



# The VOICE

Your independent news source

Greater Shasta County, CA

Vol. VIII, Issue II

www.shastavoices.com

July 2014

### Did you know...

- Prospective candidates for the November 4, 2014 Redding City Council and City Clerk elections can take out nomination papers beginning July 14, 2014 by contacting the City Clerk's office. Candidates are required to submit final paperwork, including candidacy nomination signatures, between July 14 and August 8. The City Clerk position and three Council seats will be filled in the November General Election, each for a four-year term.
- In August of 2013, the Redding City Council approved the purchase of an unfinished newly constructed office building at 3611 Avtech Parkway to serve as REU's new office facilities, which allows the relocation of the Redding Police Department to the City Hall Campus. The improvements to this building were put out to bid recently, and awarded to local Redding contractor Gifford Construction in the amount of \$3,148,000. as the low bidder.

### Inside this issue:

Mayor Drafts Sales Tax Increase Measure	1
AFPD Challenges Tax-Sharing Agreement	2
REU PILOT Lawsuit Continues on Appeal	2
S O S—Secure Our Streets	3
Grand Jury Report on Park Fees Misguided	3
Updated News and Notes	4

## Mayor Drafts Sales Tax Increase Measure Fed Up With Local Crime

The citizens of Redding, led by our Mayor Rick Bosetti, are fed up and ready to do “something” about the degradation of our community by the criminal element, which continues to dominate the news headlines each day. Businesses and residents alike are subjected to vandalism, overly-aggressive panhandlers, assaults, burglary, and offensive behavior by a growing number of those who commit such acts, believing that there is no serious consequence for doing so.

At the July 15th Redding City Council meeting, our Mayor called for a special meeting to be held on August 4th at 3:00 p.m. in the Council chambers. The specific purpose of this meeting is to discuss putting a **1/2 cent sales tax increase** on the General Election ballot this November. This would generate over \$10 million annually.

Although time is short for such a measure to be put on the November ballot, if at least 4 of the 5 Councilors vote “yes,” the Mayor’s ballot measure can be sent to the City Clerk’s office in time to meet the August 8th deadline. It would then require a **2/3 majority** of votes by the citizens in the City of Redding to pass.

The Mayor’s measure focuses specifically on the Public Safety Realignment Act (AB 109) felons on post-release who are located in Redding. The draft measure reads:

**“Shall the City of Redding adopt a one-half cent transactions and use tax to sunset in six years, for the special purpose of reducing crime and public nuisances committed by Public Safety Realignment Act (AB 109) felons on post-release community supervision by hiring additional police officers and other personnel within the Redding Police Department; funding supervised community cleanup programs; and funding incarceration outside of the County, all to address problems associated with premature release of criminals from Shasta County Jail due to lack of local jail space?”**

But should we limit ourselves to only AB 109 felony offenders? Why not all criminal offenders? Should we give them an opportunity to challenge apprehension because they are not AB 109 felons? And, funding supervised community cleanup operations may need to be more specifically defined in the measure to include only those cleanups performed by the supervised criminals, thus avoiding misuse of funds. But those are things that could be changed, if supported by Council, so that the community will embrace the measure.

Council member Patrick Jones has already said he will not support the measure suggesting a plan to establish a volunteer reserve police force instead. Council member Gary Cadd has said he is “leaning” against the measure.

If this measure is voted down by Council at this particular point in time, another movement is underway called **S O S**, which stands for **Secure our Streets** (see page 3). This group of concerned community groups will more than likely step up to petition a future ballot measure, perhaps for the November 2016 election. Our state legislators will not help us, and if our current local leaders will not help to create solutions to secure our streets, it’s up to our local citizens to “do something” about the degradation of our community.

Attend the meeting on Monday, August 4th at City Council Chambers and let your City leaders know how you feel about the sales tax measure and securing our streets.

## **Anderson Fire Protection District Challenges County Tax-Sharing Agreement**

The City of Anderson submitted an application to the Shasta Local Agency Formation Commission (LAFCO) to annex 385 acres on the southeast side of the City, with close proximity to I-5, Highway 273 and the railroad, to create a large industrial park. It proposed that the Anderson Fire Protection District (AFPD) would concurrently annex a majority of the same area.

Most of the land is owned by Roseburg Forest Products, which operated a sawmill there for years until 1993. The property has power, water wells, gas lines and railroad tracks running through it. The 385 acres, about half the size of Redding's Stillwater Business Park, is designated industrial or existing residential, except for about 60 acres that is designated for commercial. Immediate development of the property is not expected, other than developing it as an industrial park. Such a park would be different than Stillwater Business Park in that any development risk taken would be by private companies, not taxpayers. The annexation proposal does not include the Shasta Paper Company property.

