



# TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

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[www.townofparadise.com](http://www.townofparadise.com)

## Management Staff:

Charles L. Rough, Jr., Town Manager  
Dwight L. Moore, Town Attorney  
Joanna Gutierrez, Town Clerk  
Lauren Gill, Assistant Town Manager  
Craig Baker, Community Development Director  
Dennis Schmidt, Public Works Director/Town Engineer  
Chris Jensen, Acting Fire Chief  
Chris Buzzard, Police Chief  
Gina Will, Finance Director/Town Treasurer

## Town Council:

Scott Lotter, Mayor  
Joe DiDuca, Vice Mayor  
Frankie Rutledge, Council Member  
Alan White, Council Member  
Steve "Woody" Culleton, Council Member

## **TOWN COUNCIL AGENDA** **REGULAR MEETING - 6:00 P.M. – September 14, 2010**

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Town Clerk's Dept., at 872-6291 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Town Clerk.

If you wish to address the Town Council on any matter on the Agenda, it is requested that you complete a "Request to Address Council" card and give it to the Town Clerk prior to the beginning of the Council Meeting.

All writings or documents which are related to any item on an open session agenda and which are distributed to a majority of the Town Council within 72 hours of a Regular Meeting will be available for public inspection at the time the subject writing or document is distributed to a majority of the subject body. The information will be available at the Town Hall in the Town Clerk's Department at 5555 Skyway, Paradise, California, during regular business hours Monday through Thursday from 8:00 a.m. to 5:00 p.m.

### **1. OPENING**

- a. Call to Order
- b. Pledge of Allegiance to the Flag of the United States of America
- c. Invocation
- d. Roll Call
- e. Proclamation: Strides for Diabetes  
Library Card Sign-Up Month

## **2. ITEMS DEFERRED FROM PREVIOUS MEETINGS**

None.

## **3. CONSENT CALENDAR**

**Roll call vote will be taken one time for all of the Consent Calendar agenda items.**

- 3a. Approve Minutes of the August 10, 2010, Regular Meeting.
- 3b. Approve Check Register in the amount of \$2,286,155.69.
- 3c. (1) Waive the reading of entire Ordinance No. 504 and approve reading by title only; and, (2) Adopt Ordinance No. 504, An Ordinance Rezoning Certain Real Property From Agricultural Residential, 3-Acre Minimum (AR-3) to Agricultural Residential, 1-Acre Minimum (AR-1) Zone Pursuant to Paradise Municipal Code Section 17.45.500 Et. Seq. (PL10-00046; Worthington).
- 3d. (1) Waive the reading of entire Ordinance No. 505 and approve reading by title only; and, (2) Adopt Ordinance No. 505, "An Ordinance Amending Sections 17.04.500 and 17.35.200 of the Paradise Municipal Code and adding Section 17.35.250 Thereto Related to: The Keeping of Small Animals as a Permitted Accessory Land Use in Residential Zones.
- 3e. Adopt Resolution No. 10-29, A Resolution of the Town of Paradise Authorizing Preparation and Submittal of Fund Applications to CalRecycle and Other State Agencies (Rescinds Resolution No. 08-44).
- 3f. Adopt Resolution No. 10-30, A Resolution of the Town of Paradise Authorizing Preparation and Submittal of Fund Applications to the CalRecycle Used Oil Payment Program.
- 3g. Deleted.
- 3h. (1) Reject recent bid for a police vehicle; and, (2) Authorize the Chief of Police to begin a new bid process for the purchase of a Ford Crown Victoria Police Interceptor.
- 3i. Ratify temporary construction permits for construction of the Pearson Road Park and Ride project at 174 Pearson Road for a cost of \$2,650 to be funded by CMAQ and CDBG-R federal funds.
- 3j. (1) Adopt Resolution No. 10-31, A Resolution of Approval of Annual Disadvantaged Business Enterprise (DBE) Submittal Form for Federal

Fiscal Year 2010/2011; (2) Authorize the Town Manager to execute the CalTrans' Local Agency DBE Annual Submittal Form; and, (3) Authorize the Town Manager to execute future Annual Submittal Forms.

- 3k. (1) Declare the obsolete or inoperable fire department vehicles, equipment and property described in Attachment A to the staff report as surplus property; and, (2) Authorize the vehicles, equipment and property to be disposed of through sales, recycle or appropriate waste means.
  
- 3l. Adopt Resolution No. 10-32, A Resolution of the Town Council of the Town of Paradise Approving Phase 1 of the Paradise Community Village Final Map, Assessor Parcel No's 054-090-048, 054-100-023, 054-110-031, 054-110-032 and 054-110-033.

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

- a. Staff report (15 minutes total maximum)
- b. Open hearing to the public
  - 1. Project proponents or in favor of (15 minutes total maximum)
  - 2. Project opponents or against (15 minutes total maximum)
  - 3. Rebuttals - when requested (15 minutes total maximum or 3 minutes maximum per speaker)
- c. Close hearing to the public
- d. Council discussion
- e. Motion
- f. Vote

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

- 5a. (1) Conduct a public hearing to consider Town Council adoption of a resolution accepting Supplemental Law Enforcement Service Funds (SLESF) grant monies in an estimated amount of \$100,000, offered through AB-1584 COPS Frontline State grant, and adopting a spending plan for the funds; and, (2) Consider adopting Resolution No. 10-\_\_\_, "A Resolution of the Town Council of the Town of Paradise Accepting State Supplemental Law Enforcement Service Funds (SLESF) (AB-1584 COPS Frontline)", which approves use of the grant monies to support a Police Community Service Officer and to fund the Police Department Assigned Patrol Vehicle Program. (**ROLL CALL VOTE**)
  
- 5b. Conduct a public hearing regarding the Planning Commission recommendations for Town Council adoption of Paradise General Plan Land Use Map Amendments and property rezones for applications identified as PL10-002260 (Feather River Hospital) and PL10-00194 (Rinehart).

The Feather River Hospital General Plan Amendment/Rezone recommendation is to approve a General Plan land use designation amendment from Rural Residential

(R-R) to Community Service (C-S) and a zone change from Rural Residential 1/2-acre minimum (RR-1/2) to Community Services (C-S) for two separate hospital-owned land areas totaling  $\pm$  3.00 acres to accommodate existing hospital facilities and possible future expansion of the existing hospital facilities/services located upon abutting lands identified as 1933 Peach Lane and 5960 Pentz Road, Paradise, AP Nos. 053-271-006, 053-390-010 and 053-390-011 (portion).

The Rinehart General Plan Amendment/Rezone recommendation is to approve a General Plan land use designation amendment from Agricultural Residential (A-R) to Rural Residential (R-R) and a zone change from Agricultural Residential-1-acre minimum (AR-1) to Rural Residential-1/2 acre minimum (RR-1/2) zone for a  $\pm$ 2.27 acre property located at 3527 Neal Road, Paradise; AP No 055-050-025.

After the close of the public hearing, the Town Council will consider: (1) Concurring with the project "CEQA determination" findings adopted by the Planning Commission on August 17, 2010, and embodied within Planning Commission Resolution Nos. 10-10 and 10-11; (2) Adopting Resolution No. 10-\_\_\_, A Resolution of the Town Council of the Town of Paradise Amending the Land Use Map of the 1994 Paradise General Plan (PL10-00260: Feather River Hospital and PL 10-00194: Rinehart); (3) Waiving the reading of entire Ordinance No. \_\_\_ and approve reading by title only; and, (4) Introducing Ordinance No. \_\_\_, An Ordinance Rezoning Certain Real Properties from RR-1/2 (Rural Residential, 1/2 Acre Minimum) to a C-S (Community Services) Zone; and, From AR-1 (Agricultural Residential, 1-acre minimum) to RR-1/2 (Rural Residential, 1/2 Acre Minimum) Zone Pursuant to Paradise Municipal Code Sections 17.45.500 et. seq. (PL10-00260: Feather River Hospital and PL10-00194: Rinehart). **(ROLL CALL VOTE)**

5c. (1) Conduct a public hearing to receive public comment on the Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program; and, (2) Consider authorizing the Town Manager to submit the CAPER to the Department of Housing and Urban Development. **(ROLL CALL VOTE)** 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 report covers activities regardless of the year in which it was funded that are still open and active. This CAPER covers activities in the 2009-2010 program year.

## **6. PUBLIC COMMUNICATION**

This is the time for members of the audience who have completed a "Request to Address Council" card and given it to the Clerk to present items not on the Agenda. Comments should be limited to a maximum of three minutes duration. The Town Council is prohibited by State Law from taking action on any item presented if it is not listed on the Agenda.

## **7. COUNCIL CONSIDERATION**

- 7a. (1) Review application received and consider appointment to vacancy on the Tree Advisory Committee; and, (2) Consider other direction to staff regarding remaining vacancies.
- 7b. (1) Consider waiving the reading of entire Ordinance No. \_\_\_\_ and approve reading by title only; and, (2) Introducing Ordinance No. \_\_\_\_, An Ordinance Amending Text Regulations Within the Paradise Municipal Code Chapter 8.04, related to Public Nuisance Abatement. **(ROLL CALL VOTE)**
- 7c. Consider (1) Approving the Agreement for Fire Protection under Automatic Aid Between Butte County/California Department of Forestry and Fire Protection (CALFIRE) and Town of Paradise Fire Departments Operational Letter of Understanding; and, (2) Authorizing the Town Manager to execute the agreement as written; **(ROLL CALL VOTE)** or, (3) Provide alternative direction to staff.
- 7d. Consider awarding a bid and approving a contract for the Fire Station One Re-roof project at 767 Birch Street. The bid opening is scheduled for September 13, 2010 and the recommendation for award will be provided as additional agenda material.
- 7e. Consider concept approval of the lot line adjustment and property exchange to reconfigure three parcels, AP #052-223-016 (Gilkey) and 052-223-027 (Paradise RDA) and 052-223-017 (Town of Paradise) and: (1) Authorize the Public Works Director/Town Engineer to accept and process a lot line adjustment application from the owner (Mica Gilkey); and, (2) Direct staff to prepare the appropriate agreements between the Town of Paradise and Gilkey, and between the Paradise Redevelopment Agency and Gilkey, in order to transfer property per Exhibit C attached to the staff report; **(ROLL CALL VOTE)** or, (3) Provide alternative direction to staff.
- 7f. Review and consider: (1) Acknowledging receipt of Fiscal Years 2007/2008 and 2008/2009 Annual Reports of the Town of Paradise Onsite Wastewater Management Zone and directing staff to forward the reports to the California State Regional Water Quality Control Board; or, (2) Reject the reports and provide alternative direction to staff.
- 7g. Consider approving and accepting the \$20,000 donation from the Paradise Volunteer Firefighters, Inc., to help the Town with the acquisition of the property located at 5573 Pentz Road as the site for a future

community fire station to serve the east and southeast areas of our community. **(ROLL CALL VOTE)**

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

8a. Council oral report(s) regarding their representation on Commissions/Committees.

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

9a. Town Manager Oral Report

**10. CLOSED SESSION**

10a. Pursuant to Government Code Section 54957.6, the Town Council will hold a closed session to meet with Charles L. Rough, Jr., Lauren Gill, 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/Operating Engineers Local No 3; and the Management Unit.

The Mayor will reconvene the meeting for the Council to consider the following:

10(a-1): Adopting Resolution No. 10-\_\_\_, A Resolution Adopting a Memorandum of Understanding Between the Town of Paradise and the Confidential/Mid-Management Association. **(ROLL CALL VOTE)**

10(a-2): Adopting Resolution No. 10-\_\_\_, A Resolution Adopting a Memorandum of Understanding Between the Town of Paradise and the General Employees Unit/Operating Engineers Local No. 3. **(ROLL CALL VOTE)**

**11. 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:  _____	
TOWN/ASSISTANT/DEPUTY TOWN CLERK SIGNATURE	

*Town of Paradise, California*  
**PROCLAMATION**

**WHEREAS**, there is a global epidemic of type 2 diabetes, and in Butte County, 1 in 10 of our citizens has diabetes, which is much higher than the national average of 1 in 12; and,

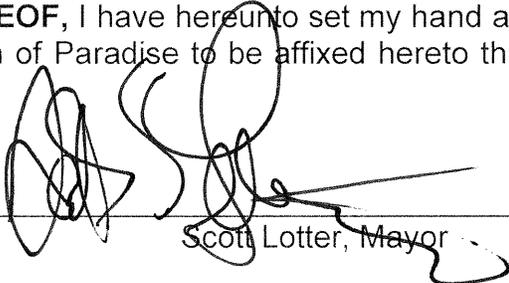
**WHEREAS**, Type 1 and Type 2 diabetes can lead to serious complications and poses a tremendous toll on the health of an individual and the well-being of our community; and,

**WHEREAS**, the good news is that 80% of type 2 diabetes can be prevented through simple changes in our daily lives, such as increasing activity, modest weight loss, eating more fresh fruit and vegetables and less fried food, limiting alcohol and quitting smoking; and,

**WHEREAS**, the Business and Professional Lions Club of Paradise and the Adventist Health Feather River Hospital Diabetes Education Program are co-sponsoring a Walk/Run event at the Paradise Community Park on October 10, 2010 to raise diabetes awareness, promote prevention and support diabetes education for our community;

**NOW, THEREFORE**, I, Scott Lotter, Mayor of the Town of Paradise, hereby proclaim support of the first ever "Strides for Diabetes" Walk/Run Event scheduled to take place at the Paradise Community Park located at Black Olive & Pearson Roads on Sunday, October 10, 2010, from 7:30 a.m. -11:30 a.m. and encourage citizens to participate by either enrolling in the 5K Run, the 5K walk or the 3K walk; or, by visiting the park to enjoy healthy snacks, talk to the diabetes experts, groove with members of the Paradise Symphony, and witness the awarding of prizes to the top runners.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the official seal of the Town of Paradise to be affixed hereto this 14<sup>th</sup> day of September, 2010.

  
\_\_\_\_\_  
Scott Lotter, Mayor

Town of Paradise, California  
**PROCLAMATION**

**WHEREAS**, the smartest card is a library card; and,

**WHEREAS**, in time of economic hardship, Americans turn to – and depend on – their libraries; and,

**WHEREAS**, libraries nationwide design and offer programs tailored to meet their local community's economic needs; and,

**WHEREAS**, public library staff help students learn how to perform age-appropriate Internet searches, online tutoring and Web-based resources for homework help using free, public-access computers; and,

**WHEREAS**, children who have library cards and use the library perform better in school; and,

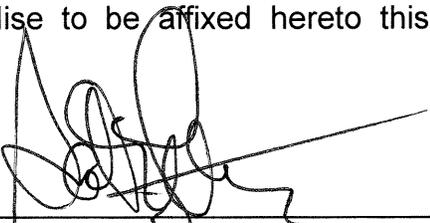
**WHEREAS**, by motivating children to read, librarians create lifelong readers, and that makes for better citizens, which makes for a healthier democracy; and

**WHEREAS**, the most important school supply of all is a library card;

**WHEREAS**, Library Card Sign-Up Month will be celebrated locally at a special "All About Books" festival at the Road Runner Community Marketplace on September 18 where free library cards will be issued:

**NOW, THEREFORE**, I, Scott Lotter, Mayor of the Town of Paradise, hereby proclaim the month of **September 2010** as "Library Card Sign-Up Month" in Butte County, California and encourage everyone to sign up for the smartest card at your library.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the official seal of the Town of Paradise to be affixed hereto this **14th day of September, 2010**.

  
\_\_\_\_\_  
Scott Lotter, Mayor

**MINUTES  
PARADISE TOWN COUNCIL  
REGULAR MEETING - 6:00 P.M. - AUGUST 10, 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, Community Development Director Baker, Special Projects Manager McGreehan, Human Resources Manager Ivey, Public Works Director/Town Engineer Schmidt, Assistant Town Clerk Volenski, 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 DiDuca, seconded by Culleton, approved Minutes of the July 13, 2010 Regular Meeting and the July 21, 2010 and July 22, 2010 Special Meetings. Roll call vote was unanimous.

**TC (MIN) [APPR]**  
Minutes of the July 13, 2010 Regular and July 21 & July 22, 2010 Special Meetings.

**Agenda Item 3(b):** MOTION by DiDuca, seconded by Culleton, approved the Check Register in the amount of \$948,963.29. Roll call vote was unanimous.

**TC (FIN) [APPR]** Check Register in amount of \$948,963.29 (310-10-26)

**Agenda Item 3(c):** MOTION by DiDuca, seconded by Culleton, (1) Waived the reading of entire Ordinance No. 503 and approved reading by title only; and, (2) Adopted Ordinance No. 503, An Ordinance Amending Text Regulations Within Paradise Municipal Code Section 17.04.500, 17.20.200 and 17.23.200 Related to: Land Use Regulations for Fuelwood Sales, Construction Sales and Service and Towing Service/Vehicle Impound Land Uses. Roll call vote was unanimous.

**TC (ORD) [ADOPT]**  
Ord. 503 Text Amendments to Paradise Municipal Code. (540-16-72 & 750-85-05)

**Agenda Item 3(d):** MOTION by DiDuca, seconded by Culleton, approved the Fiscal Year 2010/2011 GIS maintenance agreement

**TC (AGT) [APPR]**  
GIS Maintenance Agt. With CSU Chico,

with the CSU, Chico Research Foundation, in the amount of \$10,000; and, authorized the Town Manager and Mayor to execute the agreement. Roll call vote was unanimous.

Research Foundation  
(C06-22)

**Agenda Item 3(e): MOTION by DiDuca, seconded by Culleton,** approved the response to the 2009/2010 Final Grand Jury Report and authorized the Mayor to sign. Roll call vote was unanimous.

**TC (LEGAL) [APPR]**  
Respond to 2009/10  
Grand Jury Report (550-  
20-20)

**Agenda Item 3(f): MOTION by DiDuca, seconded by Culleton,** authorized the Town Manager and Mayor to execute the Amendment to Professional Services Agreement with Holdrege & Kull for Materials Testing, Inspection and Geotechnical Consultant Services. The amendment extends the contract duration through August 25, 2011 and has a revision to the cost schedule to cover increases to prevailing wage rates. Roll call vote was unanimous.

**TC (AGT) [APPR]**  
Amend Professional  
Services Agreement with  
Holdrege & Kull for  
Materials Testing,  
Inspection and  
Geotechnical Consulting  
Services thru Aug. 25,  
2011 (C09-16)

**Agenda Item 3(g): MOTION by DiDuca, seconded by Culleton,** approved purchase of three vehicles and related equipment for use by the Public Works Department for the total amount of \$158,431.41: (1) 2010/11 Ford F-350 SRD/CSR 4x4 pickup truck from Larry Geweke Ford, Yuba City at \$23,410.24; (2) One 2010/11 Ford, F-350 S/C 4x4 pickup truck from Larry Geweke Ford, Yuba City, at \$25,950.86; (3) One 2011 Ford, F-750 /Cab and Chassis from Downtown Ford Sales in Sacramento, at \$58,465.25; (4) Installation of communication radio units by Day Wireless at \$2,400; (5) Purchase & installation of specialty equipment from West Coast Truck Equipment in Sacramento at \$47,105.06; and, (6) Purchase & installation of beacon lighting and additional safety accessories by Fleet Manager in amount \$1,100. Roll call vote was unanimous.

**TC (FIN) [APPR] PW**  
Vehicles – Lease  
Purchase from Larry  
Geweke Ford in Yuba  
City, Downtown Ford  
Sales in Sacramento,  
Dayless Wireless, and  
West Coast Truck  
Equipment in  
Sacramento.

**Agenda Item 3(h): MOTION by DiDuca, seconded by Culleton,** (1) Authorized the Town Manager to replace the Paradise Public Safety Point (PSAP) 911 System; and, (2) Authorized the Town Manager to draw on a portion of the Town's allocation of State E911 Funds by purchasing the PSAP 911 System through the State of California 911 Emergency Communication Office. The anticipated cost is \$114,345.25 and includes all necessary equipment, labor, taxes, training and a five (5) year warranty and maintenance agreement. There is no impact to the General Fund. Roll call vote was unanimous.

**TC (HS&W) [AUTH]**  
Authorized TM to  
Replace PSAP 911  
System including  
equipment, labor, taxes,  
training and 5-year  
warranty and  
maintenance agreement.  
(420-30-06)

**Agenda Item 3(i): MOTION by DiDuca, seconded by Culleton,** adopted Resolution No. 10-25, A Resolution of the Town Council of the Town of Paradise, California, Adopting Direct Assessment for Administrative Citation Penalties for Fiscal Year 2010/11 and

**TC (RES) [ADOPT]**  
Res. No. 10-25 Direct  
Assessment for  
Administrative Citation  
Penalties for FY 2010/11

authorized the Town Manager and the Town Attorney to Execute the Proposition 218 Certification of Tax Bill Levy. Roll call vote was unanimous.

and Execute Prop 218  
Certification of Tax Bill  
Levy (395-70-13)

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

Mayor Lotter informed the public of the public hearing procedure.

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

Assistant Manager Gill reported to Council regarding grant funding available through the California Department of Housing and Community Development Disaster Recovery Initiative-2008 Wild Fires (FEMA 3287-3M), and that since the first public hearing the only comment received was from the Feather River Hospital in Paradise inquiring as to whether or not their unreimbursed costs were eligible under this grant application, and that those eligibility questions have been submitted to HUD for investigation. Ms. Gill reported that the Town did not sustain a substantial enough loss to be eligible for housing assistance under this grant, but that the grant will pay for forward thinking strategies which address land use issues, and, with Council approval, the Town will be applying for planning funds to update the Safety Element of the General Plan and to update the Community Wildfire Protection Plan.

Mayor Lotter opened the public hearing at 6:13 p.m. There were no speakers for or against the matter and Mayor Lotter closed the public hearing at 6:14 p.m.

**Agenda Item 5(a): MOTION by White, seconded by Culleton,** adopted Resolution No. 10-26, A Resolution of The Town Council Of The Town of Paradise Approving an Application for Funding and the Execution of a Grant Agreement and any Amendments Thereto From the 2008 Disaster Recovery Initiative (DRI) Allocation of the State Community Development Block Grant (CDBG) Program. Roll call vote was unanimous.

**TC (RES) [ADOPT]**  
Res. No. 10-26  
Application for Grant  
from 2008 Disaster  
Recovery Initiative (DRI)  
Allocation from CDBG  
Program (710-10-74)

Community Development Director Baker reported to Council regarding the Planning Commission recommendation for Town Council adoption of a property rezone for a rezone application identified as PL10-00046 (Worthington) for a  $\pm$  13.32 acre land area consisting of three existing properties from Agricultural Residential-3 Acre Minimum (AR-3) to Agricultural Residential-1 Acre Minimum (AR-1) located at 217 Craft Lane, 237 Craft Lane and 3885 Neal Road, further identified as Assessor Parcel Numbers 051-240-004, 051-240-030 and 054-240-029.

Mayor Lotter opened the public hearing at 6:22 p.m. There were no speakers for or against the matter and Mayor Lotter closed the public hearing at 6:23 p.m.

**Agenda Item 5(b): MOTION by White, seconded by Culleton,** (1) Concurred with the Planning Commission's decision to adopt the environmental document (mitigated negative declaration) prepared for the rezone project under the requirements of the California Environmental Quality Act (CEQA); (2) Concurred with the project recommended rezone action adopted by the Planning Commission on July 20, 2010 and embodied within Planning Commission Resolution No. 10-7; (3) Waived the reading of entire Ordinance No. 504 and approve reading by title only; and, (4) Introduced Ordinance No. 504, An Ordinance Rezoning Certain Real property From Agricultural Residential, 3-Acre Minimum (AR-3) to Agricultural Residential, 1-Acre Minimum (AR-1) Zone Pursuant to Paradise Municipal Code Section 17.45.500 Et. Seq. (PL10-00046; Worthington). Roll call vote was unanimous.

**TC (ORD) [INTRO]** Ord.  
No 504 Rezoning Real  
Property from AR-3 to  
AR-1 (Worthington)  
(750-85-05)

Special Projects Manager McGreehan reported to Council regarding the Planning Commission recommendation for Town Council adoption of a Town initiated amendment to the text of the Land Use Element of the 1994 Paradise General Plan in order to update and revise the Land Use Element to be consistent with and further implement the Town adopted Paradise Redevelopment Plan. Mr. McGreehan stated that the proposed objective addresses the subject of "incompatible land uses" upon properties within the RDA Project area and complements Ordinance No. 503 that was adopted by Council this evening. Mr. McGreehan explained that the Planning Commission chose not to endorse a general plan policy that prohibited certain land uses within the project area.

Mayor Lotter opened the public hearing at 6:33 a.m.

1. Jon Remalia stated that he is in escrow on a piece of property on Skyway where he has an established fuelwood sales business, that he doesn't think more regulations on businesses are needed; that he doesn't think certain types of land uses should be prohibited and that effects of the land uses, such as noise and aesthetics, can be dealt with as they occur; that he thinks the Planning Commission went in the right direction in not excluding certain businesses; that his fuelwood business is creating jobs as he recently had 27 responses to an ad he placed in the paper for wood splitters and that 19 were from Paradise; and asked that the Council do what the Planning Commission recommended. Mr.

Remalia stated that the Redevelopment Implementation Plan has language that calls for support of basic industry in the redevelopment project area and that there is no zoning for basic industry in the RDA; and, that the discretionary decision process will trigger a review by the Fish and Game Department that will cost him \$2,000.00.

Mayor Lotter closed the public hearing at 6:37 p.m.

Council Member DiDuca exited the Council Chambers at 6:40 p.m.

**Agenda Item 5(c): MOTION by Culleton, seconded by Rutledge,** (1) Concurred with the project "CEQA" determination" findings adopted by the Planning Commission on July 20, 2010, and embodied within Planning Commission Resolution No. 10-8; and, (2) Adopted Resolution No. 10-27, A Resolution of the Town Council of the Town of Paradise Amending the Land Use Element of the 1994 Paradise General Plan [Town of Paradise]. \*Roll call vote was unanimous with DiDuca absent and not voting.

**TC (RES) [ADOPT]**

Res. No. 10-27  
Amending the Land Use  
Element of the 1994  
Paradise General Plan  
(760-40-38)

\*Note: [Adds Land Use Objective 22(a) (LUO-22(a): "Strengthen and expand the commercial-retail land use base of properties in the Paradise RDA project Area via minimization, reduction and/or avoidance of incompatible land uses."]

Community Development Director Baker reported to Council regarding the two proposed ordinances, the first which proposes prohibition of certain new land uses within the redevelopment project area; and, the second which proposes amendments to the Town's animal regulations to allow the keeping of limited numbers of chickens and rabbits upon smaller residential properties subject to certain standards. Mr. Baker informed Council that the Planning Commission reviewed and removed the language regarding the prohibition of land uses from the proposed Planning Commission resolution; and, subsequently, the majority of the Planning Commissioners voted to **not** adopt a resolution approving the proposed amendments to the Town's animal regulations.

Mayor Lotter opened the public hearing at 6:50 p.m.

1. Jon Remalia stated that he was surprised there was no one at the Planning Commission meeting in favor of the chickens, that he is against any regulation that singles out individual businesses, and asked the Council to decline the ordinance proposed to prohibit certain land uses in the redevelopment project area.

Mayor Lotter closed the public hearing at 6:52 p.m.

**Agenda Item 5(d-1): MOTION by Culleton, seconded by White,** rejected the proposed ordinance adding Section 17.06.825 to the Paradise Municipal Code Related to: Land Use Regulations Within the Paradise Redevelopment Project Area. Roll call vote was unanimous with DiDuca absent and not voting.

**TC (ORD) [REJ]** Reject proposed Ordinance

**Agenda Item 5(d-2): MOTION by Culleton, seconded by White,** directed that the language of the proposed ordinance be amended to allow up to two chickens and up to two rabbits (as stated by the Town Attorney); and, (1) Concurred with the Planning Director's "CEQA determination" that the proposed text amendments are exempt from the provisions of the California Environmental Quality Act, pursuant to CEQA Section 15061 (General Rule Exemption); and, (2) Waived the reading of entire Ordinance No. 505 and approved reading by title only; and, (3) Introduced Ordinance No. 505, "An Ordinance Amending Sections 17.04.500 and 17.35.200 of the Paradise Municipal Code and adding Section 17.35.250 Thereto Related to: The Keeping of Small Animals as a Permitted Accessory Land Use in Residential Zones", as amended. Ayes of Culleton, White and Mayor Lotter; no of Rutledge; DiDuca absent and not voting.

**TC (ORD) [INTRO]** Ord. No. 505 Amending Sections 17.04.500 and 17.35.200 and adding Section 17.35.250 Related to Small Animals (750-85-05)

## **6. PUBLIC COMMUNICATION**

1. Leslie Foss thanked the Council for listening to the citizens and withdrawing the parcel tax measure from the ballot, that she spoke to the Fire Chief about the scotch bloom next to the PG&E substation and that she met with Finance Director Will regarding the accounting software and understands that the situation is under control.

## **7. COUNCIL CONSIDERATION**

**Agenda Item 7(a): MOTION by White, seconded by Rutledge,** (1) Approved the two-year extension to the Town Clerk Employment Agreement with Joanna Gutierrez, extending the terms of the agreement through June 30, 2013; and, (2) Authorized the Mayor to sign the agreement. Roll call vote was unanimous with DiDuca absent and not voting.

**TC (AGT) [APPR]** Two-year Extension of Town Clerk Employment Agreement to June 30, 2013. (C06-11)

**Agenda Item 7(b): MOTION by Rutledge, seconded by Culleton,** adopted Resolution No. 10-28 A Resolution of the Town Council for the Town of Paradise Authorizing the 30-Day Suspension of Dog License Late Penalty Fees as Assessed within the Schedule of Fees in Resolution No. 09-48 (Suspension Effective September 1 –

**TC (RES) [ADOPT]** Res. No. 10-28 Authorizing 30-day Suspension of Dog License Late Penalty Fees. Effective September 1 – 30, 2010

September 30, 2010). Roll call vote was unanimous with DiDuca (410-40-20) absent and not voting.

**Agenda Item 7(c): MOTION by Lotter, seconded by Rutledge,** approved the permanent appointment of Acting Police Chief Chris Buzzard as Police Chief with no change in compensation. Roll call vote was unanimous with DiDuca absent and not voting.

**TC (PER) [APPR]**  
Permanent Appointment  
of Police Chief Chris  
Buzzard (650-60-07)

**Agenda Item 7(d): Council concurred** to endorse and officially support California Forward 2010 Fiscal Reforms Plan through specific state legislation: ACA 4, AB-2591, SB-1020 and SB-1426. (The legislation would, in essence, require the State government to develop spending plans, financial forecasts, and set clear goals for programs; and, provide legislative oversight of expenditures, program reviews, a process to identify revenue spikes that could pay one-time expenses or reduce debt and identification of funding sources for new or expanded programs or tax reductions.

**TC (LEGAL) [CONCU]**  
Support CA Forward  
2010 Fiscal Reform Plan  
through specific state  
legislation: ACA 4, AG-  
2591, SB-1020 and SB-  
1426. (550-40-21)

**Agenda Item 7(e): MOTION by White, seconded by Culleton,** (1) Authorized the Town Clerk to advertise for applicants to the upcoming vacancies on the Tree Advisory Committee caused by the expiration of terms of office of two positions requiring academic knowledge of basic plant science and/or maintenance and care of trees; and the two existing unfilled positions; (2) Set the terms of office for the unfilled positions requiring individuals licensed in the construction or onsite trades to initiate as two-year terms that will renew as three year terms; (3) Set an application deadline for September 2, 2010 at 5:00 p.m.; and, (4) Scheduled appointments to the positions at the September 14, 2010, Town Council Meeting. Roll call vote was unanimous with DiDuca absent and not voting.

**TC (PC&D) [AUTH]**  
Advertise for Applicants  
to the Tree Advisory  
Committee, application  
deadline of September  
2, 2010 and appointment  
on September 14, 2010  
at Regular Town Council  
Meeting. (740-60-12)

1. Ken Kouns informed Council that he is the citizen that hit the fire hydrant on Pinewood Drive, that he is insured through USAA, an insurance company owned by active and retired members of the armed forces, that his insurance representative informed him that in December, 2009, the Town had received five bids and that the Town Attorney demanded payment of the \$126,000 in January, t even though the work couldn't be done until April or May. Mr. Kouns stated that it is now August and the road repairs are finally being scheduled, that the new bids did not include the cost of three storms drains, and less square footage of road is being repaired, that he thinks the money was used to balance the Town's budget, and that he is happy to hear that any excess funds will now be refunded to the insurance company.

Mayor Lotter explained that when the initial bids were requested, the Town staff did not know the extent of the damage or if the accident caused damage to the storm drains; that there was a need to wait until they went through the entire winter to make that determination; that it was prudent to include the drains in the initial estimate to avoid potential expense to the taxpayers; and, that the claim monies had no effect on balancing the budget.

**Agenda Item 7(f):** MOTION by Rutledge, seconded by White, (1) accepted the bid from Franklin Construction, Inc., in the amount of \$65,965.00 for the Pinewood Drive Street Repair Project; (2) Awarded the contract to Franklin Construction, Inc., in the amount of \$65,965.00 and authorized the Town Manager and Mayor to execute the contract; and, (3) Authorized the Town Manager to execute Contract Change Orders on this project up to the 10% contingency limit (\$6,596.50). Roll call vote was unanimous with DiDuca absent and not voting.

**TC (PW) [ACCEPT]**

Accept bid from Franklin Construction in amount of \$65,965. for Pinewood Drive Street Repair Project. (950-40-15 & C10-10)

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

**Agenda Item 8a:** Council Member White reported on his attendance at Butte County Association of Governments and Butte County Air Quality Management District meetings.

Council Member Rutledge reported that her meetings were cancelled.

Council Member Culleton reported that he attended the Butte County Local Task Force meeting at the Neal Road Landfill; the Sacramento Valley Division Meeting; that he was nominated to the LCC Resolution Committee, which is why he put item 8b on the agenda; and that he is putting on a Cowboy Poetry fund raiser on Saturday at the Gold Nugget Museum to raise money for the annual "Boys of Paradise" Quota fundraiser on behalf of the Boys and Girls Club.

Mayor Lotter reported that he attended the Sacramento Valley division meeting in Redding and that Thursday is the last "Shop Local Thursday" at the Paradise Community Park.

**Agenda Item 8b:** Council concurred that the Town's League of California Cities voting delegate, Council Member Culleton, vote his conscience with regard to the resolutions proposed for consideration by the General Resolutions Committee at the 2010 League of California Cities 2010 Annual Conference.

**TC (ADMIN) [CONCU]**

Town's League of CA Cities Voting Delegate to vote his conscience at Annual Conference. (150-50-64)

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

None.

**10. CLOSED SESSION**

10a. At 8:00 p.m., Mayor Lotter announced that pursuant to Government Code Section 54957.6, the Town Council will adjourn to hold a closed session to meet with Charles L. Rough, Jr., Lauren Gill, 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; and,

10b. Pursuant to Government Code Section 54956.8, to hold a closed session with its negotiators, Charles L. Rough, Jr., Dennis Ivey, Lauren Gill, Dennis Schmidt and Doug Danz to discuss the price and terms to acquire real property from the owner Frank Nichols. The property is described as follows: Real property located within a 229 acre parcel of real property located south of Town along the side of Skyway within the Blue Oaks Phase III subdivision area, identified as AP #055-540-037.

Mayor Lotter reconvened the meeting at 8:55 p.m. and announced that direction was given and no action taken in either closed session.

**11. ADJOURNMENT**

The Town Council meeting was adjourned at 8:55 p.m.

**APPROVED:**

\_\_\_\_\_  
SCOTT LOTTER, Mayor

\_\_\_\_\_  
JOANNA GUTIERREZ, CMC, Town Clerk

# **TOWN OF PARADISE**

## **CASH DISBURSEMENTS REPORT**

FOR THE MONTH ENDING

**August 31, 2010**

August-10

Check Date	Pay Period End	DESCRIPTION	AMOUNT
8/6/2010	8/1/2010	Net Payroll - Direct Deposits & Checks	\$191,160.28
8/20/2010	8/15/2010	Net Payroll - Direct Deposits & Checks	\$184,810.72
		<b>TOTAL NET WAGES PAYROLL</b>	<u><b>\$375,971.00</b></u>
		<b>PR VENDORS: TAXES, PERS, DUES, INSURANCE, ETC.</b>	<u><b>\$338,126.06</b></u>
		<b>TOTAL AUGUST CASH DISBURSEMENTS - PAYROLL (MOM)</b>	<u><b>\$714,097.06</b></u>
		<b>TOTAL CASH DISBURSEMENTS - ACCOUNTS PAYABLE</b> (Detail attached)	<u><b>\$1,572,058.63</b></u>
		<b>TOTAL CASH DISBURSEMENTS</b>	<u><u><b>\$2,286,155.69</b></u></u>

APPROVED BY:



CHARLES L. ROUGH, TOWN MANAGER

APPROVED BY:



GINA WILL, FINANCE DIRECTOR

## TOWN OF PARADISE

**Cash Disbursement Report - August 2010**

From Payment Date: 8/1/2010 - To Payment Date: 8/31/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
AP - Wells Fargo AP Checking									
<u>Check</u>									
51937	08/02/2010	Open			Accounts Payable	BESSEGHINI, MARTHA	\$229.21		
51938	08/02/2010	Open			Accounts Payable	DAWSON, TERRY, L.	\$210.62		
51939	08/02/2010	Open			Accounts Payable	DHABOLT, OTIS	\$117.01		
51940	08/02/2010	Open			Accounts Payable	HAUNSCHILD, MARK	\$229.21		
51941	08/02/2010	Open			Accounts Payable	HONEYWELL, JANICE, J.	\$955.41		
51942	08/02/2010	Open			Accounts Payable	ICMA RETIREMENT #107773	\$287.17		
51943	08/02/2010	Open			Accounts Payable	JEFFORDS, ROBERT, D.	\$478.07		
51944	08/02/2010	Open			Accounts Payable	MOBILITIE INVESTMENTS II, LLC	\$100.00		
51945	08/02/2010	Open			Accounts Payable	MOORE, DWIGHT, L.	\$13,800.00		
51946	08/02/2010	Open			Accounts Payable	SWEENEY, JOHN & GEORGENIA	\$1,039.47		
51947	08/03/2010	Open			Accounts Payable	DOBRICH & SONS SEPTIC	\$2,385.00		
51948	08/05/2010	Open			Accounts Payable	ALTERNATIVE HEATING & AIR	\$202.00		
51949	08/05/2010	Open			Accounts Payable	B.I.N.T.F.	\$5,000.00		
51950	08/05/2010	Open			Accounts Payable	BATTERIES PLUS	\$51.93		
51951	08/05/2010	Open			Accounts Payable	BUTTE COUNTY PUBLIC HEALTH DEPARTMENT - CHICO	\$50.00		
51952	08/05/2010	Open			Accounts Payable	CALIFORNIA POLICE CHIEFS ASSOCIATION	\$555.00		
51953	08/05/2010	Open			Accounts Payable	CHPD/SACRAMENTO FBI	\$60.00		
51954	08/05/2010	Open			Accounts Payable	COMCAST CABLE	\$64.90		
51955	08/05/2010	Open			Accounts Payable	CORBIN WILLITS SYS. INC.	\$348.00		
51956	08/05/2010	Open			Accounts Payable	DAY WIRELESS SYSTEMS - MILWAUKIE, OR	\$135.93		

TOWN OF PARADISE  
**Cash Disbursement Report - August 2010**

From Payment Date: 8/1/2010 - To Payment Date: 8/31/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
51957	08/05/2010	Open			Accounts Payable	FEATHER RIVER HOSPITAL	\$388.00		
51958	08/05/2010	Open			Accounts Payable	FIRERESCUE	\$41.95		
51959	08/05/2010	Open			Accounts Payable	FP/FRANCOTYP-POSTALIA MAILING SOLUTIONS	\$103.86		
51960	08/05/2010	Open			Accounts Payable	FRANK'S REFRIGERATION & HEATING INC.	\$143.12		
51961	08/05/2010	Open			Accounts Payable	GRAPHIC IMPRESSIONS	\$73.61		
51962	08/05/2010	Open			Accounts Payable	GREAT AMERICA LEASING CORP.	\$119.07		
51963	08/05/2010	Open			Accounts Payable	HOOVER'S MANUFACTURING CO.	\$252.00		
51964	08/05/2010	Open			Accounts Payable	INLAND BUSINESS MACHINES	\$98.41		
51965	08/05/2010	Open			Accounts Payable	KOEFRAN INDUSTRIES	\$250.00		
51966	08/05/2010	Open			Accounts Payable	LIEBERT CASSIDY WHITMORE	\$816.00		
51967	08/05/2010	Open			Accounts Payable	MARK C. SEUFERT CONSTRUCTION	\$2,820.00		
51968	08/05/2010	Open			Accounts Payable	MORGAN TREE SERVICE	\$3,125.00		
51969	08/05/2010	Open			Accounts Payable	NORTH STATE SCREENPRINTING & ATHLETIC	\$1,189.40		
51970	08/05/2010	Open			Accounts Payable	OFFICE DEPOT	\$387.78		
51971	08/05/2010	Open			Accounts Payable	PARADISE DIVE CENTER	\$122.88		
51972	08/05/2010	Open			Accounts Payable	PARADISE IRRIGATION DIST	\$453.13		
51973	08/05/2010	Open			Accounts Payable	PARADISE RECREATION & PARK DISTRICT	\$201.00		
51974	08/05/2010	Open			Accounts Payable	PEERLESS BUILDING MAINT	\$887.65		
51975	08/05/2010	Open			Accounts Payable	POST NET	\$33.94		
51976	08/05/2010	Open			Accounts Payable	RAY MORGAN COMPANY INC	\$201.44		
51977	08/05/2010	Open			Accounts Payable	RICHARDS DESIGN CONCEPTS	\$9.74		
51978	08/05/2010	Open			Accounts Payable	SACRAMENTO REGIONAL PUBLIC SAFETY TRAINING CTR.	\$96.00		

## TOWN OF PARADISE

**Cash Disbursement Report - August 2010**

From Payment Date: 8/1/2010 - To Payment Date: 8/31/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
51979	08/05/2010	Open			Accounts Payable	SAFEGUARD FIRE PROTECTION	\$123.62		
51980	08/05/2010	Open			Accounts Payable	SAFEWAY INC FILE NO 72905	\$4.19		
51981	08/05/2010	Open			Accounts Payable	THRIFTY ROOTER	\$130.65		
51982	08/05/2010	Open			Accounts Payable	TUCKER PEST CONTROL	\$126.00		
51983	08/05/2010	Open			Accounts Payable	UNIFORMS TUXEDOS & MORE	\$549.82		
51984	08/05/2010	Open			Accounts Payable	VERTOLLI, FNP, SALLY	\$450.00		
51985	08/12/2010	Open			Accounts Payable	A.J. SILVA & COMPANY	\$207.45		
51986	08/12/2010	Open			Accounts Payable	ACCESS INFORMATION MANAGEMENT	\$15.00		
51987	08/12/2010	Open			Accounts Payable	ALPINE ELECTRIC	\$275.00		
51988	08/12/2010	Open			Accounts Payable	ANDY'S TOWING	\$60.00		
51989	08/12/2010	Open			Accounts Payable	ARAMARK UNIFORM SERV. INC.	\$72.35		
51990	08/12/2010	Open			Accounts Payable	AT&T	\$238.95		
51991	08/12/2010	Open			Accounts Payable	AT&T CALNET 2-REPEATER LINES	\$198.89		
51992	08/12/2010	Open			Accounts Payable	AT&T-COMMUNITY PARK	\$15.34		
51993	08/12/2010	Open			Accounts Payable	AT&T/CAL NET 2	\$4,718.04		
51994	08/12/2010	Open			Accounts Payable	B.L. GRIFFIN CO.	\$146.66		
51995	08/12/2010	Open			Accounts Payable	BACKGROUNDS & MORE	\$275.00		
51996	08/12/2010	Open			Accounts Payable	BATTERIES PLUS	\$33.30		
51997	08/12/2010	Open			Accounts Payable	BUTTE CO NEAL ROAD LANDFILL	\$79.00		
51998	08/12/2010	Open			Accounts Payable	BUTTE COUNTY CREDIT BUREAU	\$1,030.21		
51999	08/12/2010	Open			Accounts Payable	BUTTE COUNTY FIRE SAFE COUNCIL	\$1,118.71		
52000	08/12/2010	Open			Accounts Payable	BUTTE COUNTY PUBLIC HEALTH - OROVILLE	\$680.00		
52001	08/12/2010	Open			Accounts Payable	CAROLYN'S OFFICE SUPPLIES	\$25.97		

## TOWN OF PARADISE

**Cash Disbursement Report - August 2010**

From Payment Date: 8/1/2010 - To Payment Date: 8/31/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
52002	08/12/2010	Open			Accounts Payable	CHICO IMMEDIATE CARE	\$65.00		
52003	08/12/2010	Open			Accounts Payable	COMPLETE ASPHALT SERVICE CO. INC. (CASCO)	\$1,359.40		
52004	08/12/2010	Open			Accounts Payable	CSK AUTO, INC.	\$503.09		
52005	08/12/2010	Open			Accounts Payable	DESIGN, COMMUNITY & ENVIRONMENT	\$1,252.57		
52006	08/12/2010	Open			Accounts Payable	DEUTSCHE BANK NATIONAL TRUST COMPANY	\$45,526.83		
52007	08/12/2010	Open			Accounts Payable	DOWLING ASSOCIATES, INC.	\$360.00		
52008	08/12/2010	Open			Accounts Payable	DURHAM PENTZ TRUCK CENTER	\$946.17		
52009	08/12/2010	Open			Accounts Payable	GILLANDER, JOSEPH	\$287.50		
52010	08/12/2010	Open			Accounts Payable	GOFF, RONALD	\$280.00		
52011	08/12/2010	Open			Accounts Payable	GRAPHIC IMPRESSIONS	\$62.79		
52012	08/12/2010	Open			Accounts Payable	HUNTERS PEST CONTROL	\$55.00		
52013	08/12/2010	Open			Accounts Payable	I.M.P.A.C. PAYMENTS IMPAC GOV SVCS/US BANCORP	\$5,579.18		
52014	08/12/2010	Open			Accounts Payable	INLAND BUSINESS MACHINES	\$605.13		
52015	08/12/2010	Open			Accounts Payable	INSTITUTE OF BUSINESS PUBLICATIONS	\$117.00		
52016	08/12/2010	Open			Accounts Payable	INTERSTATE OIL COMPANY	\$1,391.66		
52017	08/12/2010	Voided		08/17/2010	Accounts Payable	IVEY, DENNIS	\$36.59		
52018	08/12/2010	Open			Accounts Payable	JC NELSON SUPPLY COMPANY	\$140.73		
52019	08/12/2010	Voided		08/16/2010	Accounts Payable	KNIFE RIVER CONSTRUCTION	\$438,645.38		
52020	08/12/2010	Open			Accounts Payable	LANDO & ASSOCIATES	\$825.00		
52021	08/12/2010	Open			Accounts Payable	LEHR AUTO ELECTRIC STOMMEL, INC.	\$272.65		
52022	08/12/2010	Open			Accounts Payable	LUMOS AND ASSOCIATES, INC.	\$29,970.34		
52023	08/12/2010	Open			Accounts Payable	MID VALLEY TITLE & ESCROW	\$185.00		

## TOWN OF PARADISE

**Cash Disbursement Report - August 2010**

From Payment Date: 8/1/2010 - To Payment Date: 8/31/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
52024	08/12/2010	Open			Accounts Payable	MOSS LEVY & HARTZHEIM	\$11,000.00		
52025	08/12/2010	Open			Accounts Payable	NORTH VALLEY BARRICADE	\$343.59		
52026	08/12/2010	Open			Accounts Payable	NORTHGATE PETROLEUM CO	\$8,114.73		
52027	08/12/2010	Open			Accounts Payable	OFFICE DEPOT	\$403.79		
52028	08/12/2010	Open			Accounts Payable	PACIFIC GAS & ELECTRIC	\$77.89		
52029	08/12/2010	Open			Accounts Payable	PARADISE AUTO BODY	\$99.95		
52030	08/12/2010	Open			Accounts Payable	PARADISE DIVE CENTER	\$30.00		
52031	08/12/2010	Open			Accounts Payable	PARADISE IRRIGATION DIST	\$236.96		
52032	08/12/2010	Open			Accounts Payable	PARADISE POST/NORTH VALLEY COMMTY MEDIA	\$187.05		
52033	08/12/2010	Open			Accounts Payable	PEERLESS BUILDING MAINT	\$562.90		
52034	08/12/2010	Open			Accounts Payable	PETERS RUSH HABIB & MCKENNA	\$160.00		
52035	08/12/2010	Open			Accounts Payable	RAPID REFILL #375	\$177.51		
52036	08/12/2010	Open			Accounts Payable	RE CONSTRUCTION	\$11,160.00		
52037	08/12/2010	Open			Accounts Payable	RICHARDS DESIGN CONCEPTS	\$51.97		
52038	08/12/2010	Open			Accounts Payable	RIEBES AUTO PARTS	\$91.34		
52039	08/12/2010	Open			Accounts Payable	SACRAMENTO REGIONAL PUBLIC SAFETY TRAINING CTR.	\$204.00		
52040	08/12/2010	Open			Accounts Payable	SACRAMENTO REGIONAL PUBLIC SAFETY TRAINING CTR.	\$126.00		
52041	08/12/2010	Open			Accounts Payable	SAFEGUARD FIRE PROTECTION	\$169.55		
52042	08/12/2010	Open			Accounts Payable	SHERWIN-WILLIAMS CO.	\$80.38		
52043	08/12/2010	Open			Accounts Payable	SINCLAIR'S AUTOMOTIVE & TOWING	\$110.00		
52044	08/12/2010	Open			Accounts Payable	SONOMA COUNTY SHERIFF'S DEPARTMENT	\$15.00		
52045	08/12/2010	Open			Accounts Payable	STOEL RIVES, LLP	\$1,163.25		

TOWN OF PARADISE  
**Cash Disbursement Report - August 2010**

From Payment Date: 8/1/2010 - To Payment Date: 8/31/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
52046	08/12/2010	Open			Accounts Payable	THOMAS ACE HARDWARE	\$190.85		
52047	08/12/2010	Open			Accounts Payable	THOMAS ACE HARDWARE - FIRE DEPT.	\$355.44		
52048	08/12/2010	Open			Accounts Payable	THOMAS ACE HARDWARE - POLICE DEPT.	\$18.16		
52049	08/12/2010	Open			Accounts Payable	TOLAR AUDIO VIDEO LIGHTING INC.	\$180.35		
52050	08/12/2010	Open			Accounts Payable	UNITED RENTALS, INC.	\$71.43		
52051	08/12/2010	Open			Accounts Payable	US BANCORP OFFICE EQUIP FINANCE SERVICES	\$178.20		
52052	08/12/2010	Open			Accounts Payable	VALLEY CLINICAL & CONSULTING SERVICES	\$450.00		
52053	08/12/2010	Open			Accounts Payable	VALLEY TOXICOLOGY SERVICE	\$1,241.00		
52054	08/12/2010	Open			Accounts Payable	VOICE PRINT INTERNATIONAL, INC.	\$2,274.00		
52055	08/12/2010	Open			Accounts Payable	WALTERS & NICHOLS INVESTIGATIVE SERVICES	\$250.00		
52056	08/12/2010	Open			Accounts Payable	WHALEN, SUZANNE	\$72.53		
52057	08/12/2010	Open			Accounts Payable	WILSEY HAM	\$114.28		
52058	08/12/2010	Open			Accounts Payable	WITTMEIER AUTO CENTER	\$515.41		
52059	08/12/2010	Open			Accounts Payable	WURTH USA INC.	\$227.27		
52060	08/12/2010	Open			Accounts Payable	YODER'S REFRIGERATION	\$107.48		
52061	08/16/2010	Open			Accounts Payable	KNIFE RIVER CONSTRUCTION	\$426,980.95		
52062	08/23/2010	Open			Accounts Payable	MID VALLEY TITLE & ESCROW	\$114,655.44		
52063	08/24/2010	Voided/Spoiled		08/24/2010	Converted/Imported		\$0.00	\$0.00	\$0.00
52064	08/24/2010	Open			Accounts Payable	BASSANI, THOMAS	\$230.00		
52065	08/26/2010	Open			Accounts Payable	ACCESS INFORMATION MANAGEMENT	\$97.50		
52066	08/26/2010	Open			Accounts Payable	ACE RENTALS	\$392.40		

TOWN OF PARADISE  
**Cash Disbursement Report - August 2010**

From Payment Date: 8/1/2010 - To Payment Date: 8/31/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
52067	08/26/2010	Open			Accounts Payable	AIRGAS SAFETY, INC.	\$15.50		
52068	08/26/2010	Open			Accounts Payable	ALTERNATIVE HEATING & AIR	\$202.00		
52069	08/26/2010	Open			Accounts Payable	ANTIQUÉ & UNIQUE UPHOLSTERY	\$287.23		
52070	08/26/2010	Open			Accounts Payable	ARAMARK UNIFORM SERV. INC.	\$638.67		
52071	08/26/2010	Open			Accounts Payable	AT&T	\$986.52		
52072	08/26/2010	Open			Accounts Payable	BRAKE PARTS SUPPLY	\$117.88		
52073	08/26/2010	Open			Accounts Payable	BUILDERS SUPPLY-CDD	\$178.91		
52074	08/26/2010	Open			Accounts Payable	BUTTE CO RECORDER	\$100.00		
52075	08/26/2010	Open			Accounts Payable	BUTTE COUNTY CREDIT BUREAU	\$70.00		
52076	08/26/2010	Open			Accounts Payable	CALIFORNIA STATE DEPARTMENT OF JUSTICE	\$1,982.00		
52077	08/26/2010	Open			Accounts Payable	CALIFORNIA SURVEYING & DRAFTING	\$1,977.05		
52078	08/26/2010	Open			Accounts Payable	CALPERS - RETIREMENT	\$400.00		
52079	08/26/2010	Open			Accounts Payable	CERTIFIED SECURITY SYSTEM INCORPORATED	\$75.00		
52080	08/26/2010	Open			Accounts Payable	CHICO ENTERPRISE RECORD- ADVERTISING	\$881.05		
52081	08/26/2010	Open			Accounts Payable	CHICO IMMEDIATE CARE	\$110.00		
52082	08/26/2010	Open			Accounts Payable	COMCAST CABLE	\$208.75		
52083	08/26/2010	Open			Accounts Payable	COMPANIONS ANIMAL HOSPITAL	\$93.50		
52084	08/26/2010	Open			Accounts Payable	COMPLETE ASPHALT SERVICE CO. INC. (CASCO)	\$303.40		
52085	08/26/2010	Open			Accounts Payable	CSK AUTO, INC.	\$373.40		
52086	08/26/2010	Open			Accounts Payable	DAY WIRELESS SYSTEMS - MILWAUKIE, OR	\$515.50		
52087	08/26/2010	Open			Accounts Payable	DON'S SAW & MOWER	\$324.74		
52088	08/26/2010	Open			Accounts Payable	DURHAM PENTZ TRUCK CENTER	\$63.90		

## TOWN OF PARADISE

**Cash Disbursement Report - August 2010**

From Payment Date: 8/1/2010 - To Payment Date: 8/31/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
52089	08/26/2010	Open			Accounts Payable	ENLOE MEDICAL CENTER, INC.	\$205.00		
52090	08/26/2010	Open			Accounts Payable	EVERGREEN JANITORIAL SUPPLY, INC.	\$166.11		
52091	08/26/2010	Open			Accounts Payable	FEATHER RIVER HOSPITAL	\$776.00		
52092	08/26/2010	Open			Accounts Payable	FEDERAL EXPRESS	\$39.18		
52093	08/26/2010	Open			Accounts Payable	FULLER'S HOUSE OF COLOR	\$193.81		
52094	08/26/2010	Open			Accounts Payable	GRAPHIC IMPRESSIONS	\$128.01		
52095	08/26/2010	Open			Accounts Payable	I.M.P.A.C. PAYMENTS IMPAC GOV SVCS/US BANCORP	\$785.49		
52096	08/26/2010	Open			Accounts Payable	INLAND BUSINESS MACHINES	\$617.58		
52097	08/26/2010	Open			Accounts Payable	JAMES RIOTTO & ASSOCIATES	\$948.06		
52098	08/26/2010	Open			Accounts Payable	KNIFE RIVER CONSTRUCTION	\$15,235.03		
52099	08/26/2010	Open			Accounts Payable	KOEFRAN INDUSTRIES	\$250.00		
52100	08/26/2010	Open			Accounts Payable	LEHR AUTO ELECTRIC STOMMEL, INC.	\$18.71		
52101	08/26/2010	Open			Accounts Payable	LOCATE PLUS CORPORATION	\$25.00		
52102	08/26/2010	Open			Accounts Payable	MAR-KEN INTERNATIONAL POLICE K-9 TRAINING CTR	\$260.00		
52103	08/26/2010	Open			Accounts Payable	MIZE TIRE & AUTOMOTIVE	\$249.73		
52104	08/26/2010	Open			Accounts Payable	MUNICIPAL CODE CORP	\$400.00		
52105	08/26/2010	Open			Accounts Payable	NORTH STATE RENDERING INC	\$30.00		
52106	08/26/2010	Open			Accounts Payable	NORTHERN RECYCLING & WASTE SERVICES, INC.	\$15,907.59		
52107	08/26/2010	Open			Accounts Payable	NORTHGATE PETROLEUM CO	\$85.52		
52108	08/26/2010	Open			Accounts Payable	NORTHGATE ROCK CO	\$985.07		
52109	08/26/2010	Open			Accounts Payable	NORTHSTAR ENGINEERING INC	\$1,870.75		
52110	08/26/2010	Open			Accounts Payable	OFFICE DEPOT	\$871.05		

TOWN OF PARADISE

# Cash Disbursement Report - August 2010

From Payment Date: 8/1/2010 - To Payment Date: 8/31/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
52111	08/26/2010	Open			Accounts Payable	OFFICE MAX INCORPORATED	\$9.19		
52112	08/26/2010	Open			Accounts Payable	PACIFIC GAS & ELECTRIC	\$363.03		
52113	08/26/2010	Open			Accounts Payable	PARADISE AUTO BODY	\$250.00		
52114	08/26/2010	Open			Accounts Payable	PARADISE POST/NORTH VALLEY COMMTY MEDIA	\$858.18		
52115	08/26/2010	Open			Accounts Payable	PEERLESS BUILDING MAINT	\$887.65		
52116	08/26/2010	Open			Accounts Payable	PERKINS MOBILE AUTO GLASS	\$168.63		
52117	08/26/2010	Voided		08/31/2010	Accounts Payable	POST NET	\$1,044.35		
52118	08/26/2010	Open			Accounts Payable	REPUBLIC ITS, INC.	\$3,999.38		
52119	08/26/2010	Open			Accounts Payable	RIEBES AUTO PARTS	\$153.80		
52120	08/26/2010	Open			Accounts Payable	THOMAS HYDRAULIC & HARDWARE SUPPLY, INC.	\$88.59		
52121	08/26/2010	Open			Accounts Payable	THOMASSEN SPRAYTZ, AGNES M.	\$38.64		
52122	08/26/2010	Open			Accounts Payable	THRIFTY ROOTER	\$350.00		
52123	08/26/2010	Open			Accounts Payable	UNIFORMS TUXEDOS & MORE	\$162.38		
52124	08/26/2010	Open			Accounts Payable	VALLEY TOXICOLOGY SERVICE	\$1,966.00		
52125	08/26/2010	Voided		08/26/2010	Accounts Payable	VERIZON WIRELESS	\$952.27		
52126	08/26/2010	Open			Accounts Payable	VERIZON WIRELESS	\$816.22		
52127	08/26/2010	Open			Accounts Payable	VILLAGE PRINTER, INC.	\$87.47		
52128	08/26/2010	Open			Accounts Payable	WALTERS & NICHOLS INVESTIGATIVE SERVICES	\$1,377.00		
52129	08/26/2010	Open			Accounts Payable	WEST COAST TRUCK EQUIPMENT, INC.	\$124.49		
52130	08/26/2010	Open			Accounts Payable	WURTH USA INC.	\$222.69		
52131	08/26/2010	Open			Accounts Payable	VERIZON WIRELESS	\$881.99		
52132	08/27/2010	Open			Accounts Payable	MID VALLEY TITLE & ESCROW	\$35.18		

TOWN OF PARADISE

# Cash Disbursement Report - August 2010

From Payment Date: 8/1/2010 - To Payment Date: 8/31/2010

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
Type Check Totals:					196 Transactions		\$1,225,112.44	\$0.00	\$0.00
<u>EFT</u>									
10	08/02/2010	Open			Accounts Payable	WELLS FARGO BANK NA	\$786,874.78		
11	08/06/2010	Open			Accounts Payable	FP/FRANCOTYP-POSTALIA MAILING SOLUTIONS	\$750.00		
Type EFT Totals:					2 Transactions		\$787,624.78		
AP - Wells Fargo AP Checking Totals									

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	191	\$784,433.85	
	Voided	5	\$440,678.59	
	Total	196	\$1,225,112.44	\$0.00

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	2	\$787,624.78	
	Total	2	\$787,624.78	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	193	\$1,572,058.63	
	Voided	5	\$440,678.59	
	Total	198	\$2,012,737.22	\$0.00

Grand Totals:

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	191	\$784,433.85	
	Voided	5	\$440,678.59	

TOWN OF PARADISE

# Cash Disbursement Report - August 2010

From Payment Date: 8/1/2010 - To Payment Date: 8/31/2010

	Total	Count	Transaction Amount	Reconciled Amount
		196	\$1,225,112.44	\$0.00
<b>EFTs</b>	<b>Status</b>	<b>Count</b>	<b>Transaction Amount</b>	<b>Reconciled Amount</b>
	Open	2	\$787,624.78	
	Total	2	\$787,624.78	\$0.00
<b>All</b>	<b>Status</b>	<b>Count</b>	<b>Transaction Amount</b>	<b>Reconciled Amount</b>
	Open	193	\$1,572,058.63	
	Void	5	\$440,678.59	
	Total	198	\$2,012,737.22	\$0.00

**TOWN OF PARADISE**  
**Council Agenda Summary**  
**Date: September 14, 2010**

**Agenda No. 3[c]**

**ORIGINATED BY:** Craig Baker, Community Development Director 

**REVIEWED BY:** Charles L. Rough, Jr., Town Manager 

**SUBJECT:** Adoption of Town Ordinance No. 504

**COUNCIL ACTION REQUESTED:** Adopt a **MOTION TO:**

1. Waive the second reading of the entire Town Ordinance No. 504 and approve reading by title only [roll call vote]; **AND**
2. Adopt Town Ordinance No. 504, "An Ordinance Rezoning Certain Real Property From Agricultural Residential, 3-Acre Minimum (AR-3) to Agricultural Residential, 1-Acre Minimum (AR-1) Zone Pursuant to Paradise Municipal Code Sections 17.45.500 Et. Seq. (PL10-00046; Worthington)".

