

**MINUTES
PARADISE TOWN COUNCIL
REGULAR MEETING - 6:00 P.M. – December 14, 2010**

The Regular Meeting of the Town Council of the Town of Paradise was called to order by Mayor Lotter at 6:02 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, Frankie Rutledge, Alan White and Scott Lotter, Mayor.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: Town Clerk Gutierrez, Town Manager Rough, Town Attorney Moore, Assistant Manager Gill, Finance Director Will, Community Development Director Baker, Public Works Director/Town Engineer Schmidt, Acting Fire Chief Jensen and Police Chief Buzzard.

Agenda Item 1(e): A Proclamation was presented to Rick McGregor commending his effort in organizing the Fourth Annual Christmas Truck Parade and collection of canned goods for local food collection centers in the community.

1. Jon Remalia stated that there was an extensive discussion at the November 22, 2010, special meeting regarding the requirement for Class A roofs by January 2015 and that there is little mention of it in the minutes, and that he thinks there was direction to staff regarding the roof requirement.

Agenda Item 1(f): MOTION by DiDuca, seconded by White, approved the Minutes of the November 9, 2010 Regular Meeting; and, the November 22, 2010, Special Meeting, with the spelling amendments noted by the Clerk. Roll call vote was unanimous with abstention of Rutledge from the November 22, 2010 Special Meeting.

Agenda Item 1(g): The State of the Town Address was presented by Mayor Scott Lotter. Mayor Lotter discussed major events and accomplishments within the Town government in the face of a continuing recession and state budget crisis, beginning with discussion of the Town's three core missions and the progress made in each category.

1. Preserve Financial Stability and Fiscal Solvency

The Council approved deficit reduction measures (reduced spending and cost saving measures) to eliminate the 2009/2010 deficit; approved employee contracts that resulted in shared sacrifice

salary/benefit concessions; and, achieved public pension reform and future retirement saving by establishing a separate retirement tier and a separate retiree health vesting schedule for new hires.

2. Improve Public Safety in the Community

The Town Council approved a fire department transition plan that increased engine crews from 2 to 3 persons, improved response capabilities and resulted in overtime savings; implemented a new mutual aid agreement with Cal Fire; approved purchase of a foreclosed property at Pentz and Pearson to serve as a future fire station, noting that the Paradise Volunteer Firefighters donated \$20,000 towards the purchase of this property; approved the purchase of a new 9-1-1 Computer Aided Dispatch and Records Management System (CAD RMS) to replace a 20-year old, unreliable system; and, plans to authorize the purchase of Mobile Data Computer (MDC) units for patrol cars and fire engines; and, approved use of State funding for an upgrade to the 9-1-1 AT&T phone to a Viper 9-1-1 AT&T system that allows operation of the system from anywhere in the county.

Mayor Lotter acknowledged the work of the Fire Department and Fire Safe Council for conducting community meetings to educate residents about creating defensible space and personal preparedness, including presentations of the revised evacuation plan for the Town; the Town's Emergency Operations Center continued the training effort for EOC personnel and certified Disaster Service Volunteers; the continuation of the shaded fuel reduction program through the Fire Department and the Volunteers Assisting with Defensible Space (VADS) volunteer program; and, the coordinated effort with Cal Fire in a major fuel reduction effort on the Memorial Trailway above Rocky Lane.

3. Improve our Local Economy

During 2010, the Town approved loans within the community through the First Time Homebuyers Program in an amount of \$432,023, which helps our local service and retail businesses and lending institutions, real estate and title companies; and, informed that 13 loans to qualifying homeowners were made through the Housing Rehabilitation Program to make improvements or repairs which improves neighborhoods and helps local builders, contractors and building supply and hardware stores.

The Town continues work on the Skyway Plaza (Wal-Mart) Shopping Center application; the clustered wastewater treatment system for the downtown and Redevelopment Project Area; continues to streamline and improve its pro-business development services which

includes deferral of fees until point of occupancy and elimination of fees for developer requested initial project meetings; streamlined new business sign application and design review processes; and, has established a pro-business profile for the Town that is posted on the website and included in the Business Assistance Packet that is provided to potential investors, developers and lenders. The Town worked with Rite Aid on the design and development of their new store and received accolades from Rite Aid on the positive experience.

