

SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA

December 18, 2007

Place: City Hall, Conference Room W-133

Time: **9:00 a.m. (special time)**

Item(s) to be discussed:

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

1. Case Name: ProVen Management, Inc. v. City of San José, et al.
Name(s) of Parties(s) Involved: ProVen Management, Inc.; City of San José; San José Redevelopment Agency
Court: Superior Court of California, County of Santa Clara
Case No.: 1-06-CV066175
Amount of Money or Other Relief Sought: In excess of \$158,000, according to proof.

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (CLAIM FILED):

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

1. Claimants(s): Gary J. Bernal; Lucia Ann Bernal; Mike A. Bernal; Mike C. Bernal; Nanette Bernal; Susan B. Bernal; Lillian Bernal-Auvinen; Dianna Bernal-Tuyor
City Department: City Manager
Amount of Money or Other Relief Sought: In excess of \$1,000,000 each

C. 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: 2

D. 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

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

City Negotiator: City Manager designee Alex Gurza

Employee Organizations:

1. Organization: Association of Building, Mechanical and Electrical Inspectors (ABMEI)

Nature of negotiations: Wages/salaries, working conditions, and benefits

Name of Contract or MOA: Memorandum of Agreement – City of San José and Association of Building, Mechanical and Electrical Inspectors (ABMEI)

Obtain a copy: <http://www.sanjoseca.gov/employeerelations/moa.asp>