breakdown:

Program Administration	\$29,994
Business Assistance	\$40,000
Housing	\$57,479
Public Services	\$22,495
TOTAL:	\$149,968

General Questions

1. Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed during the next year. Where appropriate, the jurisdiction should estimate the percentage of funds the jurisdiction plans to dedicate to target areas.

The Town of Paradise is a community with a mixture of uses and socioeconomic levels. Affordability sets the pattern for population concentrations in Paradise. Primarily the two canyons bounding Paradise on the east and west contain the wealthiest constituents and low-to-moderate income families are located throughout Town. There are several low income areas in Town; but Paradise is unique in that there is a wide variety of home-types dispersed throughout town. Some neighborhoods have no real identified pattern with manufactured homes on lots and "cabin-like" homes that were built well before the Town was incorporated. The Town's infrastructure in most areas is sorely lacking and the Town does not have a sewer system, which is a huge detriment to multi-family, low-income housing and commercial uses.

Funds in the Town's housing programs are spent Town-wide and serve low-to-moderate income families. The housing economy has created a need in all aspects of the housing industry. Homeowners, homebuyers, contractors, lenders, realtors, etc. will benefit by the investment in housing repairs and mortgage assistance programs.

The two commercial corridors which follow the two main arterials through Town contain mainly micro-businesses. Historically, the Town's economic base has been low and extremely underserved. Over the past few years, the Town proposed investing CDBG dollars for commercial rehabilitation, as building infrastructure is very old, unsafe, and not environmentally sound. The Town will continue to work on assisting low-income business owners in Paradise with commercial rehabilitation and incubator business opportunities this program year.

2. Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) (91.215(a)(1)) during the next year and the rationale for assigning the priorities.

The Town of Paradise is a very eclectic community. The assorted housing types and conditions scattered throughout the community make it difficult and counter-productive to concentrate efforts into one or two specific neighborhoods. The Town's neighborhoods are not that well defined. Therefore, providing housing funds on a town-wide basis is the best approach.

Community groups that receive subrecipient funding, operate throughout the Town; therefore, their funding must also be available to serve client needs on a Town-wide basis. The Ridge Family Resource Center is centrally located on the Town's main street. It's location is such that most residents drive by there on their way to or from almost any destination.

3. Describe actions that will take place during the next year to address obstacles to meeting underserved needs.

Although the Town has been receiving CDBG funds since 1994, there is still a need for affordable housing, better jobs, and a support system that can help underserved needs of residents from a position of need to one of self-sufficiency. There are still unmet needs in Paradise especially related to elder care, affordable housing, and support for at-risk youth. Another obstacle facing this area is the lack of an efficient public transportation system. The local community will also experience a cut in services from local non-profit agencies, as they are dealing with major reductions from the state and other sources in their budgets (Community Needs Stakeholder Meeting, 2010).

4. Identify the federal, state, and local resources expected to be made available to address the needs identified in the plan. Federal resources should include Section 8 funds made available to the jurisdiction, Low-Income Housing Tax Credits, and competitive McKinney-Vento Homeless Assistance Act funds expected to be available to address priority needs and specific objectives identified in the strategic plan.

The Town applied for and received a \$700,000 HOME grant in 2012, which will be used to support owner-occupied housing rehabilitation and first time homebuyer programs.

Managing the Process

1. Identify the lead agency, entity, and agencies responsible for administering programs covered by the consolidated plan.

The Town of Paradise is the lead agency responsible for administering the programs covered by the consolidated plan.

2. Identify the significant aspects of the process by which the plan was developed, and the agencies, groups, organizations, and others who participated in the process.

The annual plan process is a public process coordinated by the Town staff. The Town follows the prescribed citizen participation process when developing the Annual Plan. Town staff held stakeholder meetings, public hearings, conducted surveys and met with individuals and groups to collaborate and coordinate efforts and resources. As a relatively small community, it is easy to stay connected with other groups and citizens.

3. Describe actions that will take place during the next year to enhance coordination between public and private housing, health, 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.

Town staff is also currently in partnership with the Paradise Community Village in the development of a 45+ acre parcel. The Town of Paradise has made a financial commitment to the wastewater treatment facility component of the overall affordable housing development. Thirty six affordable housing units will be constructed by CHIP-Community Housing Improvement Program in Phase I due to open this summer.

The Town of Paradise holds an annual forum for lenders/realtors to promote and educate community stakeholders regarding the first time homebuyers program. This ensures that all agencies and individuals involved with the Town's housing programs follow the guidelines set forth by HUD and Housing and Community Development (HCD).

The Town collaborates with the Chamber of Commerce in many ways to share information, provide services and support, and initiates programs and policies that benefit the local business community.

Citizen Participation

1. Provide a summary of the citizen participation process.

A public notice was published in the Paradise Post on December 21, 2012 outlining the noticing requirements of the Citizen Participation Plan and Annual Plan. The public notice announced the two public hearings that allowed citizens the opportunity to comment and make suggestions on the development of the 2013-2014 Annual Action Plan.

- **1st Public Hearing:** Tuesday, January 8, 2013 at 6:00 p.m. The public hearing was held to solicit suggestions and/or comments from the public regarding the 2013-14 Annual Plan funding priorities.
- **2nd Public Hearing:** Tuesday, February 12, 2013 at 6:00 p.m. The Draft Annual Action plan was available for review by the Council and the public on this date. The hearing initiated a 30-day public comment period.
- **30-Day Public Comment Period:** February 12 – March 14, 2013. The Draft Annual Action Plan was available for public review at the following locations, Paradise Public Library, Senior Center, Family Resource Center, Paradise Chamber of Commerce, Town Hall and on the Town's website, www.townofparadise.com.

- **Council Meeting:** Tuesday, April 9, 2013, at 6:00pm. Provide a summary of efforts made to broaden public participation, including outreach. The Council will review the final draft of the 2013-2014 Annual Plan, adopt the Plan and approve submission to HUD.

2. Provide a summary of citizen comments or views on the plan.

No public comments were received on the 2013-2014 Annual Plan.

3. Provide a summary of efforts made to broaden public participation in the development of the consolidated plan, including outreach to minorities and non-English speaking persons, as well as persons with disabilities.

The Town posted the public hearing notice in the Paradise Post and made it available on the Town's website. Community Service organizations were given information about the Annual Plan process and were encouraged to discuss these projects with individuals who visit their organizations. The draft plan was made available for review at the above mentioned locations, all of which are accessible to persons with disabilities.

4. Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.

No public comments were received on the 2013-2014 Annual Plan.

Institutional Structure

1. Describe actions that will take place during the next year to develop institutional structure.

The Town Institutional Structure is as follows:

Five member Town Council

- Holds public hearings on Consolidated Plan, Annual Plans and CAPER reports and approves submittal to HUD.
- 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 Town Manager. Staff prepares the Consolidated Plan, Annual Plans and Consolidated Annual Performance Evaluation Reports (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 Paradise Community Village rental housing project united several organizations that are working cooperatively for the betterment of the community. The degree of commitment and cooperation needed to move

this project forward establishes a new paradigm in institutional structure and brings community 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 relinquished.

Monitoring

1. Describe actions that will take place during the next year to monitor its housing and community development projects and ensure long-term compliance with program requirements and comprehensive planning requirements.

Staff works closely with sub-grantees to ensure program compliance. Town staff checks in with sub-grantees on a quarterly basis and performs an annual review to work through the performance measurement requirements and to ensure their compliance with program regulations.