The Town completed a federal stimulus funded asphalt overlay on Upper Skyway and Upper Pentz Roads, and a chip seal on Pentz; completed the Pineview Drive Roadway reconstruction; and, the extension of the Memorial Trailway from Neal/Skyway to Princeton. The Town continues to work as one of eight partners on the Paradise Community Village Project, a mixed use development consisting of affordable and single family housing, parks/recreation, open space & community facilities and, in cooperation with the Paradise Community Village and Chico Housing Improvement Program (CHIP), received approval of a \$2.1 million grant towards the Phase I affordable housing component of the project.

The Town also sponsored two successful community events at the Paradise Community Park: the second annual 4th of July Bluegrass Festival & Old Fashioned Picnic, and the 4th Annual Christmas Tree Lighting Ceremony combined with the Christmas Truck Parade.

Mayor Lotter acknowledged the passing away of Alice Smith, former Mayor and Council Member, and strong supporter of the community and the Town's government, and thanked the Council and Town employees for their commitment and dedication to the Town government during these exceptionally tough times.

Mayor Lotter presented Council Member Frankie Rutledge with a plaque recognizing her dedication and service as past Mayor and member of the Town Council; and, thanked her for her service to the Town as Town Clerk for the previous 22 years for a combined total of 26 years of public service to the Town of Paradise.

Town Manager Rough presented Scott Lotter with a plaque recognizing his dedication and service to the Town as Mayor and Council Member.

Agenda Item 1(h): MOTION by Rutledge, seconded by Culleton, adopted Resolution No. 10-44, A Resolution of the Town Council of the Town of Paradise Reciting the Fact of the General Municipal

TC (RES) [ADOPT] Res
10-44 Reciting Fact of
the General Municipal
Election on November 2,

Election Consolidated with the Statewide General Elections Held on November 2, 2010, Declaring the Result and such other Matters as Provided by Law. Roll call vote was unanimous. 2010. (Legal) (530-10-42)

Agenda Item 1(i): Town Clerk presented Certificates of Elections and administered Oaths of Office to Elected Council Members

- 1. Scott Lotter
- 2. Tim Titus

Agenda Item 1(j): Mayor Lotter adjourned the meeting to a 15-minute reception in the Town Hall Council Chambers for incoming and outgoing Council Members.

Agenda Item 1(k): Town Clerk reconvened the Council Meeting at 6:30 p.m.

Agenda Item 1(l): Roll call was administered by Town Clerk Gutierrez. Council Members Present: Steve "Woody" Culleton, Joe DiDuca, Scott Lotter, Tim Titus and Alan White.

Agenda Item 1(m/n): Town Clerk reviewed the procedures for Mayor/Vice Mayor Selection and opened nominations for the selection of the Mayor for a one-year term beginning December 14, 2010 and ending December 13, 2011.

Council Member Culleton nominated Council Member White.

Council Member Titus nominated Council Member DiDuca.

MOTION by Lotter, seconded by Culleton, closed the nominations. Council vote was unanimous.

TC (LEGAL) [ACK]
Closed Nomination for Mayor.

Roll call vote on Council Member White was unanimous. Council Member White was selected to serve as Mayor for a one-year term beginning December 14, 2010, and ending December 13, 2011.

TC (LEGAL) [ACK]
Selected Alan White to serve as Mayor for a one-year term. (580-30-01)

Town Clerk Gutierrez turned the meeting over to Mayor White for the selection of Vice Mayor for a one-year term.

Mayor White opened the nominations for the position of Vice Mayor for a one-year term beginning December 14, 2010, and ending December 13, 2010.

TC (LEGAL) [ACK]
Closed Nomination for Vice-Mayor.

Council Member Lotter nominated Steve "Woody" Culleton.

MOTION by Lotter, seconded by DiDuca, closed the nominations. Council vote was unanimous.

Roll call vote on Steve "Woody" Culleton was unanimous. Steve "Woody" Culleton was selected to serve as Vice Mayor for a one-year term beginning December 14, 2010, and ending December 13, 2011.

TC (LEGAL) [ACK]
Selected Steve "Woody" Culleton to serve as Vice-Mayor for a 1-year term. (580-30-01)

2. ITEMS DEFERRED FROM PREVIOUS MEETING

None.

3. CONSENT CALENDAR

At the request of Council Member DiDuca, Council concurred to remove agenda items 3b, 3c, and 3h from the consent calendar and to discuss the items after the scheduled public hearing, agenda item 5a, is completed.

1. Tom Kelly stated that he would like to register one "no" vote on agenda item 3d.

Agenda Item 3 (a): MOTION by Lotter, seconded by Culleton, approved the Check Register in the amount of \$1,555,203.91. Roll call vote was unanimous.

