

9:30 a.m. - Closed Session, Call to Order in Council Chambers

Open Session, Labor Negotiations Update (See Item 3.2)

Adjourn to Closed Session in Council Chambers Conference Room, W133

See Separate Agenda

1:30 p.m. - Regular Session, Council Chambers, City Hall

6:00 p.m. - Evening Session, Council Chambers, City Hall – Cancelled

\*The previously scheduled Evening Session has been cancelled.

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

**March 26, 2024**

Place: City Hall Conference Room W-133

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: In re: Claim of Bortolotti  
Name(s) of Party(ies)  
Court: Worker's Compensation Appeals Court  
Case No: ADJ14512177, ADJ13891599, ADJ11574925, ADJ11187832, ADJ91872032, ADJ8338585, ADJ10085970, ADJ3962102, ADJ3724866, and AD1913697  
Amount of Money or Other Relief Sought: Benefits
2. Case Name: In re: Claim of Riley  
Name(s) of Party(ies)  
Court: Worker's Compensation Appeals Court  
Case No: ADJ15236726, ADJ15236728, ADJ16059401, ADJ16058891  
Amount of Money or Other Relief Sought: Damages according to proof
3. Case Name: In re: Claim of Raya  
Name(s) of Party(ies)  
Court: Worker's Compensation Appeals Court  
Case No: ADJ13677575  
Amount of Money or Other Relief Sought: Damages according to proof

Sought:

4. Case Name: California Waste Solutions, Inc. v. City of San Jose  
Name(s) of Party(ies) CALIFORNIA WASTE SOLUTIONS INC., CITY OF SAN JOSE; AND DOES 1 TO 50  
Court: Northern District of California  
Case No: 3:23-cv-01647-NC  
Amount of Money or Other Relief Sought: Damages according to proof
5. Case Name: Lionel Rubalcava v. City of San Jose, et al.  
Name(s) of Party(ies) LIONEL RUBALCAVA, CITY OF SAN JOSE, JOSEPH PEREZ, RAFAEL NIEVES, RAMON AVALOS, STEVEN SPILLMAN, TOPUI FONUA.  
Court: U.S. District Court, Northern District of California  
Case No: 5:20-CV-04191-BLF  
Amount of Money or Other Relief Sought: Damages according to proof
6. Case Name: Guadalupe Marin v City of San Jose, et al.  
Name(s) of Party(ies) GUADALUPE MARIN, CITY OF SAN JOSE, MATTHEW RODRIGUEZ, TYLER MORAN, and DOES 1-25  
Court: United States District Court Northern District of California  
Case No: 5:21-cv-06372-VKD  
Amount of Money or Other Relief Sought: Damages according to proof
7. Case Name:  
Name(s) of Party(ies)  
Court:  
Case No:  
Amount of Money or Other Relief Sought: Damages according to proof

**SECURITY MATTER**

**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 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: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/abmei>

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: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/aea>

Telephone – Employee Relations: (408) 535-8150

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| 3. | <p>Organization or Name and Title of Unrepresented Employees:</p> <p>Nature of negotiations:</p> <p>Name of Existing Contract or MOA:</p> <p>How to Obtain a copy of Existing Contract or MOA:</p> | <p><b>Association of Legal Professionals of San José (ALP)</b></p> <p>wages/salaries, hours, working conditions, etc.</p> <p>Memorandum of Agreement – City of San José and Association of Legal Professionals of San José</p> <p>Web: <a href="https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/alp">https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/alp</a></p> <p>Telephone – Employee Relations: (408) 535-8150</p>                      |
| 4. | <p>Organization or Name and Title of Unrepresented Employees:</p> <p>Nature of negotiations:</p> <p>Name of Existing Contract or MOA:</p> <p>How to Obtain a copy of Existing Contract or MOA:</p> | <p><b>Association of Maintenance Supervisory Personnel (AMSP)</b></p> <p>wages/salaries, hours, working conditions, etc.</p> <p>City of San José - Association of Maintenance Supervisory Personnel (AMSP) Benefit &amp; Compensation Summary</p> <p>Web: <a href="https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/amsp">https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/amsp</a></p> <p>Telephone – Employee Relations: (408) 535-8150</p> |
| 5. | <p>Organization or Name and Title of Unrepresented Employees:</p> <p>Nature of negotiations:</p> <p>Name of Existing Contract or MOA:</p>  | <p><b>City Association of Management Personnel Agreement (CAMP)</b></p> <p>wages/salaries, hours, working conditions, etc.</p> <p>Benefit &amp; Compensation Summary — City of San José and City Association of Management Personnel Agreement</p>  |

- How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/camp>  
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: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/iaff>  
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: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/ibew>  
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: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/mef>  
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: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/oe-3>  
Telephone – Employee Relations: (408) 535-8150

10. Organization or Name and Title of Unrepresented Employees: **San José Police Dispatchers' Association (SJPDA)**

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

Name of Existing Contract or MOA: Memorandum of Agreement – City of San Jose and Municipal Employees' Federation (MEF), AFSCME, Local 101

How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/sjpda>  
Telephone – Employee Relations: (408) 535-8150

- 11 . 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: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/poa>  
Telephone – Employee Relations: (408) 535-8150
- 12 . 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 Jose and Peace Officer Park Ranger Association
- How to Obtain a copy of Existing Contract or MOA: Web: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/popra>  
Telephone – Employee Relations: (408) 535-8150