The Town also cooperates in annual independent audits and receives monitoring visits from the State. These audits and monitoring visits educate and inform the Town on its processes and procedures and help to ensure long term compliance with program requirements.

Lead-based Paint

1. Describe the actions that will take place during the next year to evaluate and reduce the number of housing units containing lead-based paint hazards in order to increase the inventory of lead-safe housing available to extremely low-income, low-income, and moderate-income families, and how the plan for the reduction of lead-based hazards is related to the extent of lead poisoning and hazards.

The Town's mortgage subsidy program and residential rehabilitation program comply with federal regulations regarding lead testing, containment, and abatement.

HOUSING

Specific Housing Objectives

*Please also refer to the Housing Needs Table in the Needs.xls workbook.

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve during the next year.
2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

Although the housing prices have fallen over the past four years, affordability for low income persons is still an issue.

The decline in property values will prevent many low income persons from being able to afford major home repairs. Deferred maintenance becomes an issue, especially in the Town's older housing stock which tends to need more attention. The Town will continue to fund home repair programs for low and moderate income families. These funds benefit homeowners as well as local contractors, building suppliers and others related to the housing industry.

The Town will also continue to fund a mortgage assistance program for low-to-moderate income home buyers. These funds benefit those involved in the housing industry, including lenders, realtors, etc.

Needs of Public Housing

1. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake during the next year to encourage public housing residents to become more involved in management and participate in homeownership.
2. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation during the next year.

The Butte County Housing Authority provides Section 8 vouchers and public housing assistance to the residents of Butte County. At this time the Town has one public housing apartment building. This public housing complex is supported by Housing Authority funds.

The Town and Housing Authority share information on needs and works collaboratively, when needed, to address the needs of the community. The Housing Authority holds public meetings for their clients. These meetings are well attended and comments and needs are recorded and prioritized.

Barriers to Affordable Housing

1. Describe the actions that will take place during the next year to remove barriers to affordable housing.

The Town of Paradise updated its Housing Element, which was completed in 2010 and submitted to the California Housing and Community Development Department. As a part of that process, the Town identified both barriers and deficiencies in the Town's housing efforts. The Town also looked at current policies, available land, citizen needs and demands to assist the Town in addressing any barriers to affordable housing that may exist.

The development of the Paradise Community Village, Phase I project has been a marked step towards providing affordable housing for residents of the Town of Paradise.

HOME/ American Dream Down payment Initiative (ADDI)

1. Describe other forms of investment not described in § 92.205(b).
2. If the participating jurisdiction (PJ) will use HOME or ADDI funds for homebuyers, it must state the guidelines for resale or recapture, as required in § 92.254 of the HOME rule.
3. If the PJ will use HOME funds to refinance existing debt secured by multifamily housing that is that is being rehabilitated with HOME funds, it must state its refinancing guidelines required under § 92.206(b). The guidelines shall describe the conditions under which the PJ will refinance existing debt. At a minimum these guidelines must:
 - a. Demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing.
 - b. Require a review of management practices to demonstrate that disinvestments in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving the targeted population over an extended affordability period can be demonstrated.
 - c. State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.
 - d. Specify the required period of affordability, whether it is the minimum 15 years or longer.
 - e. Specify whether the investment of HOME funds may be jurisdiction-wide or limited to a specific geographic area, such as a neighborhood identified in a neighborhood revitalization strategy under 24 CFR 91.215(e)(2) or a Federally designated Empowerment Zone or Enterprise Community.
 - f. State that HOME funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.
4. If the PJ is going to receive American Dream Down payment Initiative (ADDI) funds, please complete the following narratives:

- a. Describe the planned use of the ADDI funds.
- b. Describe the PJ's plan for conducting targeted outreach to residents and tenants of public housing and manufactured housing and to other families assisted by public housing agencies, for the purposes of ensuring that the ADDI funds are used to provide down payment assistance for such residents, tenants, and families.
- c. Describe the actions to be taken to ensure the suitability of families receiving ADDI funds to undertake and maintain homeownership, such as provision of housing counseling to homebuyers.

The Town of Paradise submitted an application for HOME funds in 2010 and 2012, and was awarded both of the contracts.

HOMELESS

Specific Homeless Prevention Elements

*Please also refer to the Homeless Needs Table in the Needs.xls workbook.

Sources of Funds—Identify the private and public resources that the jurisdiction expects to receive during the next year to address homeless needs and to prevent homelessness. These include the McKinney-Vento Homeless Assistance Act programs, other special federal, state and local and private funds targeted to homeless individuals and families with children, especially the chronically homeless, the HUD formula programs, and any publicly-owned land or property. Please describe, briefly, the jurisdiction's plan for the investment and use of funds directed toward homelessness.

1. Homelessness—In a narrative, describe how the action plan will address the specific objectives of the Strategic Plan and, ultimately, the priority needs identified. Please also identify potential obstacles to completing these action steps.
2. Chronic homelessness—The jurisdiction must describe the specific planned action steps it will take over the next year aimed at eliminating chronic homelessness by 2012. Again, please identify barriers to achieving this.
3. Homelessness Prevention—The jurisdiction must describe its planned action steps over the next year to address the individual and families with children at imminent risk of becoming homeless.
4. Discharge Coordination Policy—Explain planned activities to implement a cohesive, community-wide Discharge Coordination Policy, and how, in the coming year, the community will move toward such a policy.

The Butte County Continuum of Care receives funding from the County and local agencies to support a coordinator position that coordinates the efforts to serve homelessness in the County. A yearly homeless survey is completed and results are submitted to each city within the County.

The Town will continue to support the efforts of the Butte County Continuum of Care. The Continuum of Care program works with the local homeless population and facilitates the coordination of services to these individuals. They identify the gaps in services and apply for additional funding resources to meet these needs. The Town will also continue to help fund the Family

Resource Center's Self Sufficiency Fund which provides interim assistance for residents of Paradise that are in danger of losing their homes or need assistance paying for food and rent. This program assisted 758 individuals and/or families during the 2012-2013 program year. The Town also utilizes the Community Housing Improvement Program's Credit Counseling Program which provides residents of Paradise with information about improving credit and finding ways to insure that those who may be losing their home- find a means to help them stay in their home.

Emergency Shelter Grants (ESG)

(States only) Describe the process for awarding grants to State recipients, and a description of how the allocation will be made available to units of local government.

N/A

COMMUNITY DEVELOPMENT

Community Development

*Please also refer to the Community Development Table in the Needs.xls workbook.

1. Identify the jurisdiction's priority non-housing community development needs eligible for assistance by CDBG eligibility category specified in the Community Development Needs Table (formerly Table 2B), public facilities, public improvements, public services and economic development.
2. Identify specific long-term and short-term community development objectives (including economic development activities that create jobs), developed in accordance with the statutory goals described in section 24 CFR 91.1 and the primary objective of the CDBG program to provide decent housing and a suitable living environment and expand economic opportunities, principally for low- and moderate-income persons.

*Note: Each specific objective developed to address a priority need, must be identified by number and contain proposed accomplishments, the time period (i.e., one, two, three, or more years), and annual program year numeric goals the jurisdiction hopes to achieve in quantitative terms, or in other measurable terms as identified and defined by the jurisdiction.

The town's non-housing community development needs are as follows:

1. Economic development
2. Public facilities
3. Public services
4. Public improvements

The Town of Paradise has adopted program objectives that mirror HUD's primary objectives of decent housing, expanded economic opportunities, and achieving a suitable living environment. The Town will focus funding towards needed infrastructure in the downtown area, which will go a long way towards business growth and job creation. Needed infrastructure includes a wastewater treatment facility, improved streets, pedestrian improvements, parking and other amenities conducive to a successful downtown.