TC (FIN) [APPR] Check Register in amount of \$1,555,203.91 (310-10-26)

Agenda Item 3 (b): Removed from Consent. (Proposed adoption of Ordinance No 508).

Agenda Item 3 (c): Removed from Consent to be discussed after the public hearing item 5a. (Janitorial Services Agreement with Peerless).

Agenda Item 3 (d): MOTION by Lotter, seconded by Culleton, approved the Plans, Specifications & Estimates (PS&E) for the Pearson Road Park and Ride Project approved by the Town Council on September 9, 2008; and, (2) Authorized 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 Pearson Road Park & Ride Project. (950-40-14)

Agenda Item 3 (e): MOTION by Lotter, seconded by Culleton, adopted by unanimous vote the following seven resolutions fixing the employer's contribution cap under the public employees medical and hospital care act to update the benefit caps for the various bargaining units:

TC (RES) [ADOPT]
7 resolutions for PERS Medical Benefits Caps. (630-10-11) MOU file

(1) Resolution No. 10-45, "A Resolution Of The Town Council Of The Town Of Paradise, fixing the Employer's Contribution Under the Public Employees' Medical And Hospital Care Act With Respect To

TC (RES) [ADOPT]
Res. 10-45 Paradise Firefighters Association To (630-10-11) MOU file

Members Of A Specific Employee Organization (Paradise Firefighters Association); And Fixing The Employer's Contribution For Employees And The Employer's Contribution For Annuitants At Different Amounts;"

(2) Resolution No. 10-46, "A Resolution Of The Town Council Of The Town Of Paradise, fixing the Employer's Contribution Under the Public Employees' Medical And Hospital Care Act With Respect To Members Of A Specific Employee Organization (Paradise Police Officers Association); And Fixing The Employer's Contribution For Employees And The Employer's Contribution For Annuitants At Different Amounts;"

TC (RES) [ADOPT]
Res. 10-46 Paradise
Police Officers
Association
(630-10-11) MOU file

(3) Resolution No. 10-47, "A Resolution Of The Town Council Of The Town Of Paradise, fixing the Employer's Contribution Under the Public Employees' Medical And Hospital Care Act With Respect To Members Of A Specific Employee Organization (Police Mid-Management Association); And Fixing The Employer's Contribution For Employees And The Employer's Contribution For Annuitants At Different Amounts;"

TC (RES) [ADOPT]
Res. 10-47 Police Mid-
Management
Association
(630-10-11) MOU File

(4) Resolution No. 10-48, "A Resolution Of The Town Council Of The Town Of Paradise, fixing the Employer's Contribution Under the Public Employees' Medical And Hospital Care Act With Respect To Members Of A Specific Employee Organization (Management Group); And Fixing The Employer's Contribution For Employees And The Employer's Contribution For Annuitants At Different Amounts;"

TC (RES) [ADOPT]
Res 10-48 Management
Group (630-10-11)
MOU file

(5) Resolution No. 10-49, "A Resolution Of The Town Council Of The Town Of Paradise, fixing the Employer's Contribution Under the Public Employees' Medical And Hospital Care Act With Respect To Members Of A Specific Employee Organization (Confidential and Mid-Management Association); And Fixing The Employer's Contribution For Employees And The Employer's Contribution For Annuitants At Different Amounts;"

TC (RES) [ADOPT]
Res 10-49 Confidential &
Mid-Management
(630-10-11) MOU file

(6) Resolution No. 10-50, "A Resolution Of The Town Council Of The Town Of Paradise, fixing the Employer's Contribution Under the Public Employees' Medical And Hospital Care Act With Respect To Members Of A Specific Employee Organization (General Employees Unit); And Fixing The Employer's Contribution For Employees And The Employer's Contribution For Annuitants At Different Amounts;"

TC (RES) [ADOPT]
Res 10-50 General
Employees Unit
(630-10-11) MOU file

(7) Resolution No. 10-51, "A Resolution Of The Town Council Of The Town Of Paradise, fixing the Employer's Contribution Under the

TC (RES) [ADOPT]
Res 10-51 Fire Mid-
Management

Public Employees' Medical And Hospital Care Act With Respect To Members Of A Specific Employee Organization (Fire Mid-Management Association); And Fixing The Employer's Contribution For Employees And The Employer's Contribution For Annuitants At Different Amounts;"

Association
(630-10-11) MOU file

Agenda Item 3 (f): MOTION by Lotter, seconded by Culleton, adopted by unanimous vote the following seven resolutions electing to establish a health benefit vesting requirement for future retirees under the Public Employees' Medical and Hospital Care Act for the various bargaining units:

