



City Council Meeting MINUTES

Tuesday, August 17, 2021

1:30 PM

**Hybrid Meeting - Council Chambers and Virtually -
<https://sanjoseca.zoom.us/j/93052835954>**

SAM LICCARDO, MAYOR
CHAPPIE JONES, VICE MAYOR, DISTRICT 1
SERGIO JIMENEZ, DISTRICT 2
RAUL PERALEZ, DISTRICT 3
DAVID COHEN, DISTRICT 4
MAGDALENA CARRASCO, DISTRICT 5
DEV DAVIS, DISTRICT 6
MAYA ESPARZA, DISTRICT 7
SYLVIA ARENAS, DISTRICT 8
PAM FOLEY, DISTRICT 9
MATT MAHAN, DISTRICT 10



MINUTES OF THE CITY COUNCIL

August 3, 2021

Consistent with the California Governor's Executive Order No. N-29-20, Resolution No. 79450 from the City of San José and the Santa Clara County Health Officer's March 16, 2020 Shelter in Place Order, the City Council meeting was not physically open to the public. Public comments were accepted via eComment, email, by phone and webinar.

The Council meeting was teleconferenced from remote locations.

21-1771: CLOSED SESSION. See Page 14 for Closed Session Minutes.

- **Call to Order and Roll Call**

9:30 a.m. - Closed Session: All Present.

1:30 p.m. - Regular Session: All Present.

- **Pledge of Allegiance**

Mayor Sam Liccardo led the Pledge of Allegiance.

- **Invocation (District 7)**

The Khmer Krom Buddhist monks of the Khemara Rangsey Temple offered a traditional Buddhist blessing.

- **Orders of the Day**

The Orders of the Day and the Amended Agenda were approved with Items 3.4, 3.5, 3.6 and 3.7 to be heard concurrently.

Councilmember Maya Esparza shared that this meeting would be adjourned in memory of Nicolas Jaramillo who served as the Career Hub Coordinator for Goodwill Silicon Valley.

- **Closed Session Report**

None provided.

1. CEREMONIAL ITEMS

None provided.

2. CONSENT CALENDAR

Upon motion by Councilmember Magdalena Carrasco, seconded by Councilmember Maya Esparza and carried unanimously, the Consent Calendar was approved and the below listed actions were taken as indicated. (11-0.)

Public Comments: Blair Beekman, Tessa Woodmansee and Paul Soto provided comments.

2.1 Approval of City Council Minutes.

None provided.

2.2 Final Adoption of Ordinances.

None provided.

2.3 Approval of Council Committee Minutes.

21-1829

Approval of Council Committee Minutes.

- (a) Regular Joint Meeting for the Rules and Open Government Committee and Committee of the Whole Meeting Minutes of August 4, 2021.
 - (b) Regular Joint Meeting for the Rules and Open Government Committee and Committee of the Whole Meeting Minutes of July 28, 2021.
 - (c) Regular Joint Meeting for the Rules and Open Government Committee and Committee of the Whole Meeting Minutes of May 19, 2021.
- CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

Action: The Council Committee Minutes were approved. (11-0.)

2.4 Mayor and Council Excused Absence Requests.

None provided.

2.5 City Council Travel Reports.

None provided.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 21-1781 Actions Related to the Timeline to Complete Redistricting Due to Delays in the 2020 Census.

(a) Approve an ordinance adjusting the deadline to enact a redistricting ordinance as permitted under Charter Section 403.

(b) Adopt a resolution amending Resolution No. 79867 to set a new deadline for the Redistricting Commission to submit its reports and recommendations to the City Council in accordance with Charter Section 403 as directed by the City Council on October 27, 2020 and January 26, 2021.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities, resulting in no changes to the physical environment. (City Clerk)

Action: (a) **Ordinance No. 30627** adjusting the deadline to enact a redistricting ordinance as permitted under Charter Section 403 was passed for publication; and (b) **Resolution No. 80173** amending Resolution No. 79867 was adopted. (11-0.)

2.8 21-1772 Adoption of Appropriation Ordinance and Funding Sources Resolution Amendments in Various Funds to Rebudget Funds to 2021-2022 for Completion of Projects.

(a) Adopt the following 2021-2022 Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:

(1) Increase the Revenue from Federal Government by \$372,000;

(2) Increase the Revenue from State of California by \$384,000;

(3) Establish the Internet Crimes Against Children Task Force Invited Awards - Police 2020 appropriation to the Police Department in the amount of \$372,000; and

(4) Increase the Internet Crimes Against Children State Grant 2020-2021 appropriation to the Police Department by \$384,000.