Additionally, Town staff will continue to work closely with the Paradise Community Village partnership to ensure the construction of 36 affordable housing units in Phase I, as well as the other aspects of the development that assist or benefit low and moderate-income residents.

Antipoverty Strategy

1. Describe the actions that will take place during the next year to reduce the number of poverty level families.

The Town's non-profits work with social service agencies to address needs of low and very low income individuals and families. The Town collaborates with these groups to provide assistance in the form of subrecipient funding and to ensure that services are available to help reduce poverty and the effects of poverty.

NON-HOMELESS SPECIAL NEEDS HOUSING

Non-homeless Special Needs (91.220 (c) and (e))

*Please also refer to the Non-homeless Special Needs Table in the Needs.xls workbook.

1. Describe the priorities and specific objectives the jurisdiction hopes to achieve for the period covered by the Action Plan.
2. Describe how Federal, State, and local public and private sector resources that are reasonably expected to be available will be used to address identified needs for the period covered by this Action Plan.

The Town intends to continue to work with local care providers, to provide social, employment, recreational and health care opportunity for our special needs population. The Town will also support local efforts to obtain other funds that support the special needs community.



**TOWN OF PARADISE
Council Agenda Summary
April 9, 2013**

AGENDA NO. 7e

ORIGINATED BY: Joanna Gutierrez, Town Clerk
REVIEWED BY: Lauren Gill, Interim Town Manager

SUBJECT: Consider appointment to the upcoming vacancy on the Paradise Planning Commission, due to expiration of term of office on June 30, 2013.

COUNCIL ACTION REQUESTED: Consider upcoming vacancy on the Paradise Planning Commission due to expiration of term of office of Commissioner Jody Jones on June 30, 2013, and (1) Authorize recruitment process and schedule appointments for the June 11, 2013 Council meeting; (2) Directly appoint to the position from the pool of eligible applicants; or, (3) Provide alternate direction to staff.

BACKGROUND: The Town Council generally appoints citizens to vacancies of boards and commissions by authorizing recruitment by application and scheduling appointments at a regular meeting. The Town Council has also utilized an interview process whereby two Council Members served as an interview panel who, based on their results, made recommendations for appointments to the Council.

Section 3 of Resolution No. 81-40 sets forth policy relating to the appointment to boards or commissions as follows:

3. In order to encourage a broad based consideration of appointees to board or commissions, all persons desiring to be considered for appointment shall complete at least one application for each board or commission on which the person desires to serve; and shall be a full-time resident and registered voter of the Town of Paradise. All efforts will be made to provide necessary public information relative to vacancies prior to any such appointment. Applications received shall be considered current for one year from the date received. The Council may, however, in making appointments to temporary advisory board and committees depart from these guidelines.

DISCUSSION: Commissioner Jody Jones has provided written notifications to the Community Development Director and the Town Clerk that she would like to serve another term on the Paradise Planning Commission. Commissioner Jones was appointed to the Commission on May 3, 2011, to fill a vacant position.

On February 12, 2013, the Town Council considered seven applications for two vacancies on the Planning Commission and appointed Stephanie Neumann and Dan Wentland to fill two unexpired terms of office, leaving a pool five applicants. The application from Sally Holland was received after the deadline for the February meeting, and the application from Bill Meseke was received within the year for a different vacancy.

Eligible Applicants:

1. Chris Clifford
2. Edward Dean Fender II
3. Dan Gordon
4. Sally Holland
5. Jody Jones
6. Richard Mangrum
7. Bill Meseke
8. Susan Marie Oliver

RECOMMENDATION: (1) Directly appoint the seated Planning Commissioner, Jody Jones, to the four-year term of office effective July 1, 2013 through June 30, 2018; or, (2) Direct staff to bring back applications for review and consideration.

FISCAL IMPACT: None.

Joanna Gutierrez
Paradise Town Clerk
5555 Skyway
Paradise, CA 95969

April 2, 2013

Dear Ms. Gutierrez,

It is my understanding that my current term on the Paradise Planning Commission will expire on June 30, 2013. I have really enjoyed being able to serve the Town for the past two years on the Planning Commission and would be very interested in applying for another term.

Please let me know what the application process will be after the Town Council makes that decision.

Thank you very much for your assistance.

Sincerely,

Jody Jones

Cc : Craig Baker



**Town of Paradise
Council Agenda Summary
Date: April 9, 2013**

Agenda Item:7(f)

Originated by: Gina S. Will, Finance Director/Town Treasurer

Reviewed by: Lauren Gill, Interim Town Manager

Subject: Valuation of Retiree Health Benefits (GASB 45 Actuary Report)

Council Action Requested:

Following Town Council's review of the Valuation of Retiree Health Benefits as of July 1, 2012, staff recommends that the Council receive and file the report as submitted; or

Alternatives:

Refer the matter back to staff for further development and consideration.

Background:

The Governmental Accounting Standards Board (GASB) introduced GASB 45 which required that the Town of Paradise measure and report the liabilities associated with other (than pension) post-employment benefits (OPEB) in their financial statements beginning with the 2009/10 fiscal year. GASB 45 was created to address the growing concern over the potential magnitude of government employer obligations for post-employment benefits.

On March 4, 2011, the Town of Paradise received its first actuary study indicating that the total present value of all future benefits as of July 1, 2010 was \$45,810,590. Further, the actuary study indicated that the Annual Required Contribution (ARC) was \$3,571,180 for the 2009/10 fiscal year. As required by GASB 45, \$3,124,322 (the ARC less the actual amount contributed for retiree benefits) was disclosed and recorded in the Town's 2009/10 financial statements resulting in a serious decrease of the Town's governmental fund's net assets.

The Town took immediate action to begin reducing this obligation, recognizing this obligation has immediate adverse financial consequences for the Town by impacting the Town's overall credit worthiness and ability to borrow money at favorable rates. Following are actions that the Town has taken to reduce the obligation to one that is manageable:

- Implemented retiree health vesting schedule for new hires which requires five years of service with the Town and ten years of service with a CalPERS agency to be eligible for 50% of retiree health benefits. The vesting schedule requires a full 20 years of CalPERS service credit to be eligible for 100% of retiree health benefits.
- The recession and resulting decrease in revenues coupled with increasing expenses, made it necessary for the Town to reduce its workforce during the 2010/11, 2011/12 and current 2012/13 fiscal years. This includes the outsourcing of fire personnel to CAL FIRE as of December 10, 2012.
- The Town has successfully negotiated health benefit caps with all of its employee groups.

Valuation of Retiree Health Benefits
April 9, 2013

- An irrevocable trust was implemented and \$50,000 contributed in May 2011. While GASB 45 does not require an agency to pre-fund the long term liability nor to adopt or create an IRS 115 Trust, there are significant policy reasons why it is prudent to do so. It will begin dedicating resources to pay for future promised benefits and will allow the actuary to assume that the Trust will earn interest and that the amount the Town will need to set aside is thereby less.

