

SAN JOSE CITY COUNCIL CLOSED SESSION AGENDA

August 7, 2018

Notice of Participation of Councilmember Jimenez by Teleconference

Councilmember Sergio Jiménez intends to participate in the Closed Session of the City Council Meeting on August 7, 2018 at 9:00 a.m. Pacific Time by teleconference from the Business Center at Super Manzana, 11 Manzana, 9 Privada Lote 10 a, Benito Juarez, 77580 Puerto Morelos, Q.R. Mexico

Place: City Hall, Conference Room W-133

Time: **9:00 a.m. (Special Time)**

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: Claim of Mauldin

Name(s) of Parties(s)

Involved:

Court: Workers Compensation Appeals Court

Case No.: ADJ10489758

Amount of Money or Other Benefits

Relief Sought:

2. Case Name: In re: Claim of Lem

Name(s) of Parties(s)

Involved:

Court: Workers Compensation Appeals Court

Case No.: ADJ3853013; ADJ7457754

Amount of Money or Other Benefits

Relief Sought:

3. Case Name: In re: Claim of Haws

Name(s) of Parties(s)

Involved:

Court: Workers Compensation Appeals Court

Case No.: ADJ9436007; ADJ9436200; ADJ9436201;
ADJ9436006; ADJ9436461 and ADJ9436462

Amount of Money or Other Benefits
Relief Sought:

4. Case Name: Sutter's Place, Inc. dba Bay 101 v. City of San Jose
Name(s) of Parties(s) SUTTER'S PLACE, INC. dba BAY 101; CITY OF SAN
Involved: JOSE; the DIVISION OF GAMING CONTROL
Court: Superior Court of California, County of Santa Clara
Case No.: 1-13-CV-258057

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

5. Case Name: Hernandez, et al. v. City of San Jose, et al.
Name(s) of Parties(s) JUAN HERNANDEZ; NATHAN VELASQUEZ; FRANK
Involved: VELASQUEZ; MARK DOERING; MARY DOERING;
BARBARA ARIGONI; DUSTIN HAINES-SCRODIN;
ANDREW ZAMBETTI; CHRISTINA WONG; CRAIG
PARSONS; I.P. a minor individual; GRAG HYVER;
TODD BROOME; DONOVAN ROST; MICHELE
WILSON; COLE CASSADY; THEODORE JONES;
MARTIN MERCADO; CHRISTOPHER HOLLAND,
RACHEL CASEY; CITY OF SAN JOSE; LOYD
KINSWORTHY; LISA GANNON; KEVIN ABRUZZINI;
PAUL MESSIER; PAUL SPAGNOLI; JOHNSON
FONG; JASON TA, and DOES 1-15, inclusive
Court: U.S. Court of Appeals; Ninth Circuit, Appellate Division
Case No.: 17-15576
(D.C. No. 5:16-cv-03957-LHK)

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

6. Case Name: Stand for San José, et al. v. City, et al.
Name(s) of Parties(s) CITY OF SAN JOSE; CITY COUNCIL OF THE CITY
Involved: OF SAN JOSE; SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY OF THE CITY OF SAN
JOSE; STAND FOR SAN JOSE; EILEEN HANNAN;
MICHELLE BRENOT; ROBERT BROWN; KAREN
SHIREY; FRED SHIREY; and ROBERT SHIELDS; and
DOES 1-10, inclusive
Court: Superior Court of California
County of Santa Clara, Unlimited Jurisdiction
Case No.: 1-14-CV-274088

Amount of Money or Other Relief Sought: Writ of Mandamus and Complaint for Declaratory Relief and Injunction Relief and for Attorneys Fees

7. Case Name: Plata, Raymond and Michelle v. City of San José
Name(s) of Parties(s) Involved: RAYMOND AND MICHELLE PLATA, individually and on behalf of other members of a class of similarly situated residents and taxpayers, CITY OF SAN JOSÉ
Court: Superior Court of California, County of Santa Clara
Case No.: 1-14-CV-258879

Amount of Money or Other Relief Sought: Declaratory Relief, Injunctive Relief

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:

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

Number of matter(s) to be discussed: 1

C. PUBLIC EMPLOYMENT/PUBLIC EMPLOYEE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957:

Title: Independent Police Auditor
Name: Aaron Zisser

D. CONFERENCE WITH REAL PROPERTY DESIGNATED REPRESENTATIVES PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

Property Street Address, Parcel Number, or Other Unique Reference of Property: Champions Way
10.5 acre portion of APN 230-46-084

Negotiating Parties: Nanci Klein for the City of San José
and
Ed Storm, Deke Hunter for Coleman Airport Partners, LLC and Lew and Keith Wolff for Earthquakes Soccer, LLC.

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

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:** **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
- 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
- 3. 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

4. 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