(1) Resolution No. 10-52, "A Resolution Of The Town Council Of The Town Of Paradise, Electing to Establish a Health Benefit Vesting Requirement for Future (Paradise Firefighter Association) Retirees Under the Public Employees' Medical And Hospital Care Act;"

(2) Resolution No. 10-53, "A Resolution Of The Town Council Of The Town Of Paradise, Electing to Establish a Health Benefit Vesting Requirement for Future (Paradise Police Officers Association) Retirees Under the Public Employees' Medical And Hospital Care Act;"

(3) Resolution No. 10-54, "A Resolution Of The Town Council Of The Town Of Paradise, Electing to Establish a Health Benefit Vesting Requirement for Future (Police Mid-Management Association) Retirees Under the Public Employees' Medical And Hospital Care Act;"

(4) Resolution No. 10-55, "A Resolution Of The Town Council Of The Town Of Paradise, Electing to Establish a Health Benefit Vesting Requirement for Future (Management Group) Retirees Under the Public Employees' Medical And Hospital Care Act"

(5) Resolution No. 10-56, "A Resolution Of The Town Council Of The Town Of Paradise, Electing to Establish a Health Benefit Vesting Requirement for Future (Confidential and Mid-Management Association) Retirees Under the Public Employees' Medical And Hospital Care Act;"

(6) Resolution No. 10-57, "A Resolution Of The Town Council Of The Town Of Paradise, Electing to Establish a Health Benefit Vesting Requirement for Future (General Employees Unit) Retirees Under the Public Employees' Medical And Hospital Care Act;"

(7) Resolution No. 10-58, "A Resolution Of The Town Council Of The Town Of Paradise, Electing to Establish a Health Benefit Vesting

Requirement for Future (Fire Mid-Management Association) Retirees Under the Public Employees' Medical And Hospital Care Act."

Agenda Item 3 (g): MOTION by Lotter, seconded by Culleton, adopted Resolution No. 10-59, a Resolution of the Town Council of the Town of Paradise authorizing the execution and delivery of a lease with option to purchase, and authorizing certain actions in connection therewith. (Total purchase price for 2011 Ford F350 Truck and Equipment, 2011 Ford F350 Truck and Equipment, Two-2011 Ford Crown Victorias and Equipment, 2011 Ford F750 Dump Truck and Equipment is \$216,668.) Roll call vote was unanimous.

TC (RES) [ADOPT] Res No. 10-59, Authorizing Lease Purchase Agt re 2010/2011 budgeted projects & equipment. (380-45-47)

Agenda Item 3 (h): Removed from Consent. (Authorization to transfer Local Agency Investment Funds (LAIF) to a money market account at Rabobank where they will be guaranteed to yield .15% more than LAIF on a monthly basis.)

Agenda Item 3 (i): MOTION by Lotter, seconded by Culleton, authorized the Town Council to sign the updated Wells Fargo signature cards in their capacity as Council Members and as members of the Paradise Redevelopment Agency. Roll call vote was unanimous.

TC (FIN) [AUTH] Authorize the update of B of A Signature cards (330-10-01)

Agenda Item 3 (j): MOTION by Lotter, seconded by Culleton, accepted a donation of \$1,000 from D.G. and A.H. Simpson and directed the funds to be placed within the Fire Department account, 7810.35.4630. (The funds will be used to purchase CPR manikins for community training which the department will be providing in 2011.) Roll call vote was unanimous.

Agenda Item 3 (k): MOTION by Lotter, seconded by Culleton, authorized the Town Manager to draw on a portion of the Town's allocation of state E911 funds by purchasing the Paradise Public Safety Point (PSAP) Ergonomic Furniture through the State of California 911 Emergency Communications Office; and, (2) Award the bid to Watson Furniture Group in Paulsbo, WA. (There is no impact to the General Fund. The total price for the replacement of the Public Safety Furniture will not Exceed \$30,960.10, which will be drawn from the Town's allotment of the State's 911 funds.) Roll call vote was unanimous.

TC (HS&W) [AUTH] Authorized TM to use E911 fund to purchase PSAP Ergonomic Furniture from Watson Furniture Group. (420-30-06)

4. PUBLIC HEARING PROCEDURE

Mayor White informed the public of the public hearing procedure.