Discussion:

With Council's approval, the Town contracted to have another actuary study completed to measure the obligation as of July 1, 2012 and to track the progress in reducing the obligation. The current actuary shows that the obligation has been reduced to \$13,823,285; a 69.8% reduction in the obligation from the original measurement. A summary comparison is provided below:

July 1, 2010	Safety Employees	Non-Safety Employees	Total Present Value of Projected Benefits	Persons
Current Employees	\$15,942,135	\$14,309,133	\$30,251,268	113
Retired Employees	<u>11,410,044</u>	<u>4,149,278</u>	<u>15,559,322</u>	69
Totals	\$27,352,179	\$18,458,411	\$45,810,590	182
 July 1, 2011	 Safety Employees	 Non-Safety Employees	 Total Present Value of Projected Benefits	 Persons
Current Employees	\$12,667,483	\$4,459,210	\$17,126,693	99
Retired Employees	<u>10,092,098</u>	<u>2,603,446</u>	<u>12,695,544</u>	72
Totals	\$22,759,581	\$7,062,656	\$29,822,237	171
 July 1, 2012	 Safety Employees	 Non-Safety Employees	 Total Present Value of Projected Benefits	 Persons
Current Employees	\$1,733,343	\$2,581,014	\$4,314,357	92
Retired Employees	<u>6,032,089</u>	<u>3,476,839</u>	<u>9,508,928</u>	77
Totals	\$7,765,432	\$6,057,853	\$13,823,285	169

This reduces the ARC to \$1,603,952 for 2011/12 and to \$932,256 for 2012/13 when the full implications of outsourcing and medical caps can be realized.

Fiscal Impact Analysis:

It will be prudent for the Town to contribute to the irrevocable trust whenever possible to fund these future obligations. Even at these reduced levels, the ARC will continue to erode the net assets of the Town. With negative assets it will be nearly impossible to secure critical TRANS financing. Without TRANS financing, the Town faces insolvency as the Town would no longer be able to make payroll or vendor payments as they become due.

TOWN OF PARADISE

VALUATION OF RETIREE HEALTH BENEFITS

REPORT OF GASB 45 ACTUARIAL VALUATION AS OF JULY 1, 2012

**Prepared by: North Bay Pensions
March 20, 2013**

Contents of This Report

Actuarial Certification		1
Summary of Results		2
Detailed Exhibits		
Exhibit 1	Actuarial Values as of July 1, 2012	5
Exhibit 2	Annual OPEB Cost	6
Exhibit 3	Five-Year Projection of Costs	7
Exhibit 4	Summary of Plan Provisions	8
Exhibit 5	Summary of Actuarial Assumptions	9

Actuarial Certification

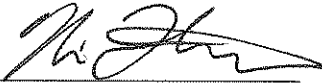
This report presents the determination of benefit obligations under **Statement No. 45 of the Governmental Accounting Standards Board (GASB 45)** as of July 1, 2012 for the retiree health and welfare benefits provided by the Town of Paradise. I was retained by the Town to perform these calculations.

GASB Statement 45, "Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions", was issued to provide standards for governmental employers to record expense for **Other Postemployment Benefits (OPEB)**. OPEB includes postretirement health and welfare benefits, hence GASB 45 is the appropriate Standard to follow when recording the Town's OPEB obligations.

The information contained in this report was based on participant census information provided to me by the Town. The actuarial assumptions and methods used in this valuation were selected by the Town after consultation with me. I believe the assumptions and methods are reasonable and appropriate for purposes of actuarial computations under GASB 45.

Actuarial computations under GASB 45 are for purposes of fulfilling employer accounting requirements. The calculations reported herein have been made on a basis consistent with my understanding of GASB 45. Determinations for purposes other than meeting employer financial accounting requirements may be significantly different from the results reported herein.

To the best of my knowledge, this report is complete and accurate. This valuation has been conducted in accordance with generally accepted actuarial principles and practices. The undersigned is a Fellow of the Society of Actuaries, a Fellow of the Conference of Consulting Actuaries, and a Member of the American Academy of Actuaries, and meets their continuing education requirements and qualification standards for public statements of actuarial opinion relating to retirement plans, including Actuarial Standards of Practice. In my opinion, I am qualified to perform this valuation.


Nick Franceschine, F.S.A.

3-20-13

North Bay Pensions
550 Du Franc Avenue
Sebastopol, CA 95472
1-800-594-4590
FAX 707-823-6189
nick@northbaypensions.com

Summary of Results

Background

The Town maintains a program which pays part of monthly medical insurance premiums on behalf of retired former employees, provided that the employee has satisfied certain requirements. As of July 1, 2012, the Town has funded \$49,486 in a secure trust (SISC) toward the cost of future benefits. The benefits are currently being funded by the Town on a pay-as-you-go basis. The Town has informed me that it intends to continue funding on a pay-as-you-go basis for the near future, and also intends to contribute approximately \$50,000 each year to SISC in the future.

In June 2004, the Governmental Accounting Standards Board (GASB) released Statement No. 45, "Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions". This statement, often referred to as GASB 45, requires governmental entities to (1) record annual expense for their OPEB and (2) disclose certain information in their year-end financial statements.

The Town has requested this actuarial valuation to determine what its OPEB obligations under the program are, and what the fiscal impact of GASB 45 will be for the 2011-2012 and 2012-2013 fiscal years.

Present Value of Future Benefits

The Actuarial Present Value of Total Projected Benefits (APVTPB) for all current and former employees, as of July 1, 2012, is **\$13,823,285**. This is the amount the Town would theoretically need to set aside at this time to fully fund all those future benefits.

This value is lower than the \$29,822,237 that was disclosed in the 2011 valuation report. The primary reasons for the decrease are (1) that post-retirement benefits are no longer provided for fire safety employees, since those functions have been outsourced, and (2) the maximum benefit amounts for police employees are no longer expected to increase.

The total value of \$13,823,285 is the sum of these amounts:

Future benefits of current employees	\$ 4,314,357
Future benefits of current retirees	<u>9,508,928</u>
Total present value of all future benefits	\$ 13,823,285

These figures are computed by (1) estimating the OPEB benefits that will be paid to each current and former employee and their beneficiaries (if applicable), upon the employee's retirement from the Town, (2) estimating the likelihood that each payment will be made, taking into consideration the likelihood of remaining employed until retirement age and

the likelihood of survival after retirement, and (3) discounting each expected future payment back to the present date at an assumed rate of investment return.

Annual Operating Expense Under GASB 45

GASB 45 requires that the cost of the program be recognized in a systematic manner over the working careers of employees. There are six different budgeting methods, called “actuarial funding methods”, that can be used to determine what the annual operating expense (called the **Annual OPEB Cost**) will be. The Town has elected to use the Entry Age Normal actuarial funding method with a closed 30-year level dollar amortization of the unfunded actuarial accrued liability.

The actuarial funding method is used to compute the **Annual Required Contribution (ARC)**. The ARC is generally equal to the sum of (1) the value of benefits earned by employees in the current year, plus (2) an amortization of the value of benefits earned by employees in prior years. Annual OPEB Cost is equal to the sum of (a) the ARC, and (b) interest on any unfunded OPEB operating expense from prior years, less (c) an adjustment to reflect the amortization of unfunded OPEB which is already included in the ARC.

For the fiscal year ending June 30, 2012, the Town’s Annual OPEB Cost is **\$1,603,952**. For the 2012-2013 fiscal year, Annual OPEB Cost will be **\$932,256**. Detailed derivations of these amounts are shown in Exhibit 2. The large drop in cost from 2012 to 2013 is due to the fact that maximum benefit amounts for police employees are now expected to remain level.

Over the next 3 years, the total benefits that the Town is expected to pay to retired employees and their beneficiaries, and the GASB 45 operating expense, are **estimated** to be as follows:

	<u>Expected Benefits</u>	<u>Operating Expense</u>
2012-2013 Fiscal Year	\$ 667,495	\$ 932,256
2013-2014 Fiscal Year	672,268	948,763
2014-2015 Fiscal Year	691,685	965,986

Exhibit 3 shows a 5-year projection of expected benefit payments, GASB 45 operating expense, and balance sheet liabilities.

