



REVISED AGENDA

CITY COUNCIL OF THE CITY OF MORENO VALLEY MORENO VALLEY COMMUNITY SERVICES DISTRICT COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY BOARD OF LIBRARY TRUSTEES

JUNE 12, 2007

**SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.**

City Council Closed Session

First Tuesday of each month – 6:00 p.m.

City Council Study Sessions

Third Tuesday of each month – 6:00 p.m.

City Council Meetings

Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber – 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office at 951.413.3001 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Charles R. White, Mayor

William H. Batey, II, Mayor Pro Tem
Richard A. Stewart, Council Member

Bonnie Flickinger, Council Member
Frank West, Council Member

**AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
JUNE 12, 2007**

CALL TO ORDER

SPECIAL PRESENTATIONS – 6:00 p.m.

1. William H. Batey II Reading Program Presentations
2. Recognition of Grant Stephens – Voter Registration Project
3. Project of the Year – Construction of the Conference and Recreation Center
4. Recognition of Ernesto and Alma Lopez, Exemplary Moreno Valley Foster Parents
5. Middle School Sports Mayor's Trophy Awards (Palm and Landmark Middle Schools)

**AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO
VALLEY, AND THE BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING - 6:30 P.M.
JUNE 12, 2007**

CALL TO ORDER (Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Kenneth Davis, Lord of Life Lutheran Church

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS **ON MATTERS ON THE AGENDA** WILL BE TAKEN UP AS THE ITEM IS CALLED FOR BUSINESS, BETWEEN STAFF'S REPORT AND CITY COUNCIL DELIBERATION (SPEAKER SLIPS MAY BE TURNED IN UNTIL THE ITEM IS CALLED FOR BUSINESS.)

PUBLIC COMMENTS **ON MATTERS NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report/discussion will be heard after public hearing items.

A. CONSENT CALENDAR - CITY COUNCIL

A1. ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A2. CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES
(Report of: City Clerk's Department)

Recommendation: Receive and file the Reports on Reimbursable Activities for the period of May 16 – June 5, 2007.

A3. WARRANT REPORT – APRIL 30, 2007 (Report of: Finance Department)

Recommendation: Adopt Resolution No. 2007-59, approving the Warrant Report, dated April 30, 2007, in the total amount of \$18,337,962.76.

Resolution No. 2007-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Warrant Report Dated April 30, 2007

A4. APPROVAL OF QUARTERLY INVESTMENT REPORT –
QUARTER ENDED MARCH 31, 2007 (Report of: Finance Department)

Recommendation: Approve and accept the quarterly investment report, in compliance with the Investment Policy.

A5. RESOLUTION ADOPTING UPDATED RECORDS RETENTION
SCHEDULES AND AUTHORIZING DESTRUCTION OF CERTAIN
CITY RECORDS (Report of: City Clerk's Department)

Recommendation: Adopt Resolution No. 2007-60 Rescinding and Restating the Provisions of Resolution Nos. 2003-07 and 2003-86, Adopting Updated Records Retention Schedules; Authorizing Destruction of Certain City Records; and Rescinding all Prior Enactments which are in Conflict with this Resolution.

Resolution No. 2007-60

A Resolution of the City Council of the City of Moreno Valley, California, Rescinding and Restating the Provisions of Resolution Nos. 2003-07 and 2003-86, Adopting Updated Records Retention Schedules; Authorizing Destruction of Certain City Records; and Rescinding all Prior Enactments which are in Conflict with this Resolution

- A6. STREET NAME PROPOSAL – ADOPT RESOLUTION NO. 2007-61, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, ASSIGNING MEMORIAL CIRCLE AS THE STREET NAME FOR THE ROAD ENCIRCLING THE MORENO VALLEY VETERANS MEMORIAL (Report of: Assistant to the City Manager)

Recommendation: Adopt Resolution No. 2007-61, assigning Memorial Circle as the street name for the road encircling the Moreno Valley Veterans Memorial.

Resolution No. 2007-61

A Resolution of the City Council of the City of Moreno Valley, California, Assigning Memorial Circle as the Street Name for the Road Encircling the Moreno Valley Veterans Memorial

- A7. RESOLUTION AMENDING RESOLUTION NO. 2007-14, SUPPORTING THE INCLUSION OF THE REMAINING PORTION OF MORENO VALLEY RANCH LOCATED WEST OF LASSELLE STREET IN THE COMMUNITY AREA KNOWN AS RANCHO BELAGO (Report of: City Clerk's Department)

Recommendation: Adopt Resolution No. 2007-62, amending Resolution No. 2007-14 supporting the inclusion of the remaining portion of Moreno Valley Ranch located west of Lasselle Street in the community area known as Rancho Belago.

