



Town of Paradise

Town Council Meeting Agenda

6:00 P.M. - May 08, 2018

Date/Time: 2nd Tuesday of each month at 6:00 p.m.

Location: Town Hall Council Chamber, 5555 Skyway, Paradise, CA

Mayor, Jody Jones
Vice Mayor, Greg Bolin
Council Member, Scott Lotter
Council Member, Melissa Schuster
Council Member, Mike Zuccolillo

Town Manager, Lauren Gill
Town Attorney, Dwight L. Moore
Town Clerk, Dina Volenski
Community Development Director, Craig Baker
Finance Director/Town Treasurer, Gina Will
Public Works Director/Town Engineer, Marc Mattox
Division Chief, CAL FIRE/Paradise Fire, David Hawks
Acting Chief of Police, Eric Reinbold

Meeting Procedures

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

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

1. OPENING

- 1a. Call to Order
- 1b. Pledge of Allegiance to the Flag of the United States of America
- 1c. Invocation
- 1d. Roll Call
- 1e. Presentation - Measure C Video
- [1f.](#) p5 Proclamation - Recognizing National Police Week, May 13-19, 2018.
- [1g.](#) Proclamation - Recognizing Public Service Recognition Week, May 6-12, 2018.
- 1h. p7 Town Council Recognitions of Employee Service to the Town of Paradise Presented by Mayor Jody Jones.

10 years

Kathleen Anderson - Business & Housing
Martha Besseghini - Police Department
Shirley Kamm - Police Department/Animal Control
Eric Reinbold - Police Department

5 Years

Steven Bertagna - Police Department
Manuel Ayala - Police Department
Marc Mattox - Public Works/Engineering

- 1i. Town of Paradise Employee of the Year - Presented by Mayor Jody Jones
 - Chris Nicoletti - Fleet Maintenance Shop Foreman
 - Gina Will - Administrative Services Director/Finance Director
- 1j. Business License Demonstration - Josh Marquis, Information Technology Manager
- [1k.](#) p8 Northern Recycling and Waste Services 2017 Annual Report and demonstration of the new Waste Wizard program - Doug Speicher and Jennifer Arbuckle.

2. CONSENT CALENDAR

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

- [2a.](#) p27 Approve minutes of the April 11, 2018 Regular Town Council Meeting.
- [2b.](#) p35 Approve April 2018 cash disbursements in the amount of \$1,188,282.81.
- [2c.](#) p43 Consider approving the MOU between the County of Butte and the Town of Paradise for use of, Onsolve LLC, the countywide mass notification system, also known as Reserve 911. This system replaces the previous software provider and provides an even greater quality of service to the public.

- 2d. p54 Authorize the Town Manager to award a contract after negotiating for the most reasonable costs for Dragon Law Enforcement Software according to Paradise Municipal Code Section 2.45.070 G.
- 2e. p55 Town Council consideration to authorize the Town Manager to execute 1) An amended agreement between the Town of Paradise and Safeway, Inc., to pay the cost for Michael Baker International to provide additional required environmental review associated with Safeway's development project applications; and, 2) An amended agreement between the Town of Paradise and environmental consultants Michael Baker International relating to the additional required environmental review associated with the Safeway's project's environmental document(s).

3. ITEMS REMOVED FROM CONSENT CALENDAR

4. PUBLIC COMMUNICATION

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

5. PUBLIC HEARINGS - None

6. COUNCIL CONSIDERATION

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

- 6a. p68 Consider waiving the second reading of the entire Town Ordinance No. 569 and approve reading by title only; and, 2. Adopting Town of Paradise Ordinance No. 569, extending the one-half percent Transactions and Use Tax "Measure C" for a period of ten years to maintain Town services such as Police, Fire, Roads and Animal Control. (ROLL CALL VOTE)
- 6b. p77 1. Adopt Resolution No. 18-____, A Resolution Calling and Giving Notice for the Holding of a General Municipal Election for the Election of Two Council Members and For Submission to the Voters a Question Relating to Approval of Ordinance No.569, An Ordinance of the Town Council of the Town of Paradise Extending, Subject to Voter Approval, The Town's Existing General Transaction and Use Tax for an additional Ten Years to March 31, 2031, Pursuant to Revenue & Taxation code Section 7251 et seq.
2. Adopt Resolution No 18-____, A Resolution of the Town Council of the Town of Paradise Requesting the Supervisors of the County of Butte to Consolidate a General Municipal Election to be held on November 6, 2018, with the Statewide General Election to be held on that Date for the Election of two (2) Town Council Members; and, For Submission to the Voters a Question Relating to Approval of Ordinance No. 569, An Ordinance Extending, Subject to Voter Approval, the Town's Existing General Transaction and Use Tax for an Additional Ten Years to March 31, 2013, Pursuant to Revenue & Taxation Code Sections 7251 Et.Seq.

3. Adopt Resolution No. 18-____, A Resolution of the Town Council of the Town of Paradise, California Adopting Regulations for Candidates for Elective Office Pertaining to Candidate Statements submitted to the Voters at a General or Special Municipal Election.

4. Adopt Resolution No. 18-____, A Resolution of the Town Council of the Town of Paradise, California, Setting Priorities for Filing Written Arguments and Rebuttals and directing the Town Attorney to Prepare an Impartial Analysis. (ROLL CALL VOTE)

6c. p95 Consider authorizing staff to issue a Notice to Proceed for Bear Electrical Solutions, the Town's signal maintenance on-call contractor, to perform signal modifications at the Skyway and Clark Road intersection to improve intersection and vehicular operations. (ROLL CALL VOTE)

6d. p100 1. Consider and file the information presented; and, 2. Approve 2017/18 recommended budget adjustments relating to Measure C funds; and, 3. Provide any alternative direction to staff concerning budget development (ROLL CALL VOTE)

6e. p103 Consider Awarding a contract for the Downtown Paradise Equal Mobility Project. Contract No. 16-03 State Project No. ATPL 5425 (034) or reject all bids and direct staff to re-advertise the project. (The bid opening is scheduled for May 7, 2018 at 1:00 P.M. The bid data, cost and contractor recommendation will be made during the May 8, 2018 regular Town Council meeting.) (ROLL CALL VOTE)

7. COUNCIL INITIATED ITEMS AND REPORTS

7a. p105 Council initiated agenda items

_____ Request the Town Council discuss and adopt Resolution No. 18-____, A Resolution of the Town Council of the Town of Paradise Opposing the California Values Act (SB54) and the Immigrant Worker Protection Act (AB 450) Due to Conflict with Federal Legislation. (Zuccolillo)

7b. Council reports on committee representation

7c. Future Agenda Items

8. STAFF COMMUNICATION

- 8a. Town Manager Report
- Community Development Director

9. CLOSED SESSION - None

10. ADJOURNMENT

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

TOWN/ASSISTANT TOWN CLERK SIGNATURE	

WHEREAS, there are more than 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Town of Paradise;

WHEREAS, there have been 58,627 assaults against law enforcement officers in 2016, resulting in approximately 16,677 injuries;

WHEREAS, since the first recorded death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty;

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.;

WHEREAS, 360 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 129 officers killed in 2017 and 231 officers killed in previous years;

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 30th Annual Candlelight Vigil, on the evening of May 13, 2018;

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year on May 13-19;

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half staff;

NOW THEREFORE I, Jody Jones, Mayor of the Town of Paradise, formally designates May 13-19, 2018, as Police Week in the Town of Paradise, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

IN WITNESS WHEREOF I hereunto set my hand and caused the official seal of the **Town of Paradise**, be affixed hereto this 8th day of May 2018.

Jody Jones, Mayor

WHEREAS, Americans are served every single day by public servants at the federal, state, county and city levels. These unsung heroes do the work that keeps our nation working; and

WHEREAS, Public employees take not only jobs, but oaths; and

WHEREAS, Many public servants, including military personnel, police officers, firefighters, border patrol officers, embassy employees, health care professionals and others, risk their lives each day in service to the people of the United States and around the world; and

WHEREAS, Public servants include teachers, doctors and scientists, train conductors and astronauts, nurses and safety inspectors, laborers, computer technicians and social workers, and countless other occupations. Day in and day out they provide the diverse services demanded by the American people of their government with efficiency and integrity; and

WHEREAS, Without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials;

NOW THEREFORE I, Jody Jones, Mayor of the Town of Paradise, do hereby announce and proclaim to all citizens and set seal hereto, that May 6 – 12, 2018, is Public Service Recognition Week. All citizens are encouraged to recognize the accomplishments and contributions of government employees at all levels — federal, state, county and city.

IN WITNESS WHEREOF I hereunto set my hand and caused the official seal of the **Town of Paradise**, be affixed hereto this 8th day of May 2018.

Jody Jones, Mayor



**2017 Annual Report for
Solid Waste & Recycling Services
Town of Paradise 5555 Skyway
Paradise, CA 95969**

**Doug Speicher
4/1/2018**

Town of Paradise Overall NRWS Diversion:	59.4%
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Total Solid Waste delivered to Neal Road Landfill:	12,502.43 Tons
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<u>Municipal Solid Waste Tonnage by Line of Business</u>	<u>Tons</u>
Residential	7,236.9
Commercial	3,618.66
Roll Off	1646.87

Total Recycled / Diverted Materials:	18,292.88 Tons
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<u>Recycling / Diversion Programs:</u>	<u>Tons</u>
Residential Blue Cart Mixed Recycling	3,036.53
Residential Brown Cart Yard Waste Recycling	7409.67
Commercial Recycling Bin & Cart Service	707.96
Commercial Brown Cart & Bin Yard Waste Recycling	20.17
Temporary Drop Box & Bin Recycling	508.54
Town of Paradise Vegetative Waste Transfer Facility	5,872.05
NRWS American Way Recycling Center	737.96
Town of Paradise Permanent HHW Facility	see page 11

Total Number of Accounts by Line of Business	# Accounts
Residential	9,217
Commercial	623
Roll Off	1,111

A. Solid Waste Collection Services

- 1) Municipal Solid Waste (MSW) Collected from residential, commercial, and industrial customers.

Residential	Gross Billed	\$3,133,876	7,236.90 tons
Commercial	Gross Billed	\$ 1,023,404	3,618.66 tons
Industrial (Roll Off)	Gross Billed	\$ 190,875	1,646.87 tons

- 2) Municipal Solid Waste (MSW) Disposal Facilities used:

Neal Road Landfill	12,502.43 tons
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- 3) Number of subscribers by service level:
(Exhibit A: by month & customer listing available on request)

Residential MSW:	# of Accounts
35 gal (sr. rate)	68
35 gal:	5,612
65 gal:	2,299
95 gal:	1,238
Town Approved Waiver (as of 12/31):	227
Opt Out / Occupied w/ No service:	260
Vacant (as of 12/31)	90
Vacation Hold (as of 12/31)	251
Non-Pay locations	19

Commercial MSW:	# of Accounts
35 gal:	76
65 gal:	54
95 gal:	96
2 – 95 gal:	42
35 gal Multi-Family:	56 / 1,634 units
65 gal Multi-Family:	0 / 0 units
1 yd:	6
1.5 yd:	4
2 yd:	145
3 yd:	60
4 yd:	60
6 yd:	24

4) Extra Services:

Residential:	Total #	Charges
Extra MSW pickups:	499	\$1,749.75
Off Route Bulky Pickup	51	\$1,470.00
Off-Street service no-charge:	56	\$0.00
Off-Street service charge:	13	\$1,344.57
Swaps / Repairs (charges)	75	\$375.00
Swaps / Repairs (no charges)	148	\$0.00
Redelivery / Return Cleaning	141	\$3,218.00
Commercial:	Total #	Charges
Extra MSW pickups:	85	\$9,225.00
Overload fee	51	\$1,476.00
Bulky Pickup	7	\$369.50
Off-Street / Pull out services	19	\$254.00
Locks	79	\$3,677.69
Container Cleaning (no charge)	4	\$0.00
Container Cleaning (charges)	0	\$0.00
Swaps / Repairs	3	\$0.00
Rental / Temp Insta-Bins	Total #	Charges
- 4 yard MSW	22	\$2,736.51
- 4 yard Recycle	4	\$365.61
- 6 yard MSW	59	\$8,958.70
- 6 yard Recycle	15	\$1,760.65

5) Number of MSW Compactors:

K-Mart Recycle (Customer owned & Recycle Only)	1 ea 30 yard
Feather River Hospital (Customer owned)	1 ea 25 yard

6) Number of all 2017 debris-box rentals by bin size & material type:

	Total #	Charges
10 yard Inert / Recycle	23 ea.	\$1,917.75
20 yard C&D	6 ea.	\$1,278.48
20 yard Trash	185 ea.	\$36,436.71
20 yard Recycle	95 ea.	\$127.85
20 yard Green Waste	81 ea.	\$10,278.00
30 yard Trash	180 ea.	\$38,441.32
30 yard C&D	14 ea.	\$2,983.12
30 yard Recycle	208 ea.	\$0.00
30 yard Green Waste	16 ea.	\$2,045.60
40 yard C&D	6 ea.	\$1,278.48
40 yard Trash	84 ea.	\$17,940.64
40 yard Recycle	141 ea.	\$3,835.50
40 yard Green Waste	10 ea.	\$1,150.65
Compactor empty & returns	62 ea.	\$12,816.30

7) Missed Pickup, Complaint, & Compliment 2017 Summary:
(Exhibit D, E, F list each listed below in the summary)

Missed Pickup Residential:	9 each
Missed Pickup Commercial:	1 each
Complaint Residential:	10 each
Complaint Commercial:	1 each
Compliment Residential:	16 each
Compliment Commercial:	3 each

8) Narrative summary of problems or challenges encountered related to MSW services:

- Private roads continue to be difficult to service due to poor surface conditions and over grown vegetation. NRWS sends crews out to trim vegetation to protect the collection equipment from damages and provide safe collection.
- Residents have expressed concerns with carts on the street all week where customers do not pull away from the curbside.
- Commercial service locations do not have adequate storage spaces for the containers required to implement a comprehensive recycling program.

8a). China's Import Restrictions:

Last year, China announced a new policy called National Sword that bans the import of 24 recyclable commodities in 2018, increases enforcement, and limits contamination levels for imported bales of plastic and mixed paper. Since California exports an estimated 60 to 80 percent of recyclables generated in California, this has significant implications for California's waste management system.



The export of baled recyclable materials has been a key component of California's recycling infrastructure. Currently, CalRecycle estimates that California exports a third of all recyclable material generated in the state annually to foreign markets; of that, 62 percent goes to China. This movement of materials has been critical in assisting the state and local jurisdictions in reaching their recycling and diversion goals. However, recent changes to China's policies on imported recyclable materials, which set strict new limits and contamination standards, are impacting cities and counties in California.



In 2013, China implemented Operation Green Fence, which aimed to reduce pollution by limiting the

import of contaminated recyclable commodities and increasing inspections of recyclable commodity imports. While this initiative resulted in slightly cleaner, less contaminated imported material, it did not meet China's goals for restricting waste imports. In California, the Green Fence policy resulted in backups at shipping ports and a reduction of exports to China.

In July 2017, China announced a revision to the Green Fence initiative and called the new policy National Sword. China notified the World Trade Organization (WTO) of the 24 recyclable commodities banned from entering the country starting January 2018. The notice also increased enforcement and limited contamination rates to 0.3 percent for plastic and mixed paper. In November 2017, China revised standards to a 0.5 percent contamination rate and changed the effective date to March 1, 2018. The National Sword policy also included restrictions in waste import licenses and more stringent inspections of imported materials. China developed this policy to protect human health, protect the environment, and improve domestic solid waste reuse and recovery.

Categories under the restrictions include cardboard, newspaper, mixed paper, and low-grade plastics. In 2016, California exported approximately 9 million tons of paper and 500 thousand tons of plastic to China.

Impacts on Jurisdictions:

The pending National Sword policy has adversely affected numerous cities and counties in the United States. Given our dependence on China as a primary consumer of our recyclable materials, their import policies are of critical importance. Recycling facilities throughout the United States are doing what they can to reduce contamination by slowing down their processing lines, hiring more employees to sort materials, and investing in new equipment and machinery to ensure higher quality materials. Recycling and solid waste facilities are experiencing challenges with moving materials to markets, thus resulting in the storage of processed materials on site. In some cases, facilities are landfilling recyclable materials instead of processing them for recycling.



What can be done? Waste Prevention

Efforts to eliminate the generation of waste before it enters the waste stream are a key component of a waste management approach. In addition to reducing costs and conserving resources, waste prevention has the potential to reduce reliance on foreign markets, as there is no need to export what California has not generated. Waste prevention activities can range from reusing transport packaging (such as cardboard boxes and plastic film) to avoiding single-use carryout containers.

Examples of what some cities and counties are doing to foster waste prevention include:

- Banning single-use plastic bags.
- Banning polystyrene and other non-recyclable plastic food packaging.
- Installing water systems to encourage reusable beverage containers.
- Promoting reuse or repurposing of materials through incentives or other programs.
- Procuring products that use less packaging.

Collection and Contamination:

China's ongoing efforts to limit the amount of contamination in material imports—dating back to the 2013 "Green Fence"—highlight the need for recyclers to produce high-quality material. This means making a concerted effort to reduce contamination in the recycling stream. It is critical to educate businesses and residents regarding the need to generate high-quality recyclable material. NRWS is addressing contamination in the following ways:

- Providing new educational material in 2018. To reduce contamination, new flyers will be more specific as to what materials residents and businesses can place in recycling containers, instead of telling them, "When in doubt, recycle."
- Revisiting what materials are recyclable and acceptable through collection programs, resulting in modifying and updating educational materials to reflect clearly what is acceptable as recyclable materials accordingly.
- Educating collection drivers to recognize contamination and investing in on-board cameras to assist with identification.
- Implementing or increasing "tagging" or notification for customers regarding unwanted materials in recycling receptacles.
- Establishing a penalty process on generators for contamination to encourage proper material management.



Processing:

Implementing new practices or modifying existing procedures to improve the processing of materials after they are collected will also create higher quality recyclable materials. Examples of what some cities and counties are doing to produce cleaner bales of recyclables include:

- Increasing the processing of recyclables to remove contaminants. This can be in the form of slowing down the sorting lines at the material recovery facility, hiring more sorters, running recyclables across the sorting lines more than one time, and so on.
- Breaking apart and examining finished bales to determine which materials were inappropriately included in the bales to prompt calibration of sorting equipment and education for line sorters.
- Reducing what material types are recycled through collection programs.

- Working with local enforcement officials to allow safe stockpiling of materials until facility operators can find new markets, which can reduce landfilling of recyclable materials.
- Sorting higher value materials multiple times.

9) Description of promotional and public education materials created or distributed:

- A. Quarterly Newsletters sent with billing.
- B. Mandatory Commercial Recycling mailers (AB 341)
- C. Recycling and Compost Workshop events
- D. Customer Satisfaction Survey:
- E. General Recycling and Recycling Center Bill Boards
- F. General Recycling and Recycling Center Truck Signs
- G. Recycling Cinema Ads
- H. Recycling, Landfill, and Composting Events Signs
- I. HHW/ Recycling Center/ C& D brochures
- J. Composting Guide for homeowners
- K. Recycling / Yard Waste /HHW calendars
- L. Single Stream Recycling Guide and posters both residential and commercial
- M. Waste Audits guide and reports
- N. Various sponsorship recycling ads / posters
- O. Permanent Beverage containers stickers and logos
- P. Additional printed materials.
- Q. Radio and TV ads for Tire Recycling and Oil Recycling
- R. Maintained NRWS web-site to reflect changes related to Town services related to solid waste & recycling.
- S. Staffed educational booths at Gold Nugget Days , 24 Hour Relay, and Family Resource Fair.
- T. AB 1826 / AB 341 Organics Commercial survey visits at customer locations.

NRWS Public education as reported in years past is a successful program. Additional public education and outreach highlights include: NRWS Recycling Website continuously updated with new outreach material, NRWS active on Facebook, radio and TV. Multifamily, residential, commercial and industrial brochures updated and reprinted. Recycling guide: all print outreach continues to be on 100% post-consumer recycled paper. Membership in NCRA, CRRA, CRRC, and USCC: CAW and CPSC support, working with GAIA for local thrift store material reuse: Presented at and attended various conferences / workshops, including CRRA, SAC, NCRA & CRRC. Working with Butte County on local initiatives, including climate action and renewable energy projects; advising on plastic bag bans: Compiled recycling results for specific businesses, special events, multi-family complexes: Continued business outreach; businesses recognized with recycling awards; green business assessments: Educated public on problems and solutions for hot issues like plastic bags, organics,

and mandatory recycling: Worked with Town staff to put together grants to CalRecycle, KAB, and EPA. Provide tours of transfer station / MRF outreach presentations: working with teachers, students and staff at each PUSD and various private schools: Continued to delve into recycling options for various difficult-to-recycle materials: Continued partnership with Project Save to reuse hospital equipment and non-prescription medications: Multimedia outreach; web and social media, truck signs, local paper ads, Recreation Guide, letters in support of recycling legislation.

10) Summary of Hazardous Waste records required under sections 8.02.C and 8.02D:

This section refers to Hazardous Waste detected in a load checking program and excluded from the trash stream prior to placing in the landfill.

NRWS utilizes Neal Road Landfill exclusively for the disposal of trash from the Town of Paradise. There were no Hazardous Wastes reported to us as detected in Load Check programs on loads delivered from the Town of Paradise.

B. Recyclable Materials and Yard Waste Services

1) Total tons diverted by each program / service:

Residential:

Curbside / Blue Cart Recycling:	3,036.53 tons
Yard Waste / Brown Cart Recycling:	7,409.67 tons

Commercial:

Blue Cart & Bin Recycling:	707.96 tons
Yard Waste / Brown Cart Recycling:	20.17 tons



Curbside mixed recyclables: All sorted material in the 2017 calendar year was processed in our Napa sorting facility and a small portion in Mt. Diablo Resource Recovery when Napa is down due to maintenance and upgrades. Separated and prepared recyclables were shipped to various mills.

Composition based on sorting combined single stream source is consistent as in years prior:

Aluminum:	.82%
Cardboard:	17.23%
Glass:	22.25%
Paper:	45.6%
Plastic:	7.62%

Metal: 6.48%

Organic Yard Waste Materials: Throughout 2017, the yard waste materials were processed at the Old Durham Wood Facility. All curbside yard waste collected in Paradise is currently processed into high quality gardening compost.



2) Number of accounts for each program / service, number and size of container by recycled type.

Residential:	Accounts	Container
Curbside Blue Recycling 65 Gal carts:	628	653
Curbside Blue Recycling 95 Gal carts:	8,513	9,471
Curbside Brown Yard Waste 65 Gal carts:	4	5
Curbside Brown Yard Waste 95 Gal carts:	8,995	15,069
Commercial:	Accounts	Container
Curbside Blue Recycling carts:	468	888
Curbside Blue Rec Multi-family carts:	46	1,488
Yard waste Brown carts:	251	465
Yard Waste Brown Multi-family carts:	31	1,074
Cardboard / Mixed recycling:	Accounts	Container
2 yard	93	94
3 yard	8	8
4 yard	81	85
6 yard	23	31

3) Participation and set-out rates:

Residential even / odd week pickup:	
Curbside Recycling:	91%
Yard Waste:	65%
Commercial even / odd week pickup:	
Curbside Recycling	98.5%
Yard Waste: (estimated)	55 %
Cardboard:	100%



NRWS trucks are equipped with arm lift counters and drivers record the number of container lifts and the data base compares to determine a set-out rate.

- 4) Recyclable Material sales revenue by material type: NRWS has attempted to market the recyclables to our inter-company sorting facility however the markets have experienced unstable compensation in which has low value.

Yard waste: We are charged \$16 per ton for processing at the Compost Facility.

5) Summary Assessment for Curbside Recycling:

During 2017, NRWS continued to push for increased commercial, school, multi-family and residential recycling and educated customers through various outreach activities and new program planning.

Residentially, nearly all customers have recycling and yard waste containers.

The curbside collection recycling program in Paradise continues to expand with residents and businesses.



Public Education is and always will be an ongoing effort and site visits are the most common and effective manner to reach the commercial customers to promote motivation for business owners / managers to lead recycling efforts and maximizing employee participation. Waste audits are done to a reasonable extent upon each site visit, with a full-scale audit available upon request or for repeat contamination occurrences. Each commercial business is visited annually to address any concerns and changes in service needs. Multifamily and Mobile Home Parks are visited quarterly and are provided with all mailed out educational material that goes to residential customers.

NRWS transfers the mixed recycling to the Napa sorting facility. NRWS is currently processing source separated cardboard, aluminum, and plastics within the Paradise facility.

C. Town of Paradise Vegetative Facility:

- 1) Total number of 2017 Facility Users:

Total Vehicle count: 16,271

- 2) Incoming Material:

2017 Total	Yards	Tons
	47,528	5,872.05

- 3) **Summary Assessment:** The Facility continues to be a vital component to the Town and has helped in conjunction with the curbside collection program to offer alternative options for outside burning and landscapers. This facility is also open to un-incorporated County residents.



The Facility continues to separate the limb wood and brush from the leaves and pine needles.

The facility has been transferring material to Old Durham Wood where it is processed by composting and a portion of the heavier material sent to Bio-Mass facilities in Lincoln, Anderson, and Quincy. The transferring of material is costly however the volume of users has not declined but increased year over year. Old Durham Wood and NRWS throughout 2017 has been working through site improvements at the Durham site to meet the requirements of the Cal Recycle, Army Corp, State Regional Water, State and Local Air, California Fish and Wildlife, and Butte Environmental Health to be a major key to the upper ridge programs.

