

## SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA

**June 23, 2009**

Place: City Hall, Conference Room W-133

Time: **8:00 a.m. (Special Time)**

Item(s) to be discussed:

**A. 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

**B. 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

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

1. Case Name: State of California ex rel Armenta v. James Jones Co., et al.

Name(s) of Parties(s) Involved: STATE OF CALIFORNIA, NORA ARMENTA, JAMES JONES, CO., MUELLER COMPANY, TYCO INTERNATIONAL (US) INC., WATTS INDUSTRIES, INC., CITY OF SAN JOSE (INTERVENOR) ALONG WITH SEVERAL OTHER PUBLIC ENTITY INTERVENORS.

Court: Superior Court of California, County of Los Angeles

Case No.: BC 173487

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

2. Case Name: Licking Enterprises, Inc. v. City, et al.

Name(s) of Parties(s) Involved: LICKING ENTERPRISES, INC. CITY OF SAN JOSE, a municipal corporation; SAN JOSE CITY COUNCIL; RON GONZALES, CINDY CHAVEZ, PAT DANDO, KEN YEAGER, CHUCK REED, FORREST WILLIAMS, LINDA J. LEZOTTE, NORA CAMPOS, GEORGE SHIRAKAWA, JR., DAVID D. CORTESE, JOHN DIQUISTO, sued in their official capacities

Court: United States District Court, Northern District of California

Case No.: C07-00735 RMW (PVT)

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

3. Case Name: Bernal, et al. 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 Damages according to proof.  
Money or Other  
Relief Sought:

4. Case Name: Yuhas V. City, et al.

Name(s) of Parties(s) Involved: DAVID YUHAS, CITY OF SAN JOSE, dba CITY OF SAN JOSE ANIMAL CARE CENTER, JOHN CICCARELLI AND DOES 1-50

Court: Superior Court of California, County of Santa Clara

Case No.: 1-08-CV-118840

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

5. Case Name: Vietnamese-American Community of Northern California v. City of San José, et al.

Name(s) of Parties(s) Involved: VIETNAMESE-AMERICAN COMMUNITY OF NORTHERN CALIFORNIA; CITY OF SAN JOSE; CITY COUNCIL OF SAN JOSE

Court: Superior Court of California, County of Santa Clara

Case No.: 1-08-CV-107082

Amount of For declaratory and injunctive relief according to proof.  
Money or Other  
Relief Sought:

**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 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