5. PUBLIC HEARINGS

Special Project Manager Al McGreehan reported to the Council that the purpose of the public hearing is for Council to consider, pursuant to language stipulated in the Town's solid waste franchise agreement with Northern Recycling and Waste Services, approving a one-time only monthly services rate compensation increase based on an application submitted in accordance with the methodology in the franchise agreement that allows application for a rate adjustment after four years of service operation and as it relates to the fifth year of operation. (Also referred to as a "true-up" to the actual costs of operation.)

Mr. McGreehan stated that the action requested of Council is to consider either: (1) Approving, effective January 1, 2011, a "one-time only" 5% monthly services rate compensation increase to the Northern Recycling & Waste Services "solid waste collection rate schedule"; and, (2) Approving the "Third Amendment to the Franchise Agreement" whereby a 100% Consumer Price Index (CPI) would be established for application to possible future annual rate adjustments during Rate Year Six and the subsequent years of the franchise; **OR**, (3) Approving effective January 1, 2011, the alternative "one time only" monthly services rate compensation increase of 7.9%.

Mr. McGreehan explained that the Town franchised its waste reduction services in January 2007 to Northern Recycling and Waste Services; that it is a sole franchise that has provided expanded services that were not available prior to that franchise and, as such, original revenue projections were based on best approximated assumptions relative to customer base and volume of waste collection and disposal services costs and estimated revenues; and, that Section 6.04 of the franchise agreement allows the contractor to apply for a one-time only rate adjustment after completion of its first four years of services operation in the event that there was a revenue shortfall. Mr. McGreehan stated that after evaluation of the application information materials that included both audited and unaudited financial information, it was verified that the NRWS had experienced a revenue shortfall that would merit a 7.9% adjustment to the services rate, and discussed with Council factors that contributed to revenue shortfall, such as a smaller customer base than originally anticipated; customers' migration from 65-gallon containers to 35-gallon containers due to successful recycling that couldn't be accurately depicted early on in the process; and, a change in operating costs due to an unanticipated State mandate that required retrofitting of the fleet due to change in emission laws.

Mr. McGreehan clarified that the current contract already provides for an annual cost of living increase (75% of CPI) that would apply if Council approves the 7.87% increase. If the 5% rate compensation increase were to be approved, Council is requested to approve an amendment to the agreement to amend that provision to 100% of CPI.

It was noted that NRWS offered the option of a 5% rate compensation coupled with the contract amendment that allows for a 100% of CPI to make it easier up front on the customer base.

Doug Speicher, NRWS Manager, at the request of Council, discussed the costs that exceeded revenue projections that were made when the proposal was first presented to the Town. NRWS assumed vehicles were compliant when purchased in 2006, but were required by the State to retrofit by December 31, 2010; migrations to smaller cans due to the recycling; many locations are not on service; vacancies have occurred due to foreclosures; the sale of goods; and, exemptions were all factors. Mr. Speicher also explained the Household Hazardous Waste Element was projected to operate at under \$20,000 a year, but disposal alone is a \$30,000 cost due to the unanticipated amount of material that is coming in to the facility; discussed the financial documents that substantiate the rate compensation request; and, that the audited third year financial statements were used as the baseline for the increase.

Michael Murray, NRWS CFO, stated that audited financials were submitted with the rate package; that the company has experienced over a \$500,000 operating loss since the beginning of the franchise; that the contract allows a true-up in this year; the financials are public record; and that annual financial statements are submitted to the Town of Paradise.

Council Member Titus asked if it would significantly impact the operation if this matter were continued to the next meeting as he would like to review the financial information before making a decision, and Mr. Murray stated he did not think a postponement to the next Council meeting would significantly impact their operation.

Mayor White opened the public hearing at 7:39 p.m.

1. Ward Habriel, stated that he is a proponent of NRWS as he is familiar with their Napa operation, that he thinks that NRWS operation has made it possible for Butte County to meet the diversion requirements of the 1989 law that required 50% diversion of waste from our landfill by 2000; that he has worked with NRWS

public education outreach program that has made great inroads in the town, with the exception of the 0% waste resident, who makes no garbage, and is still billed for garbage service. Secondly, he stated that he is the publicly appointed member to the Butte County Solid Waste Local Task Force and that it is his responsibility to keep his eyes and ears open county-wide for ways to improve waste reduction and decrease the costs to the customer, that for persons who don't create a lot of garbage, pickups could occur less frequently thus reducing trips by the trucks and saving wear and tear on the roads, and that he receives a lot of feedback from people on fixed incomes that they can't afford an increase of any fee. Lastly, as a certified green building professional, stated that in communities where the green building codes and C&D ordinances have been adopted, that opportunities are created for waste haulers to increase their revenues.

