

**Perry Beck**

---

**From:** Gary Liss [gary@garyliss.com]  
**Sent:** Sunday, November 08, 2009 10:45 PM  
**To:** Perry Beck  
**Cc:** Gary Liss  
**Subject:** Council Agenda Preparation and Meeting Policies memo - Agenda Item 17

Perry,

I'd like to propose the following to be considered for a motion on the items in this memo:

1. Agenda and background packets will be emailed to Council and posted on Town's website 10 days before regular Council meetings.
2. Questions from Council members received by Wednesday before a regular Council meeting would be answered and emailed to Council and posted on Town's website by noon on Monday before the Council meeting.
3. Any Councilmember interested in getting an item on the next available agenda should propose that to the Mayor and Town Manager at any time, and not be required to wait for Council to agree as a whole to put the item on the agenda. This is consistent with the existing Municipal Code and would provide more flexibility.
4. Handouts provided at meetings should be posted on the Town's website as part of the public record of those meetings.
5. Regular meeting times of Council should be changed temporarily for the next six months to 6:30 pm to 10 pm (with Closed Sessions when needed from 6:30-7pm). If that helps to eliminate the need for additional Council meetings, then the Municipal Code should be changed thereafter by an Ordinance change.
6. All public speakers, including presentations from invited guests, should be held to no more than 5 minutes (unless specifically arranged otherwise in advance of the Council meeting), and should be consistently signalled with the use of timing lights.
7. Minutes from outside committee meetings should be posted on the Town's website.
8. Council should ask questions about consent items before the Council meeting, and only "pull" such items if they want to make a recommendation for a different action than staff recommended.

Please share these clarifications with other Council members for their consideration on Tuesday night.

Thanks!

Gary

Gary Liss & Associates  
916-652-7850  
Fax: 916-652-0485  
www.garyliss.com

# Item 18

**Proposal for funds to purchase :  
a Tree and Plaque for the 25th Anniversary  
Celebration  
.....from the  
Parks , Recreation and Open Space Committee  
2009**

**The tree , a Scarlet Oak , in a 15 gallon  
containeer could be purchased with the Tree  
Midagation Funds, at the cost of \$54.07 . Baker  
Landscape Nursery has provided us with the  
lowest estiment as well as additional  
information . (see attached)**

**The Plaque would be purchased from Ruhkala  
Granite and Marble Co. Inc , in Rocklin . A 12 X  
12 brass plaque would cost approximatly  
\$619.00 . The instalation would run between  
\$150.00 and \$300.00. The total cost would be  
\$769.00 (or \$919.00 depending on instalation  
difficulty.)**

**Fw: TREES**

Saturday, November 7, 2009 9:02 PM

**From:** "Bakers Nursery" <bakersnursery@att.net>  
**To:** loomiswarfrat@yahoo.com

**From:** Bakers Nursery  
**Sent:** Wednesday, November 04, 2009 2:36 PM  
**To:** warfrat@yahoo.com  
**Subject:** TREES

Hi Polly I have your specs and cost for 24" box trees.

Quercus Coccinea / Scarlet Oak good fall color moderate growth rate 16 - 17' tall X 4' wide \$180.00  
<http://hort.ifas.ufl.edu/trees/quecoca.pdf>

15 gallon 49.99 + 4.07 = 54.07

Zelkova 'Village Green' / Japanese zelkova nice fall color moderate to fast 60' or taller 14-15' x 5-6' x 2-2.5"  
\$185.00  
<http://hort.ifas.ufl.edu/trees/ZELSERC.pdf>

Acer rubrum 'October Glory' / Red maple excellent fall color moderate growth rate \$175.00  
<http://hort.ifas.ufl.edu/trees/ACERUBF.pdf>



## ***Quercus coccinea*** **Scarlet Oak<sup>1</sup>**

Edward F. Gilman and Dennis G. Watson<sup>2</sup>

### **INTRODUCTION**

Able to reach a height of 75 feet and a spread of 45 to 60 feet, Scarlet Oak is so-named for its beautiful, red-colored fall leaves (Fig. 1). Fairly smooth grey bark in youth roughens to a dark brown or black on the trunk of older specimens which can be four feet in diameter. Leaves are more deeply lobed than *Quercus rubra* but otherwise the trees look very much alike. The crown should be built like many other Oaks with a central trunk and lateral branches well spaced at two or three foot intervals. The rounded, spreading canopy makes the tree well-suited for planting along streets. The trunk flares out at the base lifting sidewalks and curbing if planted in tree lawns less than eight feet wide.



Figure 1. Middle-aged Scarlet Oak.

