

SIDE LETTER AGREEMENT

BETWEEN
THE CITY OF SAN JOSE
AND
SAN JOSE POLICE OFFICERS' ASSOCIATION

City Medical Benefits Reopener

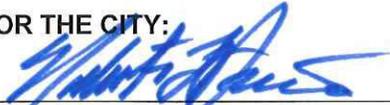
To the extent that they are a mandatory subject of bargaining and arise during the term of the successor Memorandum of Agreement (MOA) between the City of San Jose (City) and the San Jose Police Officers' Association (SJPOA), the parties agree to meet and confer over changes to City medical plans related to the Affordable Care Act and/or any changes to healthcare providers. If there is a change in health care providers, the benefits provided by those providers will be substantially equivalent to those listed in Article 8 of the SJPOA MOA and those benefits provided by the displaced provider(s) but may involve a different group of licensed medical doctors/practitioners.

Either the City or SJPOA may provide notice to the other of its request to discuss changes to City medical benefits. The parties shall commence the discussions within ten (10) calendar days after the City or SJPOA receive notice from the other.

To the extent that any change to City medical benefits is a mandatory subject of bargaining, the parties shall meet and confer in good faith in an effort to reach a mutual agreement. If the parties reach impasse and no agreement is reached on those issues that are a mandatory subject of bargaining, either party may invoke the impasse procedures and submit issues for determination in accordance with the applicable provisions under the Employer-Employee Relations Resolution No. 39367, the Meyers Miliias Brown Act, and/or City Charter Section 1111.

This Agreement is considered part of the tentative agreement for a successor MOA between the parties, and shall become effective only as part of the overall tentative agreement for a successor MOA, and when signed by all parties below and approved by the City Council. This agreement is effective only during the term of a successor MOA.

FOR THE CITY:



Norberto Dueñas
City Manager

8/14/15
Date



Jennifer Schembri
Director of Employee Relations

8/14/15
Date



Edgardo Garcia
Assistant Chief of Police

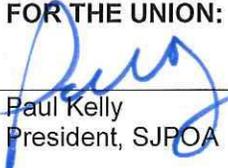
8/14/15
Date



Charles Sakai
Labor Consultant

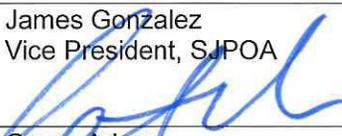
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Date

FOR THE UNION:



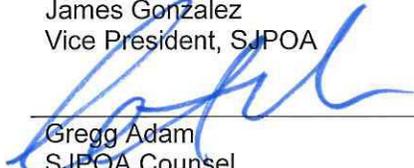
Paul Kelly
President, SJPOA

8/14/15
Date



James Gonzalez
Vice President, SJPOA

Date



Gregg Adam
SJPOA Counsel

8/14/15
Date