Actuarial Assumptions

The calculations of the program’s obligations involve various estimates of future events. These estimates are called “actuarial assumptions”. The assumptions are described in

detail in Exhibit 5 of this report. The calculated results are highly dependent on the assumptions selected.

Changes in Benefit Provisions

The following changes have been made since the July 1 2011 valuation:

- Firefighters are no longer covered by the Town's benefits, since the firefighters have all been outsourced to the State of California.
- The maximum benefit for police employees is no longer expected to increase after 2012.

Both of these changes have the effect of significantly reducing the cost of benefits.

Exhibit 1 - Actuarial Values as of July 1, 2012

The Actuarial Present Value of Total Projected Benefits as of July 1, 2012 of all future benefits from the program, for all current and former employees, is as follows:

	<u>Safety Employees</u>	<u>Non-Safety Employees</u>	<u>Total APVTPB</u>	<u>Number of Persons</u>
Current employees	\$ 1,733,343	\$ 2,581,014	\$ 4,314,357	92
Retired former employees	<u>6,032,089</u>	<u>3,476,839</u>	<u>9,508,928</u>	<u>77</u>
Totals	\$ 7,765,432	\$ 6,057,853	\$ 13,823,285	169

This \$13,823,285 is theoretically the amount that the Town would need to set aside as of July 1, 2012 to fully fund the OPEB promises for all current and former employees. As of July 1, 2012, the Town has accrued and funded \$49,486 toward this liability.

Statistical Averages as of July 1, 2012

Active Employees

Number	92 employees
Average Age	44.5 years
Average Service	8.9 years

Retired Former Employees and Surviving Spouses

Number	77 persons
Average Age	64.7 years

Source of Information

A census of all eligible Town employees and retirees as of June 30, 2012 was provided to me by the Town.

Exhibit 2 - Annual OPEB Cost

The cost of each individual's OPEB benefits is amortized on a straight-line basis over his/her working career. For each employee, a "normal cost" is computed, the amount which, if accumulated during each year of employment, will at retirement be sufficient to fund the expected benefits for that individual. The sum of all the individual normal costs for all employees is called the **Normal Cost** of the entire program. The accumulated value of all normal costs attributed to prior years, including the full value of benefits for all currently retired employees, is called the **Actuarial Accrued Liability**. The **Unfunded Actuarial Accrued Liability**, the portion of the Actuarial Accrued Liability which exceeds the plan's assets (if any), is amortized over a period of future years. The **ARC** is the sum of the Normal Cost and the amortization of the Unfunded Actuarial Accrued Liability.

The Annual OPEB Cost for the 2011-2012 and 2012-2013 years is computed in this way:

	<u>2011-2012</u>	<u>2012-2013</u>
1. Normal Cost for the year	\$ 527,464	\$ 206,763
2. Actuarial Accrued Liability	18,381,682	12,879,327
3. Value of Plan Assets	50,059	49,486
4. Unfunded Actuarial Accrued Liability: 2. minus 3.	18,331,623	12,829,841
5. Amortization of 4. over 30 years from 7-1-2009	1,138,539	812,324
6. Annual Required Contribution (ARC): 1. plus 5.	\$ 1,666,003	\$ 1,019,087
7. Net OPEB Obligation at beginning of year	3,247,374	4,274,192
8. One year's interest on 7.	139,637	183,790
9. ARC Adjustment: amortization of 7. over 30 years	(201,688)	(270,621)
10. Annual OPEB Cost: 6. plus 8. plus 9.	\$ 1,603,952	\$ 932,256
11. Expected payments to retired employees	577,134	667,495
12. Additional funding sent to SISC	0	50,000
13. Increase in Net OPEB Obligation: 10. - 11. - 12.	1,026,818	214,761
14. Net OPEB Obligation at end of year: 7. plus 13.	4, 274,192	4,488,953

Exhibit 3 - Five-Year Projection of Costs

Shown below are estimates of the way in which Annual OPEB Cost might be expected to increase over the next five years. In this illustration, it is assumed that the Normal Cost will increase 4% per year, that all actuarial assumptions will remain unchanged, and that the Town will continue funding on a pay-as-you-go basis.

Fiscal Year:	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
ARC					
Normal cost	\$ 527,464	\$ 206,763	\$ 215,034	\$ 223,635	\$ 232,580
Amortization	<u>1,138,539</u>	<u>812,324</u>	<u>830,819</u>	<u>851,084</u>	<u>872,312</u>
Total ARC	\$ 1,666,003	\$ 1,019,087	\$ 1,045,853	\$ 1,074,719	\$ 1,104,892
Plus interest	139,637	183,790	193,025	202,764	212,409
Less ARC adjustment	<u>(201,688)</u>	<u>(270,621)</u>	<u>(290,115)</u>	<u>(311,497)</u>	<u>(334,015)</u>
Annual OPEB Cost	\$1,603,952	\$ 932,256	\$ 948,763	\$ 965,986	\$ 983,286
Benefits paid to retirees	\$ 577,134	\$ 667,495	\$ 672,268	\$ 691,685	\$ 720,957
Additional funding	<u>0</u>	<u>50,000</u>	<u>50,000</u>	<u>50,000</u>	<u>50,000</u>
Total Funding	\$ 577,134	\$ 717,495	\$ 722,268	\$ 741,685	\$ 770,957
Increase in net OPEB Obligation	1,026,818	214,761	226,495	224,301	212,329
Net OPEB Obligation at beginning of year	3,247,374	4,274,192	4,488,953	4,715,448	4,939,749
Net OPEB Obligation at end of year	\$4,274,192	\$4,488,953	\$4,715,448	\$4,939,749	\$5,152,078

How to read this chart:

- Annual OPEB Cost: Each year's operating expense.
- Total Funding: Amount the Town will contribute each year, equal to the amount paid to retired employees plus \$50,000 paid to SISC.
- Net OPEB Obligation at end of year: The amount on the Town's balance sheet at the end of each year, as an unpaid liability.

Exhibit 4 - Summary of Plan Provisions

The Town provides these reimbursements to employees who retire from the Town under CalPERS. Payments are made for as long as the retiree (or spouse or dependent domestic partner) is living, unless the retiree/spouse/partner fails to make required premium payments or the marriage/partnership is dissolved.

For current retirees and employees hired prior to 2/2/2011, the Town pays up to these amounts each month:

	<u>Safety</u>	<u>Non-Safety</u>
Employee only	\$ 504.15	\$ 433.73
Employee plus spouse	\$ 1,008.29	\$ 867.45
Employee plus two persons	\$ 1,310.79	\$ 1,127.69

Prior to November 2012, the maximum amounts for police employees were scheduled to increase after 2012 as CalPERS medical premiums increase. Effective on and after November 2012, the maximum amounts for all employees are not expected to increase after 2012.

For employees hired after 2/1/2011, the percentage of CalPERS premiums paid by the Town is subject to the following vesting schedule, in addition to the monthly maximums described above: 50% after 10 years of service, plus 10% for each additional year of service, up to 100% after 20 years of service. Also, only 90% of premiums for dependent spouses/partners are reimbursed.

Retiring employees with accumulated unpaid sick leave may choose to have that unpaid sick leave converted to paid-up health care premiums, converted at 50% of the usual daily rate. The Town has indicated that this option is very rarely exercised.

CalPERS administrative fees of 0.25% are paid by the Town.

