



Town of Paradise Town Council Meeting Agenda 6:00 PM – December 10, 2019

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

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

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

- 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.](#) p6 Proclamation - Recognition of the Paradise High School Varsity Football Team.
- 1f. Presentation - Update on Tree Removal Program - Dena Wilson, Incident Commander for CAL OES Hazardous Tree Removal Program and Terri Meyer, Community Outreach Specialist, PG&E
- 1g. Presentation - Update on Advocacy trip to Washington DC. - Charles Brooks, Rebuild Paradise Foundation
- 1h. Presentation - The Year in Review by Mayor Jones
- [1i.](#) p7 Town Clerk will chair the selection of Mayor for a one-year term commencing December 10, 2019 and ending December 8, 2020. The Clerk will turn the meeting over to newly selected Mayor for selection of Vice-Mayor for a one-year term.
- 1j. The Mayor will chair the selection for Vice Mayor for a one-year term commencing December 10, 2019 and ending the first regular meeting in December 2020.

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.](#) p8 Approve minutes of the October 8, 2019 Regular Town Council meeting.
- [2b.](#) p16 Approve November 2019 Cash Disbursements in the amount of \$2,000,614.72.
- [2c.](#) p23 1. Approve Resolution No. 19-40, A Resolution of the Town Council of the Town of Paradise declaring an emergency and authorizing repair or replacement of nine culverts without observance of public bidding requirements; and, 2. Authorize the Town Manager to execute agreements with Visinoni Brothers Construction and Omni Pipelines for the emergency repairs; and, 3. Approve related budget adjustments for the 2019/20 fiscal year.
- [2d.](#) p27 Acknowledge Tri Counties Bank for their donation of \$171,000 to a non-profit organization on behalf of the Town of Paradise. The donation will be used as matching funds for a United States Department of Agriculture (USDA) Grant to purchase a new Fire Engine for the Town of Paradise.
- [2e.](#) p28 Award Contract No. BRC, Data Wiring Project, to True Telecom & Surveillance of Redding, CA in the amount of their Bid of \$10,275.00 and authorize the Town Manager to execute a contract with True Telecom & Surveillance of Redding, CA as approved by the Town Attorney.

- [2f.](#) p33 Approve write off of uncollectible miscellaneous invoice and citations.
- [2g.](#) p41 Accept the donation of the Ridge Key Phoenix sculpture from Jessie Mercer for display at the Building Resiliency Center (BRC) located at 6295 Skyway in Paradise California beginning on November 8, 2019.
- [2h.](#) p43 Approve Resolution No. 19-41, A Resolution of the Town Council of the Town of Paradise approving the Department of Forestry and Fire Protection "Amendment" for services from 7/1/2017 to 6/30/2021, Contract No. 2CA03518.
- [2i.](#) p47 Adopt Resolution No. 19-42, A Resolution of the Town Council of the Town of Paradise declaring surplus assets as of June 30, 2019, and authorizing the destruction or disposal of said surplus.

3. ITEMS REMOVED FROM CONSENT CALENDAR

4. PUBLIC COMMUNICATION

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

5. PUBLIC HEARINGS

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

Public Hearing Procedure:

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

- [5a.](#) p49 Conduct the duly noticed and scheduled public hearing and upon conclusion of this public hearing, introduce and adopt the Planning Commission's recommended actions: 1. Concur with the Planning Director's determination that the project application is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061 (General Rule Exemption); and, 2. Concur with the project recommended General Plan Land Use Map amendment and rezone action adopted by the Planning Commission on November 19, 2019, and embodied within Planning Commission Resolution No. 19-6; and, 3. Adopt Town of Paradise Resolution No. 19-43, "A Resolution of the Town Council of the Town of Paradise Amending the Land Use Map of the 1994 Paradise General Plan (McAFEE: PL19-00227); and, 4. Waive the first reading of Town Ordinance No. 589 and read by title only (roll call vote); and, 5. Introduce Town of Paradise Ordinance No. 589, "An Ordinance Rezoning Certain Real Property From "AR-1" (Agricultural Residential, 1-Acre Minimum) to a "RR-1/2" (Rural Residential, 1/2-Acre Minimum) Zone Pursuant to Paradise Municipal Code Sections 17.45.500 Et. Seq. (McAFEE: PL19-00227)" (ROLL CALL VOTE)

- [5b.](#) p60 Conduct the duly noticed and scheduled public hearing to receive comment on the Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program; and, 2. Authorize the Town Manager to submit the CAPER to the Department of Housing and Urban Development. The CAPER outlines CDBG accomplishments and expenditures, as well as provides an evaluation of the Town's progress in meeting its community development goals and objectives. (ROLL CALL VOTE)

6. COUNCIL CONSIDERATION

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

- [6a.](#) p 78 Appoint council representatives and alternates to represent the Town of Paradise on various local and regional boards, committees and commissions.
- [6b.](#) p85 Consider waiving the reading of entire Town of Paradise Urgency Ordinance No. 590 and adopting Town of Paradise Urgency Ordinance No. 590, "An Amendment to Urgency Ordinance 577 of the Town Council of the Town of Paradise Establishing Requirements for the Removal of Fire Damaged Debris From Private Property Following the Camp Fire". (ROLL CALL VOTE)

7. COUNCIL INITIATED ITEMS AND REPORTS

- 7a. Council initiated agenda items
- 7a1. Discussion regarding the regulation of vaping products. (SCHUSTER)
- 7b. Council reports on committee representation
- 7c. Future Agenda Items

8. STAFF COMMUNICATION

- 8a. Town Manager Report
- Community Development Director Update

9. CLOSED SESSION

- 9a. Pursuant to Government Code Section 54956.9(d)(1), the Town Council will hold a closed session with the Town Manager and Town Attorney regarding the following existing litigation:
- Town of Paradise v. Wendy Jane Baker, et. al. County of Butte, Superior Court Case No. 16V02070
- 9b. Pursuant to Government Code Section 54957, the Town Council will hold a closed session discussion relating to a performance evaluation of the Town Manager.

10. ADJOURNMENT

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

WHEREAS, the Paradise Varsity football team has been vital to keeping the Town of Paradises hope alive, a magnetic force that has kept the Town in people's hearts and minds; and

WHEREAS, the Paradise High School Varsity Football Team has triumphed over adversity to finish an impressive season at 12-1; and

WHEREAS, the season would not be possible without the Athletic Director Anne Sterns working tirelessly to secure games for the team when they were unable to make the league after the fire; and

WHEREAS, a team is nothing without leadership and PHS Varsity football teams invaluable leadership was phenomenal in the circumstances, the Town of Paradise commends Rick Prinz's dedication and heart; and

WHEREAS, Coach Prinz could not have done it alone, his supporting coaches Defensive Coordinator Paul Orlando, Assistant Coaches Andy Hopper, Shannon Magpusao, Bobby Richards, Nino Pinocchio, John Wiggins, Jeff Marcus and Bryson Baker, have shown how resiliency comes in all forms; and

WHEREAS, the high school Offensive had a total of 5328 Rushing Yards, with Senior Lukas Hartley contributing 1452 yards and Sophomore Tyler Harrison at an impressive 2505 yards, and

WHEREAS, the team finished the season scoring a total of 560 points and only giving up 106, and

WHEREAS, as Vince Lombardi once said "It's not whether you get knocked down, it's whether you get back up", the PHS Varsity Team not only got back up but rose from the ashes and provided inspiration for our entire town.

NOW, THEREFORE, I, Jody Jones, Mayor of the Town of Paradise, hereby congratulate the 2019 Paradise High School Varsity Football Team for their individual dedication and resiliency.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Town of Paradise to be affixed hereto this 10th day of December, 2019.

JODY JONES, Mayor



**Town of Paradise
Council Agenda Summary
Date: December 10, 2019**

Agenda Item 1(i)

Originated by: Dina Volenski, Town Clerk

Reviewed by: Lauren Gill, Town Manager

Subject: Town Council Selection of Mayor and Vice-Mayor for a one-year term beginning December 10, 2019 through December 8, 2020

Background: Every year in December the Town Council elects one Council Member to serve as Mayor and one Council Member to serve as Vice-Mayor for a one-year term. Any Council Member may be nominated for the office of Mayor, including the Council Member who served as Mayor during the previous year. Election requires the affirmative votes of at least three (3) members of the Council. (Resolution No. 88-55)

Discussion: The election process for the Mayor and Vice Mayor is as follows:

1. The Mayor turns the meeting over to the Town Clerk to act as presiding officer for selection of Mayor for a one-year term.
2. The Town Clerk opens the nominations for Mayor. Any Council Member may nominate any other Council Member – no motion necessary.
3. The Town Clerk asks for a Motion, a second and a Council vote to close the nominations for Mayor.
4. Then Town Clerk takes a roll call vote on each Council Member nominated in the order of nomination.
5. When one Council Member receives a majority (three) affirmative votes, he/she will be deemed selected as the Mayor for a one-year term and there will be no further vote on any subsequent nominees.
6. The Town Clerk turns the meeting over to the new Mayor as the presiding officer.
7. Procedures for selection of Vice Mayor will be the same and items 2 – 5 which will be repeated by the new Mayor as presiding officer.

Conclusion: The Mayor serves as the presiding officer at Council meetings and is responsible for maintaining order at the meetings; executes certain documents approved by the Town Council, such as contracts, resolutions and ordinances and warrants drawn on the town treasurer; and, represents the Town at various ceremonial events. The Mayor and Vice Mayor also review and approve requests for proclamations.

MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING – 6:00 PM – October 08, 2019

1. OPENING

The Regular meeting of the Paradise Town Council was called to order by Mayor Jones at 6:02 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 Vice Mayor Bolin.

COUNCIL MEMBER PRESENT: Greg Bolin, Steve Crowder, Melissa Schuster, Mike Zuccolillo and Jody Jones, Mayor.

COUNCIL MEMBER ABSENT: None

STAFF PRESENT: Town Manager Lauren Gill, Town Attorney Dwight Moore, Town Clerk Dina Volenski, Administrative Services Director Gina Will, Administrative Analyst Colette Curtis, Business and Housing Services Director Kate Anderson, Acting Community Development Director Susan Hartman, Police Chief Eric Reinbold, Disaster Recovery Manager Laura Page.

- 1a. A presentation was given by Disaster Recovery Manager, Laura Page, Ron Tackett USDA and Dena Wilson, Cal OES on the Funding Sources to Remove Standing Burnt Trees.

2. CONSENT CALENDAR

MOTION by Bolin, seconded by Schuster, approved consent calendar items 2a-2i as presented. Roll Call vote was unanimous.

- 2a. Approved minutes from the August 13, 2019 Regular Town Council meeting.
- 2b. Approved September 2019 cash disbursements in the amount of \$1,488,562.66
- 2c. 1. Approved sole source procurement of information technology services in light of the special qualifications and knowledge of Stratti; and, 2. Authorized the Town Manager to enter into a one-year maintenance agreement with Stratti for information technology services. (510-20-215)
- 2d. 1. Waived second reading of the entire Town Ordinance No. 579 and approved reading by title only; and, 2. Adopted Town Ordinance No. 579, "An Ordinance Amending Sections 17.04.500 and Adding Sections 17.06.960, 17.06.970 and 17.36.100 to the Paradise Municipal Code Relating to Accessory Building; Primary Dwelling, Railroad Tie Material in Site Structures and Mobile Home Provisions". (540-16-148)

1. Ward Habriel asked if there is a contingency for existing railroad tie retaining walls.

Attorney Dwight Moore stated there could be if they are declared a public nuisance.

2. Theresa McDonald pointed out on Ord. 579, there is an error on the definition of a Manufactured home.
- 2e. Waived second reading of the entire Town Ordinance No. 580 and approved reading by title only; and Adopted Town of Paradise Ordinance No. 580 "An Ordinance Amending Text Regulations within Paradise Municipal Code Section 17.39.300 Relative to the Reconstruction of Nonconforming Uses". (540-16-149)
- 2f. Approved award of SAFER grant and approved resulting budget adjustment. (The SAFER Grant program provides funding directly to fire departments to assist in increasing the number of firefighters to help communities meet industry minimum standards to provide adequate protection from fire and fire-related hazards)(440-91-001)
- 2g. Adopted Resolution No. 19-33, A Resolution of the Town Council of the Town of Paradise, California, declaring approximately 2,102 empty safety deposit boxes from the donated Bank of America building as surplus property and authorized disposal thereof by the Town Manager. (380-10-003)
- 2h. Waived second reading of the entire Town of Paradise Ordinance No. 582 and approved reading by title only and 2. Adopted Town of Paradise Ordinance No. 582, "An Ordinance Amending and Adding Text Regulations within Paradise Municipal Code Title 15 (Buildings and Construction) Relating to Accessory Structures and Wildland Urban Interface Requirements; and Non-Combustible Roof Gutters". (540-16-151)
- 2i. Waived the second reading of Town of Paradise Ordinance No. 583 and approved reading by title only, and; 2. Adopted Town of Paradise Ordinance No. 583 relating to the Town's Purchasing Ordinance for goods and services. (540-16-155)

Council Member Zuccolillo asked for bids to be posted to the Website for the public to see.

3. ITEMS REMOVED FROM CONSENT CALENDAR

4. PUBLIC COMMUNICATION

1. Michael Roddy has heard from the Insurance Commissioner, who stated that insurance companies will change course to provide lower insurance for houses built to be fire resistant, such as cinderblock houses.

2. Ward Habriel and Garrison Chaffee spoke about Love Paradise/Make A Difference Day, on Oct 25-26.

3. James Riotto commended Acting Community Development Director Hartman for her work with the Town. Stated he wants to rebuild, but his neighbors have set up marijuana plants and it looks like a homeless camp. Mr. Riotto stated that code enforcement and the police cannot do anything to help him and asked who is paying to remove stumps.
4. Laurie Noble is concerned with stump removal and that the Town is issuing permits for houses when there are trees that could potentially fall on those houses.
5. Fred Kuhlmann stated he noticed that some trees did not burn in the fire.
6. Theresa McDonald hopes that there are people watching the meetings and asked how people out of state are adding their input to the Council meetings.

5. PUBLIC HEARINGS

- 5a. Business and Housing Program Director Kate Anderson asked Council to open a public hearing to solicit comments and/or suggestions regarding the 2019-2020 Annual Plan; and Direct staff to submit the 2019-2020 Annual Action Plan to Housing and Urban Development (HUD). (HUD awards grants to entitlement community grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services.) There was \$164,394 awarded.

The Public Hearing was opened at 6:43 p.m.

The Public Hearing was closed at 6:44 p.m.

MOTION by Schuster seconded by Bolin, directed staff to submit the 2019-2020 Annual Action Plan to Housing and Urban Development (HUD). Roll call vote was unanimous. (710-10-093)

- 5b. ACDD Susan Hartman presented Ordinance 584 an Ordinance Amending Text Regulations within Paradise Municipal Code Title 17 [Zoning] Relating to Temporary Commercial Buildings”.

At 6:45 Bolin recused himself and left the dais.

At 6:47 Zuccolillo recused himself and left the dais.

Schuster asked how many businesses have come forward requesting temporary buildings.

Crowder expressed concern about out of Town business coming in and not renting our available space, but does not want contractors from outside the town to be turned away because they can't afford to rent space.

Schuster questioned the price difference between a temporary dwelling and a rental.

Mayor Jones stated she has many concerns regarding the ordinance. Nothing in the ordinance states what constitutes an acceptable commercial

building other than it needing to be the correct number. Expressed her dislike for the ordinance.

Schuster concurred that what we have now is sufficient, not sure who this applies to.

Jones asked if the ordinance can be amended to only include construction sites.

The public hearing was opened at 7:04 p.m.

1. Theresa McDonald stated her issue was already addressed.
2. Mike Roddy stated anyone building at production values will want a large space.
3. Kathryn McLaughlin stated there is a lot of infrastructure that needs to be built as well before other building are being built.
4. Mike Zuccolillo asked Council to think of those businesses that need yards such as landscaping.

Jones said the Ordinance could state construction sales and those related businesses.

5. Al Sickie stated Yurts are not permanent but will house a family of 5 comfortably.

The public hearing was closed at 7:11 p.m.

MOTION by Crowder, seconded by Schuster, concurred with the project “CEQA determination” finding presented and considered by the Planning Commission on September 17, 2019, and embodied within Planning Commission Resolution No. 19-05; and waived the first reading of Town Ordinance No.584 and read by title only; and, introduced Town Ordinance No. 584, “An Ordinance Amending Text Regulations within Paradise Municipal Code Title 17 [Zoning] Relating to Temporary Commercial Buildings”; with added language to what constitutes as a temporary structure and applicable to construction sales service and related. Roll call vote was unanimous with Bolin and Zuccolillo absent and not voting.

Council Members Bolin and Zuccolillo returned to the dais at 7:12 p.m.

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. Greg Adams, the Building Official with 4Leaf, asked the Council to adopt the current 2019 California Building code standards. Mr. Adams stated that

most changes are to the current codes with the biggest code update being to the energy code.

Bolin asked for clarification about the solar requirements and who is going to regulate.

Crowder asked about addendum 15.09 concerning burning and about eliminating the east and west burning.

Chief Messina stated that staff had discussed the east and west burning and decided to leave it in the ordinance, since the burn season is projected to be longer.

Theresa McDonald asked about solar panels, stated her insurance will pay 25% more for code upgrades, but if this ordinance is passed, she will not get reimbursed by insurance for upgrades.

Jones clarified this an approval of a state law.

MOTION by Bolin, seconded by Zuccolillo, waived the first reading of Town Ordinance No. 585 and read by title only; and, 2. Introduced Town Ordinance No. 585, " An Ordinance Of The Town Of Paradise Repealing Paradise Municipal Code Chapters 15.01, 15.02, 15.03, 15.04, 15.05, 15.06, 15.07, 15.08, 15.09, 15.10, 15.11, 15.12, 15.13 And Adopting New Paradise Municipal Code Chapters 15.01, 15.02, 15.03, 15.04, 15.05, 15.06, 15.07, 15.08, 15.09, 15.10, 15.11, 15.12 And 15.13 And Making Findings Of Facts Relating To Local Climatic, Geological, And Topographic Conditions, All Relating To The Amendments And Adoption Of The 2019 California Building Standards Code. Roll call vote was unanimous.

- 6b. Fire Chief John Messina reintroduced Ordinance 581 and asked Council to consider a public discussion adding Chapter 8.58 to the Paradise Municipal Code Relating to Defensible Space and Hazardous Fuel Management.

Attorney Moore went over the changes that were requested in the prior Council meeting.

Theresa McDonald asked the Council to change the length of time that a citizen has to review when they get a citation and stated that 10 days is not enough time.

MOTION by Bolin, seconded by Schuster, 1. Waived the first reading of Town Ordinance No. 581 and read by title only; and, 2. Re-introduce Town Ordinance No. 581. "An Ordinance Adding Chapter 8.58 to the Paradise Municipal Code Relating to Defensible Space and Hazardous Fuel Management". With amendment to response time for appeal to 15 business days after mailing of a certified letter. Roll call vote was unanimous. (540-16-150)

- 6c. Greg Eaton, recovery advisor gave an overview of the 7 applications being submitted to CAL OES for a total of \$382,128,997, \$15,103,220 will need to be covered by the Town. Mr. Eaton requested a commitment letter from the Council for the seven projects; which consists of Category 4 tree removal, residential ignition resistant improvement program, early warning system, Hazardous fuel reduction program, Building Code Inspectors, Storm drain Master Plan and a Reseeding program.

Mayor Jones clarified that for the tree removal program the property owners would need to pay for 25% of the cost.

Teresa McDonald asked if the tree program is retroactive.

Ward Habriel estimated it would cost each property owner \$3,300.

Mayor Jones clarified the cost is dependent on how many trees are on the property.

Jim Riotto asked for clarification for which roads would be included.

MOTION by Schuster, seconded by Zuccolillo, authorized submission of seven subapplications for CalOES and directed Gina Will, Finance Director, to sign commitment letters for the Non Federal Cost Share requirements for the seven subapplications funded through the Hazard Mitigation Grant Program. Roll call vote was unanimous. (395-25-006)

- 6d. Town Manager Lauren Gill gave an overview of the proposed dig once policy which would implement an open trench approach that requires coordination between the Town, public utilities and telecommunication companies. The object of the ordinance is to support an open and transparent process for notifying telecom companies and combined coordination between public works, public utilities that are planning to trench within the Town right-of-way, and telecom companies for the installation of conduit.