D) NRWS Recycle Center

1) Total number of visitors in 2017: 20,110

2) Material processed / handled:

Aluminum:	98.01 tons
Glass:	261.00 tons
Plastic:	82.36 tons
Metal:	200.72 tons
Batteries	10.31 tons
Oil & Anti-Freeze	8.99 tons
Inerts / Concrete	42.50 tons
E-Waste	145.08 tons



- 3) **Summary Assessment:** The American Way Recycle Center is open Monday through Saturday 9am – 4pm and is the only full serve Recycling Facility on the Ridge. The Facility has proven to be a vital component of the Town's recycling programs. NRWS continues to assist California Vocations in operating the COVE Recycle Center at Wagstaff and Skyway. In addition to the common California Redemption Value materials, the center also accepts free household & automotive batteries, medical sharps, all electronic & universal waste with battery or cord, used oil, antifreeze, scrap metal, appliances, concrete, and mixed recyclables.

E) Town of Paradise Permanent Household Hazardous Waste Facility:

- 1) Total number of Facility users: 2,604 (Open 52 days in 2017)

Material Handled

Latex Paint (bulk)
Paint related Materials
Flammable Liquids
Misc. Lab Pack-Toxics
Misc. Lab Pack – Acid
Misc. Lab Pack – Alkaline
Misc. Lab Pack – Flammable Liq.
Non-RCRA Lab Pack
Flammable Aerosols Lab Pack
Corrosive Aerosols
Toxic Aerosols Lab Pack
Non RCRA Liquids
Grease
Roofing Cement
Aerosols (Paint)
Fluorescent Lamps
Compact fluorescent lamps
Misc. Fluorescents
Household batteries
Ballast lab pack



- 2) Summary Assessment: This Facility has offered the Ridge a safe and convenient opportunity for residents to properly dispose of hazardous materials. Many materials received are recycled such as the latex paint, fluorescents, and batteries. This facility is one component that completes the Town's comprehensive solid waste and recycling programs. NRWS staffing has been trained and are operating the facility. Public education has been focusing efforts on notifying the customers of the do's and the don'ts related to what materials and volumes the facility accepts and how to transport safely.

Reuse Center: The facility also has a re-use program that collects like new or original products that have been dropped off at the HHW for disposal and makes those products available to residents one day per month for free. This encourages utilization of our resources and embraces a closed loop program.

The program is popular with a regular 40 to 50-person turnout, with 99% of materials being taken for reuse. We support the program with ongoing grants to fund public education with T.V. and radio ads.

Reuse Center: Annual participants = 500
Total material by weight = 3.36 tons

F) Town Drop Off Collection Events in 2017

In addition to many materials that are accepted free of charge at the NRWS American Way facilities, NRWS hosted several Free Drop Off Collection Events in 2017. The events were geared to divert materials from the landfill, manage illegal dumping, insect vector control, and/or outdoor burning.

January: Free Christmas Tree Drop Off at the American Way facility through the entire month of January.

March: Free Tire Amnesty Day. Tires also collected by appointment throughout the year pending available grant funds. Grant funds have proved to successfully support year-round tire collection for the last 5 years.

May: The American Way Yard Waste Transfer Facility held a Week of Free Yard Waste Drop Off program for the start of the spring season.

October: Free Tire Amnesty Drop Off Day.
Total 2017 tires collected = 4630 tires.

October: The American Way Yard Waste Transfer Facility held a week of Free Drop Off Day.

G) Street Sweeping in 2017

The Town's new street sweeping program started in July 2017. WTS is the contracted firm to sweep for NRWS and has performed well.

From July 2017 – March 2018 WTS has swept 1,108.8 lane miles collecting 981.5 tons or 1,963,000 pounds of debris.

The July sweeping alone produced approximately 530,000 pounds of debris and cleaned 211.5 miles of town owned lanes. The first sweep was heavy with years of material mostly consisting of fine particulates and gravel with some vegetation. The sweeper made multiple passes in many areas to break through the many layers of materials that caused dust that was difficult to manage in the dry season even with the moisture dust controls in place. The October sweep went much better and the moisture helped with the dust mitigation and the months that followed started to become more normal.

By May 2018 we plan to vacuum many storm drains in the locations identified by Town Public Works.

H) Overall Summary Program Assessment:

The Town of Paradise has world class solid waste and recycling programs. The community has embraced the programs and the culture here has shifted to promote a sustainable future. However, there is always more work to be done, a good program requires continual education and support from the Town and the community. Waste reduction is a cultural shift that needs to be nurtured and supported at all our community events, schools, homes and business's.

Program Recommendations:

- With the increased storm water monitoring regulations, the Town will be required to make the improvements necessary to continue to operate the American Way Yard Waste Transfer Facility. NRWS continues to actively pursue grant opportunities to incorporate improvements with new composting technology.
- All commercial businesses have been required by law (AB341) to participate in a local recycling program, including multi-units for the last few years. The mandate was put in place to reduce waste and reuse all resources to decrease the rising environmental damage caused by over consumption and resources extraction.
- In an extension of AB341 an additional law was passed (AB 1826) requiring commercial businesses to separate out organics from the trash in an ongoing effort to curb green-house gas emissions. Starting in 2019, all commercial businesses, producing over 4 yds of trash per week, will be required to separate out organics. We currently do not have a municipal composting facility in Butte County, nor do we run composting routes. Although we are working with all local jurisdictions to get a composting facility up and running, we are still years away from making such a facility a reality. North State Rendering does accept organics, however their location and limitations (no vegetative waste) make routing currently economically unfeasible.

In the mean time we will contact each business that falls under the 4yd threshold and audit the waste stream and determine if a potential route is economically feasible. Due to our rural status and a lack of infrastructure to acquiesce to AB 1826 stipulation, our efforts to collect on site data and map our routing possibilities will keep us all in compliance until the needed infrastructure is established.

Attachments:

Exhibit A: 2017 Material by Line of Business

Exhibit B: 2017 Household Hazardous Waste Usage Log

Exhibit C: 2017 Residential Accounts by month

Exhibit D: 2017 NRWS Complaint Log

Exhibit E: 2017 Compliment Log

Exhibit F: 2017 Missed Pick-up Log

Town of Paradise
2017 WASTE ORIGIN SURVEY AND RECYCLING REPORT

2017

Name of Solid Waste Company:

Northern Recycling & Waste ServicesCompleted by: Doug SpeicherPhone Number: 530-876-3355

Report recycled commodities only once. Use initial collection method for purpose of categorization.

DISPOSED MATERIAL						Paradise	Total
Total Residential Customers 12/31						9217	9217
Total Resi Recycling customers						9150	
Total Commercial Customers 12/31						623	623
NRLF Residential - Tons						7236.9	7236.9
NRLF - Commercial - Tons						3618.66	3618.66
NRLF - Roll-Off						1646.87	1646.87
Exported - Residential						0	0
Exported - Commercial						0	0
Exported - Roll-off						0	0
Total Customers						18990	9840
Total Tons						12502.43	12502.43
						BRWMA Totals	0

RECYCLED MATERIAL	Recycling Collection Method (Columns B - F)					Total Collected	Percent of Total
	Transfer Station / MRF	Residential Curbside	Commercial	Buy-Back/ Drop-off	Drop-Boxes		
Material Inflow	5872.05	10606.53				16478.58	
Aluminum		25.94	2.26	98.01		126.21	0.69%
Cardboard		544.99	491.32		4.5	1040.81	5.69%
Glass		703.79	61.2	261		1025.99	5.61%
Newspaper						0	0.00%
Mixed Paper		1442.35	125.43		5.28	1573.06	8.60%
PET		69.6	6.06	81.45		157.11	0.86%
HDPE		84.76	7.38	0.91		93.05	0.51%
Other Plastics		86.66	7.49			94.15	0.51%
Scrap Metal		28.78	2.51	200.72	110.75	342.76	1.87%
Bi-Metal		49.66	4.31			53.97	0.30%
Wood Waste						0	0.00%
Yard Waste	5872.05	7409.67	20.17		112	13413.89	73.33%
C&D					127.81	127.81	0.70%
Mixed Recyclables					33.83	33.83	0.18%
Electronic Materials				34.07		34.07	0.19%
Inert Material				42.5	114.37	156.87	0.86%
Batteries				10.31		10.31	0.06%
Oil & Antifreeze				8.99		8.99	0.05%
Food waste						0	0.00%
Totals	5872.05	10446.2	728.13	737.96	508.54	18292.88	
Total residuals	0	160.33					

Estimated percentage of accounts participating in recycling programs: %

Waste Diversion: % 59.4%

Diverted	Actual tons	TOTAL
18292.88	12502.43	30795.31

Date	Paradise	County	Total	Paint	Herbicides	Flammables	Flourescent tube/CFL's	Medications	Pool/Spa Chemicals	Poisons	Fire Ex/Propane Tanks	Antifreeze	Pesticides	Cleaning Products	Other	newsletter	web site	Recycling Center	radio	tv	word of mouth	Been to HHW?	Chico?
1/7/2017	18	6	24	12	1	1	11	6	0	0	0	0	1	4	3	7	2	0	0	0	5	17	6
1/11/2017	17	5	22	6	5	4	5	6	1	0	2	0	3	4	6	8	4	0	0	2	6	18	7
1/21/2017	26	5	31	12	2	2	15	5	0	0	1	0	3	4	6	9	6	0	1	1	7	21	5
1/25/2017	43	10	53	19	6	5	26	11	1	1	3	2	3	8	7	18	7	2	0	1	12	44	19
2/4/2017	38	8	46	20	2	5	21	7	1	0	3	0	1	6	4	12	1	1	0	0	14	35	14
2/8/2017	17	6	23	10	6	3	3	2	0	0	0	1	3	7	7	7	2	0	0	0	5	20	4
2/19/2017	22	12	34	18	4	3	11	6	1	2	2	0	2	5	5	12	5	0	1	0	13	22	9
2/22/2017	27	6	33	10	4	6	16	5	0	2	0	0	5	5	4	12	3	0	0	1	8	25	8
3/4/2017	53	11	64	27	6	5	23	7	1	2	0	1	5	6	16	23	6	0	1	0	16	48	18
3/8/2017	40	5	45	19	3	2	16	10	1	0	1	1	3	4	7	18	3	3	0	0	8	37	15
3/19/2017	41	10	51	21	8	2	20	8	0	3	1	2	5	7	9	13	6	1	0	1	10	42	13
3/22/2017	37	7	44	0	2	16	11	0	2	58	1	2	12	6	19	2	0	0	1	10	34	12	8
4/1/2017	41	13	54	25	6	7	16	9	0	4	7	2	8	16	11	14	6	4	1	0	13	37	9
4/5/2017	35	11	46	23	4	3	14	4	1	3	3	1	4	7	14	11	7	0	1	1	8	35	13
4/15/2017	36	5	41	16	3	7	19	3	0	1	1	0	2	2	9	13	2	2	0	1	13	31	10
4/19/2017	40	18	58	29	4	6	23	8	1	2	1	2	4	5	9	16	9	1	0	3	12	42	10
4/29/2017	47	9	56	29	5	6	26	11	0	4	3	3	4	10	8	12	7	1	0	0	13	43	9
5/3/2017	41	13	54	27	0	3	4	21	8	4	2	2	10	10	24	3	0	1	1	12	37	11	
5/13/2017	35	12	47	28	7	6	16	9	1	3	4	9	8	8	5	11	2	0	0	0	3	36	12
5/17/2017	41	9	50	26	8	10	21	7	0	3	1	3	10	11	14	14	3	8	1	3	12	39	4
5/27/2017	45	16	61	36	8	14	18	8	0	4	4	4	10	13	11	9	10	20	1	1	7	46	21
5/31/2017	36	14	50	31	8	7	24	7	1	2	1	1	4	13	12	9	5	12	0	0	11	34	10
6/10/2017	49	11	60	31	6	12	19	5	5	3	3	3	4	13	10	14	6	19	0	1	9	41	11
6/14/2017	37	16	53	32	10	5	18	6	1	6	1	1	12	15	7	12	7	12	0	0	9	36	15
6/24/2017	58	15	71	35	10	17	30	19	0	3	6	0	7	9	9	16	6	23	0	1	9	61	15
6/28/2017	56	7	63	33	11	10	21	12	1	6	3	2	5	9	7	14	4	11	0	0	18	47	19
7/8/2017	56	7	63	33	11	10	21	12	1	6	3	2	5	9	7	14	4	11	0	0	18	47	19
7/12/2017	59	15	74	43	7	16	16	12	4	4	4	4	4	13	17	23	8	16	0	0	11	54	16
7/22/2017	69	16	85	48	12	15	30	9	0	2	3	8	10	17	18	20	7	16	0	1	15	67	16
7/26/2017	53	15	68	32	16	9	26	10	1	7	6	0	9	16	13	28	5	10	0	0	10	53	19
8/5/2017	37	7	44	23	9	7	13	2	3	4	2	0	9	6	8	14	1	13	0	0	6	28	9
8/9/2017	48	13	61	36	12	11	14	6	9	3	1	2	13	14	9	18	8	13	0	1	6	44	10
8/19/2017	38	14	52	31	5	10	12	6	2	4	1	3	6	10	12	13	4	14	0	0	7	43	17
8/23/2017	47	16	63	32	8	10	29	10	0	1	3	2	8	11	12	18	0	19	0	0	7	48	9
9/2/2017	30	14	44	29	3	2	11	8	2	0	3	0	7	8	9	7	5	12	1	1	6	27	9
9/6/2017	42	9	51	26	3	9	18	9	2	2	3	0	3	7	12	15	9	13	2	2	8	44	11
9/16/2017	51	10	61	33	9	11	24	10	1	2	0	2	7	11	17	18	7	21	0	1	14	43	7
9/20/2017	34	12	46	23	6	5	23	11	0	2	0	2	6	7	9	10	2	12	0	0	3	31	7
9/30/2017	34	15	49	29	9	12	10	5	0	4	2	0	7	13	13	6	4	20	0	2	13	37	15
10/4/2017	54	8	62	36	9	11	25	10	3	4	5	0	7	8	12	17	6	16	0	3	14	53	12
10/14/2017	48	10	58	29	9	11	22	8	1	4	4	5	7	16	14	11	7	25	0	1	7	43	13
10/18/2017	39	8	47	23	9	2	18	9	3	3	2	0	7	12	8	13	4	18	1	1	9	39	8
10/28/2017	53	8	61	37	5	8	27	8	2	3	4	2	6	15	10	21	4	20	0	1	3	44	12
11/1/2017	41	10	51	27	5	8	19	7	3	1	3	3	7	10	11	13	4	15	0	2	10	44	14
11/11/2017	41	8	49	27	5	7	23	7	1	3	2	0	4	10	10	13	3	12	0	0	9	39	13
11/15/2017	28	7	36	17	2	4	12	4	1	0	1	1	3	3	3	6	2	12	0	1	9	29	5
11/25/2017	20	11	31	13	4	3	10	4	1	4	2	1	6	10	12	9	0	6	0	1	5	22	11
11/29/2017	26	10	36	14	5	4	17	6	1	3	3	0	2	4	9	11	5	8	0	0	7	28	10
12/9/2017	43	11	54	31	4	6	26	4	0	3	4	0	6	8	12	15	3	20	0	2	10	45	15
12/13/2017	46	10	56	27	2	2	25	14	0	0	2	0	2	12	10	9	3	16	0	1	6	42	16
12/23/2017	28	5	33	14	3	5	10	5	1	1	0	3	3	5	8	6	3	10	1	0	7	24	8
12/27/2017	28	7	35	13	0	3	22	5	1	1	3	1	2	5	7	9	7	9	0	1	7	31	8
2017 TOTALS	2067	536	2604	1305	311	368	954	401	70	187	120	62	292	463	524	668	234	502	14	61	541	1829	583

Town of Paradise Residential Accounts by Month

	January	February	March	April	May	June	July	August	Sept	October	Nov	Dec	Year to date
Number of households - Paradise	9,174	9,183	9,168	9,201	9,185	9,219	9,197	9,178	9,209	9,231	9,218	9,217	9,231
Total Containers - Town	9,272	9,281	9,269	9,299	9,284	9,317	9,297	9,279	9,311	9,333	9,323	9,323	9,333
# of households - 35 gallon (sr. rate)	77	76	76	76	75	73	73	69	69	69	68	68	77
Containers out	77	76	76	76	75	73	73	69	69	69	68	68	77
# of households - 35 gallon Town	5,628	5,628	5,612	5,651	5,633	5,650	5,636	5,572	5,617	5,634	5,612	5,612	5,651
Containers out	5,672	5,671	5,656	5,693	5,674	5,690	5,679	5,614	5,659	5,677	5,655	5,655	5,693
# of households - 65 gallon Town	2,289	2,282	2,280	2,276	2,273	2,275	2,268	2,292	2,286	2,292	2,296	2,299	2,299
Containers out	2,300	2,293	2,293	2,288	2,285	2,287	2,280	2,305	2,300	2,306	2,310	2,313	2,313
# of households - 95 gallon Town	1,180	1,197	1,200	1,198	1,204	1,221	1,220	1,245	1,237	1,236	1,242	1,238	1,245
Containers out	1,223	1,241	1,244	1,242	1,250	1,267	1,265	1,291	1,283	1,281	1,290	1,287	1,291
# of households - wavier APN share	231	230	229	227	227	227	226	225	224	226	227	227	231
# of households - vacant	88	90	90	93	89	92	90	91	90	92	90	90	93
# of households - vacation hold	255	254	256	254	247	247	244	253	253	254	253	251	256
# of households - opt out of service	234	263	254	248	270	278	283	276	260	250	255	260	283
# of households - off street service	79	77	92	91	98	94	95	96	96	95	97	95	98
# of households - non pay	34	19	19	18	18	19	21	27	25	22	19	19	34
Total Households - Recycling	9,123	9,129	9,132	9,142	9,157	9,152	9,148	9,154	9,151	9,185	9,155	9,150	9,185
Total containers - Town	10,117	10,124	10,128	10,142	10,159	10,179	10,195	10,169	10,164	10,203	10,180	10,179	10,203
# of households - 65 gallon Town	625	620	617	616	649	604	598	593	591	591	589	583	649
Containers out	649	644	641	640	676	628	622	617	615	615	613	607	676
# of households - 95 gallon Town	8,498	8,509	8,515	8,526	8,508	8,548	8,550	8,561	8,560	8,594	8,566	8,567	8,594
Containers out	9,468	9,480	9,487	9,502	9,483	9,551	9,573	9,552	9,549	9,588	9,587	9,572	9,588
Total Number of household enrolled in yardwaste program	8,975	8,981	8,987	8,997	8,966	9,024	9,000	9,004	9,006	9,025	9,011	9,001	9,025
Total containers Town	15,034	15,050	15,080	15,096	15,045	15,140	15,111	15,134	15,141	15,229	15,241	15,255	15,255
# of households - 95 gallon Town	8,971	8,977	8,983	8,993	8,962	9,020	8,997	9,001	9,003	9,022	9,008	8,998	9,022
Containers out	15,029	15,045	15,075	15,091	15,040	15,135	15,107	15,130	15,137	15,225	15,237	15,251	15,251
# of households - 65 gallon Town	4	4	4	4	4	4	3	3	3	3	3	3	4
Containers out	5	5	5	5	5	5	4	4	4	4	4	4	5

MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – April 10, 2018

1. OPENING

The Regular meeting of the Paradise Town Council was called to order by Mayor Jones at 6:00 p.m. in the Town Council Chamber located at 5555 Skyway, Paradise, California who led the Pledge of Allegiance to the Flag of the United States of America. An invocation was offered by Council Member Zuccolillo.

COUNCIL MEMBERS PRESENT: Greg Bolin, Scott Lotter, Melissa Schuster, Mike Zuccolillo and Jody Jones, Mayor.

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Town Manager Lauren Gill, Town Attorney Dwight Moore, Town Clerk Dina Volenski, Administrative Services Director Gina Will, Public Works Director/Town Engineer Marc Mattox, Administrative Analyst Colette Curtis, Business and Housing Services Director Kate Anderson, Acting Police Chief Eric Reinbold, Division Chief David Hawks and Community Development Director Craig Baker.

- 1a. The proclamation recognizing April as Sexual Assault Awareness and Child Abuse Prevention Month was accepted by Cinda Trembath from Rape Crises Intervention and Prevention. (180-40-26)
- 1b. The proclamation recognizing April as National Donate Life Month was accepted by Cheryl Dawson, Volunteer Ambassador Donor Network West and Jean Aldridge from Live Well Center. (180-40-26)
- 1c. A presentation to inform and update the Town Council about the current Systemic Safety Analysis Progress Report was given by Erin M. Ferguson, Associate Engineer, from Kittelson & Associates, Inc. The website to provide feedback for safety comments and concerns is safestreetsforparadise.com.

2. CONSENT CALENDAR

Council Member Zuccolillo requested that item 2d be removed from the consent calendar due to a conflict of interest.

MOTION by Lotter, seconded by Schuster, approved consent calendar items 2a, 2b, 2c, and 2e as presented. Roll call vote was unanimous.

- 2a. Approved minutes of the March 13, 2018 Regular Town Council meeting.
- 2b. Approved March 2018 Cash Disbursements in the amount of \$1,862,154.62. (310-10-32)

- 2c. Adopted Resolution No. 18-05, A Resolution of the Town Council of the Town of Paradise Adopting a List of Projects for Fiscal Year 2018-19 Funded By SB 1: The Road Repair and Accountability Act of 2017. (650-15-01)
- 2d. Item removed from consent calendar.
- 2e. Adopted Resolution No. 18-07, a Resolution of the Town Council of the Town of Paradise, approving a job description and adding a temporary position to the salary pay plan for the fiscal year 2017-2018; and, 2. Authorized the Public Works Department to seek a qualified candidate. (610-10-17)

3. ITEMS REMOVED FROM CONSENT CALENDAR

Council member Zuccolillo left the dais at 6:28 p.m.

- 2d. **Motion by Lotter, seconded by Schuster**, Adopted Resolution No. 18-06, a Resolution of the Town Council of the Town of Paradise approving the plans and specifications for the Downtown Paradise Equal Mobility Project. Roll call vote was unanimous with Zuccolillo absent and not voting. (950-40-035)

Council member Zuccolillo returned to the dais at 6:29 p.m.

4. PUBLIC COMMUNICATION

- 1. Claudie Benike informed the Town Council that the 60th Annual Gold Nugget Days is the weekend of April 26-29 and that the deep pit barbeque is returning and will be on Sunday, April 29th at the Gold Nugget Museum. Ms. Benike also invited the Council to attend the Paradise Symphony final concert of the year on May 6th at the Paradise Performing Arts Center.
- 2. Sue Griffin requested that a representative from Paradise Police Department attend the monthly meetings of the Human Relations Network of Butte County held on the first Monday of the month from 3-5 p.m. She thinks the Town would benefit by attending the meetings.
- 3. Ward Habriel stated that citizens think Lt. Eric Reinbold should be appointed as the permanent Chief.
- 4. James Holmes stated that his spouse is a soldier and that he spoke with Veterans from the area who were disappointed that spectators at the Gold Nugget Parade did not stand when the flag drove by and suggested that the police officer driving the vehicle request that spectators stand as a sign of respect to the flag.
- 5. Wayne Medley witnessed a motorcycle fatality in front of his home on Wagstaff Road, stated that the speed on Wagstaff Rd. between Skyway and Oliver is out of control, and suggested that stop signs be placed at Oliver Rd./ Roberts Rd. and Graham Rd./ Wagstaff Rd.

5. PUBLIC HEARINGS – None

6. COUNCIL CONSIDERATION

- 6a. The Town Council considered and filed the 2017/2018 budget information presented by Administrative Services Director Gina Will. (340-40-15)
- 6b. Consider waiving the entire reading of proposed Ordinance No. 569 and approve reading by title only; and 2. Consider introducing Ordinance No. 569, An Ordinance of the Town Council of the Town of Paradise amending Chapter 3.22 of the Paradise Municipal Code Extending, subject to Voter Approval, the Town's Existing General Transactions and Use Tax for an Additional Ten Years to March 31, 2031, Pursuant to Revenue and Taxation Code Sections 7251 Et Seq. (The ordinance would extend the one-half percent Transactions and Use Tax "Measure C" for a period of ten years to maintain Town services such as Police, Fire, Roads and Animal Control.) (530-10-056)

Town Manager Gill presented an overview of proposed ordinance No. 569 that would extend the Town's Existing General Transactions and Use Tax for an additional ten years to March 31, 2031. Manager Gill highlighted the benefits that Measure C has provided for the community over the last three years that it has been in place which include:

Fiscal Year 2015/2016

- | | |
|------------------------------------|---|
| •New Investigation Sgt at PD | •Maintain Cal Fire Contract |
| •Sponsor 2 Police Academy Cadets | •New Fire Engine |
| •3 Police cars (Ford Interceptors) | •Firefighter breathing apparatus |
| •Police Body Cameras | •Exhaust extraction unit for Fire Stations |
| •Police K9 Program | •Increased Hours for AC Officer |
| •Enhanced Police Officer Training | •Pressure Washer/Sanitation Unit for Animal Shelter |
| •LiveScan Machine for Police Dept. | •Pedestrian Safety Crossings |
| •Police Dept. siding and repairs | •Pearson Rd. Overlay/Drainage |

Fiscal Year 2016/2017

- | | |
|--------------------------------------|--|
| •Increased hours for AC Officer | • 3 new Police Vehicles |
| •Training for Animal Control Officer | • Body Cameras (Year 2 of 5) |
| •Animal Control System Training | • Police Officer Training |
| •Supplies for animals at the Shelter | • K9 Program training, food, vet costs |
| •4 Animal Isolation Units | • Sponsor 2 Police Academy Cadets |
| •Online Dog Licensing setup | • Emergency 9-1-1 MIS |
| •Maintain Cal Fire Contract | • Patrol Cameras with durable cases |
| •New Fire Engine | • Sawmill Peak Communication Study |
| •Matching funds for SCBU's | • PD Men's Locker room floor repair |
| •2nd Detective for Police Department | • 2nd Phase of PD Siding replacement |
| | • 2016 Road rehabilitation project |

Fiscal Year 2017/2018

- Funds for 2 Animal Control Officers
- Training for AC Officers
- Computer for AC Supervisor
- Online dog licensing maintenance
- Rendering setup and maintenance
- Concrete Repair at Animal Shelter
- Maintain Cal Fire Contract
- Payments on two new Fire engines previously acquired
- 3 new Police Vehicles
- Body Cameras (yr 3 of 5)
- Police Officer Training
- K9 Program, food, vet. costs
- Police Dept. Roof replacement
- Sponsor 2 Police Academy Cadets
- Maxwell Dr. Safe Routes to School
- Bille Rd. Overlay from Fern to Oliver
- 10% Fixed Reserve

Mayor Jones asked for public comments:

1. Jim Broshears, represents PCA (Paradise Citizens Alliance), stated that he thinks that everything that was promised has been delivered and used for the correct purpose; he doesn't want to think about not having Measure C in the future and strongly supports the extension of Measure C.
2. Kelly Conner, represents PCA, stated that when the population stays the same and there is no sprawl or growth it is difficult to generate revenue. She thinks that the town needs to grow with more quality, to be fiscally responsible and Measure C is allowing that to happen and supports the extension of Measure C.
3. Ward Habriel has received negative feedback from what was in the paper; thinks there's work to do and public outreach should happen over the next four months with public forums each month to let people know what has been done in the four areas for Police, Fire, Roads and Animal Control. He thinks people should see what has been done with the money and be educated so that they can vote smart.
4. Chuck Rough, represents PCA, stated that it is very unique that political leaders make a promise, keep it and even exceed it. He stated that with Measure C the Town has accomplished great things in a short amount of time and that it is a bright light for the community. Mr. Rough strongly supports the extension of Measure C and hopes to see the school resource officer program re-established. Mr. Rough also suggested that there will be another economic downturn in the future and that the Town needs to plan for it.
5. Sharon Simonton, Measure C Oversight Committee member, stated that the community needs to know that the money has been spent correctly.
6. Molly Knappen, Measure C Oversight Committee Chair, stated that she voted against Measure C and wanted to be on the Oversight Committee to make sure the money was spent correctly and it absolutely has been. The money has been

used to leverage grants and provide a greater benefit to the community. She stated that the Measure C Oversight committee voted unanimously to support the extension of Measure C.

