

MINUTES

PARADISE TOWN COUNCIL

REGULAR MEETING - 6:00 P.M. – July 28, 2009

The Regular Meeting of the Town Council of the Town of Paradise was called to order by Mayor Rutledge at 6:00 p.m. in the Council Chambers, Town Hall, 5555 Skyway, Paradise, California. Following the pledge of allegiance, the invocation was offered by Council Member DiDuca.

COUNCIL MEMBERS PRESENT: Steve "Woody" Culleton, Joe DiDuca, Scott Lotter, Alan White and Frankie Rutledge, Mayor.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: Town Clerk Gutierrez, Town Manager Rough, Town Attorney Moore, Assistant Manager Ivey, Assistant to the Town Manager/Business & Housing Services Director Gill, Finance Director Will, Community Development Director McGreehan, Assistant Community Development Director Baker, Human Resources Manager Farrell, Assistant Town Clerk Volenski, Assistant Public Works Director Derr, Associate Engineer Ott, Fire Marshal Jensen, Fire Chief Haunschild and Police Chief Carrigan.

Agenda item 1(e): A Proclamation was presented by Mayor Rutledge to Bill Mannel in recognition of his eight years of service on the Paradise Planning Commission.

2. ITEMS DEFERRED FROM PREVIOUS MEETING

None.

3. CONSENT CALENDAR

Agenda item 3(a): MOTION by White, seconded by DiDuca, approved Minutes of the July 14, 2009, Regular Council Meeting. Roll call vote was unanimous.

TC (MIN) [APPR]
Minutes of the July 14,
2009 Regular Mtg.

Agenda item 3(b): MOTION by White, seconded by DiDuca, Adopted Resolution 09-32, A Resolution Of The Town Council Of The Town Of Paradise Authorizing The Submittal Of An Application To The State Of California Department Of Housing And Community Development For Funding Under The Home Investment Partnership Program (Home) For The Construction Of A 36-Unit Multi-Family Rental Housing Development; The Execution Of A Standard Agreement If Selected For Said Funding And Any Amendments Thereto; And Any Related Documents Necessary To Participate In The Home Investment Partnership Program. Roll call vote was unanimous.

TC (RES) [ADOPT]
Res. No. 09-32 submit
application for HOME
Housing Development.
(710-10-67)

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Agenda item 3(c): MOTION by White, seconded by DiDuca, (1) Waived the reading of entire Ordinance No. 493 and approved reading by title only; and (2) Adopted Ordinance No. 493, "An Ordinance Rezoning Certain Real Property From MF (Multiple Family Residential) to MF-PD (Multiple Family Residential/Planned Development Combining) Zone Pursuant to Paradise Municipal Code Sections 17.45.500 et. seq. [RZ-07-1: Mountain Terrace Subdivision]. (located at the northeast corner of the Buschmann Road/Clark Road [State HWY 191] intersection, AP Nos. 050-060-101, 102 and 103). Roll call vote was unanimous.

TC (ORD) [ADOPT]
Ord. 493. Rezone from MF to MF-PD (RZ-07-1) (540-16-62)

Agenda item 3(d): MOTION by White, seconded by DiDuca, Approved the Plans, Specifications and Estimates (PS&E) for the 2009 Overlay project approved by the Town Council on June 9, 2009; and, (2) Authorize the Public Works Director/Town Engineer to advertise and accept bids for this project. Roll call vote was unanimous.

TC (PW) [APPR]
Approve PS&E and advertise and accept bids for project. (950-40-14)

Agenda item 3(e): MOTION by White, seconded by DiDuca, Authorized the Town Manager and Mayor to execute the Utility Agreement with the Town of Paradise and the Paradise Irrigation District (PID) for the 2009 Overlay project. Roll call vote was unanimous.

