

SAN JOSÉ CITY COUNCIL CLOSED SESSION AGENDA

February 1, 2022

Place: Teleconference

Time: **9:30 a.m.**

Item(s) to be discussed:

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

1. Case Name: In re: J. Welch

Name(s) of Parties(s)

Court: Workers Compensation Appeals Court

Case No: ADJ13490289

Amount of Money or Benefits
Other Relief Sought:

2. Case Name: City of San Jose v. All Persons Interested
in the Matter of the Issuance and sale of
Pension Obligation Bonds, etc.

Name(s) of Parties(s) CITY OF SAN JOSE, ALL PERSONS
INTERESTED IN THE MATTER OF THE
ISSUANCE AND SALE OF PENSION
OBLIGATION BONDS FOR THE
PURPOSE OF REFUNDING CERTAIN
PENSION OBLIGATIONS OWED BY THE
CITY OF SAN JOSE TO AND ALL
PROCEEDINGS LEADING THERETO,
INCLUDING THE ADOPTION OF A
RESOLUTION THAT AUTHORIZES
ISSUANCE OF PENSION OBLIGATION
BONDS, THE EXECUTION AND
DELIVERY OF A TRUST AGREEMENT
AND BOND PURCHASE AGREEMENT,
AND THE SALE OF SUCH BONDS

Court: Superior Court, County of Santa Clara

Case No: 21CV391517

Amount of Money or Other Relief Sought: Validation of legislative action authorizing issuance of bonds for the purpose of refinancing City pension obligations

3. Case Name: National Association for Gun Rights, Inc., et al. v. City of San Jose, et al.
Name(s) of Parties(s) National Association for Gun Rights, Inc., Mark Sikes, City of San Jose, Jennifer Maguire, in her official capacity as City Manager of the City of San Jose, and the City of San Jose City Council
Court: U.S. Dist. Court for the Northern District of California
Case No: 5:22-cv-00501-VKD
Amount of Money or Other Relief Sought: Declaratory and Injunctive Remedy

4. Case Name: Arata , et al. v. Sara Cody, et al.
Name(s) of Parties(s) Barry Arata, Jim Schulte, Lucia Rios, Mike Miranda, and American Frontline Workers 4 Freedom, a California 501(c)(3) non-profit corporation, Sara Cody, in her official capacity as the Health Officer of Santa Clara County, County of Santa Clara, City of San Jose and Does 1 through 10, inclusive
Court: Superior Court for Santa Clara County
Case No: 22CV393700
Amount of Money or Other Relief Sought: Declaratory and Injunctive Remedy

5. Case Name: South Bay Piping Industry Labor Management Trust v. City of San Jose
Name(s) of Parties(s) South Bay Piping Industry Labor Management Trust, City of San Jose and Does 1 through 50
Court: Superior Court for Santa Clara County
Case No: 21CV388550
Amount of Money or Other Relief Sought: Writ of Mandate

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:

Significant exposure to litigation pursuant to Sections 54956.9(d)(2) and (e)(1) of the Government Code:

Number of matter(s) to be discussed: 1

C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:

Significant exposure to litigation pursuant to Sections 54956.9(d)(2) and 54956.9(e)(3) of the Government Code:

1. Claimants(s): In re Claim of International Federation of Professional & Technical Engineers, Local 21

City Department: HR/OER

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 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/index.aspx?NI D=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?NI D=508>

Telephone – Employee Relations: (408) 535-8150

3. Organization or Name and Title of Unrepresented Employees:
Nature of negotiations:
Name of Existing Contract or MOA:

How to Obtain a copy of Existing Contract or MOA:

Association of Maintenance Supervisory Personnel (AMSP)

wages/salaries, hours, working conditions, etc.

City of San José - Association of Maintenance Supervisory Personnel (AMSP) Benefit & Compensation Summary

Web:
<http://www.sanjoseca.gov/index.aspx?NI D=508>

Telephone – Employee Relations: (408) 535-8150
4. Organization or Name and Title of Unrepresented Employees:
Nature of negotiations:
Name of Existing Contract or MOA:

How to Obtain a copy of Existing Contract or MOA:

City Association of Management Personnel Agreement (CAMP)

wages/salaries, hours, working conditions, etc.

Benefit & Compensation Summary — City of San José and City Association of Management Personnel Agreement

Web:
<http://www.sanjoseca.gov/index.aspx?NI D=508>

Telephone – Employee Relations: (408) 535-8150
5. Organization or Name and Title of Unrepresented Employees:
Nature of negotiations:
Name of Existing Contract or MOA:

International Association of Firefighters (IAFF), Local 230 (IAFF#230)

wages/salaries, hours, working conditions, etc.

Memorandum of Agreement Between City of San José and International Association of Firefighters (IAFF), Local

How to Obtain a
copy of Existing
Contract or MOA:

Web:

[http://www.sanjoseca.gov/index.aspx?NI
D=508](http://www.sanjoseca.gov/index.aspx?NI
D=508)

Telephone – Employee Relations: (408)
535-8150

6. Organization or
Name and Title of
Unrepresented
Employees:
Nature of
negotiations:

**International Brotherhood of Electrical
Workers, Local 332 (IBEW)**

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?NI
D=508](http://www.sanjoseca.gov/index.aspx?NI
D=508)

Telephone – Employee Relations: (408)
535-8150

7. Organization or
Name and Title of
Unrepresented
Employees:
Nature of
negotiations:

**Municipal Employees' Federation,
AFSCME Local 101, AFL-CIO (MEF)**

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?NI
D=508](http://www.sanjoseca.gov/index.aspx?NI
D=508)

Telephone – Employee Relations: (408)
535-8150

8. Organization or
Name and Title of
Unrepresented

**International Union of Operating
Engineers, Local No. 3 (OE#3)**

Employees:
 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?NI D=508>
 Telephone – Employee Relations: (408) 535-8150

9. Organization or Name and Title of Unrepresented Employees: **Peace Officer Park Ranger Association (POPRA)**

Nature of negotiations: wages/salaries, hours, working conditions, etc.

Name of Existing Contract or MOA: Memorandum of Agreement — City of San José and Peace Officer Park Ranger Association

How to Obtain a copy of Existing Contract or MOA: Web: <http://www.sanjoseca.gov/index.aspx?NI D=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?NI D=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?NIID=508>
- Telephone – Employee Relations: (408) 535-8150