



**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**

**February 10, 2009**

**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.*

Richard A. Stewart, Mayor

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

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

**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 PM  
FEBRUARY 10, 2009**

**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** - Lacy K. Sykes, Jr., Cross Word Christian 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 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.

**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 or discussion will be heard after public hearing items.

## **A CONSENT CALENDAR - CITY COUNCIL**

### **A .1 ORDINANCES - READING BY TITLE ONLY**

**Recommendation:** Waive reading of all Ordinances.

### **A .2 NOTICE OF COMPLETION AND ACCEPTANCE OF THE GRAHAM STREET IMPROVEMENTS FROM IRONWOOD AVENUE TO HEMLOCK AVENUE PROJECT NO. 06-28068425 (Report of: Public Works Department)**

**Recommendation:**

1. Accept the work as complete for the Graham Street Improvements from Ironwood Avenue to Hemlock Avenue constructed by Trinity Construction, P.O Box 246, Blue Jay, CA 92317;
2. 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;
3. Authorize the Financial & Administrative Services Director to release the retention to Trinity Construction thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and
4. Accept the improvements into the City's maintained system.

### **A .3 MINUTES - REGULAR MEETING OF JANUARY 27, 2009 (Report of: City Clerk's Department)**

**Recommendation:**

Approve as submitted.

### **A .4 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)**

**Recommendation:**

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of January 21 – February 3,

2009.

- A .5 AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR AQUEDUCT BIKEWAY IMPROVEMENTS FROM INDIAN STREET TO FAY AVENUE PROJECT NO. 05-12567524 (Report of: Public Works Department)

**Recommendation:**

1. Reject Mega Way Enterprises's low bid as non responsive;
2. Award the construction contract for Aqueduct Bikeway Improvements from Indian Street to Fay Avenue to Rialto Construction Inc. dba L.R. Johnson Construction Inc. (L.R. Johnson Construction), 340 N. Riverside Avenue, Rialto, CA 92376, the lowest responsible bidder and waive any and all minor irregularities in the bidder's proposal documents;
3. Authorize the City Manager to execute the Agreement with L.R. Johnson Construction;
4. Authorize the issuance of a Purchase Order to L. R. Johnson Construction in the amount of \$348,346.18 (\$290,288.48 for the Base Bid plus 20% contingency) for Aqueduct Bikeway Improvements from Indian Street to Fay Avenue (Account No. 125.67524); and
5. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with L.R. Johnson Construction up to, but not exceeding, the contingency amount of \$58,057.70, subject to the approval of the City Attorney.

- A .6 SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH VALI COOPER AND ASSOCIATES, INC. (Report of: Public Works Department)

**Recommendation:**

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" with Vali Cooper and Associates, Inc. (Vali Cooper), 3900 Market Street, Suite 250, Riverside, CA 92501 to provide Professional Consultant Services, extend the agreement

from August 31, 2009 to December 31, 2009, and increase the agreement amount by a “not to exceed” fee of \$150,000.00;

2. Authorize the City Manager to execute said “Second Amendment to Agreement for Professional Consultant Services” with Vali Cooper; and
  3. Authorize an increase in the Purchase Order to Vali Cooper in the amount of \$150,000.00 when “Second Amendment to Agreement for Professional Consultant Services” has been signed by all parties.
- A .7 PA07-0139 – COMMERCIAL BUILDINGS - ACCEPT AGREEMENT AND CASH DEPOSIT FOR PUBLIC IMPROVEMENTS, EAST SIDE OF PERRIS BOULEVARD, SOUTH OF ALESSANDRO BOULEVARD, DEVELOPER - PERRIS ALESSANDRO LLC, LOS ANGELES, CA 90025 (Report of: Public Works Department)

**Recommendation:**

1. Accept the Agreement for Public Improvements and Cash Security for PA07-0139;
  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 amendments to the agreement if the required public improvements are not completed within said timeframe.
- A .8 FIRST AMENDMENT TO THE AMENDED AND RESTATED AFFORDABLE HOUSING AGREEMENT BETWEEN ONE MORENO VALLEY 240, LP AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY FOR THE OAKWOOD APARTMENTS. (Report of the Economic Development Department)

**Recommendation:**

That the City Council adopt Resolution No. 2009-03 and the Board of

Directors of the Community Redevelopment Agency adopt Resolution No. RDA 2009-01 approving the First Amendment to the Amended and Restated Affordable Housing Agreement between One Moreno Valley 240, LP and the Community Redevelopment Agency of the City of Moreno Valley for the Oakwood Apartments.