As part of the annexation process, staff from the City of Anderson worked with staff from Shasta County in creating an agreement regarding the sharing of property taxes and sales taxes after the annexation has occurred. There are three basic terms of agreement:

- **Property Tax**—Shasta County will retain 100% of existing property tax revenues. At the completion of the annexation, Shasta County and the City of Anderson will share 50% of all future growth in property tax within the annexed area.
- **Sales Tax**—Shasta County will retain 100% of revenue from all existing sales tax accounts within the annexation area that are currently on file with the Board of Equalization. Both the City and County will share future sales tax growth based on the following formula: 80% of the revenue from all new accounts will be retained by the City and 20% of the revenue from all new accounts will be retained by the County. The County's 20% would be dedicated to funding regional law enforcement functions.
- **Potential State Law Base Year Changes**—So as to avoid possible future disputes in the event State law affecting base year property tax apportionment changes, the County and City agreed to language that will clarify both upside potential and downside risk in the event the State legislation changes the distribution of base year property taxes.

The AFPD has stated that they do not agree with the County's tax-sharing proposal, and is filing a lawsuit against the County. They feel that this agreement does not earmark any money for the AFPD to cover added expenses of responding to fires in that area. The majority of this acreage is covered by the Shasta County Fire Department, but if Anderson's annexation proposal is approved by LAFCO in August, that responsibility would transfer to the local fire district.

The County's response is that it will not be amending its contract with Cal Fire to service this area, nor will it be retiring any fire engines or fire stations after the annexation. There is an automatic aid agreement that currently exists between the County and the AFPD, who provides automatic response without any additional compensation provided by the County. The AFPD may impose a benefit assessment for parcels within its jurisdiction for fire protection services, including those parcels subject to the annexation.

LAFCO will discuss the annexation matter at its August 7, 2014 meeting.

## **REU PILOT Lawsuit Continues on Appeal**

Citizens For Fair REU (Redding Electric Utility) Rates received a ruling from Shasta County Judge William Gallagher on December 21, 2011 regarding the lawsuit that was heard in Shasta County Superior Court on November 8, 2011. The Citizens are challenging the validity and enforcement of REU rate increases insofar as they incorporate a charge for "Payment in Lieu of Taxes" (**PILOT**) that the City collects and later transfers to its General Fund. Had the City not systematically collected money unrelated to the cost of providing electricity, the utility would have had to raise rates only 1 to 2 percent, rather than 7.84%.

Judge Gallagher acknowledged that Proposition 26, which was passed by voters on November 2, 2010, expanded the

definition of a tax to include a fee for government products or services.

The judge went on to say that the PILOT was adopted in 1988, refined in 1992, 2002, and 2005, and was again implemented upon the 2010-2011 fiscal years. He felt that because the local legislation authorizing the PILOT predates Proposition 26, Proposition 26 has no effect on the PILOT, and the Petition was denied.

An appeal was filed by the Citizens For Fair REU Rates to the California Court of Appeals. An appeal date has now been set for oral argument on **September 17, 2014** at the 3rd DCA Courtroom in Sacramento.

## ***S O S!***

### ***Secure Our Streets***

The citizens of Redding are determined to secure their streets and want their local leaders to focus on fighting crime now. If that does not happen, they won't be patient—they'll do something about it themselves. That "something" may include petitioning their own ballot measure for the next election, or for a special election (which could happen sooner) if those local leaders will cooperate. There is not enough time to complete the petition process for the November 2014 election.

Until such time as some sort of permanent solutions can be implemented, maybe a temporary solution is in order. One candidate for Redding City Council, Michael Dacquisto, has suggested the reinstatement of Community Service Officers (CSO) program in Redding using \$1.7 million of the \$12.5 million now being held in reserves. This could put more cops on the streets and "greatly decrease the response times to reported crimes" and could be implemented as an emergency measure now. But if the City's reserve account dropped below 5 percent, additional funds would be necessary to continue the program. Another candidate, Brent Weaver, has an 11-step strategic plan, also adding CSO's among other things, but not yet identifying funding sources to pay for it.

Everyone seems to agree on these points: just adding more officers will not solve the problem of the revolving jail door, and crime cannot be solved by just throwing money at it. Shasta VOICES will provide an update in the August 2014 issue of this newsletter, after we know for sure how our City Councilors have chosen to move forward, or not.

## ***Grand Jury Report on Park Fees Misguided***

In California, the state constitution requires the Superior Court in each county to impanel at least one grand jury each year. The grand jury is authorized by the California Penal Code to investigate and report on the operations of any local government agency within the county, and is exempt from the requirements of the state's open meeting law (Brown Act). The 2013-2014 Shasta County Grand Jury submitted their final report on June 24, 2014.

One of the reports was called "Open Parks—Closed Meetings." An ad hoc advisory group of seven volunteers from the community participated in a year-long study of the entire City of Redding impact fee program, which was being updated by City staff in an effort to reduce the fees, and eventually presented to and approved by the City Council. Park fees were a part of that effort. Due to the fact that the volunteers were not appointed by City Council, their meetings were not subject to the open meeting requirement (Brown Act).

Apparently, somebody took issue with the fact that a proposal during this study from the Community Services Department to greatly increase the City of Redding's park development impact fees was not implemented, didn't like the way the ad-hoc committee was selected, and wanted the grand jury to investigate. However, the twelve listed findings and recommendations made by the grand jury regarding this issue, although seeking the opposite outcome, actually **support** the decisions made by Redding City Council.

