

SAN JOSÉ CITY COUNCIL CLOSED SESSION AGENDA

November 29, 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: Mark Thompson, et al. v City of San Jose, et al.
Name(s) of Parties(s) Involved: MARK THOMPSON; RACHELLE IMUS; JEFFREY P. ECHIVAROV; JOHN ORTIZ; JASON IMUS; SARA HOPE; CHERYL IMUS, CITY OF SAN JOSE; VANESSA BARRESA; SAULEZA; SANDRA MURILLO, AND DOES 1-10, INCLUSIVE
Court: United States District Court; For the Northern District of California – San Francisco
Case No.: 3:22-cv-07186-JSC
Amount of Money or Other Relief Sought: Monetary Damages/Injunctive Relief
2. Case Name: City of Long Beach, et al. v Monsanto Company, et al.
Name(s) of Parties(s) Involved: CITY OF LONG BEACH, a municipal corporation; COUNTY OF LOS ANGELES, a political subdivision; CITY OF CHULA VISTA, a municipal corporation; CITY OF SAN DIEGO, a municipal corporation; CITY OF SAN JOSE, a municipal corporation; CITY OF OAKLAND, a municipal corporation; CITY OF BERKELEY, a municipal corporation; CITY OF SPOKANE, a municipal corporation; CITY OF TACOMA, a municipal corporation; CITY OF PORTLAND, a municipal corporation; PORT OF PORTLAND, a port district of the State of Oregon; BALTIMORE COUNTY, a political subdivision; MAYOR AND CITY COUNCIL OF BALTIMORE; all individually and on behalf of all others similarly situated, MONSANTO COMPANY; SOLUTIA INC., and PHARMACIA LLC, and DOES 1 through 100

Court: United States District Court, Central District of California
– Western Division

Case No.: 2:16-cv-03493-FMO-AS

Amount of Money Class Action Settlement
or Other Relief
Sought:

3. Case Name: Rosenbaum, Zachary v. City of San Jose, et al.,
Name(s) of ZACHARY ROSENBAUM, CITY OF SAN JOSE;
Parties(s) OFFICERS RYAN FERGUSON #3921; SGT.
Involved: HATEZNBUEHLER #3899; DUNN #4309; SGT.
GUTIERREZ #3359; ANDERSON #3884; TAPIA #4743;
VALLEJO #3929; OCHOA #3683 and DOES 1-25
Court: United States District Court; For the Northern District of
California
Case No.: 5:20-cv-04777-NC
Amount of Money Damages according to proof.
or Other Relief
Sought:

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 REAL PROPERTY DESIGNATED REPRESENTATIVES
PURSUANT TO GOVERNMENT CODE SECTION 54956.8:**

1. Property Street 1480 Lundy Avenue (245-43-019), San Jose, California
Address, Parcel 95131
Number, or Other
Unique Reference
of Property:
Negotiating Nanci Klein on behalf of the City of San Jose; Richard
Parties: Hardy and Sethena Leiker of Cushman & Wakefield;
Allan Frost, John B. Haynes; Janice C. O'Brien; Neal F.
Frost, Jr.; Matthew W. Frost
Under Negotiation: The direction will concern price and terms of payment.
Likely Range of Negotiated price based on comparable rental values.
Value of Property:
2. Property Street 1500 Lundy Avenue (245-43-017), San Jose, California
Address, Parcel 95131
Number, or Other
Unique Reference
of Property:

Negotiating Parties: Nanci Klein on behalf of the City of San Jose; Richard Hardy and Sethena Leiker of Cushman & Wakefield; Allan Frost, John B. Haynes; Janice C. O'Brien; Neal F. Frost, Jr.; Matthew W. Frost

Under Negotiation: The direction will concern price and terms of payment.

Likely Range of Value of Property: Negotiated price based on comparable rental values.

3. Property Street Address, Parcel Number, or Other Unique Reference of Property: 1528 Frost Drive (245-43-020), San Jose, California 95131
- Negotiating Parties: Nanci Klein on behalf of the City of San Jose; Richard Hardy and Sethena Leiker of Cushman & Wakefield; Allan Frost, John B. Haynes; Janice C. O'Brien; Neal F. Frost, Jr.; Matthew W. Frost
- Under Negotiation: The direction will concern price and terms of payment.
- Likely Range of Value of Property: Negotiated price based on comparable rental values.

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: **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: <https://www.sanjoseca.gov/your-government/departments/employee-relations/labor-relations-information/bargaining-units-labor-contract-info>
Telephone – Employee Relations: (408) 535-8150
2. 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: https://www.sanjoseca.gov/your-government/departments/employee-relations/labor-relations-information/bargaining-units-labor-contract-info Telephone – Employee Relations: (408) 535-8150