7. James Holmes stated that he was not aware of all the benefits Measure C has provided, likes the roads, police cars, additional enforcement, supported the idea of the School Resource Officer and supports the extension of Measure C.

Manager Gill announced the Measure C Appreciation Day on Tuesday, April 17, 2018 at 11:30 a.m. at Paradise Community Park and invited everyone to attend and see all the equipment that has been purchased with Measure C funds.

Council Member Bolin stated that he was the lone descending vote last time, but he has seen what the Measure C money has done for the Town; he has seen that the Town has a plan to wean off of Measure C after 10 years and supports the extension of Measure C.

Council Member Schuster stated that we all pay taxes and it is rare that we get to see what that money does for us; she thinks the tax is fair because everyone pays into it and that it is a contribution into our own community and overall economy. She stated that citizens from Magalia also use our roads and when they purchase things in Paradise they are contributing to the roads that they use. She thinks the Town of Paradise has done a good job with the money and supports the extension of Measure C.

Council Member Zuccolillo stated that he has concerns; the money has been spent on what it was supposed to be spent on which is admirable, but it was originally for six years, the Town is barely hanging on by a thread with the budget and now we are asking for ten years. Additionally, this current election cycle will include the gas tax, the school board may try to pass a bond, the timing may be poor and hard to pass the measure. Some of our community members may not make a lot of money, but the money adds up; the main issue is that we can't create revenues, we can't continue to tax ourselves. He thinks the money is being spent correctly and will accomplish a lot, but at the end of ten years the Town will be asking for the tax to be extended again and thinks the Town will need the tax revenue in perpetuity. He sees what good the money is doing and also knows the reason the Town needs the funding is because the state raids our funds, but thinks we are just putting a band-aid on the issues.

Council Member Lotter stated that with more shopping online, sales tax revenues are shrinking and Measure C is one of the best ways of combating that since the town receives the full one-half percent sales tax that is charged to online sales. Mr. Lotter stated that when this ordinance was originally placed on the ballot, six years was arbitrary because the Town needed to prove to the community that the money could be spent responsibly and the way it was promised. The Town has shown that the money is spent the way it was promised. Now the citizens will

have the opportunity to re-affirm their commitment to our community and it is important that voters are allowed to vote again. Although there may be a lot of local items on the ballot, he thinks it is appropriate to move forward at this time and supports the extension of Measure C.

Mayor Jones stated that there is a good rationale for extending the measure for ten years because there is a PERS Obligation Bond that will be paid off in that time which will give the town a lot more room in the budget to pay for the things that are being paid out of Measure C because there is no other money to pay for them. Voters need to have the opportunity to vote prior to the measure expiring or we could see a bad situation in the Town of Paradise, the Animal Shelter would not be able to stay open, there would not be any sponsored cadets at the police academy, no second detective position, the same level of fire support and the same level of service would not be able to be sustained. Mayor Jones is in support of extending the measure for 10 years.

MOTION by Lotter, seconded by Schuster, waived the entire reading of proposed Ordinance No. 569 and approved reading by title only; and 2 Introduced Ordinance No. 569, An Ordinance of the Town Council of the Town of Paradise amending Chapter 3.22 of the Paradise Municipal Code Extending, subject to Voter Approval, the Town's Existing General Transactions and Use Tax for an Additional Ten Years to March 31, 2031, Pursuant to Revenue and Taxation Code Sections 7251 Et Seq. (The ordinance would extend the one-half percent Transactions and Use Tax "Measure C" for a period of ten years to maintain Town services such as Police, Fire, Roads and Animal Control.) Ayes of Bolin, Lotter, Schuster and Mayor Jones. Noes of Zuccolillo. Motion passed four to one.

6c. **MOTION by Zuccolillo, seconded by Lotter**, adopted the 2018-19 Subrecipient funding recommendations regarding grant funding for local organizations; and, 2. Adopted the final 2018-2019 Annual Plan as submitted; and, 3. Authorized staff to submit the adopted 2018-2019 Annual Plan to the U.S. Department of Housing and Urban Development. Roll call vote was unanimous. (710-10-91)

6d. **MOTION by Lotter, seconded by Schuster**, Acknowledged receipt of and filed the Planning Commission's annual report concerning implementation status of the 1994 Paradise General Plan for the 2017 calendar year. Roll call vote was unanimous. (760-40-55P)

Mayor Jones stated that the 1994 General Plan is defensible, but it is 24 years old, some things have changed, thinks the Plan warrants a review and asked that the 1994 General Plan be reviewed in the 2019/2020 Fiscal Year.

7. COUNCIL INITIATED ITEMS AND REPORTS

7a. Council initiated agenda items - None

7b. Council reports on committee representation

Council Member Zuccolillo attended the CDBG subrecipient interviews with Council Member Schuster.

Council Member Schuster attended the following meetings: Butte County Mosquito and Vector Control District, PCA, Gold Nugget Days and Blue Zones. Council Member Schuster announced the Love Paradise event on April 21 & 22.

Council Member Lotter participated in Friends Benefitting the Ridge event, attended the swear in of the new Animal Control Officer, attended LAFCO meeting and announced that the League of Cities Legislative Action Day is Wednesday after the Measure C event.

Council Member Bolin attended the Animal Control and Finance Committee meetings.

Mayor Jones stated that citizens and Feather River Hospital brought experts in Blue Zones to town to see if an initiative could be started to move towards becoming a Blue Zone. Mayor Jones was a judge at the Butte County Spelling Bee, attended BCAG, BCAQMD and City Selection Committee.

7c. Future Agenda Items - None

8. STAFF COMMUNICATION

8a. Town Manager Gill announced the Measure C Tax Appreciation day on Tuesday, April 17, 2018, 11:30 a.m. at Paradise Community Park

- Community Development Director Baker provided an update on the following projects: Skyway Black Olive Village Drive Project, Starbucks, Lynn's Optimo, Mamma Celeste's Pizzeria and Gastropub, Woodview Retirement Cottages, parcel map on East Dottie Lane and Oakhill Mobile Home Park.

9. CLOSED SESSION - None

10. ADJOURNMENT

Mayor Jones adjourned the Council meeting at 7:59 p.m.

Date Approved:

By:

Jody Jones, Mayor

Attest:

Dina Volenski, CMC, Town Clerk

TOWN OF PARADISE

CASH DISBURSEMENTS REPORT

FOR THE PERIOD OF
APRIL 1, 2018 - APRIL 30, 2018

April 1, 2018 - April 30, 2018

Check Date	Pay Period End	DESCRIPTION	AMOUNT
04/06/18	04/01/18	Net Payroll - Direct Deposits & Checks	\$126,257.23
04/20/18	04/15/18	Net Payroll - Direct Deposits & Checks	\$121,278.24
TOTAL NET WAGES PAYROLL			\$247,535.47
Accounts Payable			
PAYROLL VENDORS: TAXES, PERS, DUES, INSURANCE, ETC.			\$243,766.98
OPERATIONS VENDORS: SUPPLIES, CONTRACTS, UTILITIES, ETC.			\$696,980.36
TOTAL CASH DISBURSEMENTS - ACCOUNTS PAYABLE			<u>\$940,747.34</u>
(Detail attached)			
GRAND TOTAL CASH DISBURSEMENTS			<u><u>\$1,188,282.81</u></u>

APPROVED BY: _____
LAUREN GILL, TOWN MANAGER

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

TOWN OF PARADISE

CASH DISBURSEMENTS REPORT

From Payment Date: 4/1/2018 - To Payment Date: 4/30/2018

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>									
71793	04/02/2018	Open			Accounts Payable	Aflac	\$189.92		
71794	04/02/2018	Open			Accounts Payable	BLOOD SOURCE	\$58.00		
71795	04/02/2018	Open			Accounts Payable	Met Life	\$7,913.68		
71796	04/02/2018	Open			Accounts Payable	OPERATING ENGINEERS	\$768.00		
71797	04/02/2018	Open			Accounts Payable	PARADISE POLICE OFFICERS ASSOCIATION	\$2,209.48		
71798	04/02/2018	Open			Accounts Payable	SUN LIFE INSURANCE	\$4,366.39		
71799	04/02/2018	Open			Accounts Payable	SUPERIOR VISION SVC NGLIC	\$638.13		
71800	04/02/2018	Open			Accounts Payable	TOP CONFIDENTIAL MID MGMT ASSOCIATION	\$100.00		
71801	04/03/2018	Open			Accounts Payable	EVERBANK COMMERCIAL FINANCE, INC	\$906.47		
71802	04/03/2018	Open			Accounts Payable	HONEYWELL, JANICE, J.	\$955.41		
71803	04/03/2018	Open			Accounts Payable	JEFFORDS, ROBERT, D.	\$478.07		
71804	04/03/2018	Open			Accounts Payable	MOORE, DWIGHT, L.	\$14,076.00		
71805	04/03/2018	Open			Accounts Payable	SBA Monarch Towers III LLC	\$136.85		
71806	04/03/2018	Open			Accounts Payable	TAZZARI, GABRIELA	\$842.31		
71807	04/03/2018	Open			Accounts Payable	WESTAMERICA BANK	\$20,137.76		
71808	04/06/2018	Open			Accounts Payable	ICMA 457 - VANTAGEPOINT	\$350.00		
71809	04/06/2018	Open			Accounts Payable	STATE DISBURSEMENT UNIT	\$194.76		
71810	04/06/2018	Voided/Spoiled	New Bank	04/06/2018	Converted/Imported		\$0.00	\$0.00	\$0.00
71811	04/12/2018	Open			Accounts Payable	ANDERSON, KATE	\$31.17		
71812	04/12/2018	Open			Accounts Payable	ARAMARK UNIFORM SERV. INC.	\$53.78		
71813	04/12/2018	Open			Accounts Payable	AT&T & CALNET3 - CIRCUIT LINES	\$109.26		
71814	04/12/2018	Open			Accounts Payable	AT&T MOBILITY	\$84.00		
71815	04/12/2018	Open			Accounts Payable	AT&T/CALNET3 - REPEATER LINES	\$294.96		
71816	04/12/2018	Open			Accounts Payable	AT&T/CALNET3 - COMMUNITY PARK	\$20.37		
71817	04/12/2018	Open			Accounts Payable	AT&T/CALNET3 - Summary	\$2,821.61		
71818	04/12/2018	Open			Accounts Payable	AT&T/CALNET3 - TH/FDPD FIBER LINES	\$1,110.92		
71819	04/12/2018	Open			Accounts Payable	B B Creative Arts	\$70.04		
71820	04/12/2018	Open			Accounts Payable	BATTERIES PLUS	\$409.62		
71821	04/12/2018	Open			Accounts Payable	Bear Electric Solutions	\$1,425.00		
71822	04/12/2018	Open			Accounts Payable	Biometrics4ALL, Inc	\$21.00		
71823	04/12/2018	Open			Accounts Payable	Bob I Becker Contracting	\$37,791.00		
71824	04/12/2018	Open			Accounts Payable	BUTTE CO RECORDER	\$116.00		
71825	04/12/2018	Open			Accounts Payable	BUTTE COUNTY PUBLIC HEALTH DEPARTMENT - CHICO	\$1,125.00		
71826	04/12/2018	Open			Accounts Payable	BUTTE REGIONAL TRANSIT	\$2,504.50		
71827	04/12/2018	Open			Accounts Payable	BUTTE REGIONAL TRANSIT	\$181,654.50		
71828	04/12/2018	Open			Accounts Payable	CALIFORNIA BUILDING STANDARDS COMMISSION	\$78.00		
71829	04/12/2018	Open			Accounts Payable	CALIFORNIA STATE DEPARTMENT OF CONSERVATION	\$290.98		
71830	04/12/2018	Open			Accounts Payable	CALIFORNIA STATE DEPARTMENT OF JUSTICE	\$32.00		
71831	04/12/2018	Open			Accounts Payable	CHICO IMMEDIATE CARE	\$1,125.00		

TOWN OF PARADISE

CASH DISBURSEMENTS REPORT

From Payment Date: 4/1/2018 - To Payment Date: 4/30/2018

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
71832	04/12/2018	Open			Accounts Payable	CLARK ROAD ANIMAL HOSPITAL	\$9.00		
71833	04/12/2018	Open			Accounts Payable	COLYER VET SERVICE	\$24.00		
71834	04/12/2018	Open			Accounts Payable	COMCAST CABLE	\$76.01		
71835	04/12/2018	Open			Accounts Payable	Command Sourcing, Inc.	\$183.18		
71836	04/12/2018	Open			Accounts Payable	COMPANIONS ANIMAL HOSPITAL	\$6.00		
71837	04/12/2018	Open			Accounts Payable	DIVISION OF THE STATE ARCHITECT	\$3.60		
71838	04/12/2018	Open			Accounts Payable	DON'S SAW & MOWER	\$3,921.01		
71839	04/12/2018	Open			Accounts Payable	ENTERPRISE FM TRUST	\$1,877.10		
71840	04/12/2018	Open			Accounts Payable	Entersect	\$84.95		
71841	04/12/2018	Open			Accounts Payable	GREEN RIDGE LANDSCAPING	\$1,640.00		
71842	04/12/2018	Open			Accounts Payable	HireRight, Inc.	\$16.26		
71843	04/12/2018	Open			Accounts Payable	HLP, INC / CHAMELEON SOFTWARE PRODUCTS	\$3,850.50		
71844	04/12/2018	Open			Accounts Payable	HUDSON'S APPLIANCE CENTER	\$104.00		
71845	04/12/2018	Open			Accounts Payable	HUNTERS PEST CONTROL	\$55.00		
71846	04/12/2018	Open			Accounts Payable	I.M.P.A.C. PAYMENTS IMPAC GOV SVCS/US BANCORP	\$10,155.58		
71847	04/12/2018	Open			Accounts Payable	INLAND BUSINESS MACHINES	\$149.14		
71848	04/12/2018	Open			Accounts Payable	INTERNATIONAL ASSOC OF CHIEFS OF POLICE	\$400.00		
71849	04/12/2018	Open			Accounts Payable	Jaynes	\$8.00		
71850	04/12/2018	Open			Accounts Payable	KNIFE RIVER CONSTRUCTION	\$1,316.68		
71851	04/12/2018	Open			Accounts Payable	L.N. CURTIS & SONS	\$5,085.80		
71852	04/12/2018	Open			Accounts Payable	LOCATE PLUS CORPORATION	\$50.00		
71853	04/12/2018	Open			Accounts Payable	Look Ahead Veterinary Services	\$610.30		
71854	04/12/2018	Open			Accounts Payable	M. Roethler General Engineering	\$5,019.78		
71855	04/12/2018	Open			Accounts Payable	McElroy, Gary	\$8.61		
71856	04/12/2018	Open			Accounts Payable	MENDON'S NURSERY	\$856.99		
71857	04/12/2018	Open			Accounts Payable	Meyers Police Canine Training	\$600.00		
71858	04/12/2018	Open			Accounts Payable	MID VALLEY TERMITE	\$145.00		
71859	04/12/2018	Open			Accounts Payable	MUNICIPAL CODE CORP	\$384.78		
71860	04/12/2018	Open			Accounts Payable	MYERS STEVENS TOOHEY & COMPANY	\$151.20		
71861	04/12/2018	Open			Accounts Payable	NCCSIF TREASURER	\$100,883.50		
71862	04/12/2018	Open			Accounts Payable	Nesci Appraisal Service	\$400.00		
71863	04/12/2018	Open			Accounts Payable	NORTHGATE PETROLEUM CO	\$7,256.93		
71864	04/12/2018	Open			Accounts Payable	O'REILLY AUTO PARTS	\$352.17		
71865	04/12/2018	Open			Accounts Payable	OFFICE DEPOT ACCT#36233169	\$1,389.56		
71866	04/12/2018	Open			Accounts Payable	PACIFIC GAS & ELECTRIC	\$324.98		
71867	04/12/2018	Open			Accounts Payable	PARADISE GARDEN CENTER	\$81.89		
71868	04/12/2018	Open			Accounts Payable	PARADISE IRRIGATION DIST	\$97.79		
71869	04/12/2018	Open			Accounts Payable	Paradise Printing	\$53.88		
71870	04/12/2018	Open			Accounts Payable	PETERS RUSH HABIB & MCKENNA	\$30.00		
71871	04/12/2018	Open			Accounts Payable	PLATT ELECTRIC SUPPLY	\$204.63		
71872	04/12/2018	Open			Accounts Payable	Safe Restraints, Inc.	\$2,602.49		
71873	04/12/2018	Open			Accounts Payable	SAFEGUARD FIRE PROTECTION	\$210.49		
71874	04/12/2018	Open			Accounts Payable	Shelby's Pest Control, Inc.	\$100.00		
71875	04/12/2018	Open			Accounts Payable	Sierra Hall Meetings and Dances	\$270.00		
71876	04/12/2018	Open			Accounts Payable	SKYWAY PET HOSPITAL,	\$68.22		

TOWN OF PARADISE
CASH DISBURSEMENTS REPORT

From Payment Date: 4/1/2018 - To Payment Date: 4/30/2018

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
71877	04/12/2018	Open			Accounts Payable	Spherion Staffing	\$762.84		
71878	04/12/2018	Open			Accounts Payable	STATEWIDE TRAFFIC SAFETY & SIGNS INC	\$425.53		
71879	04/12/2018	Open			Accounts Payable	T and S DVBE Inc.	\$1,721.31		
71880	04/12/2018	Open			Accounts Payable	THOMAS ACE HARDWARE - ENG. DEPT.	\$122.92		
71881	04/12/2018	Open			Accounts Payable	THOMAS ACE HARDWARE - FIRE DEPT.	\$114.83		
71882	04/12/2018	Open			Accounts Payable	THOMAS ACE HARDWARE - POLICE DEPT.	\$5.34		
71883	04/12/2018	Open			Accounts Payable	Tri Flame Propane	\$366.23		
71884	04/12/2018	Open			Accounts Payable	UNIFORMS TUXEDOS & MORE	\$193.54		
71885	04/12/2018	Open			Accounts Payable	VERIZON WIRELESS	\$115.57		
71886	04/12/2018	Open			Accounts Payable	Vrooman, Gary	\$52.24		
71887	04/12/2018	Open			Accounts Payable	What 2 Cut	\$19.29		
71888	04/12/2018	Open			Accounts Payable	WURTH USA INC.	\$239.22		
71889	04/12/2018	Open			Accounts Payable	ZUMAR INDUSTRIES	\$189.75		
71890	04/20/2018	Open			Accounts Payable	ICMA 457 - VANTAGEPOINT	\$350.00		
71891	04/20/2018	Open			Accounts Payable	STATE DISBURSEMENT UNIT	\$194.76		
71892	04/26/2018	Open			Accounts Payable	A Stitch Above Embroidery & Shirt Printing	\$42.54		
71893	04/26/2018	Open			Accounts Payable	ACCESS INFORMATION PROTECTED	\$61.10		
71894	04/26/2018	Open			Accounts Payable	ARAMARK UNIFORM SERV. INC.	\$56.46		
71895	04/26/2018	Open			Accounts Payable	AT&T & CALNET3 - CIRCUIT LINES	\$109.26		
71896	04/26/2018	Open			Accounts Payable	AT&T & CALNET3 - CIRCUIT LINES	\$1,044.68		
71897	04/26/2018	Open			Accounts Payable	AT&T MOBILITY	\$85.00		
71898	04/26/2018	Open			Accounts Payable	AT&T/CALNET3 - REPEATER LINES	\$176.79		
71899	04/26/2018	Open			Accounts Payable	AT&T/CALNET3 - COMMUNITY PARK	\$20.25		
71900	04/26/2018	Open			Accounts Payable	AT&T/CALNET3 - Summary	\$2,816.89		
71901	04/26/2018	Open			Accounts Payable	AT&T/CALNET3 - TH/FDPD FIBER LINES	\$1,111.64		
71902	04/26/2018	Open			Accounts Payable	BACKGROUNDS & MORE	\$325.00		
71903	04/26/2018	Open			Accounts Payable	BASIC LABORATORY	\$1,582.00		
71904	04/26/2018	Open			Accounts Payable	BATTERIES PLUS	\$160.84		
71905	04/26/2018	Open			Accounts Payable	Bear Electric Solutions	\$4,241.50		
71906	04/26/2018	Open			Accounts Payable	BIDWELL TITLE & ESCROW	\$40,000.00		
71907	04/26/2018	Open			Accounts Payable	Big O Tires	\$168.95		
71908	04/26/2018	Open			Accounts Payable	Borgman, Anthony	\$288.00		
71909	04/26/2018	Open			Accounts Payable	BOYS AND GIRLS CLUB	\$14.58		
71910	04/26/2018	Open			Accounts Payable	California State Controller's Office	\$3,076.04		
71911	04/26/2018	Open			Accounts Payable	CALIFORNIA STATE DEPARTMENT OF JUSTICE	\$992.00		
71912	04/26/2018	Open			Accounts Payable	CATALYST WOMEN'S ADV. INC.	\$1,936.00		
71913	04/26/2018	Open			Accounts Payable	Chamberlain, Curtis	\$768.28		
71914	04/26/2018	Open			Accounts Payable	CHICO IMMEDIATE CARE	\$225.00		
71915	04/26/2018	Open			Accounts Payable	COMCAST CABLE	\$306.01		
71916	04/26/2018	Open			Accounts Payable	COVANTA STANISLAUS, INC.	\$164.25		
71917	04/26/2018	Open			Accounts Payable	CRAIG DREBERTS AUTOMOTIVE	\$1,341.31		

TOWN OF PARADISE

CASH DISBURSEMENTS REPORT

From Payment Date: 4/1/2018 - To Payment Date: 4/30/2018

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
71918	04/26/2018	Open			Accounts Payable	DON'S SAW & MOWER	\$956.98		
71919	04/26/2018	Open			Accounts Payable	DURHAM PENTZ TRUCK CENTER	\$586.87		
71920	04/26/2018	Open			Accounts Payable	ENLOE MEDICAL CENTER, INC.	\$1,670.00		
71921	04/26/2018	Open			Accounts Payable	FASTENAL	\$343.71		
71922	04/26/2018	Open			Accounts Payable	Golden State Emergency Vehicle Service, Inc.	\$3,116.72		
71923	04/26/2018	Open			Accounts Payable	Goodyear Tire & Rubber Company	\$1,180.90		
71924	04/26/2018	Open			Accounts Payable	GREAT AMERICA LEASING CORP.	\$129.31		
71925	04/26/2018	Open			Accounts Payable	GRIGG, JAMES	\$20.00		
71926	04/26/2018	Open			Accounts Payable	Hard, Keith	\$186.00		
71927	04/26/2018	Open			Accounts Payable	HELENA SPECIALTY PRODUCTS	\$258.08		
71928	04/26/2018	Open			Accounts Payable	I.M.P.A.C. PAYMENTS IMPAC GOV SVCS/US BANCORP	\$115.69		
71929	04/26/2018	Open			Accounts Payable	INLAND BUSINESS MACHINES	\$542.14		
71930	04/26/2018	Open			Accounts Payable	JAMES RIOTTO & ASSOCIATES	\$250.00		
71931	04/26/2018	Open			Accounts Payable	KEN'S HITCH & WELDING	\$108.06		
71932	04/26/2018	Open			Accounts Payable	Kittelson & Associates Inc	\$11,421.29		
71933	04/26/2018	Open			Accounts Payable	KNIFE RIVER CONSTRUCTION	\$747.54		
71934	04/26/2018	Open			Accounts Payable	KOEFRAN INDUSTRIES	\$750.00		
71935	04/26/2018	Open			Accounts Payable	Mark Thomas & Company Inc	\$14,023.54		
71936	04/26/2018	Open			Accounts Payable	Mark Thomas & Company Inc	\$25,684.61		
71937	04/26/2018	Open			Accounts Payable	Michael Baker International, Inc.	\$1,914.00		
71938	04/26/2018	Open			Accounts Payable	Miller, Sandi	\$97.01		
71939	04/26/2018	Open			Accounts Payable	Mt Shasta Spring Water Co., Inc	\$68.62		
71940	04/26/2018	Open			Accounts Payable	NATIONAL PUBLIC SAFETY INFORMATION BUREAU	\$149.00		
71941	04/26/2018	Open			Accounts Payable	Northern California Glove & Safety	\$280.15		
71942	04/26/2018	Open			Accounts Payable	NORTHERN RECYCLING & WASTE SERVICES, INC.	\$6,959.00		
71943	04/26/2018	Open			Accounts Payable	NORTHSTAR	\$23,199.51		
71944	04/26/2018	Open			Accounts Payable	O'REILLY AUTO PARTS	\$598.24		
71945	04/26/2018	Open			Accounts Payable	OFFICE DEPOT ACCT#36233169	\$694.67		
71946	04/26/2018	Open			Accounts Payable	PACIFIC GAS & ELECTRIC	\$8,166.77		
71947	04/26/2018	Open			Accounts Payable	PARADISE AUTO BODY	\$916.19		
71948	04/26/2018	Open			Accounts Payable	PARADISE IRRIGATION DIST	\$645.48		
71949	04/26/2018	Open			Accounts Payable	Paradise Post - Sub	\$93.44		
71950	04/26/2018	Open			Accounts Payable	PARADISE RECREATION & PARK DISTRICT	\$176.00		
71951	04/26/2018	Open			Accounts Payable	R B SPENCER INC	\$1,748.36		
71952	04/26/2018	Open			Accounts Payable	R. Towne Backflow	\$455.00		
71953	04/26/2018	Open			Accounts Payable	RAINEY, CHRIS	\$80.00		
71954	04/26/2018	Open			Accounts Payable	RAMOS, DANIEL J.	\$77.00		
71955	04/26/2018	Open			Accounts Payable	Riebes Auto Parts	\$795.62		
71956	04/26/2018	Open			Accounts Payable	ServiceMaster Select	\$27,196.30		
71957	04/26/2018	Open			Accounts Payable	SISC GASB 45 TRUST	\$49,964.00		
71958	04/26/2018	Open			Accounts Payable	Sitter, Margaret	\$67.00		
71959	04/26/2018	Open			Accounts Payable	Spherion Staffing	\$762.84		
71960	04/26/2018	Open			Accounts Payable	SWRCB	\$14,230.00		
71961	04/26/2018	Open			Accounts Payable	TeleCheck Services, Inc.	\$35.53		

