

VOTER'S PAMPHLET
MEASURES, ANALYSES AND ARGUMENTS
(whichever is applicable to your ballot)

Arguments in support of, or in opposition to, the proposed laws are the opinions of the author.

CITY OF OROVILLE

A

Shall the Oroville City Charter be amended by the addition of Article XXXI requiring binding arbitration of unresolved employment disputes and controversies between the City of Oroville and a City Fire Department employee organization? This amendment would establish a mandatory procedure under which an arbitration board, composed of three persons, would have the power to decide unresolved disputes between the City and Fire Department employee organization concerning wages, hours, and conditions of employment.

**IMPARTIAL ANALYSIS OF MEASURE A
BY THE CITY ATTORNEY OF THE
CITY OF OROVILLE**

**PROPOSED OROVILLE CITY CHARTER AMENDMENT
ESTABLISHING ARBITRATION PROCEDURE FOR
CITY OF OROVILLE AND FIRE DEPARTMENT
EMPLOYEE ORGANIZATION**

This initiative would add a new Article XXXI to the Oroville City Charter requiring arbitration of disputes and controversies pertaining to wages, hours or terms and conditions of employment that remain unresolved after negotiations between the City of Oroville and a Fire Department employee organization.

If the initiative is approved, it would require the City of Oroville and a Fire Department employee organization to submit all unresolved wage, hour, or terms and conditions of employment disputes and controversies to a three-member arbitration board upon declaration of an impasse by the City or by the employee organization.

The City and the Fire Department employee organization would each appoint one arbitrator to the board. A third arbitrator would be selected by the two arbitrators who were appointed respectively by the City and the employee organization. If the two arbitrators could not agree on the third arbitrator, there would be a procedure by which the State of California Mediation and Conciliation Service would provide a list of seven proposed arbitrators to the two arbitrators selected by the City and the employee organization. If the two arbitrators are unable to mutually select the third arbitrator from the list within three days, each arbitrator would eliminate a proposed arbitrator's name on the list until only one name remained and that person would be the third arbitrator.

The three-member arbitration board would hold public hearings relating to the disputes or controversies. At the conclusion of the hearings, the arbitration board would decide each issue by majority vote. For a ten day period, the City and the employee organization would review the board's decision for the purpose of determining whether they might want to mutually agree to amend it.

The expense for the arbitration board would be borne equally by the City and the employee organization.

This initiative would impose a mandatory system on the City under which an arbitration board would have the power to decide the wages, hours and conditions of employment of members of a Fire Department employee organization.

The arbitration board's decision, and any mutually agreed upon amendments to it, would be final and binding on the City and the employee organization.

The above statement is an impartial analysis of Measure A. If you desire a copy of the measure, please call the City Clerk at (530) 538-2405 and a copy will be mailed to you at no cost.

s/Dwight L. Moore
DWIGHT L. MOORE
City Attorney

ARGUMENT IN FAVOR OF MEASURE A

Firefighters risk their lives to assure that, in an emergency, we are protected. They face grave danger every day. All they are asking for, in return, is fairness.

Over 1800 citizens of Oroville signed a petition to place Measure "A" on the ballot. Measure "A" provides for impartial arbitration to resolve all disputes: which include wages, hours, and working conditions that reach an impasse.

The process is straight forward and fair. No strikes, no lawsuits, no special elections. Just a final and binding decision that everyone honors and implements quickly.

Firefighters had to work twenty-three months with out an agreement with the city. This caused low morale for the firefighters. Ethically, firefighters can not strike, so they had to work with out an agreement.

Under binding arbitration:

City hall and public safety employees are required to negotiate in good faith on all wages, hours, and working conditions.

Only issues that are not agreed to in negotiations go to an arbitration hearing which is open to the public.

A three member board of arbitrators is selected: one by the City Council, one by the employees and the third by agreement of the first two. If they can not agree on the third member, they select from a list of expert arbitrators from the state's Mediation and Conciliation Service.