(b) Adopt the following 2021-2022 Appropriation Ordinance and Funding Sources Resolution amendments in the Community Development Block Grant Fund:

(1) Increase the Beginning Fund Balance by \$1,200,000; and

(2) Increase the Public Works Neighborhood Infrastructure Improvements appropriation to the Public Works Department by \$1,200,000.

(c) Adopt the following 2021-2022 Appropriation Ordinance and Funding Sources Resolution amendments in the Construction and Property Conveyance Tax Fund: City-wide Parks Purposes:

(1) Increase the Beginning Fund Balance by \$270,000; and

(2) Increase the TRAIL: Coyote Creek Fish Passage Remediation and Pedestrian Bridge (Singleton Crossing) appropriation to the Parks, Recreation and Neighborhood Services Department by \$270,000.

(d) Adopt the following 2021-2022 Appropriation Ordinance and Funding Sources Resolution amendments in the Construction and Property Conveyance Tax Fund: Parks Purposes Council District #7:

(Item Continued on the Next Page)

2.8 (Cont'd.)

- (1) Increase the Beginning Fund Balance by \$1,140,000; and
 - (2) Increase the TRAIL: Coyote Creek Fish Passage Remediation and Pedestrian Bridge (Singleton Crossing) appropriation to the Parks, Recreation and Neighborhood Services Department by \$1,140,000.
- CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (City Manager)

Action: (a) Appropriation **Ordinance No. 30628** and Funding Resources Amendment **Resolution No. 80174** in the General Fund; (b) Appropriation **Ordinance No. 30629** and Funding Resources Amendment **Resolution No. 80175** in the Community Development Block Grant Fund; (c) Appropriation **Ordinance No. 30630** and Funding Resources Amendment **Resolution No. 80176** Construction and Property Conveyance Tax Fund: City-wide Parks Purposes; and (d) Appropriation **Ordinance No. 30649** and Funding Resources Amendment **Resolution No. 80177** in the Construction and Property Conveyance Tax Fund: Parks Purposes Council District #7 were adopted. (11-0.)

2.9 21-1774 Amendment to the City Pay Plan for Various Classifications.

- (a) Adopt a resolution amending the City of San José Pay Plan effective August 17, 2021, to create the Latent Fingerprint Examiner, Supervisor (2247) with an annual salary range of \$115,204.72 - \$140,549.76. The salary range excludes the general wage increase currently pending Council approval.
 - (b) Approve the following position changes in the Police Department:
 - (1) Add 1.0 Latent Fingerprint Examiner, Supervisor; and
 - (2) Delete 1.0 Program Manager.
- CEQA: Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment. (Human Resources/Police/City Manager)

Action: (a) **Resolution No. 80178** amending the City of San José Pay Plan was adopted, including (b) position changes in the Police Department as noted. (11-0.)

2.10 21-1776 Actions Related to Lease Agreement with Franklin McKinley School District to Establish an Eviction Prevention Help Center.

Adopt a resolution ratifying a lease agreement with Franklin McKinley School District, in an amount not to exceed \$20,000 through July 30, 2022 to establish an eviction prevention help center assisting low-income San José residents with obtaining assistance for rental and utility relief, legal services and other social service referrals.

CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment. (Housing)

Action: **Resolution No. 80179** ratifying a lease agreement with Franklin McKinley School District was adopted. (11-0.)

2.11 21-1799 Approval of Trash Punx eWaste Event Sponsored by Council District 9 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on August 4, 2021:

- (a) Approve the Trash Punx eWaste Event scheduled on August 21, 2021 as a City Council sponsored Special Event and approve the expenditure of funds; and
 - (b) Approve and accept donations from various individuals, businesses, or community groups to support the event.
- (Foley) [Rules Committee referral 8/4/2021 - Item G.1.b]

Action: The City Council Sponsored Special Event was approved. (11-0.)

2.12 21-1840 Retroactive Approval of Dumpster Day Sponsored by Council District 5 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on August 11, 2021:

- (a) Retroactively approve the Dumpster Day Event scheduled on July 17, 2021 as a City Council sponsored Special Event and approve the expenditure of funds; and
 - (b) Approve and accept donations from various individuals, businesses, or community groups to support the event.
- (Carrasco) [Rules Committee referral 8/11/2021 - Item G.1.a]

Action: The City Council Sponsored Special Event was retroactively approved. (11-0.)

2.13 21-1847 Retroactive Approval of Movie Night at Rubino Park Sponsored by Council District 6 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on August 11, 2021:

- (a) Retroactively approve the Movie Night at Rubino Park scheduled on August 7, 2021 as a City Council sponsored Special Event and approve the expenditure of funds; and
 - (b) Approve and accept donations from various individuals, businesses, or community groups to support the event.
- (Davis) [Rules Committee referral 8/11/2021 - Item G.1.b]

Action: The City Council Sponsored Special Event was retroactively approved. (11-0.)