MOTION by Schuster, seconded by Bolin, waived the first reading of Town Ordinance No. 586, and read by title only; and, introduced Town Ordinance No.586, “ An Ordinance of the Town Council of the Town of Paradise, California, establishing an Ordinance adding Chapter 12.26 to the Paradise Municipal Code Relating to Telecommunications Infrastructure Improvements. Roll call vote was unanimous. (950-90-004)

7. COUNCIL INITIATED ITEMS AND REPORTS

7a. Council initiated agenda items

- 7a. Melissa Schuster presented the resolutions being proposed by the League of California Cities for the 2019 Annual Conference to be held October 16-18 in Long Beach, CA. Suggested approving the Resolution No. 1, Amendment to Rule 20A. Stated that the leagues rules prevent resolutions

that are Regional in nature and that Resolution No. 2 for International Transboundary Pollution Flows was a regional resolution not local.

Council concurred with Councilmember Schuster.

- 7b. Member Zuccolillo stated that along with Charles Brooks and Rebuild North Bay he will be visiting Washington D.C, where he will be talking about items of significance in relation to the fire. Council Member Zuccolillo asked Council what they thought the items of importance should.

Mayor Jones suggested setting the stage for roads.

Vice Mayor Bolin recommended strengthening PID.

7b. Council reports on committee representation

Council Member Bolin went to a LAFCo meeting, met with PG&E and Communication Reps.

Council Member Crowder went to the Jonny Appleseed Festival, stated there were a lot of positive response from the public.

Council Member Zuccolillo met with PG&E and communication Reps.

Council Member Schuster has been working on the memorial events, stated North Valley Foundation has committed \$50,000 on events and also attended the Johnny Appleseed Festival.

Mayor Jones reported on the Butte County Air Quality Meeting and shared that in regards to the Towns waste yard, there are rules that burn green waste can only happen upon the property in which it grew, also burning green waste can only happen at 1500 ft. elevation and above. The green waste yard is at 1475 feet elevation, but Butte County Air Quality Management District has already submitted the waivers to start the process to allow the green waste yard in Paradise.

Dave Hienke asked to come up and speak and stated that his property is considered light industrial, has spent money preparing the property and was not able pull permits to build a house.

7c. Future Agenda Items

Council Member Zuccolillo stated Butte County was submitting a letter to PG&E regarding the safety power shut offs and how it negatively effects the rebuild effort and asked the Town to submit a similar letter.

Council Member Zuccolillo also asked staff to look at a zoning amendment that would allow for temporary commercial uses within commercial areas with a sunset clause.

8. STAFF COMMUNICATION

8a. Town Manager Report

Town Manager Lauren Gill stated that during the Safety Power Outages the traffic lights will blink red for a while but will eventually go dark and the Town is looking for a solution to allow the lights to go longer. The law states that when traffic signal goes dark that drivers must treat the intersection as a four way stop.

Schuster asked if we could put stop signs up temporarily during the power shut off.

Manager Gill stated says that if the Town put up signs and something happens to the sign the Town becomes legally responsible and reminded citizens to drive very cautiously. The Town will be looking at battery backups that will last longer, but at this time the Town does not have the battery backups as an option.

Council suggested using the PG&E electronic boards to notify/remind drivers of the rules of the road during a power outage.

9. CLOSED SESSION - None

10. ADJOURNMENT

Mayor Jones adjourned the Council meeting at 8:17 p.m.

Date Approved:

By: _____

Jody Jones, Mayor

Attest:

Dina Volenski, CMC, Town Clerk

TOWN OF PARADISE

CASH DISBURSEMENTS REPORT

**FOR THE PERIOD OF
NOVEMBER 1, 2019 - NOVEMBER 30, 2019**

November 1, 2019 - November 30, 2019

Check Date	Pay Period End	DESCRIPTION	AMOUNT
11/01/19	10/27/19	Net Payroll - Direct Deposits & Checks	\$109,231.57
11/15/19	11/10/19	Net Payroll - Direct Deposits & Checks	\$109,828.77
11/29/19	11/24/19	Net Payroll - Direct Deposits & Checks	\$105,613.34
TOTAL NET WAGES PAYROLL			\$324,673.68

Accounts Payable

PAYROLL VENDORS: TAXES, PERS, DUES, INSURANCE, ETC.			\$287,088.64
OPERATIONS VENDORS: SUPPLIES, CONTRACTS, UTILITIES, ETC.			\$1,388,852.40
TOTAL CASH DISBURSEMENTS - ACCOUNTS PAYABLE (Detail attached)			<u>\$1,675,941.04</u>
GRAND TOTAL CASH DISBURSEMENTS			<u><u>\$2,000,614.72</u></u>

APPROVED BY: _____
LAUREN GILL, TOWN MANAGER

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

TOWN OF PARADISE
CASH DISBUREMENTS REPORT

From Payment Date: 11/1/2019 - To Payment Date: 11/30/2019

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>									
74958	11/04/2019	Open			Accounts Payable	ENTERPRISE FM TRUST	\$1,073.32		
74959	11/04/2019	Open			Accounts Payable	LYNCH, VALERIE	\$393.37		
74960	11/04/2019	Open			Accounts Payable	MOORE, DWIGHT, L.	\$18,579.00		
74961	11/04/2019	Open			Accounts Payable	SBA Monarch Towers III LLC	\$142.32		
74962	11/04/2019	Open			Accounts Payable	TIAA COMMERCIAL FINANCE, INC	\$906.47		
74963	11/04/2019	Open			Accounts Payable	U.S. Bankcorp Government Leasing and Finance	\$10,992.77		
74964	11/04/2019	Open			Accounts Payable	STATE DISBURSEMENT UNIT	\$194.76		
74965	11/06/2019	Open			Accounts Payable	Aflac	\$146.92		
74966	11/06/2019	Open			Accounts Payable	Met Life	\$5,723.07		
74967	11/06/2019	Open			Accounts Payable	OPERATING ENGINEERS	\$850.00		
74968	11/06/2019	Open			Accounts Payable	PARADISE POLICE OFFICERS ASSOCIATION	\$1,522.43		
74969	11/06/2019	Open			Accounts Payable	SUN LIFE INSURANCE	\$3,724.67		
74970	11/06/2019	Open			Accounts Payable	SUPERIOR VISION SVC NGLIC	\$453.93		
74971	11/06/2019	Open			Accounts Payable	TOP CONFIDENTIAL MID MGMT ASSOCIATION	\$80.00		
74972	11/07/2019	Open			Accounts Payable	4LEAF, Inc	\$176,339.88		
74973	11/07/2019	Open			Accounts Payable	ALLIANT INSURANCE	\$152.00		
74974	11/07/2019	Open			Accounts Payable	American Dream Construction, Inc	\$40,075.00		
74975	11/07/2019	Open			Accounts Payable	BHS Balance of Insurance Proceeds	\$4,195.68		
74976	11/07/2019	Open			Accounts Payable	ANIMAL HOSPITAL/VETMOBILE	\$338.05		
74977	11/07/2019	Open			Accounts Payable	AT&T & CALNET3 - CIRCUIT LINES	\$108.98		
74978	11/07/2019	Open			Accounts Payable	AT&T MOBILITY	\$89.46		
74979	11/07/2019	Open			Accounts Payable	AT&T/CALNET3 - REPEATER LINES	\$296.45		
74980	11/07/2019	Open			Accounts Payable	AT&T/CALNET3 - COMMUNITY PARK	\$21.32		
74981	11/07/2019	Open			Accounts Payable	AT&T/CALNET3 - Summary	\$3,832.01		
74982	11/07/2019	Open			Accounts Payable	AT&T/CALNET3 - TH/FDPD FIBER LINES	\$1,113.66		
74983	11/07/2019	Open			Accounts Payable	BHS Balance of Insurance Proceeds	\$31,145.00		
74984	11/07/2019	Open			Accounts Payable	BUTTE REGIONAL TRANSIT	\$108.50		
74985	11/07/2019	Open			Accounts Payable	County of Butte, Department of Public Works	\$82.89		
74986	11/07/2019	Open			Accounts Payable	CRAIG DREBERTS AUTOMOTIVE	\$338.90		
74987	11/07/2019	Open			Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$3,852.00		
74988	11/07/2019	Open			Accounts Payable	EVERGREEN JANITORIAL SUPPLY, INC.	\$211.44		
74989	11/07/2019	Open			Accounts Payable	FERGUSON ENTERPRISES INC	\$387.90		
74990	11/07/2019	Open			Accounts Payable	Golden State Emergency Vehicle Service, Inc.	\$88.42		
74991	11/07/2019	Open			Accounts Payable	GREEN RIDGE LANDSCAPING	\$4,908.56		
74992	11/07/2019	Open			Accounts Payable	Herc Rentals Inc.	\$8,589.75		
74993	11/07/2019	Open			Accounts Payable	Hodge's Nursery	\$1,253.42		

TOWN OF PARADISE
CASH DISBUREMENTS REPORT

From Payment Date: 11/1/2019 - To Payment Date: 11/30/2019

74994	11/07/2019	Open	Accounts Payable	Houdek, Michael	\$15.49	
74995	11/07/2019	Open	Accounts Payable	HYDROTECH SOLUTIONS	\$453.95	
74996	11/07/2019	Open	Accounts Payable	I.M.P.A.C. PAYMENTS IMPAC GOV SVCS/US BANCORP	\$7,397.71	
74997	11/07/2019	Open	Accounts Payable	INLAND BUSINESS MACHINES	\$45.92	
74998	11/07/2019	Open	Accounts Payable	JAMES RIOTTO & ASSOCIATES	\$1,075.00	
74999	11/07/2019	Open	Accounts Payable	KOEFRAN INDUSTRIES	\$250.00	
75000	11/07/2019	Open	Accounts Payable	LIEBERT CASSIDY WHITMORE	\$98.00	
75001	11/07/2019	Open	Accounts Payable	LOCATE PLUS CORPORATION	\$42.94	
75002	11/07/2019	Open	Accounts Payable	Malcolm, Michael	\$3.95	
75003	11/07/2019	Open	Accounts Payable	Meyers Police K-9 Training, LLC	\$600.00	
75004	11/07/2019	Open	Accounts Payable	MILLER GLASS INC	\$37.44	
75005	11/07/2019	Open	Accounts Payable	BHS Balance of Insurance Proceeds	\$102,351.57	
75006	11/07/2019	Open	Accounts Payable	Mt Shasta Spring Water Co., Inc	\$15.20	
75007	11/07/2019	Open	Accounts Payable	NORMAC INC	\$808.25	
75008	11/07/2019	Open	Accounts Payable	NORTHGATE PETROLEUM CO	\$9,278.68	
75009	11/07/2019	Open	Accounts Payable	NORTHSTATE AGGREGATE, INC.	\$1,245.20	
75010	11/07/2019	Open	Accounts Payable	Nutrien	\$994.75	
75011	11/07/2019	Open	Accounts Payable	O'REILLY AUTO PARTS	\$60.65	
75012	11/07/2019	Open	Accounts Payable	OFFICE DEPOT ACCT#36233169	\$204.49	
75013	11/07/2019	Open	Accounts Payable	Omni Pipelines	\$23,525.41	
75014	11/07/2019	Open	Accounts Payable	PACIFIC GAS & ELECTRIC	\$7,998.87	
75015	11/07/2019	Open	Accounts Payable	PARADISE ALLIANCE CHURCH	\$95.00	
75016	11/07/2019	Open	Accounts Payable	PARADISE SANITATION COMPANY	\$1,975.00	
75017	11/07/2019	Open	Accounts Payable	PBM SUPPLY & MFG INC	\$368.93	
75018	11/07/2019	Open	Accounts Payable	PLATT ELECTRIC SUPPLY	\$349.44	
75019	11/07/2019	Open	Accounts Payable	ServiceMaster Restore	\$4,055.76	
75020	11/07/2019	Open	Accounts Payable	Simmons, Rob	\$79.43	
75021	11/07/2019	Open	Accounts Payable	Spherion Staffing	\$2,332.09	
75022	11/07/2019	Open	Accounts Payable	Stratti	\$18,123.39	
75023	11/07/2019	Open	Accounts Payable	THOMAS ACE HARDWARE - ENG. DEPT.	\$1,864.59	
75024	11/07/2019	Open	Accounts Payable	THOMAS ACE HARDWARE - FIRE DEPT.	\$86.14	
75025	11/07/2019	Open	Accounts Payable	THOMAS ACE HARDWARE - POLICE DEPT.	\$11.06	
75026	11/07/2019	Open	Accounts Payable	Tri Flame Propane	\$824.34	
75027	11/07/2019	Open	Accounts Payable	UNITED RENTALS, INC.	\$2,049.73	
75028	11/07/2019	Open	Accounts Payable	VALLEY CLINICAL & CONSULTING SERVICES	\$450.00	
75029	11/07/2019	Open	Accounts Payable	WILSON PRINTING	\$128.70	
75030	11/07/2019	Open	Accounts Payable	North State Audio Visual, Inc	\$2,500.00	
75031	11/13/2019	Voided	Duplicate Payment 11/13/2019	Accounts Payable	MID VALLEY TITLE & ESCROW	\$346,674.24
75032	11/15/2019	Open	Accounts Payable	STATE DISBURSEMENT UNIT	\$194.76	
75033	11/21/2019	Open	Accounts Payable	4LEAF, Inc	\$212,162.11	

TOWN OF PARADISE
CASH DISBUREMENTS REPORT

From Payment Date: 11/1/2019 - To Payment Date: 11/30/2019

75034	11/21/2019	Open	Accounts Payable	ACCESS INFORMATION PROTECTED	\$116.01
75035	11/21/2019	Open	Accounts Payable	ADVANCED DOCUMENT CONCEPTS	\$250.00
75036	11/21/2019	Open	Accounts Payable	Asbury Environmental Services	\$134.69
75037	11/21/2019	Open	Accounts Payable	AT&T & CALNET3 - CIRCUIT LINES	\$1,656.20
75038	11/21/2019	Open	Accounts Payable	Bear Electric Solutions	\$1,425.00
75039	11/21/2019	Open	Accounts Payable	Biometrics4ALL, Inc	\$1,363.26
75040	11/21/2019	Open	Accounts Payable	Bug Smart	\$83.00
75041	11/21/2019	Open	Accounts Payable	Cal Signal Corp	\$840.45
75042	11/21/2019	Open	Accounts Payable	CALIFORNIA STATE DEPARTMENT OF JUSTICE	\$448.00
75043	11/21/2019	Open	Accounts Payable	Collision Pros - Paradise	\$3,494.21
75044	11/21/2019	Open	Accounts Payable	COMCAST CABLE	\$243.16
75045	11/21/2019	Open	Accounts Payable	COMCAST CABLE	\$258.16
75046	11/21/2019	Open	Accounts Payable	COMCAST CABLE	\$286.32
75047	11/21/2019	Open	Accounts Payable	CRAIG DREBERTS AUTOMOTIVE	\$1,052.15
75048	11/21/2019	Open	Accounts Payable	ENTENMANN-ROVIN COMPANY	\$1,587.12
75049	11/21/2019	Open	Accounts Payable	Entersect	\$219.90
75050	11/21/2019	Open	Accounts Payable	Ernst & Young US LLP	\$121,726.00
75051	11/21/2019	Open	Accounts Payable	FP/FRANCOTYP-POSTALIA MAILING SOLUTIONS	\$141.00
75052	11/21/2019	Open	Accounts Payable	Haling and Associates	\$3,700.78
75053	11/21/2019	Open	Accounts Payable	Herc Rentals Inc.	\$2,324.52
75054	11/21/2019	Open	Accounts Payable	Houdek, Michael	\$14.60
75055	11/21/2019	Open	Accounts Payable	I.M.P.A.C. PAYMENTS IMPAC GOV SVCS/US BANCORP	\$862.18
75056	11/21/2019	Open	Accounts Payable	INDUSTRIAL POWER PRODUCTS	\$1,249.81
75057	11/21/2019	Open	Accounts Payable	INLAND BUSINESS MACHINES	\$809.02
75058	11/21/2019	Open	Accounts Payable	JAMES RIOTTO & ASSOCIATES	\$975.00
75059	11/21/2019	Open	Accounts Payable	KOEFRAN INDUSTRIES	\$500.00
75060	11/21/2019	Open	Accounts Payable	Koff & Associates	\$2,680.00
75061	11/21/2019	Open	Accounts Payable	MANN, URRUTIA, NELSON, CAS & ASSOC, LLP	\$9,000.00
75062	11/21/2019	Open	Accounts Payable	Mt Shasta Spring Water Co., Inc	\$85.26
75063	11/21/2019	Open	Accounts Payable	MUNICIPAL CODE CORP	\$1,984.65
75064	11/21/2019	Open	Accounts Payable	NORTH VALLEY BARRICADE, INC.	\$1,820.98
75065	11/21/2019	Open	Accounts Payable	NORTHGATE PETROLEUM CO	\$5,851.37
75066	11/21/2019	Open	Accounts Payable	OFFICE DEPOT ACCT#36233169	\$553.15
75067	11/21/2019	Open	Accounts Payable	PARADISE COUNTER TOPS	\$500.00
75068	11/21/2019	Open	Accounts Payable	PARADISE IRRIGATION DIST	\$87.96
75069	11/21/2019	Open	Accounts Payable	PARADISE POST/NORTH VALLEY COMMITY MEDIA	\$1,296.02
75070	11/21/2019	Open	Accounts Payable	PBM SUPPLY & MFG INC	\$131.98
75071	11/21/2019	Open	Accounts Payable	PEERLESS BUILDING MAINT	\$2,705.00
75072	11/21/2019	Open	Accounts Payable	PETTY CASH CUSTODIAN, HELEN CHEUNG	\$77.38
75073	11/21/2019	Open	Accounts Payable	SINCLAIR'S AUTOMOTIVE & TOWING	\$75.00

TOWN OF PARADISE CASH DISBUREMENTS REPORT

From Payment Date: 11/1/2019 - To Payment Date: 11/30/2019

75074	11/21/2019	Open	Accounts Payable	Snow Hawk Builders	\$400.00
75075	11/21/2019	Open	Accounts Payable	Spherion Staffing	\$2,592.45
75076	11/21/2019	Open	Accounts Payable	Stratti	\$19,501.51
75077	11/21/2019	Open	Accounts Payable	T and S DVBE Inc.	\$6,531.74
75078	11/21/2019	Open	Accounts Payable	Tahoe Pure Water Co.	\$52.50
75079	11/21/2019	Open	Accounts Payable	THOMAS ACE HARDWARE - ENG. DEPT.	\$510.04
75080	11/21/2019	Open	Accounts Payable	THOMAS ACE HARDWARE - FIRE DEPT.	\$28.59
75081	11/21/2019	Open	Accounts Payable	THRIFTY ROOTER	\$99.00
75082	11/21/2019	Open	Accounts Payable	Tri Flame Propane	\$654.46
75083	11/21/2019	Open	Accounts Payable	VALLEY TOXICOLOGY SERVICE	\$92.00
75084	11/21/2019	Open	Accounts Payable	VERIZON WIRELESS	\$2,087.64
75091	11/29/2019	Open	Accounts Payable	STATE DISBURSEMENT UNIT	\$194.76
Type Check Totals:					
128 Transactions					\$1,278,494.46

EFT

929	11/04/2019	Open	Accounts Payable	CALPERS - RETIREMENT	\$27,230.66
930	11/04/2019	Open	Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$5,487.87
931	11/04/2019	Open	Accounts Payable	ING LIFE INS & ANNUITY COMPANY	\$7,898.62
932	11/04/2019	Open	Accounts Payable	INTERNAL REVENUE SERVICE	\$19,038.95
933	11/06/2019	Open	Accounts Payable	CALPERS	\$96,813.45
934	11/13/2019	Open	Accounts Payable	MID VALLEY TITLE & ESCROW	\$347,024.61
935	11/15/2019	Open	Accounts Payable	CALPERS - RETIREMENT	\$26,656.02
936	11/15/2019	Open	Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$5,808.21
937	11/15/2019	Open	Accounts Payable	ING LIFE INS & ANNUITY COMPANY	\$7,898.62
938	11/15/2019	Open	Accounts Payable	INTERNAL REVENUE SERVICE	\$19,707.51
939	11/18/2019	Open	Accounts Payable	STATE BOARD OF EQUALIZATION	\$62.02
940	11/21/2019	Open	Accounts Payable	CALPERS - RETIREMENT	\$123,030.85
941	11/29/2019	Open	Accounts Payable	CALPERS - RETIREMENT	\$25,896.91
942	11/29/2019	Open	Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	\$5,360.00
943	11/29/2019	Open	Accounts Payable	ING LIFE INS & ANNUITY COMPANY	\$7,621.54
944	11/29/2019	Open	Accounts Payable	INTERNAL REVENUE SERVICE	\$18,584.98
Type EFT Totals:					
16 Transactions					\$744,120.82

AP - US Bank TOP AP Checking Totals

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	127	\$931,820.22	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	1	\$346,674.24	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	128	\$1,278,494.46	\$0.00

TOWN OF PARADISE
CASH DISBUREMENTS REPORT

From Payment Date: 11/1/2019 - To Payment Date: 11/30/2019

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	16	\$744,120.82	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	16	\$744,120.82	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	143	\$1,675,941.04	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	1	\$346,674.24	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	144	\$2,022,615.28	\$0.00

Grand Totals:

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	127	\$931,820.22	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	1	\$346,674.24	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	128	\$1,278,494.46	\$0.00

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	16	\$744,120.82	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	16	\$744,120.82	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	143	\$1,675,941.04	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	1	\$346,674.24	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	144	\$2,022,615.28	\$0.00



**Town of Paradise
Council Agenda Summary
Date: December 10, 2019**

Agenda Item: 2(c)

Originated by: Mike Houdek, Public Works Manager
Gina Will, Administrative Services Director

Reviewed by: Lauren Gill, Town Manager

Subject: Emergency Culvert Repairs

Council Action Requested:

1. Approve a resolution declaring an emergency and authorizing repair or replacement of nine culverts without observance of public bidding requirements; and,
2. Authorize the Town Manager to execute the agreements with Visinoni Brothers Construction and Omni Pipelines for the emergency repairs; and,
3. Approve related budget adjustments for the 2019/20 fiscal year; or

Alternatives:

Decline to approve the resolution and request that staff complete a formal bid process thereby postponing the repairs for as much as 30 days.