TC (AGT) [APPR]
Execute Utility Agreement with PID for 2009 Overlay Project. (C09-13) (950-40-14)

Agenda item 3(f): MOTION by White, seconded by DiDuca, (1) Approved a one-year contract for FY 2009/10 with Jim Broshears to provide professional Emergency Operations Center (EOC) coordination services for the not-to-exceed amount of \$ 4,000; and, (2) Authorized the Town Manager to execute the contact. Roll call vote was unanimous.

TC (AGT) [APPR] EOC Coordinator & Emergency Preparedness Contact w/Jim Broshears extended 2009/10. (C07-03)

Agenda item 3(g): MOTION by White, seconded by DiDuca, Approved Resolution No. 09-33, a Resolution of the Town Council of the Town of Paradise, California, Rescinding Resolution No. 09-28 and Adopting A New Resolution To Grant Another Designated Period For Two Years Additional Service Credit Public Employees' Retirement System (PERS). Roll call vote was unanimous.

TC (RES) [ADOPT]
Res. 09-33, Rescinding Res. 09-28, grant two-years additional service credit for PERS (630-10-08)

Agenda item 3(h): MOTION by White, seconded by DiDuca, Authorized the Town Manager to Sign an Annual Maintenance and Support Agreement for the Current Motorola Corp. Records Management and Computer Aided Dispatch Software Program at the Police Department for the budgeted amount of \$13,821. Roll call vote was unanimous.

TC (FIN) [AUTH] Town Manager to sign Maintenance & Support agreement with Motorola Corp. (C09-14)

4. PUBLIC HEARING PROCEDURE

Mayor Rutledge informed the public there were no public hearings scheduled.

5. PUBLIC HEARINGS

None.

6. PUBLIC COMMUNICATION

None.

7. COUNCIL CONSIDERATION

Agenda item 7(a): Motion by White, seconded by Rutledge, (1) Waived the second reading of entire Ordinance No. 494 and approved reading by title only; and, (2) Adopted Ordinance No. 494, An Ordinance Amending Section 2.08.010 of the Paradise Municipal Code related to Paradise Town Council Meetings (changes meeting date to once a month on the second Tuesday at 6:00 p.m.). Ayes of Culleton, White and Mayor Rutledge, noes of DiDuca and Lotter.

TC (ORD) [ADOPT]
Ord. 494 changing Town Council meetings to once a month on second Tuesday at 6:00 p.m.
(540-16-36)

Following a report from Finance Director Will regarding the banking services proposal process, Mayor Rutledge opened the matter to public input.

Kiley Patterson from US Bank addressed concerns discussed at the May 26th Council Meeting stating that US Bank has the best price and credit rating according to Standards & Poors, that Wells Fargo removed services of Positive Pay and the Information Reporting in order to be competitive in price, and inquired how Wells Fargo moves money from LAIF by either book or wire transfer. Ms. Patterson also discussed the community service performed by US Bank, such as donations to the Boys and Girls Club, and participation in the Relay For Life Event, and asked Council to re-evaluate the proposals and consider US Bank for the Town's banking services.

Dan Campbell from US Bank discussed the changes in TRANS financing, credit enhancement opportunities provided by US Bank and the challenges facing communities due to fluctuations in the current market and stated that Positive Arbitrage is another benefit which could potentially pay for the cost of the borrowing.

Jennifer Keiper from Wells Fargo Bank discussed the RFP and stated the Positive Pay and Information Reporting were services included in the RFP to be added on at a later date and without those services they are very competitive, that Wells Fargo is already in the process of looking at a credit request for the Town that should be approved; and requested the Council to move forward with the action on the agenda and award the banking services to Wells Fargo Bank.

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Agenda item 7(b): Council concurred to ask Wells Fargo and US Bank to provide additional information on transitional financing or lines of credit to the Town staff by August 18 and directed staff to bring back a recommendation for the banking services on the August 25, 2009 Town Council Meeting Agenda.