TOWN OF PARADISE

CASH DISBURSEMENTS REPORT

From Payment Date: 4/1/2018 - To Payment Date: 4/30/2018

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
71962	04/26/2018	Open			Accounts Payable	THOMAS ACE HARDWARE - ENG. DEPT.	\$337.49		
71963	04/26/2018	Open			Accounts Payable	THOMAS ACE HARDWARE - FIRE DEPT.	\$229.29		
71964	04/26/2018	Open			Accounts Payable	THOMAS ACE HARDWARE - MOTORPOOL	\$376.87		
71965	04/26/2018	Open			Accounts Payable	TUCKER PEST CONTROL INC	\$126.00		
71966	04/26/2018	Open			Accounts Payable	TURNBOW, DAVID LYNN	\$77.00		
71967	04/26/2018	Open			Accounts Payable	TURNBOW, DEBBIE	\$115.00		
71968	04/26/2018	Open			Accounts Payable	UNIFORMS TUXEDOS & MORE	\$879.12		
71969	04/26/2018	Open			Accounts Payable	VALLEY TOXICOLOGY SERVICE	\$361.00		
71970	04/26/2018	Open			Accounts Payable	VERIZON WIRELESS	\$647.43		
71971	04/26/2018	Open			Accounts Payable	VERIZON WIRELESS	\$433.88		
71972	04/26/2018	Open			Accounts Payable	VERIZON WIRELESS	\$304.40		
71973	04/26/2018	Open			Accounts Payable	VERIZON WIRELESS	\$104.70		
71974	04/26/2018	Open			Accounts Payable	VistaNet Inc.	\$1,554.00		
71975	04/26/2018	Open			Accounts Payable	Vrooman, Gary	\$327.75		
71976	04/26/2018	Open			Accounts Payable	WELLS FARGO BANK NA	\$2,500.00		
71977	04/26/2018	Open			Accounts Payable	WILKEY, PO, JOHN	\$327.75		
71978	04/26/2018	Open			Accounts Payable	YOUTH FOR CHANGE	\$1,553.95		
Type Check Totals:					186 Transactions		\$714,313.48	\$0.00	\$0.00
<u>EFT</u>									
710	04/02/2018	Open			Accounts Payable	CALPERS	\$116,365.62		
712	04/06/2018	Open			Accounts Payable	CALPERS - RETIREMENT	\$27,217.64		
713	04/06/2018	Open			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$5,035.15		
714	04/06/2018	Open			Accounts Payable	ING LIFE INS & ANNUITY COMPANY	\$4,893.91		
715	04/06/2018	Open			Accounts Payable	INTERNAL REVENUE SERVICE	\$18,860.14		
716	04/20/2018	Open			Accounts Payable	CALPERS - RETIREMENT	\$27,182.72		
717	04/20/2018	Open			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$4,512.03		
718	04/20/2018	Open			Accounts Payable	ING LIFE INS & ANNUITY COMPANY	\$4,889.79		
719	04/20/2018	Open			Accounts Payable	INTERNAL REVENUE SERVICE	\$17,476.86		
Type EFT Totals:					9 Transactions		\$226,433.86		

AP - US Bank TOP AP Checking Totals

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	185	\$714,313.48	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	1	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	186	\$714,313.48	\$0.00
EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	9	\$226,433.86	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	9	\$226,433.86	\$0.00
All	Status	Count	Transaction Amount	Reconciled Amount
	Open	194	\$940,747.34	\$0.00

CASH DISBURSEMENTS REPORT

From Payment Date: 4/1/2018 - To Payment Date: 4/30/2018

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
					Reconciled	0	\$0.00	\$0.00	
					Voided	1	\$0.00	\$0.00	
					Stopped	0	\$0.00	\$0.00	
					Total	195	\$940,747.34	\$0.00	
Grand Totals:									
					Checks	Status	Count	Transaction Amount	Reconciled Amount
						Open	185	\$714,313.48	\$0.00
						Reconciled	0	\$0.00	\$0.00
						Voided	1	\$0.00	\$0.00
						Stopped	0	\$0.00	\$0.00
						Total	186	\$714,313.48	\$0.00
					EFTs	Status	Count	Transaction Amount	Reconciled Amount
						Open	9	\$226,433.86	\$0.00
						Reconciled	0	\$0.00	\$0.00
						Voided	0	\$0.00	\$0.00
						Total	9	\$226,433.86	\$0.00
					All	Status	Count	Transaction Amount	Reconciled Amount
						Open	194	\$940,747.34	\$0.00
						Reconciled	0	\$0.00	\$0.00
						Voided	1	\$0.00	\$0.00
						Stopped	0	\$0.00	\$0.00
						Total	195	\$940,747.34	\$0.00



**Town of Paradise
Council Agenda Summary
Date: May 8, 2018**

Agenda Item:2(c)

Originated by: Josh Marquis, IT Manager
Reviewed by: Lauren Gill, Town Manager
Subject: CodeRED MOU (Reverse 911)

Council Action Requested:

Consider approving the attached MOU between the County of Butte and the Town of Paradise for use of the countywide mass notification system.

Alternatives:

Refer item back to staff for further development and alternatives.

Background:

The Town has been participating in a countywide mass notification system successfully since December of 2013.

Staff has been working with Butte County staff to replace the previous software provider to further improve the services provided to our citizens. Butte County, City of Chico, CSU Chico and the Town of Paradise will all continue to participate.

As a result of this collaboration, costs are again offset by an OEM grant that was awarded for 50 percent of the total cost to participating agencies.

Discussion:

Some key features which will be provided include:

- A fully hosted EMNS eliminating complex on-site infrastructure and costly telephone interfaces.
- An EMNS based on industry standard mapping technology.
- Geo-coding of 9-1-1 data and mapping coordinates.
- Highly flexible directional calling capability.
- Comprehensive reporting for a full audit trail.
- Accommodations for unlimited map layers, entities, scale values and attributes.
- TTY/TDD detection for hearing-impaired notification.
- Premium quality text to speech engine.
- Staff and Public mobile applications for faster publication and receipt of messages.
- iPAWS compatibility
- Community Notification Enrollment (CNE) for residents to sign up to receive notifications. The CNE page is secure and easy to access on the web.

Conclusion:

The use of CodeRED will continue the significant savings for the Town while providing the public with an even greater quality of service.

It is the recommendation of staff that Council approve the MOU as presented.

Fiscal Impact Analysis:

The Town budgeted an estimated cost of \$3,700 for fiscal year 2017/2018. The Town's share of the cost for 2017/2018 will be \$4,760 requiring an adjustment of \$1060.00.

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE COUNTY OF BUTTE
AND PARTICIPATING AGENCIES
FOR USE OF THE COUNTYWIDE MASS NOTIFICATION SYSTEM
TERM OF AGREEMENT AUGUST 1, 2017 – JULY 31, 2022**

This Memorandum of Understanding, hereinafter referred to as "MOU", is entered into by and between the County of Butte, a political subdivision of the State of California, hereinafter referred to as "COUNTY", and the undersigned municipalities responsible for protecting a resident population and maintaining a dedicated public safety answering point (PSAP) within the County of Butte; hereinafter referred to individually as "PARTICIPANT" or collectively as "PARTICIPANTS".

This MOU is intended to establish governance and terms of use for a Countywide Public Mass Notification System.

RECITALS:

WHEREAS, COUNTY is sponsoring a Countywide Public Mass Notification System for the primary intent of providing timely communication to the public during times of emergency; and

WHEREAS, COUNTY entered into Agreement with Onsolve LLC for the provision of Public Mass Notification System Services, to disseminate critical, time- sensitive emergency information to COUNTY's citizens and businesses through phone and e-mail devices for emergency notification purposes; and

WHEREAS, Onsolve LLC agrees to provide to PARTICIPANTS the services agreed to by Onsolve LLC Inc. and COUNTY as contained under the Agreement in exchange for abiding by the terms set forth in this MOU; and

WHEREAS, PARTICIPANTS agree to uphold the same terms and conditions of the Agreement, to use the System in compliance with all usage agreements identified and incorporated herein.

NOW, THEREFORE, the parties agree as follows:

I. Definitions:

Agreement shall refer to Butte County Agreement between COUNTY and Onsolve LLC. The Agreement is attached to this MOU as Exhibit B (X22751), total 9 pages, paginated exclusive of this MOU.

Countywide shall mean all geographic locations in Butte County, California. Contact information shall mean PARTICIPANT and public contact data stored in the System for the purpose of disseminating communication in accordance with this MOU and its Exhibits.

Emergency shall include, but not be limited to, instances of fire, flood, storm, epidemic, riots, or disease that threaten the safety and welfare of the citizens and property located within the boundaries of the COUNTY and PARTICIPANTS' respective jurisdictions.

Emergency notification shall mean information relevant to the safety and welfare of recipients in the event of an emergency. Such information shall include, but not be limited to, instructions and directions to alleviate or avoid the impact of an emergency.

Non-emergency notification shall mean instances when a PARTICIPANT deems non-emergency information to be of significance to a PARTICIPANT'S jurisdiction and the PARTICIPANT uses the System to distribute such information.

System shall mean the Public Mass Notification System as provided by Onsolve LLC to COUNTY under the Agreement. The System is designed to disseminate information by utilizing common communications, i.e. telephone and e- mail communications to citizens and businesses as permitted under the Agreement.

II. Hold Harmless:

PARTICIPANT shall defend, indemnify and save harmless COUNTY, its elected officials, officers, agents, employees, volunteers and those special districts and agencies which COUNTY's Board of Supervisors acts as the governing Board from and against any and all claims, demands, losses, damages, expenses or liabilities of any kind or nature which COUNTY, its elected officials, officers, agents, employees or volunteers may sustain or incur or which may be imposed upon them for injury to or death of persons, or damages to property as a result of, or arising out of the acts, errors or omissions of PARTICIPANT, its officers, agents, employees, subtenants, invitees, or licensees relating to this MOU. COUNTY shall defend, indemnify and save harmless PARTICIPANT, its elected officials, officers, agents, employees and volunteers from and against any and all claims, demands, losses, damages, expenses or liabilities of any kind or nature which PARTICIPANT, its elected officials, officers, agents, employees or volunteers may sustain or incur or which may be imposed upon them for injury to or death of persons, or damages to property as a result of, or arising out of the acts, errors or omissions of COUNTY, its officers, agents, employees, subtenants, invitees, or licensees relating to this MOU.

III. Term:

This MOU shall be in effect from August 1, 2017 through July 31, 2022.

IV. Scope of Services:

PARTICIPANTS shall receive from Onsolve LLC the same services provided by Onsolve LLC to the COUNTY under the Agreement. COUNTY's involvement in this MOU is limited only to extending the availability of the terms and conditions of the County's Agreement to the PARTICIPANTS.

V. Use:

Use of the System and its data, including but not limited to contact information, is governed by the terms, conditions and restrictions set forth in the terms provided in Exhibit B. All PARTICIPANTS agree to the terms and conditions contained in Exhibit B. COUNTY retains the right to update Exhibit B as needed, in whole or in part, during the life of this MOU. Any and all revised Exhibits shall be distributed to PARTICIPANTS within five business days of the revision date and shall be incorporated into this MOU.

PARTICIPANT(S), including each of its agents, officers, employees, and representatives who are given access to the System, agree(s) to abide by the individual terms of each agreement and the additional conditions incorporated herein. Breach of use may result in individual user or PARTICIPANT access account termination.

The scope of services under the Agreement is limited to using the System to distribute business communication to PARTICIPANT inter-departmental resources and/or emergency information to the public in emergency notification situations.

VI. Compensation:

All compensation owed by PARTICIPANTS shall be paid to the County of Butte based on the schedule of cost attached as Exhibit A. Butte County shall be paying Onsolve LLC a total of \$187,500.00 over the five-year term of the Agreement with the annual cost being \$37,500.00. Each PARTICIPANT, shall be paying a percentage based on the breakdown as shown on Exhibit A. Payment is due 30 days post invoice from the Butte County Sheriff's Office.

Any notice or notices required or permitted to be given pursuant to this MOU shall be submitted in writing and delivered in person, via electronic mail or via United States mail as follows:

County of Butte - Sheriff-Coroner
Accounting Division
5 Gillick Way
Oroville, Ca. 95965
SO-accounting-mail@buttecounty.net

VII. Confidentiality:

Each party agrees to maintain the confidentiality of all related records and information of the other party pursuant to all statutory laws relating to privacy and confidentiality that currently exist or exist at any time during the term of this MOU. All information and use of the System shall be in compliance with California Public Utilities Code sections 2872 and 2891.1.

VIII. Termination:

The COUNTY or any PARTICIPANT may terminate its participation in this MOU for any reason whatsoever. If the County or any PARTICIPANT chooses to terminate its participation in this MOU, the terminating party shall provide a sixty (60) day written notification to the other parties. Such notice shall be delivered to the COUNTY and the other PARTICIPANTS by July 1st of the respective new contract year to allow department budget adjustments. Annual access to this system is pre-paid for the year thus if a PARTICIPANT terminates its use prior to the end of the paid year, no refund shall be made, fully or in part. A terminating PARTICIPANT shall uphold the obligations contained in Paragraph II Hold Harmless in its entirety and Paragraph VII Confidentiality, above, upon termination for the time period of its participation.

Upon termination, PARTICIPANT agrees to inform its users to stop using the System and to relinquish all System access, user accounts, passwords and non - PARTICIPANT data to COUNTY immediately.

Should COUNTY discontinue its funding for the System, which shall be grounds for COUNTY's termination of its participation, COUNTY shall give PARTICIPANTS three - months advance courtesy notice prior to terminating the Agreement. Upon termination by COUNTY, this MOU shall no longer be in effect.

IX. Amendments:

This MOU may be amended only by mutual written consent of the parties involved unless otherwise provided for in this MOU. The modifications shall have no force and effect unless such modifications are in writing and signed by an authorized representative of each party. Termination by a PARTICIPANT or adding a new PARTICIPANT to this MOU shall not be deemed an amendment.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed by their duly authorized representatives as of the dates opposite the signatures.

PURPOSE

The purpose of this document is to provide governance and guidelines on the use and administration of the Countywide Public Mass Notification System, hereinafter referred to as "System ". This document is intended to be general, describing countywide policies, jurisdictional roles and responsibilities and activation guidelines rather than specific step-by-step procedures.

I. SYSTEM DESCRIPTION

The primary intent of the Countywide Public Mass Notification System is to disseminate early warning and time sensitive information to county businesses and residents during time of an emergency event.

The Mass Notification System is available 24/7 and has been pre -loaded with Butte County landline phone numbers (including unlisted) and countywide geographic maps.

Additionally, citizens have the option to provide additional contact information via self-registration. Upon local authority decision to activate, the System may be used to send a message, describing the situation and recommended action the public should take, to affected businesses and households via telephone, e-mail and/or text.

The COUNTY, is the sponsor of the Countywide Public Mass Notification System initiative and shall take appropriate measures to ensure that the System is in a state of operational readiness at all times. It is the responsibility of all PARTICIPANTS to maximize Citizen benefits from the System.

While the COUNTY' S intent for implementing and maintaining the System is for "emergency" use, upon consent from local authorities, PARTICIPANTS may optionally use the System to disseminate "government- related" non - emergency notifications to citizens and organization resources within its jurisdiction

II. GOVERNANCE

The COUNTY shall manage the Mass Notification System as a countywide asset. Use of the System by each PARTICIPANT is contingent upon that PARTICIPANT abiding by the COUNTY'S Agreement with the mass notification vendor.

The System utilizes the 911 database to complete the notifications. The use of the 911 database is regulated by the California Public Utilities Code (CPUC) sections 2872 and 2891.1. The information contained in the 911 database is confidential and proprietary and shall not be disclosed or utilized except by authorized personnel for the purpose of emergency notifications.

The COUNTY is responsible to ensure that the provisions of the COUNTY'S Agreement are implemented properly. Authorized users must respect the integrity of the database, understand the privacy issues and fully comply with the policies and protocols outlined in this document. If violations of the contract provisions are made by any individual or PARTICIPANT, COUNTY, reserves the right to disable that individual's or PARTICIPANT'S login(s).

III.AUTHORIZED USE

A. Emergency Use

Use of the Mass Notification System for emergency activity contains two components:

1. The need to disseminate critical, safety- related information to individuals within a short timeframe, and
2. Communicating with safety- responder staff, volunteers and involved parties about an approaching or present emergency event.

Emergency considerations:

1. Notification shall clearly state situation is an emergency

2. Message length should not exceed 60 seconds
3. Always provide a phone number or website where the public can obtain additional or updated information

Non - emergency public notification use is prohibited for any of the following purposes:

1. Any message of commercial nature
2. Any message of a political nature
3. Any non- official business (e.g. articles, retirement announcements, etc.)

Non - emergency considerations:

1. Citizens can become desensitized to too many government messages
2. Clearly identify sender or announcement as non-emergency

IV. AUTHORIZED SYSTEM USERS

In general, those authorized to make notifications shall be officials in the local police, fire and city manager departments.

V. ACTIVATION OF THE SYSTEM

A. Each PARTICIPANT is responsible for launching messages to affected citizens and businesses within their jurisdiction. Determination of authority to request activation of the Mass Notification System rest with local officials, not with COUNTY.

1. The COUNTY is authorized to use the System to send notifications of regional emergencies to any and all residents. Upon sending a countywide notification, COUNTY shall, as soon as possible, advise the appropriate local PARTICIPANT that mass notifications have been sent by the COUNTY to residents of their jurisdictions.
2. Other than regional emergency notifications, public notifications are the responsibility of the individual PARTICIPANT. In the event that the geographical location of an incident requires a message to be delivered to multiple jurisdictions, the responsible PARTICIPANT shall inform each individual PARTICIPANT so that they can send the message to those affected within their own jurisdiction.
3. PARTICIPANTS are authorized to develop pre-established notification lists and messages to meet their individual needs. These lists may include special populations or those susceptible to certain risks. It is the responsibility of the PARTICIPANT to create, maintain and update these lists.

B. Emergency Response and Inter-Department Notifications-

1. Each PARTICIPANT is authorized to create employee /volunteer and department call lists and pre-recorded messages.
2. It is the sole responsibility of each PARTICIPANT to maintain these lists and to launch notifications as deemed necessary.

VI. SYSTEM ADMINISTRATION /OPERATIONS

PARTICIPANTS are responsible for providing logins and procedural training to key individuals within their Agency responsible for using the Mass Notification System.

A. County Administrator

The COUNTY shall assign and maintain a designated Mass Notification Program Administrator responsible for overall acquisition, accessibility, maintenance, compliance and management of all components required to provide an effective countywide mass notification system. The assigned County Administrator is Kathleen Greaney, 530-538-6275, kgreaney@buttecounty.net.

The County Administrator is responsible for:

1. System acquisition and contract oversight.
2. Policy management and as needed modification.
3. Audit compliance: routine monitoring of System use to insure policy and contract compliance.
4. Public education campaign: initiate and facilitate public education campaign aimed at making the local community aware of the intended use of the Mass Notification System and the citizen web portal.

B. Local Agency Administrator

PARTICIPANTS agree to appoint a designated Mass Notification System Local Administrator responsible for leading, coordinating, monitoring and optimizing use of the Mass Notification System at the local level. The assigned Local Agency Administrator is Josh Marquis / IT Manager.

This Memorandum of Understanding and the listed Attachments represent the entire undertaking between the parties. This MOU may be signed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same MOU.

COUNTY

TOWN OF PARADISE

Kory L. Honea, Sheriff Coroner

Lauren Gill, Town Manager

Auditor-Controller

APPROVED AS TO FORM:

County Counsel, as to form

Dwight L. Moore, Town Attorney

EXHIBIT A

Onsolve LLC, Emergency Mass Notification System

Total contract cost \$187,500.00

Annual contract cost \$37,500.00

Participating Agencies Annual Cost

<u>OEM Grant</u>	<u>BCSO</u>	<u>City of Chico</u>	<u>City of Gridley</u>	<u>Town of Paradise</u>
\$18,750.00	\$6,250.00	\$6,250.00	\$1,490.00	\$4,760.00



**Town of Paradise
Council Agenda Summary
Date: May 8, 2018**

Agenda Item: 2(d)

Originated by: John Alvies, Police Sergeant

Reviewed by: Lauren Gill, Town Manager

Subject: Authorize the Town Manager to award a contract after negotiating for the most reasonable cost for Dragon Law Enforcement Software

Council Action Requested:

Authorize the Town Manager to award a contract after negotiating for the most reasonable costs for Dragon Law Enforcement Software according to Paradise Municipal Code Section 2.45.070 G.

Background:

On April 4, 2018 The Town of Paradise Police Department went out to bid for 16 Dragon Law Enforcement software programs, maintenance, support and annual subscriptions. Bids were to be submitted by April 23, 2018 at 1:00, but none were received. According to the Paradise Municipal Code Section 2.45.070 G there is an exception to the formal bidding requirements of the Town when computer software is required for a specific town service or activity and its selection is evaluated and determined by the purchasing officer based on the software being the most effective solution for the service or activity. The Dragon software will allow officers to dictate their reports and have it transcribed by the software, thereby reducing the amount of time necessary to type written reports. As such, the purchase of the Dragon software may be through negotiation rather than the bidding process. The cost for the software is over \$5,000 and requires Town Council approval.

Fiscal Impact Analysis:

This item was approved in the 2017-2018 Budget for the amount of \$10,098.00.



TOWN OF PARADISE
Council Agenda Summary
Date: May 8, 2018

Agenda No. 2(e)

ORIGINATED BY: Craig Baker, Community Development Director

REVIEWED BY: Lauren Gill, Town Manager

SUBJECT: Amended Agreements relating to proposed Safeway/Black Olive Village Development Project

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

1. Authorize the Town Manager to execute the following agreements:

- An amended agreement between the Town of Paradise and Safeway, Inc., to pay the costs for Michael Baker International to provide additional required environmental review and associated with Safeway's development project applications; and
- An amended agreement between the Town of Paradise and environmental consultants Michael Baker International relating to the additional required environmental review associated with of the Safeway project's environmental document(s).

BACKGROUND: Safeway has submitted the following applications relating to the proposed shopping center development, which includes ± 7.63 acres located at 5795, 5825, 5833, 5851 and 5887 Skyway in Paradise:

- Conditional Use Permit
- Tree Felling Permit
- Architectural Design Review

The proposed name of the development is Black Olive Village. Safeway has purchased four of the five parcels comprising the project site and has executed a long-term lease for a fifth parcel. All parcels are contiguous. Safeway has proposed to develop the site as follows:

- Safeway store (54,471 square feet)
- Safeway fuel kiosk (1,002 square feet)
- 18 fuel dispensing pumps under a canopy (7,125 square feet)
- Additional branded retail shops (7,800 square feet)
- Future restaurant pad (4,200 square feet)

Other site improvements include a paved parking facility containing 266 parking stalls, an on-site wastewater treatment plant and dispersal field, two separate driveway encroachments connecting to Skyway, site landscaping and commercial monument signs. Off-site improvements include full frontage improvements along Skyway to Town standards, including a Butte County Transit bus pullout and shelter. Development of the site as proposed will result in the felling and removal of up to 180 trees that are subject to the Town's Tree Felling Regulations.

The architectural design of the project has been characterized as Mountain Craftsman, emphasizing the use of heavy wooden accents and stonework and is consistent with the requirements of the Town's Design Standards.

DISCUSSION: Due to the complexity of and time demands associated with processing Safeway's applications and required environmental review, it was necessary for the town to obtain the services of an environmental consulting firm. All the costs for the consultants services are being paid Safeway, Inc.

Over the course of the last several months, the town's environmental consultants developed a Draft Environmental Impact Report (DEIR) for the project. This environmental document was circulated for review for a period of 45 days, ending on March 28, 2018.

