

SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA

September 11, 2018

Place: City Hall, Conference Room W-133

Time: 9:30 a.m.

Item(s) to be discussed:

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:

Initiation of litigation pursuant to Section 54956.9(d)(4) of the Government Code:

Number of matter(s) to be discussed: 1

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1):

1. Case Name Ruiz v. City, et al.

Name(s) of Parties(s) Involved: FERNANDO RUIZ, individually and on behalf of a Class of Persons similarly situated, DANIEL BUFANO, ELIJAH EL-AMIN, JOHN J. FERGUSON, CLAY MORGAN-PARKS, individually, CITY OF SAN JOSE, CHIEF EDAGO GARCIA, OFFICER SAMUAL MARQUARDT, SGT. MARIO BRASIL, OFFICER ADAM JENKINS, CPT. ANTHONY CIABURRO, OFFICER BLACKERBY, OFFICER SHIN, OFFICER PRIM and DOES 1-10

Court: U.S. District Court, Northern District, San Jose Division

Case No.: 5:17-cv-06488-LHK

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

2. Case Name State of California v. Alex M. Azar II, et al.

Name(s) of Parties(s) Involved: STATE OF CALIFORNIA, et al., ALEX M. AZAR II, in his official capacity as Acting Secretary of the U.S. Department of Health and Human Services, THE LITTLE SISTERS OF THE POOR JEANNE JUGAN RESIDENCE, MARCH FOR LIFE EDUCATION AND DEFENSE FUND

Court: U.S. Court of Appeals, Ninth Circuit

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

3. Case Name: Mozilla Corporation, et al. v. Federal Communications
Commissions and United State of America

Name(s) of Parties(s) Mozilla Corporation, Federal Communications
Involved: Commission, United States of America

Court: U.S. Court of Appeals, District of Columbia

Case No.: 18-1051(L)

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

4. Case Name: Jacquez v. City, et al.

Name(s) of Parties(s) GLORIA JACQUEZ, individually; R.J., a minor, by and
Involved: through his guardian *ad litem* Monica Mendoza,
individually and as a successor-in-interest to Decedent
RICHARD JACQUEZ; City of San José, JACOB MORRIS,
and DOES 1-50

Court: U.S. District Court, Northern District, San Jose Division

Case No.: 16-CV-05330-NC; 16-CV-05343-NC

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

**C. CONFERENCE REGARDING POTENTIAL THREAT TO PUBLIC SERVICES OR
FACILITIES PURSUANT TO GOVERNMENT CODE SECTION 54957(a):**

Consultation with: Chief of Police

**D. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE
SECTION 54957.6:**

City Negotiator: Jennifer Schembri, Director of Employee Relations

Employee Organizations:

1. Organization or Name **Association of Building, Mechanical and Electrical**
and Title of **Inspectors (ABMEI)**
Unrepresented
Employees:

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/index.aspx?NID=508>
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/index.aspx?NID=508>
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/index.aspx?NID=508>
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/index.aspx?NID=508>
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/index.aspx?NID=508>
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/index.aspx?NID=508>
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/index.aspx?NID=508>
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/index.aspx?NID=508>
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/index.aspx?NID=508>
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/index.aspx?NID=508>
Telephone – Employee Relations: (408) 535-8150

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: Memorandum of Agreement – City of San José and Association of Legal Professionals of San José
- How to Obtain a copy of Existing Contract or MOA: Web: <http://www.sanjoseca.gov/index.aspx?NID=508>
Telephone – Employee Relations: (408) 535-8150