

RESOLUTION NO. 2000-50

A RESOLUTION OF THE LODI CITY COUNCIL OPPOSING  
SENATE BILL 402, WHICH MANDATES A SYSTEM OF  
COMPULSORY AND BINDING ARBITRATION FOR THE  
RESOLUTION OF PUBLIC SECTOR COLLECTIVE  
BARGAINING DISPUTES WITH POLICE AND FIRE UNIONS

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WHEREAS, the California Legislature is debating Senate Bill 402, authored by Senator John Burton, which mandates a system of compulsory and binding arbitration for the resolution of public sector collective bargaining disputes with police and fire unions; and

WHEREAS, Senate Bill 402 transfers the authority of the Mayor and City Council over the most critical services in a city's budget to an outside, non-elected arbitrator who is not accountable to city residents; and

WHEREAS, the arbitrator is given the authority to make binding decisions regarding compensation, benefits, discipline, deployment of the workforce and virtually any issue the arbitrator finds to be a term and condition of employment; and

WHEREAS, Senate Bill 402 would place at least 60% of a full-service city's budget in the control of this outside, non-elected and unaccountable arbitrator; and

WHEREAS, Senate Bill 402 gives police and fire unions first call on the city treasury to the detriment of other city services; and

WHEREAS, Senate Bill 402 gives unilateral control to police and fire unions to declare an impasse, against the wishes of the elected Mayor and City Council, and call for arbitration; and

WHEREAS, a system of compulsory and binding arbitration destroys good faith collective bargaining between an employer and the employees; and

WHEREAS, Senate Bill 402 imposes a clear and costly mandate on all local public agencies in the hundreds of millions of dollars statewide, both for the arbitration process and the cost of the arbitrator's award above the employer's last best offer; and

WHEREAS, proponents offer false claims that Senate Bill 402 is necessary to prevent strikes by police and fire unions when strikes by these employees are already illegal under current law and court decisions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi declares its opposition to Senate Bill 402, and calls upon State legislators and the Governor to recognize the importance of local control of local budgets and public services, and to vote against this unreasonable and inappropriate intrusion on home rule; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that copies of this action by the City Council of the City of Lodi are being sent by the City Clerk to Assembly and Senate Members representing the City, the Governor and the offices of the League of California Cities in Sacramento.

Dated: April 5, 2000

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I hereby certify that Resolution No. 2000-50 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 5, 2000, by the following vote:

- AYES: COUNCIL MEMBERS – Hitchcock, Land, Nakanishi, Pennino and Mann (Mayor)
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None

  
JACQUELINE L. TAYLOR  
Interim City Clerk