

KENNY & NORINE

ATTORNEYS

JOHN SULLIVAN KENNY
JONZ NORINE
LINDA R. SCHAAP
MARGARET "PEGGY" A. BURTON*
*Also admitted in Nevada

A LAW CORPORATION
1923 COURT STREET
REDDING, CA 96001
T: 530-244-7777
F: 530-246-2836
www.lawnorcal.com

LEGAL ASSISTANTS
TAMARA F. WARREN
MARY B. JOHNSON
MARAH S. WOODWARD

September 23, 2019

Honorable Chief Justice Tani Cantil-Sakayou
And Associate Justices
California Supreme Court
350 McAllister Street
San Francisco, CA 94102-4797

Re: Wilde v City of Dunsmuir, et al.
Case No. S 252915

Response to Plaintiff and Appellant, Leslie T. Wilde's Supplement Brief

Dear Chief Justice Tani Cantil-Sakayhou and Associate Justices:

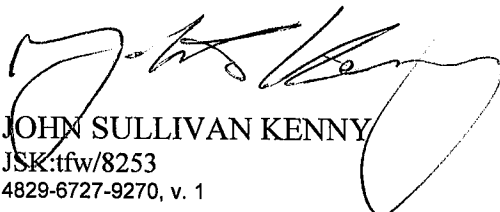
This shall address the Supplemental Brief filed in this case by plaintiff and appellant Leslie T. Wilde on September 10, 2019. In lieu of defendant and respondent City of Dunsmuir applying to the Court for permission to file a response brief, it respectfully submits the following.

Wilde's supplemental brief addresses the issues in *Howard Jarvis Taxpayers Assn. v. Amador Water Agency* (2019) 36 Cal. App. 5th 279, a case decided after the briefing in *Wilde v. City of Dunsmuir* was completed. Wilde requests that this Court disregard *Amador's* decision that the city's adoption of new water rates is an exception to the referendum power. Wilde reiterates her position that increased water rates are fees that are subject to the referendum power because the exceptions to the referendum power must be narrowly construed. These issues were already addressed in Wilde's Respondent's Brief.

These issues are fully briefed in the City of Dunsmuir's Opening Brief on the Merits, Sections I and II as well as in the City's Reply Brief on the Merits, Section II. If this Court requires further briefing to respond to Wilde's Supplement Brief, the City will promptly do so upon request and/or order of this Court.

Respectfully submitted,

KENNY & NORINE


JOHN SULLIVAN KENNY
JSK:tfw/8253
4829-6727-9270, v. 1

cc. Timothy A. Bittle, Howard Jarvis Taxpayers Foundation
Attorneys for Plaintiff and Appellant Leslie T. Wilde

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **WILDE v. CITY OF
DUNSMUIR**

Case Number: **S252915**

Lower Court Case Number: **C082664**

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. My email address used to e-serve: **lschaap@lawnorcal.com**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
LETTER	Ltr Brief

Service Recipients:

Person Served	Email Address	Type	Date / Time
Linda R. Schaap Kenny & Norine	lschaap@lawnorcal.com	e-Serve	9/23/2019 3:46:04 PM
Tamara Warren Kenny & Norine	twarren@lawnorcal.com	e-Serve	9/23/2019 3:46:04 PM
Timothy Bittle Howard Jarvis Taxpayers Foundation	tim@hjta.org	e-Serve	9/23/2019 3:46:04 PM

This proof of service was automatically created, submitted and signed on my behalf through my agreements with TrueFiling and its contents are true to the best of my information, knowledge, and belief.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

9/23/2019

Date

/s/Linda Schaap

Signature

Schaap, Linda (171945)

Last Name, First Name (PNum)

Kenny & Norine

Law Firm