

SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA

February 3, 2009

Place: City Hall, Conference Room W-133

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

Item(s) to be discussed:

A. 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: 3

B. 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

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

1. Case Name: Rodriguez, et al. v. City, et al.

Name(s) of Parties(s) Involved: REGINA RODRIGUEZ, JUSTIN CRUZ, CITY OF SAN JOSE, NICK BYRD, AND DOES 1 – 20, inclusive

Court: Superior Court of California, County of Santa Clara

Case No.: 1-07-CV-091321

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

2. Case Name: Bernal v. City, et al.
Name(s) of Parties(s) Involved: MIKE C. BERNAL, SUSAN R. BERNAL, NANETTA BERNAL, LILIAN BERNAL AUVINEN, KATHERINE LIRA, DIANA BERNAL-TUYOR, MIKE A. BERNAL, GARY JAMES BERNAL, DOMENICO LOVERDE, TOMAS J. MARTINEZ, AUTHUR PAUL LIRA, JR, JERIMIAH LIRA, SOMMER KAI ESPINOSA, LUCIA A. BERNAL , GUILLERMO ESPINOSA, CITY OF SAN JOSE, AND DOES 1 - 25
Court: Superior Court of California, County of Santa Clara
Case No.: 1-08-CV-116141
Amount of Money or Other Relief Sought: Damages according to proof.
3. Case Name: Luong v. City, et al.
Name(s) of Parties(s) Involved: HANG LUONG, CITY OF SAN JOSE, OFFICER TEDROS HABIB and DOES 1 to 10
Court: Superior Court of California, County of Santa Clara
Case No.: 1-08-CV-109346
Amount of Money or Other Relief Sought: Damages according to proof.
4. Case Name: City v. Maxim Integrated Products, Inc.
Name(s) of Parties(s) Involved: CITY OF SAN JOSE, MAXIM INTEGRATED PRODUCTS, INC., DOES 1 through 50, inclusive
Court: Superior Court of California, County of Santa Clara
Case No.: 1-09-CV-132486
Amount of Money or Other Relief Sought: Damages according to proof.-

5. Case Name: City v. Filipino American Senior Opportunities Development Council, Inc.
- Name(s) of Parties(s) Involved: THE CITY OF SAN JOSE, FILIPINO-AMERICAN SENIOR OPPORTUNITIES DEVELOPMENT COUNCIL, a California corporation, dba FILIPINO-AMERICAN SENIOR OPPORTUNITIES DEVELOPMENT COUNCIL, INC., and dba FILIPINO AMERICAN COMMUNITY DEVELOPMENT COUNCIL, INC.; BEN MENOR aka BENNY B. MENOR, an individual; and DOES 1-100, inclusive
- Court: Superior Court of California, County of Santa Clara
- Case No.: 1-06-CV-066845
- Amount of Money or Other Relief Sought: Damages according to proof.

D. 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 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

2. Organization or Name and Title of Unrepresented Employees: Association of Engineers & Architects (AEA)
- 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 Engineers & Architects (AEA)
- 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 Name and Title of Unrepresented Employees: International Association of Firefighters (IAFF), Local 230
- 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 Association of Firefighters (IAFF), Local 230
- How to Obtain a copy of Existing Contract or MOA: Web: <http://www.sanjoseca.gov/employeeerelations/moa.asp>
Telephone – Employee Relations: (408) 535-8150
4. Organization or Name and Title of Unrepresented Employees: International Union of Operating Engineers, Local No. 3 (OE#3)
- 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 Union of Operating Engineers, Local No. 3 (OE#3)
- How to Obtain a copy of Existing Contract or MOA: Web: <http://www.sanjoseca.gov/employeeerelations/moa.asp>
Telephone – Employee Relations: (408) 535-8150