

SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA

October 4, 2011

Notice of Participation of Councilmember Pete Constant by Teleconference

Councilmember Pete Constant intends to participate in the Closed Session of the City Council Meeting on October 4, 2011 at 8:30 a.m. by teleconference from the San Francisco International Airport.

Place: City Hall, Conference Room W-133

Time: **8:30 a.m. (Special Time)**

Item(s) to be discussed:

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

1. Case Name: California Redevelopment Association, et al. v. Matosantos, et al.
Name(s) of Parties(s) Involved: California Redevelopment Association, League of California Cities, John F. Shirley, Ana Matosantos, John Chiang, Patrick O'Connell
Court: Supreme Court, State of California
Case No.: S194861
Amount of Money or Other Relief Sought: Writ of mandate

2. Case Name: Renzo's Bar & Grill, et al. v. City of San Jose, et al.
Name(s) of Parties(s) Involved: RENZO'S BAR & GRILL, INC., GHOLAM R. SHAFAZAND (as C.E.O. of Renzo's Bar & Grill, Inc.), and in his individual capacity, CITY OF SAN JOSE, SAN JOSE POLICE DEPARTMENT, SAN JOSE POLICE SERGEANT JOHN VANEK, SAN JOSE POLICE LIEUTENANT DAVID HOBER, FRANK CUCUZZA, JR., CUCUZZA FAMILY PARTNERSHIP and DOES 1-200

Court: Superior Court of California, County of Santa Clara
Case No.: 1-08-CV-114221
Amount of Money or Other Relief Sought: Injunctive Relief and damages according to proof.

3. Case Name: Pugh v. City, et al.
Name(s) of Parties(s) Involved: DWAYNE PUGH, CITY OF SAN JOSE AND DOES 1-100
Court: Superior Court of California, Northern District of California
Case No.: 1-10-CV189429
Amount of Money or Other Relief Sought: Damages according to proof.
4. Case Name: Harper v. City, et al.
Name(s) of Parties(s) Involved: GLENN HARPER, CITY OF SAN JOSE; the SAN JOSE POLICE DEPARTMENT; and ROBERT DAVIS, individually and in his official capacity as Chief of the SAN JOSE POLICE DEPARTMENT
Court: United States District Court, Northern District of California
Case No.: C09-05758 EJD
Amount of Money or Other Relief Sought: Damages according to proof.
5. Case Name: Berg & Berg Enterprises, LLC v. City, City Council, et al.
Name(s) of Parties(s) Involved: BERG & BERG ENTERPRISES, LLC, CITY OF SAN JOSE; SAN JOSE CITY COUNCIL, and DOES 1-50
Court: Superior Court of California, County of Santa Clara
Case No.: 1-07-CV-091955
Amount of Money or Other Relief Sought: Damages according to proof.
6. Case Name: Sipple, et al. v. City of Alameda, et al.

