

**MINUTES  
PARADISE TOWN COUNCIL  
REGULAR MEETING - 6:00 P.M. – JULY 5, 2011**

The Regular Meeting of the Town Council of the Town of Paradise was called to order by Mayor White at 6:01 p.m. in the Council Chambers, Town Hall, 5555 Skyway, Paradise, California. Following the pledge of allegiance, the invocation was offered by Vice Mayor Culleton.

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

**COUNCIL MEMBERS ABSENT:** Joe DiDuca

**STAFF PRESENT:** Town Clerk Gutierrez, Town Manager Rough, Town Attorney Moore, Assistant Town Manager Gill, Finance Director Will, Community Development Director Baker, Public Works Director/Town Engineer Schmidt, Onsite Sanitary Official Danz, HR Assistant Peters, Assistant Town Clerk Volenski, Battalion Chief Rapp, and Police Chief Buzzard.

The Paradise Pow Wow Days Proclamation was presented to Sherron Prosser and Ray Harrington.

The "Man Sawmill Peak Lookout Day" Proclamation was presented to Oak Knoll Senior Living representatives Deborah Ledesma, Marketing Director, and Patricia Gobin, Executive Director.

**2. ITEMS DEFERRED FROM PREVIOUS MEETING**

None.

**3. CONSENT CALENDAR**

**Agenda Item 3():** MOTION by Lotter, seconded by Culleton, approved the Minutes of the June 7, 2011 Regular Council Meeting; and, the June 23, 2011, Special Council Meeting. Roll call vote was unanimous, with DiDuca absent and not voting.

TC (MIN) [APPR]  
Minutes of the 6/7/11  
Regular & 6/23/11  
Special Council  
Meetings.

**Agenda Item 3(b):** MOTION by Lotter, seconded by Culleton, approved the Check Register in the amount of \$ 1,131,998.41. Roll call vote was unanimous with DiDuca absent and not voting. Roll call vote was unanimous, with DiDuca absent and not voting.

TC (FIN) [APPR] Check  
Register in amount of  
\$1,131,998.41. (310-10-  
27)

**Agenda Item 3(c):** MOTION by Lotter, seconded by Culleton, ratified acceptance of \$346 from Jeff Rolls logging to the Public Works gas tax fund 4750.3650.100 to offset costs for dead tree removal within Town right-of-ways. Roll call vote was unanimous, with DiDuca absent and not voting.

TC (FIN) [ACCEP] \$346  
Donation from Jeff Roll  
Logging to PW Gas Tax  
Fund. (395-50-13)

**Agenda Item 3(d): MOTION by Lotter, seconded by Culleton,** Adopted Resolution No. 11-22, A Resolution of the Town Council of the Town of Paradise Authorizing Disposal of Certain Town Records Maintained in Storage for the Town Clerk Department Pursuant to Government Code Section 34090. Roll call vote was unanimous, with DiDuca absent and not voting.

**TC (RES) [ADOPT]** Res No 11-22, Disposal of Certain Records in Town Clerk Dept. (160-20-13)

**Agenda Item 3(e): MOTION by Lotter, seconded by Culleton,** For the 2009 Overlay Project No 1: (1) Approved final construction contract quantities; (2) Authorized release of remaining retention monies; and, (3) Accepted the 2009 Overlay Project No. 1 improvements as complete and authorized the Town Clerk to file a Notice of Completion. (Contractor: Knife River Construction). Roll call vote was unanimous, with DiDuca absent and not voting.

**TC (AGT) [APPR]** 2009 Overlay Project as complete & authorized Notice of Completion. (C09-19)

**Agenda Item 3(f):** None.

**Agenda Item 3(g): MOTION by Lotter, seconded by Culleton,** adopted Resolution No. 11-23, 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 the Funding Under the HOME Investment Partnerships 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 HOME Investment Partnerships Program. Roll call vote was unanimous, with DiDuca absent and not voting.

