

SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA

December 13, 2011

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: Stand for San Jose, et al. v. City, et al.
Name(s) of Parties(s) Involved: STAND FOR SAN JOSE AND EILEEN HANNAN; CITY OF SAN JOSE; CITY COUNCIL OF THE CITY OF SAN JOSE; REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE; DIRIDON DEVELOPMENT AUTHORITY
Court: SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF SANTA CLARA
Case No.: 1-11-CV-214196
Amount of Money or Other Relief Sought: Injunctive relief

2. Case Name: Union Pacific Railroad Company v. City, et al.
Name(s) of Parties(s) Involved: UNION PACIFIC RAILROAD COMPANY, CITY OF SAN JOSE, DOES 1-10
Court: United States District Court, Northern District of California
Case No.: C10-00210 RS
Amount of Money or Other Relief Sought: Damages according to proof.

3. Case Name: California Clean Energy Committee v. City, et al.
 Name(s) of Parties(s) Involved: CALIFORNIA CLEAN ENERGY COMMITTEE, CITY OF SAN JOSE, DOES 1-50; FWSH PARTNERS II, LLC; EDWARD D. STORM; and DOES 51-100
 Court: SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF SANTA CLARA
 Case No.: 1-11-CV-212623
 Amount of Money or Other Relief Sought: Injunctive relief
4. Case Name: Cicala, et al. v. City, 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: U.S. District Court, Northern District of California
 Case No.: C08-04032 PVT
 Amount of Money or Other Relief Sought: Damages according to proof.
5. Case Name: Valdez, et al v. City, et al.
 Name(s) of Parties(s) Involved: FRANCISCO VALDEZ, RICARDO VASQUEZ, DANIEL MARTINEZ, JAMIL STUBBS, CITY OF SAN JOSE, SAN JOSÉ POLICE CHIEF ROBERT DAVIS, OFFICER R. AGAMAN (#4041); OFFICER MARTIN (#3894), OFFICER RICKERT (#3734), OFFICER WALLACE (#3922); OFFICER ORLANDO, DOES 1 through 2500
 Court: U.S. District Court, Northern District of California
 Case No.: C09 00176 RMW
 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 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

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: **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/employeerelations/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/employeerelations/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/employeerelations/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 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: