

February 24, 2012

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**VIA EMAIL AND REGULAR MAIL**

Alex Gurza  
Deputy City Manager  
Office of the City Manager, City of San Jose  
200 E Santa Clara St  
San Jose, CA 95113

**Re: Response to the City's Letter of February 21, 2012  
File No. 038220**

Dear Alex:

We are in receipt of your letter dated February 21, 2012 enclosing a copy of a revised ballot measure. It appears that this version of the ballot measure is a *possible* ballot measure, which *may* or may not replace the ballot measure the Council already approved for placement on the ballot for the June 2012 election. We note that the City Manager recommends to Council that it support these changes and authorize them to appear on a June ballot.

From the POA's initial review, this revision contains significant changes from the prior December 6, 2011 version. The City Manager, too, acknowledges "many significant changes and movement from earlier drafts."

The POA has had no opportunity to bargain about this new ballot language. Previously, as the City Manager's memorandum acknowledges, this proposal was put forward in mediation. As you know, when that occurred, significant restrictions were placed on its acceptance.

Now, because the revised ballot measure is being presented for adoption for the ballot, the POA requests to meet and confer about the new ballot language.

Alex Gurza

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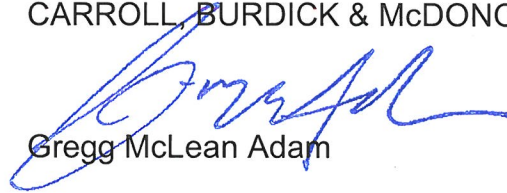
February 24, 2012

Page 2

The POA is available to meet as soon as possible to resume bargaining.

Very truly yours,

CARROLL, BURDICK & McDONOUGH LLP



Gregg McLean Adam

GMA:jo

cc: Gina Donnelly, Deputy Director of Employee Relations  
Jim Unland, President, San Jose Police Officers' Association  
Christopher E. Platten, Esq., Wylie, McBride, Platten & Renner  
Robert Sapien, Jr., President, San Jose Fire Fighters, IAFF Local 230