**TC (RES) [ADOPT]** Res No 11-23, Authorizing Application for funding under the HOME Investment Partnerships Program. (710-10-68)

**Agenda Item 3(h): MOTION by Lotter, seconded by Culleton,** approved amendment to the agreement between the Town of Paradise and Dwight L. Moore for Town Attorney services to reflect a reduction of his monthly hours for legal services. Roll call vote was unanimous, with DiDuca absent and not voting.

**TC (AGT) [APPR]** Amendment to Town Attorney contract. (C93-01)

**Agenda Item 3(i): MOTION by Lotter, seconded by Culleton,** accepted donation of three guest chairs from Dennis Ivey to the Town of Paradise valued at \$240. Roll call vote was unanimous, with DiDuca absent and not voting.

**TC (FIN) [ACCEP]** Donation of three guest chairs from Dennis Ivey. (395-50-13)

**Agenda Item 3(j): MOTION by Lotter, seconded by Culleton,** acknowledged revisions to the 2011/2012 budget adopted on June 28, 2011, necessitated by the upcoming vacancy of the Associate Engineer position; and, (1) Adopted Resolution No. 11-24, A Resolution of the Town Council of the Town of Paradise Amending the Final Budget for the Town of Paradise Including All Attachments,

**TC (FIN) [ACK]** Revision to budget to reflect upcoming vacancy of Associate Engineer position. (340-10-32)

Appendices and Other Related Documents for the 2011-2012 Fiscal Year Ending June 30, 2012; and, (2) Adopted Resolution No. 11-25, A Resolution of the Town Council of the Town of Paradise, California, Approving Policy and Amending General Fund Reserves for Fiscal Year 2011-2012. (Amends Resolutions No. 11-15 and 11-17 adopted on June 28, 2011). Roll call vote was unanimous, with DiDuca absent and not voting.

**TC (RES) [ADOPT]** Res No 11-24, Amending Final Budget. (340-10-32)

**TC (RES) [ADOPT]** Res No 11-25, Amending General Fund Reserves. (340-10-32)

#### **4. PUBLIC HEARING PROCEDURE**

Mayor White informed the public of the public hearing procedure.

#### **5. PUBLIC HEARINGS**

Assistant Town Manager Gill reported to Council regarding amended information for the Disaster Recovery Initiative Grant application – 2008 Wild Fires (FEMA 3287-EM). The grant is intended to assist community efforts to repair damages to housing and infrastructure caused by the 2008 wildfire for which reimbursement from other sources has not been made, and to fund planning strategies which address land use issues, building codes and local hazard mitigation plans. This application requests funding for planning activities and for Feather River Hospital (if eligible).

Mayor White opened the public hearing at 6:16 p.m. to solicit public comment pertaining to possible activities and/or projects to be included in the application for funding. There were no speakers and Mayor White closed the public hearing at 6:17 p.m.

**Agenda Item 5(a): MOTION by Lotter, seconded by Titus,** adopted Resolution No. 11-26, A Resolution Amending Resolution No. 10-26 of the Town Council of the Town of Paradise and Approving An Application for Funding and Execution of Grant Agreement and Any Amends Thereto from the 2008 Disaster Recovery Initiative (DRI) Allocation of the State Community Development Block Grant (CDBG) Program. Roll call vote was unanimous, with DiDuca absent and not voting.

**TC (RES) [ADOPT]** Res No 11-26, Application for Funding & Execution of Grant Agreement from the 2008 Disaster Recovery Initiative (DRI) Allocation of the State CDBG Program. (710-10-74)

Community Development Director Baker reported to Council regarding the Planning Commission recommendation for Town Council approval of an ordinance proposed to prezone certain real property to a single pre-zoning district for the entire site of Agricultural Residential – 1 acre minimum (AR-1). The proposed rezone is for a +/- 59 acre property located immediately adjacent to and west of Skyway Crossroads, County of Butte, California, further

identified as AP # 017-090-097. The item is determined exempt from environmental review as a ministerial act in that the proposed rezoning of AR-1 is directed by a court order. Portions of the property are currently pre-zoned Resource Conservation/Planned Development (RC/PD) and Community Commercial/Planned Development (CC/PD), originally intended to accommodate the FHK Skyway Plaza Shopping Center project if and when the project's annexation was approved by LAFCo. The property is within the Town of Paradise Sphere of Influence.