Background:

When the Camp Fire of November 2018 swept through the Town of Paradise destroying homes and businesses, it also damaged or destroyed public infrastructure including culverts as burning debris melted pipes or burned through storm drains. Burned and weakened culverts were then further damaged or destroyed by the heavy trucks used during the debris removal operations.

Nine culverts have been identified as needing permanent repairs as soon as possible. The first big rain storm, during Thanksgiving week 2019, intensified the urgency to repair the culverts quickly. Roads became dangerous and, in some cases, impassable during heavy rain. Each subsequent storm will further deteriorate roads and present unsafe driving conditions until the repairs are complete.

Discussion:

Staff recommends Council declare an emergency to repair or replace the nine most critical culverts in accordance with Section 20168 of the Public Contract Code. Section 20168 states that in case of an emergency, the Town Council may pass a resolution by a four-fifths vote declaring that the public interest demands an immediate expenditure in order to safeguard life, health or property.

Emergency Culvert Repairs
December 10, 2019

Staff contacted Dudleys' Excavating, Inc., Omni Pipelines, Inc, and Visinoni Brothers Construction about completing the repairs. Dudleys' declined to provide quotes, as they would not be able to schedule the repairs timely. Omni Pipelines and Visinoni Brothers both provided quotes and following were the low bids on each of the culverts.

Merrill Road	Visinoni	\$14,425
Parkwood Way	Visinoni	\$36,700
Pearson at Recreation Drive	Visinoni	\$10,405
Pentz at Stark	Visinoni	\$22,830
Pentz at Sterns Rd #1	Visinoni	\$14,495
Pentz at Sterns Rd #2	Visinoni	\$12,315
Pentz at Vineyard Drive	Visinoni	\$14,375
Pentz at Whitaker Road	Visinoni	\$22,470
Valley View Drive	Omni	\$40,345

Fiscal Analysis:

The cost of these repairs will be accounted for in fund 2090 Camp Fire Recovery, and the funding source will be insurance or FEMA public assistance. Any matching requirements will come from the Gas Tax/Street Maintenance Fund.

**TOWN OF PARADISE
RESOLUTION NO. 19-__**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE
DECLARING AN EMERGENCY AND AUTHORIZING REPAIR OR
REPLACEMENT OF NINE CULVERTS WITHOUT OBSERVANCE OF PUBLIC BIDDING
REQUIREMENTS.**

WHEREAS, the Camp Fire of November 2018 and additionally subsequent debris removal operations damaged or destroyed many culverts within the Town of Paradise; and,

WHEREAS, the recent first major rain storm of 2019 made some roads impassable or extremely dangerous because certain culverts were not properly diverting water away from public streets; and,

WHEREAS, the below listed culverts within the Town of Paradise have been identified as needing to be repaired or replaced immediately in order to prevent further damage to the Town's infrastructure and to prevent flooding and to maintain safe roadways for the general public; and,

Merrill Road
Parkwood Way
Pearson at Recreation Drive
Pentz at Stark Road
Pentz at Sterns Road #1
Pentz at Sterns Road #2
Pentz at Vineyard Drive
Pentz at Whitaker Road
Valley View Drive

WHEREAS, Town staff contacted the three contractors in the area that perform culvert repairs and replacements and found two were willing to provide quotes, but the third declined because of workload.

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

Section 1. The above statements are true and correct.

Section 2. The above facts constitute an emergency situation.

Section 3. Based upon California Public Contract Code sections 20168 and 22050 and the above facts, the Council finds that competitive solicitation for bids to repair and replace the above identified nine culverts would result in exposing the public to flooding. Any delays would further increase the likelihood that each subsequent rain would further damage roads and pose a risk to the general public safety. Therefore, it is necessary to take immediate action to safeguard life, health and public safety.

Section 4. The Town Manager is authorized to execute contracts, make purchases with contractors and suppliers to repair and replace the nine identified culverts in accordance with the Town's guidelines and to take whatever actions are necessary to implement this resolution.

PASSED AND ADOPTED by the Paradise Town Council of the Town of Paradise, County of Butte, State of California, on this 10th day of December, 2019, by the following vote:

AYES:
NOES:
ABSENT:
NOT VOTING:

, Mayor

ATTEST:

APPROVED AS TO FORM:

DINA VOLENSKI, CMC, Town Clerk

DWIGHT L. MOORE, Town Attorney



TOWN OF PARADISE
Council Agenda Summary
Date: December 10th, 2019

Agenda No. 2(d)

ORIGINATED BY: Laura Page, Disaster Recovery Director

REVIEWED BY: Lauren Gill, Town Manager

SUBJECT: Acknowledge donation of \$171,000 from Tri Counties Bank

COUNCIL ACTION REQUESTED: Acknowledge Tri Counties Bank for their donation of \$171,000 to a non-profit organization on behalf of the Town of Paradise. The donation will be used as matching funds for a United States Department of Agriculture (USDA) Grant to purchase a new Fire Engine for the Town of Paradise.

Background: On November 8, 2018 Town of Paradise experienced the most destructive fire in our California's history, the Camp Fire killed 85 people, many who lived in Paradise and damaged or destroyed 14,888 structures (10,764 single family residential) within the Town of Paradise.

The Town of Paradise has submitted a grant application to USDA for a new Fire Truck for the Town of Paradise for a total cost of \$427,942. Part of the grant application is that the Town of Paradise must provide matching funds towards the grant. Tri Counties Bank is willing to donate \$171,000 to provide all of the matching funds.

Discussion: A Town Council resolution provides for the formal presentation and acceptance of donations made to the Town of Paradise. The process provides a tax record for the citizen or organization as well as clear direction to the Finance Director to deposit such donations to specific accounts as requested by donor(s).

As such, the Council is requested to acknowledge the \$171,000 from Tri Counties Bank to be used as matching funds for the grant application with USDA.

Fiscal Impact Analysis: The donation \$171,000 will provide the matching grant funding so that the Town of Paradise General Fund is not impacted.



TOWN OF PARADISE
Council Agenda Summary
Date: December 10, 2019

Agenda No. 2(e)

ORIGINATED BY: Laura Page, Disaster Recovery Director

REVIEWED BY: Lauren Gill, Town Manager

SUBJECT: Award Building Resiliency Center Data Wiring Project

COUNCIL ACTION REQUESTED:

1. Award Contract No. BRC, Data Wiring Project, to True Telecom & Surveillance of Redding, CA in the amount of their Bid of \$10,275.00 and authorize the Town Manager to execute a contract with True Telecom & Surveillance of Redding, CA as approved by the Town Attorney;

Background:

The Building Resiliency Center is currently being refurbished to house the Town's Planning Department, Rebuild Advocates, a satellite office for the Butte County Permitting Department and other services available for residents wanting to rebuild their homes. The building needs to be wired to support IT equipment to support the staff working in the building.

On November 12, 2019, staff issued a Notice to Bidders for the project. The project consists of the installation and termination of CAT 6 data cables and patch panels. Exhibit A of the project entitled, "Special Provisions" contained an itemized description of the scope of work and Exhibit B entitled, "Project Plans" was the schematic of the project and was used for determining the data drop locations. The project Notice was published in the Paradise Post on November 16th and 23rd, posted on the Town of Paradise's webpage, posted to the Public Purchase webpage and sent to Northern Valley Contractor's Exchange for posting.

Analysis:

The bids were due at Town Hall on November 26, 2019 at 1:00pm. Staff didn't receive any bids. Staff contacted the Town Attorney who stated that pursuant to Public Contract Code, Section 20166, if no bids are received for a public works project, the Town Council may have the project done without further complying with public works bidding requirements. Prevailing wages would still apply. Subsequently, Staff received three quotes for the subject work. They are as follows:

1. Consolidated Networks in the amount of \$11,574.64
2. World Telecom & Surveillance, Inc. in the amount of \$11,542.80
3. True Telecom & Surveillance in the amount of \$ 10,275.00

Staff recommends Council award Contract No. BRC, Data Wiring Project, to the lowest bidder True Telecom & Surveillance of Redding, CA in the amount of their bid of \$10,275.00.

If the contract is awarded on December 11, 2019, it is estimated all work would be completed by December 20, 2019 or sooner.

Financial Impact:

All costs associated with the subject project will be covered by the USDA Community Facilities grant award and the required matching funds the Northern Valley Community Foundation, Butte Strong Fund.

Exhibit A Special Provisions

Project: BRC Data Wiring Project
Address: 6295 Skyway, Paradise, CA 95969
Overview: The project consists of the installation and termination of CAT6 data cables and patch panels.

1. Exhibit B, shown below and which is attached hereto and by reference made a part hereof, shall be used for data drop locations.
 - a. RED Triangles denote data location
2. By approval of this contract, Contractor acknowledges receipt of full size Exhibit B, one (1) sheet.
3. Contractor shall coordinate with Paradise Project Manager prior to the installation and placement of all data wiring and equipment.
4. Contractor shall not change any placement of equipment, data cable locations, or related equipment wiring components without the approval of the Paradise Project Manager.
5. Contractor shall install all equipment in compliance with California seismic bracing standards and guidelines.
6. Contractor shall provide necessary wire management routing braces, bracketry and guides to securely and professionally install data wiring in compliance with best practices.
7. Contractor shall use Leviton, Panduit or equal network wiring products and General Brand CAT6 PVC cabling.
 - a. Contractor shall use blue General Brand CAT6 cable for data cables.
 - b. Data cables shall be terminated and identified using White Keystone RJ45 network jacks.
8. Contractor shall use white wall face plates or surface mount boxes.
9. Data outlet boxes shall be mounted at standard electrical outlet height, unless otherwise noted in Exhibit B.
10. Contractor shall include a pulling string with each cable in all conduit locations.
11. Contractor shall use existing conduit and ring and string locations for all drops where available.
12. Contractor shall not install raceway without written approval from Paradise Project Manager.
13. Contractor shall label both ends of data cables to conform to Town of Paradise labeling schema.
14. Contractor shall install Thirty-six (36) data cables to the identified locations on Exhibit B.
15. Contractor shall terminate Sixteen (16) existing cables at wall locations to MDF location.

Exhibit A Special Provisions

16. Contractor shall provide and install two (2) CAT6 48 port RJ45 patch panel to accommodate data cabling. The patch panel shall be installed on the existing communications equipment rack located in Main Distribution Frame (MDF) as identified on Exhibit B.
17. Contractor shall work with Paradise Project Manager on the placement of the guides on the MDF equipment rack.
18. Contractor shall test and certify all new cables and provide a full manufacturer's warranty.
19. Contractor shall provide electronic shop drawing for the installation of the wiring.

All Bids are at Prevailing Wage.

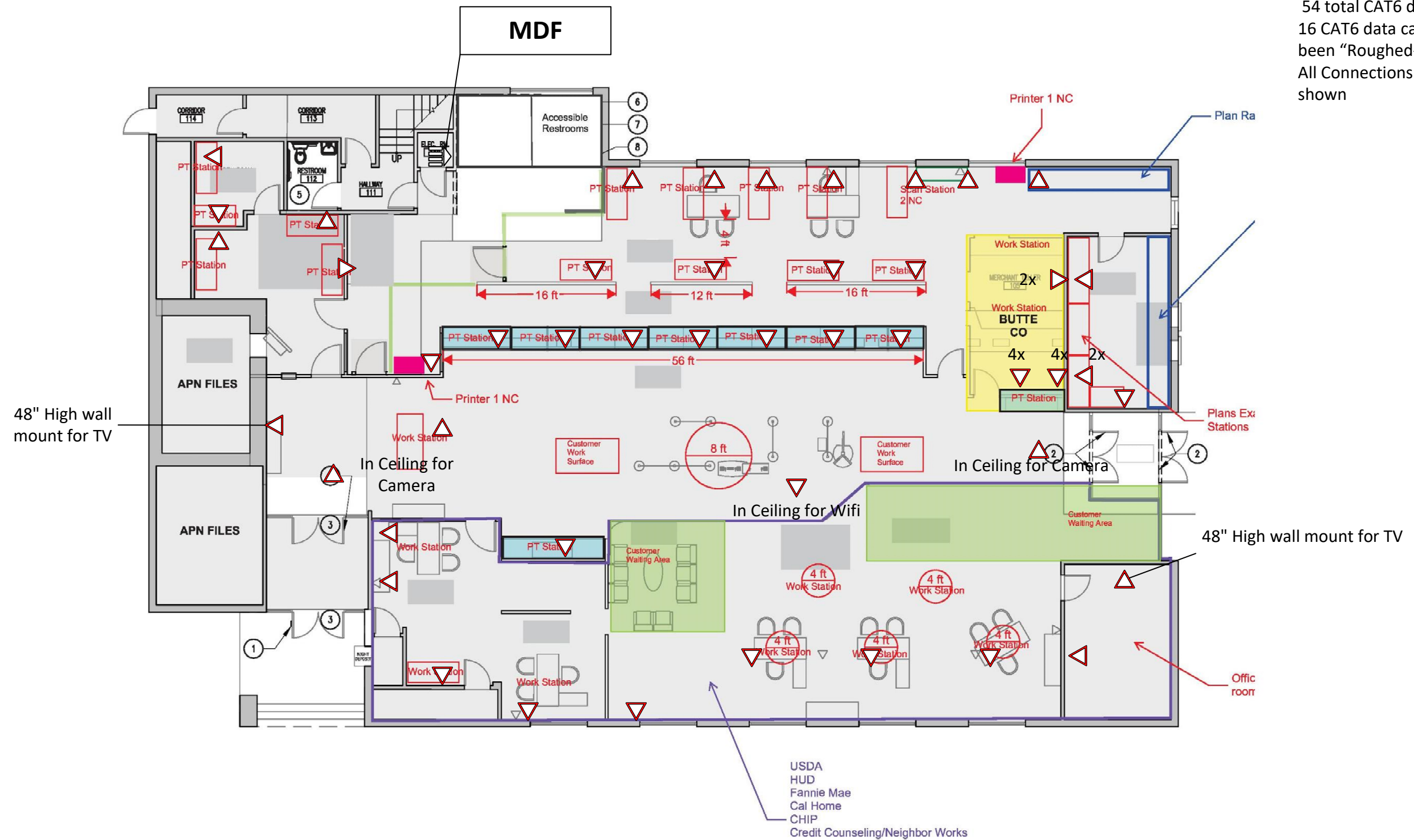
On-Site Preview Wednesday, November 20th, 2019, 1:00PM to 3:00PM, at 6295 Skyway, Paradise, CA 95969

Bid must be submitted by 1:00PM November 26, 2019 at:

Town of Paradise
5555 Skyway
Paradise CA, 95969
Attention: Laura Page, Disaster Recovery Director

EXHIBIT B

PROJECT PLANS



54 total CAT6 data drops,
16 CAT6 data cables have previously
been "Roughed-In"
All Connections terminate to MDF as
shown

SHEET NOTES:

- B. REFER TO GENERAL NOTES 0.10.



**Town of Paradise
Council Agenda Summary
Date: December 10, 2019**

Agenda Item: 2(f)

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

Reviewed by: Lauren Gill, Town Manager

Subject: Accounts Receivable Write Off

Council Action Requested:

Approve write off of uncollectible miscellaneous invoices and citations which are attached as Exhibit A.

Alternatives:

Direct staff to continue collection efforts.

Background:

Periodically the Town will bill citizens or businesses for special services; to recover costs associated with animal control activities; repairing public property; or to collect bank returned checks. In addition, for the safety of the community, code enforcement staff will issue administrative citations to individuals that aren't willing to comply with requests to correct code enforcement violations. If the invoice is not paid within 30 days, Town staff begins a vigorous collection process that generally takes about six months. During this time staff is sending frequent correspondence, utilizing web-based location services, and offering payment plan options.

After exhausting all collection attempts, the Town turns accounts receivables that cannot be leveraged through real property liens over to a collection agency for continued collection efforts. Occasionally the collection agency will secure a payment and then shares the collection with the Town. Most often, the collection agency is also not successful as the payee is deemed to be insolvent or simply impervious to collections.

On an annual basis the miscellaneous accounts receivable sub-ledger is reviewed for bad debt. Staff identifies which accounts have gone through both Town collection and collection agency collection processes and have not shown any activity for over a year. It is best practice to complete this progress on annual basis so as not to overstate receivables with uncollectible amounts and to create too large of a "bad debt" expense on any one fiscal year. It is important to note that administrative citations and police restitution activities are recorded on a cash basis meaning that they are not recorded as revenue until actually paid. Therefore, the write off of these receivables has no negative impact to the financials of the Town as they haven't been recorded to the income statement or balance sheet.

Discussion:

This receivable write off request is larger than usual for two reasons.

1. Collections this past year were further complicated by the realities of the Camp Fire. Activities and violations that occurred just prior to the Camp Fire in most cases are no longer relevant. Staff attempted to use its usual methods of contacting citizens and businesses for collection, but most of those individuals are unreachable. Because staff was unable to reach these individuals, it doesn't seem appropriate to turn those invoices over to collections or to lien property where the violation no longer exists. Staff is actively pursuing collections for activities that have occurred after the Camp Fire.
2. The last receivable write off was brought forward in March 2018; therefore, its been 20 months since the last adjustment.

The Town is not prevented from recording payments on any of these write offs should a payment be collected later.

