

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STOCKTON OPPOSING MEASURE N, AND DELEGATING THE AUTHORITY TO SUBMIT TO THE CITY CLERK AN ARGUMENT AGAINST MEASURE N AS PERMITTED BY CALIFORNIA ELECTIONS CODE 9282

Measure N is on the ballot of the General Municipal Election on November 5, 2024, and is sponsored by Stockton's public safety unions, in particular the Stockton Police Officers' Association and the Stockton Firefighters union; and

If enacted, Measure N would delete from the City Charter the existing procedures for resolving disputes during contract negotiations with public safety unions through impartial mediation and instead would require all disputes or controversies with these unions pertaining to wages, hours, or terms and conditions of employment to be submitted for binding arbitration to a "Board of Arbitrators" whose decision would be final and binding; and

Binding arbitration, as proposed in Measure N, is extraordinarily unusual and undesirable in the municipal context; it exists in fewer than 4% of California's 482 cities; and

The fundamental reason that binding arbitration is extraordinarily unusual, and undesirable is that it takes away the power of City elected officials to consider, weigh and balance all of the City's fiscal needs and instead enables non-negotiable increases in compensation for public safety unions without consideration of the expenditure effect of these compensation increases on other essential public services that a City provides; and

Under Measure N, an unelected and unaccountable Board of Arbitrators would decide any disputes with the public safety unions over wages, and other terms and conditions of employment, and these decisions would be made without consideration of and in isolation from any other significant priorities and financial challenges the city faces; and

Under Measure N, the decisions of the unelected Arbitration Board are final and binding, even if they are irresponsible, unjust, or unfair; and

With binding arbitration, City voters would not be able to hold anyone accountable for the results of labor negotiations with the well-paid public safety unions; and

The City emerged from bankruptcy 10 years ago. If enacted, Measure N could plunge the city back into the kind of fiscal crisis that led to the 2012 bankruptcy, all to enrich the public safety unions; and

The current mediation process in the Charter has served the City well and been fair to the public safety employees, leading to agreements where neither side got everything, but

the citizens of Stockton remain well protected and the public safety unions have been well compensated; and

The City has provided its public safety personnel with a cumulative cost of living and market adjustment increase totaling 121.95%, as well as increases to benefits and additional incentives from 2014 through 2025, all with an estimated total value of \$123,043,166; and

The voters, with the City's Council's reauthorization of Measure A, have also provided represented police officers with an additional 4% cost of living adjustment, a 2% market adjustment, increases to benefits, and additional incentives with an estimated total value of \$17,390,632.00 effective 2024; and

According to the California State Controller's Office, in 2023 when looking at total compensation, 79 of the 100 highest paid Stockton employees were public safety personnel; and

The City prizes its expert public safety workers; in 2023, the City agreed to an 18% raise for its public safety workers, with the result that public safety worker salaries were at market rates; and

Public safety workers compensation currently consumes 74% of the City's General Fund budget; and

The City contributes 84.96%, equivalent to over 80 cents for every dollar paid in salaries, towards CalPERS pension rates for public safety personnel; and

Public safety teams depend on an effective command and control structure such command and control cannot be administered by committee, binding decisions from an outside Board of Arbitrators would inevitably interfere with a chief commanding officer's ability to lead the public safety personnel; and

Binding arbitration may not benefit rank and file public safety officers because under binding arbitration, union members don't get to vote on a final settlement and therefore become, similar to the city council and the city's voters, mere bystanders in the process; and

If Measure N passes, the City Council and the voters will lose control over City finances and may not be able to adopt a budget that adequately, equitably and transparently allocates funds to such important assets and services as parks, libraries, youth programs, community centers, economic development, cleanliness activities, and street infrastructure improvements repairs, and maintenance; and

In accordance with the California Elections Code section 9282, the City Council may authorize a subset of the City Council to submit an argument against Measure N to be included in the ballot materials of this initiative petition and also authorizes this subset of

the City Council to submit a rebuttal argument to any argument in favor of Measure N that may be filed; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City of Stockton is opposed to Measure N for all the reasons set forth in the recitals of this Resolution and ultimately because it would take financial power and responsibility away from elected city officials as well as the city's voters and give it instead to an unelected and unaccountable Board of Arbitrators that would have no obligation to act fairly, equitably, or transparently and that would make decisions on public safety union issues without regard for and in complete isolation from any other significant financial needs and challenges of the city.

2. The City Council delegates to _____ the authority to submit to the City Clerk an argument against Measure N consistent with this Resolution as well as a rebuttal to any argument submitted in favor of Measure N, in accordance with California Elections Code Section 9282.

PASSED, APPROVED, and ADOPTED July 26, 2024.

KEVIN J. LINCOLN II
Mayor of the City of Stockton

ATTEST:

KATHERINE ROLAND, CMC, CPMC
Interim City Clerk of the City of Stockton