Resolution No. 2007-62

A Resolution of the City Council of the City of Moreno Valley, California, Amending Resolution No. 2007-14, Supporting the Inclusion of the Remaining Portion of Moreno Valley

Ranch Located West of Lasselle Street Within the Community Area Known as Rancho Belago

- A8. REVIEW AND CONTINUE THE EMERGENCY ACTION REGARDING THE DESIGN AND CONSTRUCTION OF THE MORENO VALLEY UTILITIES (MVU) 115 KILOVOLT (Kv) SUBSTATION AND SWITCHYARD FACILITY (Report of: Public Works Department)

Recommendation: Review and continue the Emergency Action taken by the Council during the September 26, 2006 Council Meeting under Resolution 2006-113 Making Findings of an Emergency and Authorizing the Execution of the Design-Build Agreement for the Moreno Valley Utilities Substation and Switchyard Project between the City of Moreno Valley, as Owner, and ABB, Inc., a Delaware Corporation, as Design-Builder in accordance with Public Contract Code Sections 20168, 22050, and Government Code Section 5956.

- A9. APPROVE THE CITY OF MORENO VALLEY'S FISCAL YEAR 2008-2012 MEASURE "A" LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (Report of: Public Works Department)

Recommendation:

1. Approve the City of Moreno Valley's Fiscal Year (FY) 2008-2012 Measure "A" Local Streets and Roads Capital Improvement Plan (CIP); and
2. Authorize the submittal of the City's FY 2008-2012 Measure "A" Local Streets and Roads CIP and the Maintenance of Effort (MOE) Certification Statement.

- A10. APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF MORENO VALLEY AND EASTERN MUNICIPAL WATER DISTRICT (EMWD) FOR PUBLIC IMPROVEMENTS, SUNNYMEAD BOULEVARD (Report of: Economic Development Department)

Recommendation:

1. Approve the Memorandum of Understanding (MOU) between the City of Moreno Valley and Eastern Municipal Water District (EMWD) for the Coordination of future Public Improvements along Sunnymead Boulevard; and
2. Authorize the City Manager to execute the Memorandum of

Understanding (MOU) on behalf of the City, subject to the City Attorney's and the Public Works Director/City Engineer's prior approval of the MOU language.

- A11. AUTHORIZATION TO APPROVE FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH STK ARCHITECTURE, INC. AND AUTHORIZATION TO INCREASE PURCHASE ORDERS WITH VALI COOPER AND STK ARCHITECTURE, INC. FOR FIRE STATION #58 – PROJECT NO. 05-43472523 (Report of: Public Works Department)

Recommendation:

1. Authorize an increase to the Purchase Order with Vali Cooper and Associates in the amount of \$71,874.00 (\$65,340.00 plus a 10% contingency) from Account No. 501.82025.7200;
2. Approve the "First Amendment to Agreement for Professional Consultant Services" with STK Architecture, Inc., 2575 South Jacinto Avenue, San Jacinto, California 92583-5318, for professional consultant services for Fire Station No. 58;
3. Authorize the City Manager to execute said "First Amendment to Agreement for Professional Consultant Services" with STK Architecture, Inc.;
4. Authorize an increase to the Purchase Order with STK Architecture, Inc., in the amount of \$100,860.02 (\$91,690.03 plus 10% contingency) when the Agreement has been signed by all parties (Account No. 434.72523.7200); and
5. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the Agreement for Professional Consultant Services with STK Architecture, Inc., up to but not exceeding the Purchase Order contingency authorization in the amount of \$9,169.09, subject to approval of the City Attorney.

- A12. PA05-0042 – COMMERCIAL – ACCEPT THE IMPROVEMENT REFUND AGREEMENT DEVELOPMENT IMPACT FEES FOR ARTERIAL STREETS – DAY STREET SOUTH OF ALESSANDRO BOULEVARD AND NORTH OF GOLDENCREST DRIVE, DEVELOPER – CACTUS COMMERCE LLC, A DELAWARE LIMITED LIABILITY COMPANY, GARDENA, CA 90248 (Report of: Public Works Department)

Recommendation:

1. Accept the Improvement Refund Agreement Development Impact Fees (DIF) for Arterial Streets for PA05-0042;
2. Authorize the Mayor to execute the Improvement Refund Agreement Development Impact Fees for PA05-0042; and
3. Authorize the Finance Director to process a refund to the Developer in the amount not to exceed \$449,259 from arterial streets development impact fees as the funds become available in accordance with City Resolution 2006-19.