Fiscal Analysis:

Experience has shown that certain receivables are less likely to be collected and that it takes time for citations to be paid, so revenues are not recorded for these invoices until received. Therefore, the recommended write offs will update the Town's books, but the impact to the Town's income statement are relatively small as follows:

General Fund	\$727.16
Building Safety & Wastewater	90.58
Animal Control	893.73
Gas Tax/Street Maintenance	1,507.58
Tech Equipment Replacement Fund	169.24
Total	<u>\$3,388.29</u>

EXHIBIT A

Town of Paradise Accounts Receivable Write Off Schedule December 10, 2019

Invoice	Customer	Due Date	Invoice Amount	Finance Charges/Late Penalty	Payments	Balance
1010 – Administrative Citations (fire prevention, solid waste and nuisance abatement)						
*revenue not recorded						
2018-01	2669	09/30/17	100.00	100.00	0	200.00
2018-18	2653	09/02/17	200.00	200.00	160.00	240.00
2018-61	79	05/31/18	100.00	100.00	20.00	180.00
2018-65	2807	06/16/18	100.00	100.00	0	200.00
2018-67	2808	06/16/18	100.00	100.00	0	200.00
2018-72	2004	07/04/18	500.00	500.00	0	1,000.00
2018-73	2776	07/08/18	500.00	500.00	0	1,000.00
2018-91	2741	02/15/18	100.00	100.00	0	200.00
2018-97	2825	07/19/18	100.00	100.00	0	200.00
2018-98	2638	07/28/18	100.00	100.00	0	200.00
2018-131	2004	07/04/18	100.00	100.00	0	200.00
2018-134	2004	07/14/18	200.00	200.00	0	400.00
2018-135	2004	07/14/18	200.00	200.00	0	400.00
2019-01	2384	08/09/18	100.00	100.00	0	200.00
2019-01	2414	08/05/18	100.00	100.00	0	200.00
2019-01	2847	08/05/18	100.00	100.00	0	200.00
2019-02	2638	08/19/18	500.00	500.00	0	1,000.00
2019-02	2850	08/05/18	100.00	100.00	0	200.00
2019-03	2004	08/19/18	500.00	500.00	0	1,000.00
2019-03	2855	08/19/18	100.00	100.00	0	200.00
2019-04	79	08/05/18	200.00	200.00	0	400.00
2019-04	2004	08/19/18	400.00	400.00	0	800.00
2019-04	2638	08/10/18	200.00	200.00	0	400.00
2019-05	1849	08/31/18	500.00	500.00	0	1,000.00
2019-05	2854	08/19/18	100.00	100.00	0	200.00
2019-05	2855	08/31/18	200.00	200.00	0	400.00
2019-06	2638	08/31/18	500.00	500.00	0	1,000.00
2019-07	2194	09/06/18	100.00	100.00	0	200.00
2019-07	2864	09/06/18	100.00	100.00	0	200.00
2019-08	1977	09/06/18	100.00	100.00	0	200.00
2019-09	2877	10/14/18	100.00	100.00	0	200.00
2019-10	2855	09/15/18	500.00	500.00	0	1,000.00
2019-10	2889	10/31/18	100.00	100.00	0	200.00
2019-11	2638	09/23/18	500.00	500.00	0	1,000.00

Invoice	Customer	Due Date	Invoice Amount	Finance Charges/Late Penalty	Payments	Balance
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2019-12	1380	09/23/18	600.00	600.00	0	1,200.00
2019-12	1977	09/23/18	200.00	200.00	0	400.00
2019-12	2877	11/23/18	200.00	0	0	200.00
2019-13	2194	09/23/18	200.00	200.00	0	400.00
2019-14	2874	09/30/18	100.00	100.00	0	200.00
2019-14	2907	11/30/18	100.00	0	0	100.00
2019-16	2194	10/06/18	500.00	500.00	0	1,000.00
2019-17	1977	10/06/18	500.00	500.00	0	1,000.00
2019-18	2855	10/06/18	500.00	500.00	0	1,000.00
2019-19	2638	10/06/18	500.00	500.00	0	1,000.00
2019-20	2156	10/14/18	100.00	100.00	0	200.00
2019-22	2194	10/24/18	500.00	500.00	0	1,000.00
2019-24	2874	10/24/18	200.00	200.00	0	400.00
2019-25	2156	10/24/18	200.00	200.00	0	400.00
2019-26	2855	10/28/18	500.00	500.00	0	1,000.00
2019-27	1380	10/24/18	1,500.00	1,500.00	0	3,000.00
2019-27	2726	10/28/18	100.00	100.00	0	200.00
2019-28	2638	10/28/18	500.00	500.00	0	1,000.00
2019-29	2707	10/31/18	100.00	100.00	0	200.00
2019-30	1409	10/28/18	200.00	0	0	200.00
2019-30	2887	10/31/18	100.00	100.00	0	200.00
2019-31	2675	10/31/18	100.00	100.00	0	200.00
2019-32	2893	10/31/18	100.00	100.00	0	200.00
2019-34	1738	11/11/18	500.00	0	0	500.00
2019-34	2156	11/11/18	500.00	0	0	500.00
2019-35	2874	11/11/18	500.00	0	0	500.00
2019-36	1738	11/11/18	500.00	0	0	500.00
2019-36	2194	11/11/18	500.00	0	0	500.00
2019-37	2855	11/11/18	500.00	0	0	500.00
2019-38	1738	11/18/18	500.00	0	0	500.00
2019-38	2638	11/11/18	500.00	0	0	500.00
2019-39	2726	11/11/18	200.00	0	0	200.00
2019-40	2902	11/18/18	100.00	0	0	100.00
2019-40	2903	11/18/18	100.00	0	0	100.00
2019-41	1409	11/30/18	400.00	0	0	400.00
2019-42	2675	11/18/18	200.00	0	0	200.00
2019-43	2194	11/23/18	500.00	0	0	500.00
2019-44	1900	11/30/18	1,000.00	0	0	1,000.00
2019-44	2638	11/23/18	500.00	0	0	500.00
2019-45	2855	11/23/18	500.00	0	0	500.00
2019-46	2874	11/23/18	500.00	0	0	500.00

Invoice	Customer	Due Date	Invoice Amount	Finance Charges/Late Penalty	Payments	Balance
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2019-47	2156	11/23/18	500.00	0	0	500.00
1010 – Police Restitution or DUI						
*revenue not recorded						
2014-01	2015	04/30/14	610.33	0	0	610.33
2014-02	2005	04/27/14	462.10	207.90	0	670.00
2014-02	2016	04/30/14	223.58	0	0	223.58
2014-03	1989	03/24/14	643.25	289.50	0	932.75
2014-08	1984	03/24/14	1,099.86	561.00	0	1,660.86
2014-09	2006	04/27/14	357.33	37.52	0	394.85
2014-10	1980	03/24/14	415.45	211.82	0	627.27
2014-15	2038	06/20/14	1,145.96	727.06	0	1,873.02
2014-16	2039	06/20/14	743.91	490.21	0	1,234.12
2014-17	2040	06/20/14	754.72	497.36	0	1,252.08
2014-18	2041	06/20/14	1,358.42	895.23	0	2,253.65
2014-19	2038	07/08/14	250.00	158.61	0	408.61
2014-20	2054	07/08/14	616.91	391.40	0	1,008.31
2014-21	2053	07/08/14	1,490.32	163.70	0	1,654.02
2014-22	2039	07/08/14	2,904.74	1,842.97	0	4,747.71
2014-23	2051	07/08/14	901.75	572.15	0	1,473.90
2015-01	2169	01/02/15	195.60	0	0	195.60
2015-02	2242	05/06/15	44.79	0	0	44.79
2015-03	2133	11/15/14	251.44	130.05	0	381.49
2015-04	2134	11/15/14	922.73	498.24	0	1,420.97
2015-05	2135	11/15/14	658.95	355.79	0	1,014.74
2015-06	2189	02/27/15	820.92	388.08	0	1,209.00
2015-08	2187	02/27/15	996.54	608.19	0	1,604.73
2015-09	2192	03/02/15	1,699.91	957.19	0	2,657.10
2015-10	2135	03/11/15	125.00	56.37	0	181.37
2015-11	2205	03/11/15	3,301.85	1,488.96	0	4,790.81
2016-01	2387	12/17/15	210.00	0	0	210.00
2016-02	2359	10/30/15	1,008.35	309.90	0	1,318.25
2017-01	2496	09/11/16	1,550.09	358.82	0	1,908.91
2017-02	2624	07/06/17	4,113.27	0	0	4,113.27
2017-03	2478	09/11/16	386.58	133.98	0	520.56
2017-04	2479	09/11/16	528.49	183.18	0	711.67
2017-05	2497	09/11/16	532.41	122.26	0	655.67
2017-07	2499	09/11/16	285.05	66.01	0	351.06
2017-08	2500	09/11/16	451.93	156.59	0	608.52
2017-09	2536	11/17/16	808.92	248.38	0	1,057.30
2018-02	2781	05/09/18	85.65	0	0	85.65

Invoice	Customer	Due Date	Invoice Amount	Finance Charges/Late Penalty	Payments	Balance
2018-06	2774	04/05/18	1,017.14	78.61	0	1,095.75
2018-04	2731	02/03/18	832.90	91.48	0	924.38
2018-07	2777	04/26/18	613.50	47.41	0	660.91
2018-08	2778	04/26/18	459.03	35.48	0	494.51
2019-01	2858	08/22/18	851.82	25.75	0	877.57
2019-02	2886	11/04/18	220.00	0	0	220.00
2019-03	2862	09/05/18	686.08	10.29	0	696.37
2019-03	2899	11/17/18	152.26	0	0	152.26
2019-04	2873	10/04/18	1,154.49	0	0	1,154.49
2019-05	2878	10/20/18	736.50	0	0	736.50
1010 – Returned Check & Planning Fees						
2015-01	2176	04/17/15	531.67	15.96	0	547.63
2017-02	2566	12/03/16	204.75	0	0	204.75
2017-03	2566	01/12/17	75.57	0	0	75.57
2017-05	2602	04/06/17	120.20	0	0	120.20
2018-03	2700	05/04/18	225.57	0	0	225.57
2019-04	2897	10/31/18	343.58	0	0	343.58
1010 Totals			1,501.34	15.96	0	1,517.30
2030 – Administrative Citations (Building and Onsite)						
*revenue not recorded						
2017-135	2384	07/20/17	100.00	100.00	0	200.00
2018-16	2384	08/27/17	200.00	200.00	0	400.00
2018-57	2384	11/26/17	500.00	500.00	500.00	500.00
2018-80	2384	02/10/18	500.00	500.00	0	1,000.00
2018-98	1363	03/23/18	100.00	100.00	0	200.00
2018-105	2770	05/09/18	200.00	200.00	20.00	380.00
2018-112	2492	06/14/18	100.00	100.00	0	200.00
2018-114	2206	07/06/18	100.00	100.00	0	200.00
2018-115	2815	07/04/18	100.00	100.00	0	200.00
2018-119	2818	07/08/18	100.00	100.00	0	200.00
2018-122	1873	07/08/18	100.00	100.00	0	200.00
2019-01	2206	08/09/18	200.00	200.00	0	400.00
2019-03	2854	08/19/18	100.00	100.00	0	200.00
2019-04	2384	09/13/18	500.00	500.00	0	1,000.00
2019-05	2871	09/23/18	100.00	100.00	0	200.00
2019-08	2871	10/31/18	200.00	200.00	0	400.00
2019-09	2270	10/31/18	100.00	100.00	0	200.00
2019-11	844	10/31/18	100.00	100.00	0	200.00
2019-14	160	10/31/18	100.00	100.00	0	200.00
2019-15	2891	10/31/18	100.00	100.00	0	200.00

Invoice	Customer	Due Date	Invoice Amount	Finance Charges/Late Penalty	Payments	Balance
2019-16	2896	11/11/18	100.00	0	0	100.00
2030 – Community Safety Services and Onsite Fees						
2016-15	2424	04/01/16	56.00	7.50	0	63.50
2018-02	2635	08/08/18	33.08	0	0	33.08
2030 Totals			89.08	7.50	0	96.58
2070 – Administrative Citations (Animal Control)						
*revenue not recorded						
2016-41	2388	02/05/16	600.00	600.00	0	1,200.00
2016-50	2428	02/25/16	200.00	200.00	0	400.00
2016-52	1097	02/25/16	2,000.00	2,000.00	200.00	3,800.00
2016-60	2444	05/06/16	100.00	100.00	0	200.00
2016-61	2445	05/07/16	200.00	200.00	0	400.00
2016-64	2447	05/20/16	100.00	100.00	0	200.00
2016-69	2457	06/05/16	200.00	100.00	100.00	200.00
2016-72	2459	06/24/16	400.00	400.00	0	800.00
2016-73	2434	07/23/16	200.00	200.00	0	400.00
2016-74	2464	06/30/16	200.00	200.00	0	400.00
2016-75	515	06/30/16	200.00	200.00	0	400.00
2016-77	2483	07/30/16	100.00	100.00	0	200.00
2016-78	2484	07/22/16	100.00	100.00	0	200.00
2017-07	2485	08/17/16	200.00	200.00	125.00	275.00
2017-08	2488	08/29/16	200.00	200.00	0	400.00
2017-12	2510	09/30/16	100.00	100.00	0	200.00
2017-13	2512	10/09/16	200.00	200.00	0	400.00
2017-14	2516	09/30/16	100.00	100.00	0	200.00
2017-23	1462	10/27/16	200.00	0	0	200.00
2017-24	1462	12/02/16	300.00	300.00	0	600.00
2017-30	2457	02/14/17	200.00	200.00	0	400.00
2017-32	2585	02/19/17	200.00	200.00	0	400.00
2017-37	2604	04/22/17	200.00	200.00	0	400.00
2017-48	2622	07/05/17	200.00	200.00	0	400.00
2018-08	2677	10/14/17	200.00	200.00	0	400.00
2018-18	2697	11/18/17	300.00	300.00	0	600.00
2018-19	2698	11/18/17	200.00	200.00	0	400.00
2018-20	2699	10/15/17	100.00	100.00	100.00	100.00
2018-29	2733	02/10/18	100.00	100.00	0	200.00
2018-40	2812	06/30/18	200.00	200.00	0	400.00
2018-45	2828	07/19/18	200.00	200.00	0	400.00
2018-46	2829	07/19/18	200.00	200.00	0	400.00

Invoice	Customer	Due Date	Invoice Amount	Finance Charges/Late Penalty	Payments	Balance
2018-58	2840	07/28/18	100.00	100.00	0	200.00
2018-61	2843	07/28/18	200.00	200.00	0	400.00
2018-62	2845	07/28/18	100.00	100.00	40.00	160.00
2019-02	2849	08/05/18	100.00	100.00	0	200.00
2019-03	2619	08/05/18	700.00	700.00	0	1,400.00
2019-05	2856	08/19/18	200.00	200.00	0	400.00
2019-07	2857	08/19/18	100.00	100.00	0	200.00
2019-08	2816	08/19/18	100.00	100.00	0	200.00
2019-09	2831	08/10/18	100.00	100.00	0	200.00
2019-10	1385	08/31/18	100.00	100.00	0	200.00
2019-15	2619	09/30/18	200.00	200.00	0	400.00
2019-18	2875	10/10/18	200.00	200.00	0	400.00
2019-19	2816	10/10/18	300.00	300.00	0	600.00
2019-22	2881	10/24/18	500.00	500.00	0	1,000.00
2019-24	2883	10/28/18	200.00	200.00	0	400.00
2019-25	2884	10/28/18	100.00	100.00	0	200.00
2019-27	2888	10/31/18	300.00	300.00	0	600.00
2019-30	2901	11/18/18	300.00	0	0	300.00
2019-31	2094	11/30/18	100.00	0	0	100.00
2019-33	1745	11/30/18	200.00	0	0	200.00
2019-34	2908	11/30/18	200.00	0	0	200.00
2019-45	2831	11/30/18	300.00	0	0	300.00
2019-46	2865	11/30/18	100.00	0	0	100.00
2019-47	2935	12/02/18	100.00	0	0	100.00
2070 – Animal Control Misc. Billing						
2017-11	2577	02/26/17	111.39	5.09	0	116.48
2018-02	2779	05/03/18	610.30	37.44	0	647.74
2019-01	2852	08/10/18	125.71	3.80	0	129.51
2070 Totals			847.40	46.33	0	893.73
2120 – Public Works Misc. Billing						
2016-08	2452	05/25/16	370.37	47.41	0	417.78
2016-10	2455	06/05/16	107.77	15.90	40.00	83.67
2017-01	2568	01/27/17	242.80	38.51	0	281.31
2017-02	2609	05/04/17	169.09	11.62	0	180.71
2018-05	2782	05/11/18	342.85	18.78	0	361.63
2018-06	2777	05/11/18	327.76	17.96	0	345.72
2120 Totals			1,560.64	150.18	40.00	1,670.82



TOWN OF PARADISE
Council Agenda Summary
Date: December 10th, 2019

Agenda No. 2(g)

ORIGINATED BY: Dina Volenski, Town Clerk

REVIEWED BY: Lauren Gill, Town Manager

SUBJECT: Accept donation of the Ridge Key Phoenix from Jessie Mercer

COUNCIL ACTION REQUESTED: Accept the donation of the Ridge Key Phoenix sculpture from Jessie Mercer for display at the Building Resiliency Center (BRC) located at 6295 Skyway in Paradise California beginning on November 8, 2019.

Background: On November 8, 2018 Town of Paradise experienced the most destructive fire in our California's history, the Camp Fire killed 85 people, many who lived in Paradise and damaged or destroyed 14,888 structures (10,764 single family residential) within the Town of Paradise.

Jessie Mercer is the artist and concept creator of the Ridge Key Phoenix sculpture made from thousands of keys belonging to survivors and the departed which no longer have a lock to fit. Jessie Mercer has generously created and agreed to donate the Ridge Key Phoenix to the Town of Paradise BRC located at 6295 Skyway for all of the citizens to admire and use as a symbol of remembrance.

Discussion: A Town Council resolution provides for the formal presentation and acceptance of donations made to the Town of Paradise. The process provides a tax record for the citizen or organization as well as clear direction to the Finance Director to deposit such donations to specific accounts as requested by donor(s).

As such, the Council is requested to accept the Ridge Key Phoenix from Jessie Mercer.

Fiscal Impact Analysis: There is no financial impact to the Town of Paradise.

11.8.2019

To Whom it May Concern,

My name is Jessie Mercer, and I am the artist and concept creator of the Ridge Key Phoenix sculpture made from thousands of keys belonging to survivors and the departed, which no longer have a lock to fit. The sculpture has been gifted for display at the Butte Resiliency Center on 6295 Skyway in Paradise California beginning 11.8.2019.

This letter is confirmation and clarification for the display, ownership, and rights of the sculpture once installed at said location on 11.7.2019.

The artist, Jessie Mercer, is to be informed if there is a desire or need to move the sculpture to another location either in the facility listed above, or a new location within the town of Paradise. The sculpture is not to be moved outside the town of Paradise without approval of the artist Jessie Mercer. The artist, Jessie Mercer agrees to move, adjust, or transport the sculpture if the occasion arises in the future.

The sculpture is never to be sold for any reason, both by the artist or the town of Paradise. The sculpture is not for sale. The Ridge Key Phoenix is priceless.

The sculpture must be properly be secured at location (or future locations) to the best extent possible of the location. This may include: roping off surrounding area of sculpture so no person/child can harm either themselves or the sculpture, having sculpture always remain indoors, having the facility locked and or alarmed after citizen hours are over. Due to the integrity of the material used to create the sculpture the location in which it sits, has a duty to protect the piece to the best of their abilities.

The sculpture, its creation, and the concept design will always be accredited to the artist Jessie Mercer.

If at any time, the sculpture is damaged/destroyed, the artist Jessie Mercer will be contacted for repair or removal. A detailed explanation of damage will be expected upon needing repair. The artist, Jessie Mercer is the only individual permitted to "fix" or alter the sculpture in any fashion.

The artist Jessie Mercer, is gifting the display of the Ridge Key Phoenix to the town of Paradise for as long as time shall go. The ownership of the piece will always belong to artist Jessie Mercer, and if the above agreements are not met, the artist Jessie Mercer will remove the sculpture from the location not fitting the safety issues that would cause such action.

The artist Jessie Mercer, will not remove the piece from the town unless the two conditions occur:

1. The sculpture is being mistreated, used for financial gain, damaged, or not protected properly
2. If a museum asks the artist Jessie Mercer to do LESS than a one-month loan, for a fee suitable for the transfer/for substantial amount; upon which Jessie Mercer agrees to share the funds with the town of Paradise for programs that benefit the community directly.

Sincerely,

Jessie Mercer



**Town of Paradise
Council Agenda Summary
Date: December 10, 2019**

Agenda Item: 2(h)

Originated by: Gina Will, Administrative Services Director

Reviewed by: Lauren Gill, Town Manager

Subject: CAL FIRE Contract Amendment

Council Action Requested:

Approve Resolution No. 19-___, A Resolution approving the Department of Forestry and Fire Protection "Amendment" for services from 7/1/2017 to 6/30/2021, contract 2CA03518

Background:

The Town and CAL FIRE entered into a not to exceed \$15.7 million agreement for fire protection personnel services from July 1, 2017 through June 30, 2021.