### **GENERAL INFORMATION**

**Scientific name:** *Quercus coccinea*

**Pronunciation:** KWER-cuss cock-SIN-ee-ah

**Common Name(s):** Scarlet Oak

**Family:** Fagaceae

**USDA hardiness zones:** 5 through 8 (Fig. 2)

**Origin:** native to North America

**Uses:** large parking lot islands (> 200 square feet in size); wide tree lawns (>6 feet wide); recommended for buffer strips around parking lots or for median strip plantings in the highway; shade

tree; residential street tree; no proven urban tolerance

**Availability:** grown in small quantities by a small number of nurseries

### **DESCRIPTION**

**Height:** 60 to 75 feet

**Spread:** 45 to 60 feet

**Crown uniformity:** symmetrical canopy with a regular (or smooth) outline, and individuals have

1. This document is Fact Sheet ST-545, a series of the Environmental Horticulture Department, Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida. Publication date: October 1994.
2. Edward F. Gilman, associate professor, Environmental Horticulture Department; Dennis G. Watson, associate professor, Agricultural Engineering Department, Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, FL 32611.  
Randy Heatley, Michigan State University, provided the original text on the pests and diseases of this plant.

INFO FOR ITEM 20  
11/10/09 COUNCIL

**From:** "Charles Anderson" <canderson@cacities.org>  
**Date:** Tue, 10 Nov 2009 08:56:09 -0800  
**Subject:** League of Cities Ballot Measure Update

Good morning Sacramento Valley Division Members,

As you know there are numerous ballot measures that have been submitted to the Attorney General for "Title and Summary" which address local and state government structure and finances.

The League of California Cities along with the California Transit Authority and California Alliance for Jobs has submitted two local government protection proposals. California Forward has submitted two proposals, one which addresses local government funding and taxing authority. Repair California, has submitted two proposals as well calling for a Constitutional Convention to address state government restructuring.

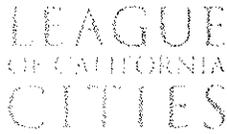
Attached you will find a memo from League Executive Director Chris McKenzie discussing these proposals and some of the aspects of California Forward and Repair California proposals that are similar and different from the League's.

Please feel free to share this with colleagues and others who may have questions regarding this issue.

Charles

Charles W. Anderson  
Regional Public Affairs Manager  
League of California Cities  
Sacramento Valley Division  
1400 K Street  
Sacramento, CA 95814  
916-798-2231  
fax: 866-593-2927  
[canderson@cacities.org](mailto:canderson@cacities.org)

11/10/2009



1400 K Street, Suite 400 • Sacramento, California 95814  
Phone: 916.658.8200 Fax: 916.658.8240  
www.cacities.org

**TO:** City Officials  
**FROM:** Chris McKenzie, Executive Director  
**DATE:** November 9, 2009  
**RE:** Update on League-Supported Revenue Protection Measure; Other “Reform” Measures Emerge

**EXECUTIVE SUMMARY:** Now that the Secretary of State’s recommended deadline has come and gone for the filing of initiative ballot measures for the November 2010 ballot, the work of two other groups, California Forward and Repair California, may get confused with the League-supported initiative. The purpose of this memo is to provide you with some basic background on the measures. Since it has already been unanimously supported by the League General Assembly at the League’s Annual Conference in September, city officials may want to pass resolutions of support for the League-sponsored measure (see below) when you are ready. Your Regional Public Affairs Manager can give you a copy of a sample resolution. However, we urge your city not to take a formal position on any of the other measures until they have been reviewed and acted on early next year by the relevant League policy committees and the League board of directors.

### League-Supported Ballot Measure

The League, the California Alliance for Jobs, and the California Transit Association filed two similar versions of the *Local Taxpayer, Public Safety, and Transportation Protection Act of 2010* with the Attorney General on Tuesday, October 20, 2009. In early December, after receipt of the Attorney General’s Title and Summary for the measure, the campaign may proceed with collecting the more than one million signatures necessary to qualify a constitutional amendment for the statewide ballot. During the period leading up to mid-December League staff and city officials are working with our coalition partners to lay the groundwork for a successful signature gathering and fundraising effort. The board will be asking the membership for input before beginning the next stage of the campaign. Here is what the measure covers:

<i>Key Provisions</i>	<i>Local Taxpayer, Public Safety and Transportation Protection Act of 2010</i>
<b>Protects Locally Imposed Taxes (e.g., parcel UUT, TOT, sales, etc?)</b>	Yes. Legislature may not take or borrow or direct how <u>local taxes</u> may be spent. Property tax treated under Art. XIII, Sec. 25.5.
<b>Prohibits Property Tax Borrowing?</b>	Yes. Repeals state authority to borrow under Art. XIII, Sec. 25.5 after 2009-10.
<b>Prohibits Reallocation of Prop. Tax or VLF to Pay for State Mandates</b>	Yes.
<b>Prohibits Borrowing or Stealing of the HUTA Gas Tax?</b>	Yes, and provides same protections to any replacement revenues and requires hearings and study before state and local shares changed.