**BACKGROUND:** During its meeting on **August 10, 2010**, the Town Council introduced the above-noted town ordinance for purposes of eventual adoption. The ordinance that was introduced is Town Ordinance No. 504.

**DISCUSSION:** Town staff recommends that the Town Council waive the second reading of this entire ordinance; read it by title only; and formally adopt Town Ordinance No. 504 [copy attached]. Once adopted, the text provisions of this ordinance will be in legal effect and force thirty days after its date of adoption.

**FINANCIAL IMPACT:** An approximate cost of \$85.00 will be borne by the Town of Paradise for publication of the ordinance or ordinance summary within the local newspaper.

Attachment

**TOWN OF PARADISE**

**ORDINANCE NO. 504**

**AN ORDINANCE REZONING CERTAIN REAL PROPERTY FROM  
AGRICULTURAL RESIDENTIAL, 3-ACRE MINIMUM (AR-3) TO  
AGRICULTURAL RESIDENTIAL, 1-ACRE MINIMUM (AR-1) ZONE  
PURUSANT TO PARADISE MUNICIPAL CODE SECTION 17.45.500 ET. SEQ.  
[PL10-00046; WORTHINGTON]**

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

**SECTION 1.** The hereinafter described real property situated in the Town of Paradise, State of California, shall be and it is hereby zoned Agricultural Residential, 1-Acre Minimum (AR-1) as described in Chapters 17.10 of the Paradise Municipal Code and the property shall be subject to the restrictions, restricted uses and regulations of said Chapter. The real property so zoned is located at 217 Craft Lane, 237 Craft Lane and 3885 Neal Road in the Town of Paradise, and is a  $\pm$ 13.32 acre land area that is further identified as Assessor Parcel Nos. 051-240-004, 051-240-029, and 054-240-030.

**SECTION 2.** 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.

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**ORDINANCE NO. 504**

**PASSED AND ADOPTED** by the Town Council of the Town of Paradise, County of Butte, State of California, on this 14th day of September, 2010 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**NOT VOTING:**

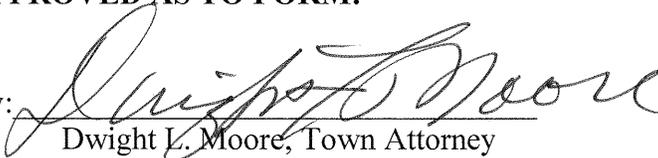
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Scott Lotter, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Joanna Gutierrez, Town Clerk

**APPROVED AS TO FORM:**

By:   
Dwight L. Moore, Town Attorney

**TOWN OF PARADISE**  
**Council Agenda Summary**  
**Date: September 14, 2010**

**Agenda No. 3[d]**

**ORIGINATED BY:** Craig Baker, Community Development Director 

**REVIEWED BY:** Charles L. Rough, Jr., Town Manager 

**SUBJECT:** Adoption of Town Ordinance No. 505

**COUNCIL ACTION REQUESTED:** Adopt a **MOTION TO:**

1. Waive the second reading of the entire Town Ordinance No. 505 and approve reading by title only [roll call vote]; **AND**
2. Adopt Town Ordinance No. 505, "An Ordinance Amending Sections 17.04.500 and 17.35.200 of the Paradise Municipal Code and Adding Section 17.35.250 Thereto Related to: The Keeping of Small Animals as a Permitted Accessory Land Use in Residential Zones".

**BACKGROUND:** During its meeting on **August 10, 2010**, the Town Council amended and introduced the above-noted town ordinance for purposes of eventual adoption. The ordinance that was introduced is Town Ordinance No. 505.

**DISCUSSION:** Town staff recommends that the Town Council waive the second reading of this entire ordinance; read it by title only; and formally adopt Town Ordinance No. 505 [copy attached]. Once adopted, the text provisions of this ordinance will be in legal effect and force thirty days after its date of adoption.

**FINANCIAL IMPACT:** An approximate cost of \$85.00 will be borne by the Town of Paradise for publication of the ordinance or ordinance summary within the local newspaper.

Attachment

**TOWN OF PARADISE**

**ORDINANCE NO. 505**

**AN ORDINANCE AMENDING SECTIONS 17.04.500 AND 17.35.200 OF THE  
PARADISE MUNICIPAL CODE AND ADDING SECTION 17.35.250 THERETO  
RELATED TO: THE KEEPING OF CERTAIN SMALL ANIMALS AS A PERMITTED  
ACCESSORY LAND USE IN RESIDENTIAL ZONES**

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

**SECTION 1.** The definition of “Animal production” contained within Section 17.04.500 “C” of the Paradise Municipal Code shall be amended as follows:

"Animal production" means raising of animals or production of animal products such as eggs or dairy products. Typical uses include grazing, ranching, dairy farming, and poultry farming. Animal production shall not include the keeping and raising of BACKYARD CHICKENS AND RABBITS in accordance with Section 17.35.250.

**SECTION 2.** A definition for “Backyard chickens and rabbits” shall be added to Section 17.04.500 “C” of the Paradise Municipal Code as follows:

“Backyard chickens and rabbits” means the long-term keeping and raising of up to four chickens (excluding roosters) and up to four rabbits as a permitted ACCESSORY USE on the same SITE as an ESTABLISHED residential land USE as household pets and in accordance with Section 17.35.250.

**SECTION 3.** Section 17.35.200 of the Paradise Municipal Code shall be amended as follows:

**Section 17.35.200 General Requirements.** The long-term keeping of livestock animals upon properties within the AR-1, AR-3, AR-5, RR-1, RR-2/3, RR-1/2, TR-1, TR-1/2, and TR-1/3 zoning districts is potentially permitted subject to the specific land use regulations within each zone; and solely in association with established on-site residential uses, and subject to all applicable minimum requirements set forth in this section of Chapter 17.35.

**A.** Except as otherwise provided within Section 17.35.250, all regulations set forth in Table 17.35.200 shall apply to the long-term keeping of livestock animals as follows:

Table 17.35.200

Type of Animal	Minimum Area Per Animal (square feet)	Minimum Net Lot Area Required (One Animal) (square feet)	Maximum Number Animals*	Minimum Enclosure Setbacks** (from residence(s) on adjoining site)
Horse, cow, llama etc.	15,500	30,500	12	100 feet
Swine	11,000	26,000	12	100 feet
Goat, sheep	10,000	25,000	18	100 feet
Turkey	5,000	20,000	24	75 feet
Poultry, fowl	1,500	16,500	36	75 feet
Rabbits	900	15,900	36	75 feet
Chinchilla, mink, etc.	1,000	16,000	24	75 feet

\* Maximum number of animals shall not apply to properties of five (5) acres or greater in size.

\*\* The planning director or planning commission may require specific distances from property lines as he or they deem appropriate.

B. The minimum site area per animal requirements of Table 17.35.200 shall apply in addition to a minimum site area requirement of fifteen thousand (15,000) square feet (net area) per dwelling on the site. Area requirements shall be determined cumulatively for the purpose of establishing the number of animals allowed, and shall not apply solely to the actual site area used by a particular animal.

C. Minimum enclosure setback distances shall apply to any barn, corral, pen, feed area, paddock, stable, fenced pasture, or similar area for housing or enclosure of animals.

D. Enclosure setbacks measured from a residence shall apply to any existing dwelling structure located on an adjacent property, but need not apply to dwellings on the same site as the animal enclosure.

E. The maximum number of animals shall be the cumulative total number of animals on the site. (Example: two (2) horses plus one cow shall equal the maximum number of animals permitted upon a property less than five (5) acres in size.).

F. Animal requirements of this section shall apply only to mature or weaned animals. Requirements for any livestock animal not listed in Table 17.35.200 shall be determined by the planning director on the basis of comparability to animals listed, and the characteristics customarily associated with such animals.

**SECTION 4.** Section 17.35.250 shall be added to the Paradise Municipal Code as follows:

**17.35.250 Backyard Chickens and Rabbits.** Notwithstanding the requirements of Section 17.35.200, the long-term keeping and raising of chickens and rabbits shall be considered a permitted accessory land use to an established residential land use in residential zoning districts when conducted in accordance with the following standards:

A. Up to two chickens and up to two rabbits may be kept and raised upon residentially-zoned properties.

B. Chickens kept and raised as permitted residential accessory land uses shall under no circumstances include roosters.

C. Chickens and rabbits shall at all times be confined within pens, coops and other enclosed or fenced areas maintained a minimum distance of seventy-five lineal feet from any dwelling structure located on an adjacent property and shall be established in compliance with all applicable yard setback requirements.

D. Pens, coops and other areas used to contain and/or confine chickens and rabbits shall be maintained in a clean and sanitary condition via frequent cleaning and removal of animal waste from the site and shall at no time become a source of offensive odors transmitted to adjacent properties.

**SECTION 5.** This ordinance shall take effect thirty (30) days after the date of its passage. Before the expiration of fifteen (15) days after its passage, this ordinance or a summary thereof shall be published in a newspaper of general circulation published and circulated with the Town of Paradise along with the names of the members of the Town Council of Paradise voting for and against same.

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**PASSED AND ADOPTED** by the Town Council of the Town of Paradise, County of Butte, State of California, on this 14<sup>th</sup> day of September, 2010 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Scott Lotter, Mayor

**ATTEST:**

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JOANNA GUTIERREZ, Town Clerk

**APPROVED AS TO FORM:**

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DWIGHT L. MOORE, Town Attorney

**TOWN OF PARADISE**  
**Council Agenda Summary**  
**Date: September 14, 2010**

**Agenda No. 3 [e]**

**ORIGINATED BY:** Susan Hartman, Assistant Planner 

**REVIEWED BY:** Chuck Rough, Town Manager   
Al McGreehan, Special Projects Manager 

**SUBJECT:** Adopt a Revised Resolution Rescinding Town Resolution No. 08-44 and Authorizing Preparation & Submittal of Grant Applications to CalRecycle and Other State Agencies

**COUNCIL ACTION REQUESTED:** Adopt a **MOTION TO:**

1. Adopt Town of Paradise Resolution No. 10-\_\_\_\_\_, "A Resolution of the Town of Paradise Authorizing Preparation & Submittal of Fund Applications to CalRecycle and Other State Agencies"; **OR**
2. Adopt an alternative directive to town staff concerning this agenda item.

**BACKGROUND:** During its meeting on August 12, 2008, the Town Council adopted Town Resolution No. 08-44, a resolution of the Town Council of the Town of Paradise authorizing preparation & submittal of grant fund applications to the California Integrated Waste Management Board [CIWMB] and other state agencies.

On January 1, 2010 the CIWMB was disbanded with the signing of SB 63 [Strickland], and its authorities, programs, and resources were combined with the Department of Conservation, Division of Recycling, within the Natural Resources Agency, and naming the newly formed department the Department of Resources Recycling and Recovery [CalRecycle] thereby necessitating a revision of the previously approved resolution.

**DISCUSSION:** Due to the above-mentioned state agency names change town staff has generated a revised resolution document that is attached to this council agenda summary and is recommended for Town Council consideration and adoption. If adopted by the Town Council, this resolution rescinds Town Resolution No. 08-44 and authorizes NRWS to prepare and the Town Manager, or his designee, to execute and submit application for grant funds to the newly formed CalRecycle as well as the State Dept Department of Conservation, and/or other State grant funding agencies for all grants for which the Town of Paradise is eligible. In addition, if adopted, this resolution authorization will be in effect for a five year time period.

**FINANCIAL IMPACT:** Approval of this agenda item as recommended will not result in any financial impact upon the town's general fund.

Attachments

**TOWN OF PARADISE**  
**RESOLUTION NO. 10-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN OF PARADISE AUTHORIZING PREPARATION &  
SUBMITTAL OF FUND APPLICATIONS TO CALRECYCLE AND OTHER STATE  
AGENCIES**

**WHEREAS**, the CIWMB was disbanded effective January 1, 2010 with the signing of SB 63 [Strickland], and its authorities, programs, and resources were combined with the Department of Conservation, Division of Recycling, within the Natural Resources Agency, and naming the newly formed department the Department of Resources Recycling and Recovery [CalRecycle]; and

**WHEREAS**, the California Public Resources Code authorizes CalRecycle and the State Department of Conservation to administer various grant fund programs in furtherance of the State of California's [State] efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving land fill capacity and protecting public health and safety and the environment; and

**WHEREAS**, in furtherance of this authority CalRecycle and the State Department of Conservation are required to establish procedures governing the application, awarding, and management of the grant funds programs; and

**WHEREAS**, grant application procedures require an Applicant's governing body to authorize by resolution its approval for submittal of the grant fund applications, and the designation by job title of the individual authorized to execute all grant fund documents on behalf of the Town of Paradise; and

**WHEREAS**, the Town of Paradise has an existing and duly executed franchise agreement with Northern Recycling & Waste Services [NRWS] whereby NRWS is obligated to prepare on behalf of the Town of Paradise, annual waste management reports and related grant fund applications for submittal to CalRecycle and the State Department of Conservation.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARADISE AS FOLLOWS:**

**Section 1.** The Town Council hereby rescinds Resolution 08-44 which refers to the now obsolete CIWMB.

**Section 2.** The Town Council authorizes NRWS to prepare and the Town Manager, or his designee, to execute and submit application(s) to CalRecycle, the State Department of Conservation, and/or other State grant funding agencies for all grants for which the Town of Paradise is eligible; and that this authorization is effective as of September 14, 2010 and for a time period not to exceed five (5) years beyond subject date of authorization.

**RESOLUTION NO. 10-\_\_\_\_ - Grant Fund Application to CalRecycle & Other Agencies**

**Section 3.** The Town Manager, or his designee, is hereby authorized and empowered to execute on behalf of the Town of Paradise all grant documents, including but not limited to: applications, agreements, amendments and requests for payment, necessary to secure grant funds and to implement any approved grant project.

**PASSED AND ADOPTED** by the Town Council of the Town of Paradise, State of California, this 14<sup>th</sup> day of September, 2010 by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

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Scott Lotter, Mayor

ATTEST:

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Joanna Gutierrez, Town Clerk

APPROVED AS TO FORM:

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Dwight Moore, Town Attorney

**TOWN OF PARADISE**  
**Council Agenda Summary**  
**Date: September 14, 2010**

**Agenda No. 3 [f]**

**ORIGINATED BY:** Susan Hartman, Assistant Planner *Su*  
**REVIEWED BY:** Chuck Rough, Town Manager *CR*  
Al McGreehan, Special Projects Manager *Al*  
**SUBJECT:** Adopt Resolution Authorizing Preparation & Submittal of Fund Applications to the CalRecycle Used Oil Payment Program

**COUNCIL ACTION REQUESTED:** Adopt a **MOTION TO:**

1. Adopt Town of Paradise Resolution No. 10-\_\_\_\_\_, "A Resolution of the Town of Paradise Authorizing Preparation & Submittal of Fund Applications to the CalRecycle Used Oil Payment Program"; **OR**

2. Adopt an alternative directive to town staff concerning this agenda item.

**NOTE:** Town staff recommends Town Council approval of item no. 1 above.

**BACKGROUND:** On January 1, 2010 the California Integrated Waste Management Board [CIWMB] was disbanded with the signing of SB 63 [Strickland], and its authorities, programs, and resources were combined with the State Department of Conservation, Division of Recycling, within the Natural Resources Agency, and naming the newly formed department the Department of Resources Recycling and Recovery or "CalRecycle".

The state adopted Public Resources Code authorizes the CalRecycle to establish and administer the Used Oil Payment Program (OPP) to make payments to qualifying jurisdictions for implementation of their used oil programs.

In furtherance of its authority CalRecycle has established procedures that require an Applicant's governing body to authorize by resolution its approval for submittal of used oil program fund applications, and the designation by job title of the individual authorized to execute all program documents on its behalf.

**DISCUSSION:** The Town of Paradise has an existing and current franchise agreement with Northern Recycling & Waste Services [NRWS] whereby NRWS is not only obligated to provide solid waste and recycled materials collection services but also to prepare on behalf of the Town of Paradise, annual waste management reports and related fund applications for submittal to funding agencies, etc.

However, due to the above-mentioned state agency names change town staff has prepared a necessary resolution document that is attached to this council agenda summary and is recommended for Town Council consideration and adoption. If adopted by the Town Council, this resolution specifically authorizes NRWS to prepare and the Town Manager, or his designee, to execute and submit Used Oil Payment Program applications to CalRecycle for which the Town of Paradise is eligible.

**FINANCIAL IMPACT:** Approval of this agenda item as recommended will not result in any financial impact upon the town's general fund.

Attachments

**TOWN OF PARADISE**

**RESOLUTION NO. 10-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN OF PARADISE AUTHORIZING PREPARATION & SUBMITTAL OF FUND APPLICATIONS TO THE CALRECYCLE USED OIL PAYMENT PROGRAM**

**WHEREAS**, pursuant to Public Resources Code Section 48690 the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, has established the Used Oil Payment Program (OPP) to make payments to qualifying jurisdictions for implementation of their used oil programs; and

**WHEREAS**, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the Used Oil Payment Program; and

**WHEREAS**, CalRecycle's procedures for administering the Used Oil Payment Program require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the Used Oil Payment Program; and

**WHEREAS**, the Town of Paradise has an existing and duly executed franchise agreement with Northern Recycling & Waste Services (NRWS) whereby NRWS is obligated to prepare on behalf of the Town of Paradise, annual waste management reports and related fund applications for submittal to CalRecycle.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARADISE AS FOLLOWS:**

**Section 1.** The Town Council authorizes NRWS to prepare and the Town Manager, or his designee, to execute and submit a Used Oil Payment Program application to CalRecycle; and

**Section 2.** The Town Manager, or his designee, is hereby authorized and empowered to execute on behalf of the Town of Paradise all documents, including but not limited to: applications, agreements, annual reports including expenditure reports and amendments necessary to secure said payments to support our Used Oil Collection Program; and

**Section 3.** This authorization is effective for the 2010/2011 FY funding cycle as well as each cycle thereafter until rescinded by the Town Council of the Town of Paradise.

**RESOLUTION NO. 10-\_\_\_\_**

**PASSED AND ADOPTED** by the Town Council of the Town of Paradise, State of California, this 14<sup>th</sup> day of September, 2010 by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

\_\_\_\_\_  
Scott Lotter, Mayor

ATTEST:

\_\_\_\_\_  
Joanna Gutierrez, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Dwight Moore, Town Attorney

**TOWN OF PARADISE  
COUNCIL AGENDA SUMMARY  
DATE: September 14, 2010**

**ORIGINATED BY:** Chris M. Buzzard  AGENDA ITEM No. 3 (h)  
Chief of Police

**REVIEWED BY:** Charles L. Rough Jr.   
Town Manager

Legal Review	X	Yes	No	N/A
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**SUBJECT:** Reject recent Request for Bid for budgeted police vehicle; authorize the police department to begin a new bid process relating to the replacement of a police vehicle.

**RECOMMENDATION:**

1. Reject recent bid for a police vehicle **AND**;
2. Authorize the Chief of Police to begin a new bid process for the purchase of a Ford Crown Victoria Police Interceptor.

**ALTERNATIVES:**

Refer back to staff for alternate direction.

**BACKGROUND:**

During the 2010/2011 budget process the Council approved the purchase of a police vehicle. In July 2010, the Police Department went out to bid and received one bid return, which was unsatisfactory. The Police Department recommends that the Town Council reject the bid and authorize rebid for this vehicle.

**DISCUSSION/ANALYSIS:**

On June 24, 2010, Council approved the budget, which contained allocations for the purchase of one police vehicle utilizing the COPS Public Safety Grant and financing the vehicle over 5 years.

Title: **Reject recent Request for Bid for budgeted police vehicle; authorize the police department to begin a new bid process relating to the replacement of a police vehicle.**

Date: **September 14, 2010**

Page 2

On July 8, 2010, the Town of Paradise invited eight (8) dealerships to participate in the bid proposal for the purchase of a 2009 or 2010 Ford Crown Victoria Police Interceptors. The bid proposal deadline was set for August 5, 2010.

On August 5, 2010, a single bid was received and opened in the Town Clerk's office. The bid response was not for the requested criteria. Staff requests that Town Council reject the bid.

Staff requests to restart the bidding process for a police vehicle.

**FINANCIAL IMPACT:**

Through the COPS grant fund Council has approved \$35,000 in FY 2010/2011 for the purchase of a police vehicle. Financing the vehicle through a five year lease would create a debt service payment of approximately \$7,699.16 per year.



## TOWN OF PARADISE

### COUNCIL AGENDA SUMMARY

#### STAFF REPORT

SEPTEMBER 14, 2010

Agenda No. 3(i)

**ORIGINATED BY:** Radley Ott; Associate Engineer   
Dennis J. Schmidt, Public Works Director/ Town Engineer 

**REVIEWED BY:** Charles L. Rough, Jr., Town Manager 

**SUBJECT:** Pearson Park and Ride Project; Temporary Construction Permits

#### **COUNCIL ACTION REQUESTED:**

- 1) Ratify Temporary Construction Permits for construction of the Pearson Park and Ride Project.

#### **BACKGROUND:**

The proposed Park and Ride site is located on the south side of Pearson Road between Black Olive Drive and Almond Street at 174 Pearson Rd. This lot was purchased by the Town of Paradise in 2004 where a hazardous structure was demolished with the intention of a future parking facility. However, limited funding circumvented the actual construction of this facility at that time. The location of this Park and Ride facility is advantageous due to its proximity to downtown businesses and the Pearson Road arterial corridor. Additionally, it is within a short walking distance of a current transit stop and within 500 feet of the current transit hub at Birch and Almond Streets.

#### PROJECT SCOPE AND STATUS

The proposed Park and Ride will provide ten (10) parking stalls, with one being reserved for handicapped access. A bike rack will also be installed to facilitate transit and commuter users. Landscaping, lighting and compliance with current Americans with Disabilities Act (ADA) requirements are all being incorporated into the facility. In addition, the adjacent public alleyway will also be reconstructed between Almond Street and Black Olive Road, as well as a short portion of Almond Street.

Public works staff successfully submitted the project documents to Caltrans this FFY to secure federal funding for the construction phase and are currently awaiting official authorization. Final design on the project is expected in early October, with advertisement for construction in November, award of contract in December, and construction in June through July.

#### **DISCUSSION**

During the development of the project, it became apparent that in order to construct the project, encroachment onto and minor grading of adjacent properties may be required due to the limited space of both the vacant lot and alleyway. This is common with construction projects where the site is relatively small. In order to legally conduct these activities, temporary property rights, or more commonly referred to as a 'temporary construction permit' is required to be obtained from affected property owners. Being a federally funded project, the Town is required to follow federal Uniform Act (49 CFR Part 24) law. Public works staff prepared valuations of the temporary permit, and then discussed the project and associated temporary permit with each of the five affected property owners. Each of the owners was supportive of the project and all have unique questions and concerns which have been addressed. Below is a summary table of the license valuations:



**TOWN OF PARADISE**  
**COUNCIL AGENDA SUMMARY**  
**STAFF REPORT**  
**SEPTEMBER 14, 2010**

**Temporary Construction License Parcel Summary**

Annual Rent Factor = 10%		# Months = 5							
Parcel ID. No.	APN	Description/ Address	Comp Value	Month Rent	Adj. Value	Acqu. Area	Value	First Offer	Second Offer
			\$/SF	Factor	\$/SF	SF			
1	052-225-004	Downtown Market 208 Pearson Rd.	\$ 7.62	0.0083	\$ 0.32	1618	\$ 513.87	\$ 550.00	n/a
2	052-225-011	Sierra West Parcel 5435 Black Olive Str.	\$ 7.62	0.0083	\$ 0.32	1500	\$ 476.40	\$ 500.00	n/a
3	052-225-015	Residential Parcel 5460 Almond Str.	\$ 7.62	0.0083	\$ 0.32	1500	\$ 476.40	\$ 500.00	n/a
4	052-225-017	Sherratts Office Building 162 Pearson Rd.	\$ 7.64	0.0083	\$ 0.32	1600	\$ 509.19	\$ 550.00	n/a
5	052-225-020	Vacant Office Building 182 Pearson Rd.	\$ 7.43	0.0083	\$ 0.31	1735	\$ 537.12	\$ 550.00	n/a

Each of these five temporary construction licenses has been executed by the owners and the Town manager. Each of the licenses had a valuation well under \$5,000.00 which is the threshold for council approval. However, these temporary licenses are being brought to the council for ratification. Once the Town receives final authorization for the construction phase, monies will be dispersed to the affected property owners.

**FINANCIAL IMPACT**

The sum total cost of the five Temporary Construction Permits is \$2,650, which is funded by CMAQ and CDBG-R federal funds.

**ATTACHMENTS:**

No.1: Copies of Temporary Construction Licenses for Pearson Road Park and Ride Project. (15).

# **ATTACHMENT 1**

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## **TEMPORARY CONSTRUCTION LICENSES FOR PEARSON ROAD PARK AND RIDE PROJECT**

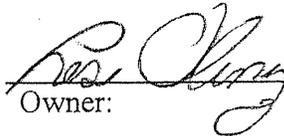
**LICENSE TO ENTER AND CONSTRUCT IMPROVEMENTS  
FOR OWNER'S BENEFIT  
TOWN OF PARADISE**

Town of Paradise; Department of Public Works  
5555 Skyway, Paradise, CA 95969-4931  
Attn: Director of Public Works

Federal Project No. CML 5425-021  
Town Project No.: 8901.9362  
A. P. N.: 052-225-004

Dear Director of Public Works:

1. As a Temporary Construction License, I do hereby grant to the Town of Paradise, or its authorized agent(s), the right to enter upon a portion of my real property located at 208 Pearson Road as legally described in Exhibit "A" and within that certain area shown outlined on the map marked Exhibit "B" attached hereto and made a part hereof, for the construction of a parking facility and alleyway improvements associated with the Pearson Park and Ride Project located at 174 Pearson Road and adjacent alleyway.
2. I warrant that I am the owner(s) in fee simple of the property affected by this License to enter and construct as described in paragraph 1 above and that I have the exclusive right to grant this License.
3. This License is granted in consideration of benefits to my property from the Town's construction activities.
4. The Town of Paradise shall pay me the sum of \$550.00 as full payment for this License.
5. This License is based upon the Town of Paradise indemnifying and holding me from any liability arising out of the construction of the Town of Paradise or its agent(s) under this License.
6. This License is granted in consideration of the location, improvement, and construction of such work and incidents thereto, which it is understood is required by the Town of Paradise, Department of Public Works.
7. This License shall commence at the beginning of construction and terminate five (5) months after the commencement or on upon completion of the project known as: Pearson Road Park and Ride Project, whichever occurs first. In any event, after December 1, 2011 this license will terminate.

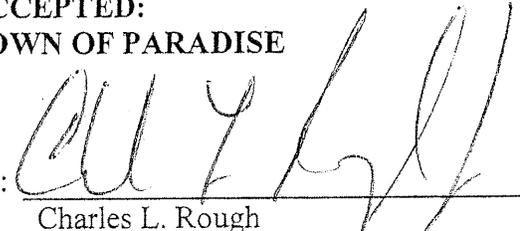
  
Owner: \_\_\_\_\_

7-7-10  
Date

Owner: \_\_\_\_\_

\_\_\_\_\_ Date

**ACCEPTED:  
TOWN OF PARADISE**

By:   
Charles L. Rough

7/6/10  
Date

Exhibit "A"  
License Agreement  
APN 052-225-004 – Olinger

Area 1:

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

A strip of land 16 feet in width, lying 16 feet northeast of, parallel with and adjacent to the Southwest boundary of Lots 7 and 8, in Block 1, as shown on that certain map entitled, "Paradise, Butte County, California", which map was recorded in the Office of the Recorder of the County of Butte, State of California, on April 4, 1904, in Book 4 of Maps, at page 7

Area 2:

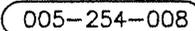
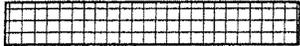
A portion of Lot 7, in Block 1, as shown on that certain map entitled, "Paradise, Butte County, California", which map was recorded in the Office of the Recorder of the County of Butte, State of California, on April 4, 1904, in Book 4 of Maps, at page 7 more particularly described as follows:

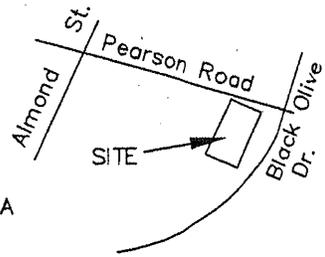
Beginning at the most Southerly corner of said Lot 7; thence Northeasterly, along the Southeast boundary of said Lot 7, a distance of 16 feet to the TRUE POINT OF BEGINNING of the herein described agreement area; thence continuing Northeasterly along said Southeast boundary, a distance of 6 feet; thence in a southwesterly direction, 8.50 feet more or less to a point that is 6 feet northwesterly of said Southeast boundary of said Lot 7 and 16 feet northeasterly of the Southwest boundary of said Lot 7 and the end of the herein described area.



A handwritten signature in cursive script, appearing to read "Lorraine Anne Lundy", written below the professional seal.

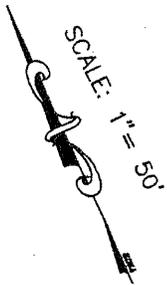
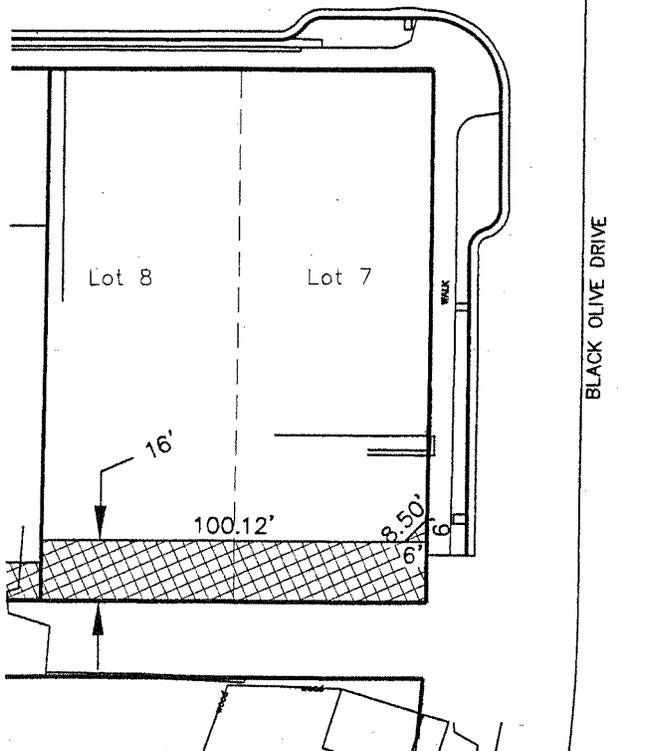
# LEGEND

-  - ORIGINAL LOT LINE
-  - OLD LOT LINE
-  - ASSESSORS PARCEL No.
-  - TEMPORARY CONSTRUCTION LICENSE AREA



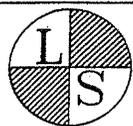
**LOCATION MAP**  
NO SCALE

PEARSON ROAD



Lands of Olinger

052-225-004



## L & L SURVEYING

1007 BILLE ROAD PO BOX 671 PARADISE, CA 95967 (530)877-4300

10-04-018

DRAWN BY LL DATE 6-10-10  
 CHECKED LL SCALE 1"=50'

PLAT OF TEMPORARY CONSTRUCTION LICENSE  
 FOR  
 THE TOWN OF PARADISE

EXHIBIT  
 "B"

APPROVED  
 DIRECTOR OF PUBLIC WORKS-TOWN OF PARADISE

SHEET 1 OF 1

**LICENSE TO ENTER AND CONSTRUCT IMPROVEMENTS  
FOR OWNER'S BENEFIT  
TOWN OF PARADISE**

Town of Paradise; Department of Public Works  
5555 Skyway, Paradise, CA 95969-4931  
Attn: Director of Public Works

Federal Project No. CML 5425-021  
Town Project No.: 8901.9362  
A. P. N.: 052-225-020

Dear Director of Public Works:

1. As a Temporary Construction License, I do hereby grant to the Town of Paradise, or its authorized agent(s), the right to enter upon a portion of my real property located at 182 Pearson Road as legally described in Exhibit "A" and within that certain area shown outlined on the map marked Exhibit "B" attached hereto and made a part hereof, for the construction of a parking facility and alleyway improvements associated with the Pearson Park and Ride Project located at 174 Pearson Road and adjacent alleyway.
2. I warrant that I am the owner(s) in fee simple of the property affected by this License to enter and construct as described in paragraph 1 above and that I have the exclusive right to grant this License.
3. This License is granted in consideration of benefits to my property from the Town's construction activities.
4. The Town of Paradise shall pay me the sum of \$550.00 as full payment for this License.
5. This License is based upon the Town of Paradise indemnifying and holding me from any liability arising out of the construction of the Town of Paradise or its agent(s) under this License.
6. This License is granted in consideration of the location, improvement, and construction of such work and incidents thereto, which it is understood is required by the Town of Paradise, Department of Public Works.
7. This License shall commence at the beginning of construction and terminate five (5) months after the commencement or on upon completion of the project known as: Pearson Road Park and Ride Project, whichever occurs first. In any event, after December 1, 2011 this license will terminate.

Sue Soeth  
Owner: \_\_\_\_\_ Date 7-1-10

Barbara Tower  
Owner: \_\_\_\_\_ Date 7-1-10

**ACCEPTED:  
TOWN OF PARADISE**

By: Charles L. Rough  
\_\_\_\_\_ Date 7/6/10

Exhibit "A"  
License Agreement  
APN 052-225-020 – Soeth, Et Al

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

Area 1:

A strip of land 10 feet in width, lying 10 feet northeastly of, parallel with and adjacent to the Southwest boundary of Lot 9 and the East 15.00 feet of Lot 10, in Block 1, as shown on that certain map entitled, "Town of Paradise", which map was filed in the Office of the Recorder of the County of Butte, State of California, on April 4, 1904, in Book 4 of Maps, at page 7

Area 2:

The Northwesterly 10 feet of the Southwesterly 95 feet of Lot 9 and the East 15.00 feet of Lot 10, in Block 1, as shown on that certain map entitled, "Town of Paradise", which map was filed in the Office of the Recorder of the County of Butte, State of California, on April 4, 1904, in Book 4 of Maps, at page 7.

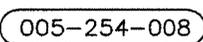
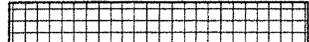
Area 3:

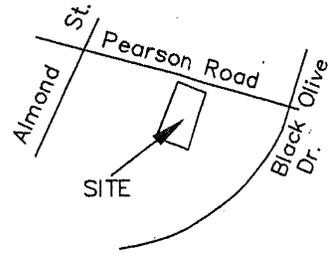
The Northwesterly 3 feet of the Northeasterly 45 feet of Lot 9 and the East 15.00 feet of Lot 10, in Block 1, as shown on that certain map entitled, "Town of Paradise", which map was filed in the Office of the Recorder of the County of Butte, State of California, on April 4, 1904, in Book 4 of Maps, at page 7.



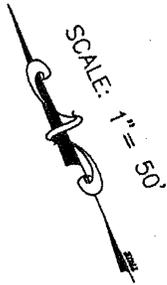
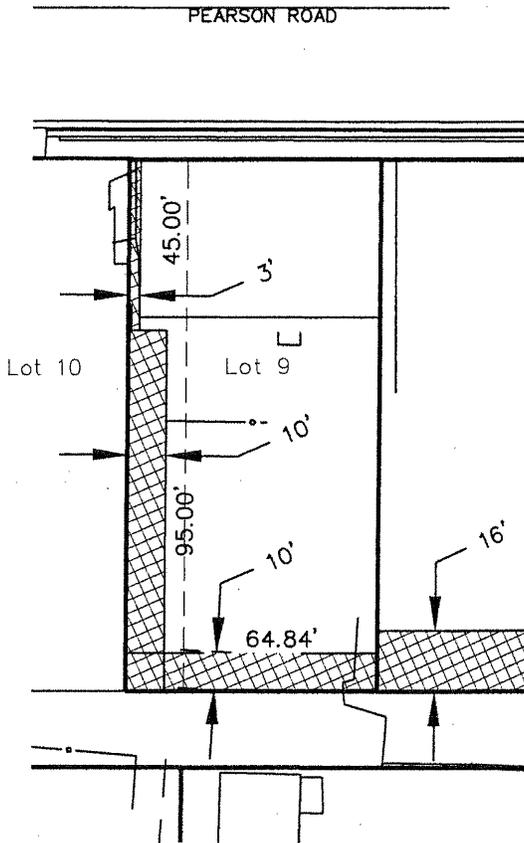
*Lorraine Anne Lundy*

# LEGEND

-  - ORIGINAL LOT LINE
-  - OLD LOT LINE
-  - ASSESSORS PARCEL No.
-  - TEMPORARY CONSTRUCTION LICENSE AREA



LOCATION MAP  
NO SCALE



*Lorraine Anne Lundy*

Lands of Soeth, Et Al

052-225-020



## L & L SURVEYING

1007 BILLE ROAD PO BOX 671 PARADISE, CA 95967 (530)877-4300

10-04-018

DRAWN BY LL DATE 6-10-10  
 CHECKED LL SCALE 1"=50'

PLAT OF TEMPORARY CONSTRUCTION LICENSE  
 FOR  
 THE TOWN OF PARADISE

EXHIBIT  
 "B"

APPROVED  
 DIRECTOR OF PUBLIC WORKS-TOWN OF PARADISE

SHEET 1 OF 1

**LICENSE TO ENTER AND CONSTRUCT IMPROVEMENTS  
FOR OWNER'S BENEFIT  
TOWN OF PARADISE**

Town of Paradise; Department of Public Works  
5555 Skyway, Paradise, CA 95969-4931  
Attn: Director of Public Works

Federal Project No. CML 5425-021  
Town Project No.: 8901.9362  
A. P. N.: 052-225-015

Dear Director of Public Works:

1. As a Temporary Construction License, I do hereby grant to the Town of Paradise, or its authorized agent(s), the right to enter upon a portion of my real property located at 5460 Almond Street as legally described in Exhibit "A" and within that certain area shown outlined on the map marked Exhibit "B" attached hereto and made a part hereof, for the construction of a parking facility and alleyway improvements associated with the Pearson Park and Ride Project located at 174 Pearson Road and adjacent alleyway.
2. I warrant that I am the owner(s) in fee simple of the property affected by this License to enter and construct as described in paragraph 1 above and that I have the exclusive right to grant this License.
3. This License is granted in consideration of benefits to my property from the Town's construction activities.
4. The Town of Paradise shall pay me the sum of \$500.00 as full payment for this License.
5. This License is based upon the Town of Paradise indemnifying and holding me from any liability arising out of the construction of the Town of Paradise or its agent(s) under this License.
6. This License is granted in consideration of the location, improvement, and construction of such work and incidents thereto, which it is understood is required by the Town of Paradise, Department of Public Works.
7. This License shall commence at the beginning of construction and terminate five (5) months after the commencement or on upon completion of the project known as: Pearson Road Park and Ride Project, whichever occurs first. In any event, after December 1, 2011 this license will terminate.

Terry Wilson  
Owner: \_\_\_\_\_ Date 1 July 2010

Owner: \_\_\_\_\_ Date \_\_\_\_\_

**ACCEPTED:  
TOWN OF PARADISE**

By: Charles L. Rough  
Charles L. Rough \_\_\_\_\_ Date 7/6/10

Exhibit "A"  
License Agreement  
APN 052-225-015 – Fischer, Et Al

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

A strip of land 10 feet in width, lying 10 feet southwesterly of, parallel with and adjacent to the Northeast boundary of the following described parcel of land:

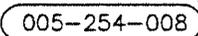
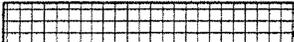
A portion of Block 1, as shown on the Official Map of "Paradise, Butte County, California", which map was filed in the Office of the Recorder of the County of Butte, State of California, on April 4, 1904, in Book 4 of Maps at page 7, and more particularly described as follows:

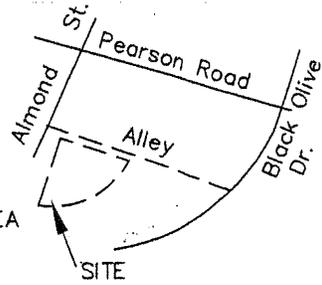
Beginning at the Southwest corner of Lot 1 of said Block 1; thence along the Westerly boundary of said Lot 1, and the extension thereof, and the Easterly right-of-way line of Foster Road, North 00°20'30" East, 140.00 feet; thence South 89°39'57" East, 14.83 feet; thence along the arc of a 346.78 foot radius curve concave to the Northwest, through a central angle of 08°33'31", an arc distance of 51.80 feet; thence along the Southeasterly right-of-way line of Almond Street, North 24°19'18" East, 257.932 feet to the Northwest corner of the Unnumbered Lot in said Block 1; thence along the Northeasterly line of said Unnumbered Lot and the extension thereof and the Southwesterly right-of-way line of the Alley in Block 1, South 65°40'42" East, 148.46 feet to a point on the arc of a 336.78 foot radius curve concave to the Northwest, a tangent at said point bears South 30°10'56" West; thence along the arc of said curve, through a central angle of 45°14'14", an arc distance of 265.90 feet to a point that bears North 14°34'50" West, 10.00 feet from the Northeast corner of Lot 2 of said Block 1; thence along the East line of said Lot 2, and the extension thereof, South 14°34'50" East, 150.00 feet to the Southeast corner of said Lot 2, said Southeast corner being on the arc of a 486.78 foot radius curve concave to the Northwest, a tangent at said Southeast corner bears South 75°25'01" West; thence along the arc of said curve and the Southeasterly line of Lots 1 and 2 of said Block 1, and the Northwesterly right-of-way line of Black Olive Drive, through a central angle of 14°54'53", an arc distance of 126.71 feet and North 89°39'57" West, 14.83 feet to the point of beginning.



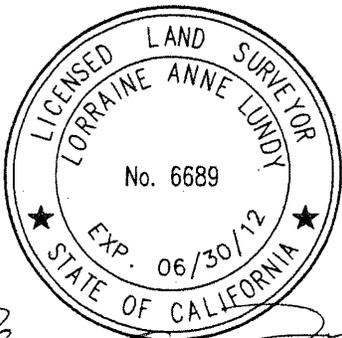
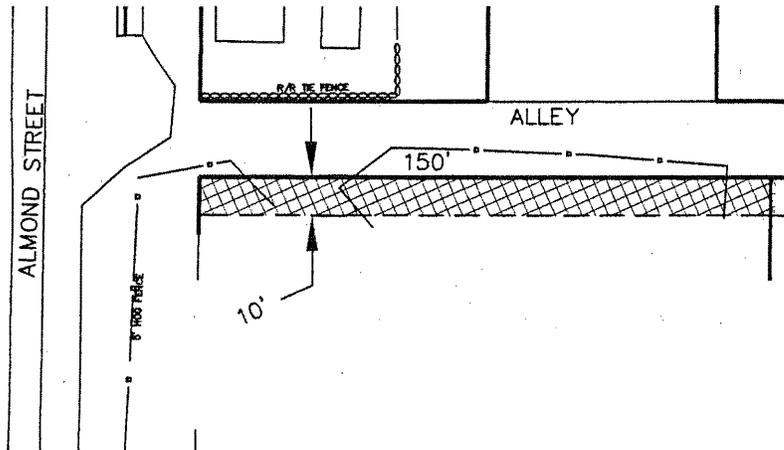
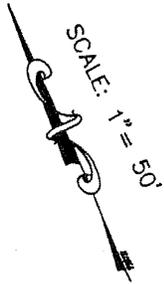
*Lorraine Anne Lundy*

# LEGEND

-  - ORIGINAL LOT LINE
-  - OLD LOT LINE
-  - ASSESSORS PARCEL No.
-  - TEMPORARY CONSTRUCTION LICENSE AREA



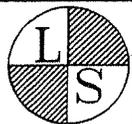
**LOCATION MAP**  
NO SCALE



*Lorraine Anne Lundy*

Lands of Fischer, Et Al

052-225-015



## L & L SURVEYING

1007 BILLE ROAD PO BOX 671 PARADISE, CA 95967 (530)877-4300

10-04-018

DRAWN BY LL DATE 6-10-10  
CHECKED LL SCALE 1"=50'

PLAT OF TEMPORARY CONSTRUCTION LICENSE  
FOR  
THE TOWN OF PARADISE

EXHIBIT  
"B"

APPROVED \_\_\_\_\_  
DIRECTOR OF PUBLIC WORKS-TOWN OF PARADISE

SHEET 1 OF 1

**LICENSE TO ENTER AND CONSTRUCT IMPROVEMENTS  
FOR OWNER'S BENEFIT  
TOWN OF PARADISE**

**Town of Paradise; Department of Public Works  
5555 Skyway, Paradise, CA 95969-4931  
Attn: Director of Public Works**

Federal Project No. CML 5425-021  
Town Project No.: 8901.9362  
A. P. N.: 052-225-017

Dear Director of Public Works:

1. As a Temporary Construction License, I do hereby grant to the Town of Paradise, or its authorized agent(s), the right to enter upon a portion of my real property located at 162 Pearson Road as legally described in Exhibit "A" and within that certain area shown outlined on the map marked Exhibit "B" attached hereto and made a part hereof, for the construction of a parking facility and alleyway improvements associated with the Pearson Park and Ride Project located at 174 Pearson Road and adjacent alleyway.
2. I warrant that I am the owner(s) in fee simple of the property affected by this License to enter and construct as described in paragraph 1 above and that I have the exclusive right to grant this License.
3. This License is granted in consideration of benefits to my property from the Town's construction activities.
4. The Town of Paradise shall pay me the sum of \$550.00 as full payment for this License.
5. This License is based upon the Town of Paradise indemnifying and holding me from any liability arising out of the construction of the Town of Paradise or its agent(s) under this License.
6. This License is granted in consideration of the location, improvement, and construction of such work and incidents thereto, which it is understood is required by the Town of Paradise, Department of Public Works.
7. This License shall commence at the beginning of construction and terminate five (5) months after the commencement or on upon completion of the project known as: Pearson Road Park and Ride Project, whichever occurs first. In any event, after December 1, 2011 this license will terminate.

William R. Sharratt  
Owner:

7/6/10  
Date

Owner:

Date

**ACCEPTED:  
TOWN OF PARADISE**

By: Charles L. Rough  
Charles L. Rough

7/6/10  
Date

Exhibit "A"  
License Agreement  
APN 052-225-017 – Sharrett

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

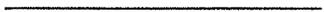
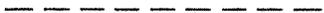
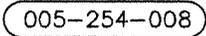
The Southeasterly 20 feet of the Southwesterly 80 of the following described parcel of land:

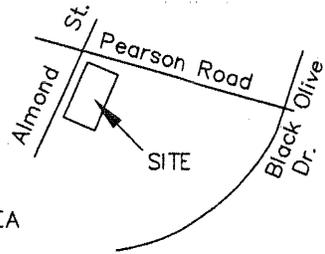
Lot 12 and the West half of Lot 11 of Block 1, all as shown on that certain mp entitled, "Town of Paradise", which map was filed in the Office of the Recorder of the County of Butte, State of California, on April 4, 1904, in Book 4 of Maps, at Page(s) 7.



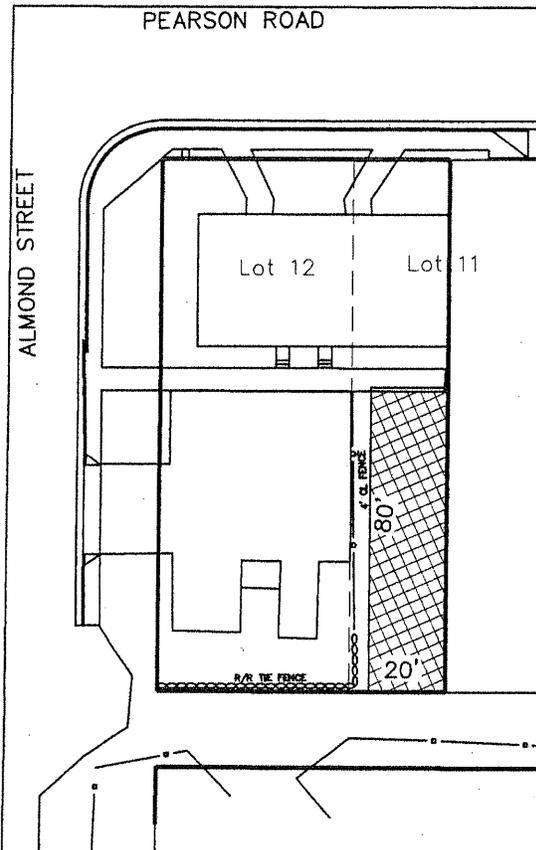
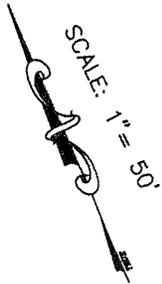
*Lorraine Anne Lundy*

# LEGEND

-  - ORIGINAL LOT LINE
-  - OLD LOT LINE
-  - ASSESSORS PARCEL No.
-  - TEMPORARY CONSTRUCTION LICENSE AREA

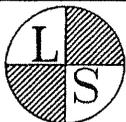


**LOCATION MAP**  
NO SCALE



Lands of Sharrett

052-225-017



## L & L SURVEYING

1007 BILLE ROAD PO BOX 671 PARADISE, CA 95967 (530)877-4300

10-04-018

DRAWN BY LL DATE 6-10-10  
 CHECKED LL SCALE 1"=50'

PLAT OF TEMPORARY CONSTRUCTION LICENSE  
 FOR  
 THE TOWN OF PARADISE

EXHIBIT  
 "B"

APPROVED  
 DIRECTOR OF PUBLIC WORKS-TOWN OF PARADISE

SHEET 1 OF 1



Exhibit "A"  
License Agreement  
APN 052-225-011 – Wrinkle

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

A strip of land 10 feet in width, lying 10 feet southwesterly of, parallel with and adjacent to the Northeast boundary of the following described parcel of land:

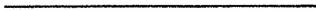
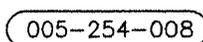
Lot 6 in Block 1, as shown on that certain map entitled, "Paradise, Butte County, California", which map was filed in the Office of the Recorder of the County of Butte, State of California, on April 4, 1904, in Book 4 of Maps, at Page(s) 7.

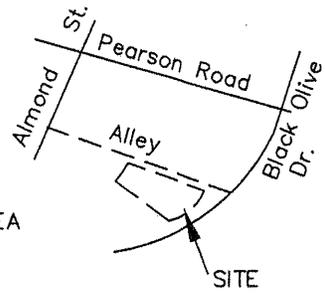
Together with that certain alleyway 10 feet in width, lying contiguous to the Northwesterly boundary of Lot 6, in Block 1, as shown on said "Paradise, Butte County, California" map and as set forth in Resolution to Vacate Alley, Recorded September 14, 1983, in Book 2864, Page 601, Official Records.



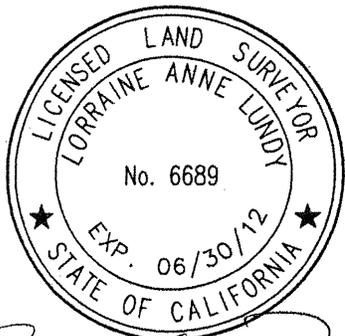
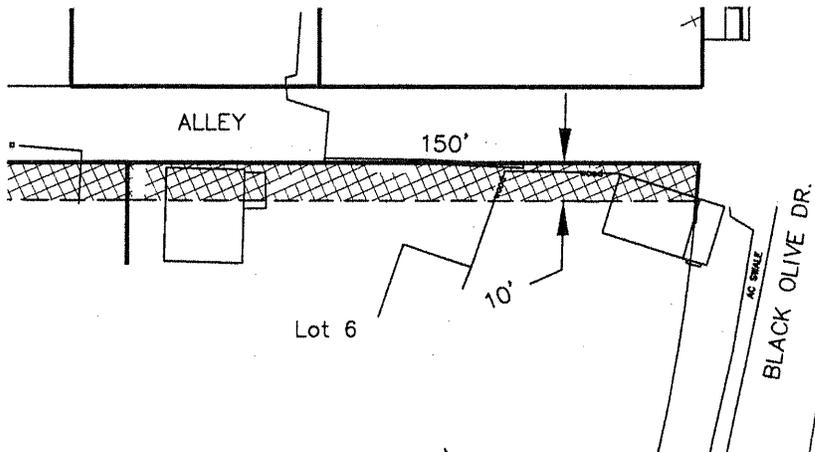
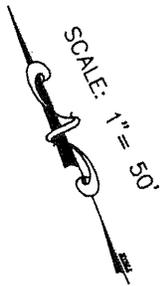
A handwritten signature in cursive script, appearing to read "Lorraine Anne Lundy", positioned below the professional seal.

# LEGEND

-  - ORIGINAL LOT LINE
-  - OLD LOT LINE
-  - ASSESSORS PARCEL No.
-  - TEMPORARY CONSTRUCTION LICENSE AREA



LOCATION MAP  
NO SCALE

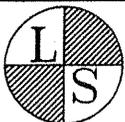


*Lorraine Anne Lundy*

Lands of Wrinkle

052-225-011

10-04-018



## L & L SURVEYING

1007 BILLE ROAD PO BOX 671 PARADISE, CA 95967 (530)877-4300

DRAWN BY LL DATE 6-10-10  
 CHECKED LL SCALE 1"=50'

PLAT OF TEMPORARY CONSTRUCTION LICENSE  
 FOR  
 THE TOWN OF PARADISE

EXHIBIT  
 "B"

APPROVED  
 DIRECTOR OF PUBLIC WORKS-TOWN OF PARADISE

SHEET 1 OF 1



## TOWN OF PARADISE

### COUNCIL AGENDA SUMMARY

#### STAFF REPORT

SEPTEMBER 14, 2010

Agenda No. 3(j)

**ORIGINATED BY:** Radley Ott; Associate Engineer *R.Ott*  
Dennis J. Schmidt, Public Works Director/ Town Engineer *DJS.*

**REVIEWED BY:** Charles L. Rough, Jr., Town Manager *CLR*  
Dwight Moore, Town Attorney *DM*

**SUBJECT:** Resolution of Approval of Annual DBE Submittal Form.

#### COUNCIL ACTION REQUESTED:

- 1) Adopt the attached Resolution No. \_\_\_\_\_, a Resolution of Approval of Annual DBE Submittal Form for Federal Fiscal Year 2010/2011.; AND
- 2) Authorize the Town Manager to execute the attached Caltrans's "Local Agency DBE Annual Submittal Form; AND
- 3) Authorize the Town Manager to execute future Annual Submittal Forms, OR
- 4) Provide Town Staff with alternative direction regarding the DBE Program and annual submittals.

#### BACKGROUND:

The Disadvantaged Business Enterprise (DBE) Program is a federal program that was created to help assure that minority and economically disadvantaged businesses are provided with an equal opportunity to compete in the project bidding process. The first DBE Program was adopted by the Town of Paradise in 1985 and amended in 1988, 2001, 2002, 2006 and in March, 2009 (Resolution No 09-14). This most recently adopted DBE program adopted by Council is a new Race Conscious and Race Neutral program. The Town of Paradise is required by federal law (49 CFR Part 26) to maintain a DBE program and to submit an Annual DBE form to be eligible for and in compliance with U.S. Department of Transportation (DOT) assisted contracts and to remain eligible for federal DOT funds. Resubmittal of the Annual Form is required by the beginning of the next FFY (October 1).

#### DISCUSSION:

In accordance with federal law (49 CFR Part 26) and Caltrans' May 28, 2010 Division of Local Assistance Office Bulletin 10-07, local agencies (including the Town of Paradise) are required to submit an annual DBE form, but does not need to calculate an Annual Anticipated Disadvantaged Business Enterprise Level (AADPL) as done previously. This form serves to provide notice on what measures the Town will do to comply with federal law and current DBE policies. These measures include; the identification of the Disadvantaged Business Enterprise Liaison Officer (DBELO), plan of race neutral measures to implement for the forthcoming FFY, prompt pay provision to be used in federally funded (USDOT assisted) public works contracts, and monitoring and enforcement mechanisms to ensure that DBEs are promptly paid.

#### STAFF RECOMMENDATION

Staff recommends Council adoption of the Resolution of Approval of Annual submittal form and that Council adopts this resolution to authorize the Town Manager to execute the attached "Local Agency DBE Annual Submittal Form" and future similar forms.

#### FINANCIAL IMPACT

No financial impact is expected with approval of this Resolution.

#### ATTACHMENTS:

- 1) Caltrans Exhibit 9-B "Local Agency DBE Annual Submittal Form" for FFY 2010/11

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF APPROVAL OF ANNUAL DBE SUBMITTAL FORM FOR  
FEDERAL FISCAL YEAR 2010/2011.**

**WHEREAS**, The Town of Paradise is required by federal law (49 CFR, Part 26) to comply with DBE policies and submit an Annual DBE Submittal Form to be eligible for federal department of transportation (DOT) funds **and**

**WHEREAS**, the Town of Paradise has designated a Disadvantaged Business Enterprise Liaison Officer for FFY 2010-11, stated planned race-neutral measures, and designated prompt payment provision which are to be included in future contract documents, **and**

**WHEREAS**, the Town will be submitting similar annual forms in the future.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Paradise as follows:

Section 1. The Town Council approves the Annual DBE Submittal Form for Federal Fiscal Year 2010/2011.