- A13. RATIFICATION OF GRANT APPLICATION SUBMITTALS FOR FISCAL YEAR 2007/2008 BICYCLE AND PEDESTRIAN FACILITIES PROGRAM, SENATE BILL 821 (Report of: Public Works Department)

Recommendation: Ratify the grant application submittals for the Fiscal Year (FY) 2007/2008 Bicycle and Pedestrian Facilities Program, Senate Bill 821.

- A14. PARCEL MAP 27732 – TRAFFIC SIGNAL – ACCEPT AGREEMENT, AND BONDS FOR PUBLIC IMPROVEMENTS, CACTUS AVENUE AND COMMERCE CENTER DRIVE, SUBDIVIDER – MARCH COMMERCE CENTER, L.P., RIVERSIDE, CA 92507 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and bond validation statement for public improvements;
2. Authorize the Mayor to execute the Agreement;
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and
4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

- A15. TRACT MAP 29920 UTILITY ELECTRICAL INFRASTRUCTURE – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE UTILITY ELECTRICAL INFRASTRUCTURE AS COMPLETE AND ACCEPTING THE UTILITY ELECTRICAL INFRASTRUCTURE

INTO THE CITY'S MAINTAINED SYSTEM, DEVELOPER: CHT INVESTMENT, LLC, NEWPORT BEACH, CA 92660 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2007-63 authorizing the acceptance of the Utility Electrical Infrastructure for Tract Map 29920 Utility Electrical Infrastructure as complete and accepting the Utility Electrical Infrastructure into the City's maintained system;

Resolution No. 2007-63

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Electrical Utility Infrastructure as Complete Within Tract Map 29920, and Accepting the Electrical Utility Infrastructure into the City's Maintained System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

A16. TRACT MAP 31213 – SINGLE FAMILY RESIDENTIAL PROJECT – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), NORTHWEST CORNER OF ALESSANDRO BOULEVARD AND MORRISON STREET, DEVELOPER: WESTERN PACIFIC HOUSING, INC., IRVINE, CA 92606 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract Map 31213;
2. Instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation; and
3. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A17. APPROVE TRACT 31618 – SINGLE FAMILY RESIDENTIAL – ACCEPT AGREEMENT AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTHWEST CORNER OF MORENO BEACH DRIVE AND BAY AVENUE, SUBDIVIDER – DRAKE DEVELOPMENT, LLC, SAN MARCOS, CA 92078 (Report of: Public Works Department)

Recommendation:

1. Accept the Agreement and Bonds for Public Improvements;
2. Authorize the Mayor to execute the Agreement;
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and
4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A18. TRACT 32142 – CONDOMINIUM PROJECT – AMENDMENT TO AGREEMENT FOR PUBLIC IMPROVEMENTS (TIME EXTENSION), SOUTH OF IRIS AVENUE AND EAST OF LASSELLE STREET, DEVELOPER – EMPIRE LAND, LLC, ONTARIO, CA 91764 (Report of: Public Works Department)

Recommendation:

1. Authorize the Mayor to execute the Amendment to Agreement for Public Improvements for Tract 32142;
2. Instruct the City Clerk to forward the completed Amendment to Agreement for Public Improvements to the County Recorder's Office for recordation; and
3. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A19. APPROVE TRACT 34299 – CONDOMINIUM COMPLEX – ACCEPT FINAL MAP, AGREEMENT, AND BONDS FOR PUBLIC IMPROVEMENTS, SOUTHWEST CORNER OF EUCALYPTUS AVENUE (WEST) AND EUCALYPTUS AVENUE (EAST), SUBDIVIDER – K. HOVNANIAN'S PARKSIDE AT TOWNGATE, LLC, IRVINE, CA 92612 (Report of: Public Works Department)

Recommendation:

1. Approve Tract 34299, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;
2. Accept the Agreement and Bonds for Public Improvements;
3. Authorize the Mayor to execute the Agreement;
4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and
5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

A20. AUTHORIZATION TO ISSUE PURCHASE ORDER TO SOUTHERN CALIFORNIA EDISON FOR RELOCATION OF UTILITIES ASSOCIATED WITH PIGEON PASS ROAD WIDENING (CLIMBING ROSE DR. TO NORTH CITY LIMITS), PROJECT NO. 06-41570324 (Report of: Public Works Department)

Recommendation:

1. Authorize the issuance of a Purchase Order to SCE in the amount of \$220,000.00 (\$200,000.00 plus 10% contingency) from Account No. 415.70324.7500;
2. Authorize payment to Southern California Edison (SCE) in an amount up to \$220,000.00 for the relocation of SCE facilities associated with the widening of Pigeon Pass Road from Climbing Rose Drive to North City Limits; and
3. Authorize Public Works Director/City Engineer to issue necessary change order(s) not to exceed the 10% contingency amount (\$20,000) of the purchase order.

