

ASSOCIATION OF LEGAL PROFESSIONALS (ALP)

September 7, 2011

Gina Donnelly
Office of Employee Relations
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

RE: Request for Records under the Public Records Act and the Duty to Furnish

Dear Ms Donnelly:

As you know, the undersigned represents the Association of Legal Professionals ("ALP") as its president. This will constitute a request under the California Public Records Act ("CPRA"), as well as under the City of San Jose's ("City") duty to furnish information relevant to the meet and confer process. If you are not the proper individual to respond to this request, we ask that you promptly forward this request to the appropriate individual and inform us of the name and contact information for that individual.

Pursuant to Article I, Section 3(b) of the California Constitution and the California Public Records Act (Government Code Section 6250 et seq.), and the duty to furnish, you are hereby directed to produce to the undersigned for inspection and copying the following documents, records and/or writings:

1. The most recent Auditor's Management letter;
2. The most recent credit analysis issued by Moody's, Standard & Poors, or Fitch's Financial Services for both short-term and long-term bonds, regarding the City;
3. If the City has issued any bond(s) within the past year, a copy of the prospectus for any such bond(s);
4. The most recent quarterly or monthly year-to-date internal financial statements for the General Fund;
5. Any and all documents which purport to show the savings of a 1% pay decrease for ALP;
6. Any and all documents which purport to show the savings of a 1% pay decrease for all represented City employees;
7. Any and all documents which purport to document or summarize the City's liability under GASB 45;
8. Any and all actuarial reports regarding or relating to the City's plans concerning implementation of GASB 45;

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c/o City Attorney's Office, 200 E. Santa Clara St., 16th Floor, San Jose, CA 95113

9. The most recent actuarial review of the City's self-insured liability program;
10. Any and all financial forecasts prepared by or for the City for each of the following fiscal years:
 - a. Fiscal year ending June 30, 2009;
 - b. Fiscal year ending June 30, 2010;
 - c. Fiscal year ending June 30, 2011;
 - d. Fiscal year ending June 30, 2012;
 - e. Fiscal year ending June 30, 2013.
11. Any and all contracts the City entered into, or which were in effect since January 1, 2009 between the City and any or all firms or individuals that provide legal services to the City.
12. Any and all contracts the City entered into, or which were in effect between the City and any entities or individual, for Public Relations services, between January 1, 2009 and the date of this request.
13. Any and all records of payments to any of the entities or individuals referred to in request numbers 11 and/or 12, above for the period of time between January 1, 2009 and the date of this request.
14. Any and all records, including all electronic communications, regarding the possibility of declaring a fiscal emergency by the City for the period of time between January 1, 2009 and the date of this request.
15. Any and all records, including all electronic communications, regarding the possibility of placing a measure on the ballot to change the pension rights or benefits of current City employees for the period of time between January 1, 2009 and the date of this request.
16. Any and all records, including all electronic communications, regarding the anticipated effects on the Federated Retirement plan of the creation of a second tier plan that consists of social security or social security plus a limited defined contribution plan.

Of course we realize that the volume of the requested information may be large. Therefore, we welcome the opportunity to meet with you to discuss ways to potentially narrow this request or to obtain summaries of some of the requested information.

This request is not seeking disclosure of any confidential information or information that is exempt from production pursuant to the Public Records Act. Thus, you may redact any information that would be exempt from disclosure under the Public Records Act.

For any record you are withholding in whole or part, please:

1. List the record's date, time, author(s), recipients(s), any title or reference identifier, and general subject matter, together with any and all purported statutory or other bases for your withholding and/or redaction.
2. For any statute or other authority you are relying on as a basis for withholding and/or redacting any records, or any portions thereof, please explain why you're withholding and/or redacting is supported by the narrowest available construction of the statute or other authority you rely upon.
3. If you are withholding and/or redacting records for any other reason, please explain your purported basis for such withholding in the context of the command of Article I, Section 3(b) (2) that the terms "records" (as used in the Public Records Act) and "writings" [as used in Article I, Section 3(b)] "shall be broadly construed" in order to "further the people's right of access."

If you find any portion of this request unclear or uncertain, please contact the undersigned immediately.

As required by Government Code Section 6253(c), please respond within ten (10) calendar days of your receipt of this letter. Please either produce all requested documents, records, and/or writings within ten (10) calendar days of your receipt of this letter, or expressly and specifically commit to production within a specified reasonable period of time as required by the Public Records Act.

Thank you for your prompt attention to this matter.

Very truly yours,



VERA TODOROV
President

ASSOCIATION OF LEGAL PROFESSIONALS