Both parties share all cost of the arbitration equally

Any firefighter who participates in a strike will be subject to dismissal

Firefighters deserve fairness. Vote yes on Measure "A"

s/Patty Huntington
Patty Huntington

**NO ARGUMENT AGAINST MEASURE A
WAS SUBMITTED**

VOTER'S PAMPHLET
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Arguments in support of, or in opposition to, the proposed

PARADISE UNIFIED SCHOOL DISTRICT

B

For the abolishment of Trustee Areas in Paradise
Unified School District ____ Yes
For the abolishment of Trustee Areas in Paradise
Unified School District ____ No

**ABOLISHMENT OF TRUSTEE AREAS
IMPARTIAL ANALYSIS OF MEASURE "B"
BY BUTTE COUNTY COUNSEL**

(Prepared pursuant to Elections Code Section 9500)

The Paradise Unified School District ("District") Measure is being submitted to the voters in the District pursuant to Education Code Section 5020. The measure has come to the ballot as a result of actions taken by both the Butte County Committee on School District Organization and the Paradise Unified School District Board of Trustees.

There are five Governing Board Members of the District Board of Trustees. The District is divided into five "Trustee Areas." Pursuant to the existing requirements of the District, members serving on the District Governing Board must currently reside in the geographic Trustee Area they represent.

A majority "yes" vote on the measure will eliminate the existing residency requirement as to Trustee Areas. This would mean that the only residency requirement applicable to a Governing Board Member would be that he or she must be a resident of the District, without regard to residency within any particular Trustee Area. A majority "yes" vote would not affect the status of any of the current incumbent Governing Board Members. A majority "yes" vote would simply mean that in future elections, voters would select Governing Board Members for the entire District on an at-large basis, without regard to the geographic area of the District in which the candidates for any particular Governing Board vacancy reside.

A majority "no" vote on the measure will not eliminate the existing residency requirement as to Trustee Areas discussed above. Thus, a majority "no" vote on the measure would not change the existing residency requirement of the District set forth above.

SUBMITTED BY:

Bruce Alpert
Butte County Counsel

By s/Rob W. MacKenzie
Robert W. MacKenzie,
Chief Deputy County Counsel

The above statement is an impartial analysis of Measure B. If you desire a copy of the measure, please call the Elections Official's Office at 1-800-894-7761 or (530) 538-7761 and a copy will be mailed to you at no cost.

**NO ARGUMENT FOR OR AGAINST
MEASURE B WAS SUBMITTED**

VOTER'S PAMPHLET
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(whichever is applicable to your ballot)

Arguments in support of, or in opposition to, the proposed laws are the opinions of the author.

TOWN OF PARADISE

C

Shall the Ordinance imposing an increase of the existing Transient Occupancy Tax on the guests of hotels within Paradise from 6% to 10% for general municipal purposes be approved?

**IMPARTIAL ANALYSIS OF MEASURE C
BY TOWN ATTORNEY**

Currently, the Town of Paradise imposes a six percent (6%) transient occupancy tax on the guests of hotels, motels and like-kind establishments doing business in the Town.

On November 12, 2003, the Town Council of the Town of Paradise approved Ordinance No. 406 amending Paradise Municipal Code section 3.24.030 by increasing the amount of the transient occupancy tax from six percent (6%) to ten percent (10%). The transient occupancy tax is paid only by the guests of motels, hotels and like-kind establishments within the Town.

According to the Town Finance Director, if this measure is approved by the voters, it would result in approximately \$40,000 of additional revenue to the Town per year. All revenues generated by the tax increase would be deposited in the Town's general fund and would be allocated for general municipal purposes.

A yes vote on this measure by a majority of the voting electors is necessary for the ordinance to become effective.