Section 2. The Town Council authorizes the Town Manager to execute the attached "Local Agency DBE Annual Submittal Form" for FFY 2010-11.

Section 3. The Town Council authorizes the Town Manager to execute future DBE annual submittal forms similar in nature and context.

**PASSED AND ADOPTED** by the Town Council of the Town of Paradise, County of Butte, State of California, on this \_\_\_\_\_ day of September, 2010 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**NOT VOTING:**

---

Scott Lotter, Mayor

ATTEST:

By: \_\_\_\_\_

Joanna Gutierrez, Town Clerk

APPROVED AS TO FORM:

---

Dwight L. Moore, Town Attorney

# **ATTACHMENT A**

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**“LOCAL AGENCY DBE ANNUAL SUBMITTAL FORM”  
FOR FFY 2010/11**

**(CALTRANS EXHIBIT 9-B; v.7-1-10)**



## TOWN OF PARADISE

### PUBLIC WORKS DEPARTMENT

5555 Skyway Paradise, CA 95969

Bus: (530) 872-6291, Fax: (530) 877-5059 [www.townofparadise.com](http://www.townofparadise.com)

## LOCAL AGENCY DBE ANNUAL SUBMITTAL FORM FFY 2010-11

### (LAPM EXBT. 9B)

*Caltrans Local Assistance Procedures Manual Exhibit 9-B, obtained 7-9-10, July 1, 2010 version*

### **TO: CALTRANS DISTRICT 3**

District Local Assistance Engineer

The information for exhibit 9-B presented herein, in accordance with Title 49 of the Code of Federal Regulations (CFR), Part 26, and the State of California Department of Transportation Disadvantaged Business Enterprise (DBE) Program Plan.

The Town of Paradise, submits our annual 9-B information for the Federal Fiscal Year 2010/2011, beginning on October 1 and ending on September 30.

### **Disadvantaged Business Enterprise Liaison Officer (DBELO):**

Radley Ott

Associate Engineer, Town of Paradise

5555 Skyway, Paradise, CA 95969

p: 530.872.5858 f: 530.877.5059 [radleyott@townofparadise.com](mailto:radleyott@townofparadise.com)

### **Planned Race-Neutral Measures**

The Town will meet the maximum feasible portion of its AADPL by using race neutral means of facilitating DBE participation. Race neutral DBE participation includes any time a DBE wins a prime contract through customary competitive procurement procedures, is awarded a subcontract on a prime contract that does not carry a DBE goal, or even if there is a DBE goal, wins a subcontract from a prime contractor that did not consider its DBE status in making the award (e.g., a prime contractor that uses a strict low-bid system to award subcontracts).

The race neutral means in which the Town plans to implement for the upcoming Federal Fiscal Year include, but are not limited to, the following:

- 1) Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE, and other small businesses, participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces);
- 2) Providing technical assistance and other services;
- 3) Carrying out information and communication programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs and other small businesses on recipient mailing lists of bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate);
- 4) Ensuring distribution of your DBE directory through print and electronic means to the widest feasible universe of potential prime contractors.



# TOWN OF PARADISE

## PUBLIC WORKS DEPARTMENT

5555 Skyway Paradise, CA 95969

Bus: (530) 872-6291, Fax: (530) 877-5059 www.townofparadise.com

### Prompt Pay

Federal regulation (49 CFR 26.29) requires one of three methods be used in federal-aid contracts to ensure prompt and full payment of any retainage, kept by the prime contractor or subcontractor, to a subcontractor.

Please refer to the listing below of three prompt payment provision where the Town has selected a prompt payment provision.

**Method 1:** No retainage will be held by the agency from progress payments due to the prime contractor. Prime contractors and subcontractors are prohibited from holding retainage from subcontractors. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

**Method 2:** No retainage will be held by the agency from progress payments due the prime contractor. Any retainage kept by the prime contractor or by a subcontractor must be paid in full to the earning subcontractor in 30 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

**Method 3:** The agency shall hold retainage from the prime contractor and shall make prompt and regular incremental acceptances of portions, as determined by the agency of the contract work and pay retainage to the prime contractor based on these acceptances. The prime contractor or subcontractor shall return all monies withheld in retention from all subcontractors within 30 days after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the agency. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating prime contractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies otherwise available to the contractor or subcontractor in the event of: a dispute involving late payment or nonpayment by the contractor; deficient subcontractor performance and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

49 CFR Part 26.29(d) requires providing appropriate means to enforce prompt payment. These means may include appropriate penalties for failure to comply with the terms and conditions of the contract. The means may also provide that any delay or postponement of payment among the parties may take place only for good cause, with the local agency's prior written approval.

\_\_\_\_\_  
(Signature )  
Charles L. Rough, Jr., Town Manager

\_\_\_\_\_  
Date  
(530) 877-4627  
Phone Number

\_\_\_\_\_  
(Signature of Caltrans District Local Assistance Engineer [DLAE])

\_\_\_\_\_  
Date

Distribution: (1) Original - DLAE (2) Signed copy by the DLAE - Local Agency  
DBE Annual Submittal Form (07/1/10)

**TOWN OF PARADISE  
COUNCIL AGENDA SUMMARY  
DATE: September 14, 2010**

**ORIGINATED BY: Christopher P. Jensen, Fire Chief      AGENDA ITEM No. 3(k)**

**REVIEWED BY: Charles L. Rough, Jr. **  
**Town Manager**

Legal Review	Yes	No	N/A
--------------	-----	----	-----

**SUBJECT: Declaration of obsolete or inoperable vehicles, equipment and property as Surplus Property – Fire Department**

**RECOMMENDATION:**

1. Declare the described vehicles, equipment and property (Attachment A) as surplus; and,
2. Adopt a motion authorizing the vehicles, equipment and property as described in Attachment A to be disposed of through sales, recycle, or appropriate waste means.

**ALTERNATIVES:**

No cost effective alternatives determined

**BACKGROUND:**

The Paradise Fire Department annually makes determination of vehicles, equipment and property that requires surplus because of its condition, use, or material defects. Attachment A-represents those vehicles, equipment and property that have been determined in 2010 as necessary surplus.

**FINANCIAL IMPACT:**

The disposal of the vehicles, equipment and property will not have negative impact on the General Fund. However, we do anticipate a small amount of revenue from the sales of some of the vehicles, equipment and property.

**Town of Paradise Fire Department  
Agenda Item 3K  
September 14, 2010**

**Vehicles:**

- |    |                     |  |
|----|---------------------|--|
| 1. | 1984 Ford Ranger    | Vin#: 1FTCR10A7EUD59296<br>CA Lic #: 481479 (Exempt) |
| 2. | 1980 Chevy Suburban | Vin #: CKL16AF104891<br>CA Lic #: 793252             |

**Fleet Manager has reviewed and concurs that these vehicle are surplus**

**Radio Equipment:**

- |     |                                |           |                |
|-----|--------------------------------|-----------|----------------|
| 1.  | Plectron Radio                 | Serial #: | R720B3-132329  |
| 2.  | Plectron Radio                 | Serial#:  | R520B0-17502   |
| 3.  | Plectron Radio                 | Serial#:  | R520B0-17515   |
| 4.  | Motorola Radio JT1000          | Serial #: | 402TZU15412    |
| 5.  | King Radio                     | Serial #: | LPH5142A035077 |
| 6.  | King Radio                     | Serial #: | EPH5142A310404 |
| 7.  | King Radio                     | Serial #: | LP45142A827121 |
| 8.  | Federal Signal Alert Box       | Serial #: | 0106035747     |
| 9.  | Setcom Head Set                | Serial #: | No numbers     |
| 10. | Small black speaker            | Serial #: | No numbers     |
| 11. | 20 Minitor Type II, III Pagers | Serial #: | unreadable     |
| 12. | GE Radio Base                  | Serial #: | No numbers     |
| 13. | Red Telephone                  | Serial #: | Unreadable     |
| 14. | Kenwood Radio                  | Serial #: | 30502269       |

**Equipment:**

- |    |                              |           |  |
|----|------------------------------|-----------|--|
| 1. | Gas Detector                 | Serial #: | 100100138262   |
| 2. | Gas Detector                 | Serial #: | 100100154160   |
| 3. | Two 35mm SLR Cameras         | Serial#:  | 97802394 / 3930511                                   |
| 4. | (4) old hard sunction hoses  | Serial #: | No numbers   |
| 5. | Old Med. Regulators          | Serial #: | 4004, 3050158, 580298, 8039145,<br>2050652, 80402243 |
| 6. | Survive Air SCBA             | Serial #: | No numbers   |
| 7. | Old brass and nozzles (5)    | Serial #: | No numbers   |
| 8. | Non-regulatory fire shelters | Serial #: | No numbers   |
| 9. | Partner cut-off saw          | Serial #: | No numbers   |

10.	Engine Light Bar (Broke)	Serial #:	No numbers
11.	Electric Smoke Ejector	Serial #:	No numbers
12.	Compressor Platform	Serial #:	No numbers
13.	Jump Seat (no longer app.)	Serial #:	No numbers
14.	(4) old ice chests (unsanitary)	Serial #:	No numbers
15.	(2) Truck Belts (N.A)	Serial #.	No numbers
16.	Survive Air Regulator	Serial #:	9406, 580249
17.	Traction Device	Serial #:	No numbers
18.	(4) sets of C-spine belts	Serial #:	No numbers
19.	16 SCBA brackets	Serial #:	No numbers
20.	(3) Electric Drills	Serial #:	42022, 36H, 26G
21.	Warn Winch	Serial #:	333108

**Fire Hose:**

3 Inch Fire Hose	Serial #:	3-19 3-17 3-56 3-2 3-61 3-76
2 ½ Inch Fire Hose	Serial #:	162 109 112 105 164 1 25 70 33 121 338 117
3 Inch Suction	Serial #:	S-20
5 Inch Suction	Serial #:	S-40 S-39

Attachment A, Fire Department Surplus  
September 14, 2010

1 ¾ Fire Hose

Serial #: 509  
531  
512  
568  
511  
537  
514  
501  
573  
502  
510  
543  
570  
547  
520  
574  
516  
508  
571  
517  
546  
540  
533  
529  
519  
551  
537

1 ½ Double Jacket

Serial #: 237  
238  
117  
236  
2  
252  
28  
82  
48  
242  
247

1 ½ Single Jacket	Serial #:	90 109 33 53
1 Inch Single Jacket	Serial #:	46 58 83

**Turn Outs**

Turn Out Jacket	Serial #:	1520018 Size 44/35 1345238 Size 42/34 1520015 Size 42/35 1432025 Size 40/35 1345241 Size 46/35 1432086 Size 42/35 No Number Body Guard 40/32 No Number Body Guard 40/30 No Number Body Guard 38/32 No Number Body Guard 44/32
Turn Out Pants	Serial #:	1661643 2445496 1661648 2639485 5 Additional Pants No Numbers
Turn Out Boots	Serial #:	1 – Size 7 ½ 4 – Size 9 1 – Size 8M 1 – Size 10

**TOWN OF PARADISE**  
**Council Agenda Summary**  
**Date: September 14, 2010**

**AGENDA NO: 3(L)**

**ORIGINATED BY:** Dennis J. Schmidt, Public Works Director/Town Engineer *DJS.*

**REVIEWED BY:** Charles L. Rough, Jr., Town Manager *[Signature]*  
Dwight L. Moore, Town Attorney *[Signature]*  
Craig Baker, Community Development Director *[Signature]*

**SUBJECT:** Paradise Community Village Subdivision, Phase 1, APN's 054-090-048, 054-100-023, 054-110-031, 054-110-032, and 054-110-033.

**COUNCIL ACTION REQUESTED:**

1. Adopt Resolution No. 010-\_\_\_\_\_, "A Resolution of the Town Council of the Town of Paradise Approving Phase 1 of the Paradise Community Village Final Map, Assessor Parcel No's 054-090-048, 054-100-023, 054-110-031, 054-110-032, and 054-110-033;

**BACKGROUND:** The Paradise Community Village Tentative Subdivision map was submitted to the Town of Paradise on January 29, 2009. The original tentative map was very ambitious, with a vision of 32 residential lots, seven larger lots of varying sizes to accommodate a variety of community type uses, two storm drain ponds and two open space/wetland type of lots. This original project was analyzed under the CEQA process, with an Environmental Impact Report (EIR) that was certified by the Paradise Town Council on July 24, 2007.

As the project was further developed and analyzed during the subdivision map review process, the developers modified the project to allow phasing of the project's necessary improvements to minimize the upfront costs necessary to begin construction. The tentative map, approved by the planning commission on July 21, 2009, contained the same number of lots as originally proposed, but was listed as three distinct final map phases. This original conditionally approved tentative map had a total of 40 conditions associated with the Subdivision map.

On June 24, 2010, a minor modification to this conditionally approved tentative subdivision was approved by the Planning Director. This minor modification approved the development of this project via four distinct phases. This first final map phase creates a single parcel, shown on the attached exhibit as Lot 1. This lot is 2.54 acres gross, and will be accessed from the extension of Village Parkway. This parcel will ultimately be used for construction of the Community Housing Improvement Program (CHIP) housing project, once the project developers have secured funding. Approval of this first phase of this map is an important step for the CHIP housing project, as legal ownership of the project site by CHIP is an important factor in securing additional construction funding.

**DISCUSSION:** Adoption of this resolution and approval of this final map is the last action necessary to allow the recording of this first phase final subdivision map. Once recorded, the owners will then be able to transfer ownership of Lot 1 to CHIP. Once funding has been secured, construction can then begin for the 36 unit multi-family housing development, along with the associated infrastructure such as water lines, roadways and storm drainage facilities.

This is a very unique development, as the construction of improvements is a condition of the site plan review planning entitlement, assigned to the CHIP housing project. The roadways, waterline improvements, storm drainage improvements and all other public facilities are linked to issuance of the building permit for the multi-family housing. This phase of this subdivision does not have any new public roadways or storm drainage systems that will be accepted at this time. Once permits are issued, and the roadways built to the approved standard, the standing offer of dedication for Village Parkway and the emergency access easements will then be brought back to the Town Council for acceptance.

**REVIEWED BY PLANNING DIRECTOR:** The subject map has been reviewed and its Town of Paradise adopted conditions of approval have been satisfactorily completed. The final map, Paradise Community Village, Phase 1, is recommended for approval.

**FINANCIAL IMPACT:** Approval of this first phase (one lot) of this subdivision map will have no immediate or long term negative impact upon the Town of Paradise General Fund.

RESOLUTION NO. 10 - \_\_\_\_\_

**A RESOLUTION OF THE TOWN COUNCIL OF THE  
TOWN OF PARADISE APPROVING THE FINAL MAP OF  
PARADISE COMMUNITY VILLAGE PHASE 1,  
ASSESSORS PARCEL NO. 054-090-048, 054-100-023,  
054-110-031, 054-110-032, and 054-110-033.**

**WHEREAS**, the tentative subdivision map application PL 09-00034 (Paradise Community Village) was conditionally approved by the Paradise Planning Commission on July 21, 2009; **AND**

**WHEREAS**, the tentative subdivision map was modified by application PL 10-00235, which was approved by the Town of Paradise Planning Director on June 24, 2010; **AND**

**WHEREAS**, the final map of Paradise Community Village, Phase 1, has complied with the applicable conditions of record for this phase; **AND**

**WHEREAS**, the final map meets the requirements of the Town subdivision ordinance, and has been approved by the Town's contract land surveyor and the Town Engineer;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Paradise as follows:

**Section 1.** The final map of Paradise Community Village, Phase 1 is hereby accepted and approved.

**Section 2.** The roadways shown as Village Parkway and Cowell Lane offered for dedication in fee are not accepted for public use at this time.

**Section 3.** Community Way and the public service easements shown along Village Parkway and Cowell Lane are not accepted for public use at this time;

**Section 4.** The Town Clerk is authorized to sign the certificate of approval on the final map of Paradise Community Village Phase I on behalf of the Town of Paradise.

/////

/////

**RESOLUTION NO. 10-\_\_\_\_\_**

**PASSED AND ADOPTED** by the Town Council of the Town of Paradise, County of Butte, State of California, on this 14th day of September, 2010 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**NOT VOTING:**

---

Scott Lotter, Mayor

**ATTEST:**

---

Joanna Gutierrez, Town Clerk

**APPROVED AS TO FORM:**

---

Dwight L. Moore, Town Attorney

**OWNER'S STATEMENT**

We, PARADISE YOUTH AND FAMILY CENTER CORPORATION, a California non-profit corporation, as owner of the land shown herein, and SANDRINE N.A., formerly known as Burns Community Home, as beneficiary for that deed of trust recorded April 15, 2003 under Serial Number 2003-000343 and COMMUNITY HOUSING IMPROVEMENT PROGRAM, INC., a California non-profit public benefit corporation, as beneficiary for that deed of trust recorded January 21, 2008 under Serial Number 2008-000173 in the Butte County Recorder's Office, do hereby state that we are the only persons whose consent is necessary to pass clear title to said land and that we consent to the preparation and the recording of this final map.

The road projects described below as distributed in fee to the Town of Paradise for public purposes:

- A. Village Parkway, Coastal Lane, and Community Way for public street, public utility and all other public purposes.
  - B. The road property described below as an easement to the Town of Paradise for public purposes.
  - C. Community Way for emergency access, pedestrian access, bicycle access and public service easement.
  - D. Public Service Easements as defined in Section 18000 of the State of California Street and Highway Code or, over and under those strips of land designated as P.S.E. (Public Service Easements).
- We hereby establish for private purposes the following:
- E. Village Parkway and Coastal Lane as a non-exclusive easement for ingress, egress, drainage, sanitary sewer, water line and public utility purposes. Said easement is to be reserved in deeds for the benefit of Lot 1 and Remaining Lands.
  - F. Easements for Public Utility Purposes on, over and under those strips of land designated as P.S.E. (Public Service Easements) and Street "A", said easements are to be reserved in deeds for the benefit of Remaining Lands.
  - G. Street "A" for emergency access purposes. Said easement is to be reserved in deeds for the benefit of Remaining Lands.
  - H. The right for access, drainage water originating on Lot 1 to be discharged on, over and across the Remaining Lands. This right shall automatically terminate if said lots are public roads, drainage facilities are bypassed and accepted by the Town of Paradise for the collection and discharge of said water drainage waters.

PARADISE YOUTH AND FAMILY CENTER CORPORATION, a California non-profit corporation  
 Name: \_\_\_\_\_ Address: \_\_\_\_\_  
 Title: \_\_\_\_\_

SANDRINE N.A. formerly known as Burns Community Home  
 Name: \_\_\_\_\_ Address: \_\_\_\_\_  
 Title: \_\_\_\_\_

**ACKNOWLEDGMENT:**

I, \_\_\_\_\_, Notary Public, do hereby certify that the foregoing PARADISE YOUTH AND FAMILY CENTER CORPORATION, SANDRINE N.A. and COMMUNITY HOUSING IMPROVEMENT PROGRAM, INC., are California non-profit public benefit corporations, and that the foregoing PARADISE YOUTH AND FAMILY CENTER CORPORATION, SANDRINE N.A. and COMMUNITY HOUSING IMPROVEMENT PROGRAM, INC. are duly organized under the laws of the State of California and are in good standing.

**TOWN CLERK'S STATEMENT**

I do hereby state that on \_\_\_\_\_ the Town Council of the Town of Paradise officially approved the subdivision map of Paradise Community Village Phase 1 and Resolution No. \_\_\_\_\_ authorizing the filing of this final map.

Thomas A. St. and C. of the Officers Statement as shown on the attached map and have offered for dedication to the Town of Paradise and not accepted on this date.

**ACKNOWLEDGMENT:**

I, \_\_\_\_\_, Notary Public, do hereby certify that the foregoing PARADISE YOUTH AND FAMILY CENTER CORPORATION, SANDRINE N.A. and COMMUNITY HOUSING IMPROVEMENT PROGRAM, INC. are California non-profit public benefit corporations, and that the foregoing PARADISE YOUTH AND FAMILY CENTER CORPORATION, SANDRINE N.A. and COMMUNITY HOUSING IMPROVEMENT PROGRAM, INC. are duly organized under the laws of the State of California and are in good standing.

**TOWN ENGINEER'S STATEMENT**

I, JAMES S. HAYES, Town Engineer, in and for the Town of Paradise, State of California, certify that I have examined the Subdivision Map and find it to substantially conform to the technical rules approved on June 24, 2010 and any subsequent amendments thereto, the applicable provisions of approval of the Subdivision Map, the State Subdivision Map Act and applicable provisions of Title 18 of the California Municipal Code.

JAMES S. HAYES, Town Engineer, State of California  
 Title: \_\_\_\_\_

**SURVEYOR'S STATEMENT**

This map was prepared by me or under my direction and is based upon a field survey in accordance with the requirements of the Subdivision Map Act and local ordinances of the Town of Paradise, and all Public Service Easements by July 2010. I hereby state that the measurements are of the boundaries and occupy the positions indicated on this map and that they will be met in those portions within the size of the subdivision as shown on this map, and that the instruments used, as well as, submitted to be recorded the survey to be returned, and that the final map substantially conforms to the approved or conditionally approved Technical Map, and that the survey is true and complete as shown.

Northstar Engineering  
 Name: \_\_\_\_\_ Date: \_\_\_\_\_  
 Michael L. Mays, PLS 0967

**RECORDER'S CERTIFICATE**

Filed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ in the County of Butte, at the request of NORTHSTAR ENGINEERING.

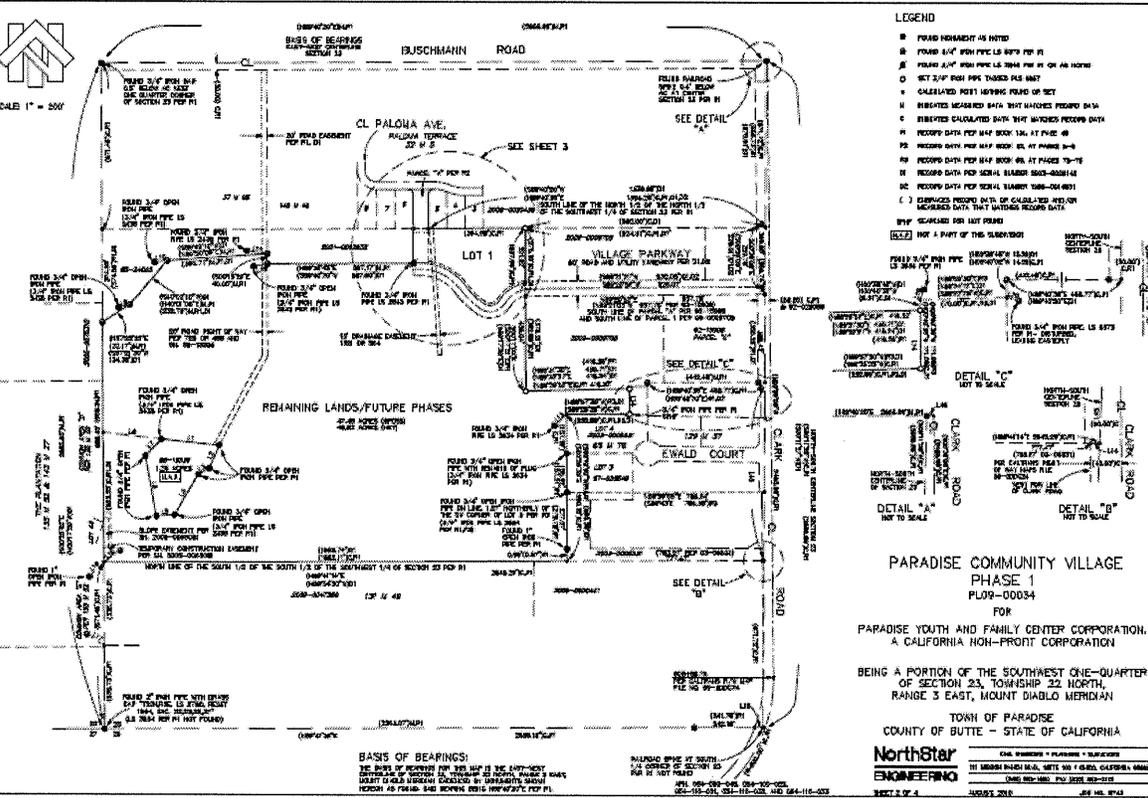
**PARADISE COMMUNITY VILLAGE  
 PHASE 1  
 PL09-00034**

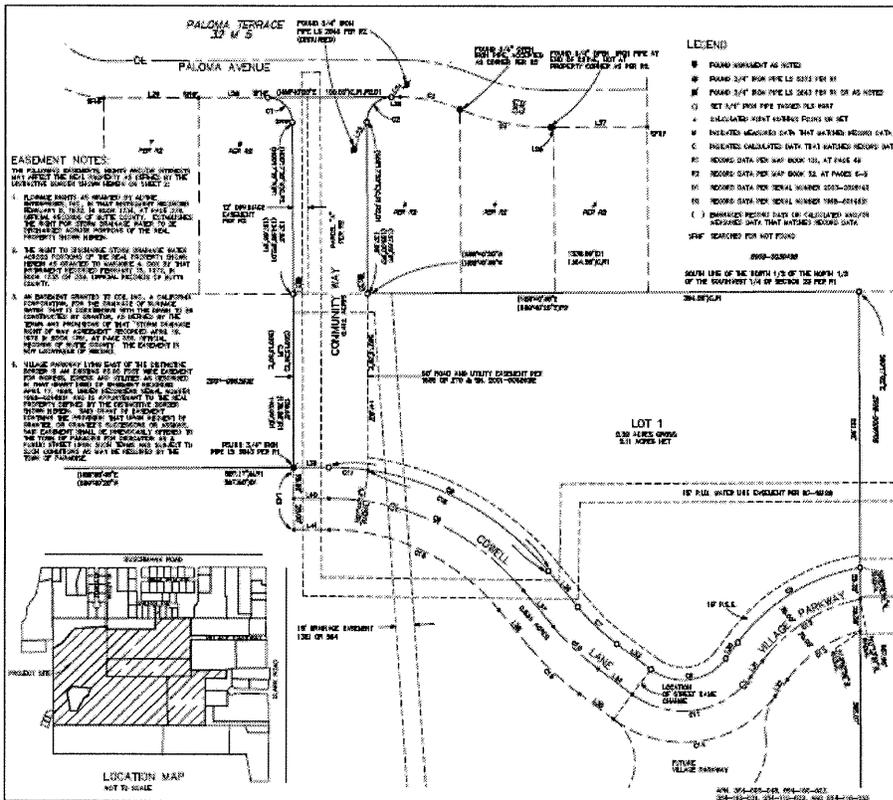
FOR  
 PARADISE YOUTH AND FAMILY CENTER CORPORATION,  
 A CALIFORNIA NON-PROFIT CORPORATION

BEING A PORTION OF THE SOUTHWEST ONE-QUARTER  
 OF SECTION 23, TOWNSHIP 22 NORTH,  
 RANGE 3 EAST, MOUNT DIABLO MERIDIAN

TOWN OF PARADISE  
 COUNTY OF BUTTE - STATE OF CALIFORNIA

**NorthStar ENGINEERING**  
 111 S. BROADWAY, SUITE 101 • CHICO, CALIFORNIA 95926  
 (530) 893-1000 FAX (530) 893-1010  
 WWW.NORTHSTAR-ENGINEERING.COM





**LEGEND**

- B FOUND AS NOTED
- C FOUND 3/4" IRON PIPES 24" DIA PER 30'
- D FOUND 3/4" IRON PIPES 24" DIA PER 30' OR AS NOTED
- E 3/4" IRON PIPE FOUND PER 30'
- F CALCULATED HENT 400000 POUNDS ON NET
- G INVERTED MEASURED DATA THAT MATCHES RECORD DATA
- H INVERTED CALCULATED DATA THAT MATCHES RECORD DATA
- I RECORD DATA PER MAP BOOK 101, AT PAGE 49
- J RECORD DATA PER MAP BOOK 33, AT PAGES 6-9
- K RECORD DATA PER SERIAL NUMBER 0303-030342
- L RECORD DATA PER SERIAL NUMBER 1983-016168
- M ENHANCED RECORD DATA OR CALCULATED AND/OR ENHANCED DATA THAT MATCHES RECORD DATA
- SPW SEARCHED FOR NOT FOUND

**DATA TABLE**

LINE	DESCRIPTION	DEPTH	REMARKS
1	1/2" IRON PIPE	12.00	1/2" IRON PIPE FOUND PER 30'
2	1/2" IRON PIPE	15.00	1/2" IRON PIPE FOUND PER 30'
3	1/2" IRON PIPE	18.00	1/2" IRON PIPE FOUND PER 30'
4	1/2" IRON PIPE	21.00	1/2" IRON PIPE FOUND PER 30'
5	1/2" IRON PIPE	24.00	1/2" IRON PIPE FOUND PER 30'
6	1/2" IRON PIPE	27.00	1/2" IRON PIPE FOUND PER 30'
7	1/2" IRON PIPE	30.00	1/2" IRON PIPE FOUND PER 30'
8	1/2" IRON PIPE	33.00	1/2" IRON PIPE FOUND PER 30'
9	1/2" IRON PIPE	36.00	1/2" IRON PIPE FOUND PER 30'
10	1/2" IRON PIPE	39.00	1/2" IRON PIPE FOUND PER 30'
11	1/2" IRON PIPE	42.00	1/2" IRON PIPE FOUND PER 30'
12	1/2" IRON PIPE	45.00	1/2" IRON PIPE FOUND PER 30'
13	1/2" IRON PIPE	48.00	1/2" IRON PIPE FOUND PER 30'
14	1/2" IRON PIPE	51.00	1/2" IRON PIPE FOUND PER 30'
15	1/2" IRON PIPE	54.00	1/2" IRON PIPE FOUND PER 30'
16	1/2" IRON PIPE	57.00	1/2" IRON PIPE FOUND PER 30'
17	1/2" IRON PIPE	60.00	1/2" IRON PIPE FOUND PER 30'
18	1/2" IRON PIPE	63.00	1/2" IRON PIPE FOUND PER 30'
19	1/2" IRON PIPE	66.00	1/2" IRON PIPE FOUND PER 30'
20	1/2" IRON PIPE	69.00	1/2" IRON PIPE FOUND PER 30'
21	1/2" IRON PIPE	72.00	1/2" IRON PIPE FOUND PER 30'
22	1/2" IRON PIPE	75.00	1/2" IRON PIPE FOUND PER 30'
23	1/2" IRON PIPE	78.00	1/2" IRON PIPE FOUND PER 30'
24	1/2" IRON PIPE	81.00	1/2" IRON PIPE FOUND PER 30'
25	1/2" IRON PIPE	84.00	1/2" IRON PIPE FOUND PER 30'
26	1/2" IRON PIPE	87.00	1/2" IRON PIPE FOUND PER 30'
27	1/2" IRON PIPE	90.00	1/2" IRON PIPE FOUND PER 30'
28	1/2" IRON PIPE	93.00	1/2" IRON PIPE FOUND PER 30'
29	1/2" IRON PIPE	96.00	1/2" IRON PIPE FOUND PER 30'
30	1/2" IRON PIPE	99.00	1/2" IRON PIPE FOUND PER 30'
31	1/2" IRON PIPE	102.00	1/2" IRON PIPE FOUND PER 30'
32	1/2" IRON PIPE	105.00	1/2" IRON PIPE FOUND PER 30'
33	1/2" IRON PIPE	108.00	1/2" IRON PIPE FOUND PER 30'
34	1/2" IRON PIPE	111.00	1/2" IRON PIPE FOUND PER 30'
35	1/2" IRON PIPE	114.00	1/2" IRON PIPE FOUND PER 30'
36	1/2" IRON PIPE	117.00	1/2" IRON PIPE FOUND PER 30'
37	1/2" IRON PIPE	120.00	1/2" IRON PIPE FOUND PER 30'
38	1/2" IRON PIPE	123.00	1/2" IRON PIPE FOUND PER 30'
39	1/2" IRON PIPE	126.00	1/2" IRON PIPE FOUND PER 30'
40	1/2" IRON PIPE	129.00	1/2" IRON PIPE FOUND PER 30'
41	1/2" IRON PIPE	132.00	1/2" IRON PIPE FOUND PER 30'
42	1/2" IRON PIPE	135.00	1/2" IRON PIPE FOUND PER 30'
43	1/2" IRON PIPE	138.00	1/2" IRON PIPE FOUND PER 30'
44	1/2" IRON PIPE	141.00	1/2" IRON PIPE FOUND PER 30'
45	1/2" IRON PIPE	144.00	1/2" IRON PIPE FOUND PER 30'
46	1/2" IRON PIPE	147.00	1/2" IRON PIPE FOUND PER 30'
47	1/2" IRON PIPE	150.00	1/2" IRON PIPE FOUND PER 30'
48	1/2" IRON PIPE	153.00	1/2" IRON PIPE FOUND PER 30'
49	1/2" IRON PIPE	156.00	1/2" IRON PIPE FOUND PER 30'
50	1/2" IRON PIPE	159.00	1/2" IRON PIPE FOUND PER 30'
51	1/2" IRON PIPE	162.00	1/2" IRON PIPE FOUND PER 30'
52	1/2" IRON PIPE	165.00	1/2" IRON PIPE FOUND PER 30'
53	1/2" IRON PIPE	168.00	1/2" IRON PIPE FOUND PER 30'
54	1/2" IRON PIPE	171.00	1/2" IRON PIPE FOUND PER 30'
55	1/2" IRON PIPE	174.00	1/2" IRON PIPE FOUND PER 30'
56	1/2" IRON PIPE	177.00	1/2" IRON PIPE FOUND PER 30'
57	1/2" IRON PIPE	180.00	1/2" IRON PIPE FOUND PER 30'
58	1/2" IRON PIPE	183.00	1/2" IRON PIPE FOUND PER 30'
59	1/2" IRON PIPE	186.00	1/2" IRON PIPE FOUND PER 30'
60	1/2" IRON PIPE	189.00	1/2" IRON PIPE FOUND PER 30'
61	1/2" IRON PIPE	192.00	1/2" IRON PIPE FOUND PER 30'
62	1/2" IRON PIPE	195.00	1/2" IRON PIPE FOUND PER 30'
63	1/2" IRON PIPE	198.00	1/2" IRON PIPE FOUND PER 30'
64	1/2" IRON PIPE	201.00	1/2" IRON PIPE FOUND PER 30'
65	1/2" IRON PIPE	204.00	1/2" IRON PIPE FOUND PER 30'
66	1/2" IRON PIPE	207.00	1/2" IRON PIPE FOUND PER 30'
67	1/2" IRON PIPE	210.00	1/2" IRON PIPE FOUND PER 30'
68	1/2" IRON PIPE	213.00	1/2" IRON PIPE FOUND PER 30'
69	1/2" IRON PIPE	216.00	1/2" IRON PIPE FOUND PER 30'
70	1/2" IRON PIPE	219.00	1/2" IRON PIPE FOUND PER 30'
71	1/2" IRON PIPE	222.00	1/2" IRON PIPE FOUND PER 30'
72	1/2" IRON PIPE	225.00	1/2" IRON PIPE FOUND PER 30'
73	1/2" IRON PIPE	228.00	1/2" IRON PIPE FOUND PER 30'
74	1/2" IRON PIPE	231.00	1/2" IRON PIPE FOUND PER 30'
75	1/2" IRON PIPE	234.00	1/2" IRON PIPE FOUND PER 30'
76	1/2" IRON PIPE	237.00	1/2" IRON PIPE FOUND PER 30'
77	1/2" IRON PIPE	240.00	1/2" IRON PIPE FOUND PER 30'
78	1/2" IRON PIPE	243.00	1/2" IRON PIPE FOUND PER 30'
79	1/2" IRON PIPE	246.00	1/2" IRON PIPE FOUND PER 30'
80	1/2" IRON PIPE	249.00	1/2" IRON PIPE FOUND PER 30'
81	1/2" IRON PIPE	252.00	1/2" IRON PIPE FOUND PER 30'
82	1/2" IRON PIPE	255.00	1/2" IRON PIPE FOUND PER 30'
83	1/2" IRON PIPE	258.00	1/2" IRON PIPE FOUND PER 30'
84	1/2" IRON PIPE	261.00	1/2" IRON PIPE FOUND PER 30'
85	1/2" IRON PIPE	264.00	1/2" IRON PIPE FOUND PER 30'
86	1/2" IRON PIPE	267.00	1/2" IRON PIPE FOUND PER 30'
87	1/2" IRON PIPE	270.00	1/2" IRON PIPE FOUND PER 30'
88	1/2" IRON PIPE	273.00	1/2" IRON PIPE FOUND PER 30'
89	1/2" IRON PIPE	276.00	1/2" IRON PIPE FOUND PER 30'
90	1/2" IRON PIPE	279.00	1/2" IRON PIPE FOUND PER 30'
91	1/2" IRON PIPE	282.00	1/2" IRON PIPE FOUND PER 30'
92	1/2" IRON PIPE	285.00	1/2" IRON PIPE FOUND PER 30'
93	1/2" IRON PIPE	288.00	1/2" IRON PIPE FOUND PER 30'
94	1/2" IRON PIPE	291.00	1/2" IRON PIPE FOUND PER 30'
95	1/2" IRON PIPE	294.00	1/2" IRON PIPE FOUND PER 30'
96	1/2" IRON PIPE	297.00	1/2" IRON PIPE FOUND PER 30'
97	1/2" IRON PIPE	300.00	1/2" IRON PIPE FOUND PER 30'
98	1/2" IRON PIPE	303.00	1/2" IRON PIPE FOUND PER 30'
99	1/2" IRON PIPE	306.00	1/2" IRON PIPE FOUND PER 30'
100	1/2" IRON PIPE	309.00	1/2" IRON PIPE FOUND PER 30'

**DATA TABLE**

LINE	DESCRIPTION	DEPTH	REMARKS
101	1/2" IRON PIPE	312.00	1/2" IRON PIPE FOUND PER 30'
102	1/2" IRON PIPE	315.00	1/2" IRON PIPE FOUND PER 30'
103	1/2" IRON PIPE	318.00	1/2" IRON PIPE FOUND PER 30'
104	1/2" IRON PIPE	321.00	1/2" IRON PIPE FOUND PER 30'
105	1/2" IRON PIPE	324.00	1/2" IRON PIPE FOUND PER 30'
106	1/2" IRON PIPE	327.00	1/2" IRON PIPE FOUND PER 30'
107	1/2" IRON PIPE	330.00	1/2" IRON PIPE FOUND PER 30'
108	1/2" IRON PIPE	333.00	1/2" IRON PIPE FOUND PER 30'
109	1/2" IRON PIPE	336.00	1/2" IRON PIPE FOUND PER 30'
110	1/2" IRON PIPE	339.00	1/2" IRON PIPE FOUND PER 30'
111	1/2" IRON PIPE	342.00	1/2" IRON PIPE FOUND PER 30'
112	1/2" IRON PIPE	345.00	1/2" IRON PIPE FOUND PER 30'
113	1/2" IRON PIPE	348.00	1/2" IRON PIPE FOUND PER 30'
114	1/2" IRON PIPE	351.00	1/2" IRON PIPE FOUND PER 30'
115	1/2" IRON PIPE	354.00	1/2" IRON PIPE FOUND PER 30'
116	1/2" IRON PIPE	357.00	1/2" IRON PIPE FOUND PER 30'
117	1/2" IRON PIPE	360.00	1/2" IRON PIPE FOUND PER 30'
118	1/2" IRON PIPE	363.00	1/2" IRON PIPE FOUND PER 30'
119	1/2" IRON PIPE	366.00	1/2" IRON PIPE FOUND PER 30'
120	1/2" IRON PIPE	369.00	1/2" IRON PIPE FOUND PER 30'
121	1/2" IRON PIPE	372.00	1/2" IRON PIPE FOUND PER 30'
122	1/2" IRON PIPE	375.00	1/2" IRON PIPE FOUND PER 30'
123	1/2" IRON PIPE	378.00	1/2" IRON PIPE FOUND PER 30'
124	1/2" IRON PIPE	381.00	1/2" IRON PIPE FOUND PER 30'
125	1/2" IRON PIPE	384.00	1/2" IRON PIPE FOUND PER 30'
126	1/2" IRON PIPE	387.00	1/2" IRON PIPE FOUND PER 30'
127	1/2" IRON PIPE	390.00	1/2" IRON PIPE FOUND PER 30'
128	1/2" IRON PIPE	393.00	1/2" IRON PIPE FOUND PER 30'
129	1/2" IRON PIPE	396.00	1/2" IRON PIPE FOUND PER 30'
130	1/2" IRON PIPE	399.00	1/2" IRON PIPE FOUND PER 30'
131	1/2" IRON PIPE	402.00	1/2" IRON PIPE FOUND PER 30'
132	1/2" IRON PIPE	405.00	1/2" IRON PIPE FOUND PER 30'
133	1/2" IRON PIPE	408.00	1/2" IRON PIPE FOUND PER 30'
134	1/2" IRON PIPE	411.00	1/2" IRON PIPE FOUND PER 30'
135	1/2" IRON PIPE	414.00	1/2" IRON PIPE FOUND PER 30'
136	1/2" IRON PIPE	417.00	1/2" IRON PIPE FOUND PER 30'
137	1/2" IRON PIPE	420.00	1/2" IRON PIPE FOUND PER 30'
138	1/2" IRON PIPE	423.00	1/2" IRON PIPE FOUND PER 30'
139	1/2" IRON PIPE	426.00	1/2" IRON PIPE FOUND PER 30'
140	1/2" IRON PIPE	429.00	1/2" IRON PIPE FOUND PER 30'
141	1/2" IRON PIPE	432.00	1/2" IRON PIPE FOUND PER 30'
142	1/2" IRON PIPE	435.00	1/2" IRON PIPE FOUND PER 30'
143	1/2" IRON PIPE	438.00	1/2" IRON PIPE FOUND PER 30'
144	1/2" IRON PIPE	441.00	1/2" IRON PIPE FOUND PER 30'
145	1/2" IRON PIPE	444.00	1/2" IRON PIPE FOUND PER 30'
146	1/2" IRON PIPE	447.00	1/2" IRON PIPE FOUND PER 30'
147	1/2" IRON PIPE	450.00	1/2" IRON PIPE FOUND PER 30'
148	1/2" IRON PIPE	453.00	1/2" IRON PIPE FOUND PER 30'
149	1/2" IRON PIPE	456.00	1/2" IRON PIPE FOUND PER 30'
150	1/2" IRON PIPE	459.00	1/2" IRON PIPE FOUND PER 30'

**PARADISE COMMUNITY VILLAGE  
PHASE 1  
PL00-00034**

FOR  
PARADISE YOUTH AND FAMILY CENTER CORPORATION,  
A CALIFORNIA NON-PROFIT CORPORATION

BEING A PORTION OF THE SOUTHWEST ONE-QUARTER  
OF SECTION 23, TOWNSHIP 22 NORTH,  
RANGE 3 EAST, MOUNT Diablo MERIDIAN

TOWN OF PARADISE  
COUNTY OF BUTTE - STATE OF CALIFORNIA

**NorthStar**  
ENGINEERING

DATE: 08/10/10  
PROJECT: 10-00034  
JOB NO. 1012

**NOTES:**

1. THE SHEET SHOWS ADDITIONAL INFORMATION IS FOR ADDITIONAL INFORMATION ONLY. NO FIELD CORRECTIONS AT THE TIME OF THE PLANNING AND IS NOT INTENDED TO AFFECT ANY OTHER SHEET.
2. THE PLANNING DEVELOPER SHALL RESPONSIBLY IMPROVE ALL UTILITIES AND SERVICES CONTAINED ON THIS SHEET. PARADISE COMMUNITY VILLAGE DEVELOPMENT AND IMPROVEMENT PROJECT DATED 10/11/2007 AS APPROVED BY THE PLANNING COMMISSION OF THE TOWN OF PARADISE, CALIFORNIA. THE PLANNING DEVELOPER SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION AND MAINTENANCE OF ALL UTILITIES AND SERVICES.
3. THE FINAL PLANNING DEVELOPER SHALL BE RESPONSIBLE FOR ALL PERMITS AND REGULATORY AGENCIES AND SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION AND MAINTENANCE OF ALL UTILITIES AND SERVICES.
4. ALL UTILITIES AND SERVICES SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENGINEERING REGULATIONS AND SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE TOWN OF PARADISE.
5. ALL UTILITIES AND SERVICES SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENGINEERING REGULATIONS AND SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE TOWN OF PARADISE.
6. ALL UTILITIES AND SERVICES SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENGINEERING REGULATIONS AND SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE TOWN OF PARADISE.
7. THE PLANNING DEVELOPER SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION AND MAINTENANCE OF ALL UTILITIES AND SERVICES.
8. THE PLANNING DEVELOPER SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION AND MAINTENANCE OF ALL UTILITIES AND SERVICES.
9. THE PLANNING DEVELOPER SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION AND MAINTENANCE OF ALL UTILITIES AND SERVICES.
10. THE PLANNING DEVELOPER SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION AND MAINTENANCE OF ALL UTILITIES AND SERVICES.

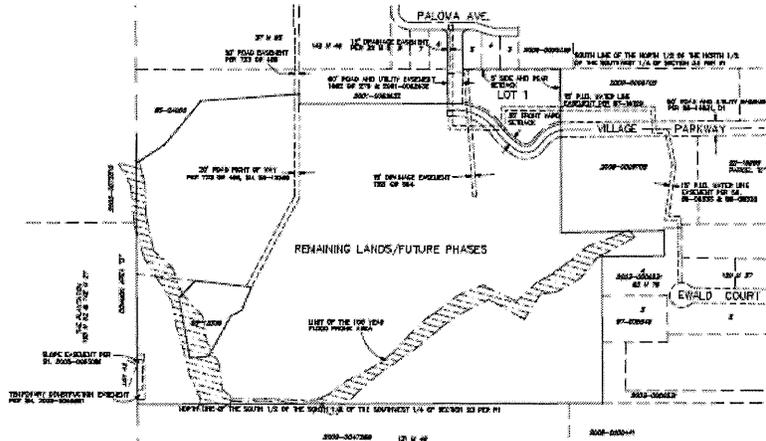
**FLOOD AREA STATEMENT:**

THE 100 YEAR FLOOD FLOOD AREA IS SHOWN HEREON AND PREPARED BY THE ENGINEER BY DATE:

NorthStar Engineering Date  
 Mary H. Leonard, P.E. 08/08/08



SCALE 1" = 200'



ADDITIONAL INFORMATION SHEET  
 PARADISE COMMUNITY VILLAGE  
 PHASE 1  
 PLO9-00034  
 FOR  
 PARADISE YOUTH AND FAMILY CENTER CORPORATION,  
 A CALIFORNIA NON-PROFIT CORPORATION

BEING A PORTION OF THE SOUTHWEST ONE-QUARTER  
 OF SECTION 23, TOWNSHIP 22 NORTH,  
 RANGE 3 EAST, MOUNT Diablo MERIDIAN

TOWN OF PARADISE  
 COUNTY OF BUTTE - STATE OF CALIFORNIA

**NorthStar**  
**ENGINEERING**

111 BRUSH PARK BLVD., SUITE 201 • GARDEN GROVE, CALIFORNIA 92640  
 (714) 942-1111 FAX (714) 942-1112  
 WWW.NORTHSTAR-ENG.COM

APR 08-100-008 100-100-001  
 08-110-001 08-110-002 08-110-003

SHEET 2 OF 2

AUGUST 2008

08/08/08

**TOWN OF PARADISE  
COUNCIL AGENDA SUMMARY  
DATE: September 14, 2010**

**ORIGINATED BY: Chris M. Buzzard**  
Chief of Police

**AGENDA ITEM No. 5 (a)**

**REVIEWED BY: Charles L. Rough, Jr.**  
Town Manager

Legal Review X	Yes	No	N/A
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**SUBJECT: Public Hearing for Public Safety (COPS) Grant Acceptance for FY2010/2011 and Adopt a Resolution Accepting Supplemental Law Enforcement Services Fund (SLESF) estimated at \$100,000.00.**

**RECOMMENDATION:** Hold a public hearing and adopt a resolution accepting an estimated \$100,000.00 from the Supplemental Law Enforcement Services Fund and approve use of these monies to fund Police Vehicles and support a Community Service Officer in the Police Department.

**BACKGROUND:** State grant funds are expected to be awarded to the Town for local law enforcement purposes. Based on population, we estimate this grant will continue to be approximately \$100,000.00. These grant funds must be expended within two years after receipt. The Town is required to hold a public hearing relating to how these funds will be used and to adopt an expenditure plan. As reflected in the town's adopted budget, staff recommends funds be used to support a Police Department Community Service Officer and continue to fund the Police Department Assigned Patrol Vehicle Program.

These funds are intended to be used to support unfunded and emerging departmental supplemental requests such as additional support personnel and for field equipment. Considering the impact of the State Budget on the Town of Paradise in terms of reduced revenues available for Town services, Council is asked to accept these State grant funds to pay for the Police Department expenditures as outlined above.

**FINANCIAL IMPACT:** This represents a supplemental budget appropriation and expenditure of approximately \$100,000.00 for Fiscal Year 10/11.

**RESOLUTION #10- \_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE  
ACCEPTING STATE SUPPLEMENT LAW ENFORCEMENT SERVICE  
FUNDS (SLESF) (AB1584 COPS FRONTLINE)**

**WHEREAS**, AB1584 was signed into law in July, 1996, establishing Chapter 6.7 of the California Government Code (Sections 30061 through 30065); and

**WHEREAS**, Section 30061(c)(2), requires that the Town Council "...shall appropriate existing and anticipated moneys exclusively to fund front line municipal police service, in accordance with written requests submitted by the Chief of Police of that city..."; and

**WHEREAS**, pursuant to Section 30061(c), On September 14, 2010, the Town Council held a duly noticed public hearing at which the requests of the Paradise Police Chief for front line law enforcement needs for these funds were received and reviewed by the Town Council.

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

**Section 1:** The Council does hereby accept the Supplemental Law Enforcement Services Fund (AB1584 COPS Frontline) in the estimated amount of \$100,000.

**Section 2:** The Town Manager is authorized to execute any documents relating to the acceptance of the Supplemental Law Enforcement Services Fund.

**Section 3:** The grant shall be paid to support a police Community Service Officer and to fund the Police Department Assigned Patrol Vehicle Program.

**PASSED AND ADOPTED** by the Town Council of the Town of Paradise this \_\_\_\_ day of \_\_\_\_\_ by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**NOT VOTING:**

\_\_\_\_\_  
Scott Lotter, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Joanna Gutierrez, CMC, Town Clerk

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Dwight L. Moore, Town Attorney

**TOWN OF PARADISE**  
**Council Agenda Summary**  
**Date: September 14, 2010**

**Agenda No. 5 (b)**

**ORIGINATED BY:** Craig Baker, Community Development Director   
Susan Hartman, Assistant Planner 

**REVIEWED BY:** Chuck Rough, Town Manager 

**SUBJECT:** Public Hearing: Consideration of Planning Commission Recommendations for Town Council Adoption of Paradise General Plan Land Use Map Amendments and Property Rezones for Applications Identified as PL10-00260 (Feather River Hospital) and PL10-00194 (Rinehart)

**COUNCIL ACTION REQUESTED:** Conduct publicly noticed and scheduled public hearing related to this agenda item. Upon conclusion of the public hearing, adopt either the staff/Planning Commission recommended actions or alternative actions.

**STAFF/PLANNING COMMISSION RECOMMENDATION:** Adopt a **MOTION TO:**

1. Concur with the project "CEQA determination" findings adopted by the Planning Commission on August 17, 2010, and embodied within Planning Commission Resolution Nos. 10-10 and 10-11; **AND**
2. Adopt Town of Paradise Resolution No. 10-\_\_\_\_, "A Resolution of the Town Council of the Town of Paradise Amending the Land Use Map of the 1994 Paradise General Plan (PL10-00260: Feather River Hospital and PL10-00194: Rinehart)"; **AND**
3. Waive the first reading of Town Ordinance No. \_\_\_\_ and read by title only (roll call vote); **AND**
4. Introduce Town Ordinance No. \_\_\_\_\_, "An Ordinance Rezoning Certain Real Properties From RR-1/2 (Rural Residential, 1/2-Acre Minimum) to a C-S (Community Services) Zone; and From AR-1 (Agricultural Residential, 1 acre minimum) to RR-1/2 (Rural Residential, 1/2-Acre Minimum) Zone Pursuant to Paradise Municipal Code Sections 17.45.500 Et. Seq. (PL10-00260: Feather River Hospital and PL10-00194: Rinehart)".

**ALTERNATIVE ACTIONABLE OPTION(S):**

1. Adopt a **MOTION TO:** Disagree with the findings and recommended action(s) of the staff and the Planning Commission and thereby not adopt and introduce the proposed Paradise General Plan amendment and properties rezone at this time; **OR**

2. Adopt an alternative directive to town staff.

**BACKGROUND:** The **Feather River Hospital** is seeking Town of Paradise approval of a Paradise General Plan land use designation amendment from Rural Residential (RR) to Community Service (CS) and a zone change from Rural Residential-½ acre minimum (RR-1/2) to Community Services (CS) for two separate land areas totaling +/-3.0 acres. The land areas consist of a single +/-1.0 acre parcel located along Peach Lane immediately north of existing hospital facilities, a +/-0.82 acre property located at 5960 Pentz Road comprising the southwest corner of the hospital complex and an adjacent +/-1.18 acre portion of a larger property at the south edge of the hospital complex. Both land areas comprising the project site are owned by the Feather River Hospital. The primary purpose of the project application is to enable the hospital to legally maintain existing and eventually establish new hospital-related health services upon the affected land areas.

The southerly land area of the proposed General Plan amendment/rezone project is presently improved with a single family dwelling and a parking facility associated with the function of the adjacent hospital. Hospital administrators plan to convert the existing single family dwelling to offices that would be ancillary to the main hospital. The current residential zoning of RR-1/2 assigned to this southerly +/-2.0 acre land area results in the parking facility being considered by the Town of Paradise as a nonconforming use of land. Other than conversion of the residence to office space, no additional development of this land area has been presented to the Town of Paradise and none is anticipated.

The +/-1.0 acre land area along Peach Lane is currently developed for single family residential use and is the last such property left along Peach Lane. All other Peach Lane properties have been acquired and developed for hospital use. Feather River Hospital administrators have indicated a desire to ultimately develop this portion of the project with an endoscopy lab and have submitted conceptual building elevations for the future project. However, no timeline has been established for development of the property with the lab building.

The **Rinehart** project applicant has requested a General Plan amendment/property rezone for the project site from an Agricultural Residential (AR) land use designation to Rural Residential (RR) and a zoning change from Agricultural Residential – 1 Acre Minimum (AR-1) to Rural Residential – ½ Acre Minimum (RR-1/2) zoning.

The applicant has indicated that the purpose of the rezone request is to secure residential zoning with a one-half acre minimum parcel size for the site in order to facilitate a division of the affected property into three parcels of record for residential use. The project applicant has received Planning Commission approval (conditioned upon approval of the rezone request) to divide the property in such a manner. The proposed parcels would be created from an existing ±2.27 acre parcel of record that is currently improved with a single family dwelling. The existing

dwelling would be located upon Parcel No. 2. Parcel Nos. 1 and 3 would be created as vacant parcels. The gross parcel sizes proposed are  $\pm 0.59$  acre (Parcel No. 1),  $\pm 0.97$  acre (Parcel No. 2) and  $\pm 0.71$  acre (Parcel No. 3).

As designed, Parcel No. 2 would have  $\pm 220$  lineal feet of public street frontage along Neal Road and  $\pm 182$  lineal feet of private road frontage along Sutter Road. Parcel No. 1 would have  $\pm 170$  lineal feet of private road frontage along Sutter Road, which would provide its sole access. Parcel No. 3 would possess  $\pm 66$  feet of frontage on Neal Road for access.

If approved, the property rezone would result in the elimination of AR-1 zoning for a single parcel that is currently surrounded on three sides by RR-1/2 and RR-2/3 zoning.

Each of these project applications were evaluated independently by town staff. The two applications were noticed for public hearings and presented before the Planning Commission during its meeting of **August 17, 2010** for purposes of securing advisory recommendations to be subsequently presented to the Town Council.

Upon the conclusion of each of its separate public hearings, the Planning Commission publicly concurred with the Paradise General Plan amendment and property rezone applications as presented and recommended by town staff and adopted Planning Commission **Resolution Nos. 10-10 and 10-11** respectively. A copy of each adopted resolution document is attached for your reference.

**DISCUSSION:** The attached Planning Commission adopted resolution documents recommend Town Council adoption and assignment of specific Paradise General Plan land use designations and rezone of certain real properties. These project application recommendations are being presented concurrently before the Town Council because state law allows municipal government to amend its "general plan" a maximum of four times per calendar year.

If approved by the Town Council as recommended, this project action would accomplish the following objectives: assign general plan land use designations and zoning to the affected properties in a manner that a) affects hospital owned properties situated at a location and with characteristics that satisfy the 1994 Paradise General Plan policies that are applicable to community services land development, and b) accommodates a division of real property in a manner that is consistent with surrounding properties.

Attached with this council agenda summary for consideration, possible adoption and introduction respectively by the Town Council, are copies of a Town of Paradise resolution document and a zoning ordinance document that reflect the Planning Commission's recommended actions.

For your convenience, town planning staff has also generated and attached other documents related to this agenda item.

**FINANCIAL IMPACT:** Adoption of this Paradise General Plan amendment will result in some minimal cost to the town related to future printing of the amended 1994 Paradise General Plan land use map. In addition, the town incurs no direct costs with the first reading and introduction of the zoning ordinance.

Attachments

**ATTACHMENTS  
FOR  
COUNCIL AGENDA ITEM 5 (b)**

1. Copies of published and mailed notice of Town Council public hearing scheduled on **September 14, 2010** concerning Planning Commission recommended Paradise General Plan Amendment and Rezone project applications, PL10-00260 and PL10-00194, project vicinity maps and mailing lists.
2. Excerpt of the minutes from the **August 17, 2010** Planning Commission meeting.
3. Copies of Planning Commission Resolution Nos. 10-10 and 10-11, both adopted on **August 17, 2010**.
4. Copies of the Planning Commission adopted negative declaration and mitigated negative declaration environmental documents for the proposed Paradise General Plan Amendment and Rezone project applications.
5. Copy of Town of Paradise Resolution No. 10\_\_\_\_, "A Resolution of the Town Council of the Town of Paradise Amending the Land Use Map of the 1994 Paradise General Plan (PL10-00260: Feather River Hospital and PL10-00194: Rinehart)".
6. Copy of proposed Town Ordinance No. 10\_\_\_\_, "An Ordinance Rezoning Certain Real Properties From RR-1/2 (Rural Residential, 1/2-Acre Minimum) to a C-S (Community Services) Zone; and From AR-1 (Agricultural Residential, 1 acre minimum) to RR-1/2 (Rural Residential, 1/2-Acre Minimum) Zone Pursuant to Paradise Municipal Code Sections 17.45.500 Et. Seq. (PL10-00260: Feather River Hospital and PL10-00194: Rinehart)".
7. Conceptual building elevations of the possible future Feather River Hospital endoscopy lab.
8. Three plat sheets (11" x 17") depicting Feather River Hospital-owned property proposed for the General Plan amendment/property rezone.
9. Proposed Rinehart parcel map (18" x 26").