A21. ORDINANCE NO. 746, AN ORDINANCE OF THE CITY OF MORENO VALLEY, AMENDING TITLE 2 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, BY ADDING A NEW CHAPTER 2.26, CREATING AN ARTS COMMISSION (RECEIVED FIRST READING AND INTRODUCTION ON MAY 22, 2007 ON A 5-0 VOTE) (Report of: Parks and Community Services Department)

Recommendation: Adopt Ordinance No. 746.

An Ordinance of the City of Moreno Valley, Amending Title 2 of the City of Moreno Valley Municipal Code, by Adding a New Chapter 2.26 Creating an Arts Commission

- A22. PA02-0120 KITCHING STREET – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTIONS OF KITCHING STREET AND GLOBE STREET ASSOCIATED WITH THE PROJECT INTO THE CITY’S MAINTAINED STREET SYSTEM, DEVELOPER – INDUSTRIAL DEVELOPMENT INTERNATIONAL, INC. IRVINE, CA 92612 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2007-64 authorizing the acceptance of the public improvements for PA02-0120 Kitching Street as complete and accepting the portions of Kitching Street and Globe Street associated with the project into the City’s maintained street system;

Resolution No. 2007-64

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within PA02-0120 Kitching Street, and Accepting the Portions of Kitching Street and Globe Street Associated with the Project into the City’s Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

- A23. THIRD AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR DESIGN OF PAVEMENT REHABILITATION FOR HEACOCK STREET AND FREDERICK STREET/PIGEON PASS ROAD, PROJECT NO. 06-12567425 (Report of: Public Works Department)

Recommendation:

1. Authorize the City Manager to execute the Third Amendment to Agreement for Professional Consultant Services with AEI-CASC Engineering;
2. Authorize an increase in the Purchase Order to AEI-CASC Engineering, Inc. in the amount of \$56,980 (\$51,800 proposed additional fees plus \$5,180 for a 10% contingency) when the Third Amendment to Agreement has been signed by all parties (Account No. 125.67425); and
3. Authorize the City Engineer to execute any subsequent related minor amendments to the Agreement for Professional Consultant Services with AEI-CASC Engineering, up to but not exceeding the Purchase Order contingency balance in the amount of \$5,180, subject to approval of City Attorney.

A24. **THIRD AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH VANDERHAWK CONSULTING FOR THE PAVEMENT MANAGEMENT PROGRAM UPDATE, PROJECT NO. 05-12567121 (Report of: Public Works Department)**

Recommendation:

1. Approve the Third Amendment to Agreement for Professional Consultant Services with VanderHawk Consulting (VanderHawk), 7556 Gibraltar Street, Suite 202, Carlsbad, CA 92009 to provide Professional Consultant Services;
2. Authorize the City Manager to execute the Amendment to Agreement for Professional Consultant Services with VanderHawk;
3. Authorize the City Manager to increase the Purchase Order to VanderHawk for Phase I of the project by the amount of \$66,980, for a total contract not to exceed \$111,870, when the Third Amendment to Agreement for Professional Consultant Services has been signed by all parties (Account No. 125.67121); and
4. Authorize the City Manager to increase the Purchase Order to VanderHawk for Phase II of the project, pending City Council approval of the Fiscal Year 2007-2008 Operating Budget, by the amount of \$31,780, for a total contract not to exceed \$143,650 (Account No. 125.54150).

A25. MINUTES – SPECIAL MEETING OF MAY 15, 2007 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

A26. MINUTES – REGULAR MEETING OF MAY 22, 2007 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

A27. REQUEST AUTHORIZATION TO TERMINATE THE CONSTRUCTION CONTRACT FOR THE INDIAN STREET AND CACTUS AVENUE INTERSECTION AND STORM DRAIN IMPROVEMENTS, PROJECT NO. 03-12567123 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to terminate the construction contract for the Indian Street and Cactus Avenue Intersection and Storm Drain Improvements with SCW Contracting Corporation (SCW), 2525 North Old Highway 395, Fallbrook, CA 92028, due to breach and abandonment of the contract; and
2. Authorize the City Clerk to advertise the project for construction bids.

A28. 2007 LEGISLATIVE UPDATE (Report of: Assistant to the City Manager)

Recommendation: Receive and file the informational report.

