



OLYMPIC VALLEY PUBLIC SERVICE DISTRICT



EXHIBIT G-4
8 Pages

ADMINISTRATION & OFFICE REPORT

DATE: August 29, 2023

TO: District Board Members

FROM: Jessica Asher, Board Secretary

SUBJECT: Administration & Office Report – Information Only

BACKGROUND: The following is a discussion of office activities and brief status reports regarding administration that are not the subject of a separate report. This report is formatted to provide new information and recent progress only.

DISCUSSION: Placer County Water Agency (PCWA) East Slope Meeting
PCWA plans to conduct its East Slope meeting on Thursday, September 21st, tentatively scheduled to begin at 11:00 a.m. at the Olympic Valley Public Service District Administrative Office. As in years past, the board meeting agenda will include an opportunity for each district to make a brief report on information of general interest. District staff will attend this meeting and Board attendance is encouraged but optional.

Document Management System (DMS) Project

At the time of writing this report, 100% of the *Customer files*, 100% of the Board Secretary's permanent records, and 80% of the *Subject and Project* files stored within the District's central filing cabinets have been scanned. The scanner has been having technical issues requiring resolution. Staff has nearly completed developing a new file folder structure for electronic documents; we are hoping to transition to cloud storage through SharePoint by the end of October.

Notary Training

Aline Henriksen attended her notary training on July 13th and passed. She is working to complete all steps required to be able to provide notary public services for the District. Jessica Asher completed her renewal notary class on August 10th. Each training consists of a full day course which covers applicable laws and regulations, followed by a state-administered examination.

Express Evaluations- Annual Performance Software

The District recently subscribed to *Express Evaluations*, a cutting-edge software solution, to streamline and enhance our annual employee review process. This new software will modernize the way we conduct evaluations, making them more efficient, insightful, and productive. For employees, the software offers a platform to track their goals throughout the year, and managers will benefit from automatic reminders and a note-taking feature, allowing for more continuous feedback and a well-rounded assessment. The rollout of *Express Evaluations* will occur over the next month, and we'll be providing resources and training to ensure a seamless transition.

Assembly Constitutional Amendment (ACA) 13

The California Special Districts Association (CSDA) issued a *Call to Action* urging the endorsement of ACA 13, in response to Ballot Initiative 21-0042A1. See attached documents. The Board of Directors approved Resolution 2023-03 opposing Initiative #21-0042A1 (aka #1935) on April 25, 2023. Resolution 2023-03 and its supporting Board Report are attached for reference. Staff seeks direction from the Board to respond as requested by CSDA.

- ATTACHMENTS:**
- Dane Wadle Call to Action to Support ACA 13 (1 page).
 - Sample Letter of Support (1 page)
 - Board Report dated April 25, 2023 (2 pages)
 - Resolution 2023-03 opposing Initiative 21-0042a1 (aka #1935) (2 pages)

DATE PREPARED: August 25, 2023

From: Dane Wadle <danew@csda.net>
Sent: Friday, August 18, 2023 4:38 PM
To: Dane Wadle <danew@csda.net>
Subject: ACA 13 Support Request

Good afternoon:

I'm reaching out to you on a development related to [Initiative 21-0042A1](#) (the CBRT Initiative). CSDA previously received a copy of your agency's opposition to this measure.

Assembly Member Christopher Ward has amended [Assembly Constitutional Amendment 13](#), related to ballot measures. There is significant interplay between ACA 13 and Initiative 21-0042A1— in short, successful passage of ACA 13 is expected to protect public agencies from the potentially disastrous effects of the initiative measure.

For that reason, I believe your agency would be interested in [supporting Assembly Member Ward's ACA 13](#).

ACA 13, if passed by two-thirds of the California Legislature, would propose to voters the following:

- If an initiative constitutional amendment includes provisions that impose vote thresholds greater than a simple majority of votes cast, then *that initiative constitutional amendment* must receive a percentage of votes in support *equal to those increased vote thresholds*.
 - i.e., if an initiative constitutional amendment includes a provision that would impose a supermajority (e.g., three-fifths, two-thirds, four-fifths, etc.) voter approval threshold, then that initiative would be required to gain the approval of the same super majority (three-fifths, two-thirds, four-fifths, etc.; whatever threshold the initiative proposes) of California voters in order to pass
 - if the initiative constitutional amendment includes provisions that impose a supermajority vote threshold and fails to gain the corresponding supermajority of voters in support of the underlying amendment, the initiative constitutional amendment would not be considered approved, thereby failing in its entirety

As you may recall, Initiative 21-0042A1 imposes thresholds requiring the approval of two-thirds of voters in various places throughout the text of the measure. The successful passage of ACA 13 would mean that Initiative 21-0042A1 would be required to garner the approval of two-thirds of voters in order for the initiative constitutional amendment to be considered approved; failure to garner the approval of two-thirds of voters in this scenario would mean that the entire measure and all of its provisions would fail to become law.

