

SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA

June 24, 2008

Place: City Hall, Conference Room W-133

Time: **8:30 a.m.**

Item(s) to be discussed:

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

Department or Agency: Fire
Title: Fire Chief

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

1. Case Name: Tuttelman v. City of San José, et al.
Name(s) of Parties(s) Involved: DAVID M. TUTTELMAN, CITY OF SAN JOSE, SAN JOSE POLICE DEPARTMENT, SAN JOSE POLICE OFFICER ANTHONY LUISI, SAN JOSE POLICE OFFICER RONALD BAYS
Court: U.S Court of Appeal, Ninth Circuit
Case No.: 07-15241
Amount of Money or Other Relief Sought: Appeal of USDC judgment
2. Case Name: City of San José v. Union Pacific Railroad Company
Name(s) of Parties(s) Involved: CITY OF SAN JOSE, UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, and DOES ONE to FIFTEEN, inclusive,
Court: Superior Court of California, County of Santa Clara
Case No.: 1-04-CV-026149
Amount of Money or Other Relief Sought: Eminent Domain language: Seeking to obtain real

Other Relief property through eminent domain for fair market value.
Sought:

C. 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

D. CONFERENCE REGARDING POTENTIAL THREAT TO PUBLIC SERVICES OR FACILITIES PURSUANT TO GOVERNMENT CODE SECTION 54957(a):

Consultation with: Chief of Police

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/employeeerelations/moa.asp>
Telephone – Employee Relations: (408) 535-8150

2. Organization or Name and Title of Unrepresented Employees: **Municipal Employees' Federation, AFSCME Local 101, AFL-CIO**

Nature of negotiations: wages/salaries, hours, working conditions, etc.

Name of Existing Contract or MOA: Memorandum of Agreement — City of San José and Municipal Employees' Federation, AFSCME Local 101, AFL-CIO

How to Obtain a copy of Existing Contract or MOA: Web: <http://www.sanjoseca.gov/employeeerelations/moa.asp>
Telephone – Employee Relations: (408) 535-8150

3. Organization or **City Association of Management Personnel**
Name and Title of **Agreement**
Unrepresented
Employees:
- Nature of wages/salaries, hours, working conditions, etc.
negotiations:
- Name of Existing Contract or MOA: Benefit & Compensation Summary — City of San José
and City Association of Management Personnel
Agreement
- How to Obtain a copy of Existing Contract or MOA: Web:
<http://www.sanjoseca.gov/employeerelations/moa.asp>
Telephone – Employee Relations: (408) 535-8150