

## **SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA**

**October 7, 2008**

Place: City Hall, Conference Room W-133

Time: **8:30 a.m. (special time)**

Item(s) to be discussed:

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

Title: Independent Police Auditor

Name: Barbara Attard

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

1. Case Name: Sutter's Place, Inc., dba Bay 101 v. City of San José, et al. and Consolidated Actions  
Name(s) of Parties(s) Involved: SUTTER'S PLACE, INC. dba BAY 101; CITY OF SAN JOSE; and DOES 1 through 10  
Court: Superior Court of California, County of Santa Clara  
Case No.: 1-07-CV-086614  
Amount of Money or Other Relief Sought: Seeking a declaration of Bay 101's legal rights and duties with respect to SJMC sections 4.77.060A(2) and 4.77.100, 4.77.100 and 11 U.S.C. section 362(a) and an injunction enjoining the City from attempting to enforce these codes against Bay 101 as to the collection of penalties and interest for the previously unpaid monthly tax for July and August 2002.
2. Case Name: Campbell Union High School District v. City of San José, et al.  
Name(s) of Parties(s) Involved: CAMPBELL UNION HIGH SCHOOL DISTRICT; CITY OF SAN JOSÉ; Does 1-10  
Court: Superior Court of California, County of Santa Clara

Case No.: 1-07-CV-083413

Amount of Money or Other Relief Sought: In excess of \$25,000, according to proof.

**C. 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