



The VOICE

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Did you know...

- The City of Redding is in the process of purchasing six patrol vehicles for the Police Department (Ford—Crown Victoria). Historically, local dealers have not been able to match the State's volume prices. This year however, Crown Motors was able to beat the State's price, and the City is able to keep the business in Redding by buying local.
- The Shasta VOICES Salary and Benefits Survey released last month has been updated. Clarifications from the reporting cities have been included: the end results have not changed.
- There were 2 permits issued in September in the City of Redding for new single family residence units. Year to date, there have been a total of 57 permits issued for new single family units, one more than for the same period in 2009, and almost 500 fewer than in 2005.

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Privatizing Park Maintenance Part 2

On October 13th, the Community Services Advisory Commissioners (CSAC) met for the second time to discuss the pros and cons of privatizing the City of Redding's park maintenance functions. There was a staff report prepared, which presented examples of contracted-out services in three other cities in California that were not necessarily successful. Missing from the report were those cities that have had and continue to have success, and the commissioners requested staff to bring this information back to them on November 18th. Those in attendance at the meeting learned that we do have a successful arrangement very close to home in the City of Shasta Lake, for instance. McEntire Landscaping has been providing parks and landscape maintenance services there for 8 years. Also included in the staff report were wage comparisons between the City's parks maintenance employees and the supposed applicable and equivalent prevailing wage rates.

Though it is understandable that the existing City parks maintenance staff feels the need to defend their positions, a report that actually compared apples to apples would have been more useful. The one-sided view used prevailing wage rates for new construction related positions which are funded with state and federal monies. Though by definition some of our local parks maintenance work is construction, the primary functions are long-term maintenance related, and are performed by landscape maintenance laborers. And, there are not state or federal funds paying for the City's park maintenance work. The comparison is apples to oranges. This was recognized by the commissioners.

One of the very specific benefits of having an outside contractor is the flexibility they have in only paying for work that is actually done, and at rates that vary to allow for cost reductions when needed. A private landscape maintenance firm has the *flexibility* to pay different hourly wage rates based on the hours actually worked in a particular job. For instance, tree-trimming may require a higher rate of pay than mowing lawns, but tree-trimming work isn't done for the full 2080 hours each year, as the report shows.

At the City of Redding, the parks maintenance positions are blended positions. That is, each employee receives a given salary and benefit package paid for by the City regardless of the type and amount of work they are actually doing on any given day, and regardless of whether or not they are even working. Therefore, the City wages are also blended to accommodate those duties requiring a higher degree of skill when needed.

Another benefit of having an outside contract is that the contract can be ended if there is no money to pay for it. This actually occurred in the last round of budget cuts to this very department, when the contract to provide landscape maintenance at Rivercrest Park was cut out completely to meet the budget reductions.

It is now time for CSAC to find answers to these questions: Are there cost savings in contracting out basic park maintenance without sacrificing service levels? Can a plan be drawn up to consider a gradual turnover of park maintenance duties to a private contractor, rather than an all or none scenario? Would having more flexibility provide a much-needed solution to the financial distress in this department? Is there interest in pursuing this City contract from local contractors? Should CSAC direct staff to create a Request For Proposal (RFP) to help answer these and other questions? Perhaps all of these concerns will be addressed at the next meeting sometime in November (details not yet available, but we will keep you posted).

CARB Adopts Targets for Reducing Greenhouse Gas Emissions

On September 23rd, the California Air Resources Board (CARB) adopted targets for reducing greenhouse gas emissions in 2020 and 2035 associated with *passenger vehicle travel* in the state’s 18 Metropolitan Planning Organizations (MPO), based on Air Pollution Control Law AB 32, and SB 375 which is an outgrowth of AB 32. Shasta County is one of the 18 MPO’s.

The targets, required under SB 375 are designed to help coordinate land use and transportation planning. The law requires cities and counties to use the targets to help develop sustainable strategies for growth and development over the next 25 years, and included input from cities, municipalities and the public. Here are the adopted targets:

<u>Area/Region</u>	<u>2020 Reduction Target</u>	<u>2035 Reduction Target</u>
San Diego Area	7 percent	13 percent
Sacramento Region	7 percent	16 percent
Bay Area Region	7 percent	15 percent
Southern California	8 percent	13 percent
San Joaquin Valley (8 MPO’s)	5 percent	10 percent
Monterey Bay	0	0
Butte	0	0
San Luis Obispo	0	0
Santa Barbara	0	0
Shasta	0	0
Tahoe Basin	0	0

The six areas that were given a 0% reduction target are expected to generally match or improve upon their current plans. This is probably the best result we could've hoped for in Shasta County. Our cities are full partners in the process of developing a strategy designed to accommodate the specific needs and requirements of our region, and retain full local decision making and zoning authority. Regions that meet targets may receive incentives in the form of easier access to federal funding and streamlined environmental review for development projects.

