RLS RAINS LUCIA STERN, PC

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October 18, 2013

VIA FACSIMILE [510.658.2609], ELECTRONIC MAIL [RUNGISAUSTRIS@AOL.COM] AND U.S. MAIL

Austris Rungis IEDA 2200 Powell Street, Suite 1000 Emeryville, CA 94608

Re: City of Vallejo and Vallejo Police Officers' Association Negotiations

Dear Austris:

As you know, the Vallejo Police Officers' Association ("VPOA" or "Association") has vigorously refuted the City's declaration of impasse in MOU negotiations between the parties. In response to the declaration of impasse, the VPOA filed a Petition for Writ of Mandate in Superior Court this past Tuesday, seeking to compel the City to rescind its premature declaration as well as its September 20, 2013 proposal.

The City's regressive offer of September 20, 2013 includes proposed terms that, if implemented, would result in devastating economic concessions far greater than what the City has offered in the "off the record" meetings discussed in the City's October 7, 2013 correspondence. The Association continues to maintain that the City's proposal cannot rationally be described as its "last, best and final offer". Indeed, for some officers, the concessions set forth in the September 20th proposal would amount to an additional pay reduction well north of \$25,000 as compared to the "off the record" discussions between the parties.

With these facts in mind, the VPOA will continue to pursue all available legal remedies against the City of Vallejo and maintains that the parties are <u>not</u> at impasse. That said, in order protect the interests of the Association and its individual members, this letter constitutes the VPOA's formal demand for the parties to submit the outstanding issues to formal factfinding pursuant to Government Code §3505.4. Such demand shall not constitute a waiver of the rights of the VPOA and individual members to challenge the declaration of impasse and related claims.

In light of the City's ever-changing objectives and motives, the VPOA requests that the City strongly consider entering into an agreement stipulating to the terms already agreed to

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between the parties during the "off the record" meetings, leaving the factfinding panel to consider only those issues in dispute. Absent such an agreement, we intend to move forward with full factfinding and consider the broad and complex issues presented in the City's September 20th proposal. That will no doubt cause the parties to unnecessarily engage in countless days of hearings, and the expense of costly expert witnesses.

Thank you for your attention to this important matter. While the Association remains ready and willing to return to the bargaining table, and genuinely believes that the parties can (and should) reach an agreement, it cannot sit idly while the City shirks its legal obligations, and decimates the rights of the VPOA and its individual members.

Respectfully,

RAINS LUCIA STERN, PC

Rockne A. Lucia, Jr.

RAL:bg

cc: Mat Mustard, President
Dan Keen, City Manager

Charles Sakai, Esq.