Recently Town Council approved accepting the award of a FEMA SAFER Grant for four firefighters for three years starting March 11, 2020. At the time of award, Fire Suppression had 14 filled positions and one vacancy. With the 4 firefighters from the SAFER grant, the department will be required to maintain 18 positions for three years. One of the SAFER firefighters will be used to fill the vacancy. The other three SAFER firefighters will be used, as much as possible, to backfill behind training days, vacations and sick leave. The Town will be reimbursed for all four firefighters through the grant and overtime savings will be created.

Discussion:

The Town and CAL FIRE wish to memorialize the personnel staffing arrangement discussed in light of the SAFER grant in an amended agreement. As discussed, the SAFER grant will allow the CAL FIRE to be even more proactive regarding fire prevention. There will be more resources to do community outreach and education on defensible space requirements. They will also be able to assist code enforcement with identifying hazardous properties.

CAL FIRE is committed to providing cost savings while maintaining appropriate staffing levels. This important partnership, since 2012, has afforded the Town a higher level of service with access to an entire system of resources.

Fiscal Analysis:

The amended agreement for July 1, 2017 through June 30, 2021 is for an amount not to exceed \$16.4 million. The additional costs are reimbursable through the SAFER grant.

CAL FIRE Personnel Services Amendment
December 10, 2019

1. It includes an increase of \$180,525 for 2019/20 for 3 SAFER grant firefighters for 4 months.
2. It includes an increase of \$464,666 for 2020/21 for 3 SAFER grant firefighters for 12 months less overtime savings.

**TOWN OF PARADISE
RESOLUTION NO. 19-__**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE,
CALIFORNIA, APPROVING THE DEPARTMENT OF FORESTRY AND FIRE
PROTECTION "AMENDMENT" FOR SERVICES FROM 7/1/2017 TO 6/30/2021,
CONTRACT 2CA03518**

WHEREAS, the Town of Paradise has been awarded a FEMA SAFER grant which will reimburse the Town for four firefighters for three years starting 03/11/2020; and

WHEREAS, the Town and CAL FIRE wish to amend their agreement for fire protection services, Agreement 2CA03518, in order to reflect the staffing levels to which they concur.

NOW, THEREFORE BE IT RESOLVED BY the Town Council of the Town of Paradise:

SECTION 1. The Town Council does hereby approve the agreement amendment with the California Department of Forestry and Fire Protection (CAL FIRE) dated December 10, 2019. This agreement provides Fire Protection Services during the Town fiscal year 2017/2018 through fiscal year 2020/21.

SECTION 2. The Town Manager of the Town of Paradise be and hereby is authorized to sign and execute the attached agreement amendment on behalf of the Town of Paradise.

PASSED AND ADOPTED by the Town Council of the Town of Paradise this 10th day of December, 2019 by the following vote:

AYES:
NOES:
ABSENT:
NOT VOTING:

, Mayor

ATTEST:

BY: _____
Dina Volenski, CMC, Town Clerk

APPROVED AS TO LEGAL FORM:

BY: _____
Dwight L. Moore, Town Attorney

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

LG-1A REV. 1/2017

AGREEMENT
NUMBER

AMENDMENT
NUMBER

☒ CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED 4 Pages

2CA03518

1

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

STATE AGENCY'S NAME

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

LOCAL AGENCY'S NAME

Town of Paradise

2. The term of this Agreement is: July 1, 2017 through June 30, 2021

3. The maximum amount of this Agreement is: \$ 16,376,315.00
Sixteen million, three hundred seventy-six thousand, three hundred fifteen dollars and no cents.

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

This amendment adds funding to an existing contract. The increase adds (3) firefighter II's for each year of the remainder of the contract as part of a grant. This amendment will add \$180,525.00 for fiscal year 19/20 and \$464,666.00 for fiscal year 20/21 for a total of \$645,191.00.

All other terms and conditions shall remain the same.

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

LOCAL AGENCY

LOCAL AGENCY'S NAME

Town of Paradise

BY (Authorized Signature)



DATE SIGNED(Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

ADDRESS

*California Department of General
Services Use Only*

STATE OF CALIFORNIA

AGENCY NAME

California Department of Forestry and Fire Protection

BY (Authorized Signature)



DATE SIGNED(Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

Don Gordon, Assistant Deputy Director, Cooperative Fire Protection, Training & Safety

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



TOWN OF PARADISE
Council Agenda Summary
Date: December 10, 2019

AGENDA NO. 2(i)

ORIGINATED BY: Gina Will, Administrative Services Director

REVIEWED BY: Lauren Gill, Town Manager

SUBJECT: Surplus Town Assets

COUNCIL ACTION REQUESTED: Adopt Resolution No. 19-___, A Resolution of the Town Council of the Town of Paradise declaring surplus assets as of June 30, 2019, and authorizing the destruction or disposal of said surplus.

BACKGROUND: Buildings and equipment were destroyed in the 2018 Camp Fire as the fire swept through Town. Many of these items were capitalized assets of the Town and have been included in its financial records. In order to correct records and properly report financial position, staff is requesting that the items detailed in the attached resolution be declared as surplus so that they can be disposed of in a legally appropriate manner.

DISCUSSION: Staff is working with Ernst and Young and Town Insurance to identify all the items destroyed in the Camp Fire especially at the Public Works Corporation Yard. As the Town's items were insured at market value, the Town will create an overall budget and plan for the items that it will replace.

FISCAL IMPACT: These items will be replaced systematically through insurance or FEMA public assistance. They will be replaced in line with the overall replacement budget, priorities and plan. Staff will seek approval from Town Council if budget adjustments are needed and as required by the procurement policy.

**TOWN OF PARADISE
RESOLUTION NO. 19-____**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE,
CALIFORNIA, DECLARING SURPLUS ASSETS AS OF JUNE 30, 2019, AND
AUTHORIZING THE DESTRUCTION OR DISPOSAL OF SAID SURPLUS.**

WHEREAS, the Town of Paradise wishes to update its records as of June 30, 2019 and dispose of assets that were destroyed or severely damaged in the 2018 Camp Fire, and;

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

Section 1. The Town hereby declares that the following assets surplus as of June 30, 2019, to be disposed of and/or destroyed as appropriate:

		Original Value	Book Value
PS – Fire Station Pentz	Bldg. at Pentz and Pearson	72,885	50,326
PS – FS3	Station 83 Building Improvements	126,980	41,754
PS – BI 1985	PW Corp Yard Bldg. & Improvements	46,842	0
GG – BI 1996	PW Table and Fencing	2,146	256
PS – PD26	1999 Jeep Cherokee	10,500	0
PWS – PWTR1	2001 Interstate Flatbed Trailer	3,780	0
PWS – PWTR2	1988 Polak Utility Trailer	3,750	0
PWS – PWTR3	1988 Temco Sprayer Trailer	4,250	0
PWS – PWTR4	1984 Tagal Thermo Plastic Trailer	3,175	0
PWS – 2017 101	2017 Tree/Brush Chipper	37,129	25,371
PWS – 2017 102	2 of 6 Radios and Charger Base	5,000	4,000
PWS – 140	Caterpillar CB214C Asphalt Roller	24,075	0
PWS – 266	Case Loader Tractor 570XMT	64,262	0
PWS – OE 2015 100	Snow Plow Equipment	6,685	4,401
PS – 114	Motorola Radio Repeater – Sta 83	24,800	0
PWS – 110	Motorola Radio Repeater -	11,754	0
PW18	2002 555E Case Loader	0	0

PASSED AND ADOPTED by the Town Council of the Town of Paradise this 10th day of December, 2019, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

, Mayor

ATTEST:

APPROVED AS TO FORM:

By: _____
Dina Volenski, CMC, Town Clerk

By: _____
Dwight L. Moore, Town Attorney



Town of Paradise

Council Agenda Summary

Agenda Item: 5 (a)

Date: December 10, 2019

ORIGINATED BY: Susan Hartman, Community Development Director
REVIEWED BY: Lauren M. Gill, Town Manager
SUBJECT: Public Hearing; Planning Commission Recommendation for Town Council Adoption of a Paradise General Plan Land Use Map Amendment and Property Rezone for an Application Identified as (McAFEE: PL19-00227)

COUNCIL ACTION REQUESTED:

Conduct the duly noticed and scheduled public hearing related to this agenda item. Upon conclusion of this public hearing, introduce and adopt the Planning Commission's recommended actions:

PLANNING COMMISSION RECOMMENDATIONS: Adopt a MOTION TO:

1. Concur with the Planning Director's determination that the project application is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061 (General Rule Exemption); **AND**
2. Concur with the project recommended Paradise General Plan Land Use Map amendment and rezone action adopted by the Planning Commission on November 19, 2019, and embodied within Planning Commission Resolution No. 19-6; **AND**
3. Adopt Town of Paradise Resolution No. 19-_____, "A Resolution of the Town Council of the Town of Paradise Amending the Land Use Map of the 1994 Paradise General Plan (McAFEE: PL19-00227); **AND**
4. Waive the first reading of Town of Paradise Ordinance No. _ and read by title only (roll call vote); **AND**
5. Introduce Town of Paradise Ordinance No. _____, "An Ordinance Rezoning Certain Real Property From "AR-1" (Agricultural Residential, 1-Acre Minimum) to a "RR-1/2" (Rural Residential, 1/2-Acre Minimum) Zone Pursuant to Paradise Municipal Code Sections 17.45.500 Et. Seq. (McAFEE: PL19-00227)" **OR**

ALTERNATIVE ACTIONABLE OPTION(S):

1. Adopt an alternative directive to town staff.

BACKGROUND:

The project applicant is seeking Town of Paradise approval of a Paradise General Plan land use designation amendment from Agricultural Residential (AR) to Rural Residential (TR) and a zone change from Agricultural Residential-1 acre minimum (AR-1) to Rural Residential-1/2 acre minimum (RR-1/2) for a ± 0.67 ac portion of a ± 2.06 ac property which abuts residential properties along Foster Road. This general plan amendment/rezone would facilitate a lot line adjustment between two abutting residential properties both owned by the applicant. No land division or residential density increase is proposed or associated with the general plan land use designation amendment and zone change request.

On October 8, 2019, Mr. Hugh McAfee filed a formal general plan amendment and rezone application that was heard by the Planning Commission at a public hearing on November 19, 2019. At the conclusion of the public hearing the Planning Commission adopted Resolution No. 19-6 recommending Town Council adoption of the general plan amendment and rezone.

DISCUSSION:

Surrounding land use is characterized by Foster Road and medium density single-family rural residential to the west and vacant and/or low density to the north, east, and south. The lot line adjustment and general plan amendment/rezone applications would ensure that the resultant two McAfee owned properties remain compliant with their applicable zoning regulations. Also, the resultant remainder of the parcel, outside the boundaries of the lot line adjustment, will remain zoned Agricultural Residential 1-acre minimum.

Town staff has determined, and the Planning Commission has concurred, that since the proposed general plan amendment and rezone is not a “project” pursuant to the California Environmental Quality Act (CEQA) there is no possibility that the requested approvals would result in a direct and significantly adverse effect upon the environment. Therefore, the proposed amendments can be found to be exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines section 15061 (General rule exemption).

The attached Planning Commission resolution document recommends Town Council adoption and assignment of a specific Paradise General Plan land use designation and rezone of a certain real property. Attached with this agenda summary for consideration, possible adoption and introduction respectively by the Town Council, are copies of a proposed Town of Paradise resolution document and a zoning ordinance document, both of which reflect the Planning Commission’s recommended actions.

Lastly, for your convenience, Town planning staff has also generated and attached other information materials related to this agenda item.

FINANCIAL IMPACT:

Adoption of this Paradise General Plan amendment will result in a nominal cost to the Town related to future printings of amended 1994 Paradise General Plan land use and zoning maps. The Town incurs no direct costs with the first reading and introduction of the zoning ordinance.

Attachments

**ATTACHEMENTS
FOR
MCAFEE GENERAL PLAN AMENDMENT/REZONE**

1. Published public hearing notice for the December 10, 2019 Town Council hearing
2. Project vicinity map
3. List of property owners notified of the December 10, 2019 Town Council hearing
4. Notice of Exemption prepared for the McAfee project.
5. Planning Commission Resolution No. 19-6, adopted November 19, 2019
6. Town of Paradise Ordinance No. _____, "An Ordinance Rezoning Certain Real Property From "AR-1" (Agricultural Residential, 1-Acre Minimum) to a "RR-1/2" (Rural Residential, 1/2-Acre Minimum) Zone Pursuant to Paradise Municipal Code Sections 17.45.500 Et. Seq. (MCAFEE: PL19-00227))".
7. Town of Paradise Resolution No. 19-____, "A Resolution of the Town Council of the Town of Paradise Amending the Land Use Map of the 1994 Paradise General Plan (MCAFEE: PL19-00227)".

**TOWN OF PARADISE
RESOLUTION NO. 19-__**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE AMENDING THE
LAND USE MAP OF THE 1994 PARADISE GENERAL PLAN (MCAFE: PL19-00227)**

WHEREAS, the Paradise Planning Commission and the Paradise Town Council have conducted public hearings, pursuant to California planning and zoning law concerning a proposed amendment to the land use map of the 1994 Paradise General Plan; and

WHEREAS, such public hearings also included review of potential environmental impacts associated with the amendment to the Paradise General Plan, pursuant to requirements of the California Environmental Quality Act; and

WHEREAS, California Government Code Section 65358 authorizes a legislative body to amend its General Plan, and

WHEREAS, the action of the Town Council follows the requirements of Government Code Sections 65353, 65354, 65854 and 65090; and

WHEREAS, the Town Council has considered the analysis and recommendation of the Community Development Department; has received and considered the recommendations of the Planning Commission via adopted Planning Commission Resolution No. 19-6; and has considered the comments made at public hearings conducted by the Planning Commission and the Town Council; and on the basis thereof has determined pursuant to Government Code Section 65358 that a certain amendment of the 1994 Paradise General Plan Land Use Map is in the public interest; and

WHEREAS, the Paradise Planning Commission and the Town Council have determined that the proposed General Plan (land use map) amendment and rezone project is appropriate and reasonable because it would result in the assignment of general plan land use and zoning designations to the affected properties that are appropriate and reasonable in a manner that **a)** promote the future recordation of a lot line adjustment between two affected properties, **b)** is compatible with existing residential land uses and zoning in the Foster Road/Rustic Lane neighborhood and therefore is consistent with applicable 1994 Paradise General Plan policies, and, **c)** will result in the assignment of zoning that conforms to the resultant sizes of the affected properties.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Town Council hereby finds that, because there is no land division or residential density increase development proposed in association with the requested actions, there is no possibility of a significant effect on the environment, and further finds that the requested actions are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061 (General Rule Exemption) based on the materials submitted in association with the requested actions, the associated staff report and all public comments relating to the project.

Section 2. The Town Council hereby adopts this amendment to the 1994 Paradise General Plan known as PL19-00227, assigning a Rural Residential (RR) General Plan land use map designation for a +/-0.67 acre land area located at 5204 and 5218 Foster Road in Paradise and further identified as AP Nos. 055-130-026, & -076, as set forth in Exhibits "A," and "B" attached hereto and made a part hereof by reference.

PASSED AND ADOPTED by the Town Council of the Town of Paradise this 10th day of December 2019, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

, Mayor

ATTEST:

By: _____

Dina Volenski, CMC, Town Clerk

APPROVED AS TO FORM:

By: _____

Dwight L. Moore, Town Attorney

**TOWN OF PARADISE
PLANNING COMMISSION**

RESOLUTION NO. 19-6

**A RESOLUTION OF THE PARADISE PLANNING COMMISSION RECOMMENDING TOWN
COUNCIL ADOPTION OF A PARADISE GENERAL PLAN LAND USE MAP AMENDMENT
AND REZONING OF CERTAIN REAL PROPERTY WITHIN THE TOWN OF PARADISE
(MCAFEE; PL19-00227)**

WHEREAS, the Paradise Planning Commission has conducted a public hearing, pursuant to the California Planning and Zoning Law, concerning a proposed amendment to the Paradise General Plan and property rezone; and

WHEREAS, said public hearing also included review of potential environmental impacts, pursuant to the California Environmental Quality Act; and

WHEREAS, Sections 65353, 65354 and 65854 of the California Government Code require the Planning Commission to conduct a public hearing and notify the Town Council in writing of its recommendation; and

WHEREAS, the Planning Commission has considered the analysis and recommendation of the Community Development Department (planning division) and has considered the comments made at a public hearing conducted by the Planning Commission on November 19, 2019; and

WHEREAS, the Planning Commission has determined that an amendment to the Paradise General Plan Land Use Map for a Rural Residential (RR) land use designation and its related zone change to a Rural Residential – ½ Acre Minimum (RR-1/2) zoning district affecting a 0.67-acre portion of property located at 5218 Foster Road and further identified as AP No. 055-130-026, as proposed, is in the public interest.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The Planning Commission of the Town of Paradise hereby finds:

- a. That the proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061 (General Rule Exemption).
- b. That the general plan land use designation and zoning district requested to be assigned to the project property via the general plan amendment/rezone project application (PL19-00227) is appropriate and reasonable because it would assign a Rural Residential (RR)

RESOLUTION NO. 19-6

General Plan land use designation and Rural Residential-1/2 Acre Minimum (RR-1/2) zoning to a portion of property situated at a location and with characteristics that satisfy the 1994 Paradise General Plan policies that are applicable to single-family rural residential land use development.

SECTION 2. The Planning Commission of the Town of Paradise hereby recommends to the Town Council approval of the project application for Paradise General Plan Land Use Map amendment and its related zone change known as the McAfee (PL19-00227) application for property identified as AP Nos. 055-130-026, as described in Exhibit “A”, and shown in Exhibit “B” attached hereto and made a part hereof by reference.