Here's where you and your district come in...

CSDA is encouraging agencies opposed to Initiative 21-0042A1 to consider supporting ACA 13, and to submit a letter of support to that effect. To make this process easy, CSDA has developed [a sample letter](#) your agency can use to express its support.

[LINK TO SAMPLE LETTER](#)

These letters to the author will demonstrate how important this is to public agencies, including special districts.

Please feel free to reach out to me with any questions. Thank you for your continued support of CSDA's advocacy efforts.

Sincerely,
Dane

Dane Wadlé, CPFO

Senior Public Affairs Field Coordinator – Sierra Network

Join us for the [2023 CSDA Annual Conference & Exhibitor Showcase](#)
August 28 – 31, 2023 in Monterey

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[Your Agency's Logo/Letterhead]

August 25, 2023

The Honorable Christopher Ward
California State Assembly
1021 O Street, Suite 6350
Sacramento, CA 95814

RE: Assembly Constitutional Amendment 13 (Ward) – Support [As Amended August 17, 2023]

Dear Assembly Member Ward:

The [Agency Name] is pleased to support your Assembly Constitutional Amendment 13, related to protecting the majority vote. [Add details about your agency (e.g., population, location, services provided, etc.)]

Under current law, an initiative constitutional amendment that proposes to amend the California Constitution requires a simple majority of voters casting votes in favor of the measure for the amendment to be approved. Notably, this simple majority requirement is irrespective of any of the provisions contained within the proposed constitutional amendment; should the text of the proposed constitutional amendment contain provisions that would otherwise require voter thresholds in excess of a simple majority in the future, those increased vote thresholds may nonetheless be imposed with a simple majority of voters. Phrased another way, this allows a simple majority of voters to insert a three-fifths, two-thirds, four-fifths, or higher vote threshold into the California Constitution, even without the corresponding level of support in terms of votes cast in favor of the original amendment proposal.

ACA 13 would propose to California voters a solution to this problem with the initiative process: if placed on the ballot by the California Legislature, California voters would be asked to decide whether an initiative constitutional amendment containing provisions that increase vote thresholds should be required to attain the same proportion of votes in favor of the amendment that the proposed increased vote thresholds would demand. In this way, ACA 13 would ensure that a proposal cannot impose vote thresholds on our communities and our State that exceed the level of support for imposing such thresholds.

ACA 13 protects the democratic process in local communities by ensuring that a simple majority of statewide voters cannot restrict the will of a supermajority of voters in a local community. For these reasons, [Agency Name] is pleased to support Assembly Constitutional Amendment 13. Please feel free to contact me with any questions

Sincerely,

Signature

[Signatory's Name]

[Signatory's Title]

[Signatory's Agency Name]

CC: The Honorable [Agency's Local Assembly Member]
The Honorable [Agency's Local Senator]
Marcus Detwiler, Legislative Representative, California Special Districts Association
[advocacy@csda.net]



OLYMPIC VALLEY PUBLIC SERVICE DISTRICT



EXHIBIT F-4
18 Pages

OPPOSING BALLOT INITIATIVE #21-0042A1 (AKA #1935)

DATE: April 25, 2023

TO: District Board Members

FROM: Mike Geary, General Manager; Jessica Asher, Board Secretary

SUBJECT: Consider joining a coalition adopting an “*oppose*” position on Initiative 21-0042A1 (AKA #1935)

BACKGROUND: Staff from California Special Districts Association (CSDA) recently requested the District consider joining a coalition to adopt an oppose position on Initiative 21-0042A1 (AKA #1935). CSDA provides education and training, insurance programs, legal advice, industry-wide litigation and public relations support, legislative advocacy, capital improvement and equipment funding, collateral design services, and, most importantly, current information that is crucial to a special district's management and operational effectiveness. District staff greatly value CSDAs work particularly related to advocacy for legislation that will directly affect our operations.

DISCUSSION: The “Taxpayer Protection and Government Accountability Act,” a statewide initiative measure to amend the California Constitution sponsored by the California Business Roundtable (“CBRT”), is the most consequential proposal to limit the ability of the state and local governments to enact, modify, or expand taxes, assessments, fees, and property-related charges since the passage of Proposition 218 (1996) and Proposition 26 (2010). If enacted, public agencies would face a drastic rise in litigation that could severely restrict their ability to meet essential services and infrastructure needs.

On February 1, 2023, California Secretary of State Shirley Weber issued a memo to all county clerks/registrars of voters announcing that proponents of Initiative 21-0042A1, or Initiative 1935 as now numbered by the Secretary of State, had filed the necessary number of valid signatures to make it eligible for the November 5, 2024 General Election ballot. Proponents now have until June 27, 2024 to consider withdrawing the initiative before the Secretary of State officially certifies it for the ballot.

