

## **SAN JOSÉ CITY COUNCIL CLOSED SESSION AGENDA**

**October 5, 2021**

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: Harper, Timothy v. City of San Jose, et al.  
Name(s) of Parties(s) Involved: TIMOTHY HARPER; CITY OF SAN JOSE, EDGARDO “EDDIE” GARCIA, JASON DWYER, CHRISTOPHER SCIBA, JARED YUEN  
Court: U.S. District Court, Northern District of California  
Case No.: 5:21-cv-00519-BLF  
Amount of Money or Other Relief Sought: Damages according to Proof
2. Case Name: In re: Mark Pate  
Name(s) of Parties(s) Involved:  
Court: Workers Compensation Appeals Court  
Case No.: ADJ10403043, ADJ10402777  
Amount of Money or Other Relief Sought: Benefits
3. Case Name: In re: Jose Vargas  
Name(s) of Parties(s) Involved:  
Court: Workers Compensation Appeals Court  
Case No.: ADJ12434211

Amount of Benefits  
Money or Other  
Relief Sought:

4. Case Name: In re: Scott Fey

Name(s) of  
Parties(s)  
Involved:

Court: Workers Compensation Appeals Court

Case No.: ADJ12591034

Amount of Benefits  
Money or Other  
Relief Sought:

5. Case Name: In re: Tim Pedemonte

Name(s) of  
Parties(s)  
Involved:

Court: Workers Compensation Appeals Court

Case No.: ADJ13991956

Amount of Benefits  
Money or Other  
Relief Sought:

6. Case Name: Nguyen, Dai Trang Thi v. City of San Jose et al.,

Name(s) of DAI TRANG THI NGUYEN, an individual; CITY OF SAN  
Parties(s) JOSE; WILLIAM GERRY, an individual; and DOES 1-100,  
Involved: inclusive;

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

Case No.: 5:21-cv-00092-EJD

Amount of Damages according to Proof  
Money 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 LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:**

City Negotiator: Jennifer Schembri, Director of Employee Relations

Employee Organizations:

1.        Organization or        **Association of Building, Mechanical and Electrical**  
Name and Title        **Inspectors (ABMEI)**  
                                 of  
                                 Unrepresented  
                                 Employees:  
                         Nature of        wages/salaries, hours, working conditions, etc.  
negotiations:  
                         Name of        Memorandum of Agreement – City of San José and  
Existing        Association of Building, Mechanical and Electrical  
Contract or        Inspectors (ABMEI)  
MOA:  
How to Obtain a        Web: <http://www.sanjoseca.gov/index.aspx?NID=508>  
copy of Existing        Telephone – Employee Relations: (408) 535-8150  
Contract or  
MOA:
  
2.        Organization or        **Association of Engineers & Architects (AEA)**  
Name and Title  
                                 of  
                                 Unrepresented  
                                 Employees:  
                         Nature of        wages/salaries, hours, working conditions, etc.  
negotiations:  
                         Name of        Memorandum of Agreement — City of San José and  
Existing        Association of Engineers & Architects (AEA)  
Contract or  
MOA:  
How to Obtain a        Web: <http://www.sanjoseca.gov/index.aspx?NID=508>  
copy of Existing        Telephone – Employee Relations: (408) 535-8150  
Contract or  
MOA:
  
3.        Organization or        **Association of Maintenance Supervisory Personnel**  
Name and Title        **(AMSP)**  
                                 of  
                                 Unrepresented  
                                 Employees:  
                         Nature of        wages/salaries, hours, working conditions, etc.  
negotiations:  
                         Name of        City of San José - Association of Maintenance  
Existing        Supervisory Personnel (AMSP) Benefit & Compensation  
Contract or        Summary  
MOA:

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: **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
5. 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
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.sanjooseca.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.sanjooseca.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.sanjooseca.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.

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|  | 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: <a href="http://www.sanjoseca.gov/index.aspx?NID=508">http://www.sanjoseca.gov/index.aspx?NID=508</a><br>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.
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|--|---|--|
|  | 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: <a href="http://www.sanjoseca.gov/index.aspx?NID=508">http://www.sanjoseca.gov/index.aspx?NID=508</a><br>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.
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|--|---|--|
|  | 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: <a href="http://www.sanjoseca.gov/index.aspx?NID=508">http://www.sanjoseca.gov/index.aspx?NID=508</a><br>Telephone – Employee Relations: (408) 535-8150 |