As a result of comments received from the California Department of Transportation (Caltrans) regarding the content and conclusions contained within the DEIR, the scope of the environmental analysis has been expanded to assess any impacts the project may have upon the Pearson Road/Clark Road (State Route 191) intersection. The cost of this additional analysis is a not to exceed amount of \$4,320. In addition, a supplemental cultural resources analysis was completed for the project site at a cost of \$6,610. Safeway has deposited \$10,930 with the town in order to pay for these expenses.

The expanded scope of work associated with completion of a Final EIR requires execution of amendments to the town's agreements with the town's consultants and Safeway. As such, staff is recommending that the Town Manager be authorized to execute the following amended agreements:

- An amended agreement between the Town of Paradise and Safeway, Inc., in which Safeway will be required to deposit an additional \$10,930 to the town for the increased costs to have the consultant conduct the additional analysis and prepare related materials.

- An amended agreement between the Town of Paradise and environmental consultants Michael Baker International relating to the increased costs to conduct the additional analysis and prepare related materials.

FINANCIAL IMPACT: Safeway, Inc., has already deposited an additional \$10,030 with the town to cover the environmental consultant's fees associated with the additional required environmental review. There should be no financial impact upon the town.

Attachments

- Amended agreement between the Town of Paradise and environmental consultant Michael Baker International
- Amended agreement between the Town of Paradise and Safeway, Inc.

SECOND AMENDMENT TO AGREEMENT

This Second Amendment dated _____, 2018, is between the Town of Paradise ("Town") and Safeway (the "Applicant").

WHEREAS, on April 13, 2017, the Town and the Applicant entered into an Agreement relating to the processing and environmental review for a mitigated negative declaration relating to the Applicant's proposed "Black Olive Village Project", a shopping center; and

WHEREAS, the Town and the Applicant wish to modify the environmental review to include an environmental impact report for the proposed project, requires an amendment to the Agreement regarding the scope and costs for an environmental impact report as an additional services by Michael Baker International (MBI) relating to the processing of Applicant's proposed shopping center application with the Town.

WHEREAS, pursuant to the Agreement and the First Amendment to the Agreement, Applicant has deposited \$111,799 with the Town for the services of MBI.

NOW, THEREFORE, the Town and the Applicant hereby agree that the Agreement shall be amended as follows:

1. A new Section 5.2 shall be added to read:

In addition to the \$111,799 required in Sections 5 and 5.1 of the Agreement for the proposed shopping center, Applicant shall deposit \$10,930 to cover the additional environmental review services relating to an environmental impact report by MBI set forth in Attachment Nos. 1.1 and 1.2 to this Second Amendment.

2. Any conflicts between the Agreement and this Second Amendment shall be controlled by this Second Amendment.
3. All the other provisions of the Agreement shall remain in full force and effect.

TOWN OF PARADISE

By: _____
Lauren M. Gill, Town Manager

ATTEST:

SAFEWAY

By: _____
Dina Volenski, Town Clerk

By: _____

APPROVED AS TO FORM:

By: _____
Dwight L. Moore, Town Attorney

Dated: _____

ATTACHMENT NO. 1.1

April 12, 2018

Craig Baker, Community Development Director
TOWN OF PARADISE
5555 Skyway
Paradise, CA 95969

RE: BLACK OLIVE VILLAGE EIR BUDGET AUGMENT REQUEST (CONTRACT AMENDMENT #3)

Dear Mr. Baker:

Michael Baker International is currently under contract with the Town of Paradise to prepare an EIR for the proposed Black Olive Village project. The Draft EIR was circulated for public review, and the comment period ended on March 28, 2018. To date, the Town has approved two amendments to our contract, for a total contract amount of \$118,409.00.

Michael Baker's subconsultant, Traffic Works, is responsible for preparing the traffic impact analysis. In response to Caltrans' comments on the Draft EIR requesting analysis of the SR191 (Clark Road)/Pearson Road intersection, and as directed by Town staff, Traffic Works has provided Michael Baker a scope of work and fee estimate to prepare the requested analysis. Traffic Works has submitted a budget augment request of \$4,320 to perform the additional intersection analysis and prepare a supplemental technical memorandum.

We are requesting an amendment to our contract with the Town to increase our approved budget of \$118,409.00 to \$122,729.00 to include the costs associated with this additional level of effort by Traffic Works.

If you have any questions regarding this proposal, please contact Ms. Alice Tackett at (916) 719-0855 or by email, atackett@mbakerintl.com.

Sincerely,



Paul Junker
Associate Vice President

ATTACHMENT NO. 1.2

RE: SUPPLEMENTAL CULTURAL RESOURCES SCOPE AND COST FOR BUILT ENVIRONMENT CULTURAL RESOURCES EVALUATIONS ON THE BLACK OLIVE VILLAGE PROJECT

Michael Baker International (Michael Baker) is currently under contract to complete a cultural resources identification report and other environmental tasks on the Black Olive Village project. During the preparation of this report, four built environment cultural resources that are over 50 years old have been identified within the project area (see Figure 2). These resources need to be evaluated for inclusion in the California Register of Historical Resources (California Register) to determine if they are *historical resources* for purposes of the California Environmental Quality Act (CEQA). If a resource is determined to be a *historical resource* an impacts analysis with mitigation measures will be required.

BUILT ENVIRONMENT EVALUATIONS

The following four built environment cultural resources require evaluation for inclusion in the California Register:

- APN 152-182-092 – commercial property dating to circa 1900,
- APN 152-211-037 – commercial property dating to 1921,
- APNs 152-211-021/036 – residential property dating to 1960, and
- APN 052-211-007 – residential property dating to 1957.

Michael Baker will conduct the following tasks to evaluate built environment cultural resources:

- Conduct an architectural field survey.
- Complete property focused archival research of each property.
- Present California Register evaluations on appropriate DPR 523 forms and in the cultural resources report.
- Present impacts analysis and mitigation measures, if necessary.

SCHEDULE

Two weeks will be added to the cultural resources task schedule.

ASSUMPTIONS

- Property access will be granted to all five properties.
- The Town will secure access to the Butte County Assessor Records for each property.

COST

Michael Baker proposes to complete the tasks described above for a not-to-exceed budget of \$6,610.

AMENDMENT TO AGREEMENT

This Amendment dated _____, 2018, is between the Town of Paradise ("Town") and Michael Baker International (the "Consultant").

WHEREAS, on April 21, 2017, the Town and the Consultant entered into an Agreement relating to the processing of the environmental review for a mitigated negative declaration for a proposed project regarding Safeway's "Black Olive Village Project"; and

WHEREAS, the Town and the Consultant wish to amend the Agreement so that the scope of the work includes the additional services and costs relating to an Environmental Impact Report described in Attachment No. 1.1 of this Amendment.

NOW, THEREFORE, the Town and the Consultant hereby agree that the Agreement shall be amended as follows:

1. Pursuant to Section 1.7 of the Agreement, the Agreement shall be amended to include the additional work relating to an Environmental Impact Report described in Attachment No. 1.1 of this Amendment.
2. The Town shall increase the Consultant's compensation by \$4,320 relating to the additional services in Attachment No. 1.1.
3. In addition, the schedule for the Consultant's services shall be revised as shown in Attachment No. 1.1.
4. Any conflicts between the Agreement and this Amendment shall be controlled by this Amendment.
5. All the other provisions of the Agreement shall remain in full force and effect.

Dated: _____

TOWN OF PARADISE

By: _____
Lauren M. Gill, Town Manager

ATTEST:

MICHAEL BAKER INTERNATIONAL

By: _____
Dina Volenski, Town Clerk

By: _____

APPROVED AS TO FORM:

By: _____
Dwight L. Moore, Town Attorney

ATTACHMENT NO. 1.1

April 12, 2018

Craig Baker, Community Development Director
TOWN OF PARADISE
5555 Skyway
Paradise, CA 95969

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If you have any questions regarding this proposal, please contact Ms. Alice Tackett at (916) 719-0855 or by email, atackett@mbakerintl.com.

Sincerely,


Paul Junker
Associate Vice President



**Town of Paradise
Council Agenda Summary
May 8, 2018**

Agenda Item: 6a

Originated by: Lauren Gill, Town Manager

Subject: Second Reading of Ordinance No. 569 , An Ordinance of the Town Council of the Town of Paradise amending Chapter 3.22 of the Paradise Municipal Code Extending a Transactions and Use Tax

Council Action Requested:

1. Consider waiving the second reading of the entire Town Ordinance No. 569 and approve reading by title only:
2. Adopt Town of Paradise Ordinance No. 569, extending the one-half percent Transactions and Use Tax "Measure C" for a period of ten years to maintain Town services such as Police, Fire, Roads and Animal Control.

Recent Council Action:

On April 10, 2018 Town Staff introduced Ordinance No. 569, which would place a measure on the ballot November 6, 2018 to extend the half percent sales tax to 2031. Town Council voted to approve the Ordinance and place the measure on the ballot with four "ayes" and one "no".

Background:

On November 14, 2014, the citizens of Paradise passed "Measure C," a temporary, one-half percent transaction and use tax (sales tax.) The sales tax measure became effective April 1, 2015, and was directed toward the priorities of Police, Fire, Roads and Animal Control. Measure C also established a Citizen Oversight Committee. The Committee consists of nine Paradise residents that meet at least quarterly to ensure all Measure C funds are spent in accordance with the ballot measure---to preserve public services such as police protection, fire suppression, street maintenance and animal control and other services for the Town. They are also tasked with providing a quarterly report for public review that lists all of the income and expenditures collected and spent under Measure C. The ballot measure included a sunset term of six years, which ensures that it will expire on March 31, 2021.

Initially, staff estimated Measure C would provide around \$850,000 of revenue each year. Measure C has surpassed this estimate, netting an average of almost \$1.4 million each year. All revenues generated by Measure C are deposited in accounts specifically for Measure C with all expenditures approved by the Town Council and declared by the

Citizen Oversight Committee to be consistent with the intent of the ballot measure voted in by the residents of Paradise. Annually, independent auditors confirm that the accounting is recorded accurately and according to the ballot measure approved by the citizens. Town residents can be proud of their commitment to the community, and the Council is committed to keeping its promise to use all Measure C funds for Police, Fire, Roads and Animal Control.

Prior to putting Measure C on the ballot in 2014, Town Council and Staff went to great lengths to reduce costs, reduce staffing levels, and maximize efficiencies. Even with all of these reductions in expenses and staffing levels, the recession and plunging property values left the Town without sufficient funding to address many critical public safety issues: a rapidly aging emergency response fleet, deteriorating road surfaces, leaky roofs on both the fire and police stations, etc. As a 24/7 emergency response agency required to respond to calls for emergency aid and life safety, the Town was in immediate need of a reliable revenue source.

The passage of Measure C provided the necessary funding to purchase nine new Police vehicles so far (a total of 15 will be purchased over the six years of Measure C) along with two new Fire Engines. Measure C also provided many improvements to the vital safety equipment used by our first responders – Firefighter breathing apparatus, Police Body Cameras and K9 supplies. Funding was used to leverage grants and make road improvements on Pearson Road, Maxwell Road, and Bille Rd. Animal Control has benefitted from Measure C funding as well, with increased hours, equipment and training provided by Measure C dollars. Measure C was critical to allow Animal Control to maintain and improve their level of service to the community.

Since Measure C was passed in November 2014, Measure C funds have been used for the following expenditures:

<u>Fiscal Year 2015/16</u>	<u>Fiscal Year 2016/17</u>	<u>Fiscal Year 2017/18</u>
New Investigation Sgt at PD	Increased hours for AC Officer	Funds for 2 Animal Control Officers
Sponsor 2 Police Academy Cadets	Training for Animal Control Officer	Training for AC Officers
3 Police cars (Ford Interceptors)	Animal Control System Training	Computer for AC Supervisor
Police Body Cameras	Supplies for animals at the Shelter	Online dog licensing maintenance
Police K9 Program	4 Animal Isolation Units	Rendering setup and maintenance
Enhanced Police Officer Training	Online Dog Licensing setup	Concrete Repair at Animal Shelter
LiveScan Machine for Police Dept.	Maintain Cal Fire Contract	Maintain Cal Fire Contract
Police Dept. siding and repairs	New Fire Engine	3 new Police Vehicles
Maintain Cal Fire Contract	Funds toward fire breathing apparatus	Body Cameras (yr 3 of 5)
New Fire Engine	2 nd Detective for Police Department	Police Officer Training
Firefighter breathing apparatus	3 new Police Vehicles	K9 Program, food, vet. costs
Exhaust extraction unit for Fire	Body Cameras (Year 2 of 5)	Police Dept. Roof replacement
Increased Hours for AC Officer	Police Officer Training	Sponsor 2 Police Academy Cadets

Pressure Washer/Sanitation Unit for Animal Shelter	K9 Program training, food, vet costs	Maxwell Dr. Safe Routes to School
Pedestrian Safety Crossings	Sponsor 2 Police Academy Cadets	Bille Rd. Overlay Fern to Oliver
Pearson Rd. Overlay/Drainage	Patrol Cameras with durable cases	10% Fixed Reserve
	PD Men's Locker room floor repair	3 new Police Vehicles
	2 nd Phase of PD Siding replacement	Body Cameras (yr 3 of 5)
	2016 Road rehabilitation project	Police Officer Training
		K9 Program, food, vet. costs

Discussion

Measure C funding has improved our public safety equipment and roads and has enabled the Town to maintain the current level of public safety enjoyed by residents. Without Measure C, deep cuts would have been made to our current level of public safety drastically reducing our emergency response services. The Town Council was faced with a tough decision on how to fund critical services for the Town and ultimately made the choice to let the community decide the appropriate level of service for the Town.

The decision to add the six year sunset term was based on serious discussions regarding maintaining the basic level of service while the local economy recuperated from the recession. Budget projections at the time showed a need for a longer term, but in the end, a decision was made to include a six year sunset mandatory clause. The six year sunset term accomplished two things: (1) it provided the critical funding needed to support public safety and roads; and (2) provided Paradise residents a level of comfort that the Town would deliver on the promise to use the taxpayer's money in accordance with the ballot measure. As voiced during the original discussions about the term, the voters may elect to pass another ballot measure if they choose to, which brings us to today's discussion: what happens when Measure C sunsets and should the Town extend the one-half percent sales tax to ensure the success of the community?

Does the Town need to extend Measure C?

As promised, Measure C benefits every aspect of public safety. Although it was hoped that the Town's financial health would have improved enough over six years to sustain our current level of services without the additional half-percent sales tax boost, projections from the Town's Finance Director shows we will not be able to continue at our current level and may slide backwards in financial health and public safety.

The Town Finance Director has analyzed our current funding and what our budget will look like when Measure C sunsets in 2021. Through this analysis, it was determined that the Town is unable to sustain the costs of roads and public safety without additional revenue for a period of about 10 years. After 2031, projected revenues, without an additional sales tax measure, are expected to cover projected expenditures. It is due to

this analysis, and an effort to be open and transparent about the Town's financial health, that this item is being brought back for discussion at this time. State law requires all revenue increases to go to a vote of the people; and they should be involved in determining the acceptable level of services for the Town.

Extending a sales tax measure would provide additional funding for Police, Fire, Roads and Animal Control, just as Measure C has done and continues to do for Paradise. This extension would serve as a bridge, starting when Measure C sunsets and spanning an additional 10 years, to get Paradise to the point where the additional revenue source may be eliminated without unduly affecting our current level of public safety services.

The priorities for an extension of the sales tax measure would remain the same as the first measure: Police, Fire, Roads and Animal Control.

Sales Tax Extension Benefits to Police Services

Extending Measure C funds would continue important investments that have been made at the Police Department since Measure C was passed in 2014. Measure C has provided funding for 15 new Police Vehicles (3 per year), as well as vital safety equipment and training for officers, and funding for an additional investigation position and for new cadets to attend the Police Academy. These important expenditures would continue to be supported with an extension of Measure C, improving the life span of the heavily used Police vehicles, providing continued training and funding for more cadets through the Police Academy ensuring stable staffing levels over time.

An extension of Measure C could also provide funds for increased traffic enforcement, as well as a dedicated school safety officer. Funding constraints over the past decade have reduced funding for those efforts, and additional funding through a sales tax extension could restore those important aspects of our Police Department.

Sales Tax Extension Benefits to Fire Prevention Services

Measure C is purchasing two fire engines, especially designed for the Paradise Fire Department which will each last around 15 years. In addition, an extension may fund another front line engine or replace the aging wildland engine. Most importantly, an extension would support the CAL FIRE personnel contract and continue current staffing levels. With the CAL FIRE contract the Town has appropriate coverage and response to all corners of Town limits. Personnel under this contract respond to medical aid and fire suppression calls 24/7. They also support the Town's fire prevention efforts for our wildland-fire vulnerable community. The current CAL FIRE contract expires, not coincidentally, at the same time Measure C expires. The Town's general fund is primarily dedicated to public safety with 78% of funding for public safety and 82% of that for personnel in a highly service oriented 24/7 emergency operations.

Sales Tax Extension Benefits to Streets and Road Projects

The Town has applied for and received several road improvement grants that frequently

require local matching funds to be allocated towards the cost of the project. With Measure C, the Town has been able to leverage funding towards these grants to improve roadway conditions in conjunction with grant-funded work. Pearson Road between Pentz Road and Clark Road and Maxwell Drive between Elliott Road and Skyway are two recent examples. Without Measure C, these grant-funded projects simply leave out all road maintenance work. With Measure C, the Town has capitalized on the economy of scale, ultimately, saving the community thousands of dollars on the cost of work and increasing road quality at the same time. Funding from an extended Measure C would continue to be used towards leveraging grant funds for necessary road projects.

Measure C has benefited the Town with standalone projects as well to help maintain the Town's 100 mile roadway network. Measure C solely funded rehabilitation along 8 miles of road in 2016 and repaved Bille Road between Fern Lane and Oliver Road in 2017. Without additional sales tax revenue from Measure C, the current gas tax provides \$500,000 per year for road rehabilitation. The Town of Paradise has just completed a comprehensive Pavement Management Study which provides information on the conditions of public roads in Town. According to the report generated from this study, the Town would need to dedicate \$2.25 million each year towards road improvements to stop deterioration and improve the overall condition of the roads. An extension of Extending the Measure C sales tax would allow the Town to increase the amount spent on road rehabilitation each year.

Sales Tax Extension Benefits to Animal Control

Animal Control has struggled in recent years to operate within the funding provided by Measure N, the parcel tax passed in 2004, specifically for Animal Control. Currently, Measure N provides about half of the funding necessary to operate Animal Control, which includes the Animal Shelter operations. Measure C has been able to fill the gap in funding to keep Animal Control operating, as well as providing necessary equipment and additional hours at the shelter, and training for Animal Control Officers. An extension of Measure C would continue to fill the void at Animal Control and keep services at the same level that the Town has enjoyed for the past several years. Addressing any larger issues at Animal Control, such as potential increases to open hours at the shelter, or expansion of facilities could only be possible with an extension of Measure C.

Would the public support an extension of Measure C?

Over the last year, several groups have voiced their approval for extending Measure C. In June 2017, the Butte County Grand Jury issued their report for the 2016-17 fiscal year. The Butte County Grand Jury is a body of 19 individuals impaneled to investigate issues within the county and serve as a "watchdog" for local government. The Butte County Grand Jury took an in-depth look at the Town of Paradise and finances during the writing of the 2016-17 report, and came back with several recommendations for the

Town. Their first recommendation was that the Town Council consider extending Measure C prior to its expiration in 2021.

At their meeting of March 27, 2018, the Citizen's Oversight Committee passed a motion to recommend that the Town Council extend Measure C. The Committee sees the value to the community in continuing to support streets and public safety through a half-percent sales tax.

The Paradise Citizen's Alliance Committee also supports the extension of the sales tax. They see the value in a shared approach to improving streets and public safety, which preserve property values and the over-all quality of life in Paradise, without over-burdening property owners.

The Town has continued to keep costs low, while utilizing Measure C to address items that will serve Paradise well into the future. Measure C has been used as an investment in our community, and illustrates our commitment to public safety and our dedication to maintaining our quality of life on the ridge, but the only way to determine if the voters want to maintain the current level of public safety to the Town, is to place an item before the voters on the November ballot.

Why extend Measure C now instead of waiting for the final expiration date?

It would be prudent and responsible for the Town to inform and ask the community for an extension of a half percent sales tax measure now as opposed to waiting for the official expiration for the following reasons:

- Financial planning and response takes time. The recommendations of staff and direction of the Council will need to be known sooner than later to accommodate the will of the community.
- Budget priorities and projects will also need to be amended and shifted depending on the will of the community.
- Developing Capital Improvement Projects require advanced planning, sometimes for several years in advance. Staff needs to consider its funding options when developing its next round of projects.

It is important to note that the main source of revenues for the Town come from property taxes---most of which go to the other agencies, with only a small portion staying local for Town services. On the other hand, 100% of a local sales tax, such as Measure C, stays local--the most positive thing about passing a local sales tax increase is that 100% of the money stays local – none of it goes to the State or County for other services. All of the funding from an extension of our sales tax measure will remain in Paradise for our priorities such as Police, Fire, Roads, and Animal Control.

Fiscal Impact Analysis:

If the voters approve an extension of the half percent sales tax increase, it is estimated to increase the Town's General Fund revenue by \$1.4 million per year. The Town of Paradise would retain local control of 100% of the revenue generated from this initiative. The State government in Sacramento would receive 0% of the Town sales tax. Adding this measure to the ballot for the November 2018 election will cost about an additional \$5,000 for the Town.

**TOWN OF PARADISE
ORDINANCE NO. 569**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARADISE
EXTENDING, SUBJECT TO VOTER APPROVAL, THE TOWN'S
EXISTING GENERAL TRANSACTIONS AND USE TAX FOR AN
ADDITIONAL TEN YEARS TO MARCH 31, 2031, PURSUANT TO
REVENUE & TAXATION CODE SECTIONS 7251 ET SEQ.**

The Town Council of the Town of Paradise, State of California, does **ORDAIN AS FOLLOWS:**

WHEREAS, on November 4, 2014, a majority of the Town's voters approved Ordinance No. 545 (Measure C), codified as Paradise Municipal Code Chapter 3.22, which authorized a one-half of one percent (0.50%) general transactions and use tax for six years; and

WHEREAS, the funds generated by Ordinance No. 545 have been used by the Town Council to purchase new Police Vehicles and Fire Engines and other public safety equipment; to purchase equipment, additional open hours and training for Animal Control, and as funding for road improvement projects in the Town of Paradise; and

WHEREAS, it is proposed by the Town Council that the existing one half of one percent (0.50%) transactions and use tax be extended by Town voters beyond its current March 31, 2021 termination date to March 31, 2031.

SECTION 1. Paradise Municipal Code section 3.22.050 is hereby amended to read:

3.22.050 Transactions Rate Tax

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the Town of Paradise at the rate of one-half of one percent (0.50%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory until March 31, 2031.

SECTION 2. Paradise Municipal Code section 3.22.070 is hereby amended to read as follows:

3.22.070 Use Tax Rate

An excise tax is hereby imposed on the storage, use or other consumption in the Town of tangible personal property purchased from any retailer until March 31, 2031 for storage, use or other consumption in said territory at the rate of one-half of one percent (0.50%) of the sales price of such property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

SECTION 3. TERMINATION DATE. The tax levied by this ordinance shall continue at the rate of one-half of one percent (0.50%) until March 31, 2031. The authority to levy the tax imposed by this ordinance shall expire on March 31, 2031.

SECTION 4. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 5. EFFECTIVE DATE. This ordinance relates to an extension of the Town's existing transactions and use tax and shall take effect and become operative only if approved by a majority of voters at the Regular Municipal Election to be held on November 6, 2018. If approved by the voters, the transactions and use tax codified under Chapter 3.22 of the Paradise Municipal Code will be extended to 11:59 p.m. on March 31, 2031. If the measure fails, this ordinance shall be rendered inoperative and void, however, the defeat of the ordinance shall not operate to extinguish or amend the existing transactions and use tax as presently constituted and approved on November 4, 2014, which will expire on March 31, 2021.

SECTION 6. CEQA. This ordinance and the contemplated levy of the transactions and use tax referenced herein is not a "project" within the meaning of the California Environmental Quality Act ("CEQA") codified as 21000 et seq. of the California Public Resources Code because it will not result in a direct or reasonably foreseeable indirect physical change in the environment nor does it involve any commitment to any specific project, which may result in a potentially significant physical impact on the environment.

PASSED AND ADOPTED by the Town Council of the Town of Paradise, County of Butte, State of California, on this 8th day of May, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jody Jones, Mayor

ATTEST:

APPROVED AS TO FORM:

Dina Volenski, Town Clerk

Dwight L. Moore, Town Attorney



TOWN OF PARADISE
Council Agenda Summary
Date: May 8, 2018

AGENDA NO. 6(b)

ORIGINATED BY: Dina Volenski, Town Clerk

REVIEWED BY: Lauren Gill, Town Manager

SUBJECT: 2018 General Municipal Election & Ballot Measure

COUNCIL ACTION REQUESTED:

Adopt the following resolutions relating to the holding of the November 6, 2018 General Municipal Election:

1. Adopt Resolution No. 18-___, A Resolution Calling and Giving Notice for the Holding of a General Municipal Election for the Election of Two Council Members and For Submission to the Voters a Question Relating to Approval of Ordinance No. 569, An Ordinance of the Town Council of the Town of Paradise Extending, Subject To Voter Approval, The Town's Existing General Transactions And Use Tax For An Additional Ten Years To March 31, 2031, Pursuant To Revenue & Taxation Code Sections 7251 Et Seq.
2. Adopt Resolution No. 18-___, A Resolution Requesting the Butte County Board of Supervisors to Consolidate a General Municipal Election.
3. Adopt Resolution No. 18-___, A Resolution Adopting Regulations for Candidate Statements.
4. Adopt Resolution No. 18-___, A Resolution Setting Priorities for Filing Written Arguments and Rebuttals and directing the Town Attorney to Prepare An Impartial Analysis.