Of course, on November 2nd, voters have the opportunity to vote yes on Proposition 23, which would suspend the implementation of the Air Pollution Control Law (AB 32) until unemployment drops to 5.5 percent or less for a full year in California. Should it pass, it could also postpone the requirements of SB 375.

Sheraton Will Be Franchisor for Turtle Bay Hotel

Plans for a 130-room hotel and 80-seat restaurant at Turtle Bay Exploration Park were approved by the City of Redding Planning Commission on September 28th, which was a continuation of the first meeting held on this subject matter on September 14th.

Many of the questions raised and unanswered at the first meeting were addressed to the satisfaction of the commissioners this time, including:

1. Museum entries: a drop-off parking area has been added in front of the hotel with corresponding roadside directions for public access through the lobby.
2. An interface with the existing Forest Camp is included.
3. Pedestrian and bicycle circulation has been fine tuned.
4. Secondary access: it is not feasible according to City Planner Kent Manuel, but reconstruction of the interchange now provides double lanes in and out to mitigate some of the congestion issues. Commissioner Randy Smith opined that the Sundial Bridge could serve as a “foot exit” if necessary.

Questions still remain about the need for a master plan for the project area, parking issues and secondary emergency access and public safety. Nonetheless, the commissioners voted 5-1 in favor of the use permit.

We now know that the this hotel will be a Sheraton brand. Turtle Bay will form a for-profit corporation for the hotel business, and will become the sole owner of the corporation. Sheraton will become the franchisor, allowing Turtle Bay to use it’s name and reservation system. This is a brand that will be new to the Shasta County area, and is considered to be a four-star resort hotel.

Questions were also raised by the general public regarding potential debt liability for the City if the hotel did not succeed, since it will sit on City-owned property. City Attorney Rick Duvernay said there was nothing in their lease with Turtle Bay showing any involvement in finances, and the City would not be liable for debt incurred for the hotel.

Turtle Bay will now proceed through the same development process as any other developer and pay the fees necessary to move the project forward.

Don't Panic! Obtain Assistance for ADA Compliance

The Federal Americans with Disabilities Act of 1990 (ADA) had the good intention of making public accommodations accessible for the disabled. As with so many other regulations for businesses, it is wise to learn what is required and become proactive in complying.

The federal ADA Accessibility Guidelines (ADAAG) includes standards for complying with these accessibility laws. You can obtain complete information via the US Department of Justice website, www.ada.gov. You can also go to www.access-board.gov/ada to find the existing and new regulations. Every business that owns or leases their building is required to comply with these federal standards, which were set in the early 1990's.

President Obama approved and signed into law a new Federal ADA standard and set of guidelines (at least for new buildings) on July 23, 2010. The official text was published in the Federal Register on September 15, 2010. The revised regulations and final rules will take effect on March 15, 2011. Compliance with the 2010 Standards for Accessible Design is *allowed* as of September 15, 2010, but not **required** until **March 15, 2012**. This means that businesses who own or lease buildings will have until March 15, 2012 to meet either the existing set of guidelines or the new ones for new buildings and/or removing barriers on existing buildings. It is important to note that if you have already complied with existing ADA regulations, you are not required to upgrade to new requirements.

Federal laws governing ADA accessibility and California laws are separate, and very different. Under the Federal laws, you must comply with ADA, period. In California, the ADA is a civil rights law. California law allows persons whose civil rights have been violated to seek monetary compensation. This is the engine that has driven the cycle of threatened lawsuits over ADA noncompliance asking for settlements. And under California law, building remodels or alterations trigger ADA upgrade requirements, not just new construction.

So, how can a business make sure that they are in compliance and avoid potential lawsuits? There is help out there. California SB 1608 was passed in 2008 to promote and increase compliance with laws providing equal public access in places of business to individuals with disabilities, while reducing unwarranted litigation that does not advance that goal. SB 1608 set up a process whereby business owners can voluntarily hire a certified access specialist (CASp) to inspect their buildings to ensure compliance and obtain an inspection report as proof they did so. A link of certified CASp inspectors is available at www.calchamber.com/ADA. Once obtained, business owners should keep the inspection confidential and in a safe place. If you are ever threatened to be sued, you should have a CASp inspection report in order to be eligible to request a 90-day stay of the lawsuit and Early Evaluation Conference.