**NOTICE OF PUBLIC HEARING  
PARADISE TOWN COUNCIL**

NOTICE IS HEREBY GIVEN by the Town Council that public hearings will be held on Tuesday, September 14, 2010 at 6:00 p.m. in the Town Hall Council Chambers, 5555 Skyway, Paradise, California, regarding the following matters:

**a. Item for which a negative declaration document has been certified**

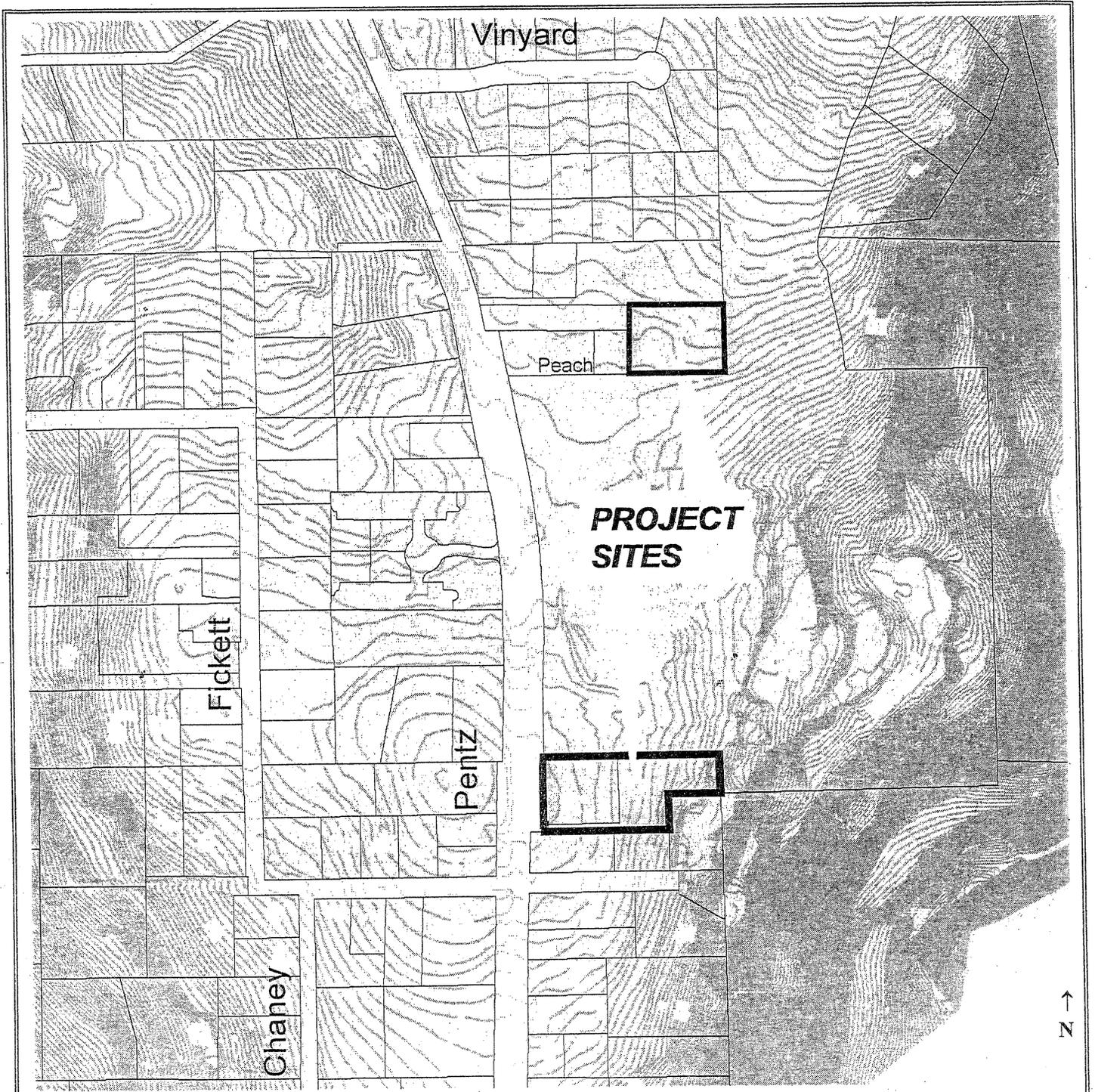
**FEATHER RIVER HOSPITAL GENERAL PLAN AMENDMENT/REZONE (PL10-00026) APPLICATION:** Consideration of the Planning Commission's recommendation for Town Council approval of an amendment to the Town of Paradise General Plan land use designation affecting two separate hospital-owned land areas totaling ±3.00 acres from Rural Residential (RR) to Community Service (C-S) and change the zoning from Rural Residential, ½-Acre Minimum (RR-1/2) to Community Services (CS) to accommodate existing, hospital facilities and possible future expansion of the existing hospital facilities/services located upon abutting lands identified as 1933 Peach Lane and 5960 Pentz Road, Paradise; AP Nos. 053-271-006, 053-390-010 and 053-390-011 (portion).

**b. Item for which a mitigated negative declaration document has been certified**

**RINEHART GENERAL PLAN AMENDMENT/REZONE (PL10-000194) APPLICATION:** Consideration of the Planning Commission's recommendation for Town Council approval of an amendment to the Town of Paradise General Plan land use designation from Agricultural Residential (A-R) to Rural Residential (R-R) and change the zoning from Agricultural Residential-1 acre minimum (AR-1) to Rural Residential-1/2 acre minimum (RR-1/2) zone for a ±2.27 acre property located at 3527 Neal Road, Paradise; Assessor Parcel No. 055-050-025.

The project files are available for public inspection at the Town of Paradise, Community Development Department. If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Paradise Town Council at, or prior to, the public hearing. For further information contact the Community Development Department, Town Hall, 5555 Skyway, Paradise, CA (530) 872-6291.

JOANNA GUTIERREZ, Town Clerk



**PROJECT SITES**

<b>APPLICANT:</b> FEATHER RIVER HOSPITAL		<b>LOCATION:</b> 1933 Peach Lane 5960 Pentz Road
<b>OWNER:</b> FEATHER RIVER HOSPITAL		
<b>REQUEST:</b> General Plan Amendment and Property Rezone application to zone and designate two separate land areas totaling +3.0 acres to "Community Services" (CS) to accommodate existing and proposed hospital facilities		
<b>Zoning:</b> RR-1/2	<b>GENERAL PLAN:</b> RR	<b>FILE:</b> (PL10-00026)
<b>ASSESSOR PARCEL</b> 053-271-006, 053-390-010 and 053-390-011		<b>MEETING DATE:</b> 09-14-2010

FRH  
9-1-10

053-280-002-000  
U S A  
00000

053-390-002-000  
PARADISE RETIREMENT RESIDENCE  
LP  
2235 FARADAY AVE STE O  
CARLSBAD, CA 92008

053-390-001-000  
PARADISE RETIREMENT RESIDENCE  
LP  
2235 FARADAY AVE STE O  
CARLSBAD, CA 92008

053-390-004-000  
FEATHER RIVER HOSPITAL A CALIF  
CORP  
5970 PENTZ ROAD  
PARADISE, CA 95969

053-260-089-000  
KNIFONG LLOYD O & SHELLY L  
1878 VINEYARD DR  
PARADISE, CA 95969

053-260-090-000  
THOMAS ARTHUR E & HELEN E  
1870 VINEYARD DR  
PARADISE, CA 95969

053-260-091-000  
NYSTROM ROSELIE  
1868 VINEYARD DR  
PARADISE, CA 95969

053-390-005-000  
FEATHER RIVER HOSPITAL  
5974 PENTZ RD  
PARADISE, CA 95969

053-260-063-000  
MITTAG SHAWN M & PENELOPE A  
1869 DEL RIO WAY  
PARADISE, CA 95969

053-260-055-000  
LIBLIN FAMILY TRUST  
1877 DEL RIO WY  
PARADISE, CA 95969

053-260-062-000  
COONS RUTH E  
1871 DEL RIO WAY  
PARADISE, CA 95969

053-260-054-000  
KIDDER VESTA I & ROBERT A TRUST  
1873 DEL RIO WAY  
PARADISE, CA 95969

053-390-011-000  
FEATHER RIVER HOSPITAL  
5974 PENTZ RD  
PARADISE, CA 95969

053-260-066-000  
OLSHAK HANNELORE ETAL  
1872 DEL RIO WAY  
PARADISE, CA 95969

053-260-058-000  
GUINON MAUREEN  
1868 DEL RIO WAY  
PARADISE, CA 95969

053-260-057-000  
GUINON RICHARD J & PATRICIA A  
1866 DEL RIO WAY  
PARADISE, CA 95969

053-260-059-000  
MCKASSON WAYNE E REVOCABLE  
INTER VIVOS TRUST  
1870 DEL RIO WAY  
PARADISE, CA 95969

053-260-041-000  
JACOBS MATTHEW G  
1876 DEL RIO WAY  
PARADISE, CA 95969

053-280-003-000  
STRACHAN LOU ANN ETAL  
PO BOX 1089  
PARADISE, CA 95967

053-271-002-000  
CLASSEN FAMILY TRUST  
6068 PENTZ RD  
PARADISE, CA 95969

053-271-016-000  
FULLER JOHN E & JULIE A  
6074 PENTZ RD  
PARADISE, CA 95969

053-271-015-000  
FULLER JOHN E & JULIE A  
6074 PENTZ RD  
PARADISE, CA 95969

053-272-095-000  
MONZO DONALD V & WENDY K  
TRUST  
6075 PENTZ RD  
PARADISE, CA 95969

053-271-003-000  
GARLAND LARRY J  
5665 LITTLE GRAND CANYON  
PARADISE, CA 95969

053-271-006-000  
FEATHER RIVER HOSPITAL  
5974 PENTZ RD  
PARADISE, CA 95969

053-272-096-000  
BUZARD DANIEL R & JENNIFER R  
PO BOX 670  
PARADISE, CA 95967

053-390-009-000  
FEATHER RIVER HOSPITAL  
5974 PENTZ RD  
PARADISE, CA 95969

053-271-005-000  
FEATHER RIVER HOSPITAL  
5974 PENTZ RD  
PARADISE, CA 95969

053-272-082-000  
BUZARD DANIEL R & JENNIFER R  
PO BOX 670  
PARADISE, CA 95967

053-272-089-000  
MARTIN MERCEDES TRUST  
6041 PENTZ RD  
PARADISE, CA 95969

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FRH  
9-1-10

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Feed Paper expose Pop-Up Edge™

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053-272-078-000  
KNIBBS MICHELE SUZANNE  
6039 PENTZ RD  
PARADISE, CA 95969

054-210-058-000  
STEWART RICHARD W & STEWART-  
GATES MICHELLE M  
5965 PENTZ RD  
PARADISE, CA 95969

053-390-007-000  
FEATHER RIVER HOSPITAL  
5974 PENTZ RD  
PARADISE, CA 95969

054-210-117-000  
KIEHN KEN ETAL  
1943 RIVERVIEW DR  
PARADISE, CA 95969

053-390-010-000  
FEATHER RIVER HOSPITAL  
5974 PENTZ RD  
PARADISE, CA 95969

054-270-002-000  
SOLOP JOSEPH J  
2932 N W KENT ST  
CAMAS, WA 98607

054-210-015-000  
LANG JAMES G & KYLENE  
5953 PENTZ RD  
PARADISE, CA 95969

054-210-064-000  
FEICKERT GLENN CARL  
12479 WINDSOR DR  
YUCAIPA, CA 92399

054-210-016-000  
KENDRICK DAVID  
727 EDWARDS LN  
PARADISE, CA 95969

054-210-110-000  
COOPER REVOCABLE LIVING TRUST  
1945 RIVER VIEW DR  
PARADISE, CA 95969

054-210-050-000  
COATS DONAVAN  
5696 FICKETT LN  
PARADISE, CA 95969

054-210-044-000  
HARVEY JOSEPH E JR & DORIS M TR  
2205 ADELINE DR  
BURLINGAME, CA 94010

054-210-065-000  
MORGAN DANIEL E & JANE E TRUST  
PO BOX 310  
PARADISE, CA 95969

054-210-062-000  
DAVENPORT MARY ELLEN & LARRY  
H  
33795 MALLARD ST  
WOODLAND, CA 95695

054-210-034-000  
LANDER CHRISTOPHER K &  
WILHELMINA M  
5936 PENTZ RD  
PARADISE, CA 95969

053-272-088-000  
GAGNE FAMILY TRUST ETAL  
15301 CRYSTAL MTN RD  
MAGALIA, CA 95954

054-210-042-000  
URQUHART TRAVIS E & DUSTIE E  
5930 PENTZ RD  
PARADISE, CA 95969

053-360-006-000  
REEVE ROBERT B ETAL  
6009 PENTZ RD  
PARADISE, CA 95969

053-360-007-000  
BAMONTE LIVING TRUST  
5973 ALMOND ST  
PARADISE, CA 95969

053-272-045-000  
HURT FAMILY TRUST  
1216 DROWN AVE  
OJAI, CA 93023

053-272-059-000  
RICH DENNIS LEE ETAL  
1235 TAYABESHOCKUP RD  
BOZEMAN, MT 59715

053-272-057-000  
ROBINSON FAMILY TRUST  
5977 PENTZ RD  
PARADISE, CA 95969

Robertson & Dominick  
888 Manzanita Court, Suite A  
Chico, CA 95926-2393

FRH  
9-1-10

Paradise Unified School District  
6696 Clark Road  
Paradise, CA 95969

Paradise Irrigation District  
P.O. Box 2409  
Paradise, CA 95967-2409

Paradise Recreation & Park Dist.  
6626 Skyway  
Paradise, CA 95969

Paradise Ridge Chamber of  
Commerce  
5550 Skyway  
Paradise, CA 95969

Paradise Board of Realtors  
6178 Center Street  
Paradise, CA 95969

Paradise Downtown Business  
Association  
c/o Fir Street Gallery/Pam Funk  
6256 Skyway  
Paradise, CA 95969

Butte County Planning  
Courier

Paradise Cemetery District  
980 Elliott Road  
Paradise, CA 95969

Butte Co. Air Quality Mgmt. Dist.  
2525 Dominic Drive #J  
Chico, CA 95928

Butte Environmental Council  
116 W. 2<sup>nd</sup> Street #3  
Chico, CA 95928

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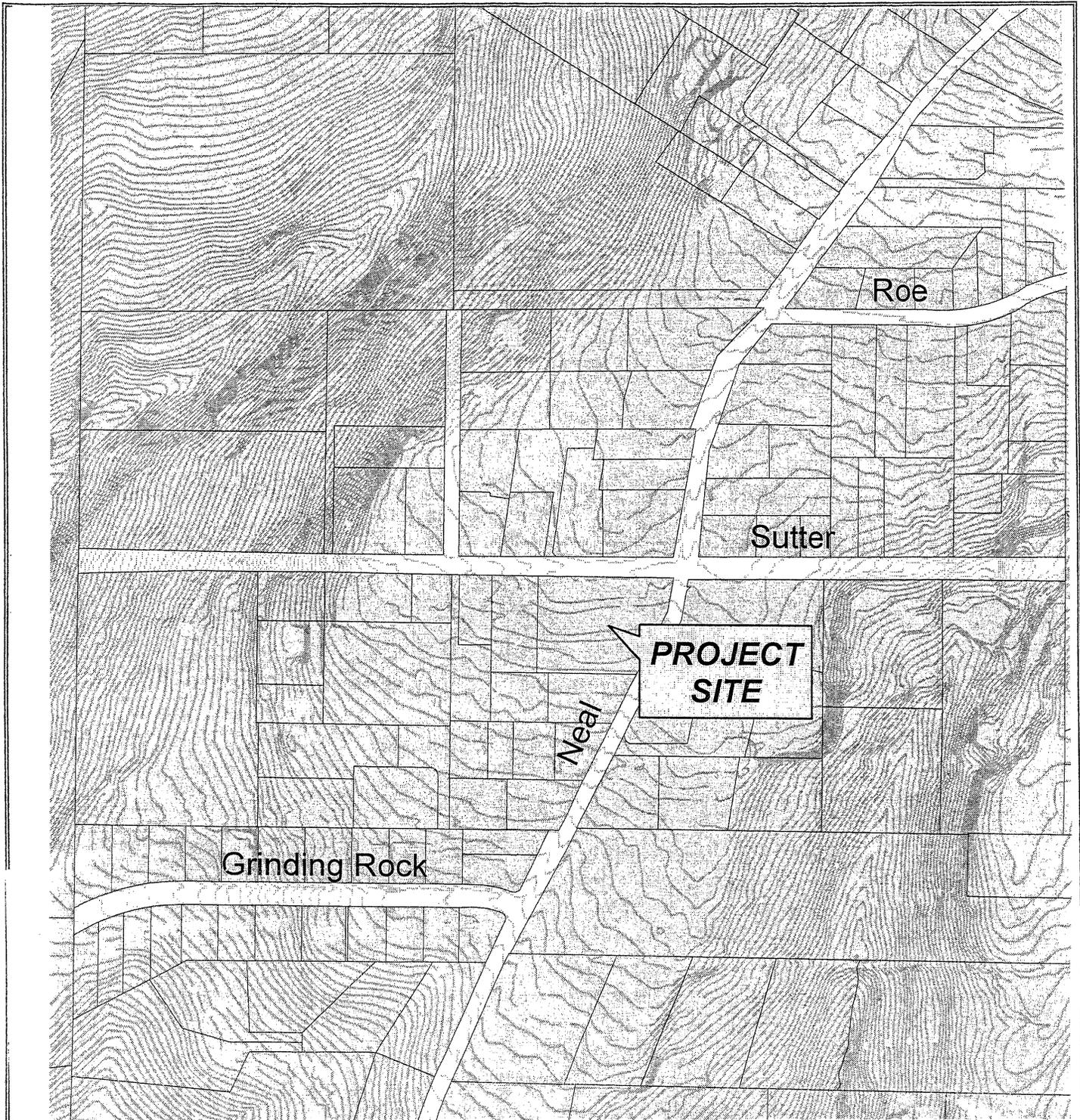
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**b. Item for which a mitigated negative declaration document has been certified**

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JOANNA GUTIERREZ, Town Clerk



APPLICANT: Verrill & Wilbur Rinehart  
 OWNER: Verrill & Wilbur Rinehart

ADDRESS: 3527 Neal Rd

**PROJECT DESCRIPTION:**

General Plan Amendment/property rezone proposing to change the General Plan land use designation and rezone a ±2.27 acre property from AR-1 to RR-1/2

Zoning: AR-1

GENERAL PLAN: AR

FILE NO. (PL10-000194)

ASSESSOR PARCEL NO. 055-050-025

MEETING DATE: 09-14-10

055-050-094-000  
MUHLBAIER MARK S & JAMIE C  
3545 NEAL RD  
PARADISE, CA 95969

055-060-045-000  
STAPP CLARENCE & DAISY ESTATES  
OF  
14486 COUTLENC RD  
MAGALIA, CA 95954

055-050-029-000  
TUTHILL WILLIAM R & GWEN F  
PO BOX 1015  
PARADISE, CA 95967

055-050-007-000  
HEAD SHARON  
9377 OAK AVE  
ORANGEVALE, CA 95662

055-050-077-000  
TORRES GEORGE B JR REVOCABLE  
TRUST  
3565 LASSEN RD  
PARADISE, CA 95969

055-050-030-000  
DUTTER MICHAEL D & CYNDY S  
81 W SUTTER RD  
PARADISE, CA 95969

055-050-052-000  
COOKE LIVING TRUST  
3657 DRY CREEK RD  
OROVILLE, CA 95965

055-060-038-000  
RICE REBECCA A  
147 SUTTER RD  
PARADISE, CA 95969

055-060-031-000  
THOMPSON BRIGITTA  
133 SUTTER RD  
PARADISE, CA 95969

055-050-075-000  
CORONADO LUCY A  
86 SUTTER RD  
PARADISE, CA 95969

055-060-018-000  
SCHWARTZ MICHAEL R SS  
3552 NEAL RD  
PARADISE, CA 95969

055-050-015-000  
TURKINGTON LIVING TRUST  
78 W SUTTER RD  
PARADISE, CA 95969

055-050-066-000  
MEYERS STEPHANIE D  
70 SUTTER RD  
PARADISE, CA 95969

055-050-076-000  
JONES RICHARD E & KARLEE J  
82 SUTTER RD  
PARADISE, CA 95969

055-050-026-000  
CORONADO MICHAEL A & ELAINE J  
1813 APPLE VIEW  
PARADISE, CA 95969

055-050-025-000  
RINEHART WILBUR A & VERRILL  
REVOCABLE TRUST  
600 30TH ST  
SAN FRANCISCO, CA 94131

055-050-084-000  
SPENCER WILLIAM BAIRD & DEBRA  
LEE  
3530 NEAL RD  
PARADISE, CA 95969

055-050-085-000  
MOONEYHAM THOMAS &  
JOSEPHINE  
PO BOX 2906  
PARADISE, CA 95967

055-050-054-000  
BEEBE MARTIN & CHRISTIE  
88 BLUE JAY LN  
PARADISE, CA 95969

055-050-087-000  
SMEJKAL RICHARD A & SYLVIA J  
119 FOUNTAIN AVE  
PARADISE, CA 95969

055-050-083-000  
ZIERAH ELIZABETH  
303 WARD ST  
NEWTON, MA 2459

055-050-040-000  
DORSEY ROGER L  
84 BLUE JAY LANE  
PARADISE, CA 95969

055-050-053-000  
JOHNSON LOUIS E  
86 BLUE JAY LN  
PARADISE, CA 95969

055-050-086-000  
POWELL FAMILY LIVING TRUST  
5408 FOSTER RD  
PARADISE, CA 95969

055-050-072-000  
THOMAS TYSON D & VONNIE K  
3476 NEAL RD  
PARADISE, CA 95969

055-050-035-000  
MCLAIN MICHAEL & NANCY FAMILY  
TRUST  
3491 NEAL RD  
PARADISE, CA 95969

055-050-082-000  
JOHNSON GENE L & DONNA M JT  
3481 NEAL RD  
PARADISE, CA 95969

055-050-068-000  
HANUS SANDRA G & PETER V TRUST  
1617 PACIFIC DR  
DAVIS, CA 95616

055-050-073-000  
MCCRARY YVONNE L & SAMUEL  
100 FOUNTAIN AVE  
PARADISE, CA 95969

055-050-042-000  
COPPER SHAWN E & CHRISTINA  
P.O. BOX 111  
PARADISE, CA 95969

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Kinehart  
9-110

055-050-041-000  
JOHNSON ROBERT P & SHARON V  
REV TRUST  
75 SEAMAN LN  
PARADISE, CA 95969

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révéler le rebord Pop-Up™

055-050-093-000  
MUHLBAIER MARK S & JAMIE C  
3545 NEAL RD  
PARADISE, CA 95969

Sens de  
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MUHLBAIER SCOTT M & DAWN R  
192 RIVENDELL LANE  
PARADISE, CA 95969

Mike Byrd, Rolls, Anderson, Rolls  
115 Yellowstone Drive  
Chico, CA 95973

Paradise Unified School District  
6696 Clark Road  
Paradise, CA 95969

Paradise Irrigation District  
P.O. Box 2409  
Paradise, CA 95967-2409

Paradise Recreation & Park Dist.  
6626 Skyway  
Paradise, CA 95969

Paradise Ridge Chamber of  
Commerce  
5550 Skyway  
Paradise, CA 95969

Paradise Board of Realtors  
6178 Center Street  
Paradise, CA 95969

Paradise Downtown Business  
Association  
c/o Fir Street Gallery/Pam Funk  
6256 Skyway  
Paradise, CA 95969

Butte County Planning  
Courier

Paradise Cemetery District  
980 Elliott Road  
Paradise, CA 95969

Butte Co. Air Quality Mgmt. Dist.  
2525 Dominic Drive #J  
Chico, CA 95928

Butte Environmental Council  
116 W. 2<sup>nd</sup> Street #3  
Chico, CA 95928

## 6. PUBLIC HEARING

### a. Item for which a mitigated negative declaration document is proposed to be adopted

**Verrill & Wilber Rinehart General Plan Amendment/Rezone and Parcel Map (PL10-00193; PL10-00194) Applications requesting Town of Paradise approval for a General Plan amendment/rezone for a  $\pm 2.27$  acre property from Agricultural Residential-1 acre minimum (AR-1) to Rural Residential-1/2 acre minimum (RR-1/2), General Plan designation change from Agricultural Residential (A-R) to Rural Residential (R-R) and approval of a parcel map to divide the property into three parcels of record on property located at 3527 Neal Road, Paradise, AP No. 055-050-025.**

Community Development Department Director Baker reported to the Commission that the proposed General Plan Amendment/Rezone and Parcel map application would eliminate the AR 1 zoning for a single parcel, and would secure residential zoning with a one-half minimum parcel size for the site to facilitate a division of the property into three parcels of record and that staff recommended adoption of Resolution No. 10-10 and approval of the parcel map. Commissioner Bolin questioned why there was a 15' easement between parcels one and three and Mr. Baker stated that was to provide a drainage easement for future landscaping on the parcels.

Chairman Johns opened the public hearing at 6:38 p.m.

1. Mike Byrd, Rolls, Anderson, Rolls Civil Engineers, stated that he is representing the applicants for the project, that the findings and conditions of approval are acceptable, and that he is available to answer any questions from the Planning Commissioners. Mr. Byrd stated that because parcel two is already developed, it is not anticipated that a lot of additional impervious area will be created and the concept of these landscaped mulch areas would catch any runoff and let it perk into the ground.

Chairman Johns asked about the existing impervious surfaces on the site and Mr. Byrd stated that the only impervious surfaces on the site are concrete slabs remaining from outbuilding previously located on the site and would be removed at such time as a home was to be built.

Commissioner Serna asked if the three sets of engineered plans have been submitted (Roads/Access Condition #3) and Mr. Baker stated those plans need to be submitted prior to the recording of the map. Mr. Byrd clarified that that the private road plans are for West Sutter Drive.

Commissioner Bolin questioned the 1-A driveway requirement on lot 3 from Neal Road and Mr. Baker stated this is a typical driveway where access exceeds 150' lineal feet and Mr. Byrd stated that the Town Engineer recommended this be shown on the map.

2. Mike Coronado stated that he owns the property next to the property being proposed to be split and asked if any consideration was given to subdivide the property the same way as the other properties in the area, as a different configuration of the parcels would give him an opportunity to purchase the adjacent property, as opposed to having two properties adjacent to his parcel.

Mr. Baker stated that might the applicant may not have been able to meet the required width for R-R zoning, and that other problems might develop if the lots were oriented in a north-south manner.

Chairman Johns closed the hearing to the public at 6:45 p.m.

The Planning Commissioners discussed that although they are sympathetic to Mr. Coronado's desire to acquire the property, the division is in compliance and consistent with other lot development in the area. Chairman Johns suggested that Mr. Coronado get together with Mr. Byrd and contact the property owners.

It was moved by Commissioner Bolin, seconded by Commissioner Grossberger, and carried by those present to adopt the findings listed below; to adopt Planning Commission Resolution No. 10-10, " 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; and to approve the Rinehart parcel map (PL10-00193) application subject to the following conditions and mitigations:

**REQUIRED FINDINGS FOR APPROVAL:**

1. Find that the proposed project, as mitigated and conditioned, could not have a significant effect on the environment, and adopt a mitigated negative declaration.
2. Find that, as mitigated and conditioned, the project is consistent with the goals and policies of the Paradise General Plan because the project would assign zoning to the project site that is not characterized by constraints to residential development and is consistent with existing residential zoned development located upon adjacent and nearby properties.
3. Find that the project, as mitigated and conditioned, is consistent with the spirit and intent of the requested RR land use designation and RR-1/2 zoning district, because the land use proposed for the parcels would be residential and parcel sizes proposed are consistent with the requirements of the zone.
4. Find that the project, as mitigated and conditioned, will not result in a significant adverse effect on existing plant and animal life in the project vicinity for the following reasons:
  - a. The project site is located within an area that has been altered by residential and agricultural development spanning several decades.
  - b. No known outstanding wildlife habitat exists in the immediate project vicinity;and
  - c. No known rare or endangered plants exist in the immediate project vicinity.

**CONDITIONS TO BE MET PRIOR TO RECORDATION  
OF FINAL PARCEL MAP**

## ROADS/ACCESS

1. Access to parcels for ingress and egress/public utilities shall be shown on the final parcel map.
2. Provide a recorded road maintenance agreement for Sutter Road meeting the requirements of the Town Engineer.
3. Submit three copies of engineered private roadway improvement plans for the construction of a pro-rata share upgrade improvement to Sutter Road to the Town Engineer for review and approval. Plans must be stamped and wet-signed by a licensed civil engineer. All elements of the engineered plans shall be designed in accordance with the requirements of the Town Engineer, based upon commonly accepted engineering practices and the town-adopted A-3a road standard.
4. Place the following note on the final map information data sheet: "Prior to the issuance of a building permit authorizing residential development upon Parcel No. 1, the project developer shall construct the pro-rata share upgrade improvement to Sutter Road in accordance with town-approved Sutter Road upgrade improvement plans".
5. Deed thirty feet from the centerline of Neal Road to the Town of Paradise or provide a recorded deed document showing that this requirement has been met.
6. Construct or defer by covenant executed with the Town of Paradise a one-half street section upgrade improvement along the project site frontage of Neal Road to the town-adopted B-2 road standard.
7. Establish a non-exclusive easement for road and public utilities over the north twenty (20) feet of Parcel Nos. 1 and 2, also being the south twenty (20) feet of the Sutter Road private road access instrument.

## DRAINAGE

8. The design of the required engineered private roadway improvement plans shall include necessary drainage improvements both on and off site to accommodate existing and additional project induced drainage flows without generating any off-site adverse effects.
9. Place the following note on the final map information data sheet: "Prior to issuance of a building permit authorizing construction on Parcel Nos. 1 and/or Parcel No. 3, a storm water mitigation plan shall be submitted and approved by the Town Engineer. This plan must address how the additional storm water drainage from the new impervious surfaces will be detained, rerouted, or otherwise mitigated to prevent adverse impacts to the down-slope neighboring properties."

## SITE DEVELOPMENT

10. All easements of record shall be shown on the final parcel map.
11. Indicate a fifty-foot front yard building setback line measured from the centerline of Neal Road and a thirty-foot front yard building setback line measured from the centerline of Sutter Road.

#### SEWAGE DISPOSAL

12. Satisfy all requirements of the Town of Paradise Onsite Sanitary Official concerning the design of the final parcel map.

#### UTILITIES

13. Meet all requirements of the Paradise Irrigation District (PID) in accordance with the comments provided by PID staff for the Rinehart parcel map, dated May 14, 2010 and on file with the Town of Paradise Community Development Department.
14. Meet the requirements of other utility companies regarding the establishment of necessary public utility easements.

#### FIRE PROTECTION

15. The project developer shall submit for approval and execute the requirements of a fuel reduction plan for the proposed parcels meeting the requirements of the Paradise Fire Department.
16. Place the following notes upon the final parcel map information data sheet:
  - a. "All buildings constructed upon these parcels determined by the Paradise Fire Chief to be subject to the requirements of the Urban Wildland Interface Code shall be built of non-combustible exterior construction meeting the requirements of the Paradise Fire Department."
  - b. "Prior to the issuance of a building permit authorizing residential development upon Parcel No. 3, the project developer shall submit driveway improvement plans that provide for the construction of an approved turn-around facility as approved by the Town Fire Chief."
17. Meet all other requirements of the Paradise Fire Department in accordance with the comments provided by Fire Department staff for the Rinehart parcel map, dated June 8, 2010 and on file with the Town of Paradise Community Development Department.

#### OTHERS

18. Provide a "Statement of Taxes" from the office of the Butte County Tax Collector.

19. Provide monumentation as required by the Town Engineer in accordance with the State Subdivision Map Act and Town of Paradise standards.

20. Pay appropriate funds to the local recreation district per requirements of the Paradise subdivision ordinance to offset impact (cumulative) upon area-wide recreation facilities. Provide evidence of payment to the Town Community Development Department planning division.

21. The following notes shall be placed upon the final parcel map information data sheet:

a. "At the time of building permit issuance, landowners will be required to pay any Town of Paradise adopted development impact fees."

b. "If any archaeological resources are uncovered during the course of future development or construction activities, all work shall stop in the area of the find until a qualified archaeologist provides an appropriate evaluation of the discovery." (mitigation)

22. The Rinehart final parcel map shall not be recorded unless and until a town-established Rural Residential-1/2 acre minimum zoning is in legal effect for the project site. The resultant parcel configurations shall be in substantial conformance with the Rinehart parcel map design submitted to the town on May 11, 2010.

**ROLL CALL VOTE:** AYES: Commissioners Bolin, Grossberger, Serna, Woodhouse and Chairman Johns. NOES: None. ABSTAIN: None. ABSENT: None.

#### **MOTION CARRIES.**

Community Development Director Baker announced that an appeal of the Planning Commission's decision can be made within ten (10) days of the decision date.

#### **b. Item for which a negative declaration document is proposed to be adopted**

**Feather River Hospital General Plan Amendment/Rezone (PL10-00260) Application requesting the Town of Paradise amend the Paradise General Plan land use designation affecting two separate hospital-owned land areas totaling ±3.00 acres from Rural Residential (RR) to Community Service (C-S) and to change the zoning from Rural Residential, ½-Acre Minimum (RR-1/2) to Community Services (CS) . The purpose of the proposed project application is to accommodate existing, nonconforming hospital facilities and to facilitate possible future expansion of the existing hospital facilities and services located upon abutting lands located at 1933 Peach Lane and 5960 Pentz Road, Paradise; Assessor Parcel Nos. 053-271-006, 053-390-010 and 053-390-011 (portion).**

Community development Director Baker reported that the Feather River Hospital is seeking a land use designation amendment from Rural Residential to Community Service and a zone change from Rural Residential ½ acre minimum to Community Services for two separate land

areas totaling  $\pm$  3 acres to enable the hospital to legally establish hospital-related health services upon the affected land areas. Mr. Baker noted a typographical error that stated the environmental determination is a “mitigated” negative declaration when, in fact, it is a negative declaration, and that the staff recommends approval of the application and adoption of Planning Commission Resolution 10-11.

Chairman Johns opened the public hearing at 6:55 p.m.

1. Carol Michelson stated that she is the project manager for Feather River Hospital and that this application gives the hospital the opportunity to become compliant and request proper zoning even though the hospital will not be in a position to submit any plans for at least a three-year period. Ms. Michelson stated that there have no objections to the proposed project and that FRH is very respectful of their adjoining neighbors during construction.

Commission Bolin asked if the CS zoning would allow buildings other than office buildings, such as apartments or churches, in the event that the hospital sold the property, and noted that there were no lot line modifications or boundary line adjustments requested.

Mr. Baker informed the Planning Commissioners of the permitted uses and that any other uses would be subject to additional review.

Chairman Johns closed the public hearing at 7:03 p.m.

Chairman Woodhouse stated he is on the hospital board of directors and that he will be abstaining from the vote on this matter, even though the Town Attorney advised that he does not need to abstain as there is no financial benefit to him from this project.

It was moved by Commissioner Bolin, seconded by Commissioner Grossberger, to adopt Planning Commission Resolution No. 10-11, “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 (Feather River Hospital: PL 10-00260)”.

**ROLL CALL VOTE:** AYES: Commissioners Bolin, Grossberger, Serna, and Chairman Johns. NOES: None. ABSTAIN: Woodhouse. ABSENT: None.

**MOTION CARRIES.**

**TOWN OF PARADISE  
PLANNING COMMISSION**

**RESOLUTION NO. 10-10**

**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  
[RINEHART; PL10-00194]**

**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 August 17, 2010; and

**WHEREAS**, the Planning Commission has determined that an amendment to the Paradise General Plan Land Use Map to a Rural Residential (RR) land use designation and its related zone change to a Rural Residential-1/2 acre minimum (RR-1/2) zoning district affecting a ±2.27 acre land area located at 3527 Neal Road and identified as AP No. 055-050-025, 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 “RR” [Rural Residential] general plan land use designation and “RR-1/2” [Rural Residential-1 acre minimum] zoning district proposed to be assigned to affect a ±2.27 acre land area identified as AP No. 055-050-025 via the general plan amendment/rezone [PL10-00194] application is appropriate and reasonable because it would assign a general plan land use designation and zoning to a land area that is not characterized by constraints.

**RESOLUTION NO. 10-10**

- b. That the Paradise Planning Commission and the Town Council, via adoption of a Mitigated Negative Declaration document regarding the proposed General Plan (land use map) amendment and rezone project, has determined that the project will not have a significant effect on the environment, pursuant to the provisions of the California Environmental Quality Act (Public Resources Code).

**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 Rinehart (PL10-00194) application, identified as AP No.055-050-025 and as set forth in Exhibit "A," attached hereto and made a part hereof by reference.

**PASSED AND ADOPTED** by the Planning Commission of the Town of Paradise this 17th day of August, 2010, by the following vote:

**AYES:** Commissioners Bolin, Grossberger, Serna, Woodhouse, and  
Chairman Johns.

**NOES:** None

**ABSENT:** None

**NOT VOTING:** None

  
Chairman

ATTEST:

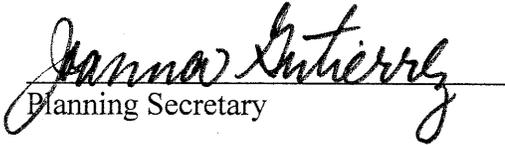
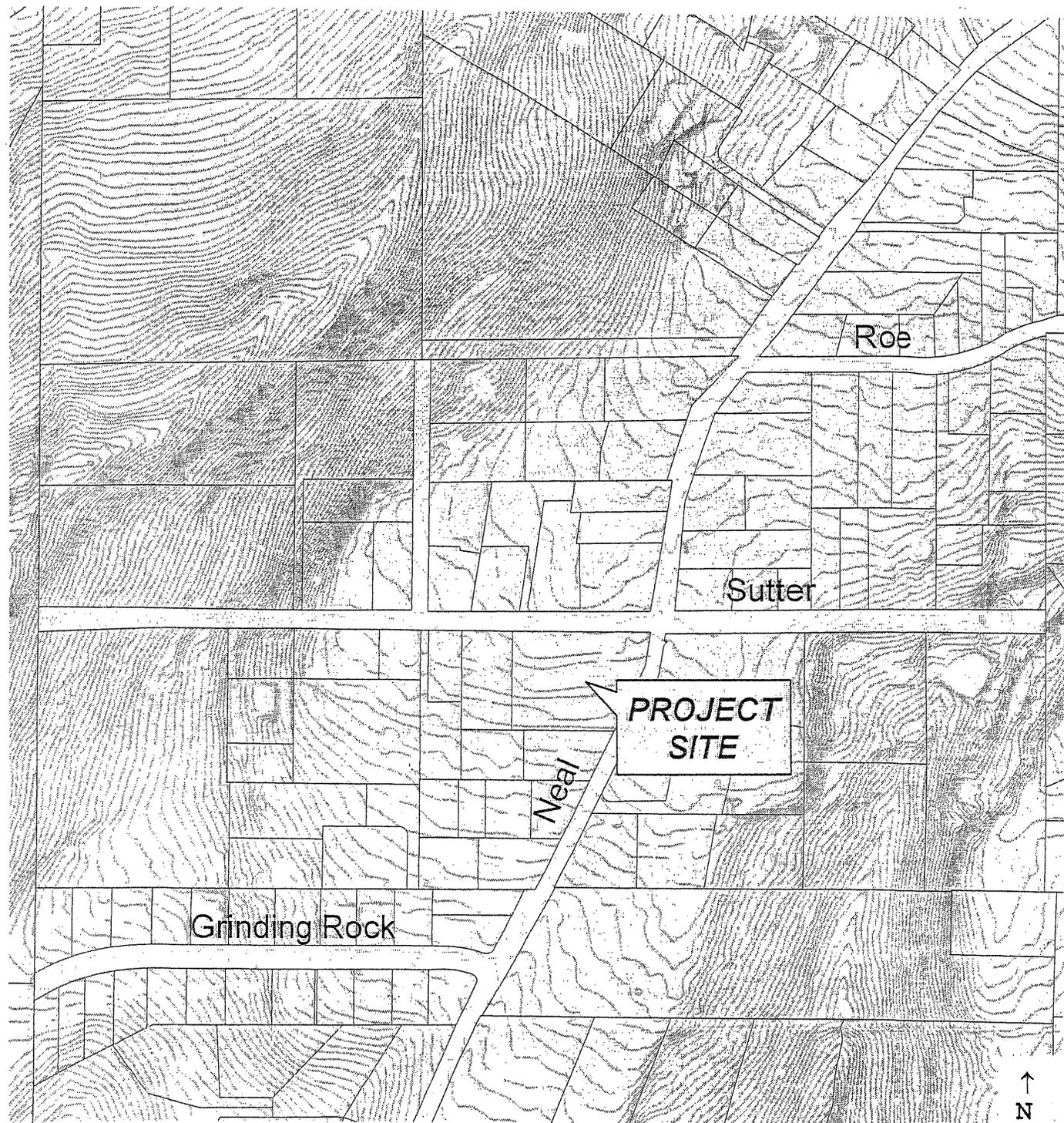
  
Planning Secretary

EXHIBIT A



APPLICANT: Verrill & Wilbur Rinehart		ADDRESS: 3527 Neal Rd
OWNER: Verrill & Wilbur Rinehart		
PROJECT DESCRIPTION: General Plan amendment/property rezone application proposing to change the General Plan land use designation from AR to RR for a +2.27 acre property to facilitate a division of the property into three parcels of record		
Zoning: AR-1	GENERAL PLAN: AR	FILE NO. PL10-00193, 194
ASSESSOR PARCEL NO. 055-050-025		MEETING DATE: 8/17/2010

**TOWN OF PARADISE  
PLANNING COMMISSION**

**RESOLUTION NO. 10-11**

**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  
(FEATHER RIVER HOSPITAL; PL10-00260)**

**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 August 17, 2010; and

**WHEREAS**, the Planning Commission has determined that an amendment to the Paradise General Plan Land Use Map for a Community Service (CS) land use designation and its related zone change to a Community Services (CS) zoning district affecting property located at 1933 Peach Lane and 5960 Pentz Road and further identified as AP Nos. 053-271-006, 053-390-010 and 053-390-011 (portion), 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 will not have a significant effect on the environment, and adopts the negative declaration prepared by staff.
- 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 (PL10-00260) is appropriate and reasonable because it would assign a community service (CS) general plan

**RESOLUTION NO. 10-11**

land use designation and community services zoning (CS) to a property which is situated at a location and with characteristics that satisfy the 1994 Paradise General Plan policies that are applicable to community services land 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 Feather River Hospital (PL10-00260) application for property identified as AP Nos. 053-271-006, 053-390-010 and a portion of AP No. 053-390-011 as set forth in Exhibit "A", attached hereto and made a part hereof by reference.

**PASSED AND ADOPTED** by the Planning Commission of the Town of Paradise this 17th day of August, 2010, by the following vote:

**AYES:** Commissioners Bolin, Grossberger, Serna, and Chairman Johns

**NOES:** None

**ABSENT:** None

**NOT VOTING:** Commissioner Woodhouse

  
Chairman

ATTEST:

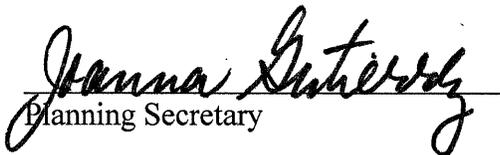
  
Planning Secretary

EXHIBIT "A"

FEATHER RIVER HOSPITAL

All that real property being a portion of the northwest one-quarter of Section 19, T.22 N., R.4 E., M.D.M., situated in the Town of Paradise, County of Butte, State of California, being more particularly described as follows:

**Beginning** at the northeast corner of said northwest one quarter of said Section 19 as shown that map entitled "Parcel Map for Reversion To Acreage for Feather River Hospital" as filed January 21, 1981 in Book 81 of Maps at pages 48, 49 and 50 in the Office of the Recorder, County of Butte, State of California;

Thence from said point of beginning on and along the easterly line of said northwest one quarter of said Section 19 as shown on said Parcel Map, South  $01^{\circ} 08' 44''$  East 100.00 feet more or less to a point on the boundary of Parcel One as shown on said map;

Thence on and along the boundary of said Parcel One the following courses, South  $89^{\circ} 19' 15''$  West 124.99 feet;

Thence South  $01^{\circ} 08' 44''$  East 94.68 feet;

Thence South  $89^{\circ} 41' 46''$  West 389.79 feet to a point on the easterly right-of-way line of the Pentz Magalia Highway;

Thence on and along said right-of-way line North  $01^{\circ} 28' 12''$  East 14.95 feet;

Thence leaving said right-of-way line North  $89^{\circ} 41' 46''$  East 205.48 feet;

Thence North  $01^{\circ} 08' 44''$  West 178.53 feet;

Thence leaving said boundary of said Parcel One, North  $89^{\circ} 19' 15''$  East 308.60 feet more or less to point of beginning.

Containing, 1.18 acres more or less.



*Malcolm J. Macdonald*  
5/5/2010

**TOWN OF PARADISE  
NEGATIVE DECLARATION REGARDING ENVIRONMENTAL EFFECT**

1. **Description of Project:** General Plan amendment and rezone application [PL10-00260].

Formal request to amend the Paradise General Plan land use designation affecting two separate hospital-owned land areas totaling  $\pm 3.00$  acres from Rural Residential (RR) to Community Service (C-S) and to change the zoning from Rural Residential, 1/2-Acre Minimum (RR-1/2) to Community Services (CS). The purpose of the proposed project application is to accommodate existing, nonconforming hospital facilities and to facilitate possible future expansion of the existing hospital facilities and services located upon abutting lands.

2. **Name and Address of Project Applicant:**

Feather River Hospital  
5974 Pentz Road  
Paradise, CA 95969

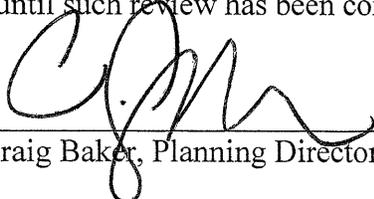
3. **The Initial Study for this Project was Prepared on:** July 28, 2010

4. NOTICE IS HEREBY GIVEN that the Planning Director of the Town of Paradise has reviewed the project described above pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code) and determined that it will not have a significant effect on the environment. Preparation of an Environmental Impact Report will not be required.

5. A copy of the Planning Director's determination regarding the environmental effect of this project is available for public inspection at the Town of Paradise Community Development Department, Town Hall, 5555 Skyway, Paradise, CA. Copies thereof will be provided to any person upon payment of the established fee.

6. Any person wishing to respond to this negative declaration may file written responses no later than August 16, 2010 by 5:00 p.m. with the Paradise Community Development Department, Town Hall, 5555 Skyway, Paradise, CA 95969, (530) 872-6291. The Planning Director or the Planning Commission will review such comments and will either uphold the issuance of a negative declaration or require an environmental impact report to be prepared.

7. If no protest is lodged, the negative declaration may be formally adopted at the conclusion of the review period. Any negative declaration subject to state clearinghouse review shall not be formally adopted until such review has been completed.

By:   
Craig Baker, Planning Director

Date: July 28, 2010

**INITIAL STUDY**

**FOR**

**PARADISE GENERAL PLAN AMENDMENT  
AND REZONE APPLICATION (PL10-00260)**

**FOR**

**FEATHER RIVER HOSPITAL**

**PROJECT DESCRIPTION  
AND  
ENVIRONMENTAL SETTING**

**FEATHER RIVER HOSPITAL  
(PL10-00260)  
GENERAL PLAN AMENDMENT AND REZONE**

**PROJECT DESCRIPTION**

The Feather River Hospital (applicant) is seeking Town of Paradise approval of a proposed Paradise General Plan land use designation amendment from Rural Residential (RR) to Community Service (CS) and a zone change from Rural Residential-½ acre minimum (RR-1/2) to Community Services (CS) affecting a +/-3.0 acre total land area. The purpose of the proposed project application is to facilitate possible future expansion of the existing hospital facilities and services located upon abutting lands to the north and south.

**ENVIRONMENTAL SETTING**

**Location:** The project site is identified as Butte County Assessor parcel numbers 053-271-006, 053-390-010 and 053-390-011 and is located at 1933 Peach Lane and 5960 Pentz Road. The actual land areas comprising the project are located immediately north and south of existing hospital facilities.

**Land Use:** The portion of the project site located along Peach Lane (immediately north of existing hospital facilities) is currently improved with a single-family dwelling. The portion of the project site abutting Pentz Road and located at the south edge of the hospital campus is currently developed with a parking facility associated with the function of the hospital and an abutting single family residence located adjacent to existing hospital facilities. Abutting land uses located to the north and south of the project site consist of single family residential land uses. All other abutting land uses consist of existing hospital facilities.

**Topography and Soils:** The project site is situated at an elevation of approximately 1,900 feet near the eastern edge of the corrugated plateau that comprises the Paradise Ridge. Topography to the east of the site descends steeply into the Feather River Canyon. Existing slopes within the land areas that would be affected by the project are gentle (3-5%). Soils found on the site are classified as Aiken Very Deep (AVD) soils and are also well-suited for wastewater disposal.

**Public Services:** Services and facilities currently and/or potentially available to the project property include, but are not limited to the following:

Access:	Pentz Road and Peach Lane ( existing paved public and private roads)
Electric Power:	Pacific Gas and Electric Company
Public Safety:	Town of Paradise
Sewage Disposal:	Onsite Septic Systems (existing)
Water Supply:	Paradise Irrigation District

## **PROJECT DETAILS**

The Feather River Hospital is seeking Town of Paradise approval of a Paradise General Plan land use designation amendment from Rural Residential (RR) to Community Service (CS) and a zone change from Rural Residential-½ acre minimum (RR-1/2) to Community Services (CS) for two separate land areas totaling +/- 3.0 acres. The land areas consist of a single +/-1.0 acre parcel located along Peach Lane immediately north of existing hospital facilities, a +/-0.82 acre property located at 5960 Pentz Road comprising the southwest corner of the hospital complex and an adjacent +/-1.18 acre portion of a larger property at the south edge of the hospital complex. Both land areas comprising the project site are owned by the Feather River Hospital. The primary purpose of the project application is to enable the hospital to legally convert the occupancies of two existing single family dwelling units located within the affected properties into hospital-related health services.

The southerly land area of the proposed General Plan amendment/rezone project is presently improved with a single family dwelling and a parking facility associated with the function of the adjacent hospital. Hospital administrators plan to convert the existing single family dwelling to offices that would be ancillary to the main hospital. The current residential zoning of RR-1/2 assigned to this southerly +/-2.0 acre land area results in the parking facility being considered by the Town of Paradise as a nonconforming use of land. Other than conversion of the residence to office space, no additional development of this land area has been presented to the Town of Paradise and none is anticipated.

The +/-1.0 acre land area along Peach Lane is currently developed for single family residential use and is the last such property left along Peach Lane. All other peach Lane properties have been acquired and developed for hospital use. Feather River Hospital administrators have indicated a desire to develop this portion of the project with an endoscopy lab and have submitted conceptual building elevations for the future project. However, no timeline has been established for development of the property with the lab building.

**TOWN OF PARADISE**  
**ENVIRONMENTAL CHECKLIST FORM**

**I. BACKGROUND**

- |  |   |
|--|---|
| 1. Name of Proponent                     | Feather River Hospital.   |
| 2. Address and phone number of proponent | 5974 Pentz Road, Paradise, CA. 95969 Phone: (530) 876-7200          |
| 3. Date of checklist                     | July 28, 2010   |
| 4. Zoning and general plan designation   | Zoning: RR-1/2 General Plan: RR                                     |
| 5. Name of proposal, if applicable       | Feather River Hospital General Plan/Rezone Application (PL10-00260) |

**II. ENVIRONMENTAL IMPACTS**

Issues (and Supporting Information Sources):

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
<b>1. LAND USE AND PLANNING. Would the proposal:</b>					
a. Conflict with general plan designation or zoning?	1,8			X	
b. Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	1,8				X
c. Be incompatible with existing land use in the vicinity?	9			X	
d. Affect agricultural resources or operations (e.g. impacts to soils or farmlands, or impacts from incompatible land uses)?	9				X
e. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	9				X
<b>2. POPULATION AND HOUSING. Would the proposal:</b>					
a. Cumulatively exceed official regional or local population projects?	1,9				X
b. Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?	1,9				X
c. Displace existing housing, especially affordable housing?	9			X	
<b>3. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:</b>					
a. Fault rupture?	1,9				X
b. Seismic ground shaking	1,9				X
c. Seismic ground failure, including liquefaction?	1,9				X

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
d. Seiche, Tsunami or volcanic hazard?	1,9				X
e. Landslides or mudflows?	1,9				X
f. Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?	1,7,9			X	
g. Subsidence of the land?	7,9				X
h. Expansive soils?	7,9				X
i. Unique geologic or physical features?	5,7,9				X
<b>4. WATER. Would the proposal result in:</b>					
a. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	7,9			X	
b. Exposure of people or property to water related hazards such as flooding?	7,9				X
c. Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?	7,9				X
d. Changes in the amount of surface water in any water body?	7,9				X
e. Changes in currents, or the course or direction of water movements?	7,9				X
f. Change in the quantity of groundwaters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	4,7,9			X	
g. Altered direction or rate of flow of groundwater?	1,9				X
h. Impacts to groundwater quality?	1,7,9			X	
i. Substantial reduction in the amount of groundwater otherwise available for public water supplies?	1,9				X
<b>5. AIR QUALITY. Would the proposal:</b>					
a. Violate any air quality standard or contribute to an existing or projected air quality violation?	1,9				X
b. Expose sensitive receptors to pollutants?	1,9			X	
c. Alter air movement, moisture, or temperature, or cause any change in climate?	1,9				X
d. Create objectionable odors?	1,9				X
<b>6. TRANSPORTATION/CIRCULATION. Would the proposal result in:</b>					
a. Increased vehicle trips or traffic congestion?	1,8,9			X	
b. Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	9				X

		<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
c.	Inadequate emergency access or access to nearby uses?	9				X
d.	Insufficient parking capacity onsite and offsite?	9				X
e.	Hazards or barriers for pedestrians or bicyclists	9				X
f.	Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	1,9				X
g.	Rail, waterborne or air traffic impacts?	1,9				X
7.	<b>BIOLOGICAL RESOURCES.</b> Would the proposal result in impacts to:					
a.	Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals and birds)?	6,9				X
b.	Locally designated species (e.g. heritage trees)?	6,9			X	
c.	Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?	1,6,9				X
d.	Wetland habitat (e.g. marsh, riparian and vernal pool)?	1,6,9				X
e.	Wildlife dispersal or migration corridors?	1,6,9				X
8.	<b>ENERGY AND MINERAL RESOURCES.</b> Would the proposal:					
a.	Conflict with adopted energy conservation plans?	1,9				X
b.	Use nonrenewable resources in a wasteful and inefficient manner?	1,9				X
c.	Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?	1,9				X
9.	<b>HAZARDS.</b> Would the proposal involve:					
a.	A risk of accidental explosion or release of hazardous substances (including, but not limited to; oil, pesticides, chemicals or radiation)?	9				X
b.	Possible interference with an emergency response plan or emergency evacuation plan?	1,9				X
c.	The creation of any health hazard or potential health hazard?	9				X
d.	Exposure of people to existing sources of potential health hazards?	9				X
e.	Increased fire hazard in areas with flammable brush, grass or trees?	9			X	
10.	<b>NOISE.</b> Would the proposal result in:					
a.	Increases in existing noise levels?	1,9			X	
b.	Exposure of people to severe noise levels?	1,9				X
11.	<b>PUBLIC SERVICES.</b> Would the proposal have an effect upon, or result in a need for new or altered government					

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
services in any of the following areas:					
a.	Fire protection?	1,9,10		X	
b.	Police protection?	1,9,10			X
c.	Schools?	1,9,10			X
d.	Maintenance of public facilities, including roads?	9		X	
e.	Other governmental services?	1,9		X	
<b>12. UTILITIES AND SERVICE SYSTEMS.</b> Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:					
a.	Power or natural gas?	1,9,10			X
b.	Communications systems?	1,9,10			X
c.	Local or regional water treatment or distribution facilities?	4,9		X	
d.	Sewer or septic tanks?	7,9		X	
e.	Storm water drainage?	7,9		X	
f.	Solid waste disposal?	9		X	
g.	Local or regional water supplies?	4,9		X	
<b>13. AESTHETICS.</b> Would the proposal:					
a.	Affect a scenic vista or scenic highway?	1,9		X	
b.	Have a demonstrable negative aesthetic effect?	9		X	
c.	Create light or glare?	9		X	
<b>14. CULTURAL RESOURCES.</b> Would the proposal:					
a.	Disturb paleontological resources?	1,9,10		X	
b.	Disturb archaeological resources?	1,9,10		X	
c.	Affect historical resources?	1,9,10			X
d.	Have the potential to cause a physical change which would affect unique ethnic cultural values?	1,9,10			X
e.	Restrict existing religious or sacred uses within the potential impact area?	1,9,10			X
<b>15. RECREATION.</b> Would the proposal:					
a.	Increase the demand for neighborhood or regional parks or other recreational facilities?	1,9			X
b.	Affect existing recreational opportunities?	1,9			X
<b>16. MANDATORY FINDINGS OF SIGNIFICANCE.</b>					

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
a.				X	
b.				X	
c.					X
d.					X

**INITIAL STUDY  
STATEMENT OF ENVIRONMENTAL EVALUATION  
FOR  
FEATHER RIVER HOSPITAL  
(PL10-00260)  
GENERAL PLAN AMENDMENT AND REZONE**

**DISCUSSION OF ENVIRONMENTAL EVALUATION**

1. **General Evaluation.** Potential environmental impacts associated with the proposed project have been identified upon the preceding environmental review checklist form. It has been determined that the proposed project will not result in a significant adverse effect on the environment and the development and application of mitigation measures was not deemed necessary. The text that follows identifies and evaluates potential project induced environmental effects.
  - a. **Item 1 - Land Use and Planning.** The project site land areas are currently improved with two separate single-family dwellings. The assignment of the CS General Plan land use designation and CS zoning to the project property would create the potential for the eventual establishment of new or expanded community service (i.e. health services) land use which would constitute a change in the character of land use on the site. However, this potential land use change is not expected to significantly disrupt other land uses in the neighborhood since a community land use (i.e. the hospital) has historically existed adjacent to the project land areas. It is anticipated that an endoscopy lab or an office use would only be active during normal business hours, and possibly only on weekdays. Moreover, pursuant to the CS zoning regulations, the most intensive and potentially disruptive land uses that may possibly be established on this property are subject to discretionary review (conditional use permit, site plan review permit, etc.) by the Town of Paradise. Accordingly, no significant land use and planning impacts resulting from project approval are anticipated and no mitigation is warranted.
  - b. **Item 2 - Population and Housing.** The proposed general plan amendment and zone change would not have a significant effect upon area population or housing opportunities, since the project site entails two small parcels on which housing opportunities are currently limited. Therefore, no significant adverse impacts to population or housing are expected as a result of the proposed general plan amendment and rezone and no mitigation measures are warranted.
  - c. **Item 3 – Geologic Problems.** The project is located in an area of relatively low seismic activity and consequently has been accorded a category of low potential earthquake hazard (Paradise General Plan, Volume III, 1994). In addition, the existing slopes and well-structured soils on the project site do not pose a significant threat of landslides, mudflows or subsidence. Therefore, no significant adverse impacts related to geologic problems are expected as a result of the proposed general plan amendment and rezone and no mitigation measures are warranted.

- d. **Item 3,4, and 12 – Drainage, Erosion and Air Quality.** If the General Plan Amendment and rezone application is approved, possible future site development activities for the Peach Lane site (i.e. land clearing, tree removal, grading and excavation, etc.) associated with potential establishment of a health services facility upon this property could disturb the physical environmental setting of the project site. Compaction of soils may reduce absorption rates and the creation of additional impervious surfaces could result in improper drainage and soils erosion. In addition, ground disturbance activities conducted during the dry and windy times of the year could create a short-term increase in dust particulate emissions.

If and whenever the applicant determines to design a future development project for conversion of the Peach Lane site into a hospital service and/or similar community services land use, the Town of Paradise will be legally obligated to properly analyze and mitigate the environmental effects of such project action in accordance with the requirements of the California Environmental Quality Act (CEQA). Therefore, no significant adverse impacts related to drainage, erosion and air quality are expected as a result of the proposed general plan amendment and rezone and no mitigation measures are warranted.