<i>Key Provisions</i>	<i>Local Taxpayer, Public Safety and Transportation Protection Act of 2010</i>
<b>Prohibits Borrowing or Stealing of Prop. 42 Gas Tax?</b>	<b>Yes</b> , and provides same protections to any replacement revenues and requires hearings and study before state and local shares changed.
<b>Prohibits Borrowing or Stealing of Public Transit Account (PTA) funds?</b>	<b>Yes</b> . Also restricts use of PTA revenues for transportation planning and mass transportation purposes only and requires “Spillover” sales tax to be deposited into the PTA and split evenly between State and local transportation agencies.
<b>Prohibits Taking, Borrowing or Directing Spending of RDA Funds?</b>	<b>Yes</b> . Prohibits state from requiring RDAs to pay tax increment to a state or another local agency or require an agency to use its tax increment for any State purpose, except affordable housing and pass-through payments.
<b>Remedy if State Violates Constitution and Repayment Due?</b>	<b>Yes</b> . If court finds state has taken funds illegally, repayment is continuously appropriated to repay amount taken illegally.
<b>Repeal of Conflicting Statutes?</b>	<b>Yes</b> . Any conflicting statute enacted between Oct. 21, 2009 and November 2, 2010 is automatically repealed.

### California Forward

*California Forward* is a government reform organization now headed by former Assembly Speaker Bob Hertzberg. It recently filed two initiative ballot measures:

- (1) State Budget Reform. The first measure includes state fiscal reforms, such as lowering the vote threshold to a simple majority to approve a state budget, performance based budgeting and restrictions on use of one-time spikes in revenues; and
- (2) New Countywide Sales Tax and Limited Local Government Revenue Protections. The second measure would:
  - a. *Additional Local Sales Tax; Redistribution of Local Government Revenues*. Authorize a new one-cent sales tax at the county level—approved by a simple majority vote of the local electorate—to support schools, cities, counties and special districts to implement a new countywide strategic plan. If the tax is approved, cities and counties would be required to transfer to schools the equivalent of 50% of the new sales tax they receive from their existing property tax, sales tax, etc. in accordance with a plan adopted by the county.
  - b. *Local Revenue Protections*. League attorneys are still studying the CA Forward measure to determine the scope of the local revenue protections it would provide. But upon initial review it’s clear the measure provides **no** protections against state borrowing of the HUTA gas tax and public transit funding, and it also appears to allow continued borrowing of city property taxes. (In contrast, the League-supported measure explicitly prohibits State borrowing of local property taxes, HUTA and public transit funds and repeals the existing constitutional provisions allowing it). Unlike the League-supported measure, CA Forward measure does not contain language that would repeal any new legislation --passed between now and November 2010 -- that would take the revenues protected by the measure.

## Repair California

*Repair California*, the group advocating for calling a Constitutional Convention, led by the Bay Area Council, recently filed two initiative ballot measures as follows:

- (1) Voter-Called Constitutional Conventions. The first measure amends the constitution to allow the voters to call a constitutional convention every 10 years by initiative and to limit the issues the convention can discuss; and
- (2) Call for Convention. The second is a statutory measure that calls the convention and limits the subjects of discussion and action to: (a) Government Effectiveness, (b) Elections and Reduction of Special Interest Influence, (c) Spending and Budgeting, and Governance.
  - a. *How Delegates Will Be Chosen*. Approximately half would be chosen at the county level by committees made up of county supervisors (2), city officials in counties with cities (mayors who are chair and vice chair of city selection committee), and school districts (1). The other half would consist of three delegates elected from each Assembly district from a group of 50 potential delegates in each Assembly district that was randomly chosen by the State Auditor from a pool of 400 possible delegates randomly chosen by the State Auditor in each Assembly district. Delegates are not required to be registered voters.
  - b. *Role of the FPPC*. The appointed Fair Political Practices Commission (FPPC) that currently enforces the Political Reform Act would serve as the Constitutional Convention Commission, an influential steering committee responsible for deciding all matters concerning delegate qualifications, hiring the Clerk of the Commission, determining the place and date of the meeting of the Convention, training the delegates, and overseeing all other matters.

The next few months will tell whether these measures go into circulation for signatures.

### What's Next?

We invite you to help us in our pre-signature gathering effort for the ***Local Taxpayer, Public Safety, and Transportation Protection Act of 2010***. When your Regional Representative calls you, please respond and lend a hand. Our success depends on your leadership. Using your personal computer, you can find additional information at <http://savelocalservices.com/>.

### What About Passing City Resolutions?

Since it has already been unanimously supported by the League General Assembly at the September Annual Conference, city officials are encouraged to pass resolutions of support for the League-supported measure when you are ready. Your Regional Public Affairs Manager can give you a copy. Since the ballot measures proposed by California Forward and Repair California have not been analyzed or acted upon by the League policy committees or board of directors, we recommend that you delay any action on the other measures until they have been reviewed and acted on early next year by the relevant League policy committees and the League board of directors.