CSDA has joined a coalition of local government leaders in adopting an “*Oppose*” position on Initiative 21-0042A1 and encourages all special districts, partners, and community leaders to join the coalition by passing a board resolution.

Ballot Initiative 21-0042A1 would result in the loss of billions of dollars annually in critical state and local funding, restricting the ability of local agencies and the State of California to fund services and infrastructure by:

- Adopting new and stricter rules for raising taxes, fees, assessments, and property-related fees.
- Amending the State Constitution, including portions of Propositions 13, 218, and 26 among other provisions, to the advantage of the initiative’s proponents and plaintiffs; creating new grounds to challenge these funding sources and disrupting fiscal certainty.
- Restricting the ability of local governments to issue fines and penalties to corporations and property owners that violate local environmental, water quality, public health, public safety, fair housing, nuisance and other laws and ordinances.

The initiative includes provisions that would retroactively void all state and local taxes or fees adopted after January 1, 2022 if they did not align with the provisions of this initiative. This may also affect indexed fees that adjust over time for inflation or other factors. Effectively, it would allow voters throughout California to invalidate the prior actions of local voters, undermining local control and voter-approved decisions about investments needed in their communities.

Further detailed materials about the initiative are available at: <https://www.csda.net/advocate/take-action/voterlimitations>

- ALTERNATIVES:**
1. Adopt Resolution 2023-03 joining a coalition adopting an “*oppose*” position on Initiative 21-0042A1 (AKA #1935).
 2. Do not adopt Resolution 2023-03.

FISCAL/RESOURCE IMPACTS: None at this time, though the subject legislation will have financial implications if passed.

RECOMMENDATION: Adopt Resolution 2023-03 joining a coalition adopting an “*oppose*” position on Initiative 21-0042A1 (AKA #1935).

ATTACHMENTS: Resolution 2023-03 (2 pages); Initiative 21-0042A1 Language (10 pages); CSDA Guidelines for Special Districts regarding ballot measures (4 pages).

DATE PREPARED: April 14, 2023

RESOLUTION 2023-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OLYMPIC VALLEY PUBLIC SERVICE DISTRICT OPPOSING INITIATIVE 21-0042A1 (AKA #1935)

WHEREAS, the proposed proposition, Initiative 21-0042A1, has received the official title: "Limits Ability of Voters and State and Local Governments to Raise Revenues for Government Services. Initiative Constitutional Amendment"; and

WHEREAS, the California Business Roundtable is proposing the measure aimed for the November 2024 statewide ballot; and

WHEREAS, the measure includes provisions that would make it more difficult for local voters to pass measures needed to fund local services and infrastructure, and would limit voter input by prohibiting local advisory measures where voters provide direction on how they want their local tax dollars spent; and

WHEREAS, the measure exposes taxpayers to new costly litigation, limits the discretion and flexibility of locally elected boards to respond to the needs of their communities, and injects uncertainty into the financing and sustainability of critical infrastructure; and

WHEREAS, the measure severely restricts state and local officials' ability to protect our environment, public health and safety, and our neighborhoods against those who violate the law; and

WHEREAS, the measure creates new constitutional loopholes that would allow corporations to pay less than their fair share for the impacts they impose on our communities, including local infrastructure, our environment, water quality, air quality, and natural resources; and

WHEREAS, the measure threatens billions of dollars currently dedicated to state and local services, and could force cuts to water service, sewage service, solid waste service, fire protection and emergency medical services as well as public schools, emergency response, law enforcement, public health, parks, libraries, affordable housing, services to address homelessness, mental health services, and more; and

WHEREAS, the measure would also reduce funding for critical infrastructure like streets and roads, public transportation, ports, drinking water, sanitation, utilities, and more.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Olympic Valley Public Service District hereby opposes Initiative 21-0042A1;

BE IT FURTHER RESOLVED, that the Board of Directors of the Olympic Valley Public Service District will join the No on Initiative 21-0042A1 coalition, a growing coalition of public safety, labor, local government, infrastructure advocates, and other organizations throughout the state.

We direct staff to email a copy of this adopted resolution to the California Special Districts Association at advocacy@csgda.net.

PASSED AND ADOPTED this 25th day of April, 2023 at a regular meeting of the Board of Directors of the Olympic Valley Public Service District, by the following vote on roll call:

AYES: Director Cox, Hover-Smoot, Hudson, Smolen

NOES:

ABSENT: Director Ilfeld

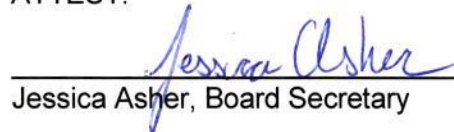
ABSTAIN:

APPROVED:



Dale Cox, Board President

ATTEST:



Jessica Asher, Board Secretary