PASSED AND ADOPTED by the Planning Commission of the Town of Paradise this 19th day of November 2019, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

Shannon Costa, Chair

ATTEST:

Planning Secretary

EXHIBIT "A"
REZONE
(MCAFEE)

All that certain real property situate in the Town of Paradise, County of Butte, State of California, described as follows:

A portion of Lot 4, as shown on that certain map entitled, "Map of Roes Subdivision of the S.E. Diagonal $\frac{1}{2}$ of the northwest $\frac{1}{4}$ of Section 27, Township 22 North, Range 3 East, M.D.M.", which map was recorded in the Office of the Recorder of the County of Butte, State of California on December 9, 1908, in Book 6 of Maps at Page 42, being more particularly described as follows:

BEGINNING at the Northwest corner of said Lot 4, said point being on the centerline of Foster Road;

Thence South 45°26'28" East, along the North line of said Lot 4, a distance of 197.00 feet;

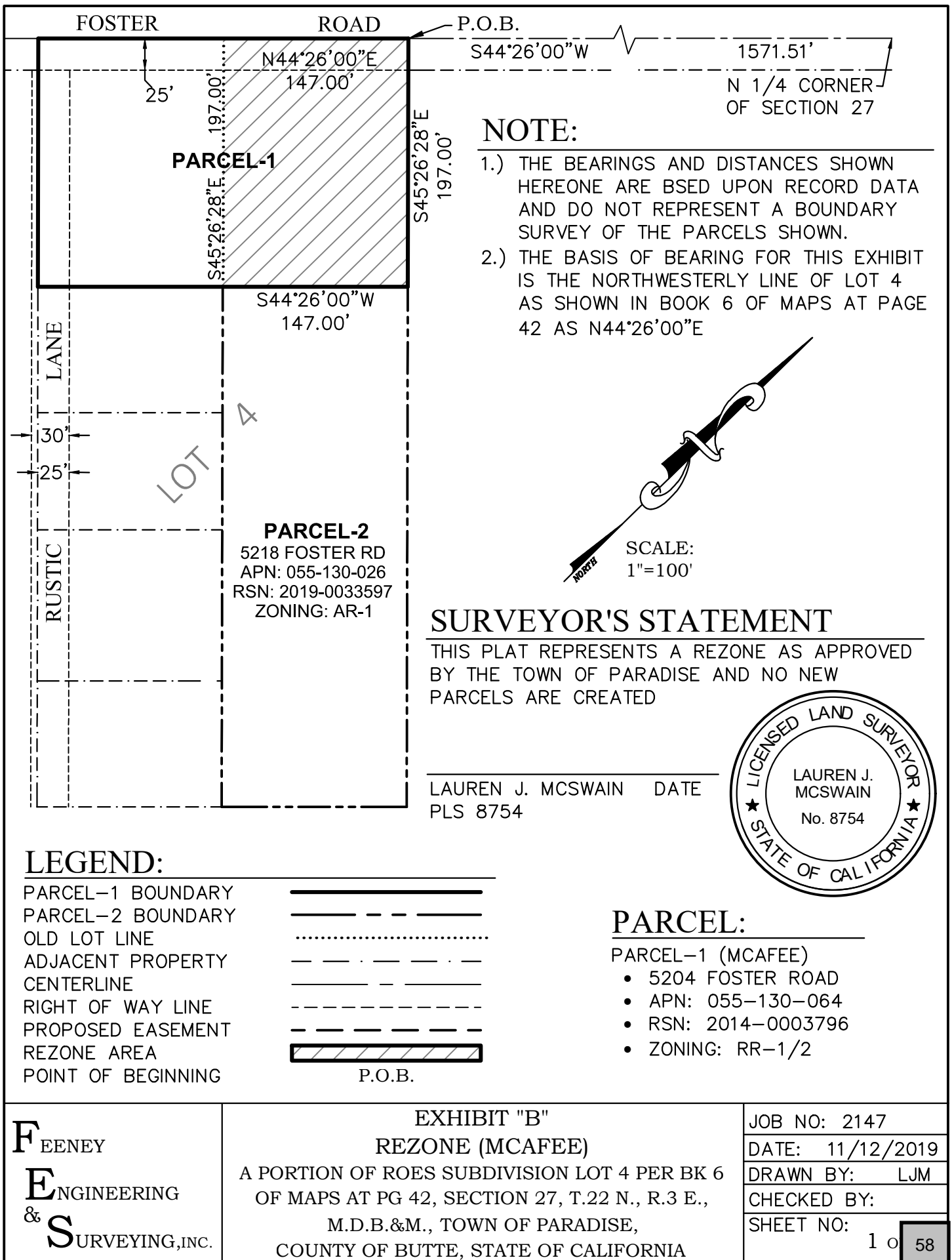
Thence leaving said North line, South 44°26'00" West and parallel with the Northwesterly line of said Lot 4, a distance of 147.00 feet;

Thence North 45°26'28' West, a distance of 197.00 feet to a point on the Northwest Lot line and said centerline of Foster Road;

Thence North 44°26'00" East, along said Lot line and said centerline, a distance of 147.00 feet to the POINT OF BEGINNING;

Containing 0.665 acres, more or less

The Basis of Bearing of the above described property is the Northwesterly line of said Lot 4.



**TOWN OF PARADISE
ORDINANCE NO. _____**

**AN ORDINANCE REZONING CERTAIN REAL PROPERTY FROM “AR-1” (AGRICULTURAL
RESIDENTIAL, 1-ACRE MINIMUM) TO A “RR-1/2” (RURAL RESIDENTIAL-1/2 ACRE
MINIMUM) ZONE PURSUANT TO PARADISE MUNICIPAL CODE SECTIONS 17.45.500 ET.
SEQ. (MCAFEE: PL19-00227)**

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

SECTION 1. The real property situated in the Town of Paradise, State of California described below, shall be and is hereby zoned “RR-1/2” (Rural Residential 1/2-Acre Minimum) as set forth in Chapter 17.12 of the Paradise Municipal Code and such land area shall be subject to the restrictions, restricted uses and regulations of such chapter. The real property so zoned is located at 5218 Foster Road in the Town of Paradise, and is more particularly identified as a portion of AP No. 055-2130-026, as described in Exhibit “A” and attached hereto.

SECTION 2 The Town Council hereby finds that, because there is no land division or residential density increase development proposed in association with the requested actions, there is no possibility of a significant effect on the environment, and further finds that the requested actions are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061 (General Rule Exemption) based on the materials submitted in association with the requested actions, the associated staff report and all public comments relating to the project.

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

PASSED AND ADOPTED by the Town Council of the Town of Paradise, County of Butte, State of California, on this ____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

Jody Jones, Mayor

ATTEST:

APPROVED AS TO FORM:

By: _____
Dina Volenski, CMC, Town Clerk

By: _____
Dwight L. Moore, Town Attorney



**Town of Paradise
Council Agenda Summary
Date: December 10, 2019**

Agenda Item: 5(b)

Originated by: Colette Curtis, Senior Management Analyst

Reviewed by: Lauren Gill, Town Manager

Subject: Public Hearing – 2018-2019 Consolidated Annual Performance and Evaluation Report for the Community Development Block Grant Program

Council Action Requested:

- 1) Conduct a public hearing to receive comment on the Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program
2. Authorize the Town Manager to submit the CAPER to the Department of Housing and Urban Development

Background:

At the conclusion of each program year, the regulations that govern the Community Development Block Grant (CDBG) Program require the preparation of the Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER outlines CDBG program accomplishments and expenditures, as well as providing an evaluation of the town's progress toward meeting its community development goals and objectives.

The Town of Paradise has been a U.S. Department of Housing and Development (HUD) entitlement city since 1994. HUD awards grants to entitlement community grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services.

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

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

For the 2018-2019 Program year, the Town of Paradise received \$182,236 for programs and projects that directly benefit the town's low and moderate-income residents. Funding priorities for this program year included:

- Assistance to community-based organizations
- Loans to low income business owners to assist with septic and/or building improvements
- Mortgage subsidies for first time homebuyers
- Residential housing rehabilitation

Although the Town has some discretion on how the funds are used, there are many restrictions, conditions, and objectives that must be met. Community Development Block Grant funds can be used for activities that further community and economic development; provide improved community facilities and services; and provide affordable housing opportunities to low and disadvantaged residents. Each activity except planning and administrative activities, must meet one of the CDBG program's three broad National Objectives:

1. Benefit low and moderate income persons,
2. Aid in the prevention or elimination of slums or blight, or
3. Meet community development needs having a particular urgency.

The types of activities that meet the national objective will encompass the following basic qualifiers:

Area benefit activities: An activity can be area-wide meaning that the benefits are available to all the residents of a particular area where at least 51 percent of the residents are low and moderate income persons. The service area must be primarily residential, and the activity must meet the identified needs of low-and-moderate income persons.

Limited clientele activities: An activity can be "limited clientele," which means that the activity benefits a certain, limited clientele that is at least 51 percent low income. An example of this would be our housing programs. We have to document and verify income to ensure that each client is eligible.

Housing activities: An activity carried out for the purpose of providing or improving permanent residential structures, which upon completion, will be principally occupied by low and moderate income households.

Job creation or retention activities: An activity designed to create or retain permanent jobs where at least 51% of that, computed on a full-time equivalent (FTE) basis, involves the employment of low and moderate income persons. Potentially eligible activities include: construction of a business incubator designed to offer space and assistance to new firms to help them become viable small businesses; loans to pay for expansion.

Slum Blight Removal. Activities under this category must meet ALL of the following criteria: (1) The area delineated by the grantee must meet a definition of a slum, blighted, deteriorated or deteriorating area under state or local law; (2) there must be a substantial number of deteriorated buildings through the area; and (3) the activity must address one or more conditions that contributed to the deterioration of the area. Boundaries, designations, inspections and detailed rehabilitation records must be kept.

In addition to the above qualifiers, there is a list of basic eligible activities and ineligible activities that can be carried out using CDBG funds. (Government Code Section 570.201.)

Basic Eligible Activities include: Acquisition/disposition of real property; public facilities acquisition, construction and rehabilitation; public services funding; payment of costs in support of activities eligible for funding under the HOME program; housing assistance for low/mod income families; and micro-enterprise assistance.

Due to the Camp Fire, many of the goals and objectives of this program year could not be met during the program year. Subrecipient activity continued on a limited basis, and housing objectives were the main focus for the remainder of the program year.

A copy of the *draft* CAPER is attached for your review and approval. Any comments received during the hearing will be incorporated into the final document prior to its submittal to HUD regional office.

Fiscal Impact Analysis:

The completion of the report does not require an additional expenditure. Staff time is covered by Community Development Block Grant Program funds. General Fund expenditure is not required. However, failure to complete the report could jeopardize future CDBG funding.

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

During the 2018-19 Program Year, the Town of Paradise continued to focus on our housing programs and providing funding to subrecipients to perform public services. In November 2018, the Town of Paradise was nearly destroyed by the Camp Fire, the most destructive fire in California history which burned 90% of the structures in Town. Due to the response and recovery actions necessary for the Town, our CDBG activities were put on hold for the remainder of the 2018-19 program year.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Code Enforcement	Code Enforcement	CDBG: \$	Housing Code Enforcement/Foreclosed Property Care	Household Housing Unit	20	0	0.00%	5	0	0.00%
Housing Assistance	Affordable Housing	CDBG: \$	Homeowner Housing Rehabilitated	Household Housing Unit	8	10	125.00%			
Housing Assistance	Affordable Housing	CDBG: \$	Direct Financial Assistance to Homebuyers	Households Assisted	15	10	66.67%			

Housing Assistance	Affordable Housing	CDBG: \$	Tenant-based rental assistance / Rapid Rehousing	Households Assisted	5	0	0.00%			
Public Services	Homeless Non-Homeless Special Needs Non-Housing Community Development	CDBG: \$	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	200	462	231.00%			
Public Services	Homeless Non-Homeless Special Needs Non-Housing Community Development	CDBG: \$	Homelessness Prevention	Persons Assisted	50	10	20.00%			

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

Prior to the Camp Fire, the Town of Paradise used CDBG funding in the 2018-19 Program year to address the highest priority needs, - 1. Housing Assistance, 2. Public Services. Funding was allocated to Housing to meet the overwhelming need of residents for assistance in buying and staying in their home affordably. Public Services in the form of several non-profit subrecipients received the remainder of funding to the 15% cap. These subrecipients all met needs in the community such as avoiding homelessness, providing resources for abused women and children, and providing activities for at risk youth.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

	CDBG
White	532
Black or African American	13
Asian	12
American Indian or American Native	22
Native Hawaiian or Other Pacific Islander	0
Total	579
Hispanic	101
Not Hispanic	0

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

The racial and ethnic breakdown of families assisted mirrors the demographics of Paradise as a whole, pre fire.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	public - federal	222,236	
Other	public - federal	0	

Table 3 - Resources Made Available

Narrative

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
Paradise	100	100	

Table 4 – Identify the geographic distribution and location of investments

Narrative

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

While there are no true "matching funds" required for the Town's CDBG programs, the housing programs do require residents to be part of the process, attend classes, and prove they have some equity in most cases before loans are approved.

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	10	0
Number of Non-Homeless households to be provided affordable housing units	300	400
Number of Special-Needs households to be provided affordable housing units	0	0
Total	310	400

Table 5 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0
Number of households supported through The Production of New Units	0	0
Number of households supported through Rehab of Existing Units	10	5
Number of households supported through Acquisition of Existing Units	5	0
Total	15	5

Table 6 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

Due to the Camp Fire in November 2018, our normal activities were interrupted by disaster response and recovery.

Discuss how these outcomes will impact future annual action plans.

For the 2019/20 Action Plan, the realities of recovery and supporting residents as they rebuild and find affordable housing will be our main priority.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	267	0
Low-income	231	0
Moderate-income	100	0
Total	598	0

Table 7 – Number of Households Served

Narrative Information

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

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

Prior to the fire, the Town worked with Youth for Change to reach out to homeless and those at risk of becoming homeless to evaluate needs. After the fire, this kind of coordination was on hold as we responded to the disaster. We intend to resume coordination on homelessness during our recovery in the next program year.

Addressing the emergency shelter and transitional housing needs of homeless persons

This year, the focus of emergency shelter and housing was disaster related after the Camp Fire. Prior to the fire, there was no overnight shelter operating in Paradise, those in need of emergency shelter were referred to the Torres Shelter in Chico.

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

The Town has coordinated closely with Youth for Change to provide services and resources to individuals and families at risk of becoming homeless. During the response to the Camp Fire, this activity was put on hold and will resume in the next program year.

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

The Town has coordinated closely with Youth for Change to provide services and resources to individuals and families that are homeless. During the response to the Camp Fire, this activity was put on hold and will resume in the next program year.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

The Town does not operate any public housing within the Town of Paradise.

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

The Town does not operate any public housing within the Town of Paradise.

Actions taken to provide assistance to troubled PHAs

NA

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

The biggest barrier to affordable housing is the lack of a sewer in the Town of Paradise. There are many areas in Paradise that would be suitable for multi-family residences, however are unable to develop as such due to septic constraints. This has limited the development of low income housing for decades. Currently, the Town of Paradise is completing a feasibility study and implementation plan for a sewer for the more densely populated areas, including many of the properties that would be suitable for multi-family developments. After the Camp Fire, new sources of funding are now available to the Town of Paradise and we are pursuing them to construct a sewer to help as we recover.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The Town works with subrecipients each year to address underserved needs within the community.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

The Town of Paradise Owner Occupied Rehabilitation Program requires any housing constructed prior to 1979 to undergo lead paint testing.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

The Town of Paradise works with subrecipients to reduce the number of poverty-level families. The Family Place works with low income individuals and families who seek assistance to go receive budget counseling and employment assistance to allow them to improve their economic situation on their own.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

The Town Institutional Structure is as follows:

A five member Town Council holds public hearings on Consolidated Plan, Annual Plans and CAPER reports and approves funding for Public Service Agencies

The Town of Paradise, Business and Housing Services staff provides the main administrative and project management duties over the CDBG program. The BHS Staff is under the management of the Town Manager. Staff prepares the Consolidated Plan, Annual Plans and Consolidated Annual Performance Evaluation Reports (CAPER) for each CDBG program year. The oversight of the CDBG program is

provided by the Town Manager. All reports and plans are reviewed by Council before submitted to HUD.

The Town works closely with non-profit organizations in the area that provide specific programs to the citizens of Paradise. These organizations provide services to very low-, low- and moderate-income residents, including the frail and elderly, mentally disabled, physically disabled, homeless, and at-risk youth. These organizations submit funding requests to the Town to qualify for money that comes out of the Community Needs Category. As required by HUD, 15% of annual funding is set-aside for these organizations.

The Town is also focused on collaboration between government agencies; community needs organizations, and local businesses. Community stakeholder meetings give Butte County service organizations an opportunity to submit input regarding the populations these organizations serve, their current and future needs, challenges and successes. The following are some of the organizations we are involved with: Family Resource Center, Youth for Change, Project Vision, Loaves and Fishes Food Ministry, STRIVE, Peg Taylor Center for Adult Day Health Care, Legal Services of Northern California, Community Housing Improvement Program and Community Housing Credit Counseling Center, Boys and Girls Club of the North Valley, Passages, CCSP Torres Community Shelter, Paradise Center for Tolerance and Nonviolence, Salvation Army-Paradise Center, Paradise Meals on Wheels, and the Work Training Center.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The Town of Paradise is working with CHIP to rebuild Paradise Community Village and to add additional units to the property.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The Town follows the procedures adopted in the Code of Federal Regulations, created by the Office of the Assistant Secretary of Community Planning and Development that pertain to Community Development programs are contained within Part 570 for CDBG entitlement communities. Once applications for grant funding are received and reviewed by staff, they go through a competitive review process and recommendations are decided by a funding committee and forwarded to the Town Council for final approval. After funding decisions are made, organizations are required to sign a contract with the Town outlining the rules and regulations of public service funds. They are required to submit the required documents and reference material related to grant funding. These organizations are required to report quarterly to the town and also provide an end of year report which is reviewed and input into IDIS for yearly accomplishments at the close of the program year. Organizations are audited and staff performs site visits on a yearly basis. If organizations are not submitting reports on-time or are unable to follow through with program requirements, staff will monitor the organizations to make sure that HUD regulations are being met, or funding is relinquished. At the end of each funding year, staff reviews the accomplishments of community service agencies to determine their ability to serve the residents of Paradise and meet the program requirements.

The Town also follows all applicable program requirements, regarding housing projects and lead-based paint standards. Housing applicants are reviewed thoroughly by staff to ensure they have met all eligibility requirements. This may include verification of employment, assets, banking, credit reports and income tax information. Site inspections are utilized to ensure that the housing; whether a purchase or rehabilitation complies with safety and health requirements of the programs. Recipients are verified annually through utility billing verification to ensure owner occupancy of the property.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

Citizen participation is an integral component to the CDBG program for the Town of Paradise. Two public hearings are held for public comment and questions on the draft report. A public notice is

published in the local newspaper, the Paradise Post, 15 days prior to the public hearings. The draft document is available on the Town website, at Town Hall and Butte County Library (Paradise Branch). These locations are known to be accessible to persons with disabilities, persons of low/moderate income, as well as to citizens at large who may be interested in participating through public commentary.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

There have been many changes this year for the Town of Paradise, however providing affordable housing to our residents has remained our top priority both before and after the Camp Fire.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

CR-45 - CDBG 91.520(c)

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No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.



**Town of Paradise
Council Agenda Summary
Date: December 10, 2019**

Agenda Item: 6(a)

Originated by: Dina Volenski, Town Clerk

Reviewed by: Lauren Gill, Town Manager

Subject: **Council representation on local and county committees and commissions.**

Council Action Requested: Appoint council representatives and alternates to represent the Town of Paradise on various local and regional boards, committees and commissions.

Background: Each year in December, the Town Council appoints members to represent the Town of Paradise on local and regional boards, committees and commissions. These appointments vary in meeting requirements and responsibilities. Usually members agree to share the responsibilities to ensure coverage for the Town but also giving consideration to individual preferences.

Discussion: In considering appointments, please note that three committees require Mayor representation: the Butte County City Selection Committee, the Butte County Disaster Council and Town's Finance & Investment (Budget) Committee. If the Mayor is unable to attend a City Selection Committee meeting, a letter of authorization from the Mayor is required for an alternate to attend on the Mayor's behalf. The alternate must be a seated council member.

The Butte County Air Quality Management District (BCAQMD) and Butte County Association of Governments (BCAG) boards meet on the same day and in the same location. For this reason, it is recommended that the same Council Member serve on the BCAQMD and BCAG. The Joint Powers Agreement for the Butte County Air Quality Management District (BCAQMD) states that city appointments are for a four-year term, unless the term of office for the representative expires.

At the November 10, 2009, regular meeting, council concurred that the council member appointed to serve as alternate to the Butte County Association of Governments (BCAG) would automatically serve as the alternate to the Butte County Air Quality Management District (BCAQMD).

Following is a list and description of the committees and commissions, meeting dates and times, and locations.

Butte County Committees/Commissions

1. Butte County Air Quality Management District Governing Board

- Meets 4th Thursday after Butte County Association of Governments
- Comprised of five Butte County Supervisors plus **one elected representative** from each of the County's five cities;

The Butte County Air Quality Management District board establishes policies & approves new rules to protect people & environment from the effects of air pollution.

2. Butte County Association of Governments

- Meets 4th Thursday of each month at 9:00 a.m. in the Chico, BCAG Board Room
- Comprised of five Butte County Supervisors plus **one elected representative** from each of the County's five cities

The Butte County Association of Governments board is responsible for development of federal and state transportation plans and programs that secure transportation funding for the region's highways, transit, streets/roads, and, pedestrian and other transportation system improvements.

3. Butte County City Selection Committee

- Meets twice a year upon notification; **Mayor must be representative.**

The City Selection Committee is comprised of the Mayors from the five incorporated cities and selects two city representatives to serve on the Local Area Formation Commission (*LAFCO).

4. Butte County Disaster Council

- Meets at least once a year in Oroville; **Mayor must be representative.**

The purpose of the Disaster Council is to provide for the preparation and execution of plans for the protection of persons, the environment, and property within the County of Butte in the event of an emergency.

5. Butte County Local Area Formation Commission (LAFCO)

- 1st Thursday at 9:00 am in Oroville; Appointments to LAFCo made by City Selection Committee.

LAFCo is a State mandated local agency composed of seven regular Commissioners: two members from the Butte County Board of Supervisors (selected by the entire Board); two members from the city councils (selected by the mayors of all five incorporated cities); two members who represent special districts (selected by a majority vote of independent special districts); and one public member (selected by the other six LAFCo members).

