

SENT VIA EMAIL

September 23, 2011

Yolanda Cruz
President
Municipal Employees' Federation, AFSCME Local 101
c/o Library Department
150 E. San Fernando Street
San Jose, CA 95112

LaVerne Washington
President
Confidential Employees' Organization, AFSCME Local 101
c/o City Attorney's Office
200 East Santa Clara Street
San Jose, CA 95113

RE: Proposed Ballot Measure

Dear Yolanda and LaVerne:

Thank you for meeting with the City on Wednesday, August 3, 2011, for the purposes of negotiating the proposed ballot measure. As we have communicated to MEF & CEO previously in our letters of June 8, 2011, July 6, 2011, July 18, 2011, and September 9, 2011, the City has been, and continues to be, available to meet with MEF & CEO to negotiate this matter.

The retirement reforms contemplated by the Council are designed to address a critical financial problem which, if not addressed in time for the coming fiscal year, will result in devastating cuts to public services and loss of jobs. For that reason, the Council has determined that the retirement measure will be considered by the voters at a special election in early March 2012. Based on state and local election laws, the measure must be finalized and submitted approximately 90 days before the election. This will require that meet and confer be completed by the end of October and any impasse procedures requested be completed in November. This is an immutable deadline given the urgency of the measure and the planned special election timelines.

Mindful of this immutable deadline and the little time left available to meet and confer over this matter, the City requests that you provide your availability through October 31, 2011. The City would appreciate receiving this information on or before, September 30, 2011. Given the short time we have left, the City proposes we meet at least two times per week for the month of October and we thank you in advance for your cooperation and flexibility.

We look forward to our next negotiation session and exchanging proposals through the month of October.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gina Donnelly".

Gina Donnelly
Deputy Director of Employee Relations

c: Alex Gurza, Deputy City Manager
Charles Allen, Business Agent, AFSCME