

SAN JOSE CITY COUNCIL SPECIAL CLOSED SESSION AGENDA

August 14, 2015

Place: City Hall, Conference Room W-133

Time: **10:00 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: People of the State of California, et al. v. City of San Jose, et al.

Name(s) of Parties(s) Involved: THE PEOPLE OF THE STATE OF CALIFORNIA ex rel. SAN JOSE POLICE OFFICERS ASSOCIATION, CITY OF SAN JOSE, CITY COUNCIL OF SAN JOSE

Court: Superior Court of the State of California for the County of Santa Clara

Case No.: 1-13-CV-245503

Amount of Money or Other Relief Sought: Verified Complaint In Quo Warranto

2. Case Name: IAFF Local 230 v. City of San Jose

Name(s) of Parties(s) Involved: INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 230, CITY OF SAN JOSE

Court: State of California Public Employment Relations Board

Case No.: SF-CE-969-M

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

3. Case Name: IFPTE Local 21 v. City of San Jose
Name(s) of Parties(s) Involved: International Federation of Professional and Technical Engineers Local 21, City of San Jose
Court: State of CA Public Employment Relations Board
Case No.: SF-CE-996-M
Amount of Money or Other Relief Sought: Damages according to proof
4. Case Name: American Federation of State, County & Municipal Employees, et al. v. City
Name(s) of Parties(s) Involved: AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES, CITY OF SAN JOSE
Court: State of CA Public Employment Relations Board
Case No.: SF-CE-924-M
Amount of Money or Other Relief Sought: Damages according to proof
5. Case Name: OE#3 v. City of San Jose
Name(s) of Parties(s) Involved: OPERATING ENGINEERS LOCAL UNION NO. 3, CITY OF SAN JOSE
Court: State of California Public Employment Relations Board
Case No.: SF-CE-900-M
Amount of Money or Other Relief Sought: Damages according to proof
6. Case Name: San Jose Police Officers' Association v. City, et al.
Name(s) of Parties(s) Involved: SAN JOSE POLICE OFFICERS' ASSOCIATION, CITY OF SAN JOSE, BOARD OF ADMINISTRATION FOR POLICE AND FIRE DEPARTMENT RETIREMENT PLAN OF CITY OF SAN JOSE AND DOES 1-10
Court: Superior Court of California, County of Santa Clara
Sixth District Court of Appeal
Case No.: 1-12-CV-225926

H040979
H042074

Amount of Money or Other Relief Sought: Declaratory and injunctive relief

7. Case Name: San Jose Retired Employees Association, et al. v. City, et al.

Name(s) of Parties(s) Involved: SAN JOSE RETIRED EMPLOYEES ASSOCIATION, HOWARD E. FLEMING, DONALD S. MACRAE, FRANCES J. OLSON, GARY J. RICHERT AND ROSALINDA NAVARRO, CITY OF SAN JOSE DOES 1 through 50, BOARD OF ADMINISTRATION FOR THE FEDERATED CITY EMPLOYEES RETIREMENT SYSTEM

Court: Superior Court of California, County of Santa Clara

Sixth District Court of Appeal

Case No.: 1-12-CV-233660
H040979
H042074

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

8. Case Name: Sapien, et al. v. City of San Jose, et al.

Name(s) of Parties(s) Involved: ROBERT SAPIEN, MARY KATHLEEN MCCARTHY, THANH HO, RANDY SEKANY, KEN HEREDIA, CITY OF SAN JOSE, DEBRA FIGONE in her official capacity as City Manager of the City of SAN JOSE, Does 1 through 15, THE BOARD OF ADMINISTRATION FOR THE 1961 SAN JOSE POLICE AND FIRE DEPARTMENT RETIREMENT PLAN.

Court: Superior Court of California, County of Santa Clara

Sixth District Court of Appeal

Case No.: 1-12-CV-225928
H040979
H042074

Amount of Money or Other Relief Sought: Challenge to Measure B

9. Case Name: Harris, et al. v. City of San Jose, et al.
Name(s) of Parties(s) Involved: TERESA HARRIS, JON REGER, MOSES SERRANO, SUZANN STAUFFER, CITY OF SAN JOSE, DEBRA FIGONE, in her capacity as City Manager of the CITY OF SAN JOSE, THE BOARD OF ADMINISTRATION FOR THE 1975 FEDERATED CITY EMPLOYEES' RETIREMENT PLAN, DOES 1 through 15
Court: Superior Court of California, County of Santa Clara
Sixth District Court of Appeal
Case No.: 1-12-CV-226570
H040979
H042074

Amount of Money or Other Relief Sought: Challenge to Measure B

10. Case Name: Mukhar, et al. v. City of San Jose, et al.
Name(s) of Parties(s) Involved: JOHN MUKHAR, DALE DAPP, JAMES ATKINS, WILLIAM BUFFINGTON, KIRK PENNINGTON, CITY OF SAN JOSE, DEBRA FIGONE, in her official capacity as City Manager of the CITY OF SAN JOSE, THE BOARD OF ADMINISTRATION FOR THE 1975 FEDERATED CITY EMPLOYEES' RETIREMENT PLAN, AND DOES 1 through 15
Court: Superior Court of California, County of Santa Clara
Sixth District Court of Appeal
Case No.: 1-12-CV-226574
H040979
H042074

Amount of Money or Other Relief Sought: Challenge to Measure B

11. Case Name: AFSCME, et al. v. City of San Jose, et al.
Name(s) of Parties(s) Involved: AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, LOCAL 101 on behalf of its members, CITY OF SAN JOSE, DEBRA FIGONE in her official capacity as City Manager, THE BOARD OF ADMINISTRATION FOR THE FEDERATED CITY EMPLOYEES RETIREMENT PLAN
Court: Superior Court of California, County of Santa Clara
Sixth District Court of Appeal
Case No.: 1-12-CV-225928
H040979
H042074
Amount of Money or Other Relief Sought: Challenge to Measure B

12. Case Name: People of the State of California, et al. v. City of San Jose, et al.
Name(s) of Parties(s) Involved: THE PEOPLE OF THE STATE OF CALIFORNIA ex rel. SAN JOSE POLICE OFFICERS ASSOCIATION, CITY OF SAN JOSE, CITY COUNCIL OF SAN JOSE
Court: Superior Court of the State of California for the County of Santa Clara
Case No.: 1-13-CV-245503
Amount of Money or Other Relief Sought: Verified Complaint In Quo Warranto

B. 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: City of San José - Association of Maintenance Supervisory Personnel (AMSP) Benefit & Compensation Summary

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: **Confidential Employees' Organization, AFSCME Local 101 (CEO)**

Nature of negotiations: wages/salaries, hours, working conditions, etc.

Name of Existing Contract or MOA: Memorandum of Agreement — Confidential Employees' Organization, AFSCME Local 101 and City 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

6. 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

7. 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
8. 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
9. 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>

MOA: 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>

MOA: 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