

## SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA

December 3, 2019

Place: City Hall, Conference Room W-133

Time: 9:30 a.m.

Item(s) to be discussed:

### A. 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

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

1. Case Name: Preservation of Benefit Plan Retirees Association, et al. v. City of San José, et al.

Name(s) of Parties(s) Involved: PRESERVATION OF BENEFIT PLAN RETIREES ASSOCIATION, JOSEPH BASS, DAVID BOGGINI, LAWRENCE JAY CASTELLANO, RICHARD COCO, LESLYE CORSIGLIA, HARRY FREITAS, MICHAEL GUISTI, LINDA HORWEDEL (THE BENEFICIARY OF DECEASED CITY RETIREE JOSEPH HORWEDEL), WILLIAM HUGHES, DANNY JORDAN, EVET LOEWEN, DAVID MAAS, BARRY NG, ANITA PHAGAN, GEORGE RIOS, GARY SCHOENNAUER, KEN TANASE, WAYNE TANDA, NINA TOBIN, RANDAL TURNER, STEVEN TURNER, ROBERT WILSON, CITY OF SAN JOSÉ, BOARD OF THE ADMINISTRATION OF THE FEDERATED CITY EMPLOYEES' RETIREMENT SYSTEM; NORBERTO DUEÑAS, IN HIS OFFICIAL CAPACITY AS THE CITY MANAGER OF THE CITY OF SAN JOSÉ, AND DOES 1-50

Court: Superior Court of the State of California, County of Santa Clara, Unlimited Jurisdiction

Case No.: 17CV312610

Amount of Money or Petition for Writ of Mandate  
Other Relief Sought:

2. Case Name: Hernandez v. City, et al.  
Name(s) of Parties(s) YANIRA HERNANDEZ; CITY OF SAN JOSE; GEOFFREY  
Involved: EVATT GRAVES; and DOES ONE through FORTY-NINE,  
inclusive.  
Court: Superior Court of the State of California, County of Santa  
Clara, Unlimited Jurisdiction  
Case No.: 1-14-CV-270467  
Amount of Money or Damages according to proof  
Other Relief Sought:
3. Case Name: Anderson, et al v. City of San Jose & San Jose City  
Council  
Name(s) of Parties(s) SARAH ANDERSON, JOANA CRUZ, URBAN HABITAT  
Involved: PROGRAM AND HOUSING CALIFORNIA, CITY OF SAN  
JOSE, a governmental entity, SAN JOSE CITY COUNCIL,  
and DOES 1-50  
Court: Superior Court of California, County of Santa Clara; and  
California Court of Appeal, San Jose Division  
Case No.: 16-CV-297950 and H045271  
Amount of Money or Damages according to proof  
Other Relief Sought:
4. Case Name: Momi, Jag v. Jamie Kerin, Bryan Wayne Hodges, City of  
San Jose, et al.  
Name(s) of Parties(s) JAG MOMI, JAMIE KERIN, BRYAN WAYNE HODGES,  
Involved: CITY OF SAN JOSE, and DOES 1 to 20  
Court: Superior Court of California, County of Santa Clara  
Case No.: 17CV318467  
Amount of Money or Damages according to proof  
Other Relief Sought:

**C. 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: **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
  
2. 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