DISCUSSION:

Pursuant to the provisions of Paradise Municipal Code Section 2.44.010, the Town of Paradise General Municipal Election is to be held in Paradise in consolidation with the General Statewide Election that is conducted by the Butte County Elections Department. Town elections are conducted pursuant to the provisions of the California Elections Code.

The next general election is scheduled for November 6, 2018. The Town Council needs to call and give notice for the holding of a general municipal election and request the Board of Supervisors to approve consolidation of the Town's election in order to elect two (2) Council Members for full four-year terms ending November, 2022, and to submit to the voters a ballot measure (a question) relating to approval of Ordinance No. 569, an ordinance of the Town

Council of the Town of Paradise extending, subject to voter approval, the Town's existing general transactions and use tax for an additional ten years to March 31, 2031, Pursuant to Revenue & Taxation Code Sections 7251 et. seq.. Voter approval of the ballot measure would result in an extension of the temporary local sales tax increase of one-half percent (0.50%) from March 31, 2021 until March 31, 2031.

Regarding candidate statements, the Town Council requires a \$450 deposit from each candidate who desires to have a statement of qualifications to appear in the sample ballot. The Butte County Elections Department will bill the Town the actual costs for the statement and the candidates are refunded or billed accordingly.

The final resolution allows the Town Council to authorize a member or members of the legislative body to file a single written argument in favor of the Town ballot measure as specified in the Elections Code and directs the Town Attorney to prepare an impartial analysis.

FINANCIAL IMPACT: An estimate of \$31,000 is being included in the 2018/19 budget based on costs of prior elections, which includes an estimate for the ballot measure of \$4,000 and \$27,000 for the Council election.

**TOWN OF PARADISE
RESOLUTION NO. 18-__**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE CALLING AND GIVING NOTICE FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2018, AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES FOR THE ELECTION OF TWO TOWN COUNCIL MEMBERS; AND, FOR SUBMISSION TO THE VOTERS A QUESTION RELATING TO APPROVAL OF ORDINANCE NO. 569, AN ORDINANCE EXTENDING, SUBJECT TO VOTER APPROVAL, THE TOWN'S EXISTING GENERAL TRANSACTIONS AND USE TAX FOR AN ADDITIONAL TEN YEARS TO MARCH 31, 2031, PURSUANT TO REVENUE & TAXATION CODE SECTIONS 7251 ET SEQ.

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on Tuesday, November 6, 2018, for the election of two (2) Town Council Members to four-year terms of office ending November, 2022; and,

WHEREAS, the Town Council has agreed to submit to the voters a question relating to approval of Ordinance No. 569, an ordinance extending, subject to voter approval, the Town's existing general transactions and use tax for an additional ten years to March 31, 2031, pursuant to Revenue and Taxation Code Sections 7251 et seq.

NOW, THEREFORE, the Town Council of the Town of Paradise, California, does declare, determine, resolve and order as follows:

SECTION 1: That, pursuant to the requirements of the laws of the State of California relating to general law cities, there is called and ordered to be held in the Town of Paradise, California, on Tuesday, November 6, 2018, a General Municipal Election for the purpose of electing two (2) members of the Town Council for the full term of four (4) years, ending November, 2022.

SECTION 2: That pursuant to the requirements of the laws of the State of California relating to general law cities, the Town Council does order submitted to the voters at the General Municipal Election the following question:

To stabilize funding for essential Town of Paradise services such as fire protection and emergency response services; police protection services; animal control services; street maintenance and improvements; and other services, shall the Town of Paradise's existing half percent (1/2%) transactions and use tax be extended to March 31, 2031, subject to recommendations by a citizen oversight committee?	<input type="checkbox"/> YES <input type="checkbox"/> NO
--	---

SECTION 3: That the text of Ordinance No.569 submitted to the voters is attached as Exhibit A;

SECTION 4: That the Town Council adopts the provisions of Elections Code 9285(a) relating to rebuttal arguments on the question (measure).

SECTION 5: That the ballots to be used at the election shall be in the form and content as required by law.

SECTION 6: That the Town Clerk and County Clerk are authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and

Town of Paradise
Resolution No. 18-__

paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 7: That in the event two (2) or more persons receive an equal and the highest number of votes necessary to be elected, the Town Clerk shall summon the candidates who have received the tie votes to appear at her office at a time to be designated by her and shall at that time and place determine the tie by lot. The recommended procedure for determining by lot a tie is attached hereto and marked Exhibit "B".

SECTION 8: That the polls for the election shall be open at seven o'clock (7:00) a.m. of the day of the election and shall remain open continuously from that time until eight o'clock (8:00) p.m. of the same day when the polls shall be closed, pursuant to Elections Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 9: That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 10: That notice of the time and place of holding the election is given and the Town Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 10: That the Town Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED AND ADOPTED by the Town Council of the Town of Paradise this 8th day of May, 2018, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

Jody Jones, Mayor

ATTEST:

DINA VOLENSKI, CMC, Town Clerk

APPROVED AS TO FORM:

DWIGHT L. MOORE, Town Attorney

EXHIBIT "A"

**TOWN OF PARADISE
ORDINANCE NO. 569**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARADISE
EXTENDING, SUBJECT TO VOTER APPROVAL, THE TOWN'S
EXISTING GENERAL TRANSACTIONS AND USE TAX FOR AN
ADDITIONAL TEN YEARS TO MARCH 31, 2031, PURSUANT TO
REVENUE & TAXATION CODE SECTIONS 7251 ET SEQ.**

The Town Council of the Town of Paradise, State of California, does **ORDAIN AS FOLLOWS:**

WHEREAS, on November 4, 2014, a majority of the Town's voters approved Ordinance No. 545 (Measure C), codified as Paradise Municipal Code Chapter 3.22, which authorized a one-half of one percent (0.50%) general transactions and use tax for six years; and

WHEREAS, the funds generated by Ordinance No. 545 have been used by the Town Council to purchase new Police Vehicles and Fire Engines and other public safety equipment; to purchase equipment, additional open hours and training for Animal Control, and as funding for road improvement projects in the Town of Paradise; and

WHEREAS, it is proposed by the Town Council that the existing one half of one percent (0.50%) transactions and use tax be extended by Town voters beyond its current March 31, 2021 termination date to March 31, 2031.

SECTION 1. Paradise Municipal Code section 3.22.050 is hereby amended to read:

3.22.050 Transactions Rate Tax

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the Town of Paradise at the rate of one-half of one percent (0.50%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory until March 31, 2031.

SECTION 2. Paradise Municipal Code section 3.22.070 is hereby amended to read as follows:

3.22.070 Use Tax Rate

An excise tax is hereby imposed on the storage, use or other consumption in the Town of tangible personal property purchased from any retailer until March 31, 2031 for storage, use or other consumption in said territory at the rate of one-half of one percent (0.50%) of the sales price of such property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

SECTION 3. TERMINATION DATE. The tax levied by this ordinance shall continue at the rate of one-half of one percent (0.50%) until March 31, 2031. The authority to levy the tax imposed by this ordinance shall expire on March 31, 2031.

SECTION 4. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 5. EFFECTIVE DATE. This ordinance relates to an extension of the Town's existing transactions and use tax and shall take effect and become operative only if approved by a majority of voters at the Regular Municipal Election to be held on November 6, 2018. If approved by the voters, the transactions and use tax codified under Chapter 3.22 of the Paradise Municipal Code will be extended to 11:59 p.m. on March 31, 2031. If the measure fails, this ordinance shall be rendered inoperative and void, however, the defeat of the ordinance shall not operate to extinguish or amend the existing transactions and use tax as presently constituted and approved on November 4, 2014, which will expire on March 31, 2021.

SECTION 6. CEQA. This ordinance and the contemplated levy of the transactions and use tax referenced herein is not a "project" within the meaning of the California Environmental Quality Act ("CEQA") codified as 21000 et seq. of the California Public Resources Code because it will not result in a direct or reasonably foreseeable indirect physical change in the environment nor does it involve any commitment to any specific project, which may result in a potentially significant physical impact on the environment.

PASSED AND ADOPTED by the Town Council of the Town of Paradise, County of Butte, State of California, on this 8th day of May, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jody Jones, Mayor

ATTEST:

APPROVED AS TO FORM:

Dina Volenski, Town Clerk

Dwight L. Moore, Town Attorney

Town of Paradise
Resolution No. 18-__

I hereby certify that this ordinance was APPROVED by the voters of the Town of Paradise, State of California, at a regular election on November __, 2018 and by the Town Council of the Town of Paradise at a regular meeting of the Council held on _____, 2018.

Jody Jones, Mayor

Attest: _____
Dina Volenski, Town Clerk

EXHIBIT "B"

**TOWN OF PARADISE
RESOLUTION NO. 18-__**

**RECOMMENDED PROCEDURE FOR DETERMINING BY LOT A
TIE AMONG CANDIDATES AT THE NOVEMBER 6, 2018, ELECTION
PURSUANT TO ELECTIONS CODE SECTION 15651**

The Town Clerk or her designees shall type the name of each candidate who had tied for office on a separate, but identical, piece of paper which shall be folded and deposited into a container and mixed so that one would not know which candidate's name appeared on which piece of paper. The Town Clerk or her designees shall draw from the container as many pieces of paper as there are seats on the Council to be filled by the candidates who have tied. The name(s) appearing upon the piece(s) of paper drawn shall be the name(s) of the person(s) who shall be deemed to be elected.

**TOWN OF PARADISE
RESOLUTION NO. 18-__**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE REQUESTING
THE BOARD OF SUPERVISORS OF THE COUNTY OF BUTTE TO CONSOLIDATE A
GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2018, WITH THE
STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE FOR THE ELECTION OF
TWO (2) TOWN COUNCIL MEMBERS; AND,
FOR SUBMISSION TO THE VOTERS A QUESTION RELATING TO APPROVAL OF
ORDINANCE NO. 569, AN ORDINANCE AN ORDINANCE EXTENDING, SUBJECT TO
VOTER APPROVAL, THE TOWN'S EXISTING GENERAL TRANSACTIONS AND USE TAX
FOR AN ADDITIONAL TEN YEARS TO MARCH 31, 2031, PURSUANT TO REVENUE &
TAXATION CODE SECTIONS 7251 ET SEQ.**

WHEREAS, the Town Council of the Town of Paradise called a General Municipal Election to be held on November 6, 2018, for the purpose of the election of two (2) Members of the Town Council for four-year terms of office ending November, 2022; and;

WHEREAS, the Town Council has agreed to submit to the voters a question relating to approval of Ordinance No. 569, an ordinance extending, subject to voter approval, the Town's existing General Transactions and Use Tax for an addition ten years to March 31, 2031, Pursuant to Revenue & Taxation Code Sections 7251 Seq.; and,

WHEREAS, it is desirable that the General Municipal Election be consolidated with the statewide general election to be held on the same date; that within the Town, the precincts, polling places and election officials of the two elections be the same; that the Election Department of the County of Butte canvass the returns of the General Municipal Election; and, that the election be held in all respects as if there were only one election.

NOW, THEREFORE, the Town Council of the Town of Paradise does resolve, declare, determine and order as follows:

SECTION 1. That, pursuant to the requirements of section 10403 of the Elections Code, the Board of Supervisors of the County of Butte is hereby requested to consent and agree to the consolidation of a General Municipal Election with the statewide General Election on Tuesday, November 6, 2018 for the purpose of electing two (2) members of the Town Council for the full term of four (4) years, ending November, 2022.

SECTION 2. That, pursuant to the requirements of the laws of the State of California relating to general law cities, the Town Council does order submitted to the voters at the General Municipal Election the following measure.

To stabilize funding for essential Town of Paradise services such as fire protection and emergency response services; police protection services; animal control services; street maintenance and improvements; and other services, shall the Town of Paradise's existing half percent (1/2%) transactions and use tax be extended to March 31, 2031, subject to recommendations by a citizen oversight committee?	<input type="checkbox"/> YES <input type="checkbox"/> NO
--	---

**TOWN OF PARADISE
RESOLUTION NO. 18-__**

SECTION 3. That the text of the ordinance submitted to the voters is attached as Exhibit A.

SECTION 4. That the Butte County Board of Supervisors is requested to issue instructions to the Butte County Election Department to take any and all steps necessary for the holding of the consolidated election.

SECTION 5. That the Butte County Election Department is authorized to canvass the returns of the General Municipal Election and that the elections shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 6. That the Town of Paradise recognizes that additional costs will be incurred by Butte County by reason of this consolidation and agrees to reimburse the County for such additional costs and to pay the costs associated with the current methodology used by the Butte County Election Department for cost recovery for Consolidated Elections.

SECTION 7. That the Town Clerk is hereby directed to file a certified copy of this resolution with the Butte County Board of Supervisors and the Butte County Election Department of the County of Butte.

SECTION 8. That the Town Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the Town Council of the Town of Paradise this 8th day of May, 2018, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

Jody Jones, Mayor

Attest:

Dina Volenski, CMC, Town Clerk

Approved as to Form:

Dwight L. Moore, Town Attorney

EXHIBIT "A"

**TOWN OF PARADISE
ORDINANCE NO. 569**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARADISE
EXTENDING, SUBJECT TO VOTER APPROVAL, THE TOWN'S
EXISTING GENERAL TRANSACTIONS AND USE TAX FOR AN
ADDITIONAL TEN YEARS TO MARCH 31, 2031, PURSUANT TO
REVENUE & TAXATION CODE SECTIONS 7251 ET SEQ.**

The Town Council of the Town of Paradise, State of California, does **ORDAIN AS FOLLOWS:**

WHEREAS, on November 4, 2014, a majority of the Town's voters approved Ordinance No. 545 (Measure C), codified as Paradise Municipal Code Chapter 3.22, which authorized a one-half of one percent (0.50%) general transactions and use tax for six years; and

WHEREAS, the funds generated by Ordinance No. 545 have been used by the Town Council to purchase new Police Vehicles and Fire Engines and other public safety equipment; to purchase equipment, additional open hours and training for Animal Control, and as funding for road improvement projects in the Town of Paradise; and

WHEREAS, it is proposed by the Town Council that the existing one half of one percent (0.50%) transactions and use tax be extended by Town voters beyond its current March 31, 2021 termination date to March 31, 2031.

SECTION 1. Paradise Municipal Code section 3.22.050 is hereby amended to read:

3.22.050 Transactions Rate Tax

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the Town of Paradise at the rate of one-half of one percent (0.50%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory until March 31, 2031.

SECTION 2. Paradise Municipal Code section 3.22.070 is hereby amended to read as follows:

3.22.070 Use Tax Rate

An excise tax is hereby imposed on the storage, use or other consumption in the Town of tangible personal property purchased from any retailer until March 31, 2031 for storage, use or other consumption in said territory at the rate of one-half of one percent (0.50%) of the sales price of such property. The sales price shall include delivery charges when such charges are

**TOWN OF PARADISE
RESOLUTION NO. 18-__**

subject to state sales or use tax regardless of the place to which delivery is made.

SECTION 3. TERMINATION DATE. The tax levied by this ordinance shall continue at the rate of one-half of one percent (0.50%) until March 31, 2031. The authority to levy the tax imposed by this ordinance shall expire on March 31, 2031.

SECTION 4. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 5. EFFECTIVE DATE. This ordinance relates to an extension of the Town's existing transactions and use tax and shall take effect and become operative only if approved by a majority of voters at the Regular Municipal Election to be held on November 6, 2018. If approved by the voters, the transactions and use tax codified under Chapter 3.22 of the Paradise Municipal Code will be extended to 11:59 p.m. on March 31, 2031. If the measure fails, this ordinance shall be rendered inoperative and void, however, the defeat of the ordinance shall not operate to extinguish or amend the existing transactions and use tax as presently constituted and approved on November 4, 2014, which will expire on March 31, 2021.

SECTION 6. CEQA. This ordinance and the contemplated levy of the transactions and use tax referenced herein is not a "project" within the meaning of the California Environmental Quality Act ("CEQA") codified as 21000 et seq. of the California Public Resources Code because it will not result in a direct or reasonably foreseeable indirect physical change in the environment nor does it involve any commitment to any specific project, which may result in a potentially significant physical impact on the environment.

PASSED AND ADOPTED by the Town Council of the Town of Paradise, County of Butte, State of California, on this 8th day of May, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jody Jones, Mayor

ATTEST:

APPROVED AS TO FORM:

Dina Volenski, Town Clerk

Dwight L. Moore, Town Attorney

**TOWN OF PARADISE
RESOLUTION NO. 18-__**

**TOWN OF PARADISE
RESOLUTION NO. 18-__**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE,
CALIFORNIA ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE
PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT A
GENERAL OR SPECIAL MUNICIPAL ELECTION**

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidates statement;

NOW, THEREFORE, be it resolved by the Town Council of the Town of Paradise, California, as follows:

SECTION 1: That pursuant to Section 13307(a) of the Elections Code of the State of California, each candidate for elective office to be voted for at any General or Special Election to be held in the Town of Paradise, may prepare a candidate's statement on an appropriate form provided by the Town Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than two hundred (200) words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in the office of the Town Clerk at the time candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2: No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 3: An agreement between the candidate and the Town of Paradise, a copy of which is attached hereto marked Exhibit "A", shall be executed which requires each candidate to pay a four hundred fifty dollars (\$450) deposit to be applied toward the candidate's pro rata share of charges for printing and handling of the candidates' statements. Any deficit shall be paid to the Town by the candidate within thirty (30) days after presentation of a bill from the Town and the Town will refund any surplus deposited within thirty (30) days after the Town's determination of said surplus.

SECTION 4: That the Town Clerk shall provide each candidate or the candidate's representative a copy of this Resolution with attached Exhibit "A" at the time nomination petitions are issued.

Town of Paradise
RESOLUTION NO. 18-__
Candidate Statement Regulations

SECTION 5: That the Town Clerk is authorized to execute the agreement at the time the candidate's statement is filed.

PASSED AND ADOPTED by the Town Council of the Town of Paradise this 8th day of May, 2018, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

Jody Jones, Mayor

ATTEST:

DINA VOLENSKI, CMC, Town Clerk

APPROVED AS TO FORM:

DWIGHT L. MOORE, Town Attorney

EXHIBIT "A"

AGREEMENT

THIS AGREEMENT is made and entered into by and among the candidate whose name is signed below and the Town of Paradise, a municipal corporation.

1. The undersigned candidate hereby agrees to pay to the Town of Paradise his or her pro rata share of the costs incurred by the Town of Paradise in the printing, handling, insertion and mailing of candidates' statements to voters.

2. It is understood and agreed that each candidate's statement shall not exceed two hundred (200) words in length. It is understood and agreed that each candidate's pro rata share of said costs shall be determined by the Paradise Town Clerk by totaling all such costs and dividing said costs by the number of candidates' statements printed without regard to the actual length of each such statement.

3. Each candidate shall pay to the Town of Paradise a four hundred fifty dollars (\$450) deposit to be applied toward the candidate's share of such charges. The deposit shall be paid and this Agreement shall be executed at the time of filing the candidate's statement. If the deposit is not made or this Agreement not executed, the Town Clerk shall not accept the candidate's statement.

4. The candidate agrees to pay any deficit relating to such charges within thirty (30) days after presentation of a bill from the Town of Paradise for such charges. The Town shall refund any surplus of the amount within thirty (30) days after the Town's determination of such surplus.

5. In the event of litigation to enforce the terms of this Agreement, the prevailing party shall be entitled to recover from the other its reasonable attorneys' fees.

DATED:

TOWN OF PARADISE

(Signature of Candidate) BY: _____
Dina Volenski, Town Clerk

(Printed Name of Candidate)

**TOWN OF PARADISE
RESOLUTION NO. 18-__**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE, CALIFORNIA
SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS AND REBUTTALS AND
DIRECTING THE TOWN ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS**

WHEREAS, the Town Council of the Town of Paradise has called for a General Municipal Election to be held on November 6, 2018, at which the Town Council has agreed to submit to the voters a measure relating to approval of Ordinance No. 569, an Ordinance Extending, Subject to Voter Approval, the Town's Existing General Transaction and Use Tax for an Additional Ten Years to March 31, 2031, Pursuant to Revenue & Taxation Code Sections 7251 Et Seq.

NOW, THEREFORE, the Town Council of the Town of Paradise does resolve, declare, determine and order as follows:

SECTION 1. That the Town Council authorizes:

_____, Council Member,
_____, Council Member,
_____, Council Member,
_____, Council Member,
_____, Council Member,

to file a single written ballot argument in favor of the Town measure as specified above in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California and to change the ballot argument until and including the date fixed by the Town Clerk after which no ballot arguments for or against the measure may be submitted.

SECTION 2. That the Town Council adopts the provisions of Elections Code 9285(a) relating to rebuttal arguments on the measure. Rebuttal arguments shall comply with the provisions of Elections Code Section 9285(a).

SECTION 3. That the Town Council directs the Town Clerk to transmit a copy of the measure to the Town Attorney. The Town Attorney shall prepare an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the Town Clerk for the filing of primary arguments for or against the measure.

SECTION 4. That the Town Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

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**TOWN OF PARADISE
RESOLUTION NO. 18-__**

PASSED AND ADOPTED by the Town Council of the Town of Paradise this 8th day of May, 2018, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

Jody Jones, Mayor

Attest:

Approved as to Form:

Dina Volenski, CMC, Town Clerk

Dwight L. Moore, Town Attorney



TOWN OF PARADISE
Council Agenda Summary
Date: May 8, 2018

Agenda No. 6(c)

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

REVIEWED BY: Lauren Gill, Town Manager

SUBJECT: Skyway/Clark Signal Modifications

COUNCIL ACTION REQUESTED:

1. Consider authorizing staff to issue a Notice to Proceed for Bear Electrical Solutions, the Town's signal maintenance on-call contractor, to perform signal modifications at the Skyway and Clark Road intersection to improve intersection and vehicular operations. (ROLL CALL VOTE)

Background:

The Town of Paradise installed a traffic signal at the intersection of Clark Road and Skyway in 2006. This intersection represents the convergence of two of the Town's primary arterials with average daily volumes of nearly 10,000 vehicles per day from each road.

Existing conditions of the geometrically skewed (non-perpendicular) intersection enable northbound Skyway and northbound Clark to "yield" and merge 200' north of the center of the traffic signal. Reference the figure shown below:



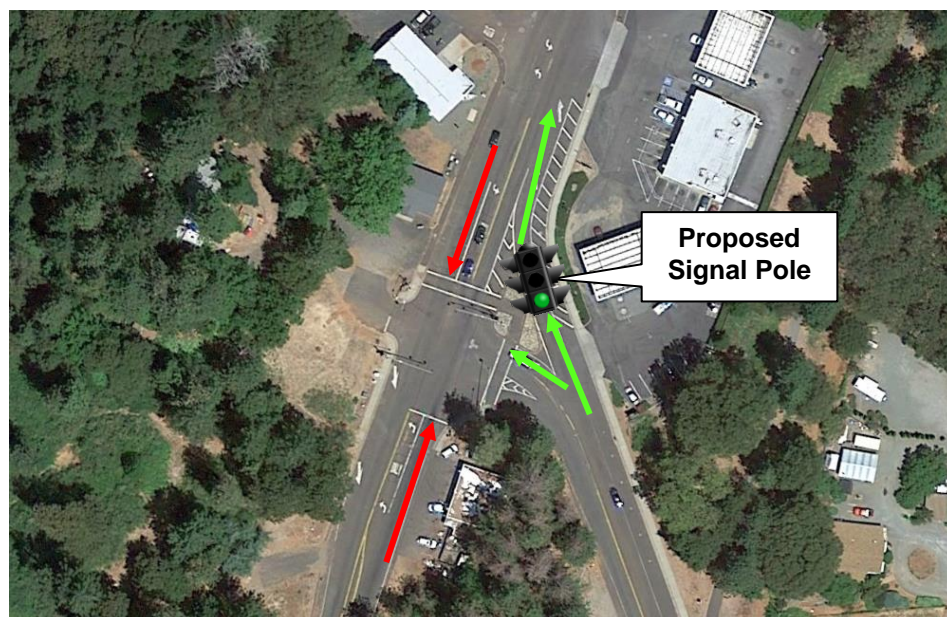
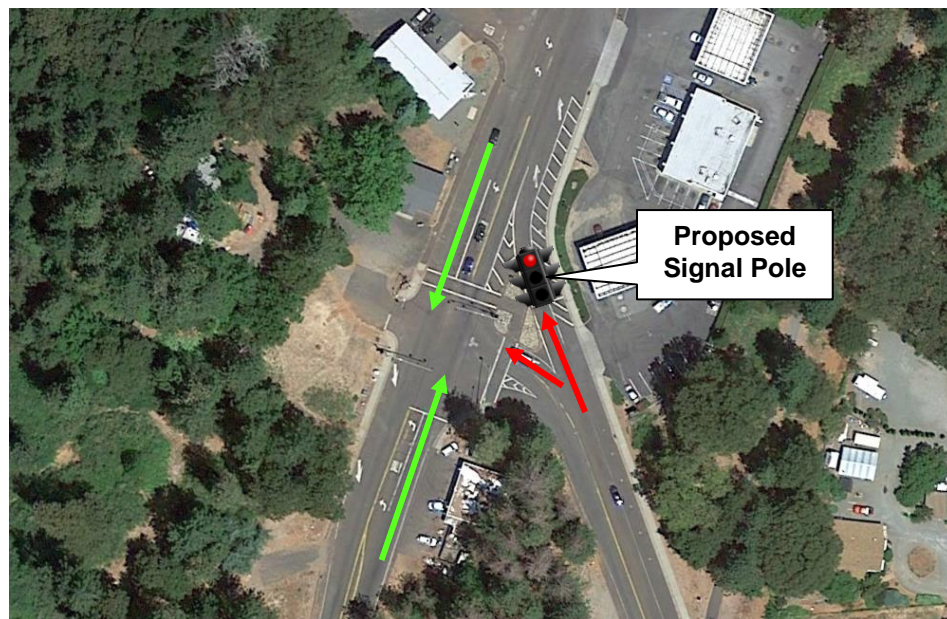
Analysis:

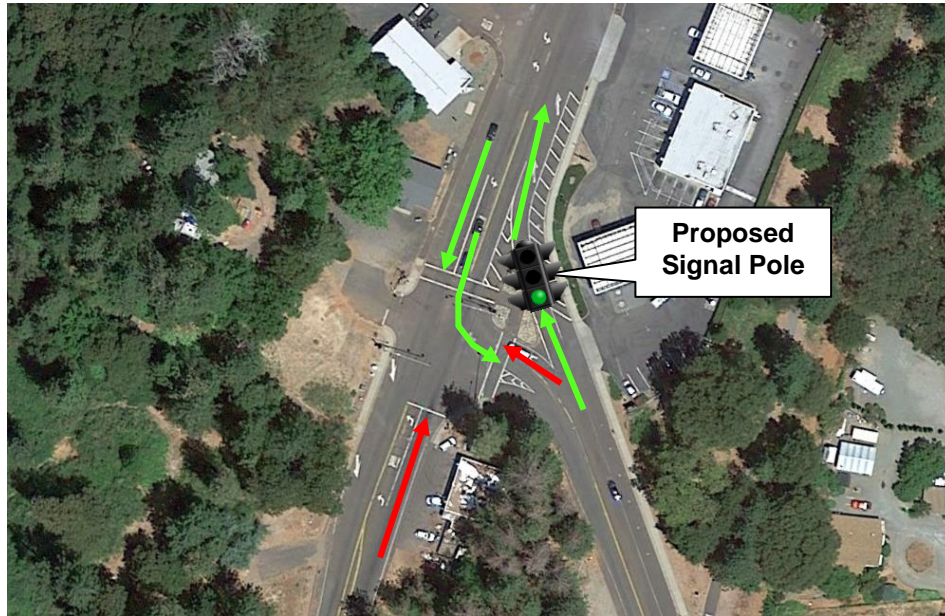
Responding to several requests from area residents, staff reviewed the Clark Road and Skyway intersection with a new perspective to determine if there were any opportunities to improve traffic and vehicular operations.

