

SENT VIA EMAIL

February 21, 2012

Robert Sapien
President
San Jose Fire Fighters, IAFF, Local 230
425 E. Santa Clara Street, Suite 300
San Jose, CA 95113

RE: Proposed Ballot Measure

Dear Robert:

As you know, on December 6, 2011, the City Council approved placing a measure on the ballot for the June 2012 election that included various proposed changes to the City Charter regarding retirement benefits. In addition, the City Council requested that the City's negotiation team re-engage in mediation with all bargaining groups regarding all retirement issues, including the related ballot measure, in an effort to see if an agreement could be reached that could have resulted in revisions. The City and the San Jose Fire Fighters, IAFF, Local 230 re-engaged in mediation but, unfortunately, we did not reach an agreement on the ballot measure or on the other retirement-related issues discussed during mediation.

As we have indicated, the City Council needs to submit the ballot measure to the County Registrar of Voters 88 days prior the June election, which would be March 9, 2012. In order to provide time for the ratification process and for publication of a Council memorandum, we had hoped to reach an agreement by today.

Although we did not reach an agreement that would revise the ballot measure approved by the City Council on December 6, 2011, enclosed please find a revised proposed ballot measure that will be considered by the City Council at the March 6, 2012, Council Meeting for a June 2012 ballot. This version of the ballot measure contains the

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changes we proposed in mediation and is identical to the draft we provided you on February 10, 2012.

Sincerely,



Alex Gurza
Deputy City Manager

c: Gina Donnelly, Deputy Director of Employee Relations
Jeff Welch, Vice President, San Jose Fire Fighters, IAFF, Local 230
Chris Platten, Legal Counsel, San Jose Fire Fighters, IAFF, Local 230

Enclosure