The LAFCO board oversees boundary changes to cities and special districts, the formation of new agencies including incorporation of new cities, and consolidation of existing agencies.

6. Butte County Mosquito and Vector Control Board (BCMVCB)

- One representative, for a four-year term, meets regularly on the second Wednesday of each month at 6:30 pm.

The purpose of the eleven (11) trustee board is to set policy for the 1600 square mile district concerning Mosquito and Vector control. The mission of BCMVCB is to reduce mosquito-transmitted disease and other vector associated diseases through environmentally compatible control practices and public education.

7. Butte County Integrated Waste Management Local Task Force

- **One representative and one alternate;** meets as needed in Oroville.

The Local Task Force is a mandated committee formed by the Board of Supervisors; develops goals, policies & procedures which are consistent with guidelines & regulations adopted by the CA Integrated Waste Management Act relating to coordinated & cost effective regional waste management issues/solutions.

8. Butte County Water Advisory Committee – One representative.

- Meets quarterly or as needed in Oroville. Will meet at least twice a year in conjunction with the Technical Advisory Committee.

The Water Advisory Committee assists & advises the Water Commission & Board of Supervisors in establishment & maintenance of Basin Management Objectives to be used to establish criteria for groundwater elevations, groundwater quality & land subsidence.

**9. City/County Ad Hoc Committee – Meets upon notification
Two Council representatives.**

The City/County Ad Hoc Committee was formed to discuss issues/topics of common concern associated with the Paradise Ridge Area: comprised of two members of the Town Council; two members of the Board of Supervisors and various staff.

10. Supplemental Benefits Fund Sterling Committee (JPA Terminated) –

- Meets 1st Wednesday of every quarter (except January is 3rd Wednesday), at 5:30 pm in the City of Oroville Council Chambers. **One representative; one citizen alternate.**

The City of Oroville is designated as the Fund Administrator for funds received from DWR & State Water contractors for the purpose of recreational and economic development to mitigate the Federal Energy Regulatory Commission (FERC) 2100 license for the Oroville facility (the dam, hydro plant, Forebay, and After bay). The committee is composed of five voting members (three Oroville Council Members, two Feather River Recreation & Park District Members) and three advisory members of publicly elected officials. The Town of Paradise is an interested party and the representative receives agendas and staff reports from the SBF/RDA Coordinator Bob Marciniak.

11. Tourism Business Improvement District (TBID-Explore Butte County) –

- Meets monthly, on the second Friday, at the Residence Inn by Marriott from 12:00 – 2:00 p.m.

The Butte County Tourism Business Improvement District (BCTBID) is an assessment district that provides specific benefits to payors, by funding marketing and sales promotion efforts for assessed businesses. The Butte County Tourism Business Improvement District was formed in November 2015 and includes the communities of Chico, Oroville, Paradise, Biggs, and the unincorporated area of Butte County. The annual assessment rate is two percent (2%) of gross short-term room rental revenue. Utilizing assessment funds collected, Explore Butte County intends to strategically market the region with the goal of increasing overnight stays.

12. Butte Continuum of Care Council

- Meets monthly on the third Monday at 2039 Forest Ave. Chico, 1:00 p.m. - 3:00 p.m.
- The Butte Countywide Homeless Continuum of Care (CoC) is a multi-agency planning body with the common goal of ending homelessness. This goal will be accomplished by assisting individuals and families experiencing homelessness receive rapid, adaptive, quality services which lead to the long-term stability of permanent housing and self-sufficiency.

Local Committees

1. Paradise Community Village – (formerly known as the Paradise Youth Sports and Family Center) One Council representative;

- Meets at Paradise Community village upon notification.

Paradise Community Village (PCV) is a local non-profit corporation formed to oversee the development of the Paradise Community Village project, a mixed use development consisting of affordable and single family housing, parks/recreation, open space & community facilities. Board is comprised of the following members: Town of Paradise (one Council and one staff representative); Youth for Change; Paradise Youth Soccer Club; and, the Community Housing Improvement Program (CHIP).

2. Paradise Irrigation District (PID) Liaison – Two Council representatives.

- Meets in Paradise upon notification to discuss issues of common concern.

PID is an Independent Special District governed by a five-member elected board of directors; Formed in 1916 under the laws of the State Water Code to deliver water to municipal residential and commercial customers.

3. Paradise Recreation & Park District (PRPD) Liaison – Two Council Representatives.

- Meets in Paradise upon notification to discuss issues of common concern.

PRPD is an Independent Special District governed by a five-member elected board of directors; Formed in 1948 to provide recreation and park services within the district.

4. Paradise Solid Waste Committee – Meets in Paradise upon notification; **Two Council representatives.**

The Paradise Solid Waste Committee discusses solid waste, recyclable materials, and yard waste programs with staff and representative from NRWS, the company franchised by the Town to provide of solid waste collection and disposal services which includes recycling, source reduction, household hazardous waste and vegetative waste disposal services; two council representatives, Town staff.

5. Onsite Ad Hoc Committee – **Two Council representatives**

The Onsite Ad Hoc Committee meets as needed to keep Council representatives informed of issues & long-term effects of proposed changes to the Manual for Onsite Treatment of Wastewater (Onsite Manual); Formed by Minute Order on September 3, 2008. Onsite Manual may be viewed at the Town's website at the following address: <https://www.townofparadise.com/index.php/our-government/departments/animal-control/documents/1413-onsite-manual>

6. Finance & Investment Committee – Members include **Mayor, Vice Mayor, Town Manager, Finance Director/Town Treasurer.**

The Finance & Investment Commission is established by Paradise Municipal Code Section 2.16.030 for the purpose of providing oversight of the town's financial, public financing & investment activities.

7. **Butte County Oversight Board** – Members of the Countywide Oversight Board are made up pursuant to Health and Safety Code Section 34179 (j) with Appointing Authority from different agencies. Annual meetings are held on the third Wednesday of each January at 2:00 p.m. in the Butte County Board of Supervisors Chambers located at 25 County Center Dr. Ste. 205, Oroville, CA 95965.

The Countywide Oversight Board has fiduciary responsibility to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues.

Attached is a list of the 2019 representation, along with a blank chart for the 2020 assignments.

Conclusion: It is timely that Council consider appointments to local and county committees/ and commissions.

Fiscal Impact Analysis: None.



2019 Town Council Representation

BUTTE COUNTY COMMITTEES/COMMISSIONS

BUTTE COUNTY		Bolin	Crowder	Jones	Schuster	Zuccolillo
1.	Air Quality Management District			R	A	
2.	Association of Governments			R	A	
3.	City Selection Committee (Mayor)			R		
4.	Disaster Council (Mayor)			R		
5.	Local Area Formation Commission (LAFCo) (Lotter was appointed through 5/2019 – Appointed by City Selection Committee))	R				
6.	Mosquito and Vector Control Board				R	
7.	Waste Mgt Local Task Force	R				A
8.	Water Advisory Committee (4-year term)					R
9.	City/County Ad Hoc Committee		R			
10.	Lake Oroville Supplemental Benefits Fund		R			
11.	T-BID				R	

LOCAL COMMITTEES/COMMISSIONS

PARADISE		Bolin	Crowder	Jones	Schuster	Zuccolillo
1.	Paradise Community Village		A			R
2.	Paradise Irrigation District Liaison	R				R
3.	Paradise Rec. & Park District Liaison	R				R
4.	Paradise Solid Waste Committee	R	R			
5.	Onsite Ad Hoc Committee	R				R
6.	Finance Committee (Mayor & Vice Mayor)	R		R		
7.	Butte County Oversight Board			R		



2020 TOWN COUNCIL REPRESENTATION

BUTTE COUNTY COMMITTEES/COMMISSIONS

BUTTE COUNTY		Bolin	Crowder	Jones	Schuster	Zuccolillo
1	Air Quality Management District					
2	Association of Governments					
3	City Selection Committee (Mayor)					
4	Disaster Council (Mayor)					
5	Local Area Formation Commission (LAFCo) (Bolin was appointed through 5/2023 – Appointed by City Selection Committee)					
6	Mosquito and Vector Control Board					
7	Waste Mgt Local Task Force					
8	Water Advisory Committee (2 or 4-year term)					
9	City/County Ad Hoc Committee					
10	Lake Oroville Supplemental Benefits Funds- Alternate: Citizen					
11.	TBID					
12.	Continuum of Care					

LOCAL COMMITTEES/COMMISSIONS

PARADISE		Bolin	Crowder	Jones	Schuster	Zuccolillo
1	Paradise Community Village					
2	Paradise Irrigation District Liaison					
3	Paradise Rec. & Park District Liaison					
4	Paradise Solid Waste Committee					
5	Onsite Ad Hoc Committee					
6	Finance Committee (Mayor & Vice Mayor)					



Town of Paradise

Council Agenda Summary

Agenda Item: 6 (b)

Date: December 10, 2019

ORIGINATED BY: Susan Hartman, Community Development Director
REVIEWED BY: Lauren M. Gill, Town Manager
SUBJECT: Town Council Adoption of an Amendment to Urgency Ordinance 577

COUNCIL ACTION REQUESTED:

1. Consider waiving the reading of entire Town of Paradise Urgency Ordinance No. 590 and adopting Town of Paradise Urgency Ordinance No. 590, "An Amendment to Urgency Ordinance 577 of the Town Council of the Town of Paradise Establishing Requirements for the Removal of Fire Damaged Debris From Private Property Following the Camp Fire".
or
2. Direct an alternative directive to town staff.

BACKGROUND:

On March 12, 2019, the Town Council adopted Urgency Ordinance No. 577. Urgency Ordinance No. 577 established an amendment to Urgency Ordinance No. 572: – *An Urgency Ordinance of the Town Council of the Town of Paradise Establishing Requirements for the Removal of Fire Damaged Debris from Private Property Following the Camp Fire*. The amendment entailed the potential to allow general vehicle/equipment storage as a temporary land use in certain zones, subject to a temporary use permit when associated with debris removal only for the duration of the urgency ordinance.

DISCUSSION:

A vast amount of work has started and/or soon will commence with both the CalOES Program and the Alternative Program and parcels throughout Town having Camp Fire damaged trees and vegetation removed. As such, it has been brought to staff's attention that there is a need in both the public and private cleanup programs for a site (or sites) where piles of logs and other piles of vegetation removed from the Camp Fire affected area are temporarily stored and processed before transfer to trucks or rail.

The type of work associated with damaged tree/vegetation removal necessitates a fixed yard location not only for both security and availability reasons, but also for minimizing traffic hazard and protecting the public's health and welfare by mitigating potential land use conflict(s).

To assist in the cleanup efforts staff recommends the addition of a new term definition [Temporary Log Storage Yards (AKA: Log Decks)] and a new Section 8 to Urgency Ordinance No. 577, renumbering the subsequent sections, to allow for the temporary placement of log storage yards, associated with debris removal through the issuance of a temporary use permit.

Staff has developed the attached proposed ordinance that, if adopted by the Town Council, would amend Urgency Ordinance No 577 to allow a maximum of five log storage yards as a temporary land use in certain zones [a minimum site of 8 acres in the IS, CC, CF, CS, AR, RR, and MF zones], subject to compliance with 19 different standards relating to the issuance of a temporary use permit, when associated with debris removal and only for the duration of the urgency ordinance (added text in the attached ordinance is shown as shaded).

FINANCIAL IMPACT:

The cost for publication of the ordinance summary within the local newspaper will be borne by the Town of Paradise.

Attachment

**TOWN OF PARADISE
ORDINANCE NO.**

**AN AMENDMENT TO URGENCY ORDINANCE NO. 577 OF THE TOWN COUNCIL
OF THE TOWN OF PARADISE ESTABLISHING REQUIREMENTS
FOR THE REMOVAL OF FIRE DAMAGED DEBRIS FROM
PRIVATE PROPERTY FOLLOWING THE CAMP FIRE**

The Town Council of the Town of Paradise, California,
ordains as follows:

Ordinance No. 577 shall be amended as follows:

Section 1. Emergency Findings. This Urgency Ordinance is adopted pursuant to California Government Code Section 36934 and shall take effect immediately upon its approval by at least a four-fifths vote of the Town Council. The Council finds that this Ordinance is necessary for the immediate preservation of the public peace, health and safety, based upon the following facts:

- A. Conditions of extreme peril to the safety of persons and property within the Town were caused by the Camp Fire, commencing on the 8th day of November, 2018, at which time the Town Council was not in session.
- B. California Government Code Section 8630 et. seq. empowers the Director of Emergency Services to proclaim the existence of a local emergency when the Town is affected or likely to be affected by a public calamity, subject to ratification by the Town Council at the earliest practicable time.
- C. On November 8, 2018, the Director of Emergency Services of the Town proclaimed the existence of a local emergency within the Town due to the Camp Fire.
- D. On November 8, 2018, the Acting Governor of the State of California proclaimed a State of Emergency for Butte County and on November 14, 2018, the Governor issued Executive Order B-57-18 concerning the Camp Fire.
- E. On November 12, 2018, the President of the United States declared the existence of a major disaster in the State of California, providing assistance from many federal agencies, including the Federal Emergency Management Agency (FEMA).
- F. On November 13, 2018, the Town Council adopted Resolution No. 18-42 ratifying the Director of Emergency Services'

- proclamation of the existence of a local emergency in the Town.
- G. The Camp Fire to date has consumed 153,336 acres and has led to the destruction of 13,696 residences, damage to 462 residences, the destruction of 276 multiple family residences, the destruction of 528 commercial buildings, damage to 102 commercial buildings, the destruction of 4,293 other minor structures, and resulted in the evacuation of over 50,000 people. As a result, the Camp Fire has created an enormous amount of debris.
 - H. The potential for widespread toxic exposures and threats to public health and the environment exists in the aftermath of a major wildfire disaster. Debris and ash from residential and commercial structure fires can contain hazardous substances and the health effects of hazardous substances releases after a wildfire are well-documented.
 - I. The combustion of building materials such as siding, roofing tiles, and insulation can result in dangerous ash that contains asbestos, heavy metals and other hazardous materials. Household hazardous waste such as paint, gasoline, cleaning products, pesticides, compressed gas cylinders, and chemicals may have been stored in homes, garages, or sheds that may have also burned in the fire, also producing hazardous materials.
 - J. Exposure to hazardous materials may lead to acute and chronic health effects and may cause long-term public health and environmental impacts. Uncontrolled hazardous materials and debris pose significant threats to public health through inhalation of dust particles and contamination of drinking water supplies. Improper handling can expose residents and workers to toxic materials, and improper transport and disposal of fire debris can spread hazardous substances throughout the community.
 - K. Standards and removal procedures are needed immediately to protect the public health and environment, and to facilitate coordinated and effective mitigation of the risks to the public health and environment from the health hazards generated in the Camp Fire disaster.
 - L. It is essential that this Ordinance become immediately effective to mitigate the harm that could be caused to the public health and safety and to the environment from the improper disturbance, removal and/or disposal of debris containing hazardous materials, and to facilitate the orderly response to the Camp Fire disaster.

Section 2. Definitions.

- A. Director. The term Director shall mean the Town Manager.
- B. OES Program. For purposes of this Ordinance, the term "OES Program" shall mean the fire damage debris clearance program operated by the Office of Emergency Services for the Camp Fire in conjunction with other State and Federal agencies.
- C. Alternative Program. For purposes of this Ordinance, the term "Alternative Program" shall mean the requirements for inspections, clean up and disposal for property owners that opt out of or are ineligible for the OES Program.
- D. Private Action. For the purposes of this Ordinance, the term "private action" shall mean the removal of fire debris from private property damaged by the Camp Fire by persons not eligible for or opting out of the OES Program.
- E. Removal of Fire Debris. The term "removal of fire debris" as used in this Ordinance includes all cleanup of fire debris from structures resulting from the Camp Fire, including removal, transport and disposal of fire debris, but it does not include the removal of personal property from residential sites unless such removal of personal property involves cleanup and the removal of ash from the property.
- F. Right of Entry Permit. The term "Right of Entry Permit" means the Debris Removal Right-of-Entry Permit (For Providing Debris Removal on Private Property) approved by the California Office of Emergency Services for use in the cleanup after the Camp Fire.
- G. Council. The term "Council" means the Town Council.
- H. Temporary Log Storage Yard (AKA: Log Deck). For purposes of this Ordinance, the term "Temporary Log Storage Yard" means a site where piles of logs and other piles of vegetation removed from the Camp Fire affected area are temporarily stored and processed before transfer to trucks or rail. The logs and vegetation must be associated with the Camp Fire recovery effort, i.e., logs and vegetation that are burn-damaged or otherwise removed due to safety issues associated with the Camp Fire. Logs and wood waste originating from routine utility line maintenance shall not be stored at a Temporary Log Storage Yard. A temporary log storage yard shall not exist beyond the Effective Period. No structural fire debris or hazardous materials may be brought onto or stored in the yard including any that may have been deposited on logs or vegetation. Temporary Log Storage Yard allow for the processing of logs and vegetation (e.g., chipping,

milling, etc.) but not the burning of logs and vegetation, and may include associated equipment repair, construction trailers, employee parking and portable bathroom facilities set up for use by the personnel assigned to such yard, but not residences other than the transitory use of a recreational vehicle authorized in conformance with Town of Paradise Interim Housing Ordinance No. 578.

Section 3. Effective Period.

This Ordinance shall take effect immediately upon adoption and shall remain in effect until the cleanup of fire debris has been completed on all properties within the Town damaged by the Camp Fire. Regardless of when the removal of fire debris has been completed, a Temporary Log Storage Yard, as well as any provisions within this Ordinance that relate to it, shall remain in effect until December 31, 2020, unless otherwise specified herein, subject to extension or modification by the Town Council.

Section 4. Prohibition on Removal of Fire Debris from Private Property.

No fire debris from structures shall be removed from private property without a hazardous materials inspection conducted either by the U.S. Environmental Protection Agency or California Department of Toxic Substance Control through the Office of Emergency Services' fire debris clearance program, or by an entity approved through the Alternative Program. This Ordinance shall apply to properties that contained a qualifying structure under the OES Program. This Ordinance shall not apply to properties that only contained non-qualifying structures, including but not limited to sheds, canopies, carports, well houses, greenhouses, chicken coops or fencing. Whether fire debris derived from a qualifying or non-qualifying structure shall be determined by the Director, or her designee, in consultation with CalOES.

Section 5. Removal of Fire Debris through the OES Program.

- A. Effect of the Right of Entry Permit: The Right of Entry Permit shall function as the sole permit and authorization for participation in the OES Program.
- B. Notwithstanding any contrary provision in Paradise Municipal Code, no Town approvals or permits for fire debris removal are required for properties participating in the OES Program, other than the Right of Entry Agreement, which will be administered by the Butte County Department Environmental Health.

Section 6. Removal of Fire Debris through the Alternative Program.

- A. The Butte County Department of Environment Health shall adopt and administer the Alternative Program on behalf of the Town. The County shall utilize the state and federal standards and cleanup goals of the OES Program as the standards for the Alternative Program.
- B. For those persons who are not eligible for the OES Program, or who opt out of the OES Program, private action to remove fire debris from fire-damaged properties is prohibited unless and until a hazardous materials inspection has been performed and authorization from the Director has been provided pursuant to the Alternative Program.
- C. The Alternative Program shall require an application that identifies the appropriate licensed contractors who will perform the work and the submission of plans that demonstrate that the standards established in the Alternative Program will be met. Work shall not begin until the Butte County Department of Environmental Health approves the application.
- D. Upon completion of the work described in the approved plans, the Alternative Program shall require an application for certification of successful completion of the work required by the Alternative Program. The Alternative Program will require that: (1) the debris removal and clean-up work on the property meets or exceeds the standards set by the State of California for debris removal; and (2) the owner completely remove and dispose of the foundation or submit a letter from a licensed civil or structural engineer certifying that the foundation is acceptable for rebuild. The letter shall certify structural reasons for the decision and include the process and procedure used to reach the conclusion.

Section 7. Temporary Uses Associated with Removal of Fire Damaged Debris.

- A. Notwithstanding any other provision of the Paradise Municipal Code, during the duration of this urgency ordinance the Director or his/her designee is empowered to grant a temporary use permit to authorize or conditionally authorize the following temporary land use within all zones except for the agricultural-residential, rural-residential, and town-residential zones when directly associated with fire debris removal programs:
 - (1) General vehicle/equipment storage as defined in Paradise Municipal Code Section 17.04.500.

