



*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*

September 5, 2023

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Authorize the Mayor to Sign Correspondence Related to ACA 13

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the Mayor to sign the attached correspondence, or take no action.

BACKGROUND AND DISCUSSION

Under current law, a simple majority may vote to require a supermajority voter approval for future action, even without the corresponding level of support. This framework has given disproportionate power to a small number of voters: Little more than one-third of voters can prevent laws that a majority of voters agree upon. At the local level, this has made it difficult to pass revenue measures dedicated to critical services, such as homelessness and housing, fire, public safety, and roads.

What does ACA 13 specifically do?

- ACA 13 protects local government revenue streams and individual cities' ability to deliver critical services to residents.
- ACA 13 would require any initiative constitutional amendment to conform with any increased voter threshold that it seeks to impose on future ballot measures.
 - For example, if an initiative constitutional amendment seeks to place a two-thirds vote threshold on a specific item, that initiative would need to pass with a two-thirds vote.

Talking points:

Protects Local Government Revenue Streams

- Existing voter threshold requirements have made it difficult to pass local revenue measures dedicated to critical services, such as homelessness and housing, fire, public safety, and roads.
- From 2001-2018, city revenue measures with a two-thirds vote requirement have enjoyed only a 51% passage rate, compared to a 70% passage rate of all local revenue measures over the same period.
- The status quo has prevented cities from providing desperately needed services.

What ACA 13 Does NOT Do

- Opponents of ACA 13 argue that it is an attack on Prop. 13 and other voter-approved taxpayer protections. This is false.
 - Prop.13 was passed by voters in 1978 and is still in effect, just like other voter-approved measures that passed previously. ACA 13 is not retroactive and will not do anything to change or undo Prop. 13.
- Opponents of ACA 13 argue it takes the power to raise new taxes away from the people and into the hands of the Legislature. This is false.
 - The current citizens initiative process, as interpreted by the courts, permits a majority vote for questions posed to the voters. ACA 13 protects the majority vote and the ability for voters to weigh in on critical issues. ACA 13 will not change the requirement that the Legislature achieve a two-thirds vote when considering new revenues.
- Opponents of ACA 13 argue that it would affect measures requiring a two-thirds vote. Therefore, it should also have the same level of voter support. This is not applicable.
 - ACA 13 proposes that future measures proposing “greater than a majority” be met with the same level of voter support. Consistent with existing language in the Constitution, it is appropriate for greater than a majority (50% + 1) of voters to approve ACA 13.

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September 5, 2023

The Honorable Jim Wood
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0002

RE: ACA 13 (Ward) Voting Thresholds
Notice of SUPPORT (As Amended 8/17/2023)

Dear Assembly Member Wood:

The City of Rio Dell supports ACA 13 (Ward), which would require any constitutional amendment proposed by an initiative that increases a vote requirement for future measures to be approved by the same proportion of voters. The measure would also preserve the right of cities to place advisory questions asking voters their opinions on the ballot.

Under current law, a simple majority of voters (50% + 1 vote) may vote to require a supermajority (for example, 66%) voter approval for future action. This framework has given disproportionate power to a small number of voters: Little more than one-third of voters can prevent the enactment of laws that a majority of voters agree upon.

At the local level, this has made it unnecessarily difficult to pass revenue measures dedicated to critical services, such as homelessness and housing, fire, public safety, and roads. For example, from 2001-2018, city revenue measures with a two-thirds vote requirement have enjoyed only a 51% passage rate, compared to a 70% passage rate of all local revenue measures over the same period. The status quo has prevented cities from providing desperately needed services.

ACA 13 addresses this issue by simply requiring any initiative that enhances a voter requirement to pass by that same voter requirement. ACA 13 is a fair, good government proposal that protects the principles of democracy and majority rule.

For these reasons, the City of Rio Dell supports ACA 13.

Sincerely,

Debra L. Garnes
Mayor
City of Rio Dell

cc. Senator Mike McGuire
Sara Sanders, League of California Cities
Meg Desmond, League of California Cities, cityletters@cacities.org