Exhibit 5 - Summary of Actuarial Assumptions

Actuarial Assumptions: The following assumptions as of July 1, 2012 were selected by the Town in accordance with the requirements of GASB 45. These assumptions are consistent with the 2010 CalPERS OPEB Assumptions Model and, in my opinion, are reasonable and appropriate for purposes of determining OPEB costs under GASB 45.

Discount rate: 4.3% per year. This represents a weighted blend of what the Town expects to earn on its investments over the lifetime of the benefits program (4%) and the expected rate of return on the SISC fund (7%).

Medical Cost Increases (Trend): CalPERS medical premiums are assumed to increase after 2013 as follows:

2014	7.0 %
2015	6.7 %
2016	6.4 %
2017	6.1 %
2018	5.8 %
2019 and later years	5.5 %

Coverage Elections: 100% of eligible employees are assumed to elect coverage upon retirement, and to remain covered under Town plans for life. All retirees and current employees are assumed to remain covered under their current medical plan for life. Employees with no current medical coverage are assumed to elect PERS Choice 50% of the time, and Blue Shield HMO 50% of the time.

Mortality: Mortality rates are taken from the 2010 CalPERS OPEB Assumptions Model, projected to future years on a generational basis using Scale BB to approximate the effect of future improvements in life expectancy. In the prior valuation, mortality rates were taken from the 2010 CalPERS OPEB Assumptions Model, projected using Scale AA 15 years for retirees and 30 years for actives.

Disability: The incidence of disability is assumed to be small so that it has not been reflected in these calculations.

Subsidized Benefits: Medical benefits are provided under plans sponsored by CalPERS, which are considered to be "community rated" within the meaning of GASB 45. Therefore, there is no need at this time to value any implicit subsidy in the premium

rates charged to retirees. If at some future time this program ceases to be considered “community rated”, it may be necessary to include the cost of subsidized premiums in the GASB 45 operating expense, which could significantly increase the Town’s future GASB 45 costs.

Retirement: Retirement rates for non-safety employees are taken from the 2010 CalPERS OPEB Assumptions Model for “Public Agency Miscellaneous 2.0% at 55”. Sample rates are:

	<u>10 Years Service</u>	<u>20 Years Service</u>	<u>30 Years Service</u>
Age 55	6.4 %	9.4 %	12.7 %
Age 58	6.6 %	9.7 %	13.1 %
Age 61	11.3 %	16.5 %	22.4 %
Age 64	14.8 %	21.6 %	29.4 %
Age 67	16.9 %	24.7 %	33.6 %
Age 70	17.6 %	25.7 %	34.9 %

For police employees, retirement rates are taken from the CalPERS “Police with 3.0% at 50” table. Sample rates are:

	<u>10 Years Service</u>	<u>20 Years Service</u>	<u>30 Years Service</u>
Age 50	7.0 %	13.1 %	24.9 %
Age 53	6.9 %	13.0 %	24.7 %
Age 56	6.9 %	13.0 %	24.7 %
Age 59	9.0 %	17.0 %	32.3 %
Age 62	11.3 %	21.3 %	40.4 %
Age 65	100 %	100 %	100 %

Family Status: Current retirees are assumed to remain with the current spouse or domestic partner for life. 54% of future retirees are assumed to be married and to cover their spouse at the time they retire. Male spouses are assumed to be 3 years older than females.

Cost Methodology: The Entry Age Normal method with normal cost computed as a level dollar amount has been used to develop the Actuarial Accrued Liability and Normal Cost. The Unfunded Actuarial Accrued Liability is being amortized as a level dollar amount, over the closed 30-year period beginning July 1, 2009.

CalPERS Administrative Fees: CalPERS administrative fees are assumed to remain 0.25% of premiums in all future years.

Inflation: Assumed to be 3.0% per year.

Benefit Cap Increases: The benefit cap for all employees is assumed to remain unchanged in all future years.

Turnover (withdrawal): Likelihood of termination within the next year is taken from the 2010 CalPERS OPEB Assumptions Model. Sample rates for non-safety employees are:

	<u>5 Years Service</u>	<u>10 Years Service</u>	<u>15 Years Service</u>
Age 20	9.46 %		
Age 30	7.90 %	6.68 %	5.81 %
Age 40	6.32 %	5.07 %	4.24 %
Age 50	1.16 %	0.71 %	0.32 %

For police employees, sample rates are:

	<u>5 Years Service</u>	<u>10 Years Service</u>	<u>15 Years Service</u>
Age 20	2.49 %		
Age 30	2.49 %	1.79 %	1.09 %
Age 40	2.49 %	1.79 %	1.09 %
Age 50	0.86 %	0.53 %	0.27 %



**TOWN OF PARADISE
Council Agenda Summary
April 9, 2013**

AGENDA NO. 7g

ORIGINATED BY: Gabriela Tazzari-Dineen, Chief of Police

REVIEWED BY: Lauren Gill, Interim Town Manager

SUBJECT: Authorization to Refurbish two (2) Existing Police Vehicles by Wild Rose Motors of Anaheim, California and to purchase emergency light bars and controllers for the vehicles from the Traffic Safety Fund

COUNCIL ACTION REQUESTED: (1) Authorize the Police Department to Refurbish two existing Police Vehicles by Wild Rose Motors Ltd. (3901 E. La Palma Ave. #A, Anaheim, Ca 92807); and, (2) Authorize the Police Department to purchase emergency light bars and controllers for the refurbished vehicle from the Traffic Safety Fund; OR, (3) Refer the Vehicle Refurbishing Plan Back to Staff for Further Development.

BACKGROUND: Each year we have received State grant funds for local law enforcement purposes (COPS Grant), based on Town population, of approximate amount of \$100,000.00. These grant funds must be expended within two years after receipt. The Grant has historically been used to support a Police Department Community Service Officer position and has continued to fund the Police Department Assigned Patrol Vehicle Program through a lease purchase plan. We are in need of vehicle replacements.

On February 12, 2013, the Council authorized the Police Department to purchase a new patrol vehicle from John Sullivan Chevrolet, which had the lowest bid. On February 15, 2013, the proper paperwork was provided to the dealership to proceed with the purchase of the vehicle.

On February 27th, the Department was contacted by the dealership, advising they had missed the February 21st deadline to place the order of the 2013 model. This was the last deadline for all dealerships to order the 2013 model. Furthermore, the dealership did not know what the value of the 2014 model would be, and the best case for receiving the 2014 model vehicle would be in February 2014.

Staff began to reevaluate the new vehicle purchase and began looking for alternative solutions that would be more cost effective. Staff located a business in Anaheim, California that refurbished Police Vehicles. We were unable to locate any other businesses that specializes in refurbishing police vehicles in the nearby states (the next closest is located in Texas). The shipment of the vehicle to Texas was not cost effective.

Therefore, the Department considers this service to be exempt from the bidding process as a sole source under Paradise Municipal Code section 2.45.070 B. Attached you will find a list of components that are covered in the refurbishing process and warranty items.

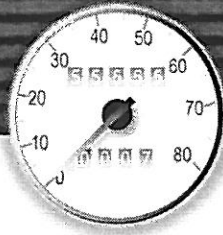
We would provide this company with our older patrol vehicles, that are fully equipped, and have them refurbished. This process would take approximately six weeks. The Town Mechanic estimates that we would extend the life of a refurbished vehicle 5-7 years. Essentially, we would be able to refurbish two of our existing police vehicles for the price of one new vehicle with all new equipment. During the refurbishing process, the Department would replace the emergency lighting system with updated equipment, which would be purchased from the Traffic Safety Fund at a cost of approximately \$4800.00.