A29. AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR PRECISE GRADING IMPROVEMENTS FOR THE MORENO VALLEY SUBSTATION AND SWITCH YARD, PROJECT NO. 06-60161026 (Report of: Public Works Department)

Recommendation

1. Adopt the plans and specifications for the Precise Grading Improvements that are on file in the Office of the City Engineer;
2. Award the construction contract for the Precise Grading Improvements for the Moreno Valley Substation and Switch Yard to Road Builders, Inc. 38040 Borel Road, Murrieta, CA, the lowest responsible bidder;

3. Authorize the Mayor to execute a contract with Road Builders, Inc.;
4. Authorize the issuance of a Purchase Order to Road Builders, Inc. in the amount of \$382,718.00 (\$347,925.00 base bid amount plus 10% contingency) when the contract has been signed by all parties (Account No. 06-60161026.7200); and
5. Authorize the City Engineer to execute any subsequent change orders to the contract with Road Builders, Inc., up to but not to exceed the Purchase Order contingency authorized for the base bid amount of \$34,793.00.

B. CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

- B1. ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.
- B2. MINUTES – SPECIAL MEETING OF MAY 15, 2007 (Report of: City Clerk’s Department)

Recommendation: Approve as submitted.

- B3. MINUTES – REGULAR MEETING OF MAY 22, 2007 (Report of: City Clerk’s Department)

Recommendation: Approve as submitted.

- B4. AMENDMENT TO AGREEMENT – PROJECT NO. D-SG1-W/05 – MAINTENANCE OF PARKWAY LANDSCAPING AND IRRIGATION (Report of: Public Works Department)

Recommendation:

1. Approve the Amendment to Agreement for MVCSD Project D-SG1-W/05 to extend the term of the agreement for an additional one-year period;
2. Authorize the President of the MVCSD Board to execute said Amendment with Charles T. Andrews, dba CTAI Pacific Greenscape, Inc., of Murrieta, California; and
3. Authorize the Purchasing Division Manager, at the start of Fiscal Year 2007/08 to issue open purchase orders to CTAI Pacific Greenscape, Inc., in the amounts of:

- a.) One Hundred Two Thousand Four Hundred Eleven Dollars

and 22/100 (\$102,411.22) for twelve months of Base Maintenance Services; and

b.) Ten Thousand One Hundred Dollars and 00/100 (\$10,100.00) for anticipated Additional Work per Section 3., paragraph d. of the Agreement.

- B5. NOTICE OF COMPLETION AND ACCEPTANCE OF THE AQUEDUCT BIKE TRAIL AND LANDSCAPING IMPROVEMENTS FROM JOHN F. KENNEDY DRIVE TO PAN AM BOULEVARD, PROJECT NOS. 02-46165321 AND 98-92492 (Report of: Public Works Department)

Recommendation:

1. Ratify Contract Change Order Nos. 1, 2, 3, 4, 5 and 6 (Final) for the Aqueduct Bike Trail Project (Project Nos. 02-46165321 and 98-92492);
2. Accept the work as complete for the Aqueduct Bike Trail Project constructed by Pacific Hydrotech Corporation (Pacific Hydrotech), 314 E. 3rd Street, Perris, California 92570;
3. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;
4. Authorize the Director of Finance to release the retention to Pacific Hydrotech Corporation thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and
5. Accept the improvements into the City's maintained park system.

- B6. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT AND PURCHASE OF EQUIPMENT FOR MORENO VALLEY COMMUNITY PARK SOCCER FIELD IMPROVEMENTS, PROJECT NO. 06-46165325 (Report of: Public Works Department)

Recommendation:

1. Adopt plans and specifications for Moreno Valley Community Park Soccer Field Renovation Site Improvements, Project No. 06-46165325;
2. Approve the modified project budget and funding plan for the

Community Park Soccer Field Renovation project;

3. Award the construction contract for Moreno Valley Community Park Soccer Field Renovation Site Improvements, Project No. 06-46165325 to Los Angeles Engineering, Inc., the lowest responsible bidder;
 4. Authorize the City Manager to execute a contract agreement with Los Angeles Engineering, Inc.; and
 5. Authorize the issuance of a Purchase Order for Los Angeles Engineering, Inc., in the amount of \$4,577,373 (the bid amount plus 10% contingency) for Moreno Valley Community Park Soccer Field Renovation Site Improvements, Project No. 06-46165325 (Account No. 461.65325).
 6. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Los Angeles Engineering, Inc. up to, but not exceeding, the contingency amount of \$416,125, subject to the approval of the City Attorney.
 7. Authorize the Parks and Community Services Director to initiate purchase orders for the direct purchase of the project's new sports field lighting, security lighting, irrigation pump, and synthetic turf grooming equipment for the total not to exceed amount of \$500,400, subject to the approval of the City Manager and City Attorney (Account No. 461.65325).
- B7. AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON WEDNESDAY, JULY 4, 2007 (Parks and Community Services)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 4, 2007.
 - a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
 - b. Frederick Street between Centerpointe Drive and Cactus Avenue;
 - c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
 - d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;