TC (FIN) [DIR]

Proposals from Wells Fargo and US Bank to be brought back to August 25 Council Meeting. (380-60-21)

8. COUNCIL COMMUNICATION (Council Initiatives)

Council Member White attended the Butte County Association of Governments meeting where bids for the first phase of the road construction project from Inskip to Butte Meadows were opened, and three bids were submitted from local contractors and were less than engineers estimated. Butte County Air Quality Board (BCAQB) will be implementing fines on portable equipment (tractors with diesel engines over 25 HP) if they are not registered with BCAQB by July 31; attended the Paradise Community Village where two entities, CHIP and Paradise Ridge Youth Soccer Club (PRYSC), came forward with maps for the project that are available electronically from Town Engineer, Dennis Schmidt and the tentative parcel map for Paradise Community Village is close to completion.

Council Member Lotter attended the "Summit on California Governments Rebuilding California from the Ground Up" with over 500 elected officials from cities, counties and school districts attending and working in groups on how to protect local revenues from state raids. There is a task force that will go forward with the information that came out of the meeting and there may be some future summits but, because of legalities, a Constitutional Convention will not be held until 2012; also attended the League of California Cities division meeting in Paradise.

Council Member DiDuca attended the League of California Cities Sacramento Division Meeting held in Paradise at Chapelle de L'Artiste and the other committees he serves on have not held any meetings this summer.

Vice Mayor Culleton reported that the Integrated Waste Management Board is being dissolved, attended the Summit on California Governments and four major topics from the meeting included (1) protecting local revenues, (2) term limits, (3) changing percentage of voter approval of taxes, and (4) transparency of government; and, the League of California Cities held the quarterly division meeting in Paradise and had support from local business in supplying gift bags for the attendees; and, attended the "Buy Local" event held at Paradise Community Park on Thursday evenings through August 13th.

Mayor Rutledge attended League of California Cities Division meeting at Chapelle de L'Artiste and will prepare thank you letters to participants for Steve "Woody" Culleton's signature; Appreciated support from Assemblyman Logue and his vote against state raids of local revenue; Attended "Fire on the Ridge" event hosted by the Fire Department which had about 100 attendees and was very informative; and, the 30th Anniversary planning committee will be meeting tomorrow to plan the final event on or around November 27.

Agenda item 8(b): Council concurred to voluntarily reduce their salary by donating back to the Town 10% of their salary to implement the Council's direction on June 26th to contribute towards the reduction of operating deficits in the 2009/2010 and 2010/2011 operating budgets.

TC (LEG) [CONCU]

Council to donate 10% of salary through voluntary payroll deductions. (580-30-30)

9. STAFF/COMMISSION/COMMITTEE COMMUNICATION

Town Manager Rough reported on the implications of the signed budget from the Governor; currently the gas tax and Prop. 42 payments would be deferred until May 31, 2010 if there is no clean up legislation enacted and Prop 1A funds and that property taxes may be taken out of this fiscal year 2009/10 and repaid in three years with interest, which could create a cash flow problem; and, RDA funds may be withheld.

10. CLOSED SESSION

At 7:23 p.m. Mayor Rutledge announced that pursuant to Government Code Section 54957.6, the Town Council will hold a closed session to meet with Charles L. Rough, Jr., Dennis Ivey, Denise Farrell and Gina Will, its designated representatives, regarding labor relations between the Town and the Paradise Police Officers Association; the Police Mid-Management Association; the Paradise Firefighters' Association; the Fire Mid-Management Association; the Confidential/Mid-Management Association; the General Employees Unit; and the Management Unit.

Mayor Rutledge reconvened the meeting at 8:12 p.m. and announced that direction was given to staff and that no action was taken in council chambers.

11. ADJOURNMENT

MOTION by White, seconded by Lotter, adjourned the Council Meeting at 8:12 p.m. Council vote was unanimous.

APPROVED: August 11, 2009


FRANKIE RUTLEDGE, Mayor


JOANNA GUTIERREZ, CMC, Town Clerk