DISCUSSION: To retain vehicles in our patrol fleet that exceeds 100,000 miles has proven to increase our maintenance cost, which impacts the General Fund, impacts the reliability for in-service usage and potentially increases our liability due to component / system failure.

RECOMMENDATION: Authorize the refurbishing of the two police vehicles and approve the purchase of the emergency light bars and controllers.

FISCAL IMPACT: A total of \$51,687.06 for refurbishing two vehicles to purchased on a Five- (5) year municipal lease with a total estimated annual lease payment of \$12,326 or monthly lease payments of \$1,027. The lease payment will be funded by the COPS Grant, Fund 2204. The purchase of the updated emergency light system will be purchased from the Traffic Safety Fund of approximately \$4800.00. There will be no General Fund expenditures.

Wild Rose Motors Ltd
Police Interceptors



3901 E. La Palma Ave #A Anaheim, CA 92807
Phone (714) 260-4867 Fax (714) 630-9765

Refurbishing is classed as maintenance and may be tax deductible to you. Refurbishing is half the replacement equipped cost of a new vehicle. The Crown Victoria Police Interceptor is a safer stronger vehicle with less maintenance cost to your department. It is a large full size vehicle with a larger interior for police equipment. It has a large full size trunk. It has a full box chassis frame to mount equipment on and is far stronger than any new replacement vehicle. With our high performance upgrades dot 4 braking system this raises the boiling point of the brake fluid to 622 F, cryogenic rotors and pads, rear high performance sway bars and rear track bars, poly polypropylene upgraded bushings makes these vehicles better than they were brand new. Improving there braking and enhancing the ABS system, cornering, traction, stabilizing the platform, lessening tire ware, improving handling and making these vehicles stop in a far less distance than standard, removing rear fish tailing and making brake failure by overheating and boiling brake fluid a thing of the past.

Our refurbishing includes the following:

- New 2 tone Paint
- New driver side door hinges
- New upholstery
- New floor mats
- New Ford engine 3 Years unlimited mile warranty
- New Ford transmission 3 years unlimited mile warranty
- Rebuilt rear differential and new Watts linkage bars
- New high performance upgraded rear track bars
- New high performance upgraded sway bars and bushings
- New front suspension
- New steering joints
- New upgraded extreme duty shock absorbers
- New bushings
- New top suspension A arms and ball joints
- New bottom suspension A arms and ball joints
- New sway bar links
- New high performance upgraded sway bar bushings
- New brake master cylinder

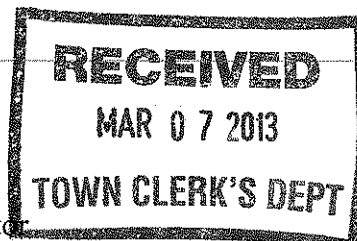
New brake calipers
New brake lines
New upgraded high performance cryogenic rotors
New upgraded high performance brake pads
New emergency brake shoes
Upgraded braking system fluid high performance high temperature dot.4 fluid for extreme braking conditions and this raises the boiling point to 622 F which makes brake failure due to overheating a thing of the past
Inspect and paint frame
New fuel filter
New transmission line filter
New transmission rubber cooler lines
New engine oil cooler lines
New engine cooler
New engine mounts
New transmission mount
Replace drive shaft and universal joints
Replace exhaust mounts
Clean, inspect, and repaint frame
Clean, inspect and repaint under body
Fit new upgraded engine intake manifold
New water pump
New spark plugs
New radiator hoses
New radiator over flow tank
Upgrade to dex cool anti freeze coolant
New heater hoses
New radiator
New radiator fan
New serpentine belt
New serpentine belt tensioner
New serpentine belt idle pulley
New gaskets and seals
Intake throttle body service
New crank shaft sensor
New cam shaft sensor
New engine temperature sensor
New engine anti-knock sensor
New air filter
New hood lift struts supports
New electrical relays
New air conditioning heater fan motor
Service air conditioning
New high pressure power steering line
New battery terminals
Replace battery
Inspect and service steering column
Renew shifter activating rod and bushings

Replace worn and damaged steering wheel if necessary
 Replace cracked and scratched dash glass
 Inspect and repair wiring
 Strip interior
 Inspect emergency lighting
 Reupholster front seats
 Supply and fit new heavy duty flooring mat
 Reupholster arm rest on equipment console
 Clean and repaint prisoner divider cage
 Remove clean and inspect rear prisoner seat and seat belts
 Clean and inspect equipment
 Check abs system
 Check air bag system
 Check emergency lighting
 Reassemble interior
 Install new wiper blades
 Full wheel alignment
 New power steering pump
 New power steering box
 New fuel injector connector plugs
 Full mechanical inspection
 Extended road test and engine bedding in and running in process to ensure maximum performance and maximum life of engine
 Test and run in braking systems
 Road test all systems
 Remove running in oil from engine filter and will refill with full synthetic 10W30 Valvoline syn motor oil
 Final independent master technician inspection and report

Subtotal:	\$24,745.86
Sales Tax (8.0%):	\$1,097.67
Total:	\$25,843.53



March 5, 2013



To: League Membership
From: Chris McKenzie, Executive Director
Re: Proposed Amendments to League Bylaws

At its February meeting, the League's Board of Directors approved submitting two amendments to the League's Bylaws to the membership. The proposed amendments would amend the Bylaws to provide that:

1. Resolutions submitted to the League for presentation to the General Assembly must be concurred in by at least five or more cities or by city officials from at least five or more cities.
2. The League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present. Currently, the Board may take positions with a simple majority vote.

The Board's purpose in submitting the first proposed amendment is to encourage members to seek concurrence of other cities and city officials that the subject of a proposed resolution is a substantial one and of broad interest and importance to cities. The Board's purpose in submitting the second proposed amendment is to ensure that when the Board considers a position on possibly controversial statewide ballot measures, the Board's ultimate decision represents a broad consensus of the Directors.

The language of the proposed amendments is provided in the attached Resolution. To be approved, the Bylaws require each amendment must receive a 2/3rd vote of those members voting. To consult the League's Bylaws: go to www.cacities.org. The link is at the bottom of the page.

As provided in the League's Bylaws, the Board of Directors is submitting these amendments to the membership for approval by mail ballot. Please return the enclosed ballot, signed by an authorized city official, **by April 19, 2013**.

Ballots may be submitted by email to: ballots@cacities.org.

By mail to:

League of California Cities
Attn: Ballots
1400 K Street, 4th Floor
Sacramento, CA 95814

Or by fax to: (916) 658-8240

Thank you for your attention to this important matter concerning the League's governance. If you have questions, please direct them to Patricia Whitnell, General Counsel at pwhitnell@cacities.org.

PROPOSED RESOLUTION RELATING TO LEAGUE BYLAWS AMENDMENTS

WHEREAS, the League of California Cities is a nonprofit mutual benefit corporation under California law and, as such, is governed by corporate bylaws; and

WHEREAS, the League's Board of Directors periodically reviews the League's bylaws for issues of clarity, practicality, compliance with current laws, and responsiveness to membership interests; and

WHEREAS, the League Board of Directors at its February 7-8, 2013 meeting approved submitting the following amendments to the League's bylaws to the League's membership by mailed ballot:

1. Article VI, section 2 of the League's bylaws is amended to read as follows:

"Resolutions may originate from city officials, city councils, regional divisions, functional departments, policy committees, or the League Board or by being included in a petition signed by designated voting delegates of ten percent of the number of Member Cities. Except for petitioned resolutions, all other resolutions must be submitted to the League with documentation that at least five or more cities, or city officials from at least five or more cities, have concurred in the resolution."