- e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
 - f. Atlantic Circle east of Frederick Street;
 - g. Brabham Street between Frederick Street and Andretti Street;
 - h. TownGate Boulevard between Frederick Street and Heritage Way;
 - i. Bay Avenue between Kristina Court and Courage Street;
 - j. Alessandro Boulevard between Chagall Court and Elsworth Street;
 - k. Resource Way between Frederick Street and Corporate Way;
 - l. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
 - m. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
 - n. Veterans Way between Cactus Avenue and Alessandro Boulevard;
 - o. New Hope between Veterans Way and Elsworth; and
 - p. Heritage Way between TownGate Boulevard and Town Circle.
2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2007.
- a. Petaluma Avenue between Napa Valley and Morrison Street;
 - b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
 - c. Lakeport Drive at Cottonwood Avenue;
 - d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
 - e. Rockport Drive between Yuba Pass Road and Morrison Street;
 - f. Dracaea Avenue between Morrison Street and Nason Street;
 - g. Letterman Street at Cottonwood Avenue;
 - h. Athletics Drive at Cottonwood Avenue; and
 - i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

- C1. ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.
- C2. MINUTES – SPECIAL MEETING OF MAY 15, 2007 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.
- C3. MINUTES – REGULAR MEETING OF MAY 22, 2007 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D1. ORDINANCES - READING BY TITLE ONLY
Recommendation: Waive reading of all Ordinances.
- D2. MINUTES – SPECIAL MEETING OF MAY 15, 2007 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.
- D3. MINUTES – REGULAR MEETING OF MAY 22, 2007 (Report of: City Clerk’s Department)
Recommendation: Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.

Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

- E1. PUBLIC HEARING REGARDING MAIL BALLOT PROCEEDINGS FOR TENTATIVE TRACT 34299 – BALLOTTED ITEM: NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES); TENTATIVE TRACT 32978 – BALLOTTED ITEMS: NPDES AND COMMUNITY SERVICES DISTRICT (CSD) ZONE B; AND MORENO MARKETPLACE – BALLOTTED ITEMS: NPDES AND

CSD ZONE M (Report of: Public Works Department)

Recommendation:

1. That the Mayor and Members of the City Council, after conducting the public hearing:
 - a) Tabulate the National Pollutant Discharge Elimination System (NPDES) mail ballots for Tentative Tracts 34299 and 32978 and Moreno Marketplace – Assessor Parcel Numbers (APNs) 486-250-008 and 486-250-017;
 - b) Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;
 - c) Receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and
 - d) If approved, authorize and impose the NPDES maximum residential regulatory rate to Tentative Tracts 34299 and 32978 and the NPDES maximum commercial/industrial regulatory rate to Moreno Marketplace – APNs 486-250-008 and 486-250-017.
 2. That the President and Members of the Board of Directors of the Moreno Valley CSD, after conducting the public hearing:
 - a) Tabulate the CSD mail ballots for Tentative Tracts 34299 and 32978;
 - b) Verify and accept the results of the mail ballot proceedings as identified on the Official Tally Sheet and APN listing;
 - c) Receive and file with the City Clerk's Office the accepted Official Tally Sheet and APN listing; and
 - d) If approved, authorize and impose the CSD Zone B parcel charge to Tentative Tract 32978 and CSD Zone M parcel charge to Moreno Marketplace – APNs 486-250-008 and 486-250-017.
- E2. PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2007/2008

ANNUAL RATES (Report of: Public Works Department)

Recommendation:

1. Conduct a Public Hearing to consider all objections or protests of the “NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development”; and
2. Adopt “Resolution No. 2007-65, a Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll”

Resolution No. 2007-65

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

- E3. PROPOSED RESOLUTION OF NECESSITY TO MAKE FINDINGS AND DETERMINATIONS AND TO AUTHORIZE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE NECESSARY RIGHT-OF-WAY FOR THE WIDENING OF PIGEON PASS ROAD BETWEEN CLIMBING ROSE DRIVE AND THE NORTHERN CITY LIMITS (HIDDEN SPRINGS DRIVE) PROJECT NO. 06-41570324 (Report of: Public Works Department)

Recommendation:

1. Conduct hearing, allowing the property owners who have requested the right to appear and be heard. Close the hearing;
2. Approve and adopt the Planning Division’s finding that the project is consistent with the General Plan;
3. Approve and adopt the Planning Division’s findings that the project, including each proposed easement acquisition and the adoption of the Resolution of Necessity, is within the scope of the Mitigated Negative Declaration adopted by the City Council on October 10, 2006 and that no further environmental review is required under CEQA and therefore, further environmental

documents are not required;