Resolution No. 2009-03

A Resolution of the City Council of the City of Moreno Valley Consenting to the Approval by the Community Redevelopment Agency of the City of Moreno Valley of a First Amendment to Amended and Restated Affordable Housing Agreement by and Between the Agency and One Moreno Valley 240, L.P., A California Limited Partnership

- A .9 DAY STREET SEWER IMPROVEMENTS – REQUEST TO EXTEND THE TIME FOR A FULL ROAD CLOSURE OF DAY STREET BETWEEN ALESSANDRO BOULEVARD AND BAY AVENUE FOR THE CONSTRUCTION OF SEWER IMPROVEMENTS FROM FEBRUARY 24, 2009 – MARCH 16, 2009, CONTRACTOR: BONADIMAN-MCCAIN, INC., SAN BERNARDINO, CA 92408 (Report of: Public Works Development)

**Recommendation:**

1. Authorize an extension of time for a full road closure of Day Street between Alessandro Boulevard to Bay Avenue for the construction of sewer improvements from February 24, 2009 – March 16, 2009; and
2. Authorize the City Engineer to allow for an additional 30 day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

- A .10 FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH SA ASSOCIATES, INC. (Report of: Public Works Department)

**Recommendation:**

1. Approve the “First Amendment to Agreement for Professional Consultant Services” with SA Associates, Inc. (SA), 1130 W. Huntington Drive, Unit 12, Arcadia, CA 91007 to provide Professional Consultant Services, extend the agreement from August 31, 2009 to December 31, 2009, and increase the

agreement amount by the “not to exceed” fee of \$350,000.00;

2. Authorize the City Manager to execute said “First Amendment to Agreement for Professional Consultant Services” with SA; and
3. Authorize a Change Order to increase the Purchase Order to SA in the amount of \$350,000.00 when “First Amendment to Agreement for Professional Consultant Services” has been signed by all parties.

A .11 AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH JAGDISH SHAH (Report of: Public Works Department)

**Recommendation:**

1. Approve the “Agreement for Professional Consultant Services” with Jagdish Shah, R.A., M.S. (Civil), 22900 Estoril Drive, Unit 5, Diamond Bar, CA 91765-4490 to provide Professional Consultant Services, for the “not to exceed” fee of \$265,000;
2. Authorize the City Manager to execute said “Agreement for Professional Consultant Services” with Jagdish Shah; and
3. Authorize a Purchase Order to Jagdish Shah in the amount of \$265,000 when the “Agreement for Professional Consultant Services” has been signed by all parties.

**B CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT**

B .1 ORDINANCES - READING BY TITLE ONLY

**Recommendation:** Waive reading of all Ordinances.

B .2 MINUTES - REGULAR MEETING OF JANUARY 27, 2009 (Report of: City Clerk's Department)

**Recommendation:**

Approve as submitted.

B .3 NAMING OF PARK ON FILAREE AVENUE BETWEEN SHEILA STREET AND PERRIS BOULEVARD (Report of: Parks and Community Services)

**Recommendation:**

Adopt the name as recommended and submitted at the neighborhood

meeting for the new park located along the south side of Filaree Avenue between Sheila Street and Perris Boulevard as "Patriot Park."

## **C CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY**

### **C .1 ORDINANCES - READING BY TITLE ONLY**

**Recommendation:** Waive reading of all Ordinances.

### **C .2 MINUTES - REGULAR MEETING OF JANUARY 27, 2009 (Report of: City Clerk's Department)**

**Recommendation:**

Approve as submitted.

### **C .3 FIRST AMENDMENT TO THE AMENDED AND RESTATED AFFORDABLE HOUSING AGREEMENT BETWEEN ONE MORENO VALLEY 240, LP AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY FOR THE OAKWOOD APARTMENTS (Report of: Economic Development Department)**

**Recommendation:**

That the City Council Adopt Resolution No. 2009-03 and the Board of Directors of the Community Redevelopment Agency adopt Resolution No. RDA 2009-01 approving the First Amendment to the Amended and Restated Affordable Housing Agreement between One Moreno Valley 240, LP and the Community Redevelopment Agency of the City of Moreno Valley for the Oakwood Apartments.

Resolution No. RDA 2009-01

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving a First Amendment to Amended and Restated Affordable Housing Agreement by and Between the Agency and One Moreno Valley 240, L.P., A California Limited Partnership

## **D CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES**

### **D .1 ORDINANCES - READING BY TITLE ONLY**

**Recommendation:** Waive reading of all Ordinances.

### **D .2 MINUTES - REGULAR MEETING OF JANUARY 27, 2009 (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.

- E .1 A PHASED TENTATIVE PARCEL MAP (PA07-0090 AND P08-057) TO SUBDIVIDE A 158 GROSS ACRE SITE (265.3 ACRES INCLUDING OFFSITE IMPROVEMENTS AND DRAINAGE) INTO FOUR BUILDABLE PARCELS AND TWO PARCELS DEDICATED FOR FUTURE FREEWAY IMPROVEMENT PURPOSES (THIRTEEN PARCELS TOTAL INCLUDING PUBLIC ACCESS AND DEDICATION), AND FIRST PHASE PLOT PLAN (PA07-0091) FOR AN APPROXIMATELY 1,820,000 SQUARE FOOT WAREHOUSE INDUSTRIAL BUILDING ON APPROXIMATELY 83 ACRES (TOTAL OF 2,620,000 SQUARE FEET OF BUILDING FOR THE ALL PHASES OF DEVELOPMENT). THE PROJECT SITE CURRENTLY LIES WITHIN THE BP (BUSINESS PARK) AND CC (COMMUNITY COMMERCIAL) LAND USE DISTRICTS AND INCLUDES A REQUEST A CHANGE OF ZONE (PA07-0088) TO LI (LIGHT INDUSTRIAL) FOR ALL PROPOSED INDUSTRIAL USES AND A GENERAL PLAN AMENDMENT (PA07-0089) TO ELIMINATE A PLANNED MULTI-USE TRAIL OVER HIGHWAY 60, TO ADJUST AND EXTEND A PLANNED MULTI-USE TRAIL FROM THE SOUTH TO THE NORTH SIDE OF FUTURE EUCALYPTUS AVENUE FROM QUINCY STREET TO THEODORE STREET, TO RE-DESIGNATE FUTURE EUCALYPTUS AVENUE FROM REDLANDS BOULEVARD TO THEODORE STREET FROM AN ARTERIAL TO A DIVIDED ARTERIAL TO ALLOW THE ADDITION OF MEDIANS, AND TO ADJUST PARCEL LINES AND LAND USE FOR TWO PARCELS LOCATED IN THE CC LAND USE DISTRICT (NARROW WIDTH 126 FEET ON THE EASTERN PORTION OF THE SITE AND WIDEN 87 FEET ON THE WESTERN PORTION OF THE SITE). THE PROPOSED PROJECT IS LOCATED ADJACENT TO AND SOUTH OF HIGHWAY 60 ALONG FUTURE EUCALYPTUS AVENUE (FIR AVENUE) BETWEEN REDLANDS BOULEVARD AND THEODORE STREET. AN APPEAL HAS BEEN FILED BY THE PROJECT APPLICANT, HIGHLAND FAIRVIEW PROPERTIES, TO PROTECT THEIR RIGHTS **(ITEM CONTINUED FROM FEBRUARY 3, 2009 SPECIAL MEETING, PUBLIC COMMENTS WILL BE OPEN ONLY**

**FOR THOSE WHO PREVIOUSLY SUBMITTED SPEAKER SLIPS AT THE FEBRUARY 3, 2009 SPECIAL MEETING AND WERE NOT CALLED TO SPEAK BY THE CITY COUNCIL) (Report of: Community Development Department)**

**Recommendation:**

1. The Planning Commission recommends that the City Council conduct a public hearing to: DENY PA07-0088 (Change of Zone) and a policy decision to change the zoning map on a 104.9 acre portion of a 158 acre project site from Business Park (BP), requiring a maximum of 50,000 square foot industrial/business park buildings, to Light Industrial (LI), allowing for industrial warehouse buildings greater than 50,000 square feet, thus denying the applicant's appeal and the project request as a whole. (If the Planning Commission's recommendation to deny the policy decision and change of zone is upheld, a resolution would be provided under separate cover at the meeting.)

