



**\*REVISED AGENDA  
CITY COUNCIL OF THE CITY OF MORENO VALLEY  
MORENO VALLEY COMMUNITY SERVICES DISTRICT  
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF  
MORENO VALLEY**

**November 3, 2009**

**CLOSED SESSION – 6:00 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.*

Bonnie Flickinger, Mayor Pro Tem  
Jesse L. Molina, Council Member

Richard A. Stewart, Mayor

Robin N. Hastings, Council Member  
William H. Batey II, Council Member

**AGENDA  
MORENO VALLEY CITY COUNCIL  
MORENO VALLEY COMMUNITY SERVICES DISTRICT  
COMMUNITY REDEVELOPMENT AGENCY OF THE  
CITY OF MORENO VALLEY**

**CLOSED SESSION - 6:00 PM  
NOVEMBER 3, 2009**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC COMMENTS ON MATTERS 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.

**CLOSED SESSION**

A Closed Session of the City Council 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.

The Closed Session will be held pursuant to Government Code:

- 1 SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
  - a Case: *Brooks v. City of Moreno Valley*  
Court: Riverside Superior Court  
Case No: RIC510225
  - b Case: *Tovey/Schultz Construction, Inc. v. City of Moreno Valley*  
Court: Riverside Superior Court  
Case No: RIC500198
  - c Case: *Fitch v. City of Moreno Valley*  
Court: Riverside Superior Court  
Case No: RIC414978

- d Case: *Kevon Gordon, Ronald Jones, Raymond Barnes v. City of Moreno Valley; City of Moreno Valley Police Department; Rick Hall, Chief of the Moreno Valley Police Department, in his official capacity; Kristy Underwood, Executive Officer of the California Board of Barbering and Cosmetology, in her official capacity; Stan Sniff, Riverside County Sheriff, in his official capacity; and DOES 1-20*  
 Court: United States District Court, Central District of California  
 Case No: EDCV 09-00688b
- e Case: *Dillard v. City of Moreno Valley*  
 Court: Riverside Superior Court  
 Case No: RIC528406
- f Case: *Moreno Valley Unified School District v. County of Riverside, a public entity; Robert E. Byrd as Auditor-Controller for the County of Riverside; Does 1-50, inclusive; City of Moreno Valley Redevelopment Agency, a California Redevelopment Agency; and Does 51-100, inclusive Real Parties in interest*  
 Court: Riverside Superior Court  
 Case No: RIC502670
- g Case: *RADOS v. City of Moreno Valley*  
 Court: Riverside Superior Court  
 Case No: RIC425323
- h Case: *Monaco v. City of Moreno Valley*  
 Court: Riverside Superior Court  
 Case No: RIC428221
- i Case: *Webb v. City of Moreno Valley*  
 Court: Riverside Superior Court  
 Case No: RIC490153
- j Case: *Kagan v. Tanya Hebert-Scott; Glenn Waggoner; Robert Herrick; City of Moreno Valley*  
 Court: Riverside Superior Court  
 Case No: RIC519566
- k Case: *Kincaid v. State of California, City of Moreno Valley, California Department of Transportation, ENCO Utility Services of Moreno Valley, LLC, DOES 1 to 20*  
 Court: Riverside Superior Court  
 Case No: RIC518455

- l Case: *ENCO Utility Services v. City of Moreno Valley*  
Court: Riverside Superior Court  
Case No: RIC478023
  
- m Case: *Teague & Perez v. City of Moreno Valley*  
Court: Riverside Superior Court  
Case No: RIC472690
  
- n Case: *Rocha v. City of Moreno Valley*  
Court: Riverside Superior Court  
Case No: RIC501395
  
- o Case: *Sierra Club v. City of Moreno Valley*  
Court: Riverside Superior Court  
Case No: RIC519566
  
- p Case: *Benitez v. City of Moreno Valley*  
Court: Riverside Superior Court  
Case No: RIC523393
  
- q Case: *City of Moreno Valley v. County of Riverside; Office of the  
Riverside County Auditor-Controller; Robert E. Byrd, in his  
official capacity; and DOES 1-10, inclusive*  
Court: Riverside Superior Court  
Case No: RIC514702
  
- r Case: *In Re General Growth Properties, Inc.*  
Court: U.S. Bankruptcy Court, Southern District of New York  
Case No: 09-11977
  
- s Case: *In Re Empire Land, LLC et al.*  
Court: U.S. Bankruptcy Court, Central District of California,  
Riverside Division  
Case No: 6:08:14592 MJ
  
- t Case: *Arch Insurance Company v. City of Moreno Valley,  
Safeguard Insurance Company*  
Court: Riverside Superior Court  
Case No: RIC513196
  
- u Case: *Los Angeles Engineering v. City of Moreno Valley*  
Court: Riverside Superior Court  
Case No: RIC524877
  
- v Case: *Jenny Investment Group*

Court: Riverside Superior Court  
Case No: RIC508279

w Case: *Desprez v. City of Moreno Valley*  
Court: Riverside Superior Court  
Case No: RIC537756

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL -  
SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL -  
INITIATION OF LITIGATION

Number of Cases: 2

\*<sub>4</sub> SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY  
NEGOTIATOR

a) Property: Generally located at the southwest corner of the  
March Field Park property conveyed to the City  
of Moreno Valley's Community Services District  
in a Quitclaim Deed dated September 24, 2008  
as Document No. 2008-0520569 comprising of  
approximately 8.33 acres  
CSD Negotiator: Robert G. Gutierrez  
Under Negotiation: Terms and conditions for easement agreement  
with U.S. Border and Protection Agency  
Owner: Moreno Valley Community Services District  
Interested Party: Rafael Narvaez, Customs and Border Protection

5 SECTION 54957 - PUBLIC EMPLOYMENT

a) Public Employee Annual Performance Evaluation: City Clerk

6 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/ PUBLIC  
EMPLOYMENT

a) Interim City Manager

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

**ADJOURNMENT**

\*Revision