Research for collision history between 2011 and present identifies 93 total collisions in the vicinity of the intersection, 16 classified as injury collisions.

Upon regular observations in recent months, staff has concluded that the convergence of two major volume roadways' northbound movements at a yield/lane termination can be improved.

Staff proposes removing the yield turning movement for northbound Clark Road converging to Skyway by installing new signal controlled right turn poles and indicators. This change is shown graphically in the figures below:





The modifications will require all northbound Clark traffic to stop while northbound Skyway traffic has a green light. Northbound Clark traffic will have a new signal pole indicator which will tie into the existing Clark Road movements for through and to southbound Skyway, in addition to an overlap phase where northbound Clark will have a green light while southbound Skyway left turn to southbound Clark is permitted. This work will require a pedestrian protected crosswalk, meaning pedestrians crossing from Fast trip sidewalk to the refuge island (crossing northbound Clark traffic) will have pushbutton controls and “walk”/”don’t walk” indicators.

Bear Electrical Solutions, the Town’s on-call signal maintenance contractor has provided a quotation of \$18,845 (attached). Staff estimates an additional \$3,000 will be required for the striping changes necessitated by the modifications, which will be performed by in-house staff.

Overall benefits of the changes can be summarized as the following:

- Improved level of service for vicinity side streets such as Bader Mine Road and area businesses
- Improved safety by removing a merge/yield/terminating lane condition

With most signal modification decisions, there are trade-offs – and this proposal is no different. The non-financial cost to the effort will be that all northbound Clark traffic will need to obey the signal indicators shown, in lieu of proceeding straight as a yield/merge movement, potentially causing delays which currently do not exist.

Financial Impact:

The total estimated cost for the project is \$21,845. Understanding the typical construction costs and site-specific benefits, the proposed changes are a good value to the Town of Paradise as a common safety concern will be addressed. Funding for the proposed changes will come from previously budgeted “Repair and Maintenance Services” identified in the FY17/18 Public Works streets/gas tax budget.



1341 Archer Street, PO Box 924, Alviso, CA 95002-0924
Tel: 408-449-5178 Fax 408-449-5147

Contractors License No. 982079
A – General Engineering
C-10 High Voltage Electrical
C-31 – Work Zone Traffic Control
LBE# CMD121616779/ SBE# 1752478

Quote (Revised)

DATE:	4/20/2018	TO:	Marc Mattox
FROM:	Jason Hayes	COMPANY:	Town Of Paradise
PHONE:	916-955-2977	PHONE:	(530) 872-6291 x125
FAX:	408-449-5147	EMAIL:	mmattox@townofparadise.com
BID/PROJECT:	Clark and Skyway Overlap		
JOB#			

Our quote is valid for : 30 Thirty days, expiring on: 5/20/2018

We are pleased to offer our quotation for the above referenced project as follows:

BACKGROUND:

Marc Mattox requested a quotation to install new 1B pole for phase eight with phase one overlap along with two alternates.

Work to do:

Trench to nearest pull box and install conduit.
Furnish and install new 1B pole foundation on NEC as per plans provided..
Furnish and Install one complete 3 - setcion TS with right turn LEDS.
Furnish and Install TS conductors back to TS Cabinet..
Make all connections and test for proper operation.

Total for work listed above	\$	6,495.00	
Alternate A Furnish and install 2 Loops (1-D, 1-A)	\$	2,500.00	
Furnish and install of signalized pedestrian movement	\$	9,850.00	F&I Poles, foundations, all ped signal gear, wire, buttons, & programming

Inclusions:

- Traffic Control
- Product Manufacturers' Warranty
- Mobilization
- Drug Testing
- 12-Month Labor Warranty

EXCLUSIONS (to be billed time and material basis, if applicable):

- Licenses/Permits/Fees
- Overtime
- Containment
- Hazardous Material Removal
- Parking Costs
- Bonds
- Engineering
- Lead compliance
- CCIP/OCIP Costs
- Material Hoisting
- Overhead Protection
- Safety Training/ Badging

QUALIFICATIONS:

- BES shall comply with all Cal/OSHA regulations.
- Additional Move-Ins - \$ 2,900.00 EA
- Bond Rate: 2.0% up to \$6M
- Pre-Construction meeting may be required for design layout and project schedule.
- A signed proposal, sub-contract, or purchase order is required prior to commencement of work.
- Truck access is required to the work area for installation and removal of any electrical work.
- Any cost incurred due to job site conditions, delays, or safety considerations not attributed to BES will be invoiced on a Time and Material Basis.

TERMS & CONDITIONS

1. ACCEPTANCE

BES (also referred to as Bear Electrical Solutions or Contractor) proposal / contract shall accompany the Customer's Purchase Order, Work Order or Contract in order to validate the bid proposal. It is understood that the issuance of a work order, purchase order, contract, verbal direction or other written request for delivery or commencement of work by the customer indicates the Customer's acceptance of this proposal / contract in whole. When BES is required to enter into a contractual agreement with Customer, this Proposal/Contract will automatically become part of the Customer's contract and referenced as an Exhibit therein.

2. BILLING TERMS

Payment for services rendered is due in full upon receipt of invoice. Invoices shall be payable in full. Obligation of Customer to pay BES is independent from and unrelated to other obligations owed between Customer and BES and /or Customer and any other party. This proposal is based on rates in effect at the date of our initial proposal and is subject to any increase that may come into effect 30 days or more after the initial date quoted. Charges for equipment or scaffold rental will be incurred per the specified time period listed above. Any additional rent after the specified time period listed above will be on a 28-day basis (pro-rated daily).

3. EXTRA WORK

BES will not perform any extra work or modifications outside of this proposal unless agreed to in writing by change order to this proposal/contract or written approval.

Change orders will be either based on a new proposal or on a Time and Material basis. Time charges will be at the rate of \$150 per man hour straight time Monday through Friday, 8 hours per day, 40 hours per week. Overtime is at the rate of \$220 per man hour and Double time is at the rate of \$300 per man hour. Material rental charges will start the first day on the jobsite and be on a 28 day basis or prorated daily. Any overtime incurred to meet the schedule shall be at the customer's expense.

4. ALTERATIONS:

BES shall be held harmless for fines, citations, injuries and property damage that results from our electrical work being altered from its original design.

5. INDEMNIFICATION:

The customer agrees to fully indemnify and hold harmless BES from all claims, costs, actions, damages, liabilities and expense, including reasonable attorney's fees, which may be brought or made against BES, which in any way arise out of, or by any reason of, the use or misuse of BES's equipment rented hereunder, excepting only such actions, claims, costs, damages, liabilities and expenses resulting from the sole negligence of BES. The intent hereof is that Customer shall fully indemnify and hold harmless BES to the maximum extent allowed by law.

6. GENERAL:

This proposal/contract (the "Agreement") may be signed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. If any provision of this Agreement shall be adjudged by any court of competent jurisdiction to be unenforceable or invalid, that provision shall be limited or eliminated to the minimum extent necessary so that this Agreement shall otherwise remain in full force and effect and enforceable. The failure of either party to act in the event of a breach of this Agreement by the other shall not be deemed a waiver of such breach or a waiver of future breaches, unless such waiver shall be in writing and signed by the party against whom enforcement is sought. This Agreement constitutes the entire agreement and understanding of the parties with respect to the subject matter of this Agreement. Any amendment or modification of this Agreement shall be in writing and executed by a duly authorized representative of the parties.

BES would like to thank you for the opportunity to provide you with this proposal.

Please give us a call with any questions or concerns.

APPROVED

SIGNATURE

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**Town of Paradise
Council Agenda Summary
Date: May 8, 2018**

Agenda Item: 6(d)

Originated by: Gina S. Will, Administrative Services Director/Town Treasurer
Approved by: Lauren Gill, Town Manager
Subject: Operating and Capital Budget Update

Council Action Requested:

1. Consider and file the information presented; and
2. Approve 2017/18 recommended budget adjustments relating to Measure C funds; and
3. Provide any alternative direction to staff concerning budget development

Background:

The 2018/19 priority setting meeting held on February 27, 2018 started the budget process for adopting the Operating and Capital Budgets for 2018/19. The meeting identified the work plan and priorities for the 2018/19 fiscal year that staff will incorporate when developing the proposed budget.

Discussion:

2017/18

Staff met with the Measure C Citizen Oversight Committee on April 24, 2018 to go over the 3rd quarter 2017/18 financial report, the 2017/18 estimated actual numbers, and to approve budget adjustments. In addition, the committee discussed the success of the community outreach at the Measure C Day on April 17, 2018. The Committee approved the information presented, and now staff is seeking budget adjustment approval on the following Measure C items:

	2017/18 3 rd Quarter Total to Date	2017/18 Amended Budget	2017/18 Proposed Budget
Police Dept. Roof Replacement	\$46,670	\$47,000	\$46,670
2 nd Investigator	67,977	97,578	110,936
Police Cadets (2)	48,021	56,583	50,443
K-9 Program	6,763	11,000	9,714

Operating and Capital Budget Update
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Animal Control Officer & Supervisor Training	0	1,600	0
Shelter Concrete Repairs	0	8,000	12,127
Online Dog Licensing Renewal	3,840	4,000	3,840
Fire Station 81 Service Panel & Breaker Box	0	0	20,000

The animal control epoxy concrete repairs are now complete and came out well. The shelter kennels are improved and will be easier to keep cleaned and sanitized. The total cost of the project was \$12,127.

An electrical panel and breaker box has recently been identified at fire station 81 with similar defects as the one replaced at the police department. Staff is moving toward replacement and repair and is seeking a budget appropriation not to exceed \$20,000.

These requested adjustments increase the Measure C budget by \$25,758. These adjustments still fit within the overall financial plan and retain appropriate reserves.

2018/19

Departments have now completed their requested budgets. The Town Manager and Administrative Services Director has started reviewing these budgets and meeting with departments in order to create the Manager recommended budgets for Town Council review.

Following is the Preliminary 2018/19 Measure C Budget, which staff and the Measure C Committee also discussed at the April 24, 2018 meeting. The Committee will meet again on May 22, 2018 to discuss any budget developments and to create a Measure C Budget recommendation.

Preliminary 2018/19 Measure C Budget

Police		Fire	
2 nd Investigator	\$171,905	Maintain Contract	\$250,000
Police Cadet	\$27,924	Engine 81 & 82	\$167,183
3 Police Cars	\$100,000	Animal Control	
Body Cameras Payment	\$5,917	Maintain staffing & operations	\$135,000
K9 Program	\$10,005	Public Works	
Enhanced Training	\$15,000	Almond St. Multi-Modal	\$388,000
		Ponderosa SR2S	\$193,000

Fiscal Impact:

Operating and Capital Budget Update
May 8, 2018

The recommended Measure C budget adjustments for 2017/18 will decrease Measure C reserves by \$25,758, but will still provide \$1.4 million in Measure C reserves at the time of Measure C expiration to maintain key public safety services for two years after the expiration.

There is no fiscal impact to the information provided to Council regarding the 2018/19 budget process as no action has been requested.



TOWN OF PARADISE
Council Agenda Summary
Date: May 8, 2018

Agenda No. 6(e)

ORIGINATED BY: Marc Mattox, Town Engineer

REVIEWED BY: Lauren Gill, Town Manager

SUBJECT: Downtown Paradise Equal Mobility Project – Approval of Plans, Specifications & Estimates and Advertisement for Bids

COUNCIL ACTION REQUESTED:

1. Consider Awarding a contract for the Downtown Paradise Equal Mobility Project. Contract No. 16-03 State Project No. ATPL 5425 (034) or reject all bids and direct staff to re-advertise the project. (The bid opening is scheduled for May 7, 2018 at 1:00 P.M. The bid data, cost and contractor recommendation will be made during the May 8, 2018 regular Town Council meeting.) (ROLL CALL VOTE)

Background:

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

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

On October 22, 2015, the California Transportation Committee (CTC) announced the adoption of Statewide and Small Urban and Rural components of the program, including all four of the Town's infrastructure applications – totaling over \$7.5 million. Specifically, the CTC awarded the Downtown Paradise Equal Mobility Project to install ADA compliant sidewalks and driveways along Skyway between Pearson Road and Elliott. The project will remove tripping hazards and increase ADA compliance and mobility for pedestrians of all abilities.

On May 19, 2016, California Transportation Commission voted to approve the Town's early authorization request to begin reimbursable work on each of the four awarded projects.

On October 10, 2016, Paradise Town Council awarded a contract to Bennett Engineering for the project to prepare formal plans, specifications and estimates for the subject project.

Bennett Engineering successfully prepared project plans and specifications in late 2017. Since this time, staff has been working with property owners to execute necessary Permit to Enter Agreements – a formal acknowledgement between the Town and owners to outline expectations for the project's driveway conforms to between public and private property.

On March 22, 2018, staff received formal approval from the California Transportation Commission for the subject project to proceed to the construction phase.

On April 10, 2018, Paradise Town Council approved the project's Plans, Specifications and Estimates while authorizing staff to advertise the project for bids.

Analysis and Financial Impact:

Staff issued the Notice to Bidders on April 12, 2018 and advertised in the Paradise Post on April 14 and April 25, 2018. 12 local, regional and national exchanges were also notified of the project bidding status.

Bids for the project are due May 7, 2018 at 1:00 PM. Bid data, cost, and contractor recommendation will be made by Town staff during the May 8, 2018 regular Town Council meeting.

The estimated construction cost of the Downtown Paradise Equal Mobility Project is \$419,000. The Active Transportation Program reimbursable costs are 97.5%. A local commitment from Public Works (Transit) is needed in the amount of 2.5% for matching requirements. A more detailed financial accounting will be provided at the Council meeting.

**TOWN OF PARADISE
RESOLUTION NO. 18-__**

**A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF PARADISE, CALIFORNIA,
OPPOSING THE CALIFORNIA VALUES ACT (SB 54)
AND THE IMMIGRANT WORKER PROTECTION ACT (AB 450)
DUE TO CONFLICT WITH FEDERAL LEGISLATION**

WHEREAS, the State of California enacted SB 54, also known as the California Values Act; and

WHEREAS, SB 54 prohibits law enforcement agencies from releasing information about an inmate or transferring custody of an inmate to Immigration and Customs Enforcement (ICE), as well as transferring to or assisting ICE with the arrest of a subject for violations of immigration laws, unless the individual in question has committed a specific crime set forth in SB54; and

WHEREAS, the State of California also enacted AB 450, known as the California Immigrant Worker Protection Act; and

WHEREAS, AB 450 requires employers to verify that ICE has a judicial warrant or subpoena prior to allowing ICE to enter the workplace and provide notice to employees if there has been a request from ICE to review documents, thereby forcing employers to choose between obeying federal immigration laws or State law; and

WHEREAS, the federal government has filed a lawsuit against the State of California, arguing that federal immigration laws preempt the State laws; and

WHEREAS, the federal government has proposed HR 3003, also known as the No Sanctuary for Criminal Act, that would clarify ICE detainer authority and withhold federal grants from jurisdictions that violate federal law by prohibiting officers from cooperating with ICE.

NOW, THEREFORE, BE IT RESOLVED, the Town Council of the Town of Paradise hereby opposes SB 54 and AB 450 because it creates a conflict between State and federal laws; and

BE IT FURTHER RESOLVED that the conflict created by SB 54 adds to the already challenging environment in law enforcement and AB 450 places additional burdens to employers, and the Town Council urges the Legislature to revise or remove State laws that lead to the conflict between State and federal laws.

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PASSED AND ADOPTED by the Town Council of the Town of Paradise on this 8th day of May, 2018, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

By: _____
Jody Jones, Mayor

ATTEST:

Dina Volenski, CMC, Town Clerk

APPROVED AS TO FORM:

Dwight L. Moore, Town Attorney



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SB-54 Law enforcement: sharing data. (2017-2018)

SHARE THIS:



Date Published: 10/05/2017 09:00 PM

Senate Bill No. 54

CHAPTER 495

An act to amend Sections 7282 and 7282.5 of, and to add Chapter 17.25 (commencing with Section 7284) to Division 7 of Title 1 of, the Government Code, and to repeal Section 11369 of the Health and Safety Code, relating to law enforcement.

[Approved by Governor October 05, 2017. Filed with Secretary of State
October 05, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

SB 54, De León. Law enforcement: sharing data.

Existing law provides that when there is reason to believe that a person arrested for a violation of specified controlled substance provisions may not be a citizen of the United States, the arresting agency shall notify the appropriate agency of the United States having charge of deportation matters.

This bill would repeal those provisions.

Existing law provides that whenever an individual who is a victim of or witness to a hate crime, or who otherwise can give evidence in a hate crime investigation, is not charged with or convicted of committing any crime under state law, a peace officer may not detain the individual exclusively for any actual or suspected immigration violation or report or turn the individual over to federal immigration authorities.

This bill would, among other things and subject to exceptions, prohibit state and local law enforcement agencies, including school police and security departments, from using money or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, as specified, and would, subject to exceptions, proscribe other activities or conduct in connection with immigration enforcement by law enforcement agencies. The bill would apply those provisions to the circumstances in which a law enforcement official has discretion to cooperate with immigration authorities. The bill would require, by October 1, 2018, the Attorney General, in consultation with the appropriate stakeholders, to publish model policies limiting assistance with immigration enforcement to the fullest extent possible for use by public schools, public libraries, health facilities operated by the state or a political subdivision of the state, and courthouses, among others. The bill would require, among others, all public schools, health facilities operated by the state or a political subdivision of the state, and courthouses to implement the model policy, or an equivalent policy. The bill would state that, among others, all other organizations and entities that provide services related to physical or mental health and wellness, education, or access to justice, including the University of California, are encouraged to adopt the model policy. The bill would require that a law enforcement agency that chooses to participate in a joint law enforcement task force, as defined, submit a report annually pertaining to task force operations to the Department of Justice, as specified. The bill would require the Attorney General, by March 1, 2019, and annually thereafter, to report on the types and frequency of joint law enforcement task forces, and other information, as specified, and to post those reports on the Attorney General's Internet Web site. The bill would require law enforcement agencies to report to the department annually regarding transfers of persons to immigration authorities. The bill would require the Attorney General to publish guidance, audit criteria, and training recommendations regarding state and local law

enforcement databases, for purposes of limiting the availability of information for immigration enforcement, as specified. The bill would require the Department of Corrections and Rehabilitation to provide a specified written consent form in advance of any interview between a person in department custody and the United States Immigration and Customs Enforcement regarding civil immigration violations.

This bill would state findings and declarations of the Legislature relating to these provisions.

By imposing additional duties on public schools and local law enforcement agencies, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 7282 of the Government Code is amended to read:

7282. For purposes of this chapter, the following terms have the following meanings:

- (a) "Conviction" shall have the same meaning as subdivision (d) of Section 667 of the Penal Code.
- (b) "Eligible for release from custody" means that the individual may be released from custody because one of the following conditions has occurred:
 - (1) All criminal charges against the individual have been dropped or dismissed.
 - (2) The individual has been acquitted of all criminal charges filed against him or her.
 - (3) The individual has served all the time required for his or her sentence.
 - (4) The individual has posted a bond.
 - (5) The individual is otherwise eligible for release under state or local law, or local policy.
- (c) "Hold request," "notification request," and "transfer request" have the same meanings as provided in Section 7283. Hold, notification, and transfer requests include requests issued by the United States Immigration and Customs Enforcement or the United States Customs and Border Protection as well as any other immigration authorities.
- (d) "Law enforcement official" means any local agency or officer of a local agency authorized to enforce criminal statutes, regulations, or local ordinances or to operate jails or to maintain custody of individuals in jails, and any person or local agency authorized to operate juvenile detention facilities or to maintain custody of individuals in juvenile detention facilities.
- (e) "Local agency" means any city, county, city and county, special district, or other political subdivision of the state.
- (f) "Serious felony" means any of the offenses listed in subdivision (c) of Section 1192.7 of the Penal Code and any offense committed in another state which, if committed in California, would be punishable as a serious felony as defined by subdivision (c) of Section 1192.7 of the Penal Code.
- (g) "Violent felony" means any of the offenses listed in subdivision (c) of Section 667.5 of the Penal Code and any offense committed in another state which, if committed in California, would be punishable as a violent felony as defined by subdivision (c) of Section 667.5 of the Penal Code.

SEC. 2. Section 7282.5 of the Government Code is amended to read:

7282.5. (a) A law enforcement official shall have discretion to cooperate with immigration authorities only if doing so would not violate any federal, state, or local law, or local policy, and where permitted by the California Values Act (Chapter 17.25 (commencing with Section 7284)). Additionally, the specific activities described in

subparagraph (C) of paragraph (1) of subdivision (a) of, and in paragraph (4) of subdivision (a) of, Section 7284.6 shall only occur under the following circumstances:

(1) The individual has been convicted of a serious or violent felony identified in subdivision (c) of Section 1192.7 of, or subdivision (c) of Section 667.5 of, the Penal Code.

(2) The individual has been convicted of a felony punishable by imprisonment in the state prison.

(3) The individual has been convicted within the past five years of a misdemeanor for a crime that is punishable as either a misdemeanor or a felony for, or has been convicted within the last 15 years of a felony for, any of the following offenses:

(A) Assault, as specified in, but not limited to, Sections 217.1, 220, 240, 241.1, 241.4, 241.7, 244, 244.5, 245, 245.2, 245.3, 245.5, 4500, and 4501 of the Penal Code.

(B) Battery, as specified in, but not limited to, Sections 242, 243.1, 243.3, 243.4, 243.6, 243.7, 243.9, 273.5, 347, 4501.1, and 4501.5 of the Penal Code.

(C) Use of threats, as specified in, but not limited to, Sections 71, 76, 139, 140, 422, 601, and 11418.5 of the Penal Code.

(D) Sexual abuse, sexual exploitation, or crimes endangering children, as specified in, but not limited to, Sections 266, 266a, 266b, 266c, 266d, 266f, 266g, 266h, 266i, 266j, 267, 269, 288, 288.5, 311.1, 311.3, 311.4, 311.10, 311.11, and 647.6 of the Penal Code.

(E) Child abuse or endangerment, as specified in, but not limited to, Sections 270, 271, 271a, 273a, 273ab, 273d, 273.4, and 278 of the Penal Code.

(F) Burglary, robbery, theft, fraud, forgery, or embezzlement, as specified in, but not limited to, Sections 211, 215, 459, 463, 470, 476, 487, 496, 503, 518, 530.5, 532, and 550 of the Penal Code.

(G) Driving under the influence of alcohol or drugs, but only for a conviction that is a felony.

(H) Obstruction of justice, as specified in, but not limited to, Sections 69, 95, 95.1, 136.1, and 148.10 of the Penal Code.

(I) Bribery, as specified in, but not limited to, Sections 67, 67.5, 68, 74, 85, 86, 92, 93, 137, 138, and 165 of the Penal Code.

(J) Escape, as specified in, but not limited to, Sections 107, 109, 110, 4530, 4530.5, 4532, 4533, 4534, 4535, and 4536 of the Penal Code.

(K) Unlawful possession or use of a weapon, firearm, explosive device, or weapon of mass destruction, as specified in, but not limited to, Sections 171b, 171c, 171d, 246, 246.3, 247, 417, 417.3, 417.6, 417.8, 4574, 11418, 11418.1, 12021.5, 12022, 12022.2, 12022.3, 12022.4, 12022.5, 12022.53, 12022.55, 18745, 18750, and 18755 of, and subdivisions (c) and (d) of Section 26100 of, the Penal Code.

(L) Possession of an unlawful deadly weapon, under the Deadly Weapons Recodification Act of 2010 (Part 6 (commencing with Section 16000) of the Penal Code).

(M) An offense involving the felony possession, sale, distribution, manufacture, or trafficking of controlled substances.

(N) Vandalism with prior convictions, as specified in, but not limited to, Section 594.7 of the Penal Code.

(O) Gang-related offenses, as specified in, but not limited to, Sections 186.22, 186.26, and 186.28 of the Penal Code.

