



The VOICE

Your independent news source

Greater Shasta County, CA

Volume V, Issue VII

www.shastavoices.com

December 2011

Did you know...

- The total population in Shasta County stands at 177,675, an increase of only 0.11 percent (and only 195 people) from this time last year. One figure in particular stands out—the number of births was 2,150, the number of deaths was 1,940. the difference is 210. That appears to be the only area where any growth has occurred.
- The State Controller has updated its website showing the salary, pension benefits and other compensation for city and county employees in California for calendar year 2010, including the cities of Redding, Anderson, Shasta Lake, and the County of Shasta. You can search by City or County by accessing this website:
<http://sco.ca.gov>.

Inside this issue:

Previewing 2012	1
I-5 Redding to Anderson Six-Lane Project	2
New Construction Activity Declines in 2011	2
ADA Compliance Deadline Approaching	3
Governor Defends Plan to Reduce Pension Costs	4
Join Shasta VOICES	4

Previewing 2012

Shasta VOICES has been tracking and monitoring many issues that affect economic opportunity in our community since we began our work in 2007. We have grown to 1,043 supporters in the last five years. We have accomplished much thus far, and have a full plate of issues to tackle in 2012. Here is a partial update of probable issues:

- **Knighton and Churn Creek Retail Center Referendum and Initiative for the June 5, 2012 Primary Election**—Details of exactly how these two ballot measures affect all of us need to be presented and understood by the registered voters of Shasta County.
- **City of Redding Development Impact Fee Re-evaluation and Update**—The growth projections that were used to calculate existing fees were grossly overstated. The need for planned infrastructure has diminished, and the fees need to be recalculated. The way some of the fees are applied, such as traffic and sewer, also need to be revisited. Ultimately, fee reductions would greatly assist in the recovery process for new construction and the jobs that would come with it.
- **Local Tax-Sharing Agreement**— Discussions between the cities of Redding, Anderson, and Shasta Lake and Shasta County are supposedly under way, and will eventually include the public. We will be there when that occurs.
- **Transportation Improvement Plans, Projects and Funding for our Region**— Our Shasta County Regional Transportation Planning Agency is busy making plans to expand I-5 to six lanes from Redding to Anderson, and to add a roundabout at the Deschutes Road Interchange in Anderson. They are looking to State and Federal agencies for funding—we want to make sure that continues to occur.
- **Redding Riverfront Specific Plan and Civic Auditorium Master Planning Effort**—There is great community support for ensuring financial stability of the Civic Auditorium and it's availability to the public as an amenity for future generations. This planning process is being done to create a healthy environment of land uses that will complement the Auditorium.
- **Economic and Job Creation Progress**—Many potential businesses consider locating or expanding in our community, only to be turned away by exorbitant regulations and fees imposed by local government agencies. We will continue our efforts to assist such businesses in 2012.
- **Budget Woes**—There continues to be no end in sight to local government revenues shortfalls. Discussions are sure to continue regarding where and how to cut budgets. Public employee **salaries and benefits** will continue to be a source of controversy, as well as the provision of public safety services.
- **Sustainable Communities Strategy and Regional Climate Action Plan** (reduction of greenhouse gas emissions) - Controversy over land use decisions and the imposition of yet more environmental regulation will continue as these documents make their way towards final approval.

I-5 Redding to Anderson Six-Lane Project Up Next

The Shasta County Regional Transportation Planning Agency (RTPA) has placed its next highest priority project as the ***Redding to Anderson Six-Lane Project***. This would widen I-5 from four to six lanes (3 lanes on each side of the interstate) between the Smith Road overcrossing to the Deschutes Road Interchange. Widening to six lanes has already occurred to the south of this area with the completed addition of the Cottonwood Hills truck-climbing lanes, and to the North of this area with the South Redding Six-Lane project now under construction for completion by mid-2012. This new project will fill in the “gap” between the other two completed projects.

Preliminary cost estimates for the Redding to Anderson Six-Lane Project total **\$76 million**. The RTPA, in conjunction with the City of Redding and Caltrans, recently secured funds to complete the environmental review phase of this project. The RTPA has been holding approximately \$340,000 of state transportation funds for the City of Redding’s Diestelhorst Bridge restoration project. In June, the RTPA Board approved up to \$350,000 in Federal Transportation Enhancement (TE) funds for this same purpose. The California Transportation Commission (CTC) approved the TE request in September. The funds held by the RTPA for the Diestelhorst Bridge can now be redirected to complete the ***environmental phase*** of the Redding to Anderson Six-Lane project. Other funding for the project is now being programmed to use State Transportation Improvement Program (STIP) funds. For 2012, the RTPA is looking to fund the design portion of the project (\$3.67 million) and the right-of-way phases (\$50,000). Future funding could come from state and federal grants and Regional Transportation Improvement Program shares (RTIP), which generally come from gas taxes being returned to our community.

The Redding to Anderson stretch of I-5 is just over 7 miles. Depending on available funding, the project could be built all at once or in phases. There have been suggestions that it be done in two phases: the Shasta County portion, referred to as the “big easy” because it has no bridge or other structures to contend with, and the Anderson portion with a total of 6 bridges or structures to contend with. Because of these 6 structures, the cost of this project is three times as high as the current South Redding Six-Lane project, even though it is only one mile longer. The South Redding project has only one structure to contend with, which is the Cypress Bridge undercrossing.

The widening would occur to the “inside” of the existing lanes, just like the current Redding Six-Lane Project from the Smith Road overcrossing to just North of the Highway 44 interchange.

If history is any indication, our talented and persistent RTPA staff will once again find the funds to complete this project from State and Federal sources. By programming it for funding now and pushing forward with the environmental and design phases, we will once again have a “shovel ready” project available for funding. It could be under construction in the next couple of years, providing our community with much-needed jobs and keeping our local contractors and suppliers working.