2.14 21-1854 Approval of Movie Night at Municipal Rose Garden Sponsored by Council District 6 as a City Council Sponsored Special Event to Expend City Funds and Accept Donations of Materials and Services for the Event.

As recommended by the Rules and Open Government Committee on August 11, 2021:

(a) Approve the Movie Night at Municipal Rose Garden scheduled on August 28, 2021 as a City Council sponsored Special Event and approve the expenditure of funds; and

(b) Approve and accept donations from various individuals, businesses, or community groups to support the event.

CEQA: Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment. (Davis)

[Rules Committee referral 8/11/2021 - Item G.1.c]

Action: The City Council Sponsored Special Event was approved. (11-0.)

2.15 21-1832 Boards and Commissions Appointment.

Approve the following Boards and Commissions appointments:

(a) Library and Education Commission:

(1) District 9 Seat: Kenneth Kelly to a term ending June 30, 2025.

(b) Historic Landmarks Commission:

(1) Appoint Steve Nestle to a term ending June 30, 2025.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (City Clerk)

[Rules Committee referral 8/11/2021 - Item A.1.a]

Action: The Board and Commissions Appointments were approved. (11-0.)

3. STRATEGIC SUPPORT

3.1 Report of the Acting City Manager, Jennifer Maguire (Verbal Report)

None provided.

3.2 Labor Negotiations Update.

None provided.

3.3 21-1773 Extension of the Proclamation of Local Emergency Related to COVID-19.

Adopt a resolution finding the continued existence of a local emergency and extending the March 6, 2020 Director of Emergency Services' proclamation of a local emergency resulting from community spread of the coronavirus, also known as COVID-19, in the City of San José.

CEQA: Statutorily Exempt, CEQA Guidelines Section 15269, Emergency Projects Undertaken for Specific Actions Necessary to Prevent or Mitigate an Emergency. (City Manager)

3.3 (Cont'd.)

Public Comments: Blair Beekman, Tessa Woodmansee, Roland LeBrun and Paul Soto spoke.

Chief of Staff, Office of the City Manager, Lee Wilcox, introduced the topic and provided the COVID-19 Pandemic Update; and Director of the Office of Emergency Management, Ray Riordan presented the request for Emergency Proclamation Extension.

Director of Housing Jacky Morales-Ferrand; Chris Alexander; Director of Civic Innovation, Dolan Beckel and Deputy Director of Housing, Ragan Henninger responded to questions.

Action: Upon motion by Councilmember Maya Esparza, seconded by Councilmember Sylvia Arenas and carried unanimously, **Resolution No. 80180** extending the March 6, 2020 Director of Emergency Services' proclamation of a local emergency was adopted. (11-0.)

Note: Items 3.4 – 3.7 were heard concurrently.

3.4 21-1789 **Approval of the Terms of Agreements with the Association of Engineers and Architects, IFPTE Local 21 (AEA), Units 41/42 and Association of Engineers and Architects, IFPTE Local 21 (AEA), Unit 43 for the Term of July 1, 2021, Through June 30, 2023.**

Adopt a resolution:

(a) Approving the terms of a collective bargaining agreement between the City and the Association of Engineers and Architects, IFPTE, Local 21 (AEA), Units 41/42 for the term of July 1, 2021, through June 30, 2023, and authorizing the City Manager to execute an agreement with those terms; and

(b) Approving the terms of a collective bargaining agreement between the City and the Association of Engineers and Architects, IFPTE, Local 21 (AEA), Unit 43 for the term of July 1, 2021 through June 30, 2023, and authorizing the City Manager to execute an agreement with those terms.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (City Manager)

Director of Employee Relations/Human Resources, Jennifer Schembri spoke and thanked all involved.

Public Comments: Matt Mason (Local 21), Blair Beekman and Paul Soto provided comments.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember David Cohen and carried unanimously, **Resolution No. 80181** approving the terms of a collective bargaining agreement between the City and the Association of Engineers and Architects, IFPTE, Local 21 (AEA), Units 41/42 was adopted. (11-0.)

