

RESOLUTION NO. 00-42

**A RESOLUTION OF THE RIDGECREST CITY COUNCIL
OPPOSING SENATE BILL 402 — PRIVATE
ARBITRATION BILL**

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 or 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 budget in the control of this outside, non-elected and unaccountable arbitrator; and

WHEREAS, The Legislation 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 Ridgecrest 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 of Ridgecrest shall be 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.

APPROVED AND ADOPTED THIS 19th day of April, 2000, by the following vote.

AYES: Mayor Darnell, Council Member Carter, Holloway, and Morgan

NOES: None

ABSENT: None

ABSTAIN: Council Member Rollins



Donna Darnell, Mayor

ATTEST:



Harry Jensen
City Clerk