Council Member Lotter exited the Council Chambers at 6:22 p.m.

Mayor White opened the public hearing at 6:22 p.m.

1. Mary Leonard stated initially she had a concern about drainage on the site, but after listening to the presentation of the Community Development Director, realizes it does not apply.

Mayor White closed the public hearing at 6:24 pm.

**Agenda Item 5(b):** MOTION by Titus, seconded by Culleton, (1) Waived the reading of entire Ordinance No 521 and approved reading by title only; and, (2) Introduced Ordinance No. 521, An Ordinance Rezoning Certain Real Property Within the County of Butte and Within the Town of Paradise Sphere of Influence Consistent with the 1994 Paradise General Plan and Pursuant to Paradise Municipal Code Section 17.45.500, et. seq. (Town of Paradise; PL11-00116). Roll call vote was unanimous, with DiDuca and Lotter absent and not voting.

TC (ORD) [INTRO] Ord  
No 521, Rezoning  
Certain Real Property  
within the County &  
Town Sphere of  
Influence. (540-16-90)

Council Member Lotter returned to the Council Chambers at 6:25 pm.

## **6. PUBLIC COMMUNICATION**

1. Glenn Stankis handed Council a written copy of his presentation, which he read into the record, listing reasons why he thinks the Town Council should rescind a proclamation dated June 12<sup>th</sup> in support of the Paradise Center for Tolerance & Non-Violence (PCTN), and asked that an agenda item be scheduled at the next Council meeting to accomplish his request.

## **7. COUNCIL CONSIDERATION**

None.

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

**Agenda Item 8(a):** Council Member Lotter reported that he will be attending LAFCo on Thursday; and that he attended his League of California Cities (LCC) Public Safety Policy Committee meeting in Sacramento.

Vice Mayor Culleton reported that he attended his LCC Employee Relations Policy Committee meeting in Sacramento; and, at the LCC Sacramento Valley Division Quarterly Meeting in Rancho Cordova.

Mayor White reported on his attendance at the Butte County Air Quality Management District (BCAQMD) meeting which was held in Paradise; and, that he met with Supervisor Lambert and discussed redistricting.

**Agenda Item 8(b):** Council concurred to designate Vice Mayor Culleton as the voting delegate and Council Member Scott Lotter as the alternate to take action at the League of California Cities Annual Conference September 21-23 in San Francisco.

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

None.

At 6:45 p.m. Mayor White adjourned the Town Council Meeting to hold the Paradise Redevelopment Agency meeting. Mayor White reconvened the Council meeting at 6:50 p.m.

**10. CLOSED SESSION**

At 6:50 pm Mayor White announced that pursuant to Government Code Section 54957.6, the Town Council will hold a closed session to meet with Charles L. Rough, Jr., Lauren Gill, Gina Will, and Crystal Peters, its designated representatives, regarding labor relations between the Town and the Confidential/Mid-Management Association, the Firefighters' Association, Fire Mid-Management Association, the General Employees Unit, the Management Unit, the Police Mid-Management Association, and the Police Officers Association.

Mayor White reconvened the meeting at 7:18 p.m. and announced that no action was taken in closed session.

**11. ADJOURNMENT**

The Town Council Meeting was adjourned at 7:18 p.m.

**APPROVED:** August 2, 2011



ALAN WHITE, Mayor



JOANNA GUTIERREZ, CMO, Town Clerk