- e. **Item 6 – Transportation/ Circulation.** The residential land uses on the project site properties have the potential to generate relatively few vehicle trips (+18-20) per day. Assignment of a CS General Plan land use designation and CS zoning could potentially facilitate a future increase in trip generation rates to the site although the magnitude of such potential impact is speculative and will best be addressed by the project applicant if and whenever it determines to design and implement a land use conversion of the project property. Therefore, no significant adverse impacts related to traffic and circulation are expected as a result of the proposed general plan amendment and rezone and no mitigation measures are warranted.

- f. **Item 7 – Biological Resources.** It is possible that physical development of the site associated with ultimate establishment of a community services (i.e. hospital service) land use upon the Peach Lane site would result in the removal of some existing trees on site. However, some impacts related to tree removal could be expected with expansion of the existing residential land use on the site. Further, community service development projects are subject to the provisions of the town's landscape ordinance and are required to provide a percentage of aesthetically appropriate landscaping to offset the loss of native vegetation, unlike single family residential land uses.

Review of the California Department of Fish and Game (DFG) natural diversity data base information for the Paradise area reveals that no known, rare, endangered or sensitive animal species exist or inhabit the project site or its immediate vicinity. In addition, the site is small and has been impacted for decades by surrounding community facility and residential development. Therefore, the actual magnitude of impact foreseen upon vegetation and wildlife is deemed to be not significant and no mitigation appears to be necessary.

- g. **Item 8 – Energy.** Due to the fact that the project is limited to a request for a CS land use designation and CS zoning affecting two small residentially-zoned land areas properties, no significant loss or use of non-renewable resources is expected. In addition, any new above-ground community facility building

structures would be required to be constructed in accordance with current Uniform Building Code energy-efficiency standards. Therefore, no significant adverse impacts related to energy are expected as a result of the proposed general plan amendment and rezone and no mitigation measures are warranted.

- h. **Item 9 – Hazards.** Since no known areas of toxic contamination exist on or in the vicinity of the project site, the project should not involve exposure of people to potential health hazards. In addition, the conventional construction techniques likely to be involved with ultimate establishment of a community service (i.e. health services) should not pose health risks associated with explosions or the release to toxic substances. Therefore, no significant adverse impacts related to hazards are expected as a result of the proposed general plan amendment and rezone and no mitigation measures are warranted.
- i. **Item 10 – Noise.** The project may ultimately result in increases of existing noise levels that should occur predominantly during the conversion of existing site improvements and the establishment of community services activities. Such impact, although speculative, should be short term and should not be substantially adverse provided permissible community noise levels as established by the town's noise ordinance are not exceeded. As mentioned previously within this document, any potential land use change to a hospital-related office use is not expected to significantly disrupt other land uses in the neighborhood since a community land use (i.e. the hospital) has historically existed adjacent to the project land areas. It is anticipated that an endoscopy lab or an office use would only be active during normal business hours, and possibly only on weekdays. Moreover, pursuant to the CS zoning regulations, the most intensive and potentially disruptive land uses that may possibly be established on this property are subject to discretionary review (conditional use permit, site plan review permit, etc.) by the Town of Paradise. Accordingly, no significant land use and planning impacts resulting from project approval are anticipated and no mitigation is warranted.
- j. **Items 11 and 12 – Public Services/Utilities (Fire Protection, Schools, etc.)**

**Fire Protection:** Fire protection and fire flow requirements are the responsibility of the Paradise Fire Department with cooperative actions implemented by the Paradise Irrigation District (PID) and the project developers. The project is in compliance with Paradise General Plan policies requiring average emergency response times. Information provided by Fire Department staff relative to this project indicate that fire flows in the vicinity of the project site are sufficient to provide adequate fire protection for the project site in the event that the general plan amendment/rezone request is approved.

In any case, future community services development of the project site would be required to be established in conformance with all applicable Uniform Fire Code standards. Accordingly, no significant impacts related to fire protection are foreseen and no mitigation is warranted.

**Schools.** If approved, the requested general plan amendment and rezone should not create an increased burden upon local schools, since the residential developed properties would be zoned to emphasize community service rather than residential land uses. It is unlikely that future establishment of a new or expanded community services upon the site would result in a measurable impact upon student enrollments. Therefore, no impact to schools is foreseen and no mitigation is warranted.

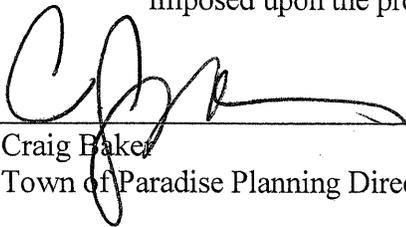
**Water Supply.** Water is currently supplied to the project site by the Paradise Irrigation District (PID) and it is not anticipated that a substantial amount of additional water usage would occur as a result of the project. Comments received from PID staff relative to this project have not revealed a concern regarding the cumulative impact of recent development within the town on district water supplies. Until the PID indicates otherwise, it is understood that water is available to serve this project property. Accordingly, no significant water supply related impacts resulting from project approval are anticipated and no mitigation is warranted.

- k. **Item 13 – Aesthetics.** The project site is partially situated in an area located within an officially-designated scenic highway corridor (Pentz Road), but both sites that are envisioned for conversion to or development of hospital-related services are situated outside the boundaries of the Pentz Road Scenic Highway Corridor. Although the actual magnitude should be relatively minimal due to area wide topographic and vegetation features, the assignment of CS zoning to the site may create the potential for a limited amount of additional light and glare. However, the impact of any additional light and glare should not be significant, provided that adopted community standards for shielded lighting are observed. Thus, such impact is deemed to be insignificant and no mitigation is warranted.
  
- l. **Item 14 – Cultural Resources.** In accordance with the cultural resources sensitivity map retained by the town Community Development Department, the project site is located within an area identified as highly sensitive in terms of potential presence of prehistoric or historic resources. If approved, the assignment of the CS General Plan land use designation and CS zoning to the project property will facilitate the potential and ultimate conversion of these small sites site to community services land uses. However, before such land use building expansion is designed and implemented the project applicant may need to evaluate the archeological sensitivity of this property and provide such information to the Town of Paradise. Accordingly, no significant cultural resources related impacts resulting from project approval are anticipated and no mitigation is warranted.
  
- m. **Item 15 – Parks and Recreation.** It is not anticipated that the assignment of a community service general plan land use designation and community services zoning affecting two small areas of land currently zoned for residential land use would result in a significant adverse impact upon existing area park and recreation facilities in terms of the potential for increased visitation and use. Therefore, the potential for an increase in adverse impacts to area recreational facilities as a result of requested general plan amendment and rezone is not deemed significant and no mitigation appears to be warranted.

IV. DETERMINATION.

On the basis of this initial evaluation:

- 1. I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
  
- 2. I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in this document shall be added to the project. A **NEGATIVE DECLARATION WILL BE PREPARED.**
  
- 3. I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
  
- 4. I find that the proposed project **MAY** have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
  
- 5. I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

  
\_\_\_\_\_  
Craig Baker  
Town of Paradise Planning Director

Date : July 28, 2010

V. REFERENCES

1. Town of Paradise 1994 General Plan, Volumes I-III, Town of Paradise Community Development Department and Quad Consultants, October 1994.
2. Town of Paradise Zoning Ordinance Regulations, Title 17 of the Paradise Municipal Code
3. Town of Paradise inventory map of archaeologically sensitive areas 1987, CSUC Anthropology Department
4. Master storm drainage study and facilities plan, Paradise, California, 1980, McCain Associates
5. Paradise Irrigation District water distribution map, 1993
6. USGS topographic map: Paradise East, California, 1:24,000, 1980
7. Soils of Paradise and Their Ability to Treat Domestic Wastewater, Wert and Associates, 1992.
8. California Department of Fish and Game Natural Diversity Database, April, 1990
9. Project application submitted to the Town of Paradise on June 29, 2010
10. Site inspections by Town Community Development planning division staff on July 13, 2010

Initial Study  
Prepared by:

  
\_\_\_\_\_  
Craig Baker  
Town of Paradise Planning Director

**TOWN OF PARADISE  
NEGATIVE DECLARATION REGARDING ENVIRONMENTAL EFFECT**

1. **Description of Project:** Rinehart General Plan amendment/property rezone and parcel map applications (PL10-00193; PL10-00194); Formal applications requesting to change the General Plan land use designation from Agricultural Residential (A-R) to Rural Residential (R-R) and property rezone from Agricultural Residential-1 acre minimum (AR-1) to Rural Residential-1/2 acre minimum (RR-1/2) for a +/-2.27 acre property and approval of a parcel map to divide the property into three parcels of record.
  
2. **Name and Address of Project Applicant:**  
  
Verrill & Wilbur Rinehart  
600 30<sup>th</sup> St  
San Francisco, CA 94113
  
3. **The Initial Study for this Project was Prepared on July 28, 2010**
  
4. NOTICE IS HEREBY GIVEN that the Planning Director of the Town of Paradise has reviewed the project described above pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code) and determined that it will not have a significant effect on the environment. Preparation of an Environmental Impact Report will not be required.
  
5. A copy of the Planning Director's determination regarding the environmental effect of this project is available for public inspection at the Town of Paradise Community Development Department, Town Hall, 5555 Skyway, Paradise, CA. Copies thereof will be provided to any person upon payment of the established fee.
  
6. Any person wishing to respond to this negative declaration may file written responses no later than August 16, 2010 at 5:00 p.m. with the Paradise Community Development Department, Town Hall, 5555 Skyway, Paradise, CA 95969, (530) 872-6291. The Planning Director or the Planning Commission will review such comments and will either uphold the issuance of a negative declaration or require an environmental impact report to be prepared.
  
7. If no protest is lodged, the negative declaration may be formally adopted at the conclusion of the review period. Any negative declaration subject to state clearinghouse review shall not be formally adopted until such review has been completed.

By:  \_\_\_\_\_  
Craig Baker, Planning Director

Date: 7/28/10

**INITIAL STUDY**

**FOR**

**RINEHART GENERAL PLAN AMENDMENT/REZONE AND PARCEL MAP APPLICATIONS  
(PL10-00193; PL10-00194)**

**PROJECT DESCRIPTION  
AND  
ENVIRONMENTAL SETTING  
for  
RINEHART GENERAL PLAN AMENDMENT/REZONE and PARCEL MAP APPLICATIONS  
(PL10-00193; PL10-00194)**

**PROJECT DESCRIPTION**

The project proponent is requesting a General Plan amendment/property rezone for a +/-2.27 acre property from Agricultural Residential-1 acre minimum (AR-1) to Rural Residential-1/2 acre minimum (RR-1/2), with the associated General Plan designation change from Agricultural Residential (A-R) to Rural Residential (R-R), and approval of a parcel map to divide the property into three parcels of record.

**ENVIRONMENTAL SETTING**

**Location**

The project site consists of a single property located at 3527 Neal Road. The property is situated within northwest quarter of Section 28, T22N, R3E, MDB&M; and is locally identified as assessor parcel number 055-050-025.

**Land Use**

Land use on the project site consists of one single family dwelling and an on-site wastewater disposal system. All existing improvements are located upon what is proposed to become Parcel No. 2. The area surrounding the project site is characterized by medium and low density residential land uses. Access to the property is provided via Neal Road, a paved public collector street and by Sutter Road, a partially paved private road that also serves as sole access to approximately twenty additional, off-site single-family dwellings.

**Vegetation, Topography and Soils**

Vegetation on the site is characterized by low lying grasses and areas of medium to large-sized stands of native tree species, including black oaks, cedar, redwood and pine. The project area is situated at an approximate elevation of 1,340 to 1,350 feet above sea level and drains to the south. Slopes on the

property are fairly gentle ranging from  $\pm 5\%$  to  $6\%$ .

Soil on the project site is classified within the Aiken Very Deep (AVD) soil series which generally exceed five feet in depth and are considered to be excellent for wastewater treatment.

**Public Services**

Services and facilities presently available or potentially available to the project site include but are not limited to the following listing:

<b>Access:</b>	Neal Road (public street); Sutter Road (private road)
<b>Communications:</b>	AT&T Telephone/Comcast Cable
<b>Electricity:</b>	Pacific Gas and Electric Company
<b>Public Safety:</b>	Town of Paradise
<b>Recreation:</b>	Paradise Recreation and Park District
<b>Schools:</b>	Paradise Unified School District
<b>Sewage Disposal:</b>	Individual onsite septic tank/absorption field systems
<b>Water Supply:</b>	Paradise Irrigation District

**PROJECT DETAILS**

The project applicant has requested a General Plan amendment and rezone for the project site from AR-1 zoning to RR-1/2 zoning and parcel map approval to divide the property into three resultant parcels for residential use. The proposed parcels would be created from an existing  $\pm 2.27$  acre parcel of record that is currently improved with a single family dwelling. The existing dwelling would be located upon Parcel No. 2. Parcel Nos. 1 and 3 would be created as vacant parcels. The gross parcel sizes proposed are  $\pm 0.59$  acre (Parcel No. 1),  $\pm 0.97$  acre (Parcel No. 2) and  $\pm 0.71$  acre (Parcel No. 3).

As designed, Parcel No. 2 would have  $\pm 220$  lineal feet of public street frontage along Neal Road and  $\pm 210$  lineal feet of frontage along Sutter Road. Parcel No. 1 would have  $\pm 170$  lineal feet of private road frontage along Sutter Road, which would provide its sole access. Parcel No. 3 would possess a  $\pm 110$  foot long, sixty foot wide strip of property connecting to Neal Road for access.

If approved, the property rezone would result in the elimination of a single AR-1 zoned parcel that is currently surrounded on three sides by RR-1/2 and RR-2/3 zoning.

# TOWN OF PARADISE

## ENVIRONMENTAL CHECKLIST FORM

**I. BACKGROUND**

- |  |  |
|--|--|
| 1. Name of Proponent                     | VERRILL & WILBUR RINEHART  |
| 2. Address and phone number of proponent | 600 30 <sup>th</sup> St, San Francisco CA 94113 - (415) 642-9746 |
| 3. Date of checklist                     | July 28, 2010  |
| 4. Zoning and general plan designation   | "AR-1", "AR"   |
| 5. Name of proposal, if applicable       | GPA/rezone and parcel map applications (PL10-00193; PL10-00194)  |

**II. ENVIRONMENTAL IMPACTS**

Issues:

	<u>REF. NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
<b>1. LAND USE AND PLANNING.</b> Would the proposal:					
a. Conflict with general plan designation or zoning?	1, 8			<u>X</u>	
b. Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	1, 8				<u>X</u>
c. Be incompatible with existing land use in the vicinity?	9				<u>X</u>
d. Affect agricultural resources or operations (e.g. impacts to soils or farmlands, or impacts from incompatible land uses)?	9				<u>X</u>
e. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	9, 10				<u>X</u>
<b>2. POPULATION AND HOUSING.</b> Would the proposal:					
a. Cumulatively exceed official regional or local population projects?	10			<u>X</u>	
b. Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?	10			<u>X</u>	
c. Displace existing housing, especially affordable housing?	9				<u>X</u>
<b>3. GEOLOGIC PROBLEMS.</b> Would the proposal result in or expose people to potential impacts involving:					
a. Fault rupture?	1				<u>X</u>
b. Seismic ground shaking	1				<u>X</u>

	<u>REF. NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
c. Seismic ground failure, including liquefaction?	7				<u>X</u>
d. Seiche, Tsunami or volcanic hazard?	1, 5, 7				<u>X</u>
e. Landslides or mudflows?	5				<u>X</u>
f. Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?	10			<u>X</u>	
g. Subsidence of the land?	7				<u>X</u>
h. Expansive soils?	7				<u>X</u>
i. Unique geologic or physical features?	5, 7, 9				<u>X</u>
4. <b>WATER.</b> Would the proposal result in:					
a. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	9, 10			<u>X</u>	
b. Exposure of people or property to water related hazards such as flooding?	5,9,10				<u>X</u>
c. Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?	5, 9, 10				<u>X</u>
d. Changes in the amount of surface water in any water body?	5, 9, 10				<u>X</u>
e. Changes in currents, or the course or direction of water movements?	9, 10				<u>X</u>
f. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	10				<u>X</u>
g. Altered direction or rate of flow of groundwater?	10				<u>X</u>
h. Impacts to groundwater quality?	10			<u>X</u>	
i. Substantial reduction in the amount of groundwater otherwise available for public water supplies?	10				<u>X</u>
5. <b>AIR QUALITY.</b> Would the proposal:					
a. Violate any air quality standard or contribute to an existing or projected air quality violation?	9, 10				<u>X</u>
b. Expose sensitive receptors to pollutants?	9, 10			<u>X</u>	
c. Alter air movement, moisture, or temperature, or cause any change in climate?	9, 10				<u>X</u>
d. Create objectionable odors?	9, 10				<u>X</u>
6. <b>TRANSPORTATION/CIRCULATION.</b> Would the proposal result in:					

	<u>REF. NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
a. Increased vehicle trips or traffic congestion?	10			<u>X</u>	
b. Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	9, 10				<u>X</u>
c. Inadequate emergency access or access to nearby uses?	9, 10				<u>X</u>
d. Insufficient parking capacity onsite and offsite?	9, 10				<u>X</u>
e. Hazards or barriers for pedestrians or bicyclists	9, 10				<u>X</u>
f. Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	1				<u>X</u>
g. Rail, waterborne or air traffic impacts?	9				<u>X</u>
<b>7. BIOLOGICAL RESOURCES.</b> Would the proposal result in impacts to:					
a. Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals and birds)?	6				<u>X</u>
b. Locally designated species (e.g. heritage trees)?	1				<u>X</u>
c. Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?	1, 10			<u>X</u>	
d. Wetland habitat (e.g. marsh, riparian and vernal pool)?	9				<u>X</u>
e. Wildlife dispersal or migration corridors?	1, 10			<u>X</u>	
<b>8. ENERGY AND MINERAL RESOURCES.</b> Would the proposal:					
a. Conflict with adopted energy conservation plans?	1				<u>X</u>
b. Use nonrenewable resources in a wasteful and inefficient manner?	10				<u>X</u>
c. Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?	1, 10				<u>X</u>
<b>9. HAZARDS.</b> Would the proposal involve:					
a. A risk of accidental explosion or release of hazardous substances (including, but not limited to; oil, pesticides, chemicals or radiation)?	10				<u>X</u>
b. Possible interference with an emergency response plan or emergency evacuation plan?	1				<u>X</u>
c. The creation of any health hazard or potential health hazard?	9, 10				<u>X</u>
d. Exposure of people to existing sources of potential health hazards?	9, 10				<u>X</u>
e. Increased fire hazard in areas with flammable brush, grass	9, 10			<u>X</u>	

	<u>REF. NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
or trees?					
10. <b>NOISE.</b> Would the proposal result in:					
a. Increases in existing noise levels?	1, 10			<u>X</u>	
b. Exposure of people to severe noise levels?	9, 10			<u>X</u>	
11. <b>PUBLIC SERVICES.</b> Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:					
a. Fire protection?	4, 9			<u>X</u>	
b. Police protection?	10			<u>X</u>	
c. Schools?	10			<u>X</u>	
d. Maintenance of public facilities, including roads?	9, 10			<u>X</u>	
e. Other governmental services?					<u>X</u>
12. <b>UTILITIES AND SERVICE SYSTEMS.</b> Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:					
a. Power or natural gas?	10			<u>X</u>	
b. Communications systems?	10				<u>X</u>
c. Local or regional water treatment or distribution facilities?	10			<u>X</u>	
d. Sewer or septic tanks?	10			<u>X</u>	
e. Storm water drainage?	3, 10				<u>X</u>
f. Solid waste disposal?	10				<u>X</u>
g. Local or regional water supplies?	4, 10			<u>X</u>	
13. <b>AESTHETICS.</b> Would the proposal:					
a. Affect a scenic vista or scenic highway?	1			<u>X</u>	
b. Have a demonstrable negative aesthetic effect?	9, 10			<u>X</u>	
c. Create light or glare?	9, 10			<u>X</u>	
14. <b>CULTURAL RESOURCES.</b> Would the proposal:					
a. Disturb paleontological resources?	2, 11				<u>X</u>
b. Disturb archaeological resources?	2, 11		<u>X</u>		
c. Affect historical resources?	2, 11				<u>X</u>

0

	<u>REF. NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
d. Have the potential to cause a physical change which would affect unique ethnic cultural values?	2, 11				<u>X</u>
e. Restrict existing religious or sacred uses within the potential impact area?	2, 11				<u>X</u>
15. <b>RECREATION.</b> Would the proposal:					
a. Increase the demand for neighborhood or regional parks or other recreational facilities?	1, 10			<u>X</u>	
b. Affect existing recreational opportunities?	10			<u>X</u>	
16. <b>MANDATORY FINDINGS OF SIGNIFICANCE.</b>					
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?					<u>X</u>
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?					<u>X</u>
c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connect with the effects of past projects, the effects of other current projects, and the effects of probable future projects).					<u>X</u>
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?					<u>X</u>

**INITIAL STUDY  
STATEMENT OF ENVIRONMENTAL EVALUATION  
for  
RINEHART GENERAL PLAN AMENDMENT/REZONE AND PARCEL MAP APPLICATIONS  
(PL10-00193; PL10-00194)**

**III. DISCUSSION OF ENVIRONMENTAL EVALUATION**

1. **General Evaluation.** Potential environmental impacts associated with the proposed project have been identified upon the preceding environmental review checklist form. It has been determined that the proposed project will not result in a significant adverse effect on the environment because the project applicant has agreed to application of mitigation measures contained within this initial study to the proposed project.

The text that follows identifies a number of potential impacts and mitigation measures designed to minimize the environmental effects to an insignificant level. All mitigation measures contained within this initial study shall be incorporated into the proposed project by either the project applicant or the Town of Paradise.

- a. **Item 1 - Land Use and Planning.** Medium and low density residential land uses adjoin the site on all sides. If approved, the proposed project will result in the establishment of two new, vacant residential building sites. The addition of two new building sites is not deemed significant because the proposed land use and parcel sizes are compatible with surrounding land uses and parcel sizes. As such, the site appears to be a suitable location for the assignment of RR-1/2 zoning, with the associated General Plan Amendment to the Rural Residential (R-R) designation, and the subsequent establishment of resultant parcels designed in accordance with RR-1/2 zoning for the following reasons:
  1. The project site possesses sufficient width legal access to a public street (Neal Road), and a private road (Sutter Road).
  2. The property proposed for the assignment of RR-1/2 zoning is characterized by slopes that do not exceed 10%.
  3. The proposed zoning of RR-1/2 is currently assigned to properties surrounding the project site on three sides.
  4. The Town Fire Marshal has indicated that adequate fire flow can be provided to the site in accordance with current California Fire Code (CFC) requirements.

5. Onsite sanitation division staff has indicated that onsite wastewater disposal for the proposed new parcels can be safely provided upon the project site.

Accordingly, no significantly adverse land use and planning impacts resulting from project approval are anticipated by staff and no mitigation appears to be warranted.

- b. **Item 2 - Population and Housing.** The assignment of RR-1/2 zoning to the property and approval of the proposed parcel map application would create the potential for the creation of two additional residential building sites. Ultimately, upon full build-out and future occupancy, the two new building sites would accommodate a population increase of approximately five year-round residents. Overall land use density for the project would be  $\pm 1.32$  dwelling units per gross acre, which is less than the residential density standard proposed to be assigned to the  $\pm 2.27$  acre site (two dwelling units per gross acre). Comments submitted to the Town by the Paradise Irrigation District (PID) regarding the project have not revealed a concern regarding water supply. In addition, comments received from other agencies have not indicated a concern regarding any potential increase in population linked to this project. Therefore, the potential adverse impacts to population and housing associated with this proposed project is not deemed significant and no mitigation appears to be warranted.
- c. **Item 3 – Geologic Problems.** The project site is located in an area of relatively low seismic activity and consequently has been accorded a category of low potential earthquake hazard (Paradise General Plan, Volume III, 1994). In addition, the gentle slopes and well-structured soils on the project site do not pose a significant threat of landslides, mudflows or subsidence. Accordingly, no significant impacts related to geologic problems are anticipated and no mitigation is warranted.
- d. **Item 4 – Water.** Grading and land clearing activities associated with road, utility, and construction improvements will disturb the physical environment of the project site, creating the potential for increased erosion. In addition, the creation of impervious surfaces through compaction and over-covering (driveway improved, structures erected) of soil may alter drainage patterns, will reduce absorption rates and increase the volume of storm water drainage from the site. However, if the Rinehart development project is approved, the Town of Paradise will condition the project to require the submittal of a detailed soil erosion control plan approved by the Town Engineer prior to the conduct of construction activity associated with any required improvements. As with any potential future development proposed for the site, the mode of sewage disposal for any future single family residential development would be an individual on-site septic tank and absorption field system. Construction of onsite systems is administered in accordance with applicable town

adopted sewage disposal requirements. Accordingly, no significant impacts regarding increased erosion or water quality are anticipated by staff and no mitigation is warranted.

- e. **Item 5 – Air Quality.** Town approval of the Rinehart General Plan amendment/rezone and tentative parcel map applications will create the potential for adverse impacts to adjacent properties related to dust emissions generated during activities associated with construction of required site improvements. However, if the Rinehart tentative parcel map is approved, the Town of Paradise will condition the project to require the submittal of a detailed dust emissions control plan approved by the Town Engineer and/or Butte County Air Quality Management District prior to the conduct of construction activity associated with required site improvements. Accordingly, no significant impacts regarding air quality are anticipated by staff and no mitigation is warranted.
  
- f. **Item 6 - Transportation/Circulation.** Access to the project site is provide via Neal Road, a paved public street and Sutter Road, a private road that is substandard with regard to its width and its improved surface. As designed and submitted, this project will result in the creation of a small incremental increase in vehicle trips along Sutter Road. As a matter of practice, the town requires project developers to construct pro-rata share upgrade improvements for private roads to which the burden of additional vehicle trips is foreseen as a result of project approval. If the project is approved, the Town of Paradise will condition the project accordingly. Therefore, no significant project-induced traffic impacts are foreseen and no mitigation is warranted.
  
- g. **Item 7 - Biological Resources.** Though unlikely, development of adequate access for Parcel No. 3 may result in the felling and removal of one or two trees large enough to require the issuance of a town tree permit prior to any tree felling activity. This is not deemed to be significant, since the area contains many native pine and oak trees. In addition, current town tree felling regulations require the felled trees to be replaced with tree species native to Northern California mountain areas.

Review of the California DFG natural diversity data base information for the Paradise area reveals that no known rare, endangered or sensitive plant or animal species exist or inhabit the project site or its immediate vicinity. In addition, the project site is relatively small and does not include any unusual or specialized habitat. It is not anticipated that the ultimate creation of two new residential building sites will significantly displace area animal populations. Therefore, no significant adverse impacts to local biological resources are foreseen and no mitigation appears to be warranted.

- h. **Item 8 – Energy and Mineral Resources.** Due to the fact that the project is limited to the potential for two additional residential building sites, no significant loss or use of non-renewable resources is expected. In addition, any new residence will be required to be constructed in accordance with current Town adopted California Code energy-efficiency standards. Therefore, no significant adverse impacts to energy resources are foreseen and no mitigation appears to be warranted.
  
- i. **Item 9 - Hazards.** Since no known areas of toxic contamination exist on or in the vicinity of the project site, the project should not involve exposure of people to potential health hazards. In addition, the proposed General Plan amendment/rezone and minor land division coupled with the subsequent construction of residential improvements should not pose significant or unusual health risks associated with explosions or the release of toxic substances and no mitigation appears to be warranted.
  
- j. **Item 10 - Noise.** It is likely that the project will result in increases of existing noise levels that would occur predominantly during the eventual construction of road improvements and future residential improvements. Such impact should be short term and should not be substantially adverse provided permissible community noise levels as established by the town's noise ordinance are not exceeded. Therefore, no significant adverse impacts related to noise are foreseen and no mitigation appears to be warranted.
  
- k. **Item 11 - Public Services [Fire and Police Protection, Schools, etc.]**

**Fire Protection:** Fire flow requirements are the responsibility of the Paradise Fire Department with cooperative actions implemented by the Paradise Irrigation District (PID) and local project developers. Comments received from the Town Fire Marshal indicate that adequate fire flow can be provided to the project site. If approved, the Town of Paradise will condition the project in accordance with all town-adopted California Fire Code requirements, including the use of fire resistant construction materials for future structures established upon resultant lots and vegetation clearance to assist in developing defensible space and enhancing fire safety. Accordingly, no significant impacts related to fire protection are foreseen as a result of project approval.

**Schools:** Based upon a 0.39 student yield factor per new home, it is estimated that a potential increase of approximately 0.78 new students will ultimately be generated by the proposed land division. Current revenues received from developers of new dwelling construction accounts for a portion of the actual local schools costs for permanent and interim school facilities, transportation, and also, administrative

support facilities. Subsequent development of future single-family residential land use within the project site(s) will result in the payment of school impact fees intended to partially offset the impact of increased school enrollment. In consideration of the limited scope of this proposed project in conjunction with the previous stated observations, no significant adverse impacts related to local schools are expected.

i. **Item 12 - Utilities and Service Systems.**

**Sewage Disposal:** The mode of sewage disposal for each proposed vacant parcel is an individual septic tank and absorption field system. The project applicant has secured a determination from Town Public Works Department Onsite Division staff that the size of the site and the soil characteristics present display compliance with the requirements of the Town of Paradise sewage disposal ordinance for the creation of two additional residential building sites as shown upon the proposed Rinehart parcel map. Therefore, no significant adverse effect regarding sewage disposal is foreseen and no mitigation appears to be warranted.

**Water Supply:** The Paradise Irrigation District (PID) currently supplies water to the project site. It is not anticipated that a substantial amount of additional water usage would occur as a result of project approval and the subsequent creation of two additional residential building sites. Comments received from PID staff relative to this project do not indicate a concern regarding the district's delivery facilities or their capacity to serve the proposed project. Therefore, no significant impacts related to water supply are anticipated as a result of project approval and no mitigation appears to be warranted.

m. **Item 13 - Aesthetics.** The project is located within the formally designated scenic highway corridor. The actual aesthetic impact of the project upon the immediate area should be minimal, since future development of the new parcels should not be out of character with the existing environmental setting or inconsistent with the intent of General Plan Policies or PMC regulations intended to protect the visual quality of the Town's neighborhoods. In addition, proposed parcels 1 and 3 are located to the west of the currently developed, and proposed parcel 2, diminishing their visibility from the scenic highway corridor. Thus, such impact is deemed to be insignificant and no mitigation is warranted.

n. **Item 14 - Cultural Resources.** The project site is located within an area that is identified as being sensitive for prehistoric, ethnographic, and historic cultural resources. A written analysis of an evaluation of the site was prepared and submitted to the Town of Paradise by Sean Michael Jensen, M.A. of Genesis Society on July 1, 2010. The analysis revealed no historical or archaeological sites

that would preclude the proposed land division. However, the possibility exists that ground-disturbing activities associated with future development of the site could result in the discovery of cultural resources.

**Mitigation Measure:**

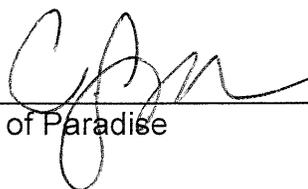
1. The following note shall be placed upon the final parcel map information sheet: "If any archaeological resources are uncovered during the course of future development or construction activities, all work shall stop in the area of the find until a qualified archaeologist provides an appropriate evaluation of the discovery."
- o. **Item 15 - Recreation.** The creation of two new residential building sites creates the potential for additional Paradise citizens that will utilize existing park and recreation facilities. This additional usage will contribute to an ongoing cumulative impact upon the existing park and recreation facilities. However, the Town subdivision ordinance requires land divisions to either set aside property or provide "in-lieu" funds to the recreation district to offset the eventual added impact upon area wide recreation facilities. Therefore, no significant adverse impacts related to local recreational opportunities are expected as a result of project approval.

**IV. DETERMINATION.**

On the basis of this initial evaluation:

1. I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. \_\_\_\_\_
2. I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in this document shall be added to the project. **A NEGATIVE DECLARATION WILL BE PREPARED.** X
3. I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. \_\_\_\_\_

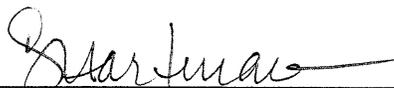
Date 7/28/10

Signature   
For: Town of Paradise

## V. REFERENCES

1. Town of Paradise 1994 General Plan, Town of Paradise Community Development Department and QUAD Consultants
2. Town of Paradise inventory map of archaeologically sensitive areas 1987, CSUC Anthropology Department
3. Master storm drainage study and facilities plan, Paradise, California, 1980, McCain Associates
4. Paradise Irrigation District water distribution maps, updated through January, 2000
5. USGS topographic map: Cherokee, Calif. 1:24,000 Quadrangle, 1994
6. The California natural diversity data base, state Department of Fish and Game, 1988 and 1990
7. "Soils of Paradise and Their Ability to Treat Domestic Wastewater," Wert and Associates, 1992
8. Town of Paradise Zoning Ordinance; Town of Paradise Community Development Department
9. Site inspection by Town planning staff; July 2, 2010
10. Rinehart General Plan amendment/rezone and parcel map project application materials submitted to the Town of Paradise on May 11, 2010
11. Written results of an archaeological survey for the Rinehart General Plan amendment/rezone and parcel map project conducted by Sean Michael Jensen, M.A., dated June 30, 2010

Initial Study  
Prepared by:



Susan Hartman  
Assistant Planner

**TOWN OF PARADISE  
RESOLUTION NO. 10-\_\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE  
AMENDING THE LAND USE MAP OF THE 1994 PARADISE GENERAL PLAN  
(PL10-002600: FEATHER RIVER HOSPITAL AND PL10-00194: RINEHART)**

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

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

**WHEREAS**, Section 65358 of the California Government Code allows 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 Resolutions Nos. 10-10 and 10-11; and has considered the comments made at a public hearing conducted by the Council; and on the basis thereof has determined pursuant to Section 65358 of the Government Code 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) amendments and rezone projects are appropriate and reasonable because they would assign general plan land use designations and zoning to the affected properties that are appropriate and reasonable in a manner that **a)** promote the development of additional housing opportunities in the town, **b)** are compatible with existing residential land uses in the surrounding area and therefore are consistent with 1994 Paradise General Plan policies that are applicable to single-family residential land development, **c)** promote the development of a portion of property in accordance with a general lack of physical constraints and **d)** promote the development of additional health care services for Paradise citizens.

**RESOLUTION NO. 10-\_\_\_\_\_**

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

**Section 1.** The Town Council hereby adopts said amendment to the 1994 Paradise General Plan known as PL10-00260 affecting the General Plan land use map designation for a land area located at 1933 Peach Lane and 5960 Pentz Road in Paradise and further identified as AP Nos. 053-271-006 and 053-390-010 and a portion of AP No. 053-390-011 as described in Exhibit "A" and attached hereto and made a part hereof by reference.

**Section 2.** The Town Council hereby adopts said amendment to the 1994 Paradise General Plan known as PL10-00194 affecting the General Plan land use map designation for a land area located at 3527 Neal Road in Paradise and further identified as AP No. 055-050-025, and as set forth in Exhibit "B" and attached hereto and made a part hereof by reference.

**PASSED AND ADOPTED** by the Town Council of the Town of Paradise this \_\_\_\_\_ day of \_\_\_\_\_ 2010, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**NOT VOTING:**

\_\_\_\_\_  
Scott Lotter, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Joanna Gutierrez, Town Clerk

**APPROVED AS TO FORM:**

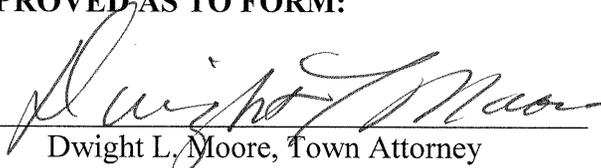
By:   
Dwight L. Moore, Town Attorney

EXHIBIT "A"

FEATHER RIVER HOSPITAL

All that real property being a portion of the northwest one-quarter of Section 19, T.22 N., R.4 E., M.D.M., situated in the Town of Paradise, County of Butte, State of California, being more particularly described as follows:

**Beginning** at the northeast corner of said northwest one quarter of said Section 19 as shown that map entitled "Parcel Map for Reversion To Acreage for Feather River Hospital" as filed January 21, 1981 in Book 81 of Maps at pages 48, 49 and 50 in the Office of the Recorder, County of Butte, State of California;

Thence from said point of beginning on and along the easterly line of said northwest one quarter of said Section 19 as shown on said Parcel Map; South  $01^{\circ}08'44''$  East 100.00 feet more or less to a point on the boundary of Parcel One as shown on said map;

Thence on and along the boundary of said Parcel One the following courses, South  $89^{\circ}19'15''$  West 124.99 feet;

Thence South  $01^{\circ}08'44''$  East 94.68 feet;

Thence South  $89^{\circ}41'46''$  West 389.79 feet to a point on the easterly right-of-way line of the Pentz Magalia Highway;

Thence on and along said right-of-way line North  $01^{\circ}28'12''$  East 14.95 feet;

Thence leaving said right-of-way line North  $89^{\circ}41'46''$  East 205.48 feet;

Thence North  $01^{\circ}08'44''$  West 178.53 feet;

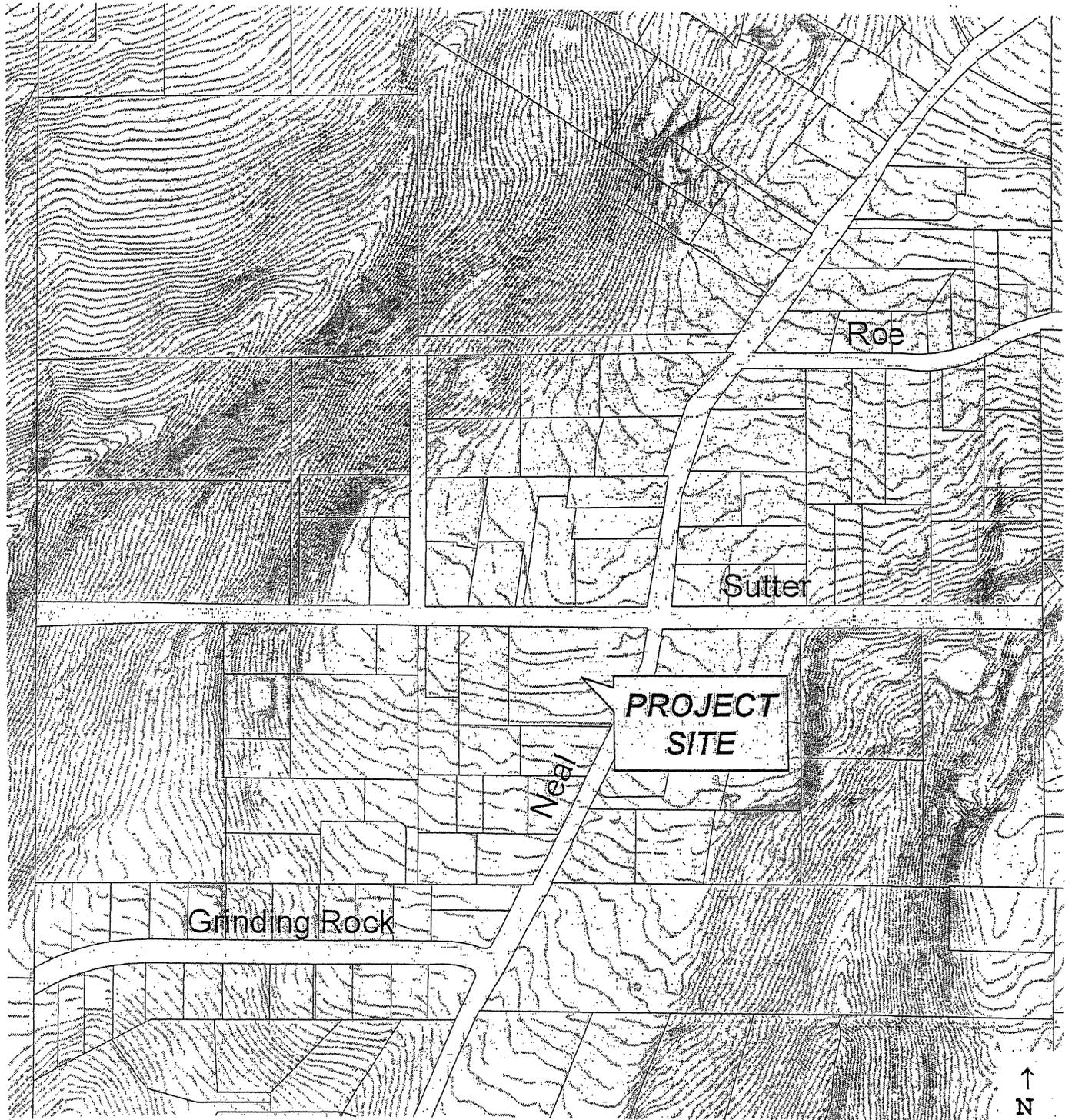
Thence leaving said boundary of said Parcel One, North  $89^{\circ}19'15''$  East 308.60 feet more or less to point of beginning.

Containing, 1.18 acres more or less.



Malcolm J. Macdonald  
5/5/2010

EXHIBIT B



APPLICANT: Verrill & Wilbur Rinehart		ADDRESS: 3527 Neal Rd
OWNER: Verrill & Wilbur Rinehart		
PROJECT DESCRIPTION: General Plan amendment/property rezone application proposing to change the General Plan land use designation from AR to RR for a +2.27 acre property to facilitate a division of the property into three parcels of record		
Zoning: AR-1	GENERAL PLAN: AR	FILE NO. PL10-00193, 194
ASSESSOR PARCEL NO. 055-050-025		MEETING DATE: 8/17/2010

**TOWN OF PARADISE**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE REZONING CERTAIN REAL PROPERTIES FROM “RR-1/2” (RURAL RESIDENTIAL, 1/2-ACRE MINIMUM) TO A “C-S” (COMMUNITY-SERVICES) ZONE; AND FROM “AR-1 (AGRICULTURAL RESIDENTIAL, 1 ACRE MINIMUM) TO “RR-1/2” (RURAL RESIDENTIAL, 1/2-ACRE MINIMUM) ZONE PURSUANT TO PARADISE MUNICIPAL CODE SECTIONS 17.45.500 ET. SEQ. (PL10-00260: FEATHER RIVER HOSPITAL AND PL10-00194: RINEHART)**

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

**SECTION 1.** The hereinafter described real properties situated in the Town of Paradise, State of California, shall be and are hereby zoned “C-S” (Community-Services) as described in Chapter 17.26 of the Paradise Municipal Code and such land area shall be subject to the restrictions, restricted uses and regulations of said chapter. The real properties so zoned are located at 1933 Peach Lane and 5960 Pentz Road in the Town of Paradise, and are more particularly identified as AP Nos. 053-271-006 and 053-390-010 and a portion of AP No. 053-390-011 as described within the attached Exhibit “A”.

**SECTION 2.** The hereinafter described real property situated in the Town of Paradise, State of California, shall be and is hereby zoned “RR-1/2” (Rural Residential, 1/2-Acre Minimum) as described in Chapter 17.12 of the Paradise Municipal Code and such land area shall be subject to the restrictions, restricted uses and regulations of said chapter. The real property so zoned is located at 3527 Neal Road in the Town of Paradise, and is more particularly identified as AP No. 055-050-025.

**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.

**ORDINANCE NO. \_\_\_\_**

**PASSED AND ADOPTED** by the Town Council of the Town of Paradise, County of Butte, State of California, on this \_\_\_\_ day of \_\_\_\_\_, 2010, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**NOT VOTING:**

---

Scott Lotter, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Joanna Gutierrez, Town Clerk

**APPROVED AS TO FORM:**

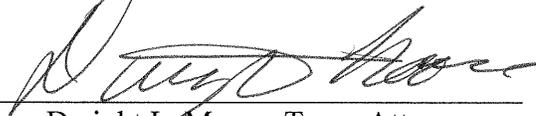
By:  \_\_\_\_\_  
Dwight L. Moore, Town Attorney

EXHIBIT "A"

FEATHER RIVER HOSPITAL

All that real property being a portion of the northwest one-quarter of Section 19, T.22 N., R.4 E., M.D.M., situated in the Town of Paradise, County of Butte, State of California, being more particularly described as follows:

**Beginning** at the northeast corner of said northwest one quarter of said Section 19 as shown that map entitled "Parcel Map for Reversion To Acreage for Feather River Hospital" as filed January 21, 1981 in Book 81 of Maps at pages 48, 49 and 50 in the Office of the Recorder, County of Butte, State of California;

Thence from said point of beginning on and along the easterly line of said northwest one quarter of said Section 19 as shown on said Parcel Map, South 01° 08' 44" East 100.00 feet more or less to a point on the boundary of Parcel One as shown on said map;

Thence on and along the boundary of said Parcel One the following courses, South 89°19'15" West 124.99 feet;

Thence South 01°08'44" East 94.68 feet;

Thence South 89°41'46" West 389.79 feet to a point on the easterly right-of-way line of the Pentz Magalia Highway;

Thence on and along said right-of-way line North 01°28'12" East 14.95 feet;

Thence leaving said right-of-way line North 89°41'46" East 205.48 feet;

Thence North 01°08'44" West 178.53 feet;

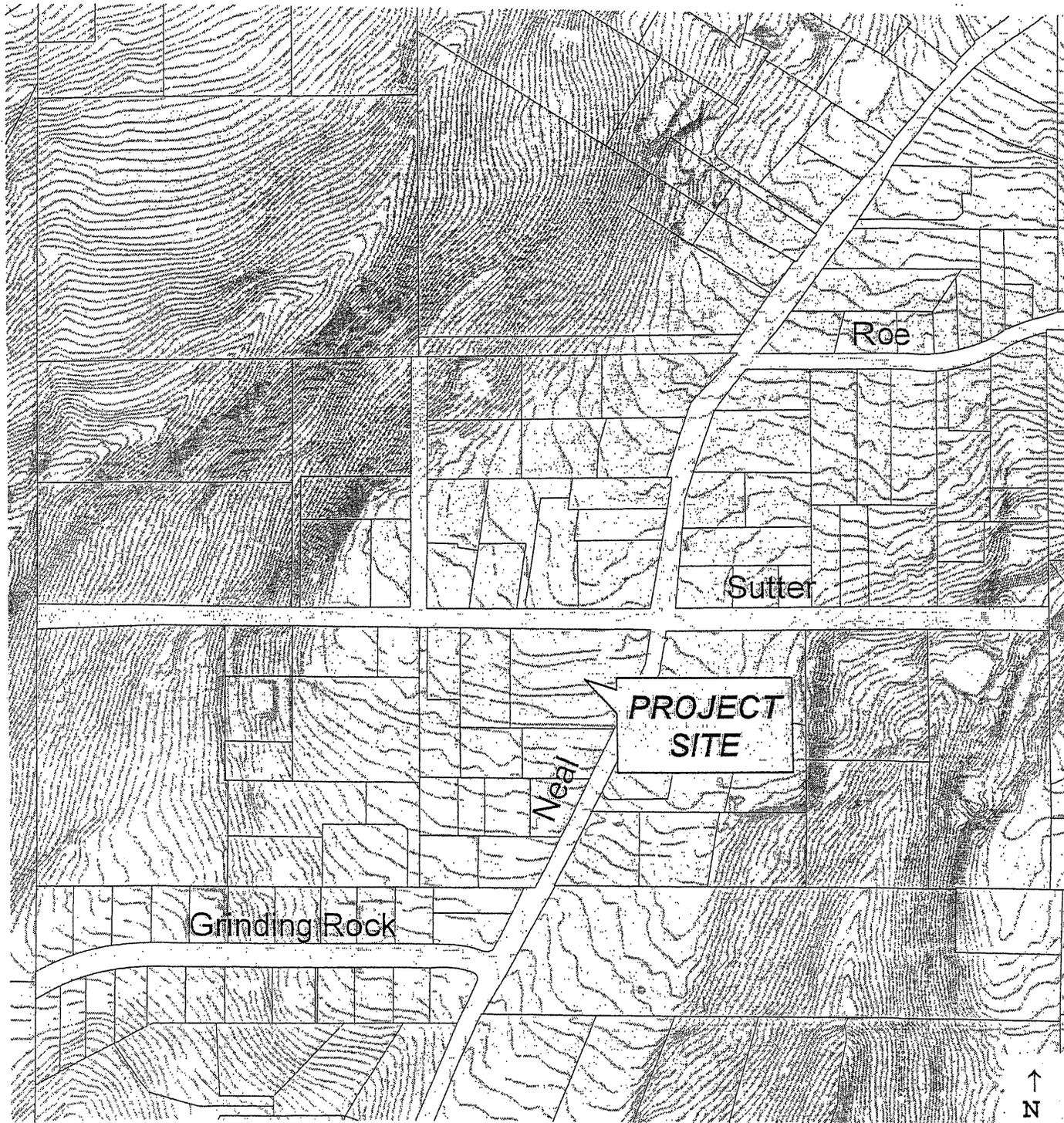
Thence leaving said boundary of said Parcel One, North 89°19'15" East 308.60 feet more or less to point of beginning.

Containing, 1.18 acres more or less.



Malcolm J. Macdonald  
5/5/2010

EXHIBIT B



APPLICANT: Verrill & Wilbur Rinehart

ADDRESS: 3527 Neal Rd

OWNER: Verrill & Wilbur Rinehart

PROJECT DESCRIPTION:

General Plan amendment/property rezone application proposing to change the General Plan land use designation from AR to RR for a +2.27 acre property to facilitate a division of the property into three parcels of record

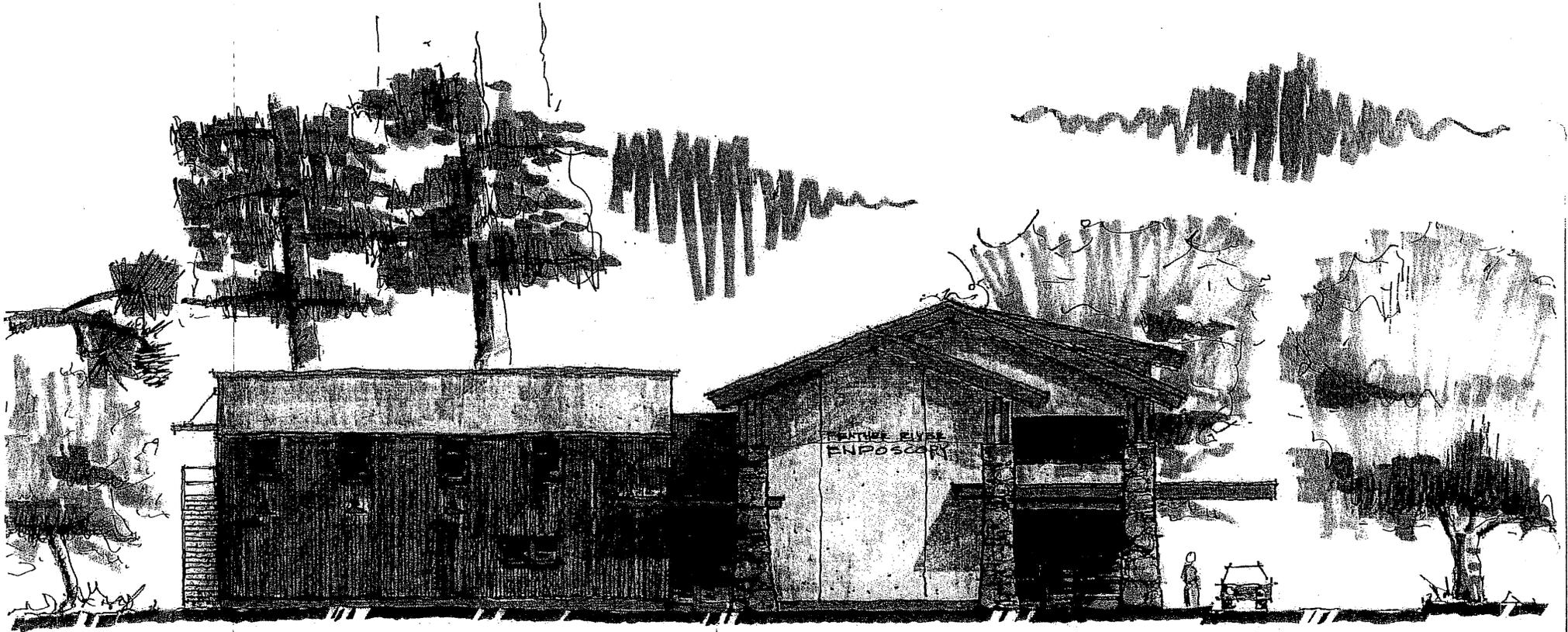
Zoning: AR-1

GENERAL PLAN: AR

FILE NO. PL10-00193, 194

ASSESSOR PARCEL NO. 055-050-025

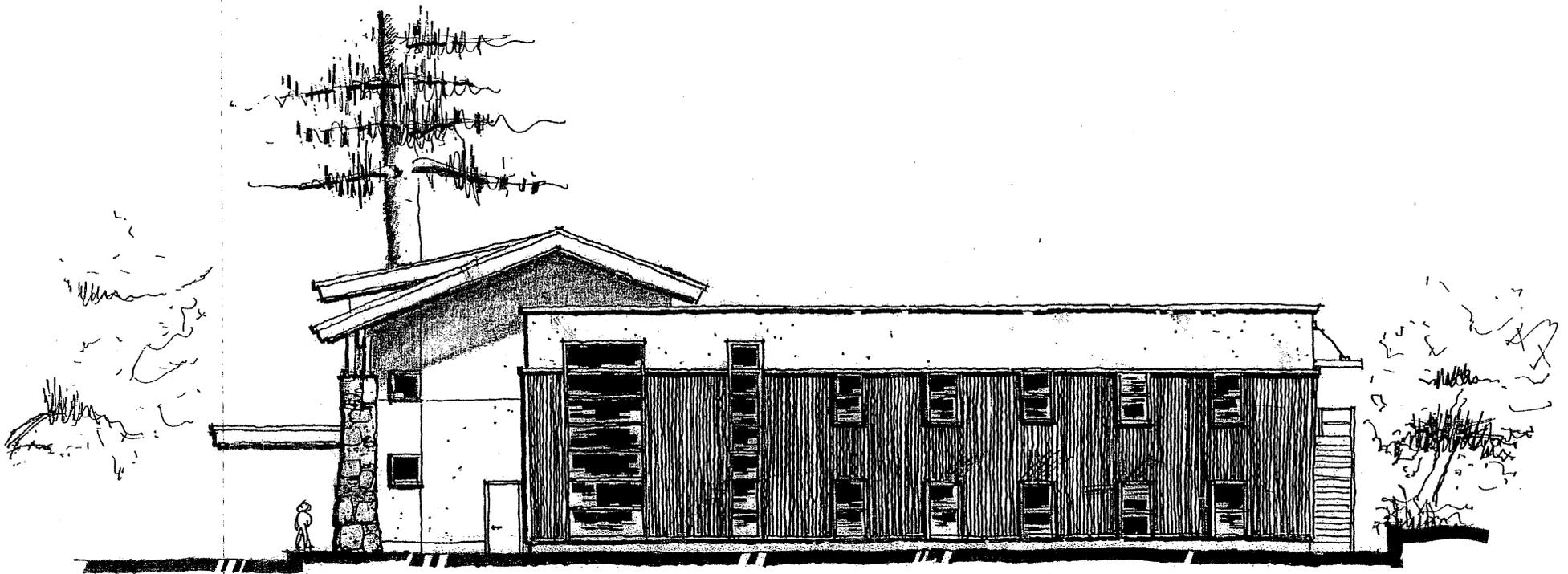
MEETING DATE: 8/17/2010



FRH. ENDOSCOPY

WEST ELEVATION - SCALE 3/32" = 1'-0"

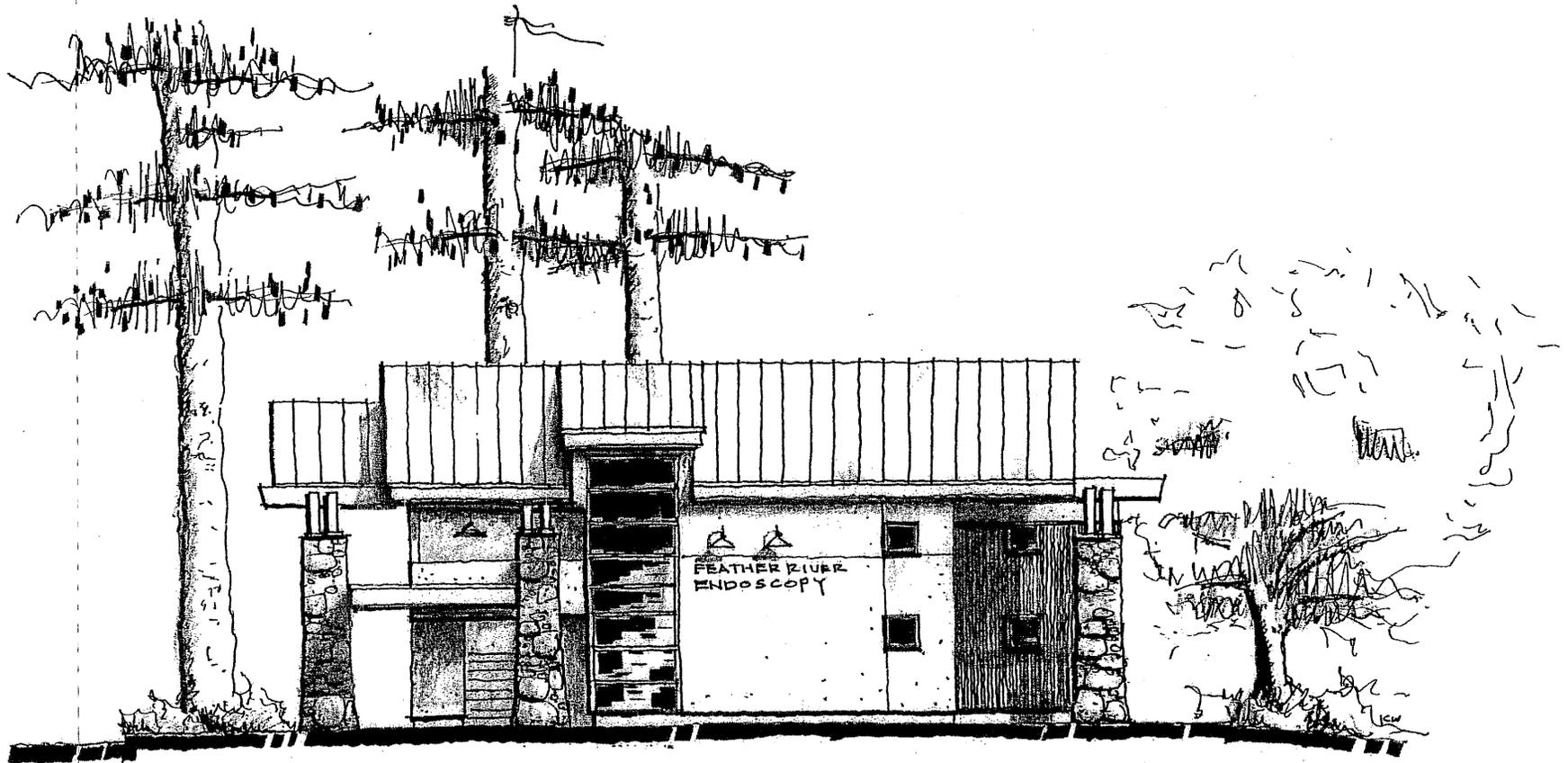
NIM  
& R



**F.R.H. ENDOSCOPY**  
EAST ELEVATION - SCALE 3/32" = 1'-0" 6-30-09

**RECEIVED**  
JUN 29 2010  
TOWN OF PARADISE  
COMMUNITY DEVELOPMENT DEPT





**F.R.H. ENDOSCOPY**  
SOUTH ELEVATION — SCALE  $\frac{3}{32}'' = 1'-0''$  6-30-09

NM  
&R

*Malcolm J. Macdonald*  
 Malcolm J. Macdonald  
 P.L.S. 8218  
 Expires: March 31, 2011

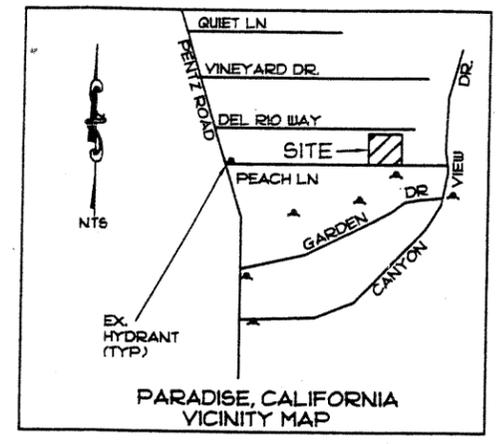


NOTE:  
 BOUNDARY INFORMATION COMPILED FROM RECORD DATA. BEARINGS AND DISTANCES PER 81-MAPS-48 BUTTE COUNTY RECORDS.