Name(s) of Parties(s) Involved: DONALD SIPPLE, JOHN SIMON, KARL SIMONSEN, CHRISTOPHER JACOBS, Settlement Class Representatives, NEW CINGULAR WIRELESS PCS LLC, CITY OF ALAMEDA, COUNTY OF ALAMEDA, CITY OF ALBANY, CITY OF ALHAMBRA, CITY OF ARCADIA, CITY OF BALDWIN PARK, CITY OF BEAUMONT, CITY OF BELL, CITY OF BELLFLOWER, CITY OF BENECIA, CITY OF BERKELEY, CITY OF BURBANK, CITY OF CALABASAS, CITY OF CATHEDRAL, CITY OF CERES, CITY OF CHICO, CITY OF CHULA VISTA, CITY OF CITRUS HEIGHTS, CITY OF CLAREMONT, CITY OF COLTON, CITY OF COMPTON, CITY OF COVINA, CITY OF CUDAHY, CITY OF CULVER CITY, CITY OF CUPERTINO, CITY OF DALY CITY, CITY OF DESERT HOT SPRINGS, CITY OF DINUBA, CITY OF DOWNEY, CITY OF EAST PALO ALTO, CITY OF EL CERRITO, CITY OF EL MONTE, CITY OF EL SEGUNDO, CITY OF EMERYVILLE, CITY OF EUREKA, CITY OF EXETER, CITY OF FAIRFAX, CITY OF FAIRFIELD, CITY OF GARDENA, CITY OF GILROY, CITY OF GLENDALE, CITY OF GONZALES, CITY OF GREENFIELD, CITY OF GROVER BEACH, CITY OF GUADALUPE, CITY OF GUSTINE, CITY OF HAWTHORNE, CITY OF HAYWARD, CITY OF HERCULES, CITY OF HERMOSA BEACH, CITY OF HOLTVILLE, CITY OF HUNTINGTON BEACH, CITY OF HURON, CITY OF INDIO, CITY OF INGLEWOOD, CITY OF IRWINDALE, CITY OF LA HABRA, CITY OF LAKEWOOD, CITY OF LA PALMA, CITY OF LA VERNE, CITY OF LAWNSDALE, CITY OF LINDSEY, CITY OF LONG BEACH, CITY OF LOS ALAMITOS, CITY OF LOS ALTOS, CITY OF LOS ANGELES, LOS ANGELES COUNTY, CITY OF LYNWOOD, CITY OF MALIBU, CITY OF MAMMOTH LAKES, CITY OF MAYWOOD, CITY OF MENLO PARK, CITY OF MODESTO, CITY OF MONTCLAIR, CITY OF MONTEREY, CITY OF MONTEREY PARK, CITY OF MORENO VALLEY, CITY OF MOUNTAIN VIEW, CITY OF NORWALK, CITY OF OAKLAND, CITY OF ORANGE COVE, CITY OF OROVILLE, CITY OF PACIFIC GROVE, CITY OF PALM SPRINGS, CITY OF PALO ALTO, CITY OF PARAMOUNT, CITY OF PASADENA, CITY OF PICO RIVERA, CITY OF PIEDMONT, CITY OF PINOLE, CITY OF PLACENTIA, CITY OF PLEASANT HILL, CITY OF POMONA, CITY OF PORT HUENEME, CITY OF PORTERVILLE, CITY OF RANCHO PALOS VERDE, CITY OF REDONDO BEACH, CITY OF REDWOOD CITY, CITY OF RIALTO, CITY OF

RICHMOND, CITY OF RIVERSIDE, CITY OF SACRAMENTO, CITY OF SALINAS, CITY OF SAN BERNARDINO, CITY OF BUENAVENTURA (VENTURA), CITY OF SAN FRANCISCO, CITY OF SAN GABRIEL, CITY OF SAN JOSE, CITY OF SAN LEANDRO, CITY OF SAN LUIS OBISPO, CITY OF SAN MARINO, CITY OF SAN PABLO, CITY OF SANGER, CITY OF SANTA ANA, CITY OF SANTA BARBARA, CITY OF SANTA CRUZ, CITY OF SANTA MONICA, CITY OF SEAL BEACH, CITY OF SEASIDE, CITY OF SIERRA MADRE, CITY OF SOLEDAD, CITY OF SOUTH PASADENA, CITY OF STANTON, CITY OF STOCKTON, CITY OF SUNNYVALE, CITY OF TORRANCE, CITY OF TULARE, CITY OF WATERFORD, CITY OF WATSONVILLE, CITY OF WESTMINSTER, CITY OF WHITTIER, CITY OF WINTERS, CITY OF WOODLAKE, DOES 1-50

Court: Superior Court of California, County of Los Angeles

Case No.: BC462270

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

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: **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

3. 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

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: **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

6. Organization or Name and Title of Unrepresented Employees: **International Association of Firefighters (IAFF), Local 230 (IAFF#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

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

8. 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/employeeerelations/moa.asp>
Telephone – Employee Relations: (408) 535-8150
9. 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
10. 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

Contract or MOA: 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

City Negotiator:

City Manager designee Gina Donnelly

11. Organization or Name and Title of Unrepresented Employees: **Association of Legal Professionals of San José (ALP)**

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

Name of Existing Contract or MOA:

How to Obtain a copy of Existing Contract or MOA: