

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.sanioseca.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.sanioseca.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.sanioseca.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: 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.
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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: 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.
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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: http://www.sanjoseca.gov/index.aspx?NID=508 Telephone – Employee Relations: (408) 535-8150 |