

SIDE LETTER AGREEMENT

BETWEEN  
THE CITY OF SAN JOSE  
AND  
THE SAN JOSE POLICE OFFICERS' ASSOCIATION (POA)

MODIFIED DUTY ASSIGNMENTS

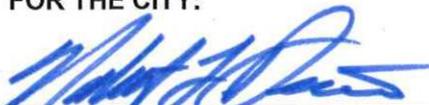
The City and POA have agreed to an Alternative Pension Reform Settlement Framework, which includes the following terms:

- "8. Modified Duty (POA – Article 39)
  - a. The City and the POA will continue to discuss the modified duty positions during collective bargaining
  - b. While these discussions take place, the number of modified duty positions will be increased to 30
  - c. The independent review panel will evaluate the status of employees in the modified duty program on a yearly basis until the program is modified through bargaining"

The City and POA agree to meet not less than once per month beginning August 2015, to continue discussions on issues related to Modified Duty Assignments (Article 39), with a goal to reach a resolution by December 31, 2015. Beginning August 2015, the parties agree that the number of modified, or exempt officer, positions may be increased up to 30 from the current number of 10 while the parties continue discussions.

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

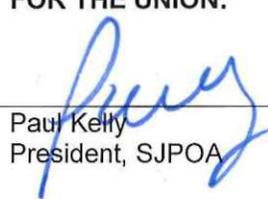
  
\_\_\_\_\_  
Edgardo Garcia  
Assistant Chief of Police

8/14/15  
Date

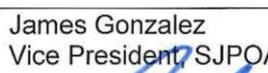
  
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Charles Sakai  
Labor Consultant

8/14/15  
Date

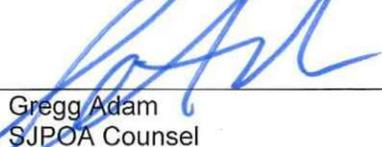
FOR THE UNION:

  
\_\_\_\_\_  
Paul Kelly  
President, SJPOA

8/14/15  
Date

  
\_\_\_\_\_  
James Gonzalez  
Vice President, SJPOA

Date

  
\_\_\_\_\_  
Gregg Adam  
SJPOA Counsel

8/14/15  
Date