- 3.5 21-1790 Approval of the Terms of an Agreement with the Association of Maintenance Supervisory Personnel, IFPTE Local 21 (AMSP) for the Term of July 1, 2021, Through June 30, 2023.**
Adopt a resolution approving the terms of a collective bargaining agreement between the City and the Association of Maintenance Supervisory Personnel, IFPTE, Local 21 (AMSP) for the term of July 1, 2021, through June 30, 2023, and authorizing the City Manager to execute an agreement with those terms.
CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the environment. (City Manager)

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember David Cohen and carried unanimously, **Resolution No. 80182** Approving the terms of a collective bargaining agreement between the City and the Association of Maintenance Supervisory Personnel, IFPTE, Local 21 (AMSP) was adopted. (11-0.)

- 3.6 21-1791 Approval of the Terms of an Agreement with the City Association of Management Personnel, IFPTE Local 21 (CAMP) for the Term of July 1, 2021, Through June 30, 2023.**
Adopt a resolution approving the terms of a collective bargaining agreement between the City and the City Association of Management Personnel, IFPTE, Local 21 (CAMP) for the term of July 1, 2021, through June 30, 2023, and authorizing the City Manager to execute an agreement with those terms.
CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (City Manager)

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember David Cohen and carried unanimously, **Resolution No. 80183** Approving the terms of a collective bargaining agreement between the City and the City Association of Management Personnel, IFPTE, Local 21 (CAMP) was adopted. (11-0.)

- 3.7 21-1792 Approval of the Terms of an Agreement with the Municipal Employees' Federation (MEF), AFSCME Local 101, for the Term of July 1, 2021, Through June 30, 2023.**
Adopt a resolution approving the terms of a collective bargaining agreement between the City and the Municipal Employees' Federation, AFSCME Local 101 (MEF) for the term of July 1, 2021, through June 30, 2023, and authorizing the City Manager to execute an agreement with terms.
CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (City Manager)

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember David Cohen and carried unanimously **Resolution No. 80184** Approving the terms of a collective bargaining agreement between the City and the Municipal Employees' Federation, AFSCME Local 101 (MEF) was adopted. (11-0)

3.8 21-1775 2021-2023 Information Technology Strategic Plan Report.

As recommended by the Smart Cities and Service Improvements Committee on June 3, 2021, accept the report on the City's proposed 2021-2023 Information Technology Strategic Plan.

CEQA: Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action. (Information Technology/City Manager)

[Smart Cities and Service Improvements Committee referral 6/3/2021 - Item (d)1]

[Deferred from 8/10/2021 - Item 3.6 (21-1712)]

Public Comments: Blair Beekman and Paul Soto provided comments.

Chief Information Officer Rob Lloyd provided a presentation, and he and Assistant CIO, ITD, Jerry Driessen responded to questions.

Action: Upon motion by Councilmember Maya Esparza, seconded by Councilmember Sylvia Arenas and carried unanimously, the 2021-2023 Information Technology Strategic Plan Report was accepted. (11-0.)

4. PUBLIC SAFETY SERVICES

5. TRANSPORTATION & AVIATION SERVICES

6. ENVIRONMENTAL & UTILITY SERVICES

7. NEIGHBORHOOD SERVICES

8. COMMUNITY & ECONOMIC DEVELOPMENT

9. REDEVELOPMENT – SUCCESSOR AGENCY

10. LAND USE

10.1 Land Use on Consent Calendar

No Land Use items on Consent Calendar.

END OF CONSENT CALENDAR

10 Land Use - Regular Agenda

10.2 21-1785 C19-016 & CP18-027 - Conforming Rezoning and Site Development Permit for Property Located on the northeast corner of Story Road and South Jackson Avenue.

- (a) Adopt a resolution adopting the Initial Study/Mitigated Negative Declaration for the Rotten Robbie on Story Road project and the associated Mitigation Monitoring and Reporting Plan, all in accordance with the California Environmental Quality Act (CEQA).
 - (b) Approve an ordinance rezoning certain real property located on the northeast corner of Story Road and South Jackson Avenue from the CP Commercial Pedestrian Zoning District to the CN Commercial Neighborhood Zoning District on an approximately 0.53 gross acre site.
 - (c) Adopt a resolution approving, subject to conditions, a Site Development Permit to allow the demolition of an existing approximately 1,500 square foot convenience store for the construction of an approximately 3,200 square foot convenience store and a Conditional Use Permit and Determination of Public Convenience or Necessity to allow off sale alcohol (Type 20 ABC License - Beer and Wine only) with late night use (hours of operation 5:00 am to 11:00 pm) on an approximately 0.53 gross acre site.
- CEQA: Initial Study/Mitigated Negative Declaration (IS/MND) for the Rotten Robbie on Story Road. Council District 5. (Planning, Building and Code Enforcement)
- [Continued from 6/22/2021 - Item 10.1(b) (21-1478); Deferred from 6/29/2021 - Item 10.1(b) (21-1630) and 8/3/2021 - Item 10.2 (21-1672)]

Public Comments: Caller “5140”, Tessa Woodmansee, Blair Beekman, Paul Soto, and Roland LeBrun provided public comments.