(P) An attempt, as defined in Section 664 of, or a conspiracy, as defined in Section 182 of, the Penal Code, to commit an offense specified in this section.

(Q) A crime resulting in death, or involving the personal infliction of great bodily injury, as specified in, but not limited to, subdivision (d) of Section 245.6 of, and Sections 187, 191.5, 192, 192.5, 12022.7, 12022.8, and 12022.9 of, the Penal Code.

(R) Possession or use of a firearm in the commission of an offense.

(S) An offense that would require the individual to register as a sex offender pursuant to Section 290, 290.002, or 290.006 of the Penal Code.

(T) False imprisonment, slavery, and human trafficking, as specified in, but not limited to, Sections 181, 210.5, 236, 236.1, and 4503 of the Penal Code.

(U) Criminal profiteering and money laundering, as specified in, but not limited to, Sections 186.2, 186.9, and 186.10 of the Penal Code.

(V) Torture and mayhem, as specified in, but not limited to, Section 203 of the Penal Code.

(W) A crime threatening the public safety, as specified in, but not limited to, Sections 219, 219.1, 219.2, 247.5, 404, 404.6, 405a, 451, and 11413 of the Penal Code.

(X) Elder and dependent adult abuse, as specified in, but not limited to, Section 368 of the Penal Code.

(Y) A hate crime, as specified in, but not limited to, Section 422.55 of the Penal Code.

(Z) Stalking, as specified in, but not limited to, Section 646.9 of the Penal Code.

(AA) Soliciting the commission of a crime, as specified in, but not limited to, subdivision (c) of Section 286 of, and Sections 653j and 653.23 of, the Penal Code.

(AB) An offense committed while on bail or released on his or her own recognizance, as specified in, but not limited to, Section 12022.1 of the Penal Code.

(AC) Rape, sodomy, oral copulation, or sexual penetration, as specified in, but not limited to, paragraphs (2) and (6) of subdivision (a) of Section 261 of, paragraphs (1) and (4) of subdivision (a) of Section 262 of, Section 264.1 of, subdivisions (c) and (d) of Section 286 of, subdivisions (c) and (d) of Section 288a of, and subdivisions (a) and (j) of Section 289 of, the Penal Code.

(AD) Kidnapping, as specified in, but not limited to, Sections 207, 209, and 209.5 of the Penal Code.

(AE) A violation of subdivision (c) of Section 20001 of the Vehicle Code.

(4) The individual is a current registrant on the California Sex and Arson Registry.

(5) The individual has been convicted of a federal crime that meets the definition of an aggravated felony as set forth in subparagraphs (A) to (P), inclusive, of paragraph (43) of subsection (a) of Section 101 of the federal Immigration and Nationality Act (8 U.S.C. Sec. 1101), or is identified by the United States Department of Homeland Security's Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

(6) In no case shall cooperation occur pursuant to this section for individuals arrested, detained, or convicted of misdemeanors that were previously felonies, or were previously crimes punishable as either misdemeanors or felonies, prior to passage of the Safe Neighborhoods and Schools Act of 2014 as it amended the Penal Code.

(b) In cases in which the individual is arrested and taken before a magistrate on a charge involving a serious or violent felony, as identified in subdivision (c) of Section 1192.7 or subdivision (c) of Section 667.5 of the Penal Code, respectively, or a felony that is punishable by imprisonment in state prison, and the magistrate makes a finding of probable cause as to that charge pursuant to Section 872 of the Penal Code, a law enforcement official shall additionally have discretion to cooperate with immigration officials pursuant to subparagraph (C) of paragraph (1) of subdivision (a) of Section 7284.6.

SEC. 3. Chapter 17.25 (commencing with Section 7284) is added to Division 7 of Title 1 of the Government Code, to read:

CHAPTER 17.25. Cooperation with Immigration Authorities

7284. This chapter shall be known, and may be cited, as the California Values Act.

7284.2. The Legislature finds and declares the following:

(a) Immigrants are valuable and essential members of the California community. Almost one in three Californians is foreign born and one in two children in California has at least one immigrant parent.

(b) A relationship of trust between California's immigrant community and state and local agencies is central to the public safety of the people of California.

(c) This trust is threatened when state and local agencies are entangled with federal immigration enforcement, with the result that immigrant community members fear approaching police when they are victims of, and witnesses to, crimes, seeking basic health services, or attending school, to the detriment of public safety and the well-being of all Californians.

(d) Entangling state and local agencies with federal immigration enforcement programs diverts already limited resources and blurs the lines of accountability between local, state, and federal governments.

(e) State and local participation in federal immigration enforcement programs also raises constitutional concerns, including the prospect that California residents could be detained in violation of the Fourth Amendment to the United States Constitution, targeted on the basis of race or ethnicity in violation of the Equal Protection Clause, or denied access to education based on immigration status. See *Sanchez Ochoa v. Campbell, et al.* (E.D. Wash. 2017) 2017 WL 3476777; *Trujillo Santoya v. United States, et al.* (W.D. Tex. 2017) 2017 WL 2896021; *Moreno v. Napolitano* (N.D. Ill. 2016) 213 F. Supp. 3d 999; *Morales v. Chadbourne* (1st Cir. 2015) 793 F.3d 208; *Miranda-Olivares v. Clackamas County* (D. Or. 2014) 2014 WL 1414305; *Galarza v. Szalczyk* (3d Cir. 2014) 745 F.3d 634.

(f) This chapter seeks to ensure effective policing, to protect the safety, well-being, and constitutional rights of the people of California, and to direct the state's limited resources to matters of greatest concern to state and local governments.

(g) It is the intent of the Legislature that this chapter shall not be construed as providing, expanding, or ratifying any legal authority for any state or local law enforcement agency to participate in immigration enforcement.

7284.4. For purposes of this chapter, the following terms have the following meanings:

(a) "California law enforcement agency" means a state or local law enforcement agency, including school police or security departments. "California law enforcement agency" does not include the Department of Corrections and Rehabilitation.

(b) "Civil immigration warrant" means any warrant for a violation of federal civil immigration law, and includes civil immigration warrants entered in the National Crime Information Center database.

(c) "Immigration authority" means any federal, state, or local officer, employee, or person performing immigration enforcement functions.

(d) "Health facility" includes health facilities as defined in Section 1250 of the Health and Safety Code, clinics as defined in Sections 1200 and 1200.1 of the Health and Safety Code, and substance abuse treatment facilities.

(e) "Hold request," "notification request," "transfer request," and "local law enforcement agency" have the same meaning as provided in Section 7283. Hold, notification, and transfer requests include requests issued by United States Immigration and Customs Enforcement or United States Customs and Border Protection as well as any other immigration authorities.

(f) "Immigration enforcement" includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and also includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person's presence in, entry, or reentry to, or employment in, the United States.

(g) "Joint law enforcement task force" means at least one California law enforcement agency collaborating, engaging, or partnering with at least one federal law enforcement agency in investigating federal or state crimes.

(h) "Judicial probable cause determination" means a determination made by a federal judge or federal magistrate judge that probable cause exists that an individual has violated federal criminal immigration law and that authorizes a law enforcement officer to arrest and take into custody the individual.

(i) "Judicial warrant" means a warrant based on probable cause for a violation of federal criminal immigration law and issued by a federal judge or a federal magistrate judge that authorizes a law enforcement officer to arrest and take into custody the person who is the subject of the warrant.

(j) "Public schools" means all public elementary and secondary schools under the jurisdiction of local governing boards or a charter school board, the California State University, and the California Community Colleges.

(k) "School police and security departments" includes police and security departments of the California State University, the California Community Colleges, charter schools, county offices of education, schools, and school districts.

7284.6. (a) California law enforcement agencies shall not:

(1) Use agency or department moneys or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, including any of the following:

(A) Inquiring into an individual's immigration status.

(B) Detaining an individual on the basis of a hold request.

(C) Providing information regarding a person's release date or responding to requests for notification by providing release dates or other information unless that information is available to the public, or is in response to a notification request from immigration authorities in accordance with Section 7282.5. Responses are never required, but are permitted under this subdivision, provided that they do not violate any local law or policy.

(D) Providing personal information, as defined in Section 1798.3 of the Civil Code, about an individual, including, but not limited to, the individual's home address or work address unless that information is available to the public.

(E) Making or intentionally participating in arrests based on civil immigration warrants.

(F) Assisting immigration authorities in the activities described in Section 1357(a)(3) of Title 8 of the United States Code.

(G) Performing the functions of an immigration officer, whether pursuant to Section 1357(g) of Title 8 of the United States Code or any other law, regulation, or policy, whether formal or informal.

(2) Place peace officers under the supervision of federal agencies or employ peace officers deputized as special federal officers or special federal deputies for purposes of immigration enforcement. All peace officers remain subject to California law governing conduct of peace officers and the policies of the employing agency.

(3) Use immigration authorities as interpreters for law enforcement matters relating to individuals in agency or department custody.

(4) Transfer an individual to immigration authorities unless authorized by a judicial warrant or judicial probable cause determination, or in accordance with Section 7282.5.

(5) Provide office space exclusively dedicated for immigration authorities for use within a city or county law enforcement facility.

(6) Contract with the federal government for use of California law enforcement agency facilities to house individuals as federal detainees, except pursuant to Chapter 17.8 (commencing with Section 7310).

(b) Notwithstanding the limitations in subdivision (a), this section does not prevent any California law enforcement agency from doing any of the following that does not violate any policy of the law enforcement agency or any local law or policy of the jurisdiction in which the agency is operating:

(1) Investigating, enforcing, or detaining upon reasonable suspicion of, or arresting for a violation of, Section 1326(a) of Title 8 of the United States Code that may be subject to the enhancement specified in Section 1326(b)

(2) of Title 8 of the United States Code and that is detected during an unrelated law enforcement activity. Transfers to immigration authorities are permitted under this subsection only in accordance with paragraph (4) of subdivision (a).

(2) Responding to a request from immigration authorities for information about a specific person's criminal history, including previous criminal arrests, convictions, or similar criminal history information accessed through the California Law Enforcement Telecommunications System (CLETS), where otherwise permitted by state law.

(3) Conducting enforcement or investigative duties associated with a joint law enforcement task force, including the sharing of confidential information with other law enforcement agencies for purposes of task force investigations, so long as the following conditions are met:

(A) The primary purpose of the joint law enforcement task force is not immigration enforcement, as defined in subdivision (f) of Section 7284.4.

(B) The enforcement or investigative duties are primarily related to a violation of state or federal law unrelated to immigration enforcement.

(C) Participation in the task force by a California law enforcement agency does not violate any local law or policy to which it is otherwise subject.

(4) Making inquiries into information necessary to certify an individual who has been identified as a potential crime or trafficking victim for a T or U Visa pursuant to Section 1101(a)(15)(T) or 1101(a)(15)(U) of Title 8 of the United States Code or to comply with Section 922(d)(5) of Title 18 of the United States Code.

(5) Giving immigration authorities access to interview an individual in agency or department custody. All interview access shall comply with requirements of the TRUTH Act (Chapter 17.2 (commencing with Section 7283)).

(c) (1) If a California law enforcement agency chooses to participate in a joint law enforcement task force, for which a California law enforcement agency has agreed to dedicate personnel or resources on an ongoing basis, it shall submit a report annually to the Department of Justice, as specified by the Attorney General. The law enforcement agency shall report the following information, if known, for each task force of which it is a member:

(A) The purpose of the task force.

(B) The federal, state, and local law enforcement agencies involved.

(C) The total number of arrests made during the reporting period.

(D) The number of people arrested for immigration enforcement purposes.

(2) All law enforcement agencies shall report annually to the Department of Justice, in a manner specified by the Attorney General, the number of transfers pursuant to paragraph (4) of subdivision (a), and the offense that allowed for the transfer, pursuant to paragraph (4) of subdivision (a).

(3) All records described in this subdivision shall be public records for purposes of the California Public Records Act (Chapter 3.5 (commencing with Section 6250)), including the exemptions provided by that act and, as permitted under that act, personal identifying information may be redacted prior to public disclosure. To the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation, or would endanger the successful completion of the investigation or a related investigation, that information shall not be disclosed.

(4) If more than one California law enforcement agency is participating in a joint task force that meets the reporting requirement pursuant to this section, the joint task force shall designate a local or state agency responsible for completing the reporting requirement.

(d) The Attorney General, by March 1, 2019, and annually thereafter, shall report on the total number of arrests made by joint law enforcement task forces, and the total number of arrests made for the purpose of immigration enforcement by all task force participants, including federal law enforcement agencies. To the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation, or would endanger the successful completion of the investigation or a related investigation, that information shall not be included in the Attorney General's report. The Attorney General shall post the reports required by this subdivision on the Attorney General's Internet Web site.

(e) This section does not prohibit or restrict any government entity or official from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of an individual, or from requesting from federal immigration authorities immigration status information, lawful or unlawful, of any individual, or maintaining or exchanging that information with any other federal, state, or local government entity, pursuant to Sections 1373 and 1644 of Title 8 of the United States Code.

(f) Nothing in this section shall prohibit a California law enforcement agency from asserting its own jurisdiction over criminal law enforcement matters.

7284.8. (a) The Attorney General, by October 1, 2018, in consultation with the appropriate stakeholders, shall publish model policies limiting assistance with immigration enforcement to the fullest extent possible consistent with federal and state law at public schools, public libraries, health facilities operated by the state or a political subdivision of the state, courthouses, Division of Labor Standards Enforcement facilities, the Agricultural Labor Relations Board, the Division of Workers Compensation, and shelters, and ensuring that they remain safe and accessible to all California residents, regardless of immigration status. All public schools, health facilities operated by the state or a political subdivision of the state, and courthouses shall implement the model policy, or an equivalent policy. The Agricultural Labor Relations Board, the Division of Workers' Compensation, the Division of Labor Standards Enforcement, shelters, libraries, and all other organizations and entities that provide services related to physical or mental health and wellness, education, or access to justice, including the University of California, are encouraged to adopt the model policy.

(b) For any databases operated by state and local law enforcement agencies, including databases maintained for the agency by private vendors, the Attorney General shall, by October 1, 2018, in consultation with appropriate stakeholders, publish guidance, audit criteria, and training recommendations aimed at ensuring that those databases are governed in a manner that limits the availability of information therein to the fullest extent practicable and consistent with federal and state law, to anyone or any entity for the purpose of immigration enforcement. All state and local law enforcement agencies are encouraged to adopt necessary changes to database governance policies consistent with that guidance.

(c) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2), the Department of Justice may implement, interpret, or make specific this chapter without taking any regulatory action.

7284.10. (a) The Department of Corrections and Rehabilitation shall:

(1) In advance of any interview between the United States Immigration and Customs Enforcement (ICE) and an individual in department custody regarding civil immigration violations, provide the individual with a written consent form that explains the purpose of the interview, that the interview is voluntary, and that he or she may decline to be interviewed or may choose to be interviewed only with his or her attorney present. The written consent form shall be available in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean.

(2) Upon receiving any ICE hold, notification, or transfer request, provide a copy of the request to the individual and inform him or her whether the department intends to comply with the request.

(b) The Department of Corrections and Rehabilitation shall not:

(1) Restrict access to any in-prison educational or rehabilitative programming, or credit-earning opportunity on the sole basis of citizenship or immigration status, including, but not limited to, whether the person is in removal proceedings, or immigration authorities have issued a hold request, transfer request, notification request, or civil immigration warrant against the individual.

(2) Consider citizenship and immigration status as a factor in determining a person's custodial classification level, including, but not limited to, whether the person is in removal proceedings, or whether immigration authorities have issued a hold request, transfer request, notification request, or civil immigration warrant against the individual.

7284.12. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 4. Section 11369 of the Health and Safety Code is repealed.

SEC. 5. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.



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AB-450 Employment regulation: immigration worksite enforcement actions. (2017-2018)

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Assembly Bill No. 450

CHAPTER 492

An act to add Sections 7285.1, 7285.2, and 7285.3 to the Government Code, and to add Sections 90.2 and 1019.2 to the Labor Code, relating to employment regulation.

[Approved by Governor October 05, 2017. Filed with Secretary of State
October 05, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 450, Chiu. Employment regulation: immigration worksite enforcement actions.

Existing law prohibits an employer or other person or entity from engaging in, or to directing another person or entity to engage in, unfair immigration-related practices against a person for exercising specified rights. Existing law defines unfair immigration-related practices for these purposes. Existing law grants the Labor Commissioner access to places of labor and authorizes the commissioner to conduct investigations and prosecute actions in relation to the prescribed duties of the office. Existing law creates the Labor Enforcement and Compliance Fund, moneys in which, upon appropriation by the Legislature, are available to support the Division of Labor Standards Enforcement.

This bill would impose various requirements on public and private employers with regard to federal immigration agency immigration worksite enforcement actions. Except as otherwise required by federal law, the bill would prohibit an employer or other person acting on the employer's behalf from providing voluntary consent to an immigration enforcement agent to enter nonpublic areas of a place of labor unless the agent provides a judicial warrant, except as specified. Except as required by federal law, the bill would prohibit an employer or other person acting on the employer's behalf from providing voluntary consent to an immigration enforcement agent to access, review, or obtain the employer's employee records without a subpoena or court order, subject to a specified exception. The bill would grant the Labor Commissioner or the Attorney General the exclusive authority to enforce these provisions and would require that any penalty recovered be deposited in the Labor Enforcement and Compliance Fund. The bill would prescribe penalties for failure to satisfy the prohibitions described above of \$2,000 up to \$5,000 for a first violation and \$5,000 up to \$10,000 for each subsequent violation, as defined. The bill would specify circumstances for which penalties do not apply.

The bill, except as required by federal law, would require an employer to provide a current employee notice containing specified information, by posting in the language the employer normally uses to communicate employment information, of an inspection of I-9 Employment Eligibility Verification forms or other employment records conducted by an immigration agency within 72 hours of receiving the federal notice of inspection. The bill would require an employer, upon reasonable request, to provide an affected employee a copy of the notice of inspection of I-9 Employment Eligibility Verification forms. The bill would require the Labor Commissioner, by July 1, 2018, to create a template for these purposes and make it available, as specified. The bill would require an employer to provide to an affected current employee, and to the employee's authorized representative, if any, a copy of the written immigration agency notice that provides for the inspection results and written notice of the obligations of the employer and the affected employee arising from the action, as specified. The bill would define

affected employee for these purposes. The bill would prescribe penalties for failure to provide the notices of \$2,000 up to \$5,000 for a first violation and \$5,000 up to \$10,000 for each subsequent violation, except as specified, to be collected by the Labor Commissioner.

Except as required by federal law, the bill would prohibit an employer from reverifying the employment eligibility of a current employee at a time or in a manner not required by specified federal law. The bill would prescribe a penalty of up to \$10,000 for a violation of this prohibition to be recoverable by the Labor Commissioner.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 7285.1 is added to the Government Code, to read:

7285.1. (a) Except as otherwise required by federal law, an employer, or a person acting on behalf of the employer, shall not provide voluntary consent to an immigration enforcement agent to enter any nonpublic areas of a place of labor. This section does not apply if the immigration enforcement agent provides a judicial warrant.

(b) An employer who violates subdivision (a) shall be subject to a civil penalty of two thousand dollars (\$2,000) up to five thousand dollars (\$5,000) for a first violation and five thousand dollars (\$5,000) up to ten thousand dollars (\$10,000) for each subsequent violation. If a court finds that an immigration enforcement agent was permitted to enter a nonpublic area of a place of labor without the consent of the employer or other person in control of the place of labor, the civil penalty shall not apply. "Violation" means each incident when it is found that subdivision (a) was violated without reference to the number of employees, the number of immigration enforcement agents involved in the incident, or the number of locations affected in a day.

(c) This section shall not preclude an employer or person acting on behalf of an employer from taking the immigration enforcement agent to a nonpublic area, where employees are not present, for the purpose of verifying whether the immigration enforcement agent has a judicial warrant, provided no consent to search nonpublic areas is given in the process.

(d) The exclusive authority to enforce this section is granted to the Labor Commissioner or the Attorney General and enforcement shall be through civil action. Any penalty recovered shall be deposited in the Labor Enforcement and Compliance Fund.

(e) This section applies to public and private employers.

SEC. 2. Section 7285.2 is added to the Government Code, to read:

7285.2. (a) (1) Except as otherwise required by federal law, and except as provided in paragraph (2), an employer, or a person acting on behalf of the employer, shall not provide voluntary consent to an immigration enforcement agent to access, review, or obtain the employer's employee records without a subpoena or judicial warrant. This section does not prohibit an employer, or person acting on behalf of an employer, from challenging the validity of a subpoena or judicial warrant in a federal district court.

(2) This subdivision shall not apply to I-9 Employment Eligibility Verification forms and other documents for which a Notice of Inspection has been provided to the employer.

(b) An employer who violates subdivision (a) shall be subject to a civil penalty of two thousand dollars (\$2,000) up to five thousand dollars (\$5,000) for a first violation and five thousand dollars (\$5,000) up to ten thousand dollars (\$10,000) for each subsequent violation. If a court finds that an immigration enforcement agent was permitted to access, review, or obtain the employer's employee records without the consent of the employer or other person in control of the place of labor, the civil penalty shall not apply. "Violation" means each incident when it is found that subdivision (a) was violated without reference to the number of employees, the number of immigration enforcement agents involved in the incident, or the number of employee records accessed, reviewed, or obtained.

(c) The exclusive authority to enforce this section is granted to the Labor Commissioner or the Attorney General and enforcement shall be through civil action. Any penalty recovered shall be deposited in the Labor Enforcement and Compliance Fund.

(d) This section applies to public and private employers.

SEC. 3. Section 7285.3 is added to the Government Code, to read:

7285.3. In accordance with state and federal law, nothing in this chapter shall be interpreted, construed, or applied to restrict or limit an employer's compliance with a memorandum of understanding governing the use of the federal E-Verify system.

SEC. 4. Section 90.2 is added to the Labor Code, to read:

90.2. (a) (1) Except as otherwise required by federal law, an employer shall provide a notice to each current employee, by posting in the language the employer normally uses to communicate employment-related information to the employee, of any inspections of I-9 Employment Eligibility Verification forms or other employment records conducted by an immigration agency within 72 hours of receiving notice of the inspection. Written notice shall also be given within 72 hours to the employee's authorized representative, if any. The posted notice shall contain the following information:

(A) The name of the immigration agency conducting the inspections of I-9 Employment Eligibility Verification forms or other employment records.

(B) The date that the employer received notice of the inspection.

(C) The nature of the inspection to the extent known.

(D) A copy of the Notice of Inspection of I-9 Employment Eligibility Verification forms for the inspection to be conducted.

(2) On or before July 1, 2018, the Labor Commissioner shall develop a template posting that employers may use to comply with the requirements of subdivision (a) to inform employees of a notice of inspection to be conducted of I-9 Employment Eligibility Verification forms or other employment records conducted by an immigration agency. The posting shall be available on the Labor Commissioner's Internet Web site so that it is accessible to any employer.

(3) An employer, upon reasonable request, shall provide an affected employee a copy of the Notice of Inspection of I-9 Employment Eligibility Verification forms.

(b) (1) Except as otherwise required by federal law, an employer shall provide to each current affected employee, and to the employee's authorized representative, if any, a copy of the written immigration agency notice that provides the results of the inspection of I-9 Employment Eligibility Verification forms or other employment records within 72 hours of its receipt of the notice. Within 72 hours of its receipt of this notice, the employer shall also provide to each affected employee, and to the affected employee's authorized representative, if any, written notice of the obligations of the employer and the affected employee arising from the results of the inspection of I-9 Employment Eligibility Verification forms or other employment records. The notice shall relate to the affected employee only and shall be delivered by hand at the workplace if possible and, if hand delivery is not possible, by mail and email, if the email address of the employee is known, and to the employee's authorized representative. The notice shall contain the following information:

(A) A description of any and all deficiencies or other items identified in the written immigration inspection results notice related to the affected employee.

(B) The time period for correcting any potential deficiencies identified by the immigration agency.

(C) The time and date of any meeting with the employer to correct any identified deficiencies.

(D) Notice that the employee has the right to representation during any meeting scheduled with the employer.

(2) For purposes of this subdivision, an "affected employee" is an employee identified by the immigration agency inspection results to be an employee who may lack work authorization, or an employee whose work authorization documents have been identified by the immigration agency inspection to have deficiencies.

(c) An employer who fails to provide the notices required by this section shall be subject to a civil penalty of two thousand dollars (\$2,000) up to five thousand dollars (\$5,000) for a first violation and five thousand dollars (\$5,000) up to ten thousand dollars (\$10,000) for each subsequent violation. This section does not require a penalty to be imposed upon an employer or person who fails to provide notice to an employee at the express and specific direction or request of the federal government. The penalty shall be recoverable by the Labor Commissioner.

(d) For purposes of this section, an "employee's authorized representative" means an exclusive collective bargaining representative.

(e) This section applies to public and private employers.

(f) In accordance with state and federal law, nothing in this chapter shall be interpreted, construed, or applied to restrict or limit an employer's compliance with a memorandum of understanding governing the use of the federal E-Verify system.

SEC. 5. Section 1019.2 is added to the Labor Code, to read:

1019.2. (a) Except as otherwise required by federal law, a public or private employer, or a person acting on behalf of a public or private employer, shall not reverify the employment eligibility of a current employee at a time or in a manner not required by Section 1324a(b) of Title 8 of the United States Code.

(b) (1) Except as provided in paragraph (2), an employer who violates subdivision (a) shall be subject to a civil penalty of up to ten thousand dollars (\$10,000). The penalty shall be recoverable by the Labor Commissioner.

(2) The actions of an employer that violate subdivision (a) and result in a civil penalty under paragraph (1) shall not also form the basis for liability or penalty under Section 1019.1.

(c) In accordance with state and federal law, nothing in this chapter shall be interpreted, construed, or applied to restrict or limit an employer's compliance with a memorandum of understanding governing the use of the federal E-Verify system.

SEC. 6. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.