

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

October 1, 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: City of San Jose v. SC SJ Holdings LLC, et al.

Name(s) of Party(ies) CITY OF SAN JOSE, SC SJ HOLDINGS LLC,
FMT SJ, EGALE CANYON CAPITAL, LLC
ACCOR MANAGEMENT US INC.

Court: Superior Court of Santa Clara County

Case No: 24CV433723

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

2. Case Name: Tovar, David Sr., et al. v. City of San Jose, et al.

Name(s) of Party(ies) DAVID TOVAR, SR., D.T.M., J.M., AND D.T.;
CITY OF SAN JOSE, SERGEANT MAURICIO
JIMENEZ, OFFICER HANS JORGENSEN,
OFFICER JAMES SOH, OFFICER ALVARO
LOPEZ, AND OFFICER TOPUI FONUA

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

Case No: 21-cv-02497

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

3. 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

4. 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 Sought: Refund, declaratory relief, injunctive relief

5. 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: Superior Court of Santa Clara County

Case No: 2014-1-CV267311

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

6. 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: Superior Court of Santa Clara County

Case No: 2016-1-CV-298883

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

7.

Case Name: Montellano, Ernesto v. City of San Jose,
Greenwaste Recovery, Inc., et al.,

Name(s) of Party(ies) Ernesto Montellano, City of San Jose,
Greenwaste Recovery, Inc. and DOES 1-20

Court: Santa Clara County Superior Court

Case No: 20CV367890

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