Rural Residential 1/2 Acre min.

Community Services

ZONING BOUNDARY



**Robertson Erickson**  
 Civil Engineers and Surveyors  
 888 Manzanita Court, Suite A  
 Chico, CA 95926  
 530-894-3500 894-8955 fax

N 89°42'15" E

221.12'

Rural Residential 1/2 Acre min.

Community Services

N 00°00'15" E

195.86'

OWNER: FEATHER RIVER HOSPITAL  
 5974 PENTZ ROAD  
 PARADISE, CA 95969

ASSESSOR PARCEL NUMBER: 053-271-006  
 ADDRESS: 1933 PEACH LANE

CURRENT ZONING: RR 1/2  
 PROPOSED ZONING: CS  
 AREA: 1.0 Acre

N 00°00'15" E

197.00'

N 89°46'37" E

221.12'

SCALE: 1" = 40'

PEACH LANE (private road)

EXISTING HYDRANT

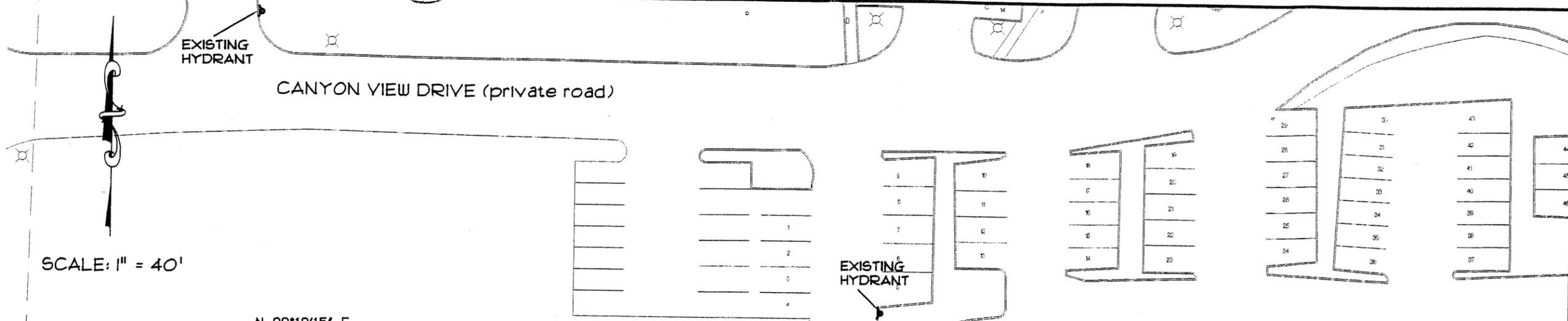
RECEIVED  
 JUN 20 2010  
 TOWN OF PARADISE  
 COMMUNITY DEVELOPMENT DEPT.

REZONE PLAT  
 PEACH LANE PARADISE, CA  
 FOR: FEATHER RIVER HOSPITAL

R1

09-622

JCM



**Robertson Erickson**  
 Civil Engineers and Surveyors  
 888 Manzanita Court, Suite A  
 Chico, CA 95926  
 530-894-3500 894-8955 fax

PENTZ ROAD

N 01°28'12" E  
177.30'

OWNER: FEATHER RIVER HOSPITAL  
 5974 PENTZ ROAD  
 PARADISE, CA 95969

ASSESSOR PARCEL NUMBER:  
 053-390-010

ADDRESS: 5960 PENTZ ROAD

CURRENT ZONING: RR 1/2  
 PROPOSED ZONING: CS  
 AREA: 0.82 Acre

N 01°08'44" W  
178.53'

N 89°41'46" E  
205.48'

Rural Residential 1/2 Acre min.

ZONING BOUNDARY

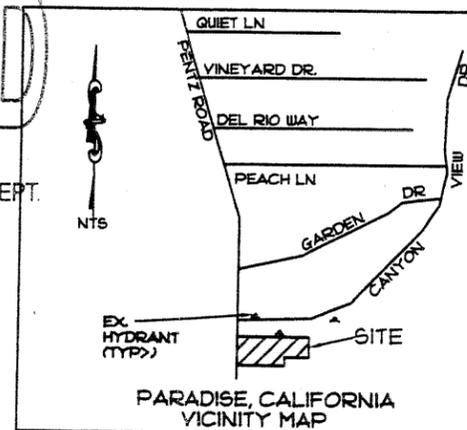
NOTE:

BOUNDARY INFORMATION COMPILED FROM RECORD DATA. BEARINGS AND DISTANCES PER 81-MAPS-48 BUTTE COUNTY RECORDS. LOTS I AND J WERE PART OF A REVERSION TO ACREAGE FOR FEATHER RIVER HOSPITAL PER 81-MAPS-48.

*Malcolm J. Macdonald*  
 Malcolm J. Macdonald  
 P.L.S. 8218  
 Expires: March 31, 2011

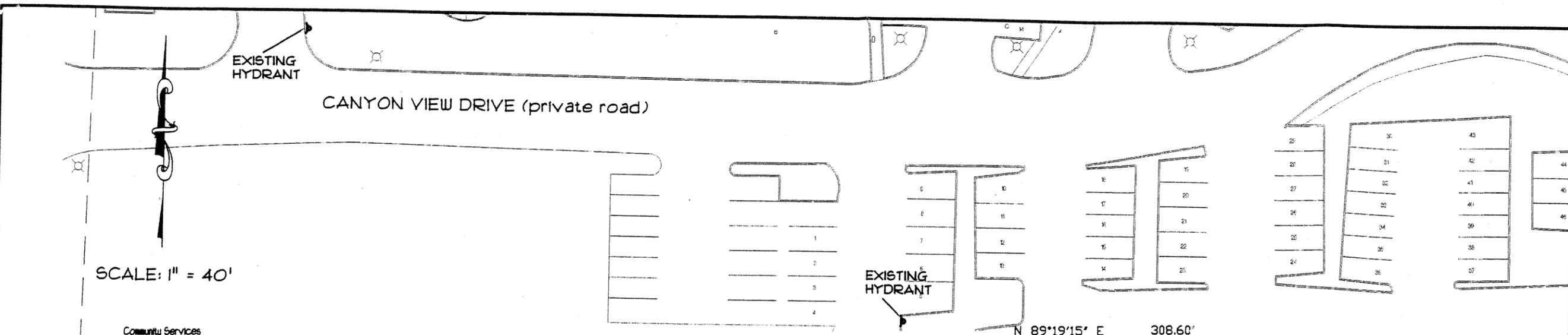
**RECEIVED**  
 JUN 29 2010

TOWN OF PARADISE  
 COMMUNITY DEVELOPMENT DEPT.

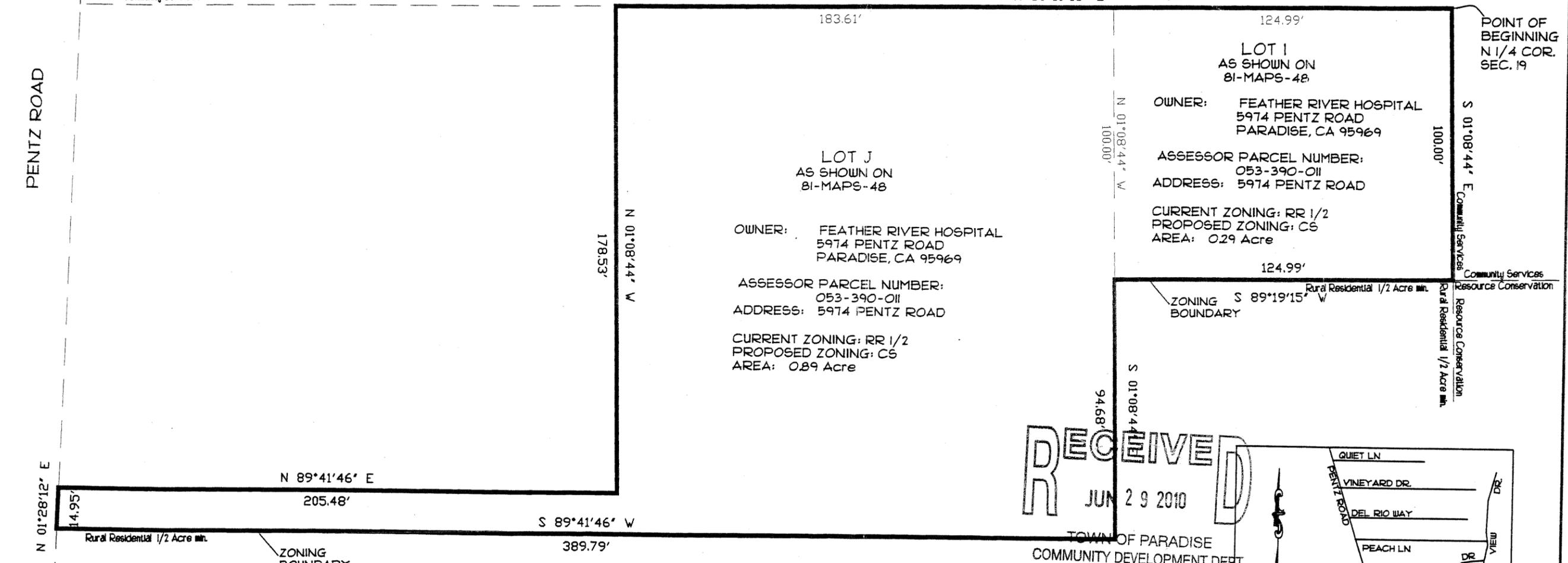


**REZONE PLAT**  
**5960 PENTZ ROAD**  
**FOR: FEATHER RIVER HOSPITAL**

**R2**



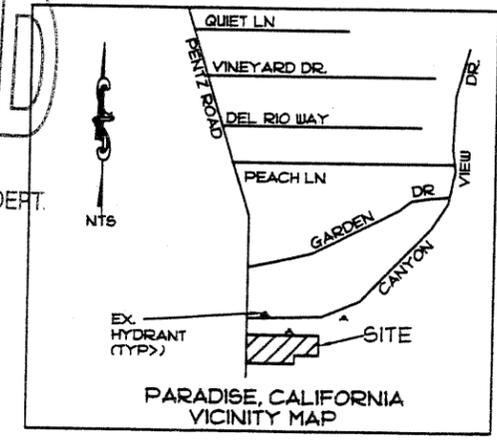
**Robertson Erickson**  
 Civil Engineers and Surveyors  
 888 Manzanita Court, Suite A  
 Chico, CA 95926  
 530-894-3500 894-8955 fax



**REZONE PLAT**  
**LOTS I & J**  
**FOR: FEATHER RIVER HOSPITAL**

**NOTE:**  
 BOUNDARY INFORMATION COMPILED FROM RECORD DATA. BEARINGS AND DISTANCES PER 81-MAPS-48 BUTTE COUNTY RECORDS. LOTS I AND J WERE PART OF A REVERSION TO ACREAGE FOR FEATHER RIVER HOSPITAL PER 81-MAPS-48.

*Malcolm J. Macdonald*  
 Malcolm J. Macdonald  
 P.L.S. 8218  
 Expires: March 31, 2011



Town of Paradise  
**Council Agenda Summary**  
September 14, 2010

Agenda No.: 5c

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Originated By: Lauren Gill, Business/Housing Services Director 

Reviewed By: Charles L. Rough, Jr., Town Manager 

**Subject: Public Hearing – 2009-10 Consolidated Annual Performance and Evaluation Report for the Community Development Block Grant Program**

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**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 report covers activities, regardless of the year in which it was funded, that are still open and active. This CAPER covers activities in the 2004-2009 program years. 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.

**Financial Impact:**

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.

Attachment



# PUBLIC REVIEW COPY

2009-2010 – DRAFT CONSOLIDATED  
ANNUAL PERFORMANCE EVALUATION  
REPORT  
(CAPER)

Town of Paradise  
5555 Skyway  
Paradise, CA 95969



# Town of Paradise, California

## FIRST PROGRAM YEAR CAPER

(July 1, 2009 through June 30, 2010)

**GENERAL**

### Executive Summary

The Consolidated Annual Performance and Evaluation Report (CAPER) covers the program year beginning July 1, 2009 and ending June 30, 2010. The Town received \$222,021 in Community Development Block Grant funds for the 2009-2010 program year. The funds were allocated in compliance with the 2009-2010 Annual Action Plan as approved by the Paradise Town Council. A substantial amendment was submitted and approved by HUD and the Paradise Town Council after the required public review period and public hearing to reallocate CDBG funds previously earmarked for other projects. This amendment will be discussed later in this document. The activities funding in the 2009-2010 program year were:

- Community Organizations .....\$33,300
- Housing Assistance.....\$64,317
- Planning and General Administration.....\$44,404
- Economic Development.....\$80,000

The following table (Table 1) depicts a breakdown of funds allocated and expended by specific category and also shows the funds allocated/expended in community facilities in all open program years. For further information, narrative explanations follow behind the tables.

<b>Table 1. Funds Allocated/Expended by Program Year</b> This table includes all open grant program years			
<b>PROGRAM YEAR</b>		<b>2009-2010</b>	
<b>Activity</b>	<b>Site Address</b>	<b>Funds Allocated</b>	<b>Funds Expended</b>
Boys & Girls Club	6249 Skyway	\$5,060	\$5,060
Catalyst, Women’s Advocates	6249 Skyway	\$10,060	\$10,060
Paradise Recreation and Park District	6626 Skyway	\$4,061	\$4,061
Peg Taylor Adult Day Health Care Center	124 Parmac, Chico	\$5,060	\$5,060

Town of Paradise

STRIVE	6626 Skyway	\$2,061	\$2,060
Youth for Change	5538 Skyway	\$7,000	\$7,000
Housing Programs	Various Locations	\$64,317	\$54,149
Economic Development Commercial Facade	Various Locations	\$80,000	0
Program Planning & Administration	5555 Skyway	\$44,404	\$44,404
<b>Program Year</b>		<b>2008-09</b>	
American Recovery and Reinvestment Act	Black Olive Park and Ride	\$59,677	0
Public Facilities – Wastewater Treatment	CIP#9408	\$80,000	\$4,400
<b>Program Year</b>		<b>2007-08</b>	
Public Facilities	Berry Creek Drive	\$95,691	0
<b>Program Year</b>		<b>2006-07</b>	
Public Facilities	Berry Creek Drive	\$43,374	0
<b>Program Year</b>		<b>2005-06</b>	
Public Facilities	Berry Creek Drive	\$54,517	0
<b>Program Year</b>		<b>2004-05</b>	
Public Facilities	Berry Creek Drive	\$37,226	0

The following table (Table 2) lists the goals and accomplishments for the program year period.

<b>Table 2. Goals/Accomplishments</b>			
<b>Activity</b>	<b>Goal</b>	<b>Accomplishments</b>	<b>Funds Expended</b>
Housing Assistance			
Economic Development			\$
Boys & Girls Club	30	29	\$5,060
Catalyst	200	135	\$10,060
CHCC	175	131	\$7,000
PRPD	83	66	\$4,061
Peg Taylor Center	875	860	\$5,060
STRIVE	33	30	\$2,060
Youth for Change	200	314	\$7,000

## Community Organizations

As a part of the Community Development Block Group (CDBG) Annual Plan process, the Town has the option of allocating a maximum of 15% of its annual CDBG budget to fund eligible public services in the community. Council directed staff to establish a subcommittee consisting of two council representatives and two staff members to hold preliminary interviews with interested subrecipients. The purpose of the subcommittee was to meet with the subrecipients and make a formal recommendation to the Council for final approval.

In accordance with HUD regulations, a notice was published in the newspaper announcing that funding would be available. Notices were placed at the Family Resource Center, the Senior Center, and the Library, and in the Chamber e-newsletter. As a courtesy, notices were also sent to prior year subrecipients, as well as to agencies that called for applications. Twelve organizations responded to the request for funding proposals by submitting a formal application, eleven of those were eligible for the interview. The subcommittee, consisting of Council members Culleton and DiDuca, along with the Director of Business and Housing Services and the Administrative Analyst for the division, met with each of the applicants on April 6, 2009.

In forming its recommendation, the committee discussed the current economic downturn and its effect on non-profit organizations, especially those that provide vital services that assist individuals and families in crisis. Although all of the organizations were deserving, the Town's allotment was much smaller than the requests for funding. This is a major factor in the discrepancy between the number of proposed vs. actual accomplishments. The committee was faced with a tough decision and decided to focus on emergency and vital services that assist individuals and families in crisis, especially those badly affected by the economy.

<b>Applicant Name:</b>	<b>Request Amount:</b>	<b>Proposed Program</b>	<b>Sub-committee Recommendation</b>	<b>Council Recommendation</b>
Strive	\$3,000	Support for individuals with disabilities, rental fee for St. Nicholas Episcopal Church and Grange Hall.	\$2,000	<b>\$2,060</b>
Boys & Girls Club	\$5,200	New educational program for teens focusing on financial literacy, awareness and responsibility.	\$5,000	<b>\$5,060</b>
Peg Taylor Center	\$6,500	Services for physically & developmentally challenged residents, and services for senior population	\$5,000	<b>\$5,060</b>
Paradise Recreation and Park District	\$5,000	Scholarships for low/moderate income youth to participate in PRPD Youth Sports	\$4,000	<b>\$4,060</b>

Town of Paradise

Work Training Center	\$3,630	Buy a new kiln to increase production of artwork for Made in Paradise store.	\$0	\$0
Youth for Change	\$7,000	Assistance to low income families to pay for emergency needs and bills.	\$7,000	\$7,000
Care Net	\$7,500	Provide pregnancy/parenting classes to low-income participants.	\$0	\$0
Catalyst	\$13,635	Service needs of domestic violence and children, shelters, hotlines, counseling, restraining orders.	\$10,000	\$10,060
Paradise Center for Tolerance & Nonviolence	\$3,000	Hire a part-time Youth Director to coordinate the youth bullying program (STARS) at local schools.	\$0	\$0
Salvation Army	\$20,000	Start an assistance program for school-aged children to buy new clothes and get a haircut before the school year begins.	\$0	\$0
Community Housing & Credit Counseling	\$7,000	Provide educational sessions to low/moderate families and individuals in the areas of first time home ownership, rental and financial management at a Paradise location.	Will fund out of Housing budget	<b>Approved.</b>
<b>TOTAL</b>	<b>\$88,567</b>	<b>Funding available: \$32,960</b>	<b>\$33,000</b>	<b>\$33,300</b>

**Housing Programs**

The Town has one ¾-time and one part-time staff devoted exclusively to housing activities. Additionally, two full-time personnel and one accounting person provide support and assistance as needed. During the 2009-10 year, approximately \$664,351 was spent on mortgage assistance and owner-occupied housing rehabilitation programs. This amount includes all funding sources, including revolving fund and program income accounts. The Town’s current housing program funded by CDBG, HOME, CalHome and a small amount of RDA funds, is very successful and crucial to low/mod income residents. In the coming year, staff proposes using advertising of First Time Home Buyer assistance in local periodical publications to stimulate this program.

**Public Improvements**

The plans for a memorial park on Berry Creek Drive are being revised to narrow the scope of the project and break it into a phased development project to facilitate incremental and more cost effective progress. A substantial amendment to the Annual Action Plan was submitted and approved, reallocating the remaining money in the memorial park fund to be used in land acquisition for the Town’s

more pressing project of removing slum/blight by development and construction of wastewater treatment system. The Town of Paradise is the largest municipality in the nation without a municipal sewer system. The substantial amendment helped fund this monumental step in the right direction for the town.

The Town of Paradise is the largest municipality without a municipal sewer system. The Substantial Amendment redirected \$65,000 into acquiring a piece of land intended for development of a public wastewater treatment facility which will support many downtown businesses within town's revitalization area.

### **American Recovery and Reinvestment Act (ARRA)**

The Town of Paradise submitted a Substantial Amendment to the 2008-2009 Annual Plan on June 2, 2009. The amendment was approved and the ARRA money was earmarked to be used in combination with federal CMAQ (Congestion Mitigation and Air Quality Improvement Program) monies to improve pedestrian walkways from Pearson to Foster Road. The project promotes economic development in Paradise's Downtown area and provides much needed Downtown Parking. The proposed park-and-ride facility and pedestrian improvements will mitigate pollution by providing a facility where carpools can meet and catch rides, or catch the bus which is stationed a block away. The facility also allows for a more 'walk-able' downtown. The timeline on this project shifted slightly and is currently in the development phase, to begin construction in Spring of 2011.

### **Managing the Process**

The Community Development Block Grant Program is an integral component of the Town's downtown revitalization strategy and its comprehensive redevelopment strategy. To ensure that Community Development Block Grant funds are used to benefit the highest number of income eligible households and to coordinate the CDBG Program with other federal, state and local programs, management responsibility has been assigned to the Office of the Town Manager, Business and Housing Services Division.

The Business and Housing Services Division was initially formed in 1994, the first year the Town of Paradise received Community Development Block Grant funds. The Division provides daily program management, oversight, and long range planning and coordination with other town sponsored or funding programs and projects.

Specifically, the Division staff manages the housing programs to ensure compliance with program regulations, including income eligibility, the sub-recipient program to ensure eligibility and regulatory compliance; and public facilities projects to make certain that the program meets national objectives and compliance with program regulations.

In addition to staff's responsibilities for program management, the Paradise Town Council is directly involved in the development and adoption of the Annual Action Plan and the Consolidated Annual Performance and Evaluation Report. The Council makes the final selection of sub-recipient organizations and decides the final allocation of CDBG funds. Citizen involvement is inherent in the development and implementation plan process as oversight of the program. The Annual Action Plan and the Consolidated Annual Performance and Evaluation Report are available for public review and

comment during the respective comment periods. The Town Council, following noticed public hearings, enacts final adoption of each.

Lastly, the Town's independent auditing firm monitors all federal and state funded programs for compliance in accordance with the requirements of the Single Audit Act. The results of the audit are filed with the federal and state agencies, as required by the various funding agencies.

## Citizen Participation

The following Public Notice was published in the Paradise Post, a newspaper of general circulation in the Town of Paradise on August 28<sup>th</sup>, 2010.

### **TOWN OF PARADISE PUBLIC NOTICE OF THE 2009-10 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)**

The Town of Paradise seeks public comment on the Consolidated Annual Performance and Evaluation Report (CAPER) for the Town's Community Development Block Grant Program (CDBG). The CAPER, prepared for the U.S. Dept of Housing & Urban Development (HUD), reports on specific federal housing assistance/community development activities that occurred during the July 1<sup>st</sup>, 2009 - June 30<sup>th</sup>, 2010 program year.

Copies of the draft CAPER is available for public review at the following locations: Town Hall (5555 Skyway), Family Resource Center (6249 Skyway), Butte County Library (5922 Clark Road), the Paradise Senior Center (877 Nunneley Road), and the Paradise Chamber of Commerce, (5550 Skyway).

Citizens and groups may submit written and/or verbal comments on the CAPER during a 15-day public noticing period beginning August 30<sup>th</sup>, 2010. Comments can also be made at one of two public hearings to be held on the matter held on September 14<sup>th</sup> at 3:00 p.m. and again at 6:00 p.m., during the regular Paradise Town Council meeting (or as soon thereafter as possible) at the Town Hall Council Chambers, 5555 Skyway, Paradise. Comments received at the meetings will be summarized and included in the report. If you challenge any issues stated above in court, you may be limited to raising only those issues raised at said public hearing, or in written correspondence delivered to the Town Manager at, or prior to, the public hearing.

For information or to submit comments, contact Town of Paradise, Business & Housing Services Div., 5555 Skyway, Paradise, 95969, or phone 530-872-6235. For special accommodations for a disability or needs, call 48 hours in advance of the meeting. TDD users call CA Relay Service TDD Access #1-800-735-2929.

The following locations are known to be accessible to persons with disabilities as well as to persons of low/moderate income, as well as to citizens-at-large who may be interested in participating through public commentary. The following locations are; Town Hall (5555 Skyway, Paradise), Paradise Branch of the Butte County Library (5922 Clark Road, Paradise), Family Resource Center (6249 Skyway, Paradise), and the Paradise Ridge Senior Center (877 Nunneley Road, Paradise).

The two Public Hearings were held to gather public comments for the 2009-2010 CAPER. The public hearings were held on Tuesday, September 14<sup>th</sup> at 3:00 and 6:00 p.m. in the Town Council Chambers.

## Institutional Structure

The development of an Administrative Analyst position in July 2008 created a position dedicated to assisting with all CDBG specific projects, specifically grant administration and planning. The Business and Housing Services Division Director also serves as the Assistant to the Town Manager and Assistant Director of the Redevelopment Agency. The Town recently underwent a significant restructuring in which the Director of Business & Housing Services/Assistant Town Manager, became the Director of Development Services, an umbrella service division encompassing Fire Marshall, Community Development, Public Works, IT and Business & Housing. The comprehensive nature of the Director's position allows for the coordination of CDBG programs with redevelopment agency programs and other town programs. This coordination results in the best effective leveraging of federal, state, and local community development dollars.

The Paradise Ridge's Homeless Task Force has continued efforts to provide a forum for members to address their particular aspect of the issue, and the opportunity to coordinate the scarce resources that are available for such an important societal issue.

## Program Monitoring

The goal of the Community Development Block Grant Program is to reverse negative socio-economic trends and restore community vitality. Targeted CDBG funding can be a catalyst for comprehensive and cooperative community building efforts, as well as provide foundational funding for many of those programs.

In 1994, the same year the Town began its CDBG program; it also adopted the General Plan. The General Plan outlines the community's vision and goals for the next 15 years. The plan begins with a discussion of **Keys to the Future**. These keys resulted from numerous discussions with a myriad of citizens' committee groups. They are perhaps the broadest policy that the Town has developed. The **Keys to the Future** are:

- Preserve the natural beauty and charm of the Town
- Encourage residential and commercial growth, but not at the expense of the environment
- Provide an adequate and reasonable level of public services
- Encourage and support community-based education for all ages
- Foster the involvement of citizens with their government
- Be a good neighbor by encouraging and cooperating in regional planning efforts

Since the General Plan is the primary public policy document for the Town of Paradise, other programs or projects, including the CDBG program, should comply with its policies and priorities. Toward that end, the Consolidated Plan for the Community Development Block Grant Program is designed to support the General Plan and in so doing, adopts its **Keys to the Future** as its mission statement.

During the life of the 2005-2010 Consolidated Plan, the Town Council invested Community Development Block Grant funds and other state and federal funds town-wide. The community's eclectic nature and extensive need warranted a Town-wide allocation policy.

However, the advent of redevelopment activities and an increasing comfort level with community building programs has allowed town leaders to begin targeting their revitalization resources. Redevelopment funds are restricted to the boundaries of the redevelopment project area, with the notable exception of the Agency's housing funds, which can be spent anywhere within the Town of Paradise. The CDBG Program targets activities within specified low and moderate-income neighborhoods. This approach results in noticeable improvements to the neighborhood, and leverages funds from several sources.

The planning and public participation process that is such an integral component of the Community Development Block Grant Program has been useful in identifying a multitude of community needs. The process has provided a means to express those needs, but more importantly, it has fostered a cooperative relationship between the town government, community based organizations, and residents. As with most communities, the needs far outweigh the resources available to confront and resolve those situations. However, as illustrated in the Priority Needs table, the CDBG Program has endeavored to place funding in those areas of high need. The luxury of funding medium or low priority activities is not one that the town can afford.

The program has identified and funded housing programs, downtown revitalization/economic development programs, public parks projects, and supported activities for a variety of non-profit organizations. Those efforts have achieved results both in the field and in the town's ability to secure additional public and private sector funding to support those programs.

The town's barriers to even greater program success are, most likely, the same as those experienced by any other American city. Resources – money and staff – are the limiting factors that negatively influence the town's ability to reach its goals.

The Town of Paradise funds only programs and/or projects that principally benefit low and moderate-income individuals and families, or benefit a HUD identified low and moderate-income neighborhood, of which the town has three. Housing program participants are required to submit income information, the park project is in a low and moderate-income neighborhood, and sub-recipient funding goes to groups that either verify income eligibility or serve a presumed benefit clientele.

The town's program objectives as described in the Consolidated Plan and the Annual Plan have not been modified. The 2005 – 2010 Consolidated Plan reflects the town experience with the 2000 – 2005 Consolidated Plan and its Annual Plan components.

Town staff pursued additional resources in order to implement the goals and objectives of the Consolidated Plan and the Annual Plan. Additional HOME/ADDI funds were received from the State of California. The 45-acre Paradise Community Village project, consisting of 90 affordable housing units, single-family residential, schools, parks, and other community facilities, continued to receive disbursements from the Cowell Foundation grant.

The Town of Paradise did not conduct any activities that resulted in the relocation of tenants and/or homeowners during the program year. The town makes every effort to accomplish its goals and objectives without displacing our residents and businesses.

The Town stays below the one-1/2 times grant amount cap on unspent funds. Expenditures do not differ substantially from letter of credit disbursements because the Town operates its CDBG Program on a reimbursement basis.

While the Community Development Block Grant Program is charged with reversing the symptoms of a declining community, staff understands that doing so is more than just good planning and implementation. Obstacles must be overcome in order to eliminate the needs of an under-served population and reverse decades of community deterioration. Quite often those obstacles have become, albeit unintentionally, part of the fabric of the community.

In other cases, the obstacle is one resulting from a market economy, such as what happened with the Town's rapidly escalating housing market and the impending mortgage crisis. The housing down-turn has steadied housing prices and has left more houses on the market because individuals are concerned about the rising prices of fuel, energy and food.

Homes eligible for the HOME-funded mortgage assistance program must not only be affordable to income-eligible buyers, but they must also be in "FHA loanable" condition. Lower priced homes do not meet these and other requirements, resulting in a slump in first time homebuyer program activity.

In the final analysis, two obstacles hinder the Town's ability to address the needs of the under-served population – adequate funding and the absence of the economic and social systems necessary for a viable community. Certainly, Community Development Block Grant funds go a long way toward alleviating a variety of housing and community needs. Additionally, the Town pursues every opportunity to augment its CDBG dollars with other state and federal programs; however, one should remember that community building is a long and expensive undertaking that requires substantial political and financial investment to succeed.

## **Lead-based Paint**

The Town of Paradise manages owner-occupied residential rehabilitation programs and mortgage subsidy programs for first time homebuyers. These programs are funded under a HOME grant from the California Department of Housing and Community Development (HCD) and through the Paradise Redevelopment Agency. The HCD funded HOME program requires that lead clearances be obtained for both the residential rehabilitation and mortgage subsidy programs. The redevelopment agency has folded those requirements into the agency-funded programs.

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## **HOUSING**

The Town of Paradise manages owner-occupied residential rehabilitation programs and mortgage subsidy program for first time homebuyers. These programs are funded under both a HOME grant, and a CalHome Grant from the California Department of Housing and Community Development (HCD) and through the Paradise Redevelopment Agency.

The owner-occupied residential rehabilitation program offers low and moderate-income homeowners the opportunity to remain in housing that has been affordable to them, in some cases for over twenty years. The Town of Paradise is completely dependent on septic tanks and leach fields for the disposal of wastewater can pose a serious health/public health issue; as well as an affordability issue, given the extreme costs of replacing failed systems. Absent the Town's assistance, these homeowners would not be able to afford the cost of home maintenance, deferred maintenance, and wastewater disposal system replacement. The challenge of coming up with the significant funds needed to cover these expenses is difficult.

### **Specific Housing Objectives**

As stated in the Annual Action Plan, 22 households would be assisted during the program year. During the program year, a total of 21 households received assistance under the Town's housing rehabilitation and first-time homebuyers programs. Most households were low income; six household qualified as moderate income and received assistance from the redevelopment agency. The balance of the recipients received assistance under the CDBG, HOME and CalHome programs.

The multi-family development, if funded, will assist low and very low-income tenants.

### **Public Housing Strategy**

The Housing Authority of Butte County administers a Section 8 rental-housing program in the Town of Paradise. The Housing Authority also owns a multi-family complex in town that rents a mixture of market and subsidized units. Although the Town has not been directly involved in the administration of either program, the Town and the Housing Authority maintain a close working relationship and assist one another whenever requested.

### **Barriers to Affordable Housing**

The Town has identified the availability of properly priced housing as the principal barrier to affordable housing in the community. Over the past two decades, much of the newly constructed housing has been custom homes – a market segment not generally available to low and moderate-income households. Therefore, it is important to maintain the community's housing stock that is affordable to low and moderate-income households. To do so, the Town provides a residential rehabilitation program for owner occupied housing, and a mortgage subsidy program to assist first time homebuyers.

The residential rehabilitation program allows low and moderate-income families to remain in a house that they can afford. Although it has been difficult to find homes that qualified as affordable during the recent housing boom and the drop in the market, the changes have significantly increased the demand for mortgage subsidy assistance, and declining home prices have increased the number of available units.

### **HOME/ American Dream Down Payment Initiative (ADDI)**

The Town of Paradise received a HOME/ADDI allocation in 2007. A total of eleven loans were made to low income homeowners. The loans were made for both mortgage assistance and owner-occupied

housing rehabilitation. The loans ensure that housing quality standards and lead-based paint issues are complied with. The town also applied for another HOME grant for 2009.

## HOMELESS

### Homeless Needs

The Town's participation in meeting the needs of its homeless population is evolving. A coalition of service providers and concerned residents of both Paradise and the surrounding unincorporated area have formed a community-based task force. The task force is developing a plan of action to identify and address the extent of the homeless situation on the Ridge, the characteristics of the homeless population, resources available to confront the needs, and the responsible agencies that need to be involved in this effort.

The task force is using data collected from a January 2007 survey of the area's homeless population. The homeless census and survey was completed and the count indicates that Paradise and adjacent unincorporated areas have 300 homeless individuals. While the larger community is experiencing a substantial increase in its homeless population, the survey shows that many of the homeless are "couch surfers" and single-parent families living with friends and relatives. As such, a significant element of the homeless population may not meet the federal definition of "homeless". While this does not diminish the need or the community's commitment to confronting the issue, it does make funding programs to address the needs more difficult.

The Town of Paradise does not directly administer a transitional housing program. The Town and CDBG Program support the local women's' shelter and that shelter provides emergency and transitional housing.

The Town of Paradise did not seek funding under the SuperNOFA.

### Specific Homeless Prevention Elements

The Town takes two approaches to homeless prevention. The first is our residential rehabilitation program. This program provides for the repair of items that threaten the homeowner's ability to remain in the home. The Town of Paradise is an un-sewered community, and as such relies on septic tanks and leach fields located on the homeowner's property to dispose of wastewater. A failed wastewater system can result in health and safety issues. Furthermore, many of the homes that are occupied by low and moderate-income residents were constructed on smaller lots that can no longer accommodate the disposal of wastewater. This generally results in the need to construct/install special and often technologically advanced systems. These systems can resolve the wastewater issue but they range in price from \$30,000 to \$60,000 – a cost that low and moderate-income residents cannot afford. The residential rehabilitation program makes it possible for these residents to remain in their homes.

The Town of Paradise also supports two community-based organizations that aid in the prevention of homelessness. The CDBG Program funds the Family Resource Center (Youth for Change). The Center's Family Support Program provides direct services and interventions to income eligible families with the goal of avoiding those catastrophic situations that often result in unemployment, delinquent rent payments, and homelessness.

The CDBG Program also funds Catalyst, a women's advocacy group that also provides emergency and transitional housing predominantly for abused women and their children. Services are also available for abused men. The emergency shelter provides an immediate safe harbor and time to recover and regroup from the abusive situation.

### **Emergency Shelter Grants (ESG)**

The Town of Paradise does not receive ESG funding.

## **COMMUNITY DEVELOPMENT**

The long standing success of the Community Development Block Grant Program is its ability to serve as a catalyst. This, or any other program, will never have funding in the amount needed to address all of the community's needs. However, community leaders have been successful in using the CDBG program to bring community needs to light, fund a demonstration project or a model program, and use the new found support and experience to garner even greater community support as well as new funding sources. This broad based community involvement ensures that the community's goals and objectives and the CDBG program's goals and objectives are not only consistent, but the means to address and resolve the needs are coordinated.

All of the CDBG/HOME/RDA programs are available to income qualified households. In addition, the Town's HOME application for the construction of 36 affordable housing units includes a set aside of units for very low income tenants.

The Town of Paradise pursues all reasonable grant opportunities to fund a variety of housing and community development projects. Staff has been extremely successful in obtaining federal and state funding. Additionally, staff has been very successful in obtaining private foundation support for both community programs and projects.

Staff has provided certificates of consistency to the Housing Authority of Butte County and to the Community Housing Improvement Program for their credit counseling and first time homebuyer training programs.

All CDBG funds are used to meet national objectives.

The program endeavors to avoid displacing any residents, and in fact has not pursued activities that require relocation.

The program year's activities did not include a Low/Mod Job component.

Subrecipients are required to verify the income of their program participants.

The program did not receive program income during the program year.

Prior period adjustments, float-funded activities, lump sum activities, and neighborhood revitalization activities are not included in the Town's CDBG program.

## **Antipoverty Strategy**

In general, the intent of the Town's economic development programs is the creation of living-wage jobs for local residents. Although the CDBG Program no longer funds the commercial façade improvement program, the redevelopment agency has picked up the mantle of business and economic development and expanded its initial scope. Staff is continually works with new businesses and existing businesses, with developers and entrepreneurs, and with local business associations to expand opportunities and strengthen the current state of the local economy.

The CDBG Program also continues to fund the Family Resource Center's Family Support Program, which as previously mentioned works with families to avert catastrophic events and strengthen the skill sets needed to move out of poverty and into more stable family and economic situations.

## **NON-HOMELESS SPECIAL NEEDS**

### **Non-homeless Special Needs**

California's legal system is attempting to come to grips with the number of inmates incarcerated for substance related crimes. Many of those imprisoned for substance abuse are being granted an early release and treatment in group home settings. While our local treatment providers knew of the impending change, the sheer number of inmates released to these programs resulted in housing related issues.

Staff has been actively assisting the largest substance related treatment provider in the effort to expand the bed count in group home settings. Staff provided assistance with all aspects of land use, building, and wastewater disposal permits. Additionally, the Town provided a forum to discuss the multitude of issues resulting from this new approach to the treatment and rehabilitation of non-violent substance abuse offenders.

The issue is by no means resolved. The demand for beds has caused a near "gold rush" mentality. While staff will continue to work with service providers, it is the individual who believe that they can set up a group home and offer meaningful, results-oriented rehabilitation that continues to cause a problem – not so much for the Town as an organization, but for the overall community and certainly those entering the programs. This situation will continue to be the principle non-homeless special needs issue for the foreseeable future, and staff will continue to play a part in its solution.

### **Specific HOPWA Objectives**

The Town of Paradise does not administer a HOPWA program.

TOWN OF PARADISE  
COUNCIL AGENDA SUMMARY  
DATE: September 14, 2010

ORIGINATED BY: Joanna Gutierrez, Town Clerk *JG* AGENDA ITEM No. 7a  
Craig Baker, Community Development *CB*  
Director  
REVIEWED BY: Charles L. Rough, Jr., Town Manager *CLR*

Legal Review  Yes  No  XXN/A

**SUBJECT:** Appointments to 2010 vacancies on the Tree Advisory Committee

**RECOMMENDATION:** (1) Review application received and consider appointment to vacancy on the Tree Advisory Committee; and, (2) Consider other direction to staff regarding remaining vacancies.

**BACKGROUND:** At their August 10, 2010 Regular Meeting, the Town Council authorized the Town Clerk to advertise for applicants to serve on the Tree Advisory Committee. Two vacancies were due to expiration of terms of office for individuals with academic knowledge of plant science and/or maintenance and care of trees, William M. Morrison and Denice Britton; and, two vacancies were due to unfilled positions requiring individuals licensed in the construction or onsite trades.

**DISCUSSION/ANALYSIS:** Notification of the vacancies were made by email to the citizens currently holding the positions; a legal notice advertising the vacancies was posted on the Town's website and published in the local newspaper on August 14, 2010; and, letters were sent to six onsite evaluators and to eight tree service contractors on file with the Town.

One application has been received from William M. Morrison, who currently serves on the Tree Advisory Committee. Mr. Morrison would like to be considered for reappointment to a three-year term as the individual with academic knowledge of basic plant science, which will expire August 12, 2013. Ms. Britton indicated that she would not seek reappointment to the position she holds on the committee. However, persons holding a position on the committee continue to serve until reappointment is made per Government Code Section 1302.

The current composition of the Tree Advisory Committee is the two individuals who have academic knowledge of plant science and/or maintenance and care of trees, William M. Morrison and Denice Britton; and, an individual with professional urban and wildland fire protection expertise, Tom Cole, which term will expire on August 10, 2011.

Pursuant to provisions contained in Paradise Municipal Code Chapter 8.12, the composition of the committee shall include individuals with the following desired qualifications:

- individuals with academic knowledge of basic plant science;
- individuals skilled in the maintenance and care of trees;
- individuals with professional urban and wildland fire protection expertise;
- individuals licensed in the construction and/or on-site sanitation trades.

The Tree Advisory Committee is charged with duties designated and delegated by the Town Council on matters pertaining to the management of tree resources within the Town. The committee will also serve as a forum for the coordination of tree-related policies and advise the Town on matters referred by Town departments, or by a majority vote of the Planning Commission or the Town Council. The Tree Advisory Committee will convene on a needs only basis at the request of the Town Council, Planning Commission or staff.

**FINANCIAL IMPACT:     None.**

# TOWN OF PARADISE TREE ADVISORY COMMITTEE APPLICATION

Application Deadline: September 2, 2010 – 5:00 pm

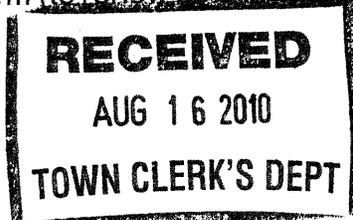
Appointments will be made by the Paradise Town Council at a Regular Town Council Meeting on September 14, 2010 at 6:00 p.m. It is suggested that you be present at the meeting when the appointments are to be made to answer any questions of the Town Council. Applicants shall be full-time residents and registered voters in the Town of Paradise per Resolution No. 81-40. Please be advised that all application information will become a public record.

- Position applying for:  Academic knowledge of basic plant science: 3-yr term  
 Maintenance and care of trees: 3-yr term  
 Licensed in construction trade: 2-yr term (to renew as 3-yr term)  
 Licensed in on-site sanitation trade: -yr term (to renew as 3-yr term)

Date: 08/13/2010

Applicant Name  
Address

WILLIAM M. MORRISON  
[REDACTED]  
[REDACTED]



Contact Information

Telephone: (530) 877-0506 Fax: \_\_\_\_\_  
Email: bill1785@sbcglobal.net

Education: GRADUATE FORESTER FROM ACCREDITED COLLEGE OF FORESTRY REGISTERED PROFESSIONAL FORESTER # 12547 STATE OF CALIFORNIA (RETIRED) FIRE OFFICER, STATE FIRE MARSHAL'S OFFICE

Biographical Sketch (what you would like the Council and public to know about you and your ability to serve in this position):

AS AN RPF (RETIRED) I HAVE THE SCIENCE AND APPLICATION SKILLS AS A GRADUATE FORESTER, LICENSED WITH THE STATE TO EVALUATE INDIVIDUAL TREES, TREE STANDS, AND OTHER NATIVE VEGETATION TYPES IN MANAGEMENT PRINCIPLES, DISEASE AND HEALTH EVALUATION. THIS INCLUDES MOST ORNAMENTAL AND/OR INTRODUCED SPECIES AS WELL. I HAVE EXPERIENCE IN VEGETATION MANAGEMENT FOR FIRE SUPPRESSION/PREVENTION AS A RETIRED CDF FIRE OFFICER AND VMP PROGRAM MGR.

Qualifications or past experience: 31 YEARS WITH CAL FIRE (CDF) AS AN ASSISTANT CHIEF OF FIRE CONTROL OPERATIONS AND FOREST PRACTICE REGULATION, SERVICE FORESTRY PLANT PROTECTION AND DISEASE IDENTIFICATION AND TREATMENT

Comments: I CAN PROVIDE THE TOWN WITH A STATE RECOGNIZED LICENSED FORESTER AS A VOLUNTEER ON THE EXISTING TREE COMMITTEE

SIGNATURE: \_\_\_\_\_

Applications must be submitted with an original signature.

Please return application to:

Joanna Gutierrez, Town Clerk, CMC  
Town of Paradise  
5555 Skyway, Paradise, CA 95969  
Telephone: 872-6976

M-Th: 8-5 pm

[jgutierrez@townofparadise.com](mailto:jgutierrez@townofparadise.com)

**TOWN OF PARADISE**  
**Council Agenda Summary**  
**Date: September 14, 2010**

**Agenda No. 7 [b]**

**ORIGINATED BY:** Al McGreehan, Special Projects Manager *alx*  
**REVIEWED BY:** Chuck Rough, Town Manager *CR*  
Dwight Moore, Town Attorney *DM*  
**SUBJECT:** Consider Introducing an Ordinance Amending Text Regulations Within Paradise Municipal Code Chapter 8.04 Related to: Public Nuisance Abatement

**COUNCIL ACTION REQUESTED:** Upon conclusion of public discussion of this agenda item, adopt a **MOTION TO:**

1. Waive the first reading of Town Ordinance No. \_\_\_\_\_ and read by title only; **AND**
2. Introduce Town Ordinance No. \_\_\_\_\_, "An Ordinance Amending Text Regulations Within Paradise Municipal Code Chapter 8.04 Related to: Public Nuisance Abatement"; **OR**
3. Adopt an alternative directive to staff and/or the Town Attorney concerning this agenda item.

**NOTE:** Town staff and the Town Attorney recommend Town Council action for item nos. 1 & 2 only.

**BACKGROUND:** With the exception of a minor text amendment adopted in 2003, the current regulations of the Town's "Public Nuisance Abatement Ordinance" have been legally in effect and part of the Paradise Municipal Code [PMC Chapter 8.04] since 1997.

Earlier this calendar year town staff requested a legal opinion from the Town Attorney regarding the subject of the whether or not the current PMC regulations provides the Town with the legal ability to issue "administrative citations" related to dangerous buildings that are a public nuisance. Attached with this council agenda summary and for your review is a copy of the April 12, 2010 legal memorandum that was generated by the Town Attorney in response to the staff's request.

Within the content of the attached legal memorandum the Town Attorney determined that the current PMC regulations, specifically PMC subsection 8.04.010G.4, enables the Town to use its administrative citation procedure in respect to the maintenance of property resulting in a dangerous building. However, the Town Attorney also recommended that the scope of PMC subsection 8.04.010G.4 would be improved with a simple suggested minor text amendment.

**DISCUSSION:** In an effort to further implement the Town attorney's suggested PMC text amendment, town staff has generated and attached with this council agenda summary a proposed ordinance document recommended for your consideration and adoption for purposes of introduction. This proposed ordinance provides a minor text amendment to a specific subsection of the Town's "public nuisance abatement" regulations contained within PMC Chapter 8.04. The text regulations proposed for deletion within the attached ordinance would remove the words "and accessible to children".

If introduced and subsequently adopted by the Town Council, this ordinance will amend the PMC regulations in a minor manner via the deletion of the phrase "and accessible to children" from the text of PMC subsection 8.04.010G.4. The primary purpose for the removal of the words is to expand the scope of this PMC regulation relative to dangerous buildings even if the building is not accessible to children.

**FINANCIAL IMPACT:** There is no financial impact with the first reading and introduction of the ordinance.

Attachments

# MEMORANDUM

**TO:** Al McGreehan, Community Development Director  
Gene McCarty, Code Enforcement Officer

**FROM:** Dwight L. Moore, Town Attorney 

**SUBJECT:** Town's Legal Ability to Issue Administrative Citations regarding Dangerous Buildings

**DATE:** April 12, 2010

The Town's administrative citation procedure can be used only to enforce violations of the Paradise Municipal Code (PMC). See PMC section 1.09.040. State statutes are enforced by courts.

Under PMC section 15.03.050, it is unlawful for a person to maintain a building or structure in violation of PMC Title 15. PMC section 15.06.010 adopts the Uniform Code for the Abatement of Dangerous Buildings. As such, a violation of that code is subject to being enforced under the Town administrative citation procedure based on PMC section 15.03.050.

The administrative citation procedure can also be used in respect to the maintenance of property resulting in a dangerous building under PMC subsection 8.04.010.G.4. However, the scope of subsection 8.04.010.G.4 should be amended before issuing a citation based on a dangerous building. The words "and accessible to children" should be deleted from the subsection.

**RECEIVED**  
APR 13 2010

TOWN OF PARADISE  
COMMUNITY DEVELOPMENT DEPT.

**TOWN OF PARADISE**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TEXT REGULATIONS WITHIN  
PARADISE MUNICIPAL CODE CHAPTER 8.04 RELATED TO:  
PUBLIC NUISANCE ABATEMENT**

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

**SECTION 1.** The text of Subsection 8.04.010G.4 of the Paradise Municipal Code shall be amended to read as follows:

4. Maintenance of premises in such a condition as to be an attractive nuisance that is dangerous ~~and accessible to children~~, and/or detrimental to the public health, safety or general welfare, including large and precarious diseased, uprooted, dead or dying trees; open containers of oil, gasoline, other petroleum products, antifreeze, or other hazardous or flammable chemicals; or in such a manner as to constitute a public nuisance as defined by Civil Code Section 3480.

**SECTION 2.** This ordinance shall take effect thirty (30) days after the date of its passage. Before the expiration of fifteen (15) days after its passage, this ordinance or a summary thereof shall be published in a newspaper of general circulation published and circulated with 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 October, 2010 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Scott Lotter, Mayor

**ATTEST:**

ORDINANCE NO. \_\_\_\_

---

JOANNA GUTIERREZ, Town Clerk

**APPROVED AS TO FORM:**



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DWIGHT L. MOORE, Town Attorney

j:/cdd/planning/ordinances/nuisanceabatement

**TOWN OF PARADISE  
COUNCIL AGENDA SUMMARY  
DATE: September 14, 2010**

**ORIGINATED BY: Christopher P. Jensen, Fire Chief      AGENDA ITEM No. 7(c)**

**REVIEWED BY: Charles L. Rough, Jr.   
Town Manager**

Legal Review	Yes	No	N/A
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**SUBJECT: Automatic Aid Agreement between the Town of Paradise and Butte County/CalFire**

**RECOMMENDATION:**

1. Approve and authorize the Town Manager to execute the Agreement as written.

**ALTERNATIVES:**

Provide and re-direct staff as appropriate

**BACKGROUND:**

On November 10, 2009, the Town Council approved a transition plan and "Standards of Cover" report on the Fire Department. As part of the approval the Town Council authorized staff to discuss and negotiate impacts with Butte County/Calfire on the transition plan which included down staffing fire station three (South Libby) which had a direct impact on the previous agreement with the County. Staff along with our consultant, Mark Haunschild, met with Butte County/CalFire representatives over several months discussing and analyzing the Automatic Aid Agreement. After several meetings and a great collaborative effort both parties have agreed to continue the professional relationship and resource sharing effort which benefits both parties to the agreement and the community within the Town of Paradise and County area around Paradise.

**FINANCIAL IMPACT:**

There is no fiscal impact to the FY 2010/11 Budget

**AGREEMENT FOR FIRE PROTECTION UNDER AUTOMATIC AID  
BETWEEN  
BUTTE COUNTY/CALIFORNIA DEPARTMENT OF FORESTRY AND  
FIRE PROTECTION (CAL FIRE) AND TOWN OF PARADISE  
FIRE DEPARTMENTS  
OPERATIONAL LETTER OF UNDERSTANDING**

**SUBJECT** :           Operational Letter of Understanding pursuant to Agreement for Fire Protection under Automatic Aid; Town of Paradise - Butte County Fire Department/CAL FIRE

**PURPOSE** :           This Operational Letter of Understanding will define the areas of automatic-aid, levels of response, resource management and authority, communications and dispatching, and operational guidelines.

**SCOPE** :             Authority and responsibility of participating agencies to provide routine, interagency, emergency service to defined, jurisdictional contiguous areas.

**DEFINITION** :       The Butte County Fire Department/CAL FIRE will be referred to as "COUNTY"; the Town of Paradise Fire Department will be referred to as "TOWN".

**AUTOMATIC AID AREA AND LEVEL OF RESPONSE:**

Automatic Aid is for prompt emergency intervention based on closest resources regardless of jurisdiction. With the exception of wildland fire responses identified in the Mutual Threat Zone Agreement (MTZ) of the TOWN and COUNTY as specified elsewhere in a separate Agreement, the TOWN will make one engine available on a year-round basis to all emergencies occurring in the COUNTY; this area is delineated in EXHIBIT A and includes the following: H2, H3, H4, H5, H7, H8, H10, H21, H31, H41 and H51.

The TOWN will make one engine available, on a year round basis to all multi-engine response emergencies occurring in the COUNTY except for traffic collisions. The TOWN will make one engine available for traffic collisions when it is one of the two closest resources. This area is delineated in EXHIBIT A and includes the following zones: V2, V2A, V2B, V6, and V61.

Exhibit B defines the areas identified above utilizing street names and landmarks for use in the field.

The COUNTY ECC will have the authority, acting on behalf of the TOWN to dispatch a cover engine through the OES process to the TOWN whenever two or more apparatus are dispatched from the TOWN to the COUNTY automatic aid or mutual-aid. It is the responsibility of the TOWN however, to ensure cover engines have been requested through the OES process.

The COUNTY will make one engine available, on a year-round basis, to the TOWN for all structure fires within TOWN limits. The COUNTY will make one engine available for traffic collisions when it is one of the two closest resources. The COUNTY will make one engine available for medical aids when it is the closest resource. The COUNTY ECC will use the closest COUNTY engine to fill this assignment. Without statusing, the COUNTY ECC/ TOWN Dispatch Center will not know who the closest resource is. The TOWN and the COUNTY will develop a plan in the future, to implement a process that will enable each ECC/dispatch center to status and dispatch one another's resources based upon the first due concept in conjunction with the provisions of this agreement. Until a dual status procedure is implemented, the procedures in Exhibit C will be followed.

Additionally, the COUNTY will make one engine available to the TOWN for medium dispatch level and make two engines available for high dispatch level on vegetation fires, during wildland fire season for response areas within the TOWN that are not part of the MTZ; these areas are designated as response areas X16 and X16A.

Whenever possible, the closest apparatus will be dispatched by the COUNTY and TOWN. The agency responding to the request of the other agency may elect to respond additional apparatus or to decline the automatic aid request due to the unavailability of resources. Response to incidents, emergency and non-emergency, not covered under this Agreement, including station coverage, will be dealt with as mutual-aid and requests placed through the OES Operational Area process (COUNTY ECC).

#### **DISPATCHING AND COMMUNICATIONS:**

A. If the initial report of an emergency occurring within the automatic aid area is received by the TOWN, the TOWN will immediately dispatch the nearest resources per the agreement and then notify the COUNTY and confirm the response of automatic aid resources as herein specified.

B. If the initial report of an emergency occurring within the automatic aid area is received by the COUNTY, the COUNTY will immediately dispatch the nearest resources per the agreement and then notify the TOWN and confirm the response of automatic aid resources as herein specified.

C. Notification and exchange of information between the TOWN dispatch center and the COUNTY ECC will initially be accomplished using the quickest method available; this will generally be by telephone, but may also be accomplished using the Low Band Radio or the Butte County Fire.

D. Command, support and tactical radio frequencies will be determined and assigned by the protecting agencies ECC/dispatch center based upon communication plans. Typically, Butte Local and Paradise Fire will serve as command frequencies for routine single and multi-engine responses. Tactical nets will be assigned using the pre-assigned Tac Net plan.

E. The TOWN and COUNTY may share radio frequencies for training, emergency incidents and joint resource operations.

F. The TOWN dispatch center and the COUNTY ECC will be termed as follows: The TOWN will be referred to as "Paradise Fire" on all frequencies; The COUNTY will be referred to as "Oroville" on Command and Support frequencies such as Butte Local and Butte Support.

Units dispatched will advise their home agency of their response. They will then immediately contact the receiving agency (protecting agency) on its dispatch frequency and advise of their response. The unit will remain under the control of the protecting agency until released. All of the units' radio traffic, including reports on conditions and requests for resources, is to be done through the protecting agencies dispatch/command center.

G. Standard ICS terminology and identifiers will be used (i.e. "Paradise Fire" - Engine 33 responding; "Oroville" - Paradise Engine 1 at scene, etc.).

H. Responsibility for requesting medic ambulances, law enforcement or CHP, will be through the Incident Commander (IC) to the protecting agencies ECC/dispatch center. If the agency dispatch center receiving the call requests a medic ambulance, law enforcement or CHP, they will immediately notify the protecting agency; i.e., if TOWN receives a call at Quail Trails and dispatches Engine #3 and the ambulance, TOWN will notify the COUNTY "Oroville, Paradise Engine #3 and First Responder are responding to a medical aid at 5081 Wilderness Way, Space 10 at Quail Trails MHP."

I. When the units are released by the IC, they will advise the protecting agency ECC/dispatch center that they are "available" and the protecting agency dispatch will direct the unit's reassignment or release to the supporting agency. The unit will then make themselves "available" to their ECC/dispatch center and receive an assignment.

J. The TOWN and COUNTY shall develop and implement a radio communications plan for any combined response within the Automatic Aid area. The plan will provide for the interoperable communications needs of responding resources from throughout the state: i.e. command, support and tactical frequencies common throughout the state. The resources of the supporting agency shall be allowed to communicate directly with the protecting agency on command, support and tactical levels.

K. A Joint Incident Information Center (JIC) may be established on all joint responsibility incidents. Representatives of the TOWN and the COUNTY shall meet as needed, to discuss procedures for the JIC. The agency with the majority of the fire area and resources shall provide the Lead Fire Information Officer for the center. The Center Manager may be from either agency on a mutually acceptable basis.

L. Dispatching services by the supporting agency shall be at no cost to the protecting agency.

#### **ASSIGNMENT OF AGENCY REPRESENTATIVES:**

For all emergencies outside of the TOWN, impacts typically present in two ways. First, the emergency is not a threat to enter the TOWN but there are traffic and public information demands. In this case, the TOWN agrees to send an ICS Agency Representative to the COUNTY incident command post to coordinate the TOWN interests. Secondly, for all emergencies outside of the TOWN that present a threat to enter the incorporated area and severely impact traffic and public information, TOWN will open and staff the Emergency Operations Center (EOC). Under this scenario, the TOWN will request that the COUNTY assign an ICS Agency Representative if available to the TOWN EOC.

For ALL significant emergencies that originate within the TOWN but are no threat to extend outside the TOWN, the TOWN may notify the COUNTY who may elect to send an ICS Agency Representative to the incident command post and/or EOC. The Town may request an agency representative to the command post. For all significant emergencies within the TOWN that threaten to extend outside of the TOWN, the TOWN will notify the COUNTY who will send an ICS Agency Representative to the incident command post and/or EOC.

#### **RESPONSIBILITY:**

The protecting agency with legal jurisdiction always has the operational responsibility and the final authority as to strategy and tactics at the incident. Therefore, the agency with jurisdiction will assume command from the other agency upon arrival. When responding into the other agencies jurisdiction, the responding unit becomes a resource of the receiving unit and, as such, is under the control of that agency until released. Regardless of jurisdiction, the first arriving unit must initiate command and seek control of the incident.

