

SENT VIA EMAIL

October 26, 2011

Dan Rodriguez
Business Agent
International Brotherhood of Electrical Workers, Local No. 332 (IBEW)
2125 Canoas Garden Avenue, Suite 100
San Jose, CA 95124

RE: Revised Draft Proposed Ballot Measure Negotiations

Dear Dan:

As we indicated to you in our letter dated October 20, 2011, during our negotiation session on October 12, 2011, we mutually agreed to add two additional negotiation sessions. Negotiation sessions were scheduled for October 19th and October 26th. On October 19th you declined the meeting scheduled for this day. The City offered additional dates at your request and you declined the proposed meeting dates and provided no alternate dates as we requested.

We were scheduled to meet today, October 26th at 10:00 a.m., however, we received an email from you on October 25, 2011, at approximately 3:39 p.m. in which you cancelled the negotiation session that we mutually agreed to on October 12th. In your email you offer to meet on October 28th and October 31st.

It is unfortunate that IBEW has cancelled several meetings to discuss the draft proposed ballot measure. This will leave extremely little time for these negotiations in light of the need to place the measure on the ballot in time for the March election. Based on state and local election laws, the measure must be finalized and submitted approximately 90 days before the election. The meet and confer process should be completed by the end of October if you wish to utilize any impasse procedures. Such procedures must be completed in early November.

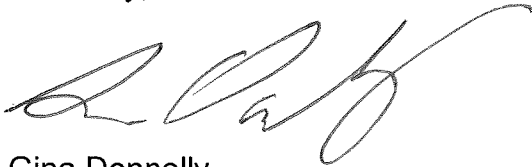
The City is available to meet with IBEW during the following dates/times to discuss the draft proposed ballot measure.

- Friday, October 28th at 11:00 a.m.
- Monday, October 31st at 9:30 a.m.

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In addition, assuming no agreement is reached by October 31st, please be prepared to discuss whether you wish to take advantage of the mediation provisions of the City's Employer-Employee Relations Resolution #39367 so that we can make the appropriate arrangements as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina Donnelly". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Gina Donnelly
Deputy Director of Employee Relations

c: Alex Gurza, Deputy City Manager