Armando Gomez, representing Robinson Oil, spoke to the merits of the project.

Action: Upon motion by Councilmember Magdalena Carrasco, seconded by Councilmember Maya Esparza, the motion carried, and (a) **Resolution No. 80185** adopting the Initial Study/Mitigated Negative Declaration for the Rotten Robbie on Story Road project and the associated Mitigation Monitoring and Reporting Plan was adopted; (b) **Ordinance No 30650** rezoning certain real property located on the northeast corner of Story Road and South Jackson Avenue was passed for publication; and (c) **Resolution No. 80186** approving, subject to conditions, a Site Development Permit to allow the demolition of an existing approximately 1,500 square foot convenience store was adopted. (10-1. Noes: Liccardo.)

- **Notice of City Engineer's Pending Decision on Final Maps**

FOR RECEIPT:

Tract: 10563

Location: west side of Union Avenue, 1,070 feet northerly of Camden Avenue

District: 9

Lots/Units: 43/40 (40 residential lots, 3 common lots)

Type: SFD

Developer: Robson Homes, LLC

OPEN FORUM

1. Blair Beekman spoke to open democracy, equity and reimagining.
2. Roland addressed the City's high speed rail strategy, recommending the project be referred to MTC Megaprojects for delivering on time and on budget.
3. Carl Guardino, Executive VP, announced *Bloom Energy's Stars and Strides* walk/run to honor and support Santa Clara County's frontline medical workers and the communities they serve, and invited everyone to participate on August 22 in Discovery Meadow.
4. Tessa Woodmansee urged using land at 615 Stockton Avenue for a community garden, addressed moral injustice done to those native to this land and need for controlling pollution.
5. Paul Soto noted implications of what was said during today's meeting regarding the emergency proclamation, offered appreciation for the technology report, and addressed the quantification of what equity means.
6. Caller "5140" expressed criticism of the council and mayor.

ADJOURNMENT

The Council of the City of San José adjourned at 5:55 p.m. in memory of Nicolas Jaramillo who served as the Career Hub Coordinator for Goodwill Silicon Valley and was a vital partner in the All The Way Home Campaign to end veteran homelessness. A formerly homeless veteran himself, Nicolas was a role model who understood how to connect with those he served, and did so with passion, commitment, and a heart for service. Even as he built his own life, his focus on helping others served as an inspiration for all who knew him. He leaves behind a grateful community and will be sorely missed.

Minutes Recorded, Prepared and Respectfully Submitted by,

Ruth Krantz

Ruth Krantz, CMC

Deputy City Clerk, City of San Jose

Approved at Council _____

Attest:

Toni J. Taber, CMC
City Clerk

rmk/08-17-2021 MIN



SAN JOSÉ CITY COUNCIL CLOSED SESSION

AUGUST 17, 2021

The Council of the City of San José convened into Closed Session at 9:30 a.m.
This meeting was teleconferenced from remote locations.

Present: Councilmembers - Arenas, Carrasco, Davis, Esparza, Mahan, Jimenez,
Jones, Cohen, Peralez, Foley; Liccardo.

Absent: Councilmembers - All present.

Closed Session Item(s) discussed:

A. 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 CSAA aso Eduard Yusupov
City Department: Police

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

1. Case Name: Bosworth, et al. v. City, et al.
Name(s) of Parties(s) Involved: JESSE BOSWORTH, NANCY BOSWORTH,
ELIZABETH CAMPBELL, CITY OF SAN JOSE;
JENNIFER CLEAR; ROBERT FINNIE; MARIO
TATOM; JUAN CEBALLOS; ROLANDO SEGURA;
ERIN ARANA; TOPUI FONUA; RICHARD
HARRISON; and DOES 1-50, inclusive

Court: U.S. District Court; Northern District of California

Case No.: 5:18-cv-05459 NC

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

2. 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 Other Relief Sought: Damages according to proof

C. 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

D. PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957:

Department or Agency: City Manager
Title: City Manager

E. 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?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:

How to Obtain a copy of Existing Contract or MOA: | City of San José - Association of Maintenance Supervisory Personnel (AMSP) Benefit & Compensation Summary

Web: http://www.sanjoseca.gov/index.aspx?NID=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?NID=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:

How to Obtain a copy 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 230

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 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
7. 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
8. 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 |
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?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

By unanimous consent, Council recessed from the Closed Session to reconvene in Regular Open Session at 1:30 p.m. in the Council Chambers.