City of Redding Building Official Bill Nagel is our only local CASp. He is available upon request to conduct a power-point presentation and provide as much information as possible about disability access and how to comply with the laws. He can be reached by phone at (530) 225-4127. Architects are also an available resource for answering many compliance questions.

There is an "Application for Hardship Exception to Accessibility" that can be completed for a remodel in an existing building project in order to be granted an exception from the requirements of the State of California "Title 24 accessibility." This form and application is available on the City of Redding website by selecting the Building Division's forms and handouts online. Bill Nagel can assist in obtaining this form.

There is also financial relief available for small businesses at the Federal level. Tax credits and tax deductions can be obtained. More information is available online about this at www.ada.gov.

The bottom line is this: Don't panic if you receive a threatening letter in the mail from an attorney asking for money to "settle this matter" with their disabled client who was somehow denied access to your property. There are shakedown artists out there, but you have rights, too. Don't just pay them off. Just because someone says you are in violation doesn't mean that you are. Ask an expert, and know the laws. Choose to become compliant, and utilize the proper resources to assist you in the process.

City Personnel Policies Prohibit "Unbecoming Conduct"

Employees for the City of Redding need to be reminded that there are official rules in place (we have copies) regarding their behavior while employed with the City, and consequences for violating those rules. It seems that they have forgotten, or for some reason don't think the rules apply to them these days, as we close in on the November elections. Far too many incidents are being reported about City employees "engaging in political activities while on duty," and "conduct that is harassing in nature toward another person's political affiliation or membership or non-membership in any organization."

The City Manager should demonstrate leadership, and at the very least send a strongly worded memo to all City employees that intimidation, harassment, and threatening behavior towards anybody who does not openly agree with their political views is not acceptable, violates City policies and procedures, and disciplinary action can and will be taken.

Regional Government Forum Held in Shasta County

On October 21st, the Shasta County Regional Transportation Planning Agency (SCRTPA) hosted a *Regional Government Forum* at the Old City Hall Arts Center. Moderated by local KNCR Channel 7's Mike Mangas, the event focused on demystifying the alphabet soup of transportation planning, and was touted as an educational effort for those in attendance.

The meeting was somewhat historic, in that it was the first of its kind to include a quorum of all of the partners belonging to this regional SCRTPA organization. Included were the city council members for the cities of Anderson, Redding, and Shasta Lake, and the Shasta County Supervisors, all on the panel at the same time. There was also a packed room full of other interested people from our community to learn just who and what our own "regional" agency is.

To say that transportation planning is complex is clearly an understatement, though very true. Dan Little and his RTPA staff provided a well-done and highly professional 23 page booklet explaining in English (sort of) the history of the agency, laws governing the distribution of transportation monies to cities and counties, how this agency functions, what all the acronyms mean, budget information, planning activities, and a review of successful projects in our community. This document is also available online for anyone to view: <http://www.scrtpa.org>. Click on the "Shasta County Regional Government, Building Local Partnerships Agenda and Report."

Those in attendance had an opportunity to ask questions after presentations were made by Rusty Selix, the Executive Director for the California Association of Councils of Governments (CALCOG) and Dan Little, the Executive Director for the SCRTPA. Several questioned the use of an advertising campaign to attract more riders to the RABA bus system, our only public transit system in Shasta County. There didn't seem to be any answers as to how to increase bus ridership, though there was a suggestion to go to smaller size buses to reduce overhead. But, other questions were a bit more intriguing.

Rod Evans, a long-time Churn Creek Bottom resident and advocate, wanted an explanation of the benefits of regional planning with revenue or tax-sharing. He opined that with almost 1.5 million square feet of vacant retail space in the area, it didn't make sense to plan for any more commercial retail space. Dan Little answered that the RTPA has no role in revenue sharing. Supervisor Les Baugh followed up that question with another question for Rusty Selix—as far as land use planning goes, is there regional planning without tax-sharing? Mr. Selix answered that there is only one agreement that he knows of in California for tax-sharing in the Ventura County area (for a specific project), so "no tax-sharing would mean no regional planning." He went on to further explain that several cities have had ballot measures for dedicated sales taxes that were related to land use planning decisions, because **only the voters** have the power to make those decisions. "Regional planning agencies do not have the power to make land use planning decisions," he said.

When asked what other types of regional issues could be addressed by our local SCRTPA, Mr. Selix listed a few: pooling resources for Bond financing; economic development planning (but without legal force and effect); garbage collection; provision of water; as an energy authority (meeting energy needs together). He said that the take home message from this forum is that with regional planning agencies, we have the flexibility to do it our way, and customize to our own region's needs. That way, the State is not dictating our development and land use decisions.

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We depend on membership and other contributions.

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Mary B. Machado, Executive Director