

SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA

March 17, 2009

Place: City Hall, Conference Room W-133

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

Item(s) to be discussed:

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

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

Name(s) of Parties(s) Involved: JANICE NAYMARK, RONALD NAYMARK, CITY OF SAN JOSE, SAN JOSE POLICE DEPARTMENT, ROBERT DAVIS, CITY OF CAMPBELL, CAMPBELL POLICE DEPARTMENT, DAVID GULLO, TOWN OF LOS GATOS, CITY OF MONTE SERENO, LOS GATOS/MONTE SERENO POLICE DEPARTMENT, SCOTT SEAMAN, CITY OF PALO ALTO, LYNN JOHNSON, CITY OF SANTA CLARA, SANTA CLARA POLICE DEPARTMENT, STEPHEN D. LODGE, STATE OF CALIFORNIA, CALIFORNIA HIGHWAY PATROL, MICHAEL L. BROWN, COUNTY OF SANTA CLARA, OFFICE OF THE SANTA CLARA COUNTY SHERIFF, LAURIE SMITH, and DOES 1 THROUGH 25

Court: Superior Court of California, County of Santa Clara

Case No.: 1-07-CV080008

Amount of Money or Other Relief Sought: Injunctive relief

2. Case Name: Grason v. City of San José, et al.

Name(s) of Parties(s) Involved: KENNETH GRASON, CITY OF SAN JOSE, SAN JOSE CHIEF OF POLICE ROBERT DAVIS, POLICE OFFICER VIDA, #3404, and DOES 1 through 10

Court: U.S. District Court, Northern District of California
Case No.: C07-03687 JW

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

3. Case Name: Valdez et al v. City, et al.

Name(s) of Parties(s) Involved: FRANCISCO VALDEZ, RICARDO VASQUEZ, CITY OF SAN JOSE, SAN JOSE POLICE CHIEF ROBERT DAVIS, OFFICER R. AGAMAN, AND DOES 1-2500.

Court: United States District Court, Northern District of California
Case No.: C09 00176

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

4. Case Name: Paul Cicala, et al. v. City of San José et al.

Name(s) of Parties(s) Involved: PAUL CICALA, ENRICO SAGULLO, ERICK SANCHEZ, CITY OF SAN JOSE, ROBERT DAVIS, OFFICERS ORDAZ, HIGGINS, MARFIA, KYONO and SIEGEL and DOES

Court: United States District Court, Northern District of California
Case No.: C08-04032 PVT

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

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 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.
 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)

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

8. Organization or Name and Title of Unrepresented Employees: San José Police Officers' Association (SJPOA)
- 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 Police Officers' Association (SJPOA)
- How to Obtain a copy of Existing Contract or MOA: Web: <http://www.sanjoseca.gov/employeerelations/moa.asp>
Telephone – Employee Relations: (408) 535-8150
9. 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/employeerelations/moa.asp>
Telephone – Employee Relations: (408) 535-8150
10. 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/employeerelations/moa.asp>
Telephone – Employee Relations: (408) 535-8150