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July 13, 2011

**Via Email & US Mail**

Alex Gurza  
Deputy City Manager  
City of San Jose  
200 East Santa Clara Street  
San Jose, CA 95113

**Re: IAFF Local 230, SJPOA and City of San Jose  
(Discussions Re: Pension Reform)**

Dear Alex:

We are scheduled to meet this afternoon.

In reviewing the file, it is apparent that the City has not yet responded completely or *in seriatim* to various written information requests that have been issued so far by Local 230 on this serious and important matter.

For example, on May 18, 2011, I wrote you requesting some specific information highly relevant to these discussions concerning the fiscal condition of the City at the end of FY 2011. I don't believe I have received response to that request to date. Moreover, I would make that request on an ongoing and continuing basis especially since indications are that various and streams of revenue have been increasing to the City, in some cases, perhaps well beyond projections.

I am not in receipt of a detailed response to the information request issued by Robert Sapien, President of IAFF Local 230 by letter dated June 30, 2011.

While I do have a July 13, 2011 response from Gina Donnelly to Mr. Sapien's request of May 17, 2011, having just received it today requires us to review the

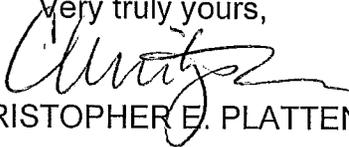
response in greater detail in order to ensure that the information has been accurately understood and adequately responded to.

In addition to all of this, I write to request the name of any actuaries and copies of any communications from those actuaries to the City with respect to the figures that appear in the April 13, 2011 and June 23, 2011 memorandums authored by you to the City, specifically the figures that appear on page 3 of the April 13<sup>th</sup> memo and page 7 of the June 23<sup>rd</sup> memo. This information is critical in permitting the parties to understand clearly how the City has costed out various proposals to date.

Finally, I request the name of any actuary and the communications from any actuary costing out in detail the agreed upon opt in pension plan negotiated between the San Jose Police Offices Association and the City of San Jose.

I look forward to meeting with you this afternoon and hope that we can begin to narrow the information needs considerably so that we can negotiate a resolution of the challenges facing the parties.

In closing, let me also note that Local 230 is surprised and disappointed to receive from your offices a draft proposed ballot measure. This missive did not contain any projective cost savings or actuarial analysis as otherwise was the agreed upon process contained in the pledge of cooperation signed by Local 230, the SJPOA and the City. Nor does the missive comply with section 5 of the pledge that otherwise commits the parties to "work together to develop cost estimates." I am disappointed that the City would transmit a proposal that does not comply with pledge recently executed by the parties. It does not auger an auspicious start to our discussions.

Very truly yours,  
  
CHRISTOPHER E. PLATTEN

CEP:jlc

cc: Robert Sapien, President IAFF Local 230  
Jeff Welch, Vice President IAFF Local 230  
Sean Kaldor, Local 230  
John Tennant, Esq.  
Gregg McLean Adam, Esq.  
George Beattie, President POA  
Jim Unland