

## SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA

**November 6, 2012**

Place: City Hall, Conference Room W-133

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

Item(s) to be discussed:

**A. 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

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

1. Case Name: Hernandez, Luis & Cindy Calderon v. City of San Jose, et al.  
Name(s) of Parties(s) Involved: LUIS HERNANDEZ; CINDY CALDERON; CITY OF SAN JOSE; THE SAN JOSE POLICE DEPARTMENT; ERNIE ALCANTAR, individually and in his official capacity as Captain, SJPD; and JAMES WERKEMA, individually and in his official capacity as Lieutenant, SJPD  
Court: U.S. District Court, Northern District of California, San Jose Division  
Case No.: CV12-02952 HRL  
Amount of Money or Other Relief Sought: Damages according to proof
2. Case Name: Correa v. City of San Jose, et al.  
Name(s) of Parties(s) Involved: THOMAS CORREA; CITY OF SAN JOSE, SAN JOSE POLICE DEPARTMENT, LT. MICHAEL SULLIVAN; SGT. KIMBERLY HUDSON  
Court: U.S. District Court, Northern District of California, San Jose Division

Case No.: CV12-05436 HRL

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

3. Case Name: City of San Jose v. Micrel International Corporation

Name(s) of CITY OF SAN JOSE; MICREL INTERNATIONAL  
Parties(s) Involved: CORPORATION, AND DOES, inclusive

Court: Superior Court of California, County of Santa Clara

Case No.: 1-12-CV223515

Amount of Money Unpaid sewer connection fees and penalties  
or Other Relief  
Sought:

4. Case Name: San Jose Police Officers' Association v. City of San Jose

Name(s) of SAN JOSE POLICE OFFICERS' ASSOCIATION;  
Parties(s) Involved: CITY OF SAN JOSE

Court: Superior Court of California, County of Santa Clara

Case No.: 1-12-CV-231271

Amount of Money Petition to Compel Arbitration  
or Other Relief  
Sought:

5. Case Name: AFSCME v. City of San Jose

Name(s) of AMERICAN FEDERATION OF STATE, COUNTY &  
Parties(s) Involved: MUNICIPAL EMPLOYEES, CITY OF SAN JOSE

Court: State of California Public Employment Relations Board

Case No.: SF-CE-972-M

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

6. Case Name: AFSCME v. City of San Jose

Name(s) of AMERICAN FEDERATION OF STATE, COUNTY &  
Parties(s) Involved: MUNICIPAL EMPLOYEES, CITY OF SAN JOSE

Court: State of California Public Employment Relations Board

Case No.: SF-CE-924-M

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

7. Case Name: IAFF Local 230 v. City of San Jose  
Name(s) of Parties(s) Involved: INTERNATIONAL ASSOCIATION OF  
FIREFIGHTERS, LOCAL 230, CITY OF SAN JOSE  
Court: State of California Public Employment Relations Board  
Case No.: SF-CE-970-M  
Amount of Money Damages according to proof  
or Other Relief  
Sought:

8. Case Name: San Jose Police Officers' Association v. City, et al.  
Name(s) of Parties(s) Involved: SAN JOSE POLICE OFFICERS' ASSOCIATION, 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 Declaratory and injunctive relief  
or Other Relief  
Sought:

9. Case Name: San Jose Retired Employees Association, et al. v. City,  
et al.  
Name(s) of Parties(s) Involved: SAN JOSE RETIRED EMPLOYEES ASSOCIATION,  
HOWARD E. FLEMING, DONALD S. MACRAE,  
FRANCES J. OLSON, GARY J. RICHERT AND  
ROSALINDA NAVARRO, CITY OF SAN JOSE  
DOES 1 through 50, BOARD OF ADMINISTRATION  
FOR THE FEDERATED CITY EMPLOYEES  
RETIREMENT SYSTEM  
Court: Superior Court of the State of California for the County  
of Santa Clara  
Case No.: 112CV233660  
Amount of Money Declaratory Relief and Verified Petition for Writ of  
or Other Relief Mandate  
Sought:

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/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**

**November 6, 2012**

**Place:** City Hall, Room W-133  
**Time:** 9:00 a.m. (Special Time)

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Number of matter(s) to be discussed: 3