2. Chuck Lehman, stated that he has a neighbor who only visits Paradise three to five times a year, has a gardener that takes care of the green waste, creates no trash, that the neighbor received a notice that he no longer has an exemption, and that his neighbor asked if he will still have to pay for cans when he is not there.

3. Mike Genna stated that he owns two residences, one which he rents to his son, that between the two households, not even a 35-gallon can of trash is generated, that his son will be working out of the area for the next few months and will be generating no trash, and that he would like Council to consider providing options to citizens such as bi-weekly or monthly pickups which could provide fuel savings to the company and less wear and tear on the roads

Doug Speicher informed Council that NRWS does have policies regarding vacancies, vacation homes, temporary holds and hardships, and is sympathetic to the rate payers, but they do have to follow the codes that require the mandatory removal of trash every seven days from occupied homes.

Mayor White closed the public hearing at 8:00 p.m.

Agenda Item 5(a): Council concurred to postpone this item (consideration of a one-time only monthly services rate compensation to the Northern Recycling & Waste Services "solid waste collection rate schedule") to the January 11, 2011, Town Council Meeting to give the Council an opportunity to review the financial information before making a decision.

ITEMS REMOVED FROM CONSENT CALENDAR: 3b, 3c, and 3h.

Council Member DiDuca requested items be discussed in the order of 3c, 3h and 3b. Council concurred.

Regarding agenda item 3c, Council Member DiDuca stated that he didn't see that three bids were received and would like to be sure that the Town is getting the best price. Manager Rough and Assistant Public Works Director Derr stated that historically there has been very little to response to the request for janitorial services, that the contract should have been renewed by extension in July, that Peerless has been with the Town for the last three contracts and is willing to extend the contract under the current terms and discussed the call out hours.

Agenda Item 3c: MOTION by Lotter, seconded by DiDuca, approved a new agreement between the Town of Paradise and Peerless Building Maintenance Company for janitorial services, and (2) Authorized the Town Manager to execute the agreement for an additional two-year period from July 1, 2010 to June 30, 2012. (The contract amount is for \$1,450.55 per month or \$17,406.60 per year and is currently budgeted in the 2010/2010 budget). Roll call vote was unanimous.

TC (AGT) [APPR]
Two year Agreement
with Peerless Building
Maintenance Company
for Town Hall and Police
Department janitorial
services (C04-11)

Regarding agenda item 3h, Council Member DiDuca stated that he would like to see at least three more RFP's sent out to see if we are getting the best value for our dollar, asked how much is "some" funds, and asked what is "short term". It was explained that the proposal from Rabobank was unsolicited, that "short term" means the money would remain in the other account until that interest rate dropped below that offered by LAIF; that the LAIF account will be kept open with a balance of \$50,000, and approximately \$1,000,000 would be invested in Rabobank; and, that the Finance Director has scheduled a conference call with another bank for their proposal, and that she will be contacting other banks in Town for comparisons. Manager Rough stated that the Town has an investment policy that allows the Finance Director/Town Treasurer to make these types of transactions for the Town.

Agenda Item 3(h): MOTION by Titus, seconded by Culleton, authorized the Town Manager and Finance Director to execute the necessary documents to move some Local Agency Investment Fund (LAIF) to a money market account at Rabobank where they will be guaranteed to yield .15% more than LAIF on a monthly basis. (During 2010 the Town has made an average of .53% per year on its investments.)

TC (FIN) [AUTH]
Execution of documents
to transfer monies from
LAIF to RABOBANK for
a .15% greater yield.

Regarding agenda item 3b; the ordinance scheduled for adoption of the state building codes and the Town's local amendments, Council Member DiDuca stated that he would like the ordinance to be amended to delete the roofing requirements for Class A roofs.

Town Manager stated that Fire Chief Jensen has sent out a memorandum that states his intent to come back to the January 11, 2011, Council meeting with proposed ordinance amendments to Ordinance No. 508 regarding the roof issue and the fire pit screening issue, but that they did not want to disrupt the ordinance adoption process as it would delay implementation of the local amendments.

Mayor White opened the matter for public input.

1. Ward Habriel, stated that he is a certified green building professional, that he has a contract with state wide agencies to do state wide training and there has been very little response to training offers in Northern California, that he thinks the Town is in a poor position to go forward in adopting codes without any training having been done for the contractors and building officials, and further discussed how buildings can be made better with green building and opportunities, such as insurance discounts, that are available for green builders.

Manager Rough stated that the Builders Exchange is organizing a process for all building and contractors to be oriented and brought up to date and that the Town will also be organizing its own trainings.

2. Jon Remalia, thanked everybody for the research done regarding the Class A roofing by 2015 requirement.

3. Tom Kelly, stated that his concern that the State is mandating codes for items/systems that have not yet been designed, that building codes should never be ambiguous, that the electrical code changes make sense, asked why adopt the green codes if we don't understand them, discussed the sprinkler requirements and asked for a resolution asking for repeal of the State codes.

Town Attorney Moore explained that if any substantial change was made to the ordinance, it would have to be re-introduced and brought back to Council again for adoption, and that the State building codes will automatically go into effect on January 1, 2011.

Agenda Item 3b: MOTION by Lotter, seconded by Culleton, (1) Waived reading of entire Ordinance No. 508 and approved reading by title only; and, (2) Adopted Ordinance No. 508, An Ordinance of

TC (ORD) [ADOPT]
Ord. 508, Adopting CA
Building Standards Code
in Paradise Municipal

the Town of Paradise Repealing the Paradise Municipal Code Chapter 8.50 and Chapters 15.01, 15.02, 15.03, 15.04, 15.05, 15.06; 15.12, 15.14, 15.16, 15.26 and Adopting New 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, Geologic, and Topographic Conditions, All Relating to the Adoption of the California Building Standards Code. Ayes of Culleton, Lotter, Titus and Mayor White and no of DiDuca. Code. (540-16-77)

Mayor White called for a recess at 8:45 p.m. and reconvened the meeting at 8:55 p.m.

6. PUBLIC COMMUNICATION

1. Tom Kelly stated that he would like to thank our outgoing Council Member and welcomed our incoming Council Member, that he is looking forward to the new year, that he thinks the big issues are police and fire, that the Town doesn't need any more parks, that the Fire Safe Council is doing a good job, that a lot of volunteers are getting involved and he thinks the volunteer groups need to be thanked, especially Mr. Hudson, who is a citizen who volunteers to clean up our streets. He further discussed concern that the new state building codes are ambiguous in certain areas and expressed concern with the three deaths that occurred on Oliver Road resulting from vehicles crashes, and complimented Council for getting things done over the years, such as setting up the biggest effective Onsite District in the state.

Town Manager Rough stated that the Town provides Mr. Hudson with his safety vest and gasoline, and that he has adamantly declined any recognitions or award for his service.

7. COUNCIL CONSIDERATION

Agenda Item 7(a): Council concurred to appoint Council representatives and alternates to represent the Town of Paradise on the various local and county committees and commissions. A listing of the committees/commissions is attached as Exhibit A. Council concurred to remove LAFCo and the General Plan Planning Process and added an Onsite Ad-Hoc Committee.

TC (ADMIN) [APPT]
Council Member Local
Committee &
Commission
representation for 2011.
(120-10-09)

8. COUNCIL COMMUNICATION (Council Initiatives)

Agenda Item 8(a): Vice Mayor Culleton reported on his attendance at the LCC Quarterly Meeting on December 10th; his participation in the Snow Day Event held today that was organized for area

participants (85 in attendance) by our Public Works Department to plan and train for a coordinated emergency response; that he was elected to the 2nd Vice President position on the LCC Sacramento Valley Division and appointed to the Employee Relations Policy Committee; requested ideas for programs for topics or speakers for the LCC Annual Conference, and nominees for the Helen Putnam Award.

Council Member DiDuca reported that he attended the Butte County Water Advisory Committee meeting and reviewed the Basin study; that Butte Environmental Council is suing the General Plan Process; attended the VIPS Dinner and the Town's Christmas Tree Lighting ceremony.

Council Member Lotter reported that he attended: the VIPS dinner; the Fire Department dinner at the Elks; the Snow Day Event; the Sacramento Valley Division LCC Quarterly meeting and that he is on the LCC Annual Conference Speaker Review Committee; LAFCO where they approved an update to the Gridley sphere of influence; the swearing in of our new police officer; met with Southwest Water Manager and brainstormed possible assistance with clustered wastewater systems; the Tree Lighting & Truck Parade; the Fire Fighter fundraiser for the school music program at the Black Bear Diner; and provided a movie and popcorn to "Shop with a Cop" participants with presents wrapped in the lobby by Paradise cheerleaders.

Council Member Titus reported that he has attended a lot of meetings with Town staff, that it is helpful to be able to connect at a different level of the community, has a great appreciation for the VIPS; attended the Fire Fighter fund raiser held at the Black Bear Diner; and, thanked everybody for their patience.

