

SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA

August 7, 2012

Place: City Hall, Conference Room W-133

Time: 9:00 a.m. (Special Time)

Item(s) to be discussed:

A. GOVERNMENT CODE SECTION 54956.75

Discussion of City's response to confidential final draft of State Audit pertaining to current and future pension obligations.

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: City, et al. v. County of Santa Clara, et al.

Name(s) of Parties(s) Involved: CITY OF SAN JOSE, a municipal corporation, as Successor Agency to The Redevelopment Agency of the City of San Jose, VINOD K. SHARMA, individually, and in his official capacity as Santa Clara County Director of Finance, COUNTY OF SANTA CLARA, and DOES 1 through 100, inclusive,

Court: Superior Court of California, County of Sacramento

Case No.: 34-2012-80001190

Amount of Money or Other Relief Sought: Petition for Peremptory Writ of Mandate and Complaint for Declaratory Relief, Injunctive Relief and Damages

2. Case Name: McDonough, et al. v. City, et al.
 Name(s) of Parties(s) Involved: CITY OF SAN JOSE, DENNIS D. HAWKINS, in his official capacity as City Clerk of the City of San Jose , BARRY GARNER, in his capacity as Registrar of Voters of the County of Santa Clara, KAREN MCDONOUGH, FRANCO VADO, ROBERT SAPIEN, CLIFFORD G. HUBBARD
 Court: Superior Court of California, County of Santa Clara
 Case No.: 1-12-CV220781
 Amount of Money or Other Relief Sought: Petition for Writ of Mandate
3. Case Name: City v. San Jose Police Officers' Association, et al.
 Name(s) of Parties(s) Involved: CITY OF SAN JOSE, SAN JOSE POLICE OFFICERS' ASSOCIATION; SAN JOSE FIREFIGHTERS, IAFF LOCAL 230; MUNICIPAL EMPLOYEES' FEDERATION, AFSCME, LOCAL 101; CITY ASSOCIATION OF MANAGEMENT PERSONNEL, IFPTE, LOCAL 21
 Court: U.S. District Court, Northern District of California
 Case No.: C12-02904 LHK
 Amount of Money or Other Relief Sought: Validation of Measure B
4. Case Name: San Jose Police Officers' Association v. City, et al.
 Name(s) of Parties(s) Involved: CITY OF SAN JOSE, BOARD OF ADMINISTRATION FOR POLICE AND FIRE DEPARTMENT RETIREMENT PLAN OF CITY OF SAN JOSE AND DOES 1-10
 Court: Superior Court of California, County of Santa Clara
 Case No.: 112CV225926
 Amount of Money or Other Relief Sought: Declaratory and injunctive relief
5. Case Name: Sapien, et al. v. City of San Jose, et al.
 Name(s) of Parties(s) Involved: ROBERT SAPIEN, MARY KATHLEEN MCCARTHY, THANH HO, RANDY SEKANY, KEN HEREDIA, CITY OF SAN JOSE, DEBRA FIGONE in her official capacity

as City Manager of the City of SAN JOSE, Does 1 through 15, THE BOARD OF ADMINISTRATION FOR THE 1961 SAN JOSE POLICE AND FIRE DEPARTMENT RETIREMENT PLAN.

Court: Superior Court of California, County of Santa Clara

Case No.: 112CV225928

Amount of Money or Other Relief Sought: Declaratory and injunctive relief.

6. Case Name: Deisenroth v. City

Name(s) of Parties(s) Involved: LORIE DEISENROTH, CITY OF SAN JOSE

Court: Santa Clara County Superior Court

Case No.: 1-12-CV-224197

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 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

Name and Title of Unrepresented Employees: **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 Jennifer Schembri

11.

Organization or
Name and Title of
Unrepresented
Employees:

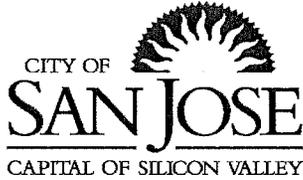
**Association of Legal Professionals of San José
(ALP)**

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:



*Successor Agency to
The Redevelopment Agency of the City of San José*

Richard Doyle, City Attorney

**SUCCESSOR AGENCY TO THE REDEVELOPMENT
AGENCY OF THE CITY OF SAN JOSE CLOSED SESSION
AGENDA**

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PURSUANT TO GOVERNMENT CODE SECTION 54956.9 subsection (a):**

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**SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
OF THE CITY OF SAN JOSE CLOSED SESSION AGENDA**