As soon as the first-in officer (regardless of jurisdiction) determines no further assistance is required, they must so inform the protecting agency dispatch center. If the supporting agencies unit will be committed for more than thirty minutes, the receiving agency should attempt to replace the unit with one of their own units.

A jurisdictional unit or officer may respond for report purposes, although it is preferable that the supporting agency unit gather report information and pass on the information to the protecting agency via the telephone.

### **OPERATIONAL INFORMATION:**

Pre-fire plans and standard response plans are to be exchanged between agencies. Joint training is to be conducted between agencies, as directed by the administration of those agencies.

### **FIRE LOOKOUTS:**

Fire Lookouts will report all observed smoke columns and fires in the TOWN directly to Paradise Fire on the Paradise Fire Net. After notifying the TOWN, the Fire Lookouts will immediately notify the COUNTY.

### **MUTUAL-AID:**

Any response needed in addition to that specified in this agreement will be considered mutual-aid and requested as such through the OES Operational Area Coordinator.

Major incidents that occur within the TOWN that require additional resources will be ordered under the California Master Mutual Aid Agreement through the OES process. Major incidents within the TOWN may utilize an Agency Representative from the COUNTY or may necessitate the establishment of unified command involving command officers of both agencies. The unified ordering point for incidents within the TOWN will be the TOWN dispatch center, unless the incident threatens COUNTY jurisdiction and unified command between the TOWN and the COUNTY is established.

1. Mutual-Aid fire suppression resources committed to an incident, under the provisions of the California Fire Service and Rescue Emergency Mutual-Aid System's Mutual-Aid Plan should only be used during the period of the emergency. The period of the emergency constitutes the time during which mutual-aid resources are necessary to prevent imminent or perceived imminent threat to life and property. As the emergency condition de-escalates, the mutual-aid resources should be released based on a preplanned demobilization process.

2. Local government agencies receiving mutual-aid are responsible for providing logistical support to the mutual-aid personnel and equipment.

## **GENERAL PROVISIONS**

### **A. Appropriated Fund Limitation**

Nothing herein shall be interpreted as obligating the TOWN or County to expend funds or obligate the future payment of money in excess of appropriations authorized by law and administratively allocated by their respective governing bodies or Directors for the work contemplated in this Agreement.

### **B. Mutual Sharing of Information**

Both the TOWN and County shall furnish to the other, or otherwise make available upon request, maps, documents, instructions, records and reports (including fire and law enforcement reports) which either agency considers necessary in connection with the Agreement, subject to review and consent, in accordance with applicable rules and regulations.

### **C. Hold Harmless Agreement**

County and the TOWN shall defend, indemnify and hold each other harmless from claims, all costs, including attorney's fees and liability for acts or omissions of the other, its officers, employees, or agents in connection with their performance of this Agreement.

### **D. Duration of Agreement and Notice**

This Agreement shall be effective for five (5) years from the effective date, unless sooner terminated by sixty (60) days prior written notice from one agency to the other at the following addresses:

CAL FIRE/Butte County Fire Department  
176 Nelson Avenue  
Oroville, CA 95965

TOWN of Paradise  
5555 Skyway  
Paradise, CA 95969

**E. Amendments**

This Agreement shall be amended only by written mutual consent of the agencies.

**F. California Environmental Quality Act**

It has been determined that this matter is not subject to the provisions of California Environmental Quality Act.

**G. Integrated Agreement**

This is an integrated agreement that sets forth the complete understanding between the agencies. All previous agreements relating to the subject matter between the agencies are superseded by this agreement.

---

George Morris JR.,  
CHIEF  
BUTTE COUNTY FIRE DEPARTMENT

---

Christopher Jensen,  
INTERIM CHIEF  
PARADISE FIRE DEPARTMENT

---

Date

---

Date

---

Bill Connelly  
BUTTE COUNTY CHAIRMAN OF THE  
BOARD

---

Charles L. Rough, JR.  
TOWN OF PARADISE

---

Date

---

Date

FORM APPROVED:

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Bruce Alpert  
BUTTE COUNTY ATTORNEY

---

Dwight L. Moore  
TOWN PARADISE ATTORNEY

Attachments: Exhibit "A" – AUTOMATIC AID RESPONSE MAPS  
Exhibit "B" – APPROXIMATE BOUNDARY LINES FOR AUTO AID  
Exhibit "C" – INTERIM PROCESS FOR DISPATCHING COUNTY  
ENGINES TO MEDICAL AID AND TRAFFIC  
COLLISIONS WITHIN THE TOWN



## EXHIBIT B

### APPROXIMATE BOUNDARY LINES FOR AUTO-AID/MTZ

#### **Automatic Aid**

South End of Paradise –

Honey Run Road – Approximately 1.5 miles West of Paradise  
Skyway – Tuscan Ridge Golf Course  
Neal Road – The “Narrows”  
Clark Road – Clear Creek Cemetery Road  
Pentz Road – ¼ mile north of Wilderness Way

North End of Paradise –

Nimshew Road – End of the pavement  
Skyway – Elmwood  
Coutolenc Road – 1 mile North of Jordan Hill Road  
Jordan Hill Road – W. Branch Feather River (Whiskey Flats)

#### **MTZ – Town Response**

South End of Paradise –

Same as Automatic Aid

North End of Paradise –

Skyway – Creston Road  
Coutolenc Road – 1 mile north of Jordan Hill Road  
Jordan Hill Road – W. Branch Feather River (Whiskey Flats)

West Side of Paradise –

Little Butte Creek

East Side of Paradise –

West Branch Feather River

#### **MTZ – County Response**

North of Wagstaff Road  
West of Skyway  
South of Pearson Road  
East of Cherry Lane-Kibbler Road-Bille Road-Pentz Road

## EXHIBIT C

### INTERIM PROCESS FOR DISPATCHING COUNTY ENGINES TO MEDICAL AIDS AND TRAFFIC COLLISIONS WITHIN THE TOWN

The following procedures are to be implemented until a dual status procedure is developed and implemented by both agencies. When such procedure is implemented, this exhibit will no longer be part of the automatic aid agreement.

#### PROCEDURES:

In Paradise Fire Station 2/CAL FIRE Station 35 response area, based on the desire to have the closest resource respond, one COUNTY engine may self-dispatch to a TOWN medical aid if they are the closest resource or self-dispatch to a Traffic Collision if they are one of the closest two resources. The procedure for this will be for the COUNTY engine to respond on Paradise Fire Net stating they are responding as the closest resource and notify the COUNTY ECC on Butte Local Net they are committed to the TOWN. Immediately after the response on Paradise Fire Net, the Paradise Fire Dispatch Center is required to phone the COUNTY ECC and make a request for the resource to assure positive communications. This is an Automatic Aid Response.

Because the ECC is not able to status TOWN resources in order to make a determination of "closest resource," COUNTY engines in the Paradise area will have the authority to determine if they are or may be "first due" to incidents within the Town based upon their knowledge of incident location and the location of TOWN resources, and initiate a response to the TOWN. Typically speaking this will involve responses to emergency incidents by COUNTY resources within the response area covered by Paradise Station 2.

Procedures for night and other times when Station 35 personnel may not be aware of a Traffic Collision or Medical Aid call, the responding TOWN Engine Company Officer should request the COUNTY to respond as the closest resource through the TOWN dispatch center. The TOWN dispatch center will then make the request through the COUNTY ECC.

**TOWN OF PARADISE  
COUNCIL AGENDA SUMMARY  
DATE: September 14, 2010**

**ORIGINATED BY: Christopher P. Jensen, Fire Chief      AGENDA ITEM No. 7(d)**

**REVIEWED BY: Charles L. Rough, Jr.**   
**Town Manager**

Legal Review	Yes	No	N/A
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**SUBJECT: Consider Award of Bid for the Fire Station One Re-Roof, 767 Birch Street**

**RECOMMENDATION:**

1. Consider the bids received and opened on September 13, 2010 for the Fire Station One Re-Roof project; and,
2. Award Bid for construction, recommendation will be provided as additional agenda material; or,
3. Provide staff with an alternative direction

**ALTERNATIVE:**

Do not award the Bid which has health and safety ramifications.

**BACKGROUND:**

Fire Station located at 767 Birch Street is in dire need of a roof replacement project. The roof is leaking in multiple places and the plywood underlayment and fascia boards have dry rot. The roof is leaking in areas of the day room, sleeping quarters, administrative offices and the apparatus bay which will eventually lead to a significant mold issue. The roof has not been replaced in more than twenty years but has been resealed within the last ten to fifteen years.

**FINANCIAL IMPACT:**

Acceptance of the lowest responsible bid will allow this Budgeted FY 2010/2011 improvement project to move forward. Specific dollar amounts will be discussed in the supplemental information to be submitted after bids have been opened, references and license checked, and an award recommendation prepared.

**REQUEST FOR BIDS  
ROOF REPLACEMENT  
PARADISE FIRE STATION ONE  
767 BIRCH STREET, PARADISE CA  
AUGUST 31<sup>st</sup> 2010**

The Town of Paradise requests the submittal of bids for the roof replacement project at Paradise Fire Station One, 767 Birch Street, Paradise CA. This project consists of the elements stated below and shall comply with all permits, inspections and requirements of the 2007 California Building Standards Code as adopted by the Town of Paradise.

1. The Contractor shall be responsible for obtaining all necessary permits prior to commencing work. The Town of Paradise shall waive all permit fees associated with such work.
2. The Contractor shall comply with all required building inspections and obtain a final inspection approval prior to releasing final payment by the Town of Paradise. All work must be completed within fifteen (15) days from September 20<sup>th</sup>, 2010 the expected start date.
3. The Town will pay 25% of the contract amount upon completion of 25% of the work and another 25% upon completion of 50% of the work following the removal of the existing roof and disposed at no additional costs to the Town. Final payment of the remaining 50% shall be paid within 35 days after completion of all work and final inspection approval from the Town of Paradise Building Department.
4. Contractor shall comply with all CAL-OSHA requirements.
5. Work shall be performed only between the hours of 7:30 AM and 5:00 PM, Monday through Friday.
6. Work shall not be covered until all inspections have been completed and authorized for covering by the Town of Paradise Building Department.
7. Contractor shall be required to submit a payment bond.
8. Contractors shall pay workers prevailing wage rates pursuant to Labor Code Section 1770 et. seq.

**The following are the requirements of the project:**

1. Remove and dispose of existing roofing and removed materials over the apparatus bay, station quarters, administrative office areas and overhangs, canopies, or door covers.
2. Repair all visible dry rot, including but not limited to, fascia, trim, rafter tails, roof sheathing and structural members. Any change orders will be investigated by the Town Building Department for verification prior to review and approval. Change orders shall be kept to a minimal amount.
3. Replace all roof flashings as follows: Parapet caps, pipe jacks, roof to wall, counter flashings, skylight flashings (including new caps), mechanical equipment flashings and all drainage scuppers.
4. Provide and install automatic skylight shades over station day room.
5. Replace gutter and downspout over rear station day room door. All other gutters and downspouts shall be cleaned and cleared of roofing debris.
6. Provide and install a minimum 20 year warranty 2-ply built up modified roofing system with a cool roof reflective coating to meet all requirements of 2007 California Building Standards Code as adopted by the Town of Paradise.
7. Provide and install a cant strip at all 90 degree angles.
8. Provide and install adequate attic ventilation for the total square footage.
9. Provide and install walking pads for access to all mechanical equipment as well as the north-west corner above roof prop. Staff can show the exact location for clarity.
10. Provide and install support blocks with pads under all pipe and wire conduits.
11. Ensure all conduits is repaired and waterproofed.
12. Paint all roof flashing (excluding parapet cap).
13. Perform all work in a non-evasive manner to station equipment, emergency response, facility operations and personnel.
14. Contractor shall confirm and obtain approval from the Fire Chief for the staging of any materials, equipment, etc. prior to selecting the staging area.
15. Contractor shall provide a 20-year warranty regarding the roof replacement project.
16. Contractor shall procure and maintain a minimum of \$1,000,000 combined single limit liability insurance and \$1,000,000 automotive coverage for all work vehicles at the project site; Workers compensation insurance coverage in the amount of \$1,000,000 shall be provided for all employees at the work site. The Town of Paradise shall be

named as an additional insured on liability insurance and automotive coverage with a proof of additional insured submitted to the Town of Paradise Town Clerk prior to commencing work.

### **Site Visit Opportunity**

Bidders will be required to visit the project on September 6<sup>th</sup> , 2010 from 9:00 AM until 4:00 PM at Paradise Fire Station One, 767 Birch Street, Paradise CA.

### **Proposed Work Schedule**

August 31<sup>st</sup>, 2010 9:00 AM the Request for bids open.

September 6<sup>th</sup>, 2010 9:00 AM until 4:00 PM Site visit opportunities, see above.

September 13<sup>th</sup>, 2010 at 4:00 PM the Request for bids Closes

September 20<sup>th</sup>, 2010 Expectation that work begins with a fifteen (15) day completion period.

### **Submission Requirements**

Bids shall be submitted on letterhead in an envelope clearly marked "**Fire Station One Reroof Project**", to the Town of Paradise Clerks Office, 5555 Skyway, Paradise, CA, no later than 4:00 PM on September 13<sup>th</sup>, 2010, at which time the Town Clerk and Fire Chief will review the bids. The bid will be awarded to the lowest responsive bidder. If all bids exceed the Town of Paradise currently approved budgeted amount for this project, the Town may reject all bids. The Town reserves the right to reject all bids and to waive non-material defects in the bids.

**A copy of the bidder's Contractors License and a bid bond which equals 10% of the bid amount must be submitted with the bid proposal. Failure to provide the contractor's license or the bid bond will automatically reject the bid proposal as a non-licensed contractor.**

### **Be Sure To Complete and Return the Required Bid Documents &The Noncollusion Affidavit Attached**

#### **Contact Information**

If you have questions or concerns you may contact the following staff member for information:

Christopher P. Jensen, Fire Chief  
767 Birch Street  
Paradise CA 95969  
530-872-6264

**Noncollusion Affidavit**

(Title 23 United States Code Section 112 and Public Contract Code Section 7106)

To the Town Of Paradise  
Fire Department

In conformance with Title 23 United States Code Section 112 and Public Contract Code 7106 the bidder declares that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

NOTE: The above Noncollusive Affidavit is part of the bid. Signing this bid and the signature portion thereof shall also constitute signature of this Noncollusive Affidavit. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Public Contract Code Section 10285.1 Statement**

In conformance with Public Contract Code Section 10285.1 (Chapters 376, Stats. 1985), the bidder hereby declares under penalty of perjury under the laws of the State of California that the bidder has \_\_\_\_\_, has not \_\_\_\_\_ been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any State or Federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in the Public Contract Code Section 1101, with any public entity, or as defined in Public Contract Code Section 1100, including the Regents of the University of California or the Trustees of the California State University. The term "bidder" is understood to include any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 102.85.1

NOTE: The bidder must place a check mark after "has" or "has not" in one of the blank spaces provided. The above Statement is part of the bid. Signing this Bid on the signature portion thereof shall also constitute signature of this Statement. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

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Signature

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Date

**Public Contract Code Section 10162 Questionnaire**

In conformance with Public Contract Code Section 10162, the bidder shall complete, under penalty of perjury, the following questionnaire:

Has the bidder, any officer of the bidder, or any employee of the bidder who has a proprietary interest of the bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation(s)?

Yes \_\_\_\_\_

No \_\_\_\_\_

If the answer is yes, explain the circumstances in a separate cover letter attached to the bid documents.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Public Contract Code 10232 Statement**

In conformance with Public Contract Code Section 10232, the Contractor, hereby states under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the Contractor within the immediately preceding two year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board.

NOTE: The above statement and Questionnaire are part of the bid. Signing this Bid on the signature portion thereof shall also constitute signature of this Statement and Questionnaire. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

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Signature

---

Date

Contractor's License Declaration

(Business and Professions Code Section 7028.15)

The undersigned declares that it, he or she is \_\_\_\_\_  
(party making foregoing bid) of \_\_\_\_\_ (hereinafter the  
"Bidder").

1. Bidder's Contractor License Number is as follows: \_\_\_\_\_.
2. The expiration date of the Bidder's Contractor's License is: \_\_\_\_\_.
3. Bidder acknowledges that Section 7028.15(e) of the Business and Profession Code provides as follows.

"A licensed contractor shall not submit a bid to a public agency unless his or her contractor's license number appears clearly on the bid, the license expiration date as stated, and the bid contains a statement that the representations therein are made under penalty of perjury. Any bid not containing this information or a bid containing information which is subsequently proven false, shall be considered non-responsive and shall be rejected by the public agency."

The undersigned declares, under penalty of perjury, that the representations made by the undersigned in this bid proposal are true and correct.

Executed on \_\_\_\_\_, 2010 at Paradise, California

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Name of Bidder/Company



**TOWN OF PARADISE  
Council Agenda Summary  
Date: September 14, 2010**

**AGENDA NO. 7(E)**

**ORIGINATED BY:** Dennis J. Schmidt, Public Works Director/Town Engineer *DJS.*  
**REVIEWED BY:** Charles L. Rough, Jr., Town Manager *CLR*  
Dwight L. Moore, Town Attorney *DLM*  
**SUBJECT:** Consider concept approval of the attached lot line adjustment and property exchange to reconfigure three parcels, APN 052-223-016 (Gilkey) and 052-223-027 (Paradise RDA) and 052-223-017 (Town of Paradise).

**AGENCY ACTION REQUESTED:**

- 1) Authorize the Public Works Director/Town Engineer to accept and process a lot line adjustment application from the owner (Mica Gilkey); **AND**
- 2) Direct staff to prepare the appropriate agreements between the Town of Paradise and Gilkey and the Paradise Redevelopment Agency and Gilkey in order to transfer property per the attached Exhibit "C"; **OR**
- 3) Provide alternative direction to staff.

**Note: Staff is recommending action item No.'s 1 and 2**

**BACKGROUND:** The downtown Paradise area, in the vicinity of Black Olive Drive and Pearson Road was originally surveyed in the early 1900's. This area was laid out in the survey prepared by C.S. Compton, in February, 1906. This survey was approved by the County Board of Supervisors on March 10, 1904 and recorded in Book 4 of Maps, at Page 7.

In May, 1942, D.A. Blackburn, prepared a map titled "Map of Woodside Subdivision". This Subdivision further divided the area east of Black Olive Drive. This subdivision was filed for record in Book 14 of Maps at Page 25.

In April, 2006, the Town of Paradise retained L & L surveying to perform a Record of Survey of the area, as part of the land acquisition for the Town of Paradise Community Park and the Memorial Trail way Infill Project. This record of survey identified a potential conflict between the two previous subdivision actions, and indicated that lot 12 of the Woodside Subdivision actually encroaches about 14 feet into the right of way of Pearson Road. This Record of Survey was recorded on December 5<sup>th</sup>, 2006, in Book 169 of Maps at Pages 73 and 74.

The actual parcels proposed to be adjusted are as follows:

<u>APN</u>	<u>Owner</u>	<u>Business Name</u>
APN 052-223-016	Mica Gilkey	Paradise Screenprinters
APN 052-223-027	Town of Paradise	Parking Lot/Jeffords Electric Bldg
APN 052-223-017	Paradise RDA	Trailway and Parking Lot

As shown below, the property line currently runs through the existing building at 220 Pearson, and extends into what should be the right of way for Pearson Road. As proposed, the current land owner of 220 Pearson Road (Gilkey) proposes to grant to the Town of Paradise the 653 square feet of area within the Pearson Road "right of way". In return, the Redevelopment Agency will grant the 1020 square feet to Gilkey, and the Town of Paradise will grant the 231 square feet to Gilkey. This proposed lot line adjustment will improve the value of both parcels, as it eliminates an obvious encroachment, it eliminates a potential right of way issue in Pearson Road, and it provides sufficient usable area for the Gilkey parcel to install septic system improvements and to repair a long failed septic system.

This is a net loss in square footage to the Town of Paradise of  $1251 - 653 = 598$  square feet. This property is of limited usefulness to the Town of Paradise, as the Park and Ride Lot and Memorial Trail way have already been constructed. The area to be granted to Gilkey is "excess land", that is not necessary for either of these uses.

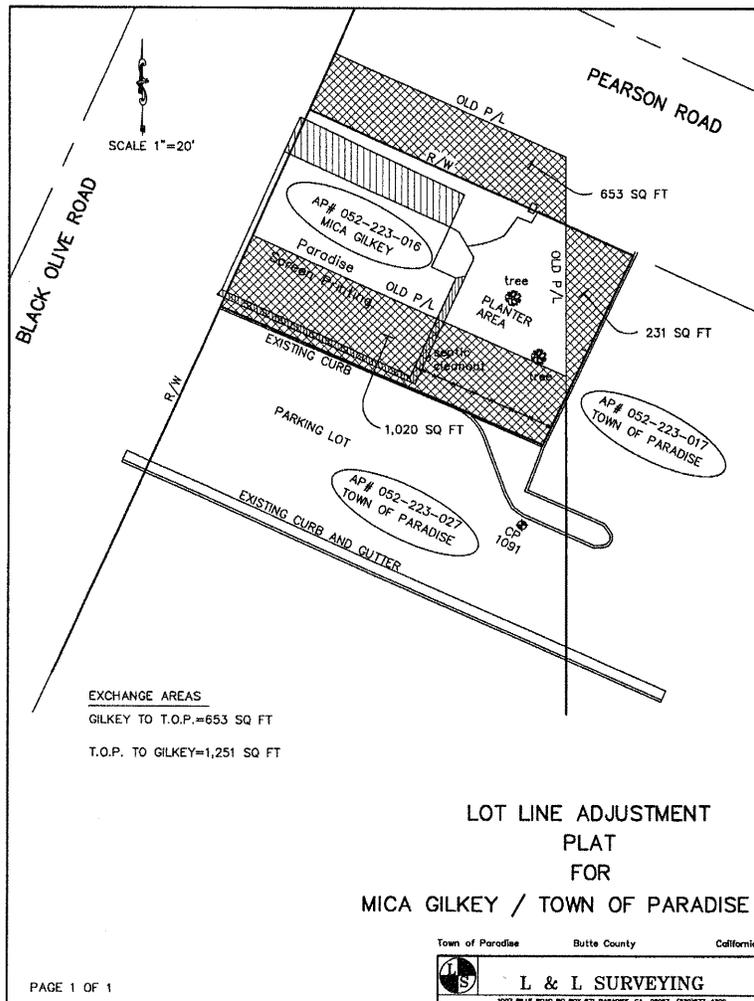
Typically, when the Town has appraised commercial property for the Town or RDA to purchase, the purchase price has ranged from \$2.00 to \$12.00 per square foot. The \$12.00 per square foot was in 2007, at the peak of the real estate boom. It is likely that even prime commercial space would no longer command that high of a price.

Current estimates are that commercial property, in this location, would command between \$4.00 and \$6.00 dollars per square foot (\$174,240 to \$261,360 per acre). Using a value of \$4.00 per square foot, the value of the net loss of 598 square feet to the Town of Paradise is calculated at \$2,392.

The estimated total cost to process, complete and record this lot line adjustment is \$4,587.00. This included \$627 in Town fees to process the lot line adjustment, \$900 in title reports, \$100 in recording fees (estimated), \$1,000 for drafting the tentative LLA plat, \$960 for surveying of the encroachments/field topo, and \$1,000 for preparation of the various deeds and descriptions. Normally, these fees would be split between the property owners engaging in the lot line adjustment. The Town's 50% share of these fees would be \$2,293.50.

The total cost of the Town's estimated share of fees is within \$100 of the estimated purchase costs that would be assigned to the excess property if it were to be "sold" to the adjacent property owner. Staff is recommending that the property owner (Gilkey) pay all the associated fees (private surveying, town fees, and recording fees) as payment for this excess property. Upon approval of the lot line adjustment plat, the excess property will be granted to Gilkey, at no additional cost. The property owner (Gilkey) has indicated concurrence with this financial arrangement.

The result of this proposed lot line adjustment is that Gilkey will end up with a newly configured parcel that complies with current zoning and has sufficient area to replace their failed septic system. The Town of Paradise and Paradise Redevelopment Agency parcels will be reconfigured to comply with zoning and the building encroachment issue will be resolved. Additionally the potential right of way issue on Pearson Road will be resolved, and all properties will then have marketable title.



**Discussion:** Normally, these types of “land swaps” would be handled through a standard lot line adjustment, processed by the Town Engineer. This particular application is more complicated, since one of the parcels is privately owned, one is owned by the Town and one is owned by the Paradise Redevelopment Agency.

Once the Town Council has granted “concept approval”, formal agreements will be drafted between the Town and Gilkey, and the Paradise Redevelopment Agency (RDA) and Gilkey. The sale of the portion of the RDA parcel will also need to be set for public hearing, pursuant to Section 33433 of the Health and Safety Code. These agreements and public hearing will most likely be set for the October 12<sup>th</sup>, 2010 Town Council/RDA

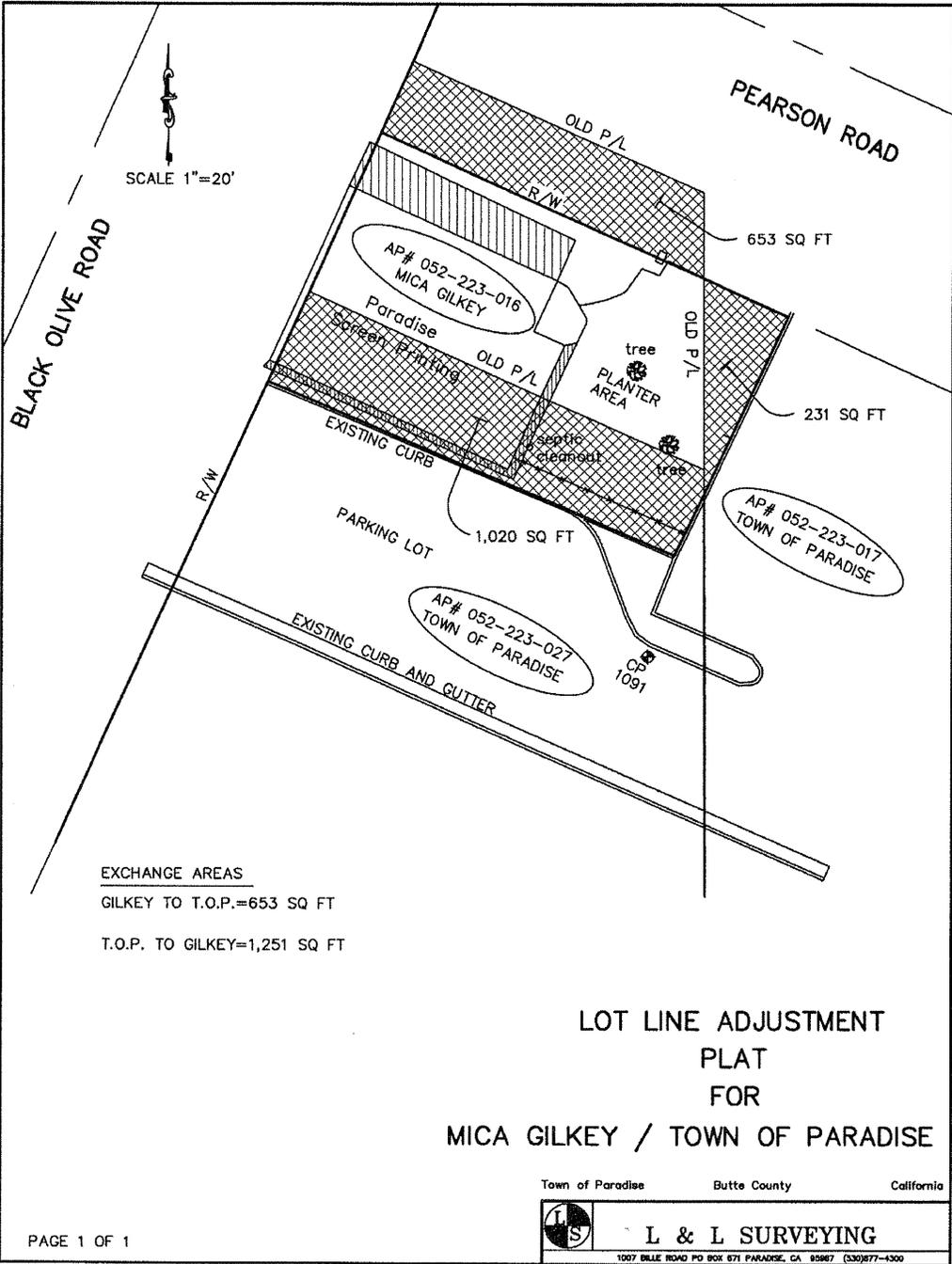
meeting.

**FINANCIAL IMPACT:** Approval of this concept approval will have a nominal impact upon the Town of Paradise. All costs for the processing of the lot line adjustment will be paid by the property owner (Gilkey).

J:\PW\Public Works Director\Staff Report\Gilkey LLA 9\_14\_2010 without agreement.

# EXHIBIT "C"

## Proposed new lot configuration



**Town of Paradise  
Council Agenda Summary  
Date: September 14, 2010**

**Agenda No: 7f**

**ORIGINATED BY:** Doug Danz, Onsite Sanitary Official 

**REVIEWED BY:** Dennis J. Schmidt, Public Works Director/Town Engineer   
Charles L. Rough, Jr., Town Manager 

**SUBJECT:** Receive and File the 2007/2008 and 2008/2009 Annual Reports of the Town of Paradise Onsite Wastewater Management Zone

**COUNCIL ACTION REQUESTED:**

- 1) Receive and file the attached Annual Reports with Executive Summaries for the fiscal years 2007/2008 and 2008/2009 and direct staff to forward the report to the Regional Water Quality Control Board.
- OR-**
- 2) Reject the reports and provide staff with direction.

**STAFF RECOMMENDATION:** The staff recommends that the Town Council receive and file the attached Town of Paradise Onsite Wastewater Management Zone Annual Reports with Executive Summaries for the fiscal years 2007/2008 and 2008/2009.

**BACKGROUND:** The attached reports are for past two (2) fiscal years of 2007/2008 and 2008/2009. The 2009/2010 annual report is delayed for data retrieval difficulties but will be presented to the Town Council for approval at the October 2010 Town Council meeting. The format of these reports has been changed from the previous years'. The data has been streamlined, multiple graphs have been eliminated, information is more concise and presented in a more comprehensible manner.

Staff is now prepared to submit these reports to the California State Regional Water Quality Control Board, Central Valley Region.

**DISCUSSION:**

These reports can be used as indicators of the program activities of the Onsite Sanitation Division and the general well being of the management efforts of the Town of Paradise Onsite Wastewater Management Zone. The 2007/2008 and 2008/2009 years are unique in that they are influenced by the gradual decline of the nation's economy, which is reflective in the decline in new construction and land development type permits and an increase in Administrative citations and repair permits stemming from the increase in property foreclosures.

The Onsite Sanitation Division evaluation program is ever active in requiring that every septic system receive routine inspection. This regulatory requirement continues to be an effective program in maintaining the proper function of all septic systems, both old and new. Expiration notices, Infraction Notices, Corrective Action Notices, issuing Operating Permits, Extensions and Citations, are all part of this program and are being maintained at an effective level.

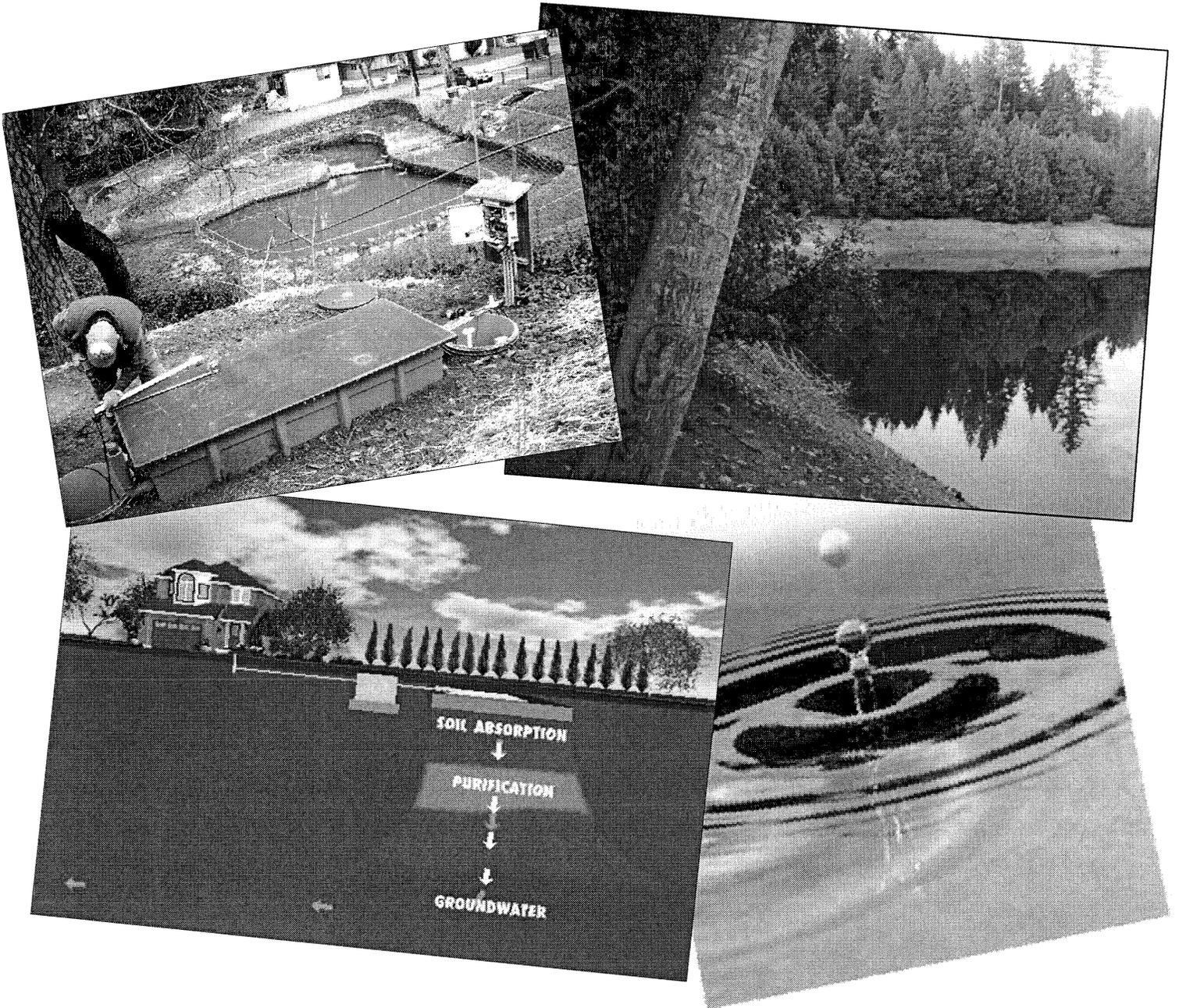
The sampling activities of the streams through-out the town demonstrate no evidence of septic system contamination in our creeks. Dry weather sampling has shown to be less reliable and tenuous, especially during these below-average rainfall years. There have been some high level “spikes” in some creek sampling but the evidence was not conclusive due to very low creek flows and subsequent re-sampling or downstream sampling did not provide contamination evidence. The surface water monitoring program is ever vigilant in watching for any trends in all of the 32 creek sample locations. Groundwater monitoring well sampling has also shown that there is no evidence that groundwater is being effected by onsite sewage disposal systems in the town. This program is planned for expansion by the addition of new groundwater sampling sites which will increase the ability to better represent the town’s groundwater.

Advanced treatment onsite wastewater systems continued to be monitored for maintenance and sampling requirements. Most of these systems are compliant with their requirements as well as the performance standards for their discharge. Those that are not are working toward acceptable compliance standards. The Onsite Sanitation Division is continually monitoring the activities of the advanced treatment systems, for most on a quarterly basis.

**FINANCIAL IMPACT:** There is no financial impact associated with the acceptance by Council of these Town of Paradise Onsite Wastewater Management Zone Annual Reports other than the standard printing and binding of required copies.

**ATTACHMENT:** Town of Paradise Onsite Waste Water Management Zone Annual Reports for the fiscal years of 2007/2008 and 2008/2009.

Town of Paradise  
Wastewater Management Zone  
**Annual Report**  
**2007/2008**



**TOWN OF PARADISE  
ONSITE WASTEWATER MANAGEMENT ZONE  
ANNUAL REPORT 07/08**

**EXECUTIVE SUMMARY**

**BACKGROUND:**

This annual report is provided for the fiscal year 2007/2008 and reports the program activities of the Town of Paradise Wastewater Management Zone Onsite Sanitation Division. These programs include surface and groundwater monitoring, advanced treatment system management, enforcement activities for non-compliant systems, escrow clearances and system evaluations. This report also details the success of the Town of Paradise in managing over eleven thousand sewage disposal systems within our boundaries.

This report is organized into four sections:

- 1) Administrative Data**
- 2) Surface Water Quality Sampling and Analysis**
- 3) Ground Water Quality Sampling and Analysis**
- 4) Advanced Treatment Systems Monitoring**

The report format has been changed considerably from that used in previous reports. Graphs on individual systems and sampling points are no longer used. The data tables are better organized and labeled so that the data can be read with clarity, comprehension and brevity.

The following is commentary and summary of each section of this report, highlighting issues of relevance.

**COMMENTS AND SUMMARY:**

**Section #1 - Administrative Data:**

This section tracks some of the administrative activities of the Onsite Sanitation Division. For comparative reasons, the previous five years of the same activities are presented as well. Noteworthy for comment is:

- **Evaluations received:** Every septic system in the Town of Paradise is required to be evaluated on a routine basis. The evaluation frequency is dependent on the age and condition of the system as well as its' location and type of use. An evaluation that shows that a septic system is operating satisfactorily is required for the Operating Permit to be renewed. If an evaluation indicates that a septic system is substandard than a notification program is initiated that informs the owner of their requirement to repair their system. There were 2314 evaluations received this year. Each evaluation received is analyzed, recorded and used to generate an Operating Permit or a Corrective Action Notice for the system.

For every evaluation received there is approximately one expiration notice sent out requesting that the evaluation be done. Evaluation requests are called expiration notices because they notify owners that their septic system Operating Permit will soon expire and must be renewed with a current passing evaluation. A portion of the evaluation program entails customer interaction with the Onsite Division staff on a one on one basis including phone calls, letters and office visits.

The evaluation program does not slow down with a declining economy. The requirement for septic systems to be evaluated as prescribed by the Paradise Municipal Code is ever constant. Therefore the work involved in tracking Evaluations, issuing Expiration Notices, Infraction Notices, Operating Permits, Corrective Action Requests, Corrective Action Notices, Repair Permits and Administrative Citations as well as doing Repair site visits and inspections has not relented with the deflating construction industry.

- **Administrative Citations:** Administrative citations became a regulatory “tool” for the Onsite Sanitation Division beginning last 06/07 year. Prior to this only criminal citations were possible, which process was lengthy and time consuming, thus fewer citations were issued. Issuing an administrative citations is one of the last steps in the enforcement process and done only after multiple warnings have been issued to a septic system owner. Administrative citations have increased almost two-fold since the prior year when they were first introduced. This year they are 212, the previous year they were 115. This increase is due partially to the development of a more efficient use of this program. Administrative citations have proven to be an effective tool in achieving compliance to the towns’ wastewater regulations.
- **Land Division Reviews:** This year had 9 applications for land division review. This service request has reduced significantly since the previous year’s land divisions which were 19 and then prior to that 28. This trend is reflective of the gradual decline of developable land within the town as well as a tightening economy.
- **New Construction (total standard and alternative systems combined):** This type of application has decreased from 49 last year to 28 this year. The decline is reflective of a declining construction market.
- **Infractions Notices:** Infraction notices are the second letter that goes out informing a septic system owner that their septic system must be evaluated in order for their Operating Permit to be renewed. This notice is sent only when the owner has not complied with the first notice to have their system evaluated. This year 280 infraction notices were sent out and the year previous there were 146. This previous year’s low number was an anomaly and most likely influenced by a staffing turnover of the Onsite Division. At the same time the increase of infraction notices, as well as the increase in administrative citations as indicated above, may be reflective of a slumping economy.
- **Repairs:** The categories for repairs in this table have now changed. The prior two categories of repairs are still shown on the table. Beneath them are new titles that will be used in all future reports. The two new categories; “Repairs to Maintain Existing Use” and

“Miscellaneous Repairs” are close in proximity to the old categories of “Repairs-failed absorption systems” and “Repairs-minor failures”. These titles have been changed so as to better align this data with the new computer program in use.

Repairs have increased over 100% in both categories. **Repairs for failed absorption systems** in the year 06/07 were 109. This year the like number is 251. **Repairs-minor failures** in the year 06/07 were 44. This year the like number is 122. The totals of all repairs for the previous year were 153. This reporting year they are 373. This increase in repairs is reflective of an improved enforcement program which went into effect last year, including the administrative citations program described above.

- **New Operating Permits:** Most of the new operating permits are issued for new septic systems on new buildings constructed. Others are from existing complex septic systems with multiple tanks that should have had more than one operating permit issued to them but wasn't until this year. The amount of new operating permits has declined this year to 28. The previous year there were 49 and prior to that there were 54. This decrease in new operating permits reflects the decline of the construction industry.
- **Total Parcels and Total Operating Permits:** Both of these categories have decreased this year because of corrections made to prior inaccuracies. Because of the new fee collection method of placing the Operating Permit fee on the county tax rolls the County Assessor's Office has provided new more accurate data. In addition, old data has undergone scrutiny and revision by the Onsite Sanitation Division. These categories were found to be significantly less than what was previously reported. Total Parcels are now accurately reported as 11460 compared to 13314 last year. Total Operating Permits are now accurately reported as 11202 compared to 11487 from last year's report.
- **Escrow Clearances:** An escrow clearance application is a request for the Town to provide an approval to the County Assessor/Recorders Office for a title transfer of real property. The Town provides that approval in the form of a clearance to record document. This reported total is for the number of *applications* received for clearance to record title and not the actual number of clearances given.

At the beginning of this year, (July 2007), a new ordinance went into effect requiring all escrow clearance applications be accompanied by a current septic system evaluation. Prior to that none were required. Because the applications were received without a fee, (a procedure to be changed in the upcoming year), many superfluous applications were submitted including ones that did not pass escrow. When the ordinance passed this year and a current evaluation was required for escrow clearances the superfluous applications decreased. This decline is evident in this year's total of 359, as compared to last year's total of 595. The decline is also reflective of a downward trend of the housing market.

## **Section #2 - Surface Water Quality Sampling and Analysis:**

This section reports the water quality of the creeks and streams in Paradise relative to potential contamination from septic systems. A total of thirty-three sample locations in natural drainage

basins are sampled twice each year, once in the wet season and once in the dry season. Typically wet season sampling is done around April of each year and dry season around September. These sampling sites represent the 20 drainage basins that exit the town boundaries and are indicated on the attached surface and groundwater sampling stations map. The primary constituents of relevance are Nitrate Nitrogen and Fecal Coliform which can be indicators of human waste. A tabulation of these results is presented for both the wet and dry seasons. Comments on the data are as follows:

- **Nitrate Nitrogen:**

The maximum limit for Nitrate Nitrogen in surface water is set by the Central Valley Regional Water Quality Control Board and is 10 mg/l. For comparative purposes a six year history is shown in the table. Non-reporting of locations during the dry season indicates no representative sample could be taken due to inadequate water flow in the streams.

Review of the data indicates that there is no significant exceedance of Nitrate Nitrogen above acceptable levels in any of the samples. In general the wet season samples tested higher than normal, although still below the permissible limit. This was probably caused by the below-average rainfall this season. The samples were taken at the end of April, which month only had one inch of rain. The entire rainfall season had only 70% of the average rainfall. Typically there is a certain amount of dilution that occurs when nitrates from soils migrate into ample flowing streams. This dilution did not occur to the extent that it typically does because of the low rainfall and consequently low volume of water in the streams. Therefore nitrate levels were higher this season, but as a whole, not exceeding permissible limits.

- **Fecal Coliform:**

The standard for fecal coliform in stream water is provided by the Central Valley Regional Water Quality Control Board and is derived from the Central Valley Basin Plan standards for recreational waters. The standard is that fecal coliform shall not exceed 400 mpn (most probable number)/100ml of water in greater than 10% of the samples taken. Sample results for all locations are presented in the table along with the prior 5 year samples.

In the dry season only 12 out of 33 locations could be sampled because of the very low creek flows caused by the low rainfall year, (70% of the average). Five of these samples significantly exceeded the standard for maximum fecal coliform for recreational waters. Of these, Station #14 and #45 are immediately downstream from livestock pastures and these higher levels may be caused by domestic animal waste.

These five higher level fecal coliform samples were most likely enhanced by the very low stream water flows due to the below average rainfall this year. Naturally occurring fecal coliform from wildlife such as deer, raccoon, and squirrels and from domestic animals such as horses, llamas and dogs, can be amplified in the dry summer months when there is a very low water volume. For this reason, dry season sampling done on below average rainfall years warrants scrutiny and cannot be considered conclusive of septic system contamination. This is also supported by the fact that Nitrate Nitrogen levels were very low and showed no signs of septic system contamination at any of these, or other, locations. Also, when most of

these higher fecal coliform sites were resampled 6 months later, when water was running more towards normal, they were within acceptable ranges for fecal coliform (see following comment on Station #14 and #33).

When these same stations were sampled in the wet season two exceeded the 400mpn/100ml standard. One was Station #14 at 500 mpn/100ml. This overage is minimal and also possibly explained by the presence of livestock pastures upstream from this station through which the creek flows. Further downstream on the same creek, Station #36, the sample there was at an acceptable range for fecal coliform.

Station #33 was very high for fecal coliform during the wet season sampling. Past history does not show a pattern for high levels here. A follow-up sample will be taken here during the next routine sampling to determine if there is a pattern of high fecal coliform level or if it was just an anomaly.

### **Section #3 - Ground Water Quality Sampling and Analysis:**

There are four ground water monitoring wells that are sampled on a semi-annual basis. These wells have relatively shallow depths and are constructed to draw from the first water table below the ground surface. Their depths range between fifteen and thirty five feet and the groundwater levels in these wells range between 4 and 21 feet. Their locations are indicated on the attached Surface Water and Groundwater Monitoring locations map.

Review of the sample results indicates there is no significant change in the constituent levels sampled over the past few years. Nitrogen and coliform levels remain low to non-existent. Overall there are no alarming levels of sampled constituents and no indications that septic system discharge is negatively affecting our groundwater.

### **Section #4 - Advanced Treatment Systems Monitoring:**

Advanced Treatment Systems are required to have routine maintenance provided by an approved service provider. Of the 147 systems 59 are sampled for their effluent (discharge) strength on a routine basis as required in the Town of Paradise Manual for the Onsite Treatment of Wastewater (manual). Last year there were 56. The regulatory standard for effluent quality for Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) is established in the manual at 30 mg/l. The standard for Total Nitrogen (TN) has been established by the Central Valley Regional Water Quality Control Board at 20 mg/l. Total Nitrogen is calculated by the addition of TKN and NO<sub>3</sub>N, which total is given in the table. The attached table is a compilation of those sample results over this reporting year.

In viewing this table it is observed that some systems have missed their routine sampling requirements. Some have missed their sampling due to vacancy or repair work underway. A few others were missed out of the owner's negligence or lack of payment to the service provider. When systems fall behind in their maintenance and sampling requirements it is the Onsite Sanitation Division policy to inform the owners of their omission and assist them in achieving compliance.

In reviewing this year's sampling results it can be seen that most of the systems are performing satisfactorily. Most high readings on individual systems are not of long duration, whether in BOD, TSS or TN. Of the few that do have high results the Onsite Division has informed the owners and service provider of the exceedance and consulted with them on what may be necessary to bring these levels to an acceptable range. Some systems are older and are less effective in reducing constituent levels. These systems are watched closely. When systems fail to meet the required effluent quality over an extended period of time, the owner is required to bring the system into compliance, which usually means a repair or upgrade. Most systems operate within their design parameters.

## ONSITE SANITATION DIVISION

### ADMINISTRATIVE OPERATION DATA

<u>FUNCTION</u>	<u>Fiscal 07/08</u>	<u>Fiscal 06/07</u>	<u>Fiscal 05/06</u>	<u>Fiscal 04/05</u>	<u>Fiscal 03/04</u>
Tank abandonment	7	17	17	7	8
Alteration Permits	14	45	43	43	35
Building Clearance (major & minor)	141	169	161	183	205
Evaluations Received	2314	2539	2607	2192	2316
Infraction Notices 2nd notice to do evaluation	280	146	245	226	247
Corrective Action Request 1st notice to make repair	248	284	268	394	365
Corrective Infraction Notices 2nd notice to make repair	69	78	170	125	124
Administrative Citations Citation for no evaluation or no repair	212	115	N/A	N/A	N/A
Land Division Reviews	9	19	28	16	14
Land Use Reviews	48	124	116	117	121
New Construction (standard)	24	38	38	41	58
New Construction (alternative)	4	11	16	12	13
New Construction - Total	28	49	54	53	71
Repairs (failed absorption system)	~	109	106	117	126
Repairs to Maintain Exist Use	251				
Repairs (minor failures)	~	44	80	167	128
Misc Repairs	122				
Repairs - Total	373	153	186	284	254
New Operating Permits	28	49	54	60	71
Water Well Clearances	0	1	1	1	2
Escrow Clearances	359	595	532	755	747
Total Parcels	11460	13314	13306	13271	13210
Operating Permits	11202	11487	11438	11385	11319

## GROUND WATER MONITORING WELLS SAMPLING RESULTS 07/08

### Beechwood Drive Monitoring Well

		07/08	06/07	05/06	04/05	03/04	02/03
TKN	DRY SEASON	2	2.35	0.4	1.8	0.7	1
	WET SEASON	1	2.83	1	1.4	0.6	0.9
NITRATE	DRY SEASON	2.67	2.35	2.23	2.5	2.52	2.52
	WET SEASON	2.79	2.78	3.02	2.88	2.93	2.63
NITRITE	DRY SEASON	0.11	0.18	0.6	0.03	0.04	0.04
	WET SEASON	0.04	0.04	0.03	0	0	0
SC	DRY SEASON	115	123	126	114	123	119
	WET SEASON	116	121	121	121	127	102
BOD	DRY SEASON	0	0	0	0	0	0
	WET SEASON	0	0	0	0	0	0
T COLI	DRY SEASON	<2	2	5	4	50	<2
	WET SEASON	<2	<2	8	<2	2	<2
F COLI	DRY SEASON	<2	<2	<2	<2	<2	<2
	WET SEASON	<2	<2	<2	<2	<2	<2
MBAS	DRY SEASON	0.17	1.99	0.41	0.41	0.41	0.17
	WET SEASON	0.03	1.44	0	0	0	0.03

### Edwards & Ripley Ln. Monitoring Well

		07/08	06/07	05/06	04/05	03/04	02/03
TKN	DRY SEASON	0.6	0.9	0.9	0.1	0.3	0.7
	WET SEASON	1.7	0.4	2	0.8	0.7	1
NITRATE	DRY SEASON	1.42	1.28	1.34	0.89	0.89	1.61
	WET SEASON	0.69	1.45	1.65	1.19	1.05	1.48
NITRITE	DRY SEASON	0.01	0	0.02	0	0	0.1
	WET SEASON	0.01	0	0.01	0.02	0	0.01
SC	DRY SEASON	71	82	77	88	82	104
	WET SEASON	69	80	81	71	74	86
BOD	DRY SEASON	0	0	0	0	0	0
	WET SEASON	0	0	0	0	0	0
T COLI	DRY SEASON	<2	<2	33	33	300	130
	WET SEASON	7	50	23	33	80	80
F COLI	DRY SEASON	<2	<2	23	23	22	2
	WET SEASON	<2	<2	<2	11	4	8
MBAS	DRY SEASON	0	0.13	0	0.02	0	0
	WET SEASON	0	0.03	0	0	0	0

## GROUND WATER MONITORING WELLS SAMPLING RESULTS 07/08

### Stark Ln. Monitoring Well

		07/08	06/07	05/06	04/05	03/04	02/03
TKN	DRY SEASON	0.2	0.1	0	0.1	0.2	0.3
	WET SEASON	0.1	0.1	0.2	0.2	0	0
NITRATE	DRY SEASON	0.06	0.03	0.06	0.15	0.15	0.21
	WET SEASON	0.07	0.18	3.02	0.32	2.93	2.63
NITRITE	DRY SEASON	0.07	0.05	0.02	0	0	0.01
	WET SEASON	0	0	0.03	0	0	0
SC	DRY SEASON	98	102	98	87	102	75
	WET SEASON	171	99	75	83	85	81
BOD	DRY SEASON	0	0	0	0	0	0
	WET SEASON	0	0	0	0	0	0
T COLI	DRY SEASON	<2	<2	5	<2	<2	<2
	WET SEASON	<2	<2	<2	<2	<2	4
F COLI	DRY SEASON	<2	<2	<2	<2	<2	<2
	WET SEASON	<2	<2	<2	<2	<2	<2
MBAS	DRY SEASON	0.21	0.03	0	0.21	0	0.18
	WET SEASON	0.03	0.1	0.02	0.03	0	0.05

### 6550 Skyway - Veterans Memorial Hall Monitoring Well

		07/08	06/07	05/06	04/05	03/04	02/03
TKN	DRY SEASON	0.5	0.1	0.2	0	0.2	0.8
	WET SEASON	0.3	0	0.2	0.1	0.2	0.1
NITRATE	DRY SEASON	1.56	1.56	1.48	1.64	1.64	1.61
	WET SEASON	1.48	1.51	1.51	1.96	1.9	2.01
NITRITE	DRY SEASON	0.04	0.03	0.16	0.1	0.01	0.1
	WET SEASON	0.06	0	0	0	0	0.01
SC	DRY SEASON	52	53	52	48	54	46
	WET SEASON	53	59	54	49	56	52
BOD	DRY SEASON	0	0	0	0	0	0
	WET SEASON	0	0	0	0	0	0
T COLI	DRY SEASON	<2	<2	<2	<2	<2	<2
	WET SEASON	<2	<2	<2	<2	<2	<2
F COLI	DRY SEASON	<2	<2	<2	<2	<2	<2
	WET SEASON	<2	<2	<2	<2	<2	<2
MBAS	DRY SEASON	0	0.11	0.16	0	0	0.17
	WET SEASON	0	0.03	0	0	0	0

## SURFACE WATER SAMPLING RESULTS 2007/08 - DRY SEASON

07/08		06/07		05/06		04/05		03/04		02/03	
Dry Season (10/07)		Dry Season									
Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform

**Sample ID**

Station #01	0.87	0	0.82	<2	1.03	<2		0.69	11	0.94	220
Station #03	1.14	130	1.09	50	0.98	79		1.44	70	1.12	300
Station #07	0.82	900	0.2	240	0.95	110		1.05	30	~	~
Station #08	~	~	~	~	~	~		~	~	0.81	130
Station #09	1.59	220	1.52	900	1.43	920		1.39	1600	1.43	>1600
Station #10	1.23	500	1.27	900	1.24	120		1.15	30	1.48	900
Station #11	1.7	900	1.57	110	1.59	49		1.41	50	1.72	22
Station #12	~	~	~	~	~	~		~	~	~	~
Station #13	~	~	~	~	~	~		~	~	~	~
Station #14	1.19	1600	1.25	300	~	~		1.28	1600	~	~
Station #16	~	~	~	~	~	~		~	~	~	~
Station #19	1.45	1600	~	~	~	~		1.37	130	~	~
Station #20	0.65	140	1.21	300	0.91	79		0.69	80	0.8	300
Station #22	0.88	300	~	~	0.92	540		1.11	240	~	~
Station #23	~	~	~	~	~	~		~	~	~	~
Station #28	~	~	~	~	~	~		~	~	~	~
Station #31	~	~	~	~	~	~		~	~	~	~
Station #32	~	~	~	~	~	~		~	~	~	~
Station #33	~	~	~	~	~	~		~	~	~	~
Station #35	~	~	~	~	~	~		~	~	~	~
Station #36	0.64	500	~	~	~	~		1.25	220	0.54	300
Station #37	~	~	~	~	~	~		~	~	~	~
Station #38	~	~	~	~	~	~		~	~	~	~
Station #39	~	~	~	~	~	~		~	~	~	~
Station #40	~	~	~	~	~	~		~	~	~	~
Station #41	~	~	~	~	0.37	49		0.71	300	~	~
Station #42	~	~	~	~	~	~		~	~	~	~
Station #43	~	~	~	~	~	~		~	~	~	~
Station #45	1.46	900	1.27	1600	1.18			1.27	170	~	~
Station #46	~	~	~	~	~	~		~	~	~	~
Station #47	~	~	~	~	~	~		~	~	~	~
Station #48			~	~	0.67	350		0.69	>1600	~	~

~ = Dry or too low to sample

\*(RS)-RE SAMPLE

## SURFACE WATER SAMPLING RESULTS 2007/08 - WET SEASON

		06/07		05/06		04/05		03/04		02/03	
Wet Season (04/30/08)		Wet Season (05/07)		Wet Season		Wet Season		Wet Season		Wet Season	
Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform

Sample ID	Nitrate @ N	Fecal Coliform										
Station #01	5.6	50	1.06	<2	1.32	13	1.1	49	0.71	<2	1.24	26
Station #03	5.7	50	1.2	80	1.38	50	1.18	33	1.19	540	1.47	30
Station #07	4.9	13	1.03	17	1.18	30	1.07	23	0.99	17	1.21	90
Station #08	4	300	1.11	50	1.42	140	1.25	33	1.12	170	1.18	220
Station #09	7.4	240	1.53	21	1	80	1.42	49	1.43	23	1.67	220
Station #10	5.2	30	1.19	50	1.68	50	1.03	70	1.44	11	~	~
Station #11	1.4	170	1.43	11	1.21	13	1.22	23	1.29	70	1.33	50
Station #12	4.9	30	1.18	50	1.37	300	1.39	220	1.05	170	1.31	50
Station #13	~	~	~	~	~	~	~	~	~	~	~	~
Station #14	6.1	500	1.08	1600	1.63	13	1.3	170	1.29	49	1.66	50
Station #16	9.8	23	2.04	8	1.38	110	~	~	1.93	27	1.31	50
Station #19	0.4	2	1.23	80	1.29	13	1.21	920	1.3	540	1.65	220
Station #20	5.4	50	1.18	17	1.24	60	1.16	110	1.2	240	1.93	240
Station #22	4.5	170	0.98	13	1.04	13	1.03	49	1.04	8	1.18	130
Station #23	5.7	50	1.12	22	1.17	30	1.02	8	1.08	17	1.31	110
Station #28	8.9	80	1.98	50	2	22	1.79	70	2.14	79	2.21	30
Station #31	~	~	0.65	300	0.86	30	0.46	31	~	~	1.21	140
Station #32	7.2	26	1.44	80	1.6	140	1.56	170	1.67	33	1.6	170
Station #33	4.8	>1600	1.29	13	1.66	170	1.6	491	1.6	110	1.56	50
Station #35	10.1	2	2.16	80	2.22	80	1.81	79	2.67	2	2.53	80
Station #36	4.3	13	1.19	170	1.63	1600	1.48	540	1.26	31	1.87	130
Station #37	8	50	1.59	8	1.75	30	1.43	33	~	~	1.61	70
Station #38	3.1	30	0.65	30	0.63	23	0.65	23	~	~	0.67	30
Station #39	7.2	2	1.66	13	1.72	30	1.52	540	1.46	79	1.79	17
Station #40	~	~	1.77	80	1.68	17	1.9	23	~	~	2.09	14
Station #41	2.2	13	0.71	22	0.76	22	0.78	130	0.54	170	~	~
Station #42	~	~	1.4	<2	1.05	30	1.34	31	1.29	<2	1.32	2
Station #43	1.6	11	0.69	<2	0.8	4	0.75	49	0.74	49	0.85	30
Station #45	5.2	23	1.15	50	1.41	17	1.23	46	1.13	220	1.39	50
Station #46	6.3	23	1.15	70	1.19	900	0.99	130	1.26	540	1.23	170
Station #47A	1.2	8	0.88	17	0.81	13	0.91	130	0.7	14	0.88	7
Station #48	3.8	4	1.18	17	1.78	8	1.48	64	1.24	46	1.77	110

~ = Dry or too low to sample

\*(RS)-RE SAMPLE

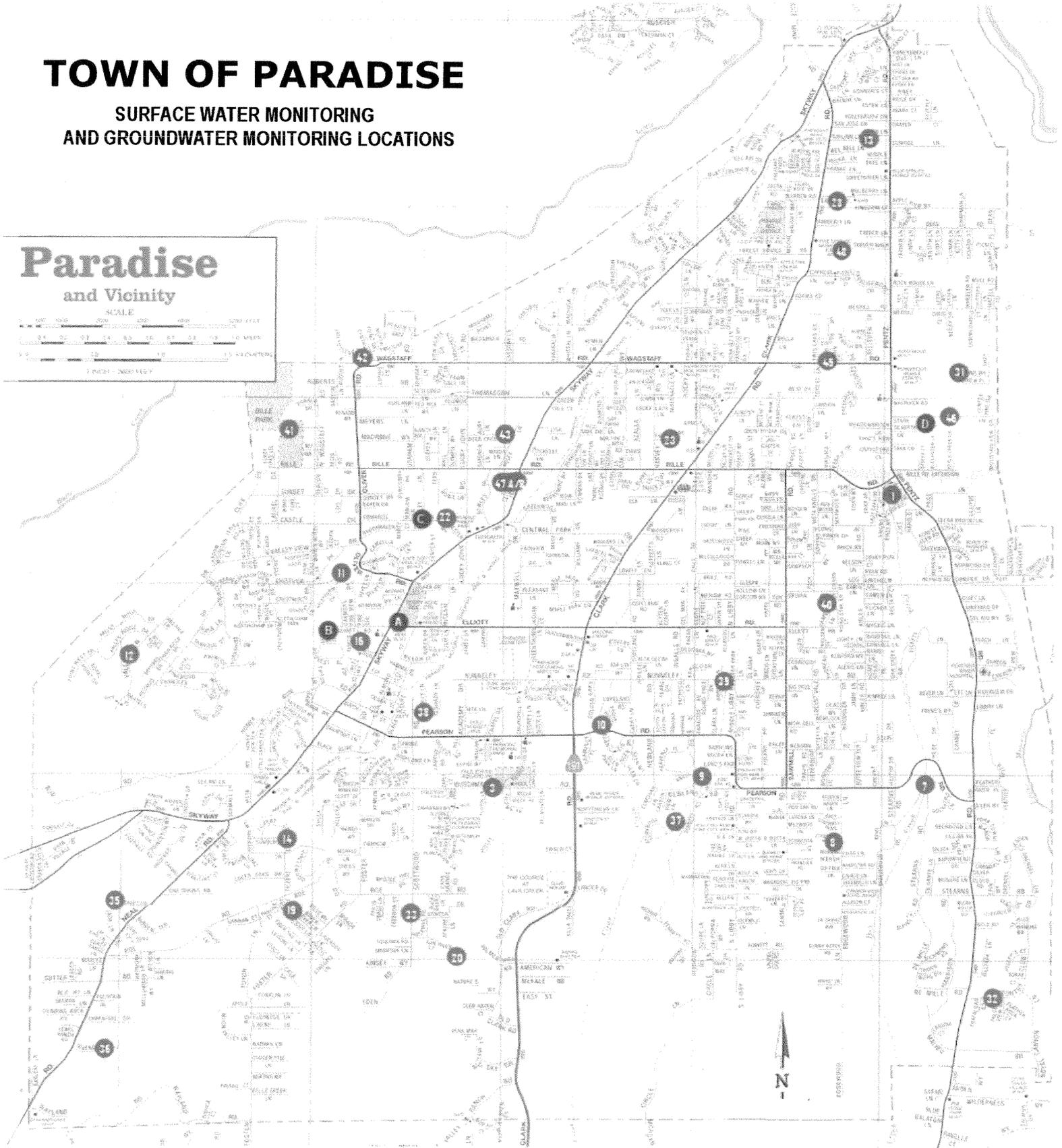
Town of Paradise  
Onsite Wastewater Management Zone  
Surface Water Sampling Locations

Station	Basin	Location
01	Pentz	Lakeview Dr
03	Pears1	Buschmann Rd
07	Pentz1	Stearns
08	Sawmill1	Running Deer Dr
09	Clark2	Newland Rd
10	Clark1	Pearson Rd
11	HoneyR	Oakmore
12	ValView	Valley View Dr
13	Pentz1	Raylinn Ln
14	LSkyway1	Filbert & Sunburst
16	HoneyR3	Tanglewood
19	Roe 1 & 2	Filbert
20	Pearson	Sun River Ct
22	HoneyR5	Bowles Blvd
23	Pears1	Fawnbrook Pl
28	Pentz 1 & 2	Eagle Way
31	WBranch2	June Way
32	CClub	Country Club
35	Neal	Craft Ln
36	LSkyway2	Riverdell Ln
37	Clark2	Storybook Ln
38	Roe1	E Oak St
39	Clark2	Nunneley Rd
40	Sawmill1	Cameron Ln
41	LButte	W Wagstaff Rd
42	Wagstaff	Van Fossen
43	HoneyR1	Deer Creek Ln
45	Pentz1	Wagstaff Rd
46	Wbranch	Stark Ln
47A	HoneyR5	Paradise Skilled Nursing (upstream)
47B	HoneyR5	Paradise Skilled Nursing (downstream)
48	Pentz4	Pine Springs MHP (downstream)

# TOWN OF PARADISE

## SURFACE WATER MONITORING AND GROUNDWATER MONITORING LOCATIONS

### Paradise and Vicinity



**SURFACE WATER SAMPLING**

*Numbers 1 - 48*



**GROUND WATER MONITORING WELLS**

*A, B, C, D*

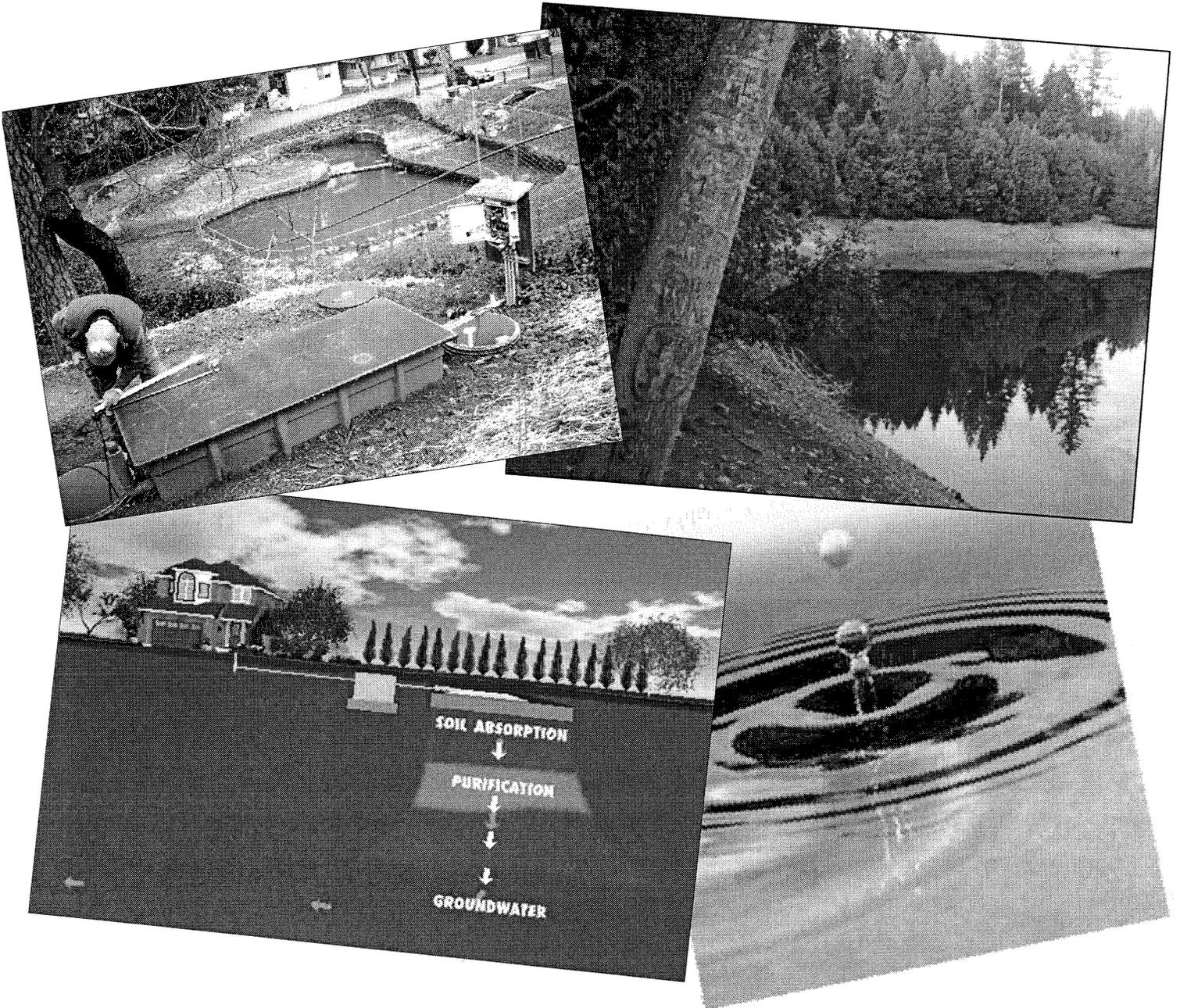
**ADVANCED TREATMENT SYSTEMS SAMPLING RESULTS**

2007/2008 Quarterly Sampling Summary																													
AP#	Property	Address	FREQUENCY	1st Quarter					2nd Quarter					3rd Quarter					4th Quarter										
				BOD	TSS	TN	TKN	NO3N	BOD	TSS	TN	TKN	NO3N	BOD	TSS	TN	TKN	NO3N	BOD	TSS	TN	TKN	NO3N						
054-070-037	1162 Glen Circle	1162 Glen Circle	Q	new system					infracrion																				
052-271-058	451 Circlewood	451 Circlewood	NA	n/a					n/a					n/a					n/a										
054-182-071	5445 Sawmill Road	5445 Sawmill Road	Q	27.8	24	3	3										5.2	9	2.5	2.5									
052-224-008	5461 Almond St.	5461 Almond St.	Q	9	6	10.55	7.3	3.25																					
051-143-003	5772 Black Olive Dr.	5772 Black Olive Dr.	Q														7	3	23.9	9.6	14.3								
052-142-019	5811 Black Olive Dr	5811 Black Olive Dr	Q																										
052-142-002	5851 Black Olive	5851 Black Olive	Q														0	0	46.2	5.7	40.5								
053-110-099	6000 Maxwell	6000 Maxwell	Q	4	0	16.3	1	15.3									0	4	40.4	0	40.4								
050-300-011	6670 Twin Oaks	6670 Twin Oaks	Q	3	0	5.75	5	0.75									6	10	24.8	12.7	12.1								
053-030-039/054	7200 Skyway/Youth for Change	7200 Skyway/Youth for Change	Q	0	8	45.7	10.9	34.8									20	18	43.6	21.7	21.9								
055-410-014	78 Grinding Rock Rd.	78 Grinding Rock Rd.	NA	11	22	15.9	4	11.9									0	0	12.6	1.1	11.5								
052-223-011	Aloha Paradise	5424 Black Olive	Q	70	18	54.1	54.1	0									0	0	1.86	1.8	0.06								
051-104-023	Aloha Skyway	8585 Skyway	Q	0	0	26.1	2.2	23.9									0	0	27.1	1.4	25.7								
050-150-111	Apple Tree Village - Sean Ct.	1451 Sean Ct	Q	4	3	17.1	3.8	13.3									6	3	22.3	3.3	19								
050-150-111	Apple Tree Village MHP	1418 Kilcrease Cir	Q	0	6	12.7	2.7	10									0	3	23.4	0.7	22.7								
051-220-005	Asian Gardens	5225 Skyway	S	repair										under repair															
054-040-144/145	Black Bear Diner / Laundrymat	5775, 5791 Clark Rd	Q	New System					New System					22 11 26.5 26.5 0					18 9 25.3 5.7 19.6										
052-224-004	Blum Building	148 Pearson Rd	Q	CLOSED					CLOSED					CLOSED					CLOSED										
053-120-070	Camino Apartments	5930 Camino Ln	Q	4.5	2	3.7	3.7										26	9	51.3		51.3								
052-060-013	Cape Cod MHP	6799 Skyway	S														4	10	21.1	2.8	18.3								
050-360-037	Cinema 7	6707 Clark Rd	S														9	23	69.54	59.7	9.84								
050-190-065	Cobblestone Court	6585 Clark Rd	Q	3	5	30.9	6.1	24.8									4	2	35.2	8.2	27								
052-244-037	College Hill	780 College Hill Dr	Q	5	3	12.08	3.5	8.58									10	3	24.6	9.1	15.5								
054-090-070	Comfort Inn	5475 Clark Rd	Q	86	47	31.93	31.9	0.03									31	13	32.4	32.4	0								
052-121-047	Cozy Diner	6371 Skyway	Q	338	67	46.78	46.78	0									79	9	17.7	17.7	0								
052-121-047	Cozy Diner-Nibbler	6371 Skyway	Q	674	142												394	64											
053-340-087&088	Eden Roc	6405 Pentz Rd	Q	3	3	21.2	1.8	19.4									6	0	24.6	1.9	22.7								
053-390-002	Feather Canyon	5900 Canyon View Dr	Q	7	8	5.92	5.9	0.02									8	6	12.01	12	0.01								
050-220-125	Fit One (Sporhaven)	6854 Pentz Rd	Q	9	9	25.25	25.2	0.05									0	0	23.9	13.3	10.6								
051-220-085	FR Hosp - Rural Health Clinic	5974 Pentz Rd	Q																										
053-390-008	FRH Main Campus	5125 Skyway	Q	tem start up										7 3 17.81 17.6 0.21					4 4 32.65 27.6 5.05										
051-152-034	Gilsons Plaza	5967 Skyway	Q	under repair										under repair															
054-050-101	Izzy's (Mallan)	480 Pearson Rd	Q	6	9	22.4	2.2	20.2									0	3	13.8	1.4	12.4								
052-121-022	Lantern Motel	5799 Wildwood Ln	S														7	5	35.7	2.4	33.3								
054-050-099	Oak Knoll Assist Liv	1007 Buschmann Rd	Q	6	4	22.82	14.3	8.52									0	0	7.62	1.4	6.22								
053-021-089	Paradise Health Care (Skilled Nursin	7419 Skyway	Q	0	3	15.9	1.4	14.5									5	17	15.6	2.6	13								
053-111-001	Paradise High School	5911 Maxwell Dr	S	10	5	40.2	13.3	26.9									15	14	88	52.1	35.9								
053-111-001	Paradise High School - Portable Cla	5911 Maxwell Dr	Q	0	0	6.05	2	4.05									4	2	34.4	7.8	26.6								
052-250-088	Paradise Inn	5423 Skyway	Q	33	21	49.5	22.1	27.4									18	7	38.24	34.5	3.74								
054-050-023	Paradise Intermediate School	5665 Recreation Dr	S	0	0	21.9	0.5	21.4									0	2	26.3	0	26.3								
050-400-005	Paradise Plaza	6616 Clark Rd	Q	36	15	5.63	5.6	0.03									15	37	4.3	3.9	0.4								
052-090-051	Park Plaza	6529 & 6505 Skyway	Q	0	0	44.6	3.9	40.7									4	3	54.9	5.5	49.4								
050-190-039	Pine Grove MHP	1368 Garnet Ln	Q	27	5	11.89	11.2	0.69									38	32	8.78	7	1.78								
050-082-022	Pine Springs Mobile	6920 Clark Rd	Q														25	4	17.6	12.4	5.2								
054-120-021	Pinecrest MHP	5436 Clark Rd	Q	0	0	16.28	0.08	16.2									5	0	13.97	7.97	6								
053-131-076/30	Pineview Apartments	1146 Elliott Rd	Q	5	5	26.5	3.6	22.9									8	6	35.1	14	21.1								
052-290-009	Plantation	5550 Berry Creek Dr	S	0	0	22.93	0.03	22.9									0	0	22.74	0.04	22.7								
052-080-012	Ponderosa Gard Mot	7010 Skyway	S	0	5	36.2	2.4	33.8									0	0	48.5	1.8	46.7								
050-240-078	Ponderosa MHP	6656 Pentz Rd	Q														10	4	20.3	4.8	15.5								
053-132-091	Ridge Pine Commons	1250 Elliott Rd	Q	29	7	35.4	21.5	13.9									8	6	35.4	30.1	5.3								

**ADVANCED TREATMENT SYSTEMS SAMPLING RESULTS**

2007/2008 Quarterly Sampling Summary																									
AP#	Property	Address	FREQUENCY	1st Quarter					2nd Quarter					3rd Quarter					4th Quarter						
				BOD	TSS	TN	TKN	NO3N	BOD	TSS	TN	TKN	NO3N	BOD	TSS	TN	TKN	NO3N	BOD	TSS	TN	TKN	NO3N		
				053-120-076	Shadowbrook I Apts. 1-32 (lower)	1077 Shadowbrook	Q	12.7	39	6	6									22.3	16	24	24		
053-120-055	Shadowbrook II Apts. 33-48 (upper)	1077 Shadowbrook	Q	7.1	16	2.2	2.2									24.2	23	26	26						
053-120-054	Shadowbrook Plaza	5923 Clark Rd	Q	29	68	9.31	0.01	9.3	15	11	16.75	0.05	16.7								336	56	40.75	40.7	0.05
050-180-001	Shady Cove Apartment	1524 Wagstaff Rd	S						5	2	14.2	3.8	10.4								3	0	14.3	1.4	12.9
050-070-073	Sunbridge Care	8777 Skyway	Q	18	8	8.28	5.8	2.48	8	6	8.1	2.4	5.7	14	20	8.12	2.42	5.7			5	4	5.56	2.7	2.86
054-182-084	Sunshine Cottage	1468 Sun Manor Ct	Q	6	9	8.25	1.8	6.45	5	4	16.8	4.4	12.4	22	43	22.6	17.6	5			38	64	14.98	10	4.98
054-330-016	Taco Bell	5859 Clark Rd	S	44	53	52.4	0	52.4																	
053-022-032	Walgreens	7576 Skyway	S	0	4	28.92	21.1	7.82	8	6	56.6	31.4	25.2	0	7	52.9	28.4	24.5			7	9	39.1	27.5	11.6
052-060-041	Wickie's	6945 Skyway	Q						38	32	8.78	7	1.78								7	5	9.35	4.2	5.15

Town of Paradise  
Wastewater Management Zone  
**Annual Report**  
**2008/2009**



**TOWN OF PARADISE  
ONSITE WASTEWATER MANAGEMENT ZONE  
ANNUAL REPORT 08/09**

**EXECUTIVE SUMMARY**

**BACKGROUND:**

This annual report is provided for the fiscal year 2008/2009 and reports the program activities of the Town of Paradise Wastewater Management Zone Onsite Sanitation Division. These programs include surface and groundwater monitoring, advanced treatment system management, enforcement activities for non-compliant systems, escrow clearances and system evaluations. This report also details the success of the Town of Paradise in managing over eleven thousand sewage disposal systems within our boundaries.

This report is organized into four sections:

- 1) Administrative Data**
- 2) Surface Water Quality Sampling and Analysis**
- 3) Ground Water Quality Sampling and Analysis**
- 4) Advanced Treatment Systems Monitoring**

This report format was changed in 07/08 and still bears mentioning. Graphs on individual systems and sampling points are no longer used. The data tables are better organized and labeled so that the information can be read with clarity, comprehension and brevity.

The following are commentary and summary on each section of this report, highlighting issues of relevance.

**COMMENTS AND SUMMARY:**

**Section #1 - Administrative Data:**

This section tracks some of the administrative activities of the Onsite Sanitation Division. For comparative reasons, the previous five years of the same activities are presented as well. Noteworthy for comment is:

- **Building Clearances;** Building Clearances are approvals given by the Onsite Sanitation Division for a building permit issuance. A project submitted to the Building Department is reviewed for its impact to the onsite sewage disposal system(s) serving the parcel that the project is on. If there is negligible impact a building clearance is given. Total building clearances are down considerably from the previous year's total from 141 in 07/08 to 87 this year. This decline is reflective of the shrinking construction industry.
- **Evaluations received:** Every septic system in the Town of Paradise is required to be

evaluated on a routine basis. The evaluation frequency is dependent on the age and condition of the system as well as its' location and type of use. An evaluation that shows that a septic system is operating satisfactorily is required for the Operating Permit to be renewed. If an evaluation indicates that a septic system is substandard than a notification program is initiated that informs the owner of their requirement to repair their system. There were 2064 evaluations received this year. This number is about 250 less than the previous year and most likely a result of an employee turnover period experienced by the Onsite Sanitation Division, thus slowing down the generation of evaluation notices. Each evaluation received is analyzed, recorded and used to generate an Operating Permit or a Corrective Action Notice for the system.

For every evaluation received there is approximately one Expiration Notice sent out requesting the evaluation be done. Evaluation requests are called Expiration Notices because they notify owners that their septic system Operating Permit will soon expire and must be renewed with a current passing evaluation. A portion of the evaluation program entails customer interaction with the Onsite Division staff on a one on one basis including phone calls, letters and office visits.

The evaluation program does not slow down with a declining economy. The requirement for septic systems to be evaluated as prescribed by the Paradise Municipal Code is ever constant. Therefore the work involved in tracking Evaluations, issuing Expiration Notices, Infraction Notices, Operating Permits, Corrective Action Requests, Corrective Action Notices, Repair Permits and Administrative Citations as well as doing Repair site visits and inspections has not relented with the deflating construction industry.

- **Infractions Notices:** Infraction Notices are the second letter that goes out informing a septic system owner that their septic system must be evaluated in order for their Operating Permit to be renewed. This notice is sent only when the owner has not complied with the first notice to have their system evaluated. These 193 notices sent are slightly down from the prior four year average of 250.
- **Corrective Action Request:** This is the first notice informing a septic system owner that their system is in failure and must be repaired. It also warns that a citation is pending if no repair is made. Corrective Action Requests were down from the previous three years average of 267 to this year's 151. Also, because Infraction Notices were down so were Evaluations received and consequently Corrective Action Requests decreased. An employee turnover period amongst the Onsite Division Staff contributed to the decrease in Infraction Notices and therefore Corrective Action Requests that went out.
- **Administrative Citations:** Administrative Citations became a regulatory "tool" for the Onsite Sanitation Division beginning fiscal year 06/07. Prior to this only criminal citations were possible, which process was lengthy and time consuming. Issuing an Administrative Citations is one of the last steps in the enforcement process and done only after multiple warnings have been issued. These citations represent septic systems that owners have refused to repair or have evaluated. Citations totaled 77 this year and are down from the average of 164 over the last two years. One reason for this decline may be because of the

greater amount of extensions given.

- **Extensions:** A new category has been added to this table showing the number of extensions given to owners of onsite sewage disposal systems, extending the deadline for having their septic system repaired or evaluated. Extensions have always been given by the Onsite Division but this year there was a noticeable increase in these requests. The increase has prompted this inclusion of this category on the Administrative Operating Data table. Because of the high cost and unexpected nature of septic system repairs the majority of extensions given are for repairs and not for evaluations. The amount of 46 extensions given this year may have a direct correlation to the decrease in Administrative Citations given this year.
- **Land Division Reviews:** This year had only one application for land division review. This service request has reduced significantly since the previous year's 9 and prior to that 19. This trend is reflective of the declining real estate market.
- **New Construction (total standard and alternative systems combined):** This type of application has decreased from 28 last year to 10 this year. The decline is reflective of a declining construction market.
- **Repairs:** There were 251 repair permits issued this year compared to last year's extreme high of 373. This year's number is consistent with the last four years average of 249. The number of repair permit applications usually corresponds with the number of Evaluations received because most problems in septic systems are usually found when an evaluation is performed.
- **New Operating Permits:** Most new Operating Permits are issued for new septic systems on newly constructed buildings. Others are from existing complex septic systems with multiple tanks that should have had more than one Operating Permit but didn't until this year. The amount of new operating permits has declined to 28 this year. The previous years' was 49 and prior to that 54. This decrease in new Operating Permits is reflective of the decline in the construction industry.
- **Escrow Clearances:** An escrow clearance application is a request for the Town to provide an approval to the County Assessor/Recorder for a title transfer of real property. The Town provides that approval in the form of a clearance to record document. This reported total is for the number of *applications* received for escrow clearances and not the actual number of clearances given. This year the procedure for collecting the fee for escrow clearances was changed in that the fee is required to be paid at time of application rather than after escrow has closed. This procedure undoubtedly reduces some of the superfluous applications that were being submitted in times past. Despite this and the slumping economy this year's escrow clearances have stayed fairly level with the same number done last year. A reason for this may be because of the increase in property foreclosures that have become more common place.

## **Section #2 - Surface Water Quality Sampling and Analysis:**

This section reports the water quality of the creeks and streams in Paradise relative to potential contamination from septic systems. A total of thirty-two sample locations in natural drainage basins are sampled twice each year, once in the wet season and once in the dry season. This year budgetary constraints reduced the amount of surface water sampling that could be done to one, the dry season. Typically wet season sampling is done around April of each year and dry season around September. The sampling stations represent the 20 drainage basins that exit the town boundaries and are indicated on the attached surface and groundwater sampling stations map. Samples are laboratory tested for Nitrate Nitrogen and Fecal Coliform which can be indicators of human waste. Comments on the data are as follows:

- **Nitrate Nitrogen:**

The maximum limit for Nitrate Nitrogen in surface water as set by the Central Valley Regional Water Quality Control Board is 10 mg/l. For comparative purposes a six year history is shown in the table. Non-reporting of locations during the dry season indicates no representative sample could be taken due to inadequate water flow in the streams. This year the annual rainfall was 85% of the average and therefore somewhat lacking. For this reason only 13 out of the 32 sample stations had enough water flowing through them to collect a sample. All samples tested well below the 10 mg/l limit.

- **Fecal Coliform:**

The standard for fecal coliform in stream water is provided by the Central Valley Regional Water Quality Control Board and is derived from the Central Valley Basin Plan standards for recreational waters. That standard is that fecal coliform shall not exceed 400 mpn (most probable number)/100ml in greater than 10% of the samples taken. Sample results for all locations are presented in the table along with the prior 5 year samples. For budgetary reasons only one sampling was done this year. That was the dry season samples in October of 2008.

The winter of 2007/2008 was a below-average rainfall year with only 71% of the average rainfall occurring. This was reflective in the small number of streams that could be sampled during the dry season. Only 12 out of the 32 sample stations had enough water flow to take samples.

Five of the twelve samples taken were significantly high for fecal coliform. These five higher level locations were most likely enhanced by the very low volume of water flows this year. Naturally occurring fecal coliform from wildlife such as deer, raccoon, and squirrels and from domestic animals such as horses, llamas and dogs, are amplified in the drier months when there is a very low volume of water flow. For this reason, dry season sampling done on below average rainfall years provide less reliable data for determining if septic system contamination is occurring. These higher levels warrant scrutiny with future samples taken from the same locations but cannot be considered conclusive of septic system contamination. This is also supported by the fact that Nitrate Nitrogen levels were very low and showed no signs of septic system contamination at any of these, or other, stream sampling sites.

Station #14 was one of the high level samples for fecal coliform. It is located on Sunburst and Filbert streets and is of the lower Skyway drainage coming from the old downtown area. The creek passes through several parcels that have active livestock pastures, which may be contributing to the higher levels of fecal coliform in a low water volume creek. These sample stations will be resampled in the upcoming year and studied for trends.

The town is progressing in the development of a downtown community wastewater system that will assist in the elimination of any potential surface water or groundwater contamination from septic systems in the historically older portions of the town.

### **Section #3 - Ground Water Quality Sampling and Analysis:**

There are four ground water monitoring wells that are sampled on a semi-annual basis. These wells have relatively shallow depths and are constructed to draw from the first water table below the ground surface. Their depths range between fifteen and thirty five feet and the groundwater levels in these wells range between 4 and 21 feet. Their locations are indicated on the attached Surface Water and Groundwater Monitoring locations map.

This year there was no groundwater monitoring well samples done because of extreme budgetary constraints. There is currently an effort to place more groundwater monitoring wells that will represent all of the 20 drainage basins in the Town. The Onsite Sanitation Division has been working with the State Regional Water Quality Control Board in assessing site locations for suitability.

### **Section #4 - Advanced Treatment Systems Monitoring:**

Advanced Treatment Systems are required to have routine maintenance provided by an approved service provider. Of the 149 systems 62 are sampled for their effluent strength on a routine basis as required in the Town of Paradise Manual for the Onsite Treatment of Wastewater (manual). Last year there were 59 that were sampled. The regulatory standard for effluent quality for Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) is established in the manual at 30 mg/l. The standard for Total Nitrogen (TN) has been established by the Central Valley Regional Water Quality Control Board at 20 mg/l. Total Nitrogen is calculated by the addition of TKN and NO<sub>3</sub>N, which total is given in the table. The attached table is a compilation of those sample results over this reporting year.

In viewing this table it is observed that some systems have missed sampling requirements due to non-occupancy of the building or repair work underway. A few others were missed out of the owner's negligence or lack of payment to the service provider. When systems fall behind in their maintenance and sampling requirements due to negligence it is the Onsite Sanitation Division procedure to inform the owners of their omission and assist them in achieving compliance.

In reviewing this year's sampling results it can be seen that most of the systems are performing satisfactorily. Most high readings on individual systems are not of long duration, whether in BOD, TSS or TN. Of the few that do have high results the Onsite Division has informed the

owners and service provider of the exceedance and consulted with them on what may be necessary to bring these levels to an acceptable range. Some systems are older and are less effective in reducing constituent levels. These systems are watched closely. All of the advanced treatment systems provide better effluent quality than if there were no treatment. When systems fail to meet the required effluent quality over an extended period of time, the owner is required to bring the system into compliance, which usually means a repair or upgrade. The majority of systems operate within their design parameters.

## ONSITE SANITATION DIVISION

### ADMINISTRATIVE OPERATION DATA

<u>FUNCTION</u>	<u>Fiscal 08/09</u>	<u>Fiscal 07/08</u>	<u>Fiscal 06/07</u>	<u>Fiscal 05/06</u>	<u>Fiscal 04/05</u>
Tank abandonment	7	7	17	17	7
Alteration Permits	11	14	45	43	43
Building Clearance (major & minor)	87	141	169	161	183
Evaluations Received	2064	2314	2539	2607	2192
Infraction Notices 2nd notice to do evaluation	193	280	146	245	226
Corrective Action Request 1st notice to make repair	151	248	284	268	394
Corrective Infraction Notices 2nd notice to make repair	59	69	78	170	125
Administrative Citations Citation for no evaluation or no repair	77	212	115	N/A	N/A
Extensions Extension for evaluation or repair	46	N/A	N/A	N/A	N/A
Land Division Reviews	1	9	19	28	16
Land Use Reviews	24	48	124	116	117
New Construction (standard)	9	24	38	38	41
New Construction (alternative)	1	4	11	16	12
New Construction - Total	10	28	49	54	53
Repairs (failed absorption system)	~	~	109	106	117
Repairs to Maintain Exist Use	164	251			
Repairs (minor failures)	~	~	44	80	167
Misc Repairs	87	122			
Repairs - Total	251	373	153	186	284
New Operating Permits	12	28	49	54	60
Water Well Clearances	0	0	1	1	1
Escrow Clearances	376	359	595	532	755
Total Parcels	11460	11460	13314	13306	13271
Operating Permits	11232	11202	11487	11438	11385

## Surface Water Sampling Results 2008/2009 - Dry Season

08/09		07/08		06/07		05/06		04/05		03/04	
<i>Dry Season (Sampled 09/23/08)</i>		<i>Dry Season</i>									
Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform	Nitrate @ N	Fecal Coliform

Sample ID	Nitrate @ N	Fecal Coliform										
Station #01	0.87	0	0.87	0	0.82	<2	1.03	<2			0.69	11
Station #03	1.14	130	1.14	130	1.09	50	0.98	79			1.44	70
Station #07	0.82	900	0.82	900	0.2	240	0.95	110			1.05	30
Station #08	~	~	~	~	~	~	~	~			~	~
Station #09	1.59	220	1.59	220	1.52	900	1.43	920			1.39	1600
Station #10	1.23	500	1.23	500	1.27	900	1.24	120			1.15	30
Station #11	1.7	900	1.7	900	1.57	110	1.59	49			1.41	50
Station #12	~	~	~	~	~	~	~	~			~	~
Station #13	~	~	~	~	~	~	~	~			~	~
Station #14	1.19	1600	1.19	1600	1.25	300	~	~			1.28	1600
Station #16	~	~	~	~	~	~	~	~			~	~
Station #19	1.45	1600	1.45	1600	~	~	~	~			1.37	130
Station #20	0.65	140	0.65	140	1.21	300	0.91	79			0.69	80
Station #22	0.88	300	0.88	300	~	~	0.92	540			1.11	240
Station #23	~	~	~	~	~	~	~	~			~	~
Station #28	~	~	~	~	~	~	~	~			~	~
Station #31	~	~	~	~	~	~	~	~			~	~
Station #32	~	~	~	~	~	~	~	~			~	~
Station #33	~	~	~	~	~	~	~	~			~	~
Station #35	~	~	~	~	~	~	~	~			~	~
Station #36	0.64	500	0.64	500	~	~	~	~			1.25	220
Station #37	~	~	~	~	~	~	~	~			~	~
Station #38	~	~	~	~	~	~	~	~			~	~
Station #39	~	~	~	~	~	~	~	~			~	~
Station #40	~	~	~	~	~	~	~	~			~	~
Station #41	~	~	~	~	~	~	0.37	49			0.71	300
Station #42	~	~	~	~	~	~	~	~			~	~
Station #43	~	~	~	~	~	~	~	~			~	~
Station #45	1.46	900	1.46	900	1.27	1600	1.18	~			1.27	170
Station #46	~	~	~	~	~	~	~	~			~	~
Station #47	~	~	~	~	~	~	~	~			~	~
Station #48	~	~	~	~	~	~	0.67	350			0.69	>1600

\*(RS)-RE SAMPLE

## Surface Water Sampling Results 2008/2009 - Wet Season

08/09		07/08		06/07		05/06		04/05		03/04	
Wet Season											
Nitrate @ N	Fecal Coliform										

Sample ID											
Station #01	NO SAMPLES TAKEN	5.6	50	1.06	<2	1.32	13	1.1	49	0.71	<2
Station #03		5.7	50	1.2	80	1.38	50	1.18	33	1.19	540
Station #07		4.9	13	1.03	17	1.18	30	1.07	23	0.99	17
Station #08		4	300	1.11	50	1.42	140	1.25	33	1.12	170
Station #09		7.4	240	1.53	21	1	80	1.42	49	1.43	23
Station #10		5.2	30	1.19	50	1.68	50	1.03	70	1.44	11
Station #11		1.4	170	1.43	11	1.21	13	1.22	23	1.29	70
Station #12		4.9	30	1.18	50	1.37	300	1.39	220	1.05	170
Station #13		~	~	~	~	~	~	~	~	~	~
Station #14		6.1	500	1.08	1600	1.63	13	1.3	170	1.29	49
Station #16		9.8	23	2.04	8	1.38	110	~	~	1.93	27
Station #19		0.4	2	1.23	80	1.29	13	1.21	920	1.3	540
Station #20		5.4	50	1.18	17	1.24	60	1.16	110	1.2	240
Station #22		4.5	170	0.98	13	1.04	13	1.03	49	1.04	8
Station #23		5.7	50	1.12	22	1.17	30	1.02	8	1.08	17
Station #28		8.9	80	1.98	50	2	22	1.79	70	2.14	79
Station #31		~	~	0.65	300	0.86	30	0.46	31	~	~
Station #32		7.2	26	1.44	80	1.6	140	1.56	170	1.67	33
Station #33		4.8	>1600	1.29	13	1.66	170	1.6	491	1.6	110
Station #35		10.1	2	2.16	80	2.22	80	1.81	79	2.67	2
Station #36		4.3	13	1.19	170	1.63	1600	1.48	540	1.26	31
Station #37		8	50	1.59	8	1.75	30	1.43	33	~	~
Station #38		3.1	30	0.65	30	0.63	23	0.65	23	~	~
Station #39		7.2	2	1.66	13	1.72	30	1.52	540	1.46	79
Station #40		~	~	1.77	80	1.68	17	1.9	23	~	~
Station #41		2.2	13	0.71	22	0.76	22	0.78	130	0.54	170
Station #42		~	~	1.4	<2	1.05	30	1.34	31	1.29	<2
Station #43		1.6	11	0.69	<2	0.8	4	0.75	49	0.74	49
Station #45		5.2	23	1.15	50	1.41	17	1.23	46	1.13	220
Station #46		6.3	23	1.15	70	1.19	900	0.99	130	1.26	540
Station #47A		1.2	8	0.88	17	0.81	13	0.91	130	0.7	14
Station #47B		~	~	~	~	~	~	~	~	~	~
Station #48A		3.8	4	1.18	17	1.78	8	1.48	64	1.24	46
Station #48B		~	~	~	~	~	~	~	~	~	~

\*(RS)-RE SAMPLE

**GROUND WATER MONITORING WELLS SAMPLING RESULTS 08/09**

**Beechwood Drive Monitoring Well**

		08/09	07/08	06/07	05/06	04/05	03/04	02/03
<b>TKN</b>	DRY SEASON	N/T	2	2.35	0.4	1.8	0.7	1
	WET SEASON	N/T	1	2.83	1	1.4	0.6	0.9
<b>NITRATE</b>	DRY SEASON	N/T	2.67	2.35	2.23	2.5	2.52	2.52
	WET SEASON	N/T	2.79	2.78	3.02	2.88	2.93	2.63
<b>NITRITE</b>	DRY SEASON	N/T	0.11	0.18	0.6	0.03	0.04	0.04
	WET SEASON	N/T	0.04	0.04	0.03	0	0	0
<b>SC</b>	DRY SEASON	N/T	115	123	126	114	123	119
	WET SEASON	N/T	116	121	121	121	127	102
<b>BOD</b>	DRY SEASON	N/T	0	0	0	0	0	0
	WET SEASON	N/T	0	0	0	0	0	0
<b>T COLI</b>	DRY SEASON	N/T	<2	2	5	4	50	<2
	WET SEASON	N/T	<2	<2	8	<2	2	<2
<b>F COLI</b>	DRY SEASON	N/T	<2	<2	<2	<2	<2	<2
	WET SEASON	N/T	<2	<2	<2	<2	<2	<2
<b>MBAS</b>	DRY SEASON	N/T	0.17	1.99	0.41	0.41	0.41	0.17
	WET SEASON	N/T	0.03	1.44	0	0	0	0.03

**Edwards & Ripley Ln. Monitoring Well**

		08/09	07/08	06/07	05/06	04/05	03/04	02/03
<b>TKN</b>	DRY SEASON	N/T	0.6	0.9	0.9	0.1	0.3	0.7
	WET SEASON	N/T	1.7	0.4	2	0.8	0.7	1
<b>NITRATE</b>	DRY SEASON	N/T	1.42	1.28	1.34	0.89	0.89	1.61
	WET SEASON	N/T	0.69	1.45	1.65	1.19	1.05	1.48
<b>NITRITE</b>	DRY SEASON	N/T	0.01	0	0.02	0	0	0.1
	WET SEASON	N/T	0.01	0	0.01	0.02	0	0.01
<b>SC</b>	DRY SEASON	N/T	71	82	77	88	82	104
	WET SEASON	N/T	69	80	81	71	74	86
<b>BOD</b>	DRY SEASON	N/T	0	0	0	0	0	0
	WET SEASON	N/T	0	0	0	0	0	0
<b>T COLI</b>	DRY SEASON	N/T	<2	<2	33	33	300	130
	WET SEASON	N/T	7	50	23	33	80	80
<b>F COLI</b>	DRY SEASON	N/T	<2	<2	23	23	22	2
	WET SEASON	N/T	<2	<2	<2	11	4	8
<b>MBAS</b>	DRY SEASON	N/T	0	0.13	0	0.02	0	0
	WET SEASON	N/T	0	0.03	0	0	0	0

## GROUND WATER MONITORING WELLS SAMPLING RESULTS 08/09

### Stark Ln. Monitoring Well

		08/09	07/08	06/07	05/06	04/05	03/04
TKN	DRY SEASON	N/T	0.2	0.1	0	0.1	0.2
	WET SEASON	N/T	0.1	0.1	0.2	0.2	0
NITRATE	DRY SEASON	N/T	0.06	0.03	0.06	0.15	0.15
	WET SEASON	N/T	0.07	0.18	3.02	0.32	2.93
NITRITE	DRY SEASON	N/T	0.07	0.05	0.02	0	0
	WET SEASON	N/T	0	0	0.03	0	0
SC*	DRY SEASON	N/T	98	102	98	87	102
	WET SEASON	N/T	171	99	75	83	85
BOD	DRY SEASON	N/T	0	0	0	0	0
	WET SEASON	N/T	0	0	0	0	0
T COLI	DRY SEASON	N/T	<2	<2	5	<2	<2
	WET SEASON	N/T	<2	<2	<2	<2	<2
F COLI	DRY SEASON	N/T	<2	<2	<2	<2	<2
	WET SEASON	N/T	<2	<2	<2	<2	<2
MBAS	DRY SEASON	N/T	0.21	0.03	0	0.21	0
	WET SEASON	N/T	0.03	0.1	0.02	0.03	0

### 6550 Skyway - Veterans Memorial Hall Monitoring Well

		08/09	07/08	06/07	05/06	04/05	03/04
TKN	DRY SEASON	N/T	0.5	0.1	0.2	0	0.2
	WET SEASON	N/T	0.3	0	0.2	0.1	0.2
NITRATE	DRY SEASON	N/T	1.56	1.56	1.48	1.64	1.64
	WET SEASON	N/T	1.48	1.51	1.51	1.96	1.9
NITRITE	DRY SEASON	N/T	0.04	0.03	0.16	0.1	0.01
	WET SEASON	N/T	0.06	0	0	0	0
SC*	DRY SEASON	N/T	52	53	52	48	54
	WET SEASON	N/T	53	59	54	49	56
BOD	DRY SEASON	N/T	0	0	0	0	0
	WET SEASON	N/T	0	0	0	0	0
T COLI	DRY SEASON	N/T	<2	<2	<2	<2	<2
	WET SEASON	N/T	<2	<2	<2	<2	<2
F COLI	DRY SEASON	N/T	<2	<2	<2	<2	<2
	WET SEASON	N/T	<2	<2	<2	<2	<2
MBAS	DRY SEASON	N/T	0	0.11	0.16	0	0
	WET SEASON	N/T	0	0.03	0	0	0

Town of Paradise  
Onsite Wastewater Management Zone  
Surface Water Sampling Locations

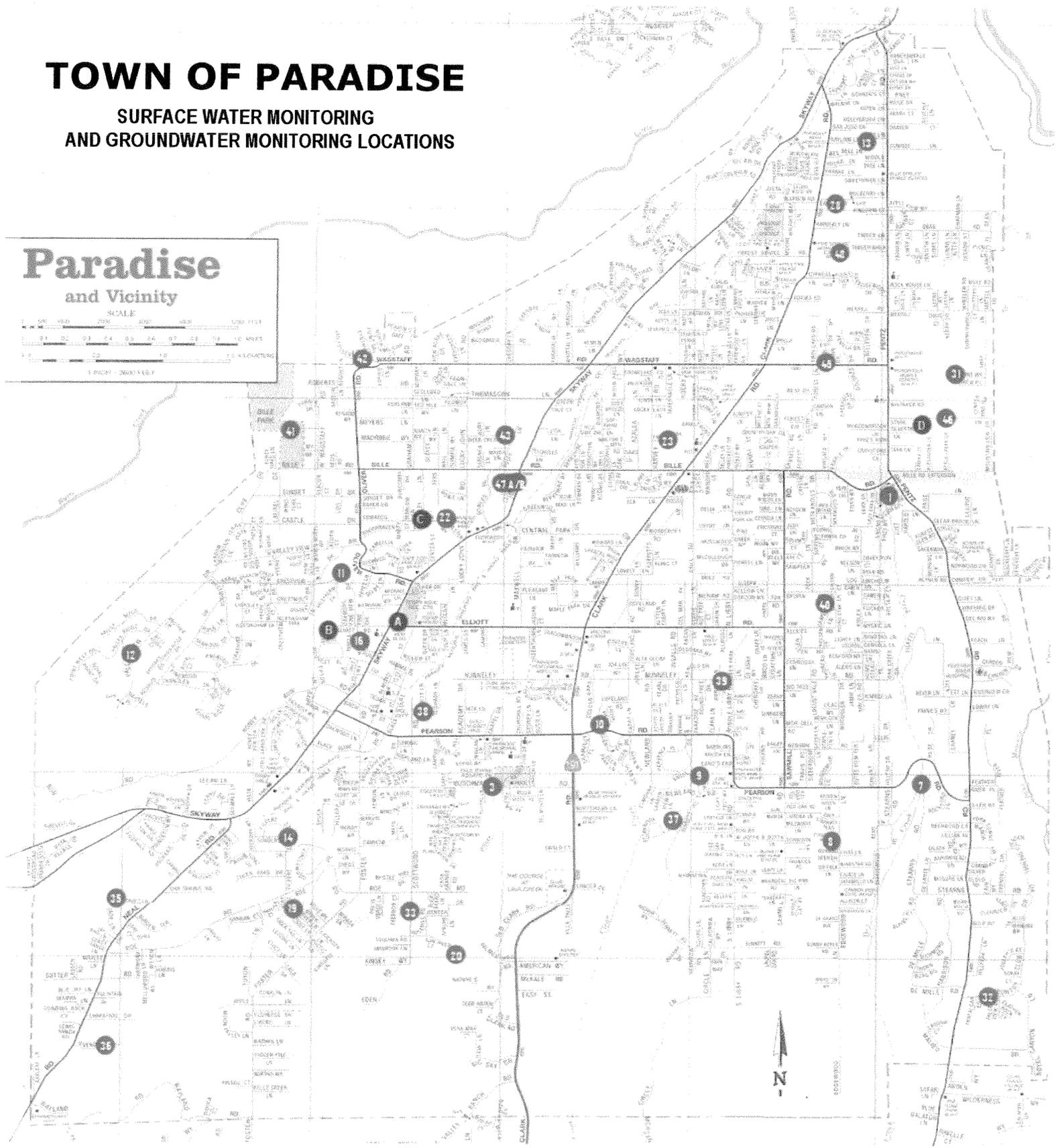
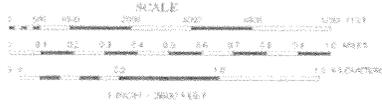
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Station	Basin	Location
01	Pentz	Lakeview Dr
03	Pearson1	Buschmann Rd
07	Pentz1	Stearns
08	Sawmill1	Running Deer Dr
09	Clark2	Newland Rd
10	Clark1	Pearson Rd
11	HoneyR	Oakmore
12	ValView	Valley View Dr
13	Pentz1	Raylinn Ln
14	LSkyway1	Filbert & Sunburst
16	HoneyR3	Tanglewood
19	Roe 1 & 2	Filbert
20	Pearson1	Sun River Ct
22	HoneyR5	Bowles Blvd
23	Pearson1	Fawnbrook Pl
28	Pentz 1 & 2	Eagle Way
31	WBranch2	June Way
32	CClub	Country Club
33	Pearson5	Scottwood
35	Neal	Craft Ln
36	LSkyway2	Rivendell Ln
37	Clark2	Storybook Ln
38	Roe1	E Oak St
39	Clark2	Nunneley Rd
40	Sawmill1	Cameron Ln
41	LButte	W Wagstaff Rd
42	Wagstaff	Van Fossen
43	HoneyR1	Deer Creek Ln
45	Pentz1	Wagstaff Rd
46	Wbranch	Stark Ln
47A	HoneyR5	Paradise Skilled Nursing (upstream)
47B	HoneyR5	Paradise Skilled Nursing (downstream)
48	Pentz4	Pine Springs MHP (downstream)

# TOWN OF PARADISE

## SURFACE WATER MONITORING AND GROUNDWATER MONITORING LOCATIONS

### Paradise and Vicinity



**SURFACE WATER SAMPLING**  
Numbers 1 - 48



**GROUND WATER MONITORING WELLS**  
A, B, C, D

2008/2009 Sampling Summary		ADVANCED TREATMENT SYSTEMS SAMPLING RESULTS																		
AP#	Property	Address	freq	1st Quarter				2nd Quarter				3rd Quarter				4th Quarter				
				BOD	TSS	TKN	NO3N													
054-070-037	1162 Glen Circle	1162 Glen Circle	Q																	
052-271-058	451 Circlewood	451 Circlewood	N/A																	
054-182-071	5445 Sawmill Road	5445 Sawmill Road	Q									20	27	9						
052-224-008	5461 Almond St.	5461 Almond St.	Q					3	3	2.3	16.4						9	15	8.5	21.8
051-143-003	5772 Black Olive Dr.	5772 Black Olive Dr.	Q	0	5	3.4	17.4	0	2	1.4	13.6	0	0	2.7	14.5	4	3	2.8	12.3	
052-142-019	5811 Black Olive Dr	5811 Black Olive Dr	Q	0	3	77.6	3.4	0	0	23.4	26.1	0	3	5.5	26	0	3	10.7	20.1	
052-142-002	5851 Black Olive	5851 Black Olive	Q	6	5	3.1	36.6										0	0	4.3	41.7
053-110-099	6000 Maxwell	6000 Maxwell	Q					0	0	3.8	38.1									
050-300-011	6670 Twin Oaks	6670 Twin Oaks	Q	6	0	29.2	15.7	4	0	11.4	12.6			0	27.7	0	2	14.4	13.3	
050-300-017	6675 Twin Oaks	6675 Twin Oaks	Q													19	3	8.2	5.68	
055-410-014	78 Grinding Rock Rd.	78 Grinding Rock Rd.	N/A					0	0	0.8	14.9					40	133	4.7	8.72	
052-223-011	Aloha Paradise	5424 Black Olive	Q	CLOSED																
051-104-023	Aloha Skyway	8585 Skyway	Q	CLOSED																
050-150-111	Apple Tree Village - Sean Ct.	1451 Sean Ct	Q	8	5	8.3	12.4	4	3	2.4	18.2	10	9	11.6	13	0	2	6.5	23.2	
050-150-111	Apple Tree Village MHP	1418 Kilcrease	Q	0	3	3.1	17.3	7	3	3.2	18.4	47	30	24.9	2.63	14	7	5.6	12.9	
051-220-005	Asian Gardens	5225 Skyway	S																	
053-111-001	BCOE Portable (PHS)	5911 Maxwell Dr	Q	0	0	1.2	0.8	0	0	30.2	31.7	0	0	6.1	16.7	0	0	0.8	9.35	
053-030-039/054	Beyond Fitness/YFC	7200 Skyway	Q	0	0	9.7	47.1	8	10	23.8	25.9	8	11	15.2	26.8	13	12	13.8	18.9	
054-040-144/145	Black Bear Diner / Laundrymat	5775, 5791 Clark Rd	Q	36	14	9.3	9.6	21	6	8.5	8.06	45	48	9.8	8.13	18	14	8	6.4	
052-224-004	Blum Building	148 Pearson Rd	Q	80	35	9.6	0	4	12	12	4.71	4	5	7.1	3.9	0	60	1.4	5.26	
053-030-050	Burger King	7300 Skyway	Q	101	6	30.2	0					101	6	30.2	0	64	16	16.9	0	
053-120-070	Camino Apartments	5930 Camino Ln	S									29.8	9	10						
052-060-013	Cape Cod MHP	6799 Skyway	S					0	3	1.3	16.2					6	11	7.9	15.7	
050-360-037	Cinema 7	6707 Clark Rd	S					18	6	33.8	58.4					29	79	137	43.3	
050-190-065	Cobblestone Court	6585 Clark Rd	Q	6	6	4.4	14.4	5	3	9.9	31.5	4	3	10.7	28.3	6	5	8.7	22.5	
052-244-037	College Hill	790 College Hill Dr	Q	11	5	3.5	6.27	8	9	2.6	6.2	7	13	4.3	12	10	3	4.2	17	
054-090-070	Comfort Inn	5475 Clark Rd	Q	101	82	27	0.02	23	11	17.1	0.01	48	35	3.2	0.07	18	25	11.9	0	
052-121-047	Cozy Diner	6371 Skyway	Q	19	21	9.1	6.9	26	12	10.7	10.2	27	21	15.7	0.02	30	17	14.7	1.17	
052-121-047	Cozy Diner-Nibbler	6371 Skyway	Q	170	75			230	116			316	142			255	124			
053-340-087&088	Eden Roc	6405 Pentz Rd	Q	7	28	1.6	12	4	3	4.4	18.3	0	0	3.3	18.8	15	17	35.6	19.4	
053-390-002	Feather Canyon	5900 Canyon View Dr	Q	15	11	4.4	1.85	0	0	1.1	1.31	6	8	1.9	9.62	0	0	0.5	0.7	
050-220-125	Fit One (Sporhaven)	6854 Pentz Rd	Q	5	5	5.2	9.32	5	7	42.9	6	5	8	10.2	16.6	19	35	8.2	18.3	
053-390-008	FR Hosp - Main Campus	5974 Pentz Rd	Q	12	4	11.5	0.02	8	2	4	1.26	8	5	9.1	1.7	5	0	0.7	1.04	
051-220-085	FR Hosp - Rural Health Clinic	5125 Skyway	Q	369	29	114	0	16	8	32.2	49	107	26	36.4	26.6	15	7	48.5	30.9	
051-152-034	Gilsons Plaza	5967 Skyway	Q																	
054-050-101	Izzy's (Mallan)	480 Pearson Rd	Q	40	32	18.9	6.55	0	0	1.2	12	0	0	1.4	14.5	0	0	2.8	18	
052-121-022	Lantern Motel	5799 Wildwood Ln	S					0	6	0.2	35									
054-050-099	Oak Knoll Assist Liv	1007 Buschmann Rd	Q	4	0	8.2	25.4	0	4	2.8	5.57	15	6	43.2	0.02	0	34	11.1	1.93	
053-111-001	Paradise High School	5911 Maxwell Dr	S	7	50	42.4	0	0	26	30.4	3.8	8	10	22.5	13.4	23	23	38.1	25	
052-250-088	Paradise Inn	5423 Skyway	Q	3	23	23.1	29.1	0	0	0.6	45.8	0	2	0	49.2	39	48	23.5	21.7	
054-050-023	Paradise Intermediate School	5665 Recreation Dr	S	0	0	2.9	27.9	0	0	2.1	23	0	4	12.3	32	5	3	10.7	23	
050-250-087	Paradise Med Group (Sierra Cas	6480 Pentz Rd	Q													8	2	0.7	40.4	
050-400-005	Paradise Plaza	6616 Clark Rd	Q	15	13	4.8	0.21	13	21	3.4	0.03	35	35	1.52	2.7	7	8	2.1	8.6	
053-021-089	Paradise Skilled Nursing (Health	4719 Skyway	Q	0	9	1.9	19.1	3	8	3.2	15	7	27	2.4	3.7	5	8	1.7	8.1	
052-090-051	Park Plaza	6529 & 6505 Skyway	Q	4	0	3.7	46.3	0	0	2.3	38.8	0	3	4.3	26.4	5	5	7.1	34.9	
050-190-039	Pine Grove MHP	1368 Garnet Ln	Q	28	41	19.3	1.73	48	13	20.8	0.44	52	20	28	0	64	216	38.1	0.64	
050-082-022	Pine Springs Mobile	6920 Clark Rd	Q					4	4	3.8	33.3					81	81	3.1	8.76	
054-120-021	Pinecrest MHP	5436 Clark Rd	Q	8	4	3.4	6.6	0	3	0.5	16.3	0	0	4	10.5	5	11	13.2	4.09	
053-131-076/30	Pineview Apartments	1146 Elliott Rd	Q	6	10	21.7	3.03	13	14	3.5	18.3	12	29	3.8	23	14	20	9.6	17	
052-290-009	Plantation	5550 Berry Creek Dr	S	3	0	0	22	0	0	0	27.6	0	0	29.4	0	5	10	2.4	23.6	
052-080-012	Ponderosa Gard Mot	7010 Skyway	S	0	3	1.1	23.1	0	3	1	43	5	3	1.5	23.1	0	5	1.2	23.2	

050-240-078	Ponderosa MHP	6656 Pentz Rd	Q	4	0	1.2	25.1	4	0	1.3	25.6	3	0	2	28.1	0	0	10.2	23.8
053-132-091	Ridge Pine Commons	1250 Elliott Rd	Q	35	30	25.6	2.57	83	20	27.3	0	59	24	39	3.08	63	21	37.5	0
053-120-076	Shadowbrook I Apts. 1-32 (lower)	1077 Shadowbrook	Q									107	180	29					
053-120-055	Shadowbrook II Apts. 33-48 (upper)	1077 Shadowbrook	Q									12.7	13	18.3					
053-120-054	Shadowbrook Plaza	5923 Clark Rd	Q	336	56	40.7	0.05	65	16	19.1	0.03					61	40	15.2	0
050-180-001	Shady Cove Apartment	1524 Wagstaff Rd	S					0	0	2	16.3					3	2	1.9	12
050-070-073	Sunbridge Care	8777 Skyway	Q	4	3	2.2	4.41	10	6	3.9	2.4	14	7	3.7	2.94	18	13	9.2	1.47
054-182-084	Sunshine Cottage	1468 Sun Manor Ct	Q	11	25	5.5	3.62	6	4	4	5.51	4	6	13	8.6	13	33	11.4	7.89
054-330-016	Taco Bell	5859 Clark Rd	S																
053-022-032	Walgreens	7576 Skyway	S	37	9	51.5	0	10	13	64.3	0.27	13	0	39.1	0.75	9	5	29.4	1.54
052-060-041	Wickies	6945 Skyway	Q	9	12	0	5.95	20	22	2.2	2.41								

**TOWN OF PARADISE  
COUNCIL AGENDA SUMMARY  
DATE: September 14, 2010**

**ORIGINATED BY: Christopher P. Jensen, Fire Chief      AGENDA ITEM No. 7(g)**

**REVIEWED BY: Charles L. Rough, Jr.   
Town Manager**

Legal Review	Yes	No	N/A
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**SUBJECT:** Donation of \$20,000 from the Paradise Volunteer Firefighters, Inc. a non-profit organization, for the purchase of the property at 5573 Pentz Road, Paradise for the future location of a community fire station.

**RECOMMENDATION:**

1. Request the Town Council's approval and acceptance of the generous \$ 20,000 donation from the Paradise Volunteer Firefighters, Inc. to help the Town with the acquisition of the property located at 5573 Pentz Road as the site for a future community fire station to serve the east and southeast areas of our community.

**BACKGROUND:**

During the recent discussion and direction provided by the Council to staff for the purchase of the property located at 5573 Pentz Road the Fire Chief met with the Paradise Volunteer Firefighters, Inc. a non-profit organization, for a donation of funds for the purchase of the property. Through discussion the Paradise Volunteer Firefighters, Inc. took action at a regularly scheduled association meeting and agreed to donate \$20,000 for the purchase of the property with the understanding that the funds would be deposited into an account and used exclusively for the purchase of the property for a future community fire station. They also stipulated in their donation that if the property was not used for such purpose that their funds would be immediately refunded to them. The Paradise Volunteer Firefighters, Inc. holds several fund raising events throughout the year to support the purchase of needed equipment and this is just another example of their benefit to the Paradise Community.

**FINANCIAL IMPACT:** There is no fiscal impact to the FY 2010/11 Budget