

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

SAN JOSÉ CITY COUNCIL CLOSED SESSION AGENDA

September 24, 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 Blackwell
Name(s) of Party(ies)

Court: Worker's Compensation Appeals Court

Case No: ADJ6639440, ADJ8075690

Amount of Money or Other Relief Sought: Benefits

2. Case Name: In re: Claim of Morton
Name(s) of Party(ies)

Court: Worker's Compensation Appeals Court

Case No: ADJ11581146, ADJ11581141, ADJ11581151,
ADJ11581142, ADJ11584049

Amount of Money or Other Relief Sought: Benefits

3. Case Name: Sutter's Place, Inc., dba Bay 101 v. City of San Jose

Name(s) of Party(ies) SUTTER'S PLACE, INC., CITY OF SAN JOSE
ET AL.

Court: Court of Appeal of the State of California, Sixth
Appellate District

Case No: H046146

Amount of Money or Other Relief Refund, declaratory relief, injunctive relief

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
Court: United States District Court, Northern District of California
Case No: 23-cv-01647-MMC
Amount of Money or Other Relief Sought: Damages according to proof
5. Case Name: Hunter, Pernell v. City of San Jose et al.
Name(s) of Party(ies) HUNTER PERNELL, OFFICER MATTHEW DIVINA JR.
Court: U.S. District Ct. N.D. Cal.
Case No: 23-cv-01641
Amount of Money or Other Relief Sought: Damages according to proof
6. Case Name: Howard Jarvis Taxpayers Association, et al. v. City of San Jose, et al.
Name(s) of Party(ies) HOWARD JARVIS TAXPAYERS ASSN., SILICON VALLEY TAXPAYERS ASSN., SILICON VALLEY PUBLIC ACCOUNTABILITY FOUNDATION, JAMES BARRY and GEORGE ARRINGTON, CITY OF SAN JOSE, JENNIFER MAGUIRE, CITY OF SAN JOSE CITY COUNCIL
Court: United States Court of Appeals for the Ninth Circuit
Case No: 23-16091
Amount of Money or Other Relief Sought: Damages according to proof

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 LEGAL COUNSEL – ANTICIPATED LITIGATION:

Initiation of litigation pursuant to Sections 54956.9(d)(4) of the Government code:

Number of matter(s) to be discussed: 1

D. 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 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: <https://www.sanjoseca.gov/your-government/departments-offices/office-of-the-city-manager/employee-relations/labor-relations-information/bargaining-units-labor-contract-info/amsp>
Telephone – Employee Relations: (408) 535-8150
2. 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: <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
3. 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.

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| 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 |
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| 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 |
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| 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 |