



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

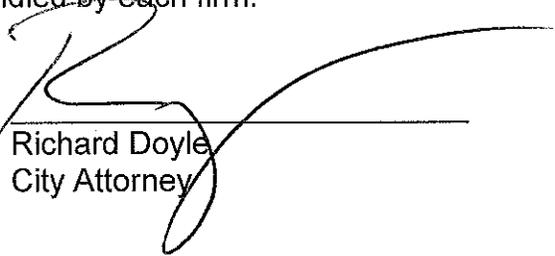
FROM: RICHARD DOYLE
City Attorney

SUBJECT: Renne Sloan and Meyers Nave
Agreements

DATE: November 29, 2012

SUPPLEMENTAL MEMO

Items 3.4 and 3.5 are proposed agreements with two law firms, Renne, Sloan, Holtzman & Sakai and Meyers Nave for services related to labor issues and pension reform. Attached are lists of pending matters being handled by each firm.



Richard Doyle
City Attorney

Attachments

RENNE SLOAN
 As of November 28, 2012
ACTIVE MATTERS

Matter	UPC No./Case No.	Subject
AFSCME - PERB	SF-CE-837M	Charge of bad faith bargaining and unilateral implementation.
Operating Engineers Local 3 - PERB	SF-CE-900M	Charge of bad faith bargaining and unilateral implementation; bargaining over retirement and pension reform measures.
AFSCME - PERB	SF-CE-924M	Charge of bad faith bargaining over ballot measures on pension reform; information requests; unilateral imposition of pension side letter; and proposed illegal changes to pension.
SJPOA Petition to Compel Interest Arbitration - Litigation	Case No. 1-12-CV-220146	SJPOA filed a petition to compel interest arbitration over the pension measure citing City Charter section 1111.
SJPOA Petition for Writ of Mandamus - Litigation	Case No. 1-12-CV-220795	SJPOA filed an application for a petition for writ of mandate and complaint for declaratory and injunctive relief for failure to meet and confer in good faith re: the pension measure.
IAFF - PERB	SF-CE-941	Charge of failure to meet and confer over implementation of Fire Fighters Procedural Bill of Rights.
AFSCME - PERB	SF-CE-945	Charge of bad faith bargaining over sick leave payout; retaliation for filing unfair practice charges.
IAFF - PERB	SF-CE-969M	Charge of bad faith bargaining over proposed pension ballot measure.
ALP - Negotiations	N/A	Negotiations of successor MOA.
SJPOA Application to Sue/Complain in Quo Warranto - Litigation		Allegations of bad faith bargaining over proposed pension ballot measure.

RENNE SLOAN
As of November 28, 2012

Matter	UPC No./Case No.	Subject
AFSCME - PERB	SF-CE-972M	Charge of failing to bargain over Amendment to Ordinance modifying trust for retiree health care contributions.
IAFF – Retiree Health Care Grievance/Request for Immediate Arbitration		Retirees’ “high deductible” plan subject to bargaining.
SJPOA – Civilianization Grievance	1-12-CV-231271	Arbitration regarding civilianization of positions in the Police Department.
SJPOA – 2nd Tier Retirement Arbitration		Interest arbitration over retirement pension and retiree health benefits related to Measure B.
IAFF – 2nd Tier Retirement Arbitration		Interest arbitration over retirement pension and retiree health benefits related to Measure B.
IFPTE – Charter Amendment re: Pensions - PERB	SF-CE-996M	Charge of bad faith bargaining over ballot measures on pension reform.
SJPOA – Retiree Health Care Grievance		
OE#3	SF-CE-1009M	Charge of failing to bargain over elimination of SRBR.

CITY OF SAN JOSE – ACTIVE CASE LIST
MEYERS NAVE
OCTOBER 11, 2012

Case	Opposing Party	Claims
<p><i>SIPOA v. CITY OF SAN JOSE</i> Santa Clara Co. Superior Court Case No. 112CV-225926 (135,023)</p>	<p>Plaintiff, San Jose Police Officers' Association</p> <p>Defendant, Board of Administration for Police and Fire Department Retirement Plan of City of San Jose</p>	<p>Challenge to Measure B.</p>
<p><i>ROBERT SAPIEN, et al. v. CITY OF SAN JOSE</i> Santa Clara Co. Superior Court Case No. 112CV-225928 Defendants: City of San Jose and City Manager Debra Figone (135,024)</p>	<p>Plaintiffs/Petitioners, Robert Sapien, Mary McCarthy, Thanh Ho, Randy Sekany and Ken Heredia</p> <p>Necessary Party in Interest, Board of Administration for Police and Fire Department Retirement Plan of City of San Jose</p>	<p>Challenge to Measure B.</p>
<p><i>TERESA HARRIS, et al v. CITY OF SAN JOSE, et al</i> Santa Clara Co. Superior Court Case No. 112CV-226570 Defendants: City of San Jose and City Manager Debra Figone (135,025)</p>	<p>Plaintiffs/Petitioners, Teresa Harris, Jon Reger, Moses Serrano</p> <p>Necessary Party in Interest, The Board of Administration for the 1975 Federated City Employees' Retirement Plan</p>	<p>Challenge to Measure B.</p>

CITY OF SAN JOSE – ACTIVE CASE LIST
MEYERS NAVE
OCTOBER 14, 2012

Case	Opposing Party	Claims
<p><i>JOHN MUKHAR, et al, v. CITY OF SAN JOSE, et al</i> Santa Clara Co. Superior Court Case No. 112CV-226574</p> <p>Defendants: City of San Jose and City Manager Debra Figone (135,026)</p>	<p>Plaintiffs/Petitioners, John Mukhar, Dale Dapp, James Atkins, William Buffington and Kirk Pennington</p> <p>Necessary Party in Interest, The Board of Administration for the 1975 Federated City Employees' Retirement Plan</p>	<p>Challenge to Measure B.</p>
<p><i>DEISENROTH v. CITY OF SAN JOSE</i> Santa Clara Co. Superior – Case No. 112CV-224197 (135,022)</p>	<p>Petitioner, Lorie Deisenroth</p>	<p>Claim that sick leave is a vested right.</p>
<p><i>AFSCME, LOCAL 101 v. CITY OF SAN JOSE</i> Santa Clara Co. Superior Court Case No. 112CV-227864</p> <p>Defendants: City of San Jose and City Manager Debra Figone (135,027)</p>	<p>Petitioner, American Federation Of State, County, And Municipal Employees, Local 101</p> <p>Necessary Party in Interest, The Board of Administration for Federated City Employees Retirement Plan,</p>	<p>Challenge to Measure B.</p>

CITY OF SAN JOSE - ACTIVE CASE LIST
 MEYERS NAVE
 OCTOBER 11, 2012

Case	Opposing Party	Claims
<p><i>SAN JOSE RETIRED EMPLOYEES ASSOC., et al. v. CITY OF SAN JOSE</i> <i>Santa Clara Co. Superior Court</i> <i>Case No: H2CV-233660</i></p>	<p>Plaintiffs: San Jose Retired Employees Association, Howard E. Fleming, Donald S. Macrae, Frances J. Olson, Gary J. Richert And Rosalinda Navarro</p> <p>Real Party In Interest: Board of Administration for the Federated City Employees Retirement System.</p>	<p>Challenge to Measure B.</p>