

**MINUTES  
PARADISE TOWN COUNCIL  
REGULAR MEETING - 6:00 P.M. – June 8, 2010**

The Regular Meeting of the Town Council of the Town of Paradise was called to order by Mayor Lotter at 6:04 p.m. in the Council Chambers, Town Hall, 5555 Skyway, Paradise, California. Following the pledge of allegiance, the invocation was offered by Council Member Culleton.

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

**COUNCIL MEMBERS ABSENT:** Frankie Rutledge.

**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, Associate Engineer Ott, Acting Fire Chief Jensen and Acting Police Chief Buzzard.

**2. ITEMS DEFERRED FROM PREVIOUS MEETING**

None.

**3. CONSENT CALENDAR**

**Agenda Item 3(a):** MOTION by White, seconded by DiDuca, approved Minutes of the May 11, 2010 Regular Council Meeting. Roll call vote was unanimous with Rutledge absent and not voting.

**TC (MIN) [APPR]**  
Minutes of the May 11, 2010 Regular Meeting.

**Agenda Item 3(b):** MOTION by White, seconded by DiDuca, approved Check Register in the amount of \$2,473,669.83. Roll call vote was unanimous with Rutledge absent and not voting.

**TC (FIN) [APPR]**  
Check Register in amount of \$2,473,669.83 (310-10-26)

**Agenda Item 3(c):** MOTION by White, seconded by DiDuca,(1) Waived reading of entire Ordinance No. 501 and approved reading by title only; and, (2) Adopted Ordinance No. 501, An Ordinance Amending Text Regulations Within Paradise Municipal Code Title 16 relating to: Parcel Map Time Extensions, Planning Director Responsibilities, and Time Limits Expiration for Tentative Maps. Roll call vote was unanimous with Rutledge absent and not voting.

**TC (ORD) [ADOPT]**  
Ord. 501 Text Amendments to Paradise Municipal Code. (540-16-70)

**Agenda Item 3(d):** MOTION by White, seconded by DiDuca, declared the Paradise Police Department utility trailer described in the staff report, as surplus property and authorized the Police Department to transfer the property to Public Works Street Maintenance Division. Roll call vote was unanimous with Rutledge absent and not voting.

**TC (FIN) [AUTH]**  
Declared PD trailer as surplus and authorized transfer to Public Works (380-10-03)

**Agenda Item 3(e): MOTION by White, seconded by DiDuca, (1)** Approved the plans, specifications and estimates for the Paradise Memorial Trailway Southern Extension Project; and, (2) Authorized the Public Works Director/Town Engineer and Town Clerk's Office to advertise the project. The project would extend the Trailway west 0.35 miles from the Neal Road/Skyway intersection west to Princeton Road, paralleling the Skyway on the southern side. Roll call vote was unanimous with Rutledge absent and not voting.

**TC (PW) [APPR]**  
PS&E's & advertising  
for Memorial Trailway  
Southern Extension  
Project. (950-18-09)

**Agenda Item 3(f): MOTION by White, seconded by DiDuca,** adopted the updated Community Development Block Grant Citizen Participation Plan. The plan outlines grantees policies and procedures regarding citizen participation as required by 24 CFR Part 91 Section 105. Roll call vote was unanimous with Rutledge absent and not voting.

**TC (P&CD) [ADOPT]**  
CDBG Citizen  
Participation Plan.  
(710-10-72)

**Agenda Item 3(g): MOTION by White, seconded by DiDuca, (1)** adopted Resolution No. 10-10, A Resolution Calling for the Holding of a General Municipal Election to be Held on Tuesday, November 2, 2010, for the Election of Certain Officers as Required by the Provisions of the laws of the State of California Relating to General Law Cities for the Election of Two (2) Town Council Members and For the Submission to the Voters a Question Relating to Approval of Ordinance No 500 Adopting a Special Police/Fire Tax. Roll call vote was unanimous with Rutledge absent and not voting.

**TC (RES) [ADOPT]**  
Res 10-10: Calling for  
the Holding of a  
General Municipal  
Election to be held on  
Tuesday Nov. 2, 2010.  
(530-10-42)

(2) Adopted Resolution No. 10-11, A Resolution Requesting the Board of Supervisors of the County of Butte to Consolidate a General Municipal Election to be Held on November 2, 2010 with the Statewide General Election to be Held on that Date for the Election of Two (2) Town Council Members and for the Submission to the Voters a Question Relating to Approval of Ordinance No. 500 Adopting a Special Police/Fire Tax. Roll call vote was unanimous with Rutledge absent and not voting.

**TC (RES) [ADOPT]**  
Res 10-11:  
Requesting the Board  
of Supervisors  
Consolidate a General  
Municipal Election to  
be held Nov. 2, 2010.  
(530-10-42)

(3) Adopted Resolution No. 10-12, A Resolution Amending & Replacing Resolution No. 08-26 and Adopting Regulations for Candidates for Elective Office Pertaining to Candidate Statements Submitted to the Voters at a General or Special Municipal Election. Roll call vote was unanimous with Rutledge absent and not voting.

**TC (RES) [ADOPT]**  
Res 10-12:  
Regulations re  
Candidates  
Statements. (530-10-  
42)

(4) Directed the Town Clerk to transmit certified copies of the appropriate resolutions to the Butte County Elections Department; and,

(5) Directed the Town Attorney to prepare an impartial analysis.

**Agenda Item 3(h): (Added by Addendum) MOTION by White, seconded by DiDuca,** declared the certain police department property described in attachment A to the staff report (filing cabinets, desks, metal cart, chairs, obsolete computer equipment, metal cabinet w/sink & file organizers) as surplus property and authorized the Police Department to dispose of the property. Roll call vote was unanimous.

**TC (FIN) [AUTH]**  
Declared Town equipment as surplus and authorized disposal. (380-10-03)

**4. PUBLIC HEARING PROCEDURE** Mayor Lotter stated that staff has requested cancellation of the scheduled public hearing.

**5. PUBLIC HEARINGS**

**Agenda Item 5(a):** Council concurred to cancel the continued public hearing regarding adoption of a resolution of the Town Council of the Town of Paradise Establishing an Updated and Revised Schedule of Fees for Town Services for the Town of Paradise during the 2010/2011 Fiscal Year.

**TC (FIN) {CONCU}**  
Cancel the Public Hearing regarding Master Services Fee Schedule. (395-20-17)

**6. PUBLIC COMMUNICATION** - None.

**7. COUNCIL CONSIDERATION**

**Agenda Item (7a):** Council concurred to acknowledge receipt of the 30% Plans for the Downtown Paradise Capital Improvements Master Plan.

**Agenda Item (7b):** Following presentation and review of the tabulated results of the 2010 Business Survey, Council concurred to recommend that the survey be posted on the Town's website and notify the Chamber of Commerce of its availability. The survey was developed as part of the Community Development Block Grant 2010-2015 Consolidated Plan process.

**Agenda Item (7c): MOTION by White, seconded by Culleton,(1)** Authorized the purchase of a public safety computer aided dispatch and records management system and approved the total project cost of \$359,432; and, (2) Adopted Resolution No. 10-13, A Resolution Authorizing the Mayor and Town Manager to Enter Into An Agreement, As Approved by the Town Attorney, With RIMS Sun Ridge Systems, Inc. for the Purchase, Scope of Work and Delivery of Services of a Public Safety Computer Aided Dispatch and Records Management System. Roll call vote was unanimous with Rutledge absent and not voting. **Financial Impact:** The cost of the RIMS Sun Ridge Systems CAD/RMS software, which includes training, first year support, updates and accompanying software, is \$301,605, and the cost of additional

**TC (RES) [ADOPT]**  
Res No. 10-13  
Purchase CAD/RMS software, training, support, and updates (C10-05)

hardware for the supplemental and supporting infrastructure is \$57,826.

Community Development Director McGreehan reported to Council regarding the ordinance proposed to amend the Paradise Municipal Code regulations relating to solid waste collection that would amend the code in a manner that would: (1) Confine the ability to grant possible and temporary exemption(s) to the requirement of mandatory and contracted solid waste collection service to only those instances that involve the existence of unforeseen and/or unusual hardship; and, (2) Establish authority to administer and act upon exemption applications with the Town's authorized franchisee or the Town's Solid Waste Committee upon appeal.

Council concurred to eliminate exemptions to the requirement of mandatory and contracted solid waste collection service.

**Agenda Item (7d): MOTION by Culleton, seconded by White, (1)** Directed staff to remove Sections 2 and 3 of the proposed ordinance and renumber section 4 as section 2, thereby eliminating exemptions to the requirement of mandatory and contracted solid waste collection service; (2) Waived the reading of entire Ordinance No. 502 and approved reading by title only; and, (3) Introduced Ordinance No. 502, An Ordinance Amending Text Regulations Within Paradise Municipal Code Chapter 8.08 Related to Solid Waste Collection. Roll call vote was unanimous with Rutledge absent and not voting.

**TC (ORD) [INTRO]**  
Ord No 502 RE:  
Amending Text  
Regulations Chapter  
8.08 Solid Waste  
collection.  
(540-16-71)

**Agenda Item (7e): (Added by Addendum) MOTION by Culleton, seconded by DiDuca,** adopted Resolution No. 10-14, "A Resolution of the Town Council of the Town of Paradise Authorizing The Submittal Of An Application To The California State Department Of Housing And Community Development For Funding Under The CalHome Program; The Execution Of A Standard Agreement If Selected For Such Funding And Any Amendments Thereto; And Any Related Documents Necessary To Participate In The CalHome Program." Roll call vote was unanimous with Rutledge absent and not voting.

**TC (RES) [ADOPT]**  
Res 10-14,  
Authorizing the  
Submittal of an  
Application to the  
California State Dept.  
of Housing and  
Community Dev. for  
funding under the  
CALHOME Program.  
(710-10-73)

## **8. COUNCIL COMMUNICATION (Council Initiatives)**

Council Member White reported on his attendance at the Butte County Association of Governments and Butte County Air Quality Management District meetings and informed Council that he voted against the proposed suspension of AB-32. AB 32 is the California Global Warming Solutions Act of 2006 that establishes a program of regulatory and market mechanisms to achieve real, quantifiable, cost-effective reductions of greenhouse gases (GHG) and makes the Air

Resources Board (ARB) responsible for monitoring and reducing GHG emissions.

Vice Mayor DiDuca reported that he attended the Veterans Memorial Day ceremony at the Paradise Cemetery, and that the 4<sup>th</sup> of July event is progressing.

Council Member Culleton reported that he attended the Veterans Memorial Day services, the Relay for Life fund raiser for cancer research, and that he plans to be at the House of Sports fundraiser for the Paradise High School athletics program this weekend.

Mayor Lotter reported that he presented a proclamation at the Relay for Life Event which declares the weekend of June 5<sup>th</sup> and 6<sup>th</sup> as the "Relay for Life Weekend" in the Town of Paradise, attended the Veterans Memorial Day ceremony at which our Police Chief Chris Buzzard was the guest speaker, and attended the Local Area Formation Commission (LAFCo) meeting.

At 8:00 p.m., Mayor Lotter adjourned the Town Council meeting to hold the Redevelopment Agency Meeting and reconvened the Council meeting at 8:05 p.m.

#### **9. STAFF/COMMISSION/COMMITTEE COMMUNICATION**

None.

#### **10. CLOSED SESSION**

Manager Rough announced that the Town Clerk has agreed to defer the scheduled closed session for her annual performance evaluation and review of employment agreement for Town Clerk services to the July 13, 2010 meeting, after he has had an opportunity to meet with the Management Unit regarding labor relations.

Council concurred to defer the closed session to conduct an annual performance evaluation of the Town Clerk, Joanna Gutierrez, and to review amending and restating of the agreement between the Town of Paradise and Joanna Gutierrez for Town Clerk services, to the July 13, 2010, Council Meeting.

At 8:05 p.m., Mayor Lotter 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, and Gina Will, its designated representatives, regarding labor relations between the Town and the Police Mid-Management Association; the Paradise

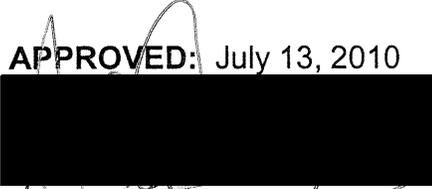
Firefighters' Association; the Confidential/Mid-Management Association; the General Employees Unit; and the Management Unit.

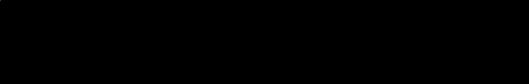
Mayor Lotter reconvened the meeting at 8:10 p.m. and announced that no action was taken in closed session.

**11. ADJOURNMENT**

The Town Council meeting was adjourned at 8:10 p.m.

**APPROVED:** July 13, 2010

  
SCOTT LOTTER, Mayor

  
JOANNA GUTIERREZ, CMQ, Town Clerk