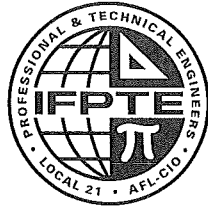


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PROFESSIONAL & TECHNICAL ENGINEERS, LOCAL 21, AFL-CIO
An Organization of Professional, Technical, and Administrative Employees

July 28, 2011

Gina Donnelly, Deputy Director of Employee Relations
Aracely Rodriguez, Senior Executive Analyst
City of San Jose
200 East Santa Clara Street
San Jose, Ca 95113

RE: Information Request/Clarification

Dear Gina and Aracely,

To ensure that both our bargaining coalition and the city have the ability to properly evaluate proposals it is extremely important that we both adhere to our signed Pledge of Cooperation and that we strive to provide accurate and timely information to each other so that critical timelines can be met.

As of this date, the City has not provided its actuarial analysis of our March 2011 retirement reform proposal. Our 2%@60 plan has been in the possession of the city since March and our actuary has provided his costing out of the plan for your review. It is our hope that you will expedite your analysis and either refute or validate our actuary's normal cost projection of 11.28%.

In addition, the accurate analysis of council directed reform options should be a no-brainer and we are confused and disappointed as to how employee relations staff chose to cost out Councilmember Constant's retirement reform recommendation. Pages 30 through 34 of your June 24, 2011 PPT presentation for City Council Item 3.4 is a disservice to this process and disregards clear verbal and written council direction.

In our previous negotiation we pointed out that the video tape that captures Councilmember Constant's retirement reform recommendation directs staff to evaluate a plan that caps the City's normal cost at; "...50% of the current normal cost". What the city staff evaluated was not what it was directed to evaluate. What you evaluated was 50% of the **City's** normal cost.


We requested from you and you provided the written recommendation that was not publicly distributed prior to the May 24, 2011 City Council meeting to see if there

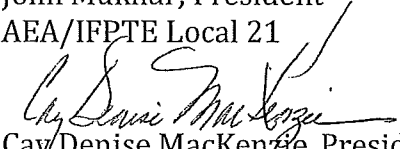
could have been some confusion between what was verbally recommended by Councilmember Constant and what his written recommendation was. The attached document you provided shows there was not. You evaluated and provided the public and City Council the costing out of a proposal that no one asked for. We are requesting that you disclose this mistake to the City Council at the earliest possible opportunity and that you provide the Council, public and our coalition the proper costing out of Councilmember Constant's proposal. We certainly hope that this was an inadvertent mistake that you will expeditiously correct.


In the course of our negotiations our coalition has asked for costing out validation of your retirement reform proposals. You have repeatedly directed us to the same PPT presentation referenced above for this information. Can you please tell us where in this PPT presentation we can find the normal cost percentage of payroll for your ~~various~~ retirement reform proposal? We have been unable to locate this critical piece of information.

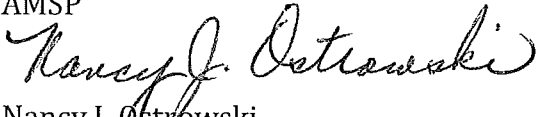
Lastly, employee relations has posted on-line a response to a July 12, 2011 POA request for information dated July 26, 2011 with a notation that "Documents Available Upon Request". We are requesting these documents and can make ourselves available to pick them up as soon as possible.

Sincerely,


John Mukhar, President
AEA/IFPTE Local 21


Cay Denise MacKenzie, President
CAMP/IFPTE Local 21


Dale Dapp, President
AMSP


Nancy J. Ostrowski
Senior Representative, IFPTE Local 21
Chair - SJ Coalition

Cc: C. Platten, Esq.