New Construction Activity Declines in 2011— Looks to 2012 for Improvement

It’s no secret that new construction in Redding and the rest of Shasta County has seen perhaps its worst decline ever in 2011.

Through November 2011, there have been a total of only 26 new single family building permits issued in the City of Redding. That is a reduction of 56 percent from the same period in 2010.

There is some bright news, however. There were 6 single family permits issued in November, making it the month with the greatest number of permits issued in 2011. At least some of this can be attributed to the City Council’s decision in October to grant a development impact fee holiday for traffic and sewer fees, totaling a reduction of \$12,518 for an average size Redding single family home. The Council also agreed in April to suspend the annual inflationary increases to development impact fees, reducing

the fees by 4.2% back to January 1, 2011. Together, the fee reductions (brought forward and supported by Shasta VOICES) have given new home contractors and potential buyers an opportunity to once again compete with the local foreclosure-driven market. The fee holiday is in effect for only 12 months. It is too soon to tell just how much of an impact it will have on new residential construction, but the early numbers are certainly encouraging.

And, permits for remodels and repairs, both for residential and commercial structures, have increased 16 percent over the same period in 2010. There were a total of 1,075 remodel and repair permits issued through November in the City of Redding.

At least some construction workers have been working again, building suppliers are busier than last year, and it looks like this trend will continue into 2012.

ADA Compliance Deadline Approaching

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.

We've also learned that some of the State regulations differ from the Federal regulations. For example, retail counters in fast food facilities need to be 34 inches high in California, but Federal regulations require that they be 36 inches high. So just what are the ADA building codes in California? The California Division of the State Architect (DSA) provides what is known as the **Access Compliance Reference Manual**, which is intended to clarify the regulations governing accessibility in public and private buildings. Go to <http://www.dgs.ca.gov/dsa/Programs/progAccess.aspx> for complete information.

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.

We've also learned that there is a new bill making its way through Congress, HR 3356, that would help facilitate ADA compliance by requiring plaintiffs who intend to sue businesses for ADA violations to provide notice of ADA violations to the business they are targeting. The notice must be specific enough that business owners/operators know how they have violated the Act and what actions they must take to bring their business into compliance. Business owners/operators must provide a written response outlining the improvements they will make to comply with the ADA within 60 days or receipt of the initial notice, and then have 120 days to make the improvements. If the improvements have not been in 120 days, legal action could move forward. Congressman Dan Lungren introduced the bill on November 4th, and it made its way to the house on November 20th. Since so many efforts at the State level to stop the ADA lawsuits have been blocked by the California Commission on Disability Access, it appears that this effort may be a remedy towards decreasing abusive ADA lawsuits, while still improving access. We are tracking this bill to see if it passes and if so, when it will become effective.

Remember, don't panic. Choose to become compliant, and utilize the proper resources to assist you in the process.

Governor Defends Plan to Reduce Pension Costs

California Governor Jerry Brown appeared before a joint legislative committee this month, saying his proposal to raise the retirement age for future public workers to 67 and enroll them in a partial 401(k) plan was needed to stave off budgetary disaster (in addition to other changes). He is asking the legislature to put a measure on a state-wide ballot so the changes would impact both state and local government employees.

Many of the most contentious parts of his 12-point pension reform plan must be placed on the ballot and approved by voters to become law. To do that, Brown must persuade two-thirds of the Legislature to send the measure to the voters.

Here are some details and highlights of his plan:

- Require all new and current employees to contribute at least 50 percent of their retirement costs, shifting the burden from public employers, some of whom currently make the entire contribution. This portion of the proposal would be phased in. Employers and employees would be barred from suspending contributions.
- Form a mandatory “hybrid” risk-sharing pension plan for new employees. New plan would include a reduced, guaranteed defined benefit, a defined contribution portion such as a 401(k)-style plan, and Social Security. The goal would be to replace 75 percent of an employee’s salary, based on a 30-year career for public safety employees, or 35 years for non-public safety employees.
- Raise the age state employees are eligible for full retirement benefits from 60 to 67 to align with Social Security. The State has not yet calculated a minimum retirement age, which is currently 55. Raise the retirement age beyond the current 50 years for newly hired public safety employees to an age based on their ability to perform the job and maintain public safety.
- For new employees, calculate pension benefits based on the highest average annual compensation for three years, rather than the current one-year system. Benefits would be calculated based on regular, recurring pay and would not include special bonuses, unused vacation time or overtime.
- Bar all employees from buying service credits known as air time, to boost retirement service credit for time not actually worked.
- Add two independent public members with financial expertise to the board of the California Public Employees Retirement System board.
- Prohibit retroactive pension increases based on earlier retirement or higher benefit levels for all employees.
- Require new state employees to work for 15 years to become eligible for any state-funded health care premiums and 25 years to qualify for the maximum state contribution to those premiums. State-provided retiree health care premium coverage would end at Medicare eligibility.

It is estimated that such changes would reduce the state’s contributions by \$4 billion to \$30 billion over the next 30 years as the plan is implemented. All aspects of government, from courts to cities and counties, would see their own savings as well. The details of the plan are still being worked out, and it is not clear which aspects of the proposal would be put before the voters and which would be passed through legislation. Stay tuned!

Join Shasta VOICES today.

We depend on membership and other contributions.

If you are viewing this issue of “***THE VOICE***” on our website, click on the ***membership tab*** for information and to download a membership application or contributor form. Or, you can obtain more information by going to our website, **www.shastavoices.com**, or calling **(530) 222-5251**.

Mary B. Machado, Executive Director