- B. The Director or his/her designee may authorize such temporary storage use based on substantial evidence that:
- (1) The temporary storage use shall not adversely impact the public health, safety, or convenience or create undue traffic hazards or congestion.
 - (2) The temporary storage use shall not adversely interfere with the permitted use of other land uses and activities on the site or in the general vicinity.
 - (3) The temporary storage use shall be conducted in a manner compatible with the land uses in the general vicinity.
- C. The Director may establish such additional conditions as necessary to ensure land use compatibility and to minimize potential negative impacts, including but not limited to hours and frequency of operation, temporary arrangements for parking and circulation, requirements for screening or enclosure, and guarantees for site restoration and cleanup following the temporary storage use.

Section 8. Temporary Log Storage Yards.

- A. Maximum Number of Sites. The number of Temporary Log Storage Yards shall be capped at a maximum of five (5) for the incorporated area of the Town of Paradise.
- B. Zones Requiring a Temporary Use Permit. A Temporary Log Storage Yard shall be allowed subject to approval of a temporary use permit and compliance with the standards set forth below in the following zones:
1. Industrial Services (IS) zone.
 2. Community Commercial (CC) zone.
 3. Community Facility (CF) and Community Services (CS) zones.
 4. Agricultural Residential (AR), Rural Residential (RR), and Multiple Family (MF) zones.
- C. Standards. All Temporary Log Storage Yards shall meet the following standards:
1. Application for Temporary Use Permit. The property owner or the property owner's authorized agent shall obtain a temporary use permit for the Effective Period. Written consent of the property owner is required in all cases.
 2. Site Plan Required. A detailed site plan meeting general architectural or engineering standards, legible and drawn to scale that shows all the proposed activities that will occur on-site, as well as the approximate location of each activity, shall be provided with the application for a temporary use permit. Partial site plans for a portion of a property may be submitted as long as a vicinity map for the entire property showing frontage streets, other uses

- and a cross reference of the area of the partial site plan is provided. All site plans shall show and label contours at maximum vertical intervals of five feet; areas of proposed grading and fill; the width of access roads to and around parking, log piles and other piles, and buildings; and turnaround areas for fire and emergency services. Any change in the type of activity that will occur on-site or the location of any activity requires the owner or operator to apply for a new temporary use permit.
3. Siting Criteria. To the extent practicable, temporary log storage yards shall be located on flat areas of the site that are already disturbed and in such a manner to decrease impacts to uses on surrounding properties.
 4. Parcel Size. The Temporary Log Storage Yard site shall be a minimum of five (5) acres in the IS, CC, CF, CS, AR, RR, and MF zones regardless of the actual area used for the temporary log storage yard. Adjacent parcels, in the same zoning district, may be utilized to achieve this standard, provided each owner's consent is provided with the application. All parcels must be shown on the application, the site plan, and all property owners shall provide written permission.
 5. Approved Access. Temporary Log Storage Yards shall have access onto a public road. If the public road is a Town of Paradise road, the approach shall be made with an encroachment permit approved by the Town of Paradise Department of Public Works. If the public road is a California State highway, the approach shall be made with an approved encroachment permit issued by the California Department of Transportation (CalTrans) District 3 Office.
 6. On-site Roads, Driveways and Aisles. Temporary Log Storage Yards shall have on-site roads, driveways and aisles. On-site roads, driveways and aisles shall have a 6 inch Class 2 aggregate base, a minimum width of 25 feet, and shall be capable of supporting a 75,000 lb. load that will allow for ingress and egress of fire apparatus to within 150 feet of all piles and structures, and shall have a vertical clearance of no less than 15 feet.
 7. Property Line Setbacks and Defensible Space. All log piles and other piles shall be setback a minimum of 100 feet from all outside property lines and any permanent structures. There shall be an area of defensible space that is a minimum of 150 feet wide around the perimeter of the temporary log storage area that shall not be graded but shall be kept clear of grass and vegetation to support fire protection by clearing, disking, grubbing, and/or scraping. CAL-FIRE shall have discretion to address unique circumstances.
 8. Biological Resources. Temporary log storage yards shall not be located on lands containing wetlands, and/or

endangered and protected plants and animal species. A biological report shall be furnished to the Community Development Department demonstrating that the site does not contain wetlands and/or endangered or protected plants and animal species. A temporary log storage yard shall not expand without providing a site plan and a biological report to cover the expanded area.

9. Paradise Fire Department/CAL-Fire Standards. Temporary log storage yards and the associated activities performed with them pose the risk of fire if fire suppression measures are not taken. The activities include working with and storing flammable materials in areas that have little to no water on-site and that are subject to fire. The Town is setting the fire standards it believes are appropriate, but there are also State standards set out in California Fire Code Chapter 28 with respect to all log storage yards and incidental wood products stored there. Fire officials shall enforce the most stringent standards. Per California Public Resource Code, Section 4428, each site shall have a sealed box of tools that shall be located, within the operating area, at a point accessible in the event of fire. This fire toolbox shall contain: one backpack pump-type fire extinguisher filled with water, two axes, two McLeod fire tools, and a sufficient number of shovels so that each employee at the operation can be equipped to fight fire. In addition, one or more serviceable chainsaws of three and one-half or more horsepower with a cutting bar 20 inches in length or longer shall be immediately available within the operating area.
 - a. Whenever a fire starts, a telephone call shall be made to 911 immediately to inform that there is a fire. The facility operator shall develop a plan for monitoring, controlling, and extinguishing fires. The plan shall be submitted with the application for the temporary use permit for review and approval by fire officials.
 - b. Smoking may only occur in designated locations shown on the site plan.
 - c. Log piles shall not exceed 20 feet in height, 300 feet in width, and 500 feet in length. Log piles shall be stabilized by a means approved by the fire chief or their designee.
 - d. Other piles made of incidental log related materials shall not exceed 20 feet in height, 150 feet in width, and 250 feet in length.
 - e. All piles shall be separated from all other piles by 100 feet and shall include on-site roads, driveways, and aisles as discussed above.

- f. All piles shall be monitored by a means approved by the fire chief to measure temperatures. Internal pile temperatures shall be monitored and recorded weekly. A plan by the permittee for restricting and mitigating excessive temperatures shall be submitted with the application for the temporary use permit for review and approval by fire officials.
 - g. Regular inspections of the temporary log storage yard by trained fire personnel shall be allowed and facilitated by the facility operator.
 - h. Cutting activities shall comply with California Fire Code Chapter 35.
- 10. Butte County Public Health, Environmental Health Division Standards.
 - a. Depending on the activities performed on-site, the temporary log storage yard may be determined to be a solid waste facility. The facility operator must provide access to the facility and provide for review of the activities occurring at the facility to the Local Enforcement Agency, Butte County Environmental Health, to determine if there exists a requirement to register for a permit status as a solid waste facility in accordance with Title 14 of the California Code of Regulations.
 - b. For sanitation purposes there shall be a minimum of one portable toilet and one handwash station at the facility for employee use. The portable toilet shall be routinely serviced by a licensed service provider.
 - c. For water that is provided for human consumption, either from an on-site well or transported to the facility and held in a storage tank, the facility operator shall meet the following requirements: if there are 25 or more people per day consuming the water, the facility operator shall contact the Butte County Environmental Health Division for public water system permitting requirements and shall operate in accordance with those requirements; if there are fewer than 25 people/day consuming the water, the facility shall have the water tested for and be in compliance with minimum bacteriological standards as required by the Butte County Environmental Health Division. If bottled water is provided, there are no requirements for testing.
 - d. The storage of any hazardous material at or above State-defined thresholds shall require the approval of a Hazardous Material Business Plan by the Environmental Health Division of the Butte County Department of Public Health.

11. Town of Paradise Public Works Department Standards.

- a. Perimeter stormwater control - When a Temporary Log Storage Yard is prepared for operations or the soil is disturbed, improvements shall be designed and implemented such that water accumulating within the project will be carried away from the project without injury to any adjacent improvements, residential sites, or adjoining areas. The design shall be prepared by a Qualified Stormwater Developer who holds the certification required by the CA Water Quality Control Board's Construction General Permit 2009-009-DWQ. All natural drainage that enters the project area shall leave the project area at its original horizontal and vertical alignment and with the same pre-improvement quantity. Implementation of erosion control within the project area and sediment control basins at drainage outlets shall conform with California Stormwater Quality Association (CASQA) design criteria. Sites that meet EPA's criteria for a Rainfall Erosivity Waiver (<https://www.epa.gov/sites/production/files/2015-10/documents/fact3-1.pdf>) or are fully stabilized with erosion control measures are not required to install sediment control basins.
- b. Water quality and erosion control-When submitting a application for a temporary log storage yard, any surface disturbance over one acre in size shall require a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer and the submittal of a Notice of Intent to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ as amended). If the area of disturbance is one acre or less, then along with an application for a Temporary Log Storage Yard, an Erosion and Sediment Control Plan (ESCP) shall be developed by the facility operator, submitted for approval, and adhered to for erosion and sediment control. The ESCP shall contain a description detailing which Best Management Practices (BMP) will be used, how they will be used, and where they will be used in conformance with the California Stormwater Quality Association (CASQA) BMP Municipal Handbook. The ESCP shall contain a description of temporary and permanent measures and include ingress/egress control measures and street sweeping. Plans shall be prepared by a Qualified Stormwater Developer who holds the certification required by the CA Water Quality Control Board's Construction General

Permit 2009-009-DWQ. Upon completion of the project, all temporary sediment control measures shall be removed from the site. All permanent sediment control measures shall be maintained by the parcel owner.

12. Air Quality and Dust Control. All best practice measures to reduce impacts to air quality shall be incorporated by the project applicant, subject property owners, or third-party contractors during activities on the project site. A plan shall be provided to the satisfaction of the Community Development Director to address:
 - a. Mobile and stationary toxic air contaminants; and
 - b. Fugitive dust and ash. Best practice measures shall comply with the Butte County Air Quality Management District's Rule 205 - *Fugitive Dust Requirements* and shall include, but not be limited to, the following:
 1. Reduce the amount of the disturbed area where possible. Stabilize disturbed area soils during use and at project completion.
 2. Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes.
 3. Limit vehicle speeds to 15 miles per hour on any unpaved surfaces at the project site.
 4. Clean visible track-out onto adjacent paved roadways daily. Track-out shall not extend more than 25 feet in cumulative length from the active project site.
 5. Post a sign in a prominent location visible to the public with the telephone numbers of the contractor and Air District for any questions or concerns about dust from the project.
13. Storage or Processing of Debris Prohibited. The storage or processing of debris from the Camp Fire Consolidated Debris Removal Program at any Temporary Log Storage Yard, including the storage of trucks or equipment loaded with debris, is expressly prohibited.
14. Noise. Quiet hours shall be maintained from 7 p.m. to 7 a.m. seven days a week. During quiet hours, generators and heavy equipment shall not be operated and noise levels shall conform to Paradise Municipal Code Chapter 9.18, Noise Control. Outside of quiet hours, noise sources associated with temporary log storage yards shall be exempt from the requirements of Paradise Municipal Code Chapter 9.18, Noise Control.
15. Outdoor Lighting. All outdoor lighting shall be located, adequately shielded, and directed such that no direct light falls outside the property line, or into the public right-of-way in accordance with Paradise Municipal Code Section 17.06.810, Lighting Fixtures.

16. Reclamation Required. The application for a temporary use permit for a temporary log storage yard shall be accompanied by a detailed plan for the restoration or reclamation of the subject property to the satisfaction of the Community Development Director. There shall be no grading of the site without the prior approval of the Community Development Director, but if grading is allowed, topsoil shall be conserved to be used for reclamation. At minimum, a plan for restoration or reclamation shall include:
 - a. Clearance of the site of all vehicles, equipment and materials utilized as part of the Temporary Log Storage Yard; and
 - b. Stabilization of the site, implementation of erosion control measures, and successful revegetation to the satisfaction of the Community Development Director in order to render the site suitable for the use for which it was zoned.
17. Performance Guarantee. In approving a temporary use permit for a Temporary Log Storage Yard, the Community Development Director shall require a performance guarantee as provided by Paradise Municipal Code section 17.32.400 in the amount of \$2000.00 per acre of land disturbed in order to guarantee the proper completion of any approved work and to ensure that site reclamation is completed to the satisfaction of the Community Development Director. Lands shall be restored or reclaimed to the satisfaction of the Community Development Director prior to release of the performance guarantee.
18. Electricity and Electrical Equipment. If new electricity connections are brought to the site, a building permit is required. Electrical wiring and equipment shall comply with the California Electrical Code.
19. Additional Requirements. The temporary use permit shall be subject to additional requirements from CAL-Fire, Town of Paradise Public Works, the Butte County Air Quality Management District, the California Department of Transportation, the Butte County Public Health Department, and the State Regional Water Quality Control Board.

D. Notice

At least ten (10) days prior to issuance of a temporary use permit, pursuant to this section, the Paradise Community Development Department shall provide a mailed notice to property owners within 1,200 feet of the property line of the subject parcel(s). The notice shall include all applicable standards and limitations placed upon the temporary log storage yard, the temporary use permit number, as well as the name, phone number and email of a designated contact for concerns regarding the yard's operation. The temporary use permit shall be issued

without a formal hearing, unless one is requested by either the applicant or other affected persons. If a hearing is requested, it shall be scheduled for the next available Planning Commission meeting and the Planning Commission shall hear the request. The Planning Commission may impose conditions and requirements in addition to the standards set forth above, or may deny the temporary use permit, to mitigate impacts to uses on surrounding properties. Unless otherwise appealed to the Town Council within ten (10) calendar days of the Planning Commission action, the decision of the Planning Commission shall be final.

E. Violations, Enforcement, and Penalties.

1. A temporary log storage yard that is operating in violation of this section poses a health and safety hazard and is found to be a public nuisance.
2. The Community Development Director may initiate enforcement using any process set forth in the Paradise Municipal Code, including, but not limited to, Code Enforcement pursuant to Chapter 1.09 and Nuisance Abatement pursuant to Chapter 8.04, and may seek the imposition of costs and civil penalties pursuant to the Paradise Municipal Code. Nothing in this provision is intended to prevent alternative enforcement mechanisms.
3. If the Chapter 1.09 Administrative Code Enforcement process is used, the penalties set forth in section 1.09.190 are increased because the health and safety hazards to the public shall be greater than in the general code enforcement context. The increased penalty is a fine of one thousand dollars (\$1,000.00) for the violation and such violations shall also be a misdemeanor.

Section 98. Hold on Building Permits.

Any issued Town building permit to repair or reconstruct a fire damaged structure or private infrastructure shall be held in abeyance and not acted upon until fire debris cleanup is completed on the affected property and completion is confirmed to the Town Building Official, either through the OES Program or through the Alternative Program.

Section 109. Deadlines and Enforcement.

- A. The Town may set deadlines for filing either an acceptable Right of Entry Permit in the OES Program or an acceptable application for the Alternative Program by resolution.
- B. Properties that have fire ash and debris from the Camp Fire and that have neither an approved Right of Entry Permit for the OES Program nor an approved application for the Alternative Program by the deadline set by the Council may be declared a nuisance

and health hazard and such property may be abated pursuant to this Ordinance.

- C. The Town may set deadlines for the completion of work in the Alternative Program by resolution. Properties that have fire ash and debris from the Camp Fire after that deadline may be declared a nuisance and health hazard.
- D. The Town's intent is to facilitate orderly remediation of a large-scale disaster. Nothing in these deadlines shall limit the authority of the Town to abate hazards more quickly where required by exigent circumstances. Nothing in this Ordinance or in these deadlines shall limit the authority of the Director to require preventive measures as defined in California Health and Safety Code Section 101040.
- E. Enforcement and Abatement.
 - (1) General Enforcement action. When the Director determines that an activity is being performed in violation of this Ordinance, the Director may initiate an enforcement action using the process set forth in the Paradise Municipal Code and may seek the imposition of costs and civil penalties pursuant to the Paradise Municipal Code. Nothing in this provision is intended to prevent alternate enforcement mechanisms, including but not limited to, health officer orders pursuant to California Health and Safety Code Section 101040.
 - (2) Summary Abatement. Pursuant to the authority of Cal. Const., art. XI, Section 7; California Health and Safety Code Section 101040, California Government Code Section 38773, and the Paradise Municipal Code, if the Director determines that a violation of this Ordinance has created an emergency condition which seriously endangers the public health or safety, the Town may abate the condition within the Town. The costs shall be charged to the property owners(s) and the Town may, at its option, recover the same in an administrative or civil action. Such charges shall be in addition to any penalty for a violation of this Ordinance.
 - i. Pre-Abatement Notice. Unless emergency conditions preclude doing so, the Director shall issue a Summary Abatement Notice and Order with reasonable notice. The Notice and Order shall be mailed to the property owner(s) as listed on the last equalized tax roll. A summary of the Notice and Order shall be posted in a conspicuous location on the property to be abated at least 10 calendar days prior to the summary abatement action.

- ii. Appeal and Waiver. The property owner(s) or any person or entity having a legal interest in the property may submit a written appeal of the Director's Order to the Town Council no later than 10 calendar days from the date of mailing of the Notice and Order. The written appeal shall state the basis for the appeal. The appeal shall be heard by a Town-appointed hearing officer regarding the appeal and shall issue a written decision (the "Decision") no later than 10 calendar days after receipt. The Decision shall uphold, rescind or modify the determination of the Notice and Order. The Decision on the appeal shall be final. Failure to appeal within the time prescribed shall constitute a waiver of the right to contest the summary abatement.
- iii. Post Abatement Notice. After the summary abatement is completed, the Director shall serve the property owner(s) with a post abatement notice that sets forth: (a) the actions taken by the Town; (b) the reasons for the actions; (c) a statement of the costs, expenses and attorney's fees, if any, of the abatement and notice of the Town's intent to collect those costs; and (d) right to appeal the costs determination within ten (10) calendar days of the notice. If the property owner is responsible for any costs, expenses or attorney's fees, such costs shall become a lien against the property and a Notice of Abatement Lien may be recorded with the Butte County Recorder.
- iv. Post Abatement Costs Appeal. If the property owner(s) or anyone with a legal interest in the property submits a timely costs appeal, the Town shall schedule an administrative hearing on the matter and provide the appeal party with reasonable notice of the hearing. The hearing officer shall conduct an administrative hearing where each party shall have the opportunity to present evidence and the Town shall have the obligation to establish that the costs, including expenses and attorney's fees, if any, incurred for the summary abatement were necessary by a preponderance of the evidence. After the hearing, the hearing officer shall issue a written decision and order that shall be served upon the appealing party within 30 calendar days of the hearing unless extended by agreement of the parties.

Section 110. Judicial Enforcement Action. The Town Attorney is authorized to initiate judicial enforcement as to a violation of any provision of this Ordinance without further Town Council approval.

Section 121. Remedies not exclusive. The remedies identified are in addition to and do not supersede or limit any and all other remedies, civil or criminal. The remedies provided in this Ordinance shall be cumulative and not exclusive.

Section 132. CEQA Exemption. Adoption of this Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21080(b)(3) regarding projects to maintain, repair, restore, or replace property or facilities damaged or destroyed as a result of a declared disaster and Section 21080(b)(4) regarding actions to mitigate or prevent an emergency, and CEQA Guidelines Section 15269(a) regarding maintaining, repairing, restoring, demolishing, or replacing property or facilities damaged or destroyed as a result of a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with Section 8550 of the California Government Code.

Section 143. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 154. Effective Date and Publication. This Ordinance shall be and the same is hereby declared to be in full force and effect immediately upon its passage by a four-fifths (4/5) or greater vote of the Town Council. A fair and accurate summary of this Ordinance shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Town Councilmembers voting for or against the same, in a newspaper of general circulation published in the Town of Paradise, State of California. A complete copy of this Ordinance is on file with the Town Clerk and is available for public inspection and copying during regular business hours in the office of the Town Clerk.

PASSED AND ADOPTED by the Town Council of the Town of Paradise, County of Butte, State of California, on this _____ day of _____, 2019 by the following vote:

AYES:

NOES:

TOWN OF PARADISE
ORDINANCE NO.

ABSENT:

ABSTAIN:

, Mayor

ATTEST:

APPROVED AS TO FORM:

Dina Volenski, CMC, Town Clerk

Dwight L. Moore, Town Attorney