THE ABOVE STATEMENT IS AN IMPARTIAL ANALYSIS OF ORDINANCE NO. 406. IF YOU DESIRE A COPY OF THE ORDINANCE, PLEASE CALL THE TOWN CLERK OF PARADISE, CALIFORNIA AT (530) 872-6976, AND A COPY WILL BE MAILED TO YOU AT NO COST TO YOU.

Dated: November 24, 2003

s/Dwight L. Moore
DWIGHT L. MOORE, Town Attorney

ARGUMENT IN FAVOR OF MEASURE C

Paradise has the lowest Transient Occupancy Tax (motel bed tax) rate of the cities in Butte County. It is important to understand that only visitors staying in our local motels pay the bed tax, this is not a town wide general tax.

The Citizens of Paradise pay for Town services through property taxes, sales taxes and fees. Through these payments, the Town is able to provide Police, Fire protection and first response medical aid, maintain roads and various other services. Tourists to our community benefit from these services but contribute minimally toward the expense. A Yes vote on Measure C will maintain the current approach of having visitors pay their own way.

The Town of Paradise is already in the midst of an unprecedented budget shortfall due to the economy and State takeaways of our local revenues. The (bed tax) money cannot be taken away from us by the state. This is a four percent (4%) increase in the current Transient Occupancy Tax rate. A Yes vote on Measure C will maintain vital town services for you and your neighbors, and is not a tax on local residents.

The revenue goes into the Town general fund, 84% of which goes to public safety. In the past the Town has also helped support tourism financially through the museum, visitors bureau and performing arts center. This support has brought visitors to Paradise who increase the volume of business, thus increasing tax income to the Town. The resulting revenues from this measure will be put to excellent use to preserve Paradise's services and boost our local economy.

s/Scott Lotter
Scott Lotter, Vice Mayor on behalf of the Mayor & Town Council

s/Sam Dresser
Sam Dresser, Town Council Member

s/Ed Salome
Ed Salome, Executive Director, Paradise Ridge Chamber of Commerce

s/Mark B. DiDucca
Mark B. DiDucca, Paradise Ridge Senior Center
s/Thomas McLaughlin
Thomas McLaughlin, Paradise Performing Arts Center

**NO ARGUMENT AGAINST MEASURE C
WAS SUBMITTED**

ORDINANCE NO. 406

**AN ORDINANCE AMENDING SECTION 3.24.030 OF THE PARADISE
MUNICIPAL CODE RELATING TO THE TRANSIENT OCCUPANCY TAX**

THE TOWN COUNCIL OF THE TOWN OF PARADISE, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:

Section 1. Section 3.24.030 of the Paradise Municipal Code is hereby amended to read as follows:

3.24.30 Imposed-Amount-Payment. For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of ten percent of the rent charged by the operator. Such tax constitutes a debt owed by the transient to the Town which is extinguished only by payment to the operator or to the Town. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy the space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the finance director may require that such tax shall be paid directly to the Town.

Section 2. The tax increase imposed by Section 3.24.030 of the Paradise Municipal Code is a general tax. Pursuant to California Constitution Article XIII, Section 2 (b) and Government Code section 53723, this ordinance shall not become effective until it is approved by a majority vote of the voters voting within the jurisdiction of the Town of Paradise on March 2, 2004 at the special election.

Section 3. Before the expiration of fifteen (15) days after its passage, this ordinance shall be published in a newspaper of general circulation published and circulated within the Town of Paradise along with the names of the members of the Town Council of Paradise voting for and against same.

PASSED AND ADOPTED by the Town council of the Town of Paradise, State of California, on this 12th day of November, 2003, by the following vote:

AYES: Ray Dalton, Melvin "Sam" Dresser, Scott Lotter, Alan White and Daniel Wentland, Mayor

NOES: None

ABSENT: None

NOT VOTING: None

s/Daniel Wentland
Daniel Wentland, Mayor

ATTEST:

By: s/Frankie Rutledge
Frankie Rutledge, Town Clerk

APPROVED AS TO FORM:

s/ Dwight L. Moore
Dwight L. Moore, Town Attorney