4. Find that the proposed Factual Summary to Support Findings required in the Resolution, attached to the staff's agenda report, is true and correct, as to the proposed Resolution of Necessity;
5. Find and determine that each of the statements, findings and facts in the proposed Resolution of Necessity is true and correct;
6. Adopt the Resolution of Necessity No. 2007-66, authorizing eminent domain proceedings;

Resolution No. 2007-66

A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Necessity Require the Acquisition of Property for Public Street and Highway Purposes Including Related Improvements and Facilities; that the Acquisition and Taking of the Easements in the herein-described Property is Necessary for the Project; that the Project is Planned in a Manner that is most Compatible with the Greatest Public Good and the Least Private Injury; Authorizing Proceedings to be Commenced in Eminent Domain; and Authorizing the Deposit of Necessary Funds and the Payment of Necessary Expenses and Fees for Acquisition of said Property; and Authorizing Counsel to Obtain an Order for Prejudgment Possession of the Subject Property

7. Direct the City Attorney and/or retained counsel for the City to file appropriate action in Eminent Domain, including making applications for Orders authorizing Deposits of Probable Compensation and for Orders for Prejudgment Possession.
- E4. PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2007/2008 (Report of: Public Works Department)

Recommendation: That the City Council, acting in their respective capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD) (the "Board") conduct a Public Hearing and:

1. Adopt Resolution No. CSD 2007-13 (Zone A)

Resolution No. CSD 2007-13

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Continuance of the Currently Approved Parcel Charge for Furnishing Improvements and Maintenance for Parks and Recreation Services During Fiscal Year 2007/2008

2. Adopt Resolution No. CSD 2007-14 (Zone B)

Resolution No. CSD 2007-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Continuance of the Currently Approved Parcel Charge for Furnishing Improvements and Maintenance for Residential Street Lighting Services During Fiscal Year 2007-2008

3. Adopt Resolution No. CSD 2007-15 (Zone C)

Resolution No. CSD 2007-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Continuance of the Currently Approved Parcel Charge for Furnishing Improvements and Maintenance for Intersection and Arterial Street Lighting Services During Fiscal Year 2007/2008

4. Adopt Resolution No. CSD 2007-16 (Zone D)

Resolution No. CSD 2007-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Continuance of the Currently Approved Parcel Charge for Furnishing Parkway Landscape Improvement and Maintenance Services During Fiscal Year 2007/2008

5. Adopt Resolution No. CSD 2007-17 (Zone E)

Resolution No. CSD 2007-17

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Continuance of the Currently Approved Parcel Charge for Furnishing High-Service-Level Parkway Landscape Improvement and Maintenance Services During Fiscal Year 2007/2008

6. Adopt Resolution No. CSD 2007-18 (Zone E-1A)

Resolution No. CSD 2007-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Continuance of the Currently Approved Parcel Charge for Furnishing Zone E-1A Renaissance Park – Walls/Internal Parkway Landscape Maintenance Services During Fiscal Year 2007/2008

7. Adopt Resolution No. CSD 2007-19 (Zone E-3A)

Resolution No. CSD 2007-19

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Continuance of the Currently Approved Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2007/2008

8. Adopt Resolution No. CSD 2007-20 (Zone E-4A)

Resolution No. CSD 2007-20

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Continuance of the Currently Approved Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2007/2008

9. Adopt Resolution No. CSD 2007-21 (Zone M)

Resolution No. CSD 2007-21

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Continuance of the Currently Approved Zone M Parcel Charge Calculation for Furnishing Commercial/

Industrial/Multifamily Improved Median Maintenance
Services During Fiscal Year 2007/2008

10. Adopt Resolution No. CSD 2007-22 (Zone S)

Resolution No. CSD 2007-22

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving Zone S Charges which will Provide a Funding Source for Ongoing Maintenance for Future Improvements along Sunnymead Boulevard from Frederick Street to Perris Boulevard

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION

G. REPORTS

- G1. APPROVAL AND ADOPTION OF ANNUAL SPECIAL TAX LEVY FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation: That the City Council, acting in its capacity as the legislative body of Community Facilities District (CFD) No. 87-1 (TownGate), approve and adopt Resolution No. 2007-67 implementing the rate and method of apportionment of the special tax levy required to cover the 2007/2008 annual debt service of CFD No. 87-1 (TownGate), as submitted in the Special Tax Report.

