

SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA

January 29, 2008

Place: City Hall, Conference Room W-133

Time: **9:30 a.m.**

Item(s) to be discussed:

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (CLAIM NOT FILED):

Significant exposure to litigation pursuant to subsection (b) of Section 54956.9 of the Government Code:

Number of matter(s) to be discussed: 1

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:

Initiation of litigation pursuant to subsection (c) of Section 54956.9 of the Government Code:

Number of matter(s) to be discussed: 1

C. PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957:

Department or Agency: City Auditor

Title: City Auditor

D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 subsection (a):

1. Case Name: McGuire & Hester v. City of San José, et al. (and related cross actions)

Name(s) of Parties(s) Involved: MCGUIRE & HESTER; CITY OF SAN JOSÉ; NADA PACIFIC; DH CHARLES ENGINEERING; VIKING DRILLERS; HUGHES CONSTRUCTION; GEO-GROUT, INC.; RMC; KENNEDY/JANKS; PARIKH & ASSOCIATES

Court: Superior Court of California, County of Alameda

Case No.: RG06280788

Amount of Damages according to proof.
Money or
Other Relief
Sought:

2. Case Name: Morgan v. City of San José, et al.

Name(s) of Parties(s) Involved: MICHAEL MORGAN; CITY OF SAN JOSÉ; TYLER KRAUL; KIRK NIEMEYER

Court: United States District Court, Northern District of California, San José Division

Case No.: C06 06315 HRL

Amount of Damages according to proof.
Money or
Other Relief
Sought:

3. Case Name: People v. Rust

Name(s) of Parties(s) Involved: PEOPLE OF THE STATE OF CALIFORNIA; LORIE ANN RUST

Court: Superior Court of California, County of Santa Clara, San José Facility, Criminal Division

Case No.: CC776886

Amount of Production of information from the arresting officers'
Money or confidential personnel files.
Other Relief
Sought:

4. Case Name: U.S.A. Express Cab, LLC, et al. v. City of San José, et al.

Name(s) of Parties(s) Involved: U.S.A. EXPRESS CAB, LLC, a California organization; ALPHA TRANSPORTATION, INC. dba ALPHA CAB COMPANY, a California organization; DIAL DIALING, INC., dba CALIFORNIA CAB, a California organization; CITY CAB COMPANY, a California organization; MILPITAS CAB, LLC, a California organization; NATIONAL CAB, LLC, a California organization; NET CAB COMPANY, a California organization; CITY OF SAN JOSÉ; SAN JOSE CITY COUNCIL

Court: United States District Court, Northern District, San José Division

Case No.: C07-06171 HRL

Amount of Declaratory and injunctive relief.
Money or
Other Relief

Sought:

E. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

City Negotiator: City Manager designee Alex Gurza

Employee Organizations:

1. Organization or Name and Title of Unrepresented Employees: San José Police Officers' Association
Nature of negotiations: wages/salaries, hours, working conditions, etc.
Name of Existing Contract or MOA: Memorandum of Agreement — City of San José and San José Polices' Association
How to Obtain a copy of Existing Contract or MOA: Web: <http://www.sanjoseca.gov/employeerelations/moa.asp>
Telephone – Employee Relations: (408) 535-8150
2. Organization or Name and Title of Unrepresented Employees: International Brotherhood of Electrical Workers, Local 332
Nature of negotiations: wages/salaries, hours, working conditions, etc.
Name of Existing Contract or MOA: Memorandum of Agreement Between City of San José and International Brotherhood of Electrical Workers, Local 332 (IBEW)
How to Obtain a copy of Existing Contract or MOA: Web: <http://www.sanjoseca.gov/employeerelations/moa.asp>
Telephone – Employee Relations: (408) 535-8150