Perhaps the most telling recommendation is R3: "as part of the Parks, Trails and Open Space Master Plan ten year review in 2014 the City Council adopt a plan that can be realistically funded by the City." Yes, this is exactly what was determined by the Council in August of 2013. It sort of makes all the other findings and recommendations in the grand jury report moot, as the original Master Plan has still not been updated, nor has there been any formal notification that it will be updated. The only realistically affordable fee is the one the Council approved.

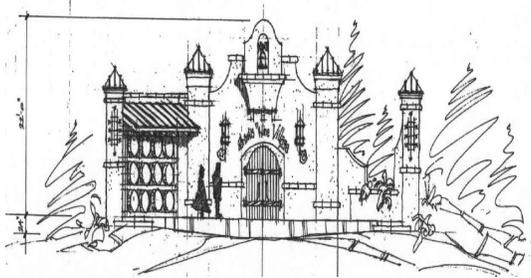
Finding F3: "the City of Redding is not supporting the 2004 Park Master Plan Goal of 10 acres per 1,000 residents." This is accurate. The "Goal" was just that, a goal. It has become unachievable. The economy tanked—we will not be able to reach that goal and it needs to be revised, just as all of the other master plans have been over the past three years. Our projected growth figures did not come anywhere close to being accurate, and these plans need to be adjusted downward to reflect reality. Additionally, the number of acres currently included in determining the existing "Level of Service" needs to be revisited. Until that is done, it is not possible to determine just what a "fair share" and equitable development impact fee would be, and who else should be contributing towards maintaining that level of service.

Asking **only** new home buyers to pay 100% of all things park and recreation in Redding does not constitute a "fair share." The entire community uses such amenities, as well as multitudes from outside of the community. Other funding sources need to be identified to upgrade, maintain, and create desired amenities and an updated Master Plan ought to identify and include such other sources.

The City of Redding will be responding to the Grand Jury on the findings and recommendations made in this report, and their response will come before the City Council at one of the August 2014 Council meetings.

## *Updated News and Notes*

Shasta VOICES is continuing to monitor and follow many issues of interest to our supporters and the community. As part of our efforts to keep you updated and informed, here is a brief update of some of these issues:

- **Moore's Flour Mill**—Final approval for a site development permit was granted in February, 2014, to construct a new food manufacturing facility on an 11.2 acre parcel at 6150 Shasta View Drive, which is located off of Airport Road where Shasta View Drive has not yet been extended. The building is designed to be 63,000 square feet and will be used in the manufacturing of a variety of milled food goods with a small retail sales storefront, with uses broken down as follows: Office space—6,307 square feet; Retail Sales—1,983 square feet; Gluten-Free Production—6,929 square feet; Granola Production—12,103 square feet; Wheat Production—4,385 square feet; Climate-controlled Warehouse—19,381 square feet; Other Space—11,912 square feet. The owners applied for a building permit on June 5th. As of this writing, the City of Redding has completed their first review and the plans are back with the design team for corrections.
- **Shasta Wine Village**—The project is located in the Mountain Gate area on 10-acres at the southeast corner of Old Oregon Trail and Holiday Road, a frontage road along the east side of I-5. Redding Reserve One LLC is building the project. Shasta Wine Village will showcase 15-17 local wineries, two restaurants and includes retail space selling locally sourced products. The objective of the developers was to have the project constructed all at once, and open before the 2014 holiday season. But currently, they are still in the process of preparing the necessary documents and applications to begin site preparation (grading) this season.
 
- **Shasta County General Plan Update (or lack of)** - In August, 2013 (yes, one year ago), a stakeholder committee of local citizens and business people formed to participate in the process of updating parts of Shasta County's General Plan met for the **one and only meeting** held thus far for such a purpose. According to Bill Walker, Senior Planner for Shasta County, consultants are currently working on technical background studies including: Demographics and Local Economy, Land Use, Public Safety, and Greenhouse Gas Emissions. These are the four studies specified in a contract with AECOM, the consultants hired for the update. Apparently these studies will be sent to the Committee "soon" for review, and a second meeting will be scheduled to discuss these studies. After an entire year, one would think some sort of update or notice would have been sent to the committee. The contract with AECOM doesn't expire until December 31, 2015. At this rate, they may not finish by then!
- **Seven Hills Land and Cattle Company Requests Zoning Amendment**—A public hearing will be held on August 14th at the Shasta County Planning Commission meeting for approval of a zoning amendment for property located in the Shingletown area on 435 acre parcel on the north side of Inwood Road, approximately 1 mile from the intersection of State Highway 44 and Inwood Road. Seven Hills Land and Cattle Company has requested approval of a zone amendment from the Exclusive Agriculture (EA) zone district to the Commercial Recreation (CR) zone district to expand existing winery, wine tasting and special events to include dining, event conservatory for gatherings not to exceed 220 people, hotel, spa, and private chapel. Proposed recreational activities will include hiking, horseback riding, and sport shooting. Copies of the applications and related documents are available for review through the Department of Resource Management, Planning Division.

***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