Resolution No. 2007-67

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2007/2008 Regarding Community Facilities District No. 87-1 (TownGate)

- G2. APPROVAL AND ADOPTION OF SPECIAL TAX LEVY FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation: That the City Council, acting in its capacity as the legislative body of Community Facilities District (CFD) No. 87-1 (TownGate) Improvement Area No. 1 (the "District"), approve and adopt Resolution No. 2007-68 implementing the rate and method of apportionment of the special tax levy required to cover the

2007/2008 annual debt service of CFD No. 87-1 (TownGate) Improvement Area No. 1, as submitted in the Special Tax Report.

Resolution No. 2007-68

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2007/2008 Regarding Community Facilities District No. 87-1 (TownGate) Improvement Area No. 1

- G3. APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 (NEIGHBORHOOD PARK MAINTENANCE) ANNUAL SPECIAL TAX LEVY (Report of: Public Works Department)

Recommendation: That the City Council, acting in the capacity as the Board of Directors of the Moreno Valley Community Services District (CSD) (the "Board") and as the legislative body of Community Facilities District (CFD) No. 1 (Neighborhood Park Maintenance), approve and adopt Resolution No. CSD 2007- implementing the rate and method of apportionment of the special tax levy required to cover the Special Tax Requirement as submitted in the Special Tax Report.

Resolution No. CSD 2007-23

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2007/2008 Regarding Community Facilities District No. 1 (Neighborhood Park Maintenance)

- G4. APPROVAL AND ADOPTION OF ANNUAL SPECIAL TAX LEVY FOR COMMUNITY FACILITIES DISTRICT NO. 3 OF THE CITY OF MORENO VALLEY (AUTO MALL REFINANCING) SPECIAL TAX BONDS, SERIES 2000 (Report of: Public Works Department)

Recommendation: That the City Council, acting in its capacity as the legislative body of Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt Resolution No. 2007-69 implementing the rate and method of apportionment of the special tax levy required to cover the annual debt service of CFD No. 3, as submitted in the Special Tax Report.

Resolution No. 2007-69

A Resolution of the City Council of the City of Moreno Valley,

California, Accepting and Approving the Special Tax Report for Fiscal Year 2007/2008 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

- G5. APPROVAL AND ADOPTION OF SPECIAL TAX LEVY FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4- MAINTENANCE (Report of: Public Works Department)

Recommendation: That the City Council, acting in its capacity as the legislative body of Moreno Valley Community Facilities District No. 4-Maintenance (CFD No. 4-M) approve and adopt Resolution No. 2007-70 implementing the rate and method of apportionment of the special tax levy required to cover the Special Tax Requirement as submitted in the Special Tax Report.

Resolution No. 2007-70

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2007/2008 Regarding Community Facilities District No. 4-Maintenance

- G6. APPROVAL AND ADOPTION OF A RESOLUTION ESTABLISHING AN ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2007-2008 TO COVER THE ANNUAL DEBT SERVICE (Report of: Public Works Department)

Recommendation: That the City Council, acting in its capacity as the legislative body of Community Facilities District (CFD) No. 5, approve and adopt Resolution No. 2007-71 establishing an annual special tax for Community Facilities District No. 5 for Fiscal Year (FY) 2007-2008 to cover the annual debt service.

Resolution No. 2007-71

A Resolution of the City Council of the City of Moreno Valley, California, Establishing an Annual Special Tax for Community Facilities District No. 5 for Fiscal Year 2007-2008

- G7. CONTINUED DISCUSSION ON FY 2007/2008 PROPOSED BUDGET (Report of: Finance Department)

Recommendation: That the City Council continue its discussion on the FY 2007-08 Proposed Budget and provide direction to staff regarding the recommended service level enhancements, or any operating or capital budget policy issues.

G8. CITY MANAGER'S REPORT (Informational Oral Presentation – not for Council action)

H. LEGISLATIVE ACTIONS

ORDINANCES - 1ST READING AND INTRODUCTION - NONE

ORDINANCES - 2ND READING AND ADOPTION - NONE

ORDINANCES - URGENCY ORDINANCES - NONE

RESOLUTIONS – NONE

PUBLIC COMMENTS **ON ANY SUBJECT NOT ON THE AGENDA** UNDER THE JURISDICTION OF THE CITY COUNCIL

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

- **PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL**

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

- 1) SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION
Number of Cases: 2
- 2) SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Number of Cases: 2
- 3) SECTION 54957.6 – LABOR NEGOTIATIONS
 - a) Agency Representative: Robert Gutierrez
Employee Organization: MVCEA
 - b) Agency Representative: Robert Gutierrez
Employee Organization: MVMA

REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY CITY ATTORNEY

ADJOURNMENT