Mayor White reported that he attended the Butte County Association of Governments meeting where they held the public transit needs public hearing and that there no complaints from Paradise residents regarding schedule changes; the Butte County Air Quality Management District meeting where they discussed changing the Rule 300 – open burning rule for Magalia to more closely match Paradise; the Fire Fighter benefit at the Black Bear Diner and stated that the Exchange Club will also be donating money to the school music program; and encouraged attendance at the Symphony Fund Raiser and the Nutcracker ballet performance at the Paradise Performing Art Center, which could be the last performance held at the PPAC.

Agenda Item 8b: Council Member Culleton stated that he placed these items on the agenda on behalf of Council Member Titus. Council Member Titus displayed a power point and discussed his ideas for business incentives and job creation within the Town of Paradise and asked Council to consider:

- (1) Authorizing a consumer survey to be posted on the website to determine what goods and services are being purchased outside of the Paradise Community.
- (2) Authorizing business incentives.
- (3) Authorizing a Business Round Table or Forum to bring the Town and the business community together to discuss the challenges facing the community, to discuss the current Town programs that exist to assist the business community; and, to look at usage of some of the TOT to help promote business on the ridge.
- (4) Authorizing an economic development committee whose mission is to identify the need and to seek out businesses that can fulfill that need by creating jobs and revenue opportunity for the Town – tax generating business as opposed to service.

Council Member Titus stated that these ideas are to fulfill the third leg of the Town's mission statement, "To promote, support and encourage the business growth, development and economic revitalization of our community." Council Member Titus explained his vision for a Council appointed Economic Development Committee that would act as a liaison between the Council and the business community and create a common vision, including the formation of an Economic Roundtable that would address the needs of the businesses in the communities, determine retail leakage to other communities and attract revenue generating businesses to the Ridge; and, to provide ideas for business incentives and economic development within the community.

Following discussion, **Council concurred** to conceptually approve the ideas presented by Council Member Titus; appointed Council Members Titus and Council Member Lotter to work with the Town Manager and Assistant Manager to analyze the details of the proposals; and, directed organization of an organizing committee for the formation of an Economic Round Table with a report to come back at the February Council Meeting.

9. STAFF/COMMISSION/COMMITTEE COMMUNICATION

Agenda Item 9(a): Fire Chief Jensen reported to Council regarding alternatives and options considered for the re-roof of Fire Station One.

Public Works Director Schmidt reported on the Snow Day Event, thanked the local businesses for donations to the events, and that the event raised \$657 that was donated to the Family Resource Center. Council commended the Public Works Director for the successful coordination of the inter-agency training and the benefits it will bring to our community in the event of an emergency event.

10. CLOSED SESSION - None.

11. ADJOURNMENT

The Town Council Meeting was adjourned at 10:20 p.m.

APPROVED: January 11, 2011


ALAN WHITE, Mayor


JOANNA GUTIERREZ, CMO Town Clerk

December 14, 2010
Amended Exhibit "A"

2011 REPRESENTATION ON AGENCY COMMITTEES/COMMISSIONS

BUTTE COUNTY COMMITTEES/COMMISSIONS

BUTTE COUNTY		White	Culleton	Lotter	DiDuca	Titus
1	Air Quality Management District	R				A
2	Association of Governments	R				A
3	City Selection Committee (Mayor)	R				
4	Disaster Council (Mayor)	R	A			
5	Waste Mgt Local Task Force		A	R		
6	Water Advisory Committee (4-year term)				R to 12/2012	
7	City/County Ad Hoc Committee			R		R
8	Lake Oroville Supplemental Benefits Funds *Alternate: Citizen Sam Dresser			R		
9	3CORE (formerly Tri-County Economic Development Corp)					R

LOCAL COMMITTEES/COMMISSIONS

PARADISE		White	Culleton	Lotter	DiDuca	Titus
1	Citizens RDA Advisory Committee		R			R
2	Civic Center Planning Task Force		R	R		
3	Paradise Community Village	R				
4	Paradise Irrigation District Liaison				R	R
5	Paradise Rec. & Park District Liaison	R			R	
6	Solid Waste Committee (formerly Rate Review)		R	R		
7	Tourism Round Table (Paradise Chamber)				R	R
8	Youth Council (Project Vision)		R			
9	Onsite Ad Hoc Committee			R	R	
10	Investment Committee (Mayor & Council Member)	R			R	

*Amended February 8, 2011