2. A new Article VII, section 16 is added to the League's bylaws to read as follows:

"Section 16: Positions on Statewide Ballot Measures.

Notwithstanding any other provision of these bylaws, the League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present."

Now, therefore, be it

RESOLVED, that the League Board of Directors at its April 24-25, 2013 meeting in Sacramento, California, after a canvass of mailed ballots, has determined that the above amendments to the League bylaws have been approved by a 2/3rd vote of those Member Cities voting. These amendments shall take effect 60 days after the approval of this resolution.

////////

Ballot on Bylaws Amendments

City of _____

Does your city vote to approve the amendment of article VI, section 2 of the League's bylaws relating to submission of resolutions to the League's General Assembly as set forth in the Proposed Resolution and incorporated by reference in this ballot?

☐ Yes

☐ No

Does your city vote to approve the addition of article VII, section 16 to the League's bylaws relating to the League Board vote threshold for taking positions on statewide ballot measures as set forth in the Proposed Resolution and incorporated by reference in this ballot?

☐ Yes

☐ No

Ballot returned by:

_____ City Official Name

_____ City Official Title

Please return this ballot by **April 19, 2013** to:

League of California Cities
Attn: Ballots
1400 K Street, 4th Floor
Sacramento, CA 95814

or by email to: ballots@cacities.org

or by fax to: (916) 658-8240

Thanks in advance for your participation in this important decision.

Paradise Tea Party

Limited Government • Fiscal Responsibility • Free Markets

Our Second Amendment rights are under attack both nationally and in California. Even though California already has the strictest gun restrictions in the country, legislators have introduced many bills that further infringe on our rights, such as a \$.05 tax on bullets, requiring "gun" insurance, reporting ammo purchase to the federal government, background checks just to buy ammo, endless amounts of paper work for legitimate sports dealers and more.

Our Butte County Sheriff has already made a public statement that he would not enforce any of these unconstitutional laws if they are passed. This was a bold step.

To:
Paradise Town Council, City Clerk

Dear Paradise Town Council,

The citizens of Paradise and Butte County ask that you pass a Resolution in support of the Second Amendment. An example of such a Resolution is attached to this petition and was drafted based on a Resolution passed by the El Dorado County Board of Supervisors on January 29th, 2013.

Please read the Resolution and agendize this in April for discussion.

As a councilmen, you have already taken the Oath of Office in which you swore to uphold, defend and protect the Constitution of the United States. Please reaffirm that to your constituents by passing this Resolution.

Thank you.



**A RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF PARADISE, CALIFORNIA
IN SUPPORT OF THE SECOND AMENDMENT AND
THE RIGHT OF THE PEOPLE TO KEEP AND BEAR ARMS**

WHEREAS, the Second Amendment to the United States Constitution, as part of United States Bill of Rights, ratified on December 15, 1791, protects the right of the people to keep and bear Arms; and

WHEREAS, two landmark decisions of the United States Supreme Court established that the Second Amendment protects an individual's right to possess a firearm unconnected with service in a militia, and to use that Arm for traditionally lawful purposes, such as, but not limited to, self-defense within the home, and that the right cannot be infringed by the federal government (*District of Columbia v. Heller*); and that under the Fourteenth Amendment the right to keep and bear Arms of the Second Amendment also prohibits state and local governments from infringement of the right (*McDonald v. City of Chicago*); and

WHEREAS, sadly, recent high profile events within our country have sparked discussions of gun-control at the local, state and federal levels and include numerous gun-control proposals that assert to address gun violence while, in fact, many of these proposals would directly infringe upon the Second Amendment rights; and

WHEREAS, the State of California already has in place a comprehensive body of law intended to keep guns out of the hands of criminals and mentally unstable individuals; and

WHEREAS, California already requires background checks to be performed on any individual purchasing a gun, has a magazine capacity ban and a waiting period already exists; and

WHEREAS, the focus at the Butte County Sheriff's Office has been, and will continue to be, on keeping guns out of the hands of criminals and mentally unstable individuals; and

WHEREAS, we recognize that responsible gun ownership is not the problem; irresponsible gun ownership is the nexus to the tragedies we have seen; and

WHEREAS, Butte County and the Town of Paradise economy and rural quality are supported by ranching, farming and natural resources, and that the right to keep and bear Arms is fundamental to our right to protect our families, our property, our livestock, and our livelihood, and that the residents of this County and City respect the rights afforded by the Second Amendment through the recognition and support of responsible firearm ownership, training and awareness.

**TOWN OF PARADISE
RESOLUTION NO. 13-__**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE IN
SUPPORT OF THE SECOND AMENDMENT TO THE UNITED STATES
CONSTITUTION AND THE RIGHT OF THE PEOPLE TO KEEP AND BEAR ARMS**

WHEREAS, the Second Amendment to the United States Constitution, as part of the United States Bill of Rights, ratified on December 15, 1791, protects the right of the people to keep and bear Arms; and

WHEREAS, two landmark decision of the United States Supreme Court established that the Second Amendment protects an individual's right to possess a firearm unconnected with service in a militia, and to use that Arm for traditionally lawful purposes, such as, but not limited to, self-defense within the home, and that the rights cannot be infringed by the federal government (*District of Columbia v. Heller*); and that under the Fourteenth Amendment the right to keep and bear Arms of the Second Amendment also prohibits state and local governments from infringement of the right (*McDonald v. City of Chicago*); and,

WHEREAS, sadly, recent high profile events within our country have sparked discussions of gun control at the local, state and federal levels and include numerous gun-control proposals that assert to address gun violence while, in fact, many of these proposals would directly infringe upon the Second Amendment rights; and

WHEREAS, the State of California already has in place a comprehensive body of law intended to keep guns out of the hands of criminals and mentally unstable individuals; and,

WHEREAS, California already requires background checks to be performed on any individual purchasing a gun, has a magazine capacity ban and a waiting period already exists; and,

WHEREAS, the focus at the Butte County Sheriff's office has been, and will continue to be, on keeping guns out of the hands of criminals and mentally unstable individuals; and

WHEREAS, we recognize that responsible gun ownership is not the problem; irresponsible gun ownership if the nexus to the tragedies we have seen; and,

WHEREAS, Butte County and the Town of Paradise economy and rural quality are supported by ranching, farming and natural resources, and that the right to keep and bear Arms is fundamental to our right to protect our families, our property, our livestock, and our livelihood, and that the residents of this County and City respect the rights afforded by the Second Amendment through the recognition and support of responsible firearm ownership, training and awareness; and,

WHEREAS, the erosion of one constitutional right may lead to the limitation of other constitutional rights, such as freedom of speech, freedom of the press and freedom of religion.

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

Section 1. The Town Council reaffirms this day our oath of office to uphold and defend the Constitution of the United States of America.

Section 2. The Town Council supports new ideas that will protect our citizens from violence but cannot abide by any provision infringing upon the Second Amendment or any other constitutional rights granted the citizens of our nation.

Section 3. The Town Council does not believe additional regulation is warranted in California given the comprehensive body of law that already exists in California.

Section 4. The Town Council encourages our State and National leaders to focus their attention on the mental health issues plaguing society instead of seeking to limit the constitutional rights of law-abiding citizens.

PASSED AND ADOPTED by the Town Council of the Town of Paradise on this ____th day of _____, 20__, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

By: _____
Timothy Titus, Mayor

ATTEST:

Joanna Gutierrez, CMC, Town Clerk

APPROVED AS TO FORM:

Dwight L. Moore, Town Attorney