



August 26, 2011

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**VIA E-MAIL ONLY**

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Alex Gurza  
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Office of the City Manager, City of San Jose  
200 E. Santa Clara St.  
San Jose, CA 95113

**Re: Tuesday's Meeting re: Retirement**

Dear Jon and Alex:

We write to confirm our meetings to discuss retirement issues, presently scheduled for August 30 and 31 at 1:30 p.m. (and set to run until 3:30 p.m. on both days). Although we use the term "discuss," the meetings contemplate (1) "meet and confer" negotiations concerning the City's ballot proposition; (2) "meet and confer" negotiations concerning the POA's "opt-in" retirement proposal, as agreed to by the parties in their tentative agreement; and (3) general discussions concerning any other ideas either party has to help the City deal with its increasing pension obligations.

Please note that the POA will have its actuary, David Hilko of Deloitte Consulting LLP in Chicago, participating *telephonically* on the 30th and *present in person* on the 31st. In order to make the best use of our time, we request that the City have one of its actuaries present for both meetings, at least telephonically.

We also request that the City provide us with copies of (1) any agreements reached with any other bargaining unit concerning potential or actual changes to retirement benefits and (2) any proposals made by any other bargaining unit or by the City with respect to potential changes to retirement benefits. (If possible, please provide copies of any such document electronically, as far in advance of Tuesday's meeting as possible.)

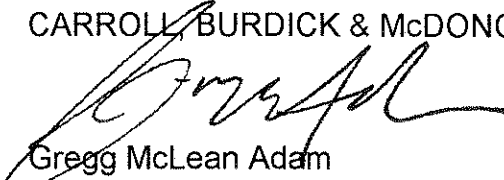
Jonathan Holtzman, Esq.  
Alex Gurza  
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By way of an information request, please provide a **summary of the retirement age and years of service of all employees in bargaining units represented by SJPOA who have elected to retire within the past 10 years.**

We look forward to our meeting on Tuesday.

Sincerely,

CARROLL, BURDICK & McDONOUGH LLP



Gregg McLean Adam

GMA:jag

cc: George Beattie, President, San Jose POA  
John Tennant, General Counsel, SJPOA  
Chris Platten, Esq.