

SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA

December 16, 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: City Manager

Name: Debra Figone

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

Department or Agency: Independent Police Auditor

Title: Independent Police Auditor

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: 1

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

1. Case Name: In re Rauf

Name(s) of

Parties(s)

Involved:

Court:

Case No.:

Amount of Administrative appeal.

Money or

Other Relief

Sought:

2. Case Name: In re Franco
Name(s) of Parties(s) Involved:
Court:
Case No.:
Amount of Money or Other Relief Sought: Administrative appeal
3. Case Name: Savarese v. City
Name(s) of Parties(s) Involved: JOHN SAVARESE, CITY OF SAN JOSE, and DOES ONE through FIFTY
Court: Superior Court of California, County of Santa Clara
Case No.: 1-08-CV-108904
Amount of Money or Other Relief Sought: Damages according to proof.
4. Case Name: Sutter's Place, Inc. v. City of San José, et al. and Consolidated Actions
Name(s) of Parties(s) Involved: SUTTER'S PLACE, INC., dba BAY 101, FREDERICK S. WYLE AS TRUSTEE FOR GARDEN CITY, INC., CITY OF SAN JOSÉ
Court: Superior Court of California, County of Santa Clara
Case No.: CV1-02-810068 (Consolidated with 1-02-CV810548, 1-02-CV795974 and 1-02-CV812404)
Amount of Money or Other Relief Sought: Plaintiffs seek declaratory relief that the provisions of Title 16 eliminating backline betting, prohibiting gaming between 2:00 a.m. and 6:00 a.m., and requiring payment of hearing fees are unconstitutional. Plaintiffs further seek writs of Administrative Mandamus challenging the denial of hardship extensions under San Jose Municipal Code Section 16.20.010, et. seq.
5. Case Name: Sutter's Place, Inc., dba Bay 101 v. City of San José, et al. and Consolidated Action
Name(s) of Parties(s) Involved: SUTTER'S PLACE, INC., dba BAY 101, GARDEN CITY, INC., CITY OF SAN JOSÉ

Court: Superior Court of California, County of Santa Clara
Case No.: 1-06-CV-065644 (Consolidated with Case No. 1-06-CV-068034)
Amount of Money or Other Relief Sought: Plaintiffs seek declaratory relief regarding table fees.

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: Association of Building, Mechanical and Electrical Inspectors (ABMEI)
Nature of negotiations: wages/salaries, hours, working conditions, etc.
Name of Existing Contract or MOA: Memorandum of Agreement – City of San José and Association of Building, Mechanical and Electrical Inspectors (ABMEI)
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 (IBEW)
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
3. Organization or Name and Title of Unrepresented Employees: Confidential Employees’ Organization, AFSCME Local 101 (CEO)
Nature of negotiations: wages/salaries, hours, working conditions, etc.

negotiations:

Name of Existing Contract or MOA: Memorandum of Agreement — Confidential Employees' Organization, AFSCME Local 101 and City of San José

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

4. Organization or Name and Title of Unrepresented Employees: City Association of Management Personnel Agreement (CAMP)

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

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

5. Organization or Name and Title of Unrepresented Employees: Municipal Employees' Federation, AFSCME Local 101, AFL-CIO (MEF)

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

6. Organization or Name and Title of Unrepresented Employees: Association of Maintenance Supervisory Personnel (AMSP)

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

Name of Existing Contract or MOA: City of San José - Association of Maintenance Supervisory Personnel (AMSP) Benefit & Compensation Summary

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

7. Organization or Name and Title of Unrepresented Employees: Association of Engineers & Architects (AEA)

Employees:

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

Name of Existing Memorandum of Agreement — City of San José and
Contract or MOA: Association of Engineers & Architects (AEA)

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