If the applicant's appeal is upheld and a policy decision to change the zone from BP (Business Park) to LI (Light Industrial) can be justified by the City Council, the following alternative recommendation may be considered:

1. APPROVE Resolution No. 2009-08 to CERTIFY an Environmental Impact Report (P07-157), including approval of Statement of Overriding Considerations and a required Mitigation Monitoring Program for a Change of Zone (PA07-0088), General Plan Amendment (PA07-0089), Tentative Parcel Map (PA08-0090 and P08-057) and a Plot Plan (PA07-0091), pursuant to the California Environmental Quality Act (CEQA) Guidelines.

Resolution No. 2009-08

A Resolution of the City Council of the City of Moreno Valley, California, Certifying the Final Environmental Impact Report (P07-157), Adoption of the Findings and Statement of Overriding Considerations, and Approval of the Mitigation Monitoring Program for the Highland Fairview Corporate Park Project, Generally Located Adjacent to and South Of Highway 60 Along Future Eucalyptus Avenue (Fir Avenue) Between Redlands Boulevard and Theodore Street

2. INTRODUCE Ordinance No. 785 for a Change of Zone (PA07-0088), to change the zone on approximately 104.9 acres of a

158 acre site from BP (Business Park) to LI (Light Industrial) to allow for industrial warehouse buildings greater than 50,000 square feet, subject to the findings included in the attached resolution.

Ordinance No. 785

An Ordinance of the City Council of the City of Moreno Valley, California, Amending the Official Zoning Atlas of Said City, to Include a Change of Zone (PA07-0088) From BP (Business Park) To LI (Light Industrial) for an Approximate 104.9 Acre Portion of the Site, Including a Change of Zone for a 87 Foot Area Between Parcels 2 and 3 from BP (Business Park) To CC (Community Commercial) and Change of Zone for 126 Feet of Land Between Parcels 1 and 4 from CC (Community Commercial) To LI (Light Industrial), All Encompassed Within an Approximately 158 Acre Site (Including Relevant Offsite Improvements and Drainage) Commercial Land Uses) on the Property Located South of and Adjacent to Highway 60 Between Redlands Boulevard and Theodore Street Along Future Eucalyptus (Fir Avenue)

3. APPROVE Resolution Nos. 2009-09, 2009-10, and 2009-11 for a General Plan Amendment (PA07-0089) to modify the Master Plan of Trails and Circulation Map of the General Plan, a plot plan (PA07-0090) and Tentative Parcel Map No. 35629 including phasing (PA07-0091 and P08-057) for the subdivision of a 158 acre site into four buildable parcels and additional parcels for public access and dedication purposes and a 2,620,000 square foot industrial/commercial development, including a 1,800,000 square foot industrial warehouse building (Phase 1), two parcels for future freeway improvements and numerous lettered lots for maintenance and easement purposes, subject to all mitigation measures within the EIR, as well as findings included in the attached resolutions, and conditions of approval, attached as Exhibit A to two of the resolutions.

Resolution No. 2009-09

A Resolution of the City Council of the City of Moreno Valley, California, Approving A General Plan Amendment (PA07-0089) for the Elimination of a Portion of a General Plan Designated Multi-Use Trail, the Adjustment of a Planned Multi-Use Trail on Future Eucalyptus Avenue (Fir), the Upgrading from an Arterial to a Divided Arterial for Future Eucalyptus Avenue (Fir) and a Change in Land Use for a 87 Foot Area Between Parcel of Land

Use for of 126 Feet of Land Between Parcels 1 and 4 From C (Commercial) To BP (Business Park), and a Plot Plan for an Approximately 1,820,000 Square Foot Warehouse Industrial Building (Total of 2,620,000 Square Feet for All Phases of Development Consisting of Industrial and Commercial Land Uses) on the Property Located South of and Adjacent to Highway 60 Between Redlands Boulevard and Theodore Street Along Future Eucalyptus (Fir Avenue)

Resolution No. 2009-10

A Resolution of the City Council of the City of Moreno Valley, California Recommending Approval of PA07-0090 (Tentative Parcel Map No. 35629) for Four Separate Buildable Parcels and Two Primary Parcels Dedicated for Freeway and Improvement Purposes (Thirteen Parcels Overall to Include Lettered Lots for Public Access and Dedication Purposes) and a Phased Subdivision of Land (P08-057) Consisting of a Proposed Industrial and Commercial Development (2,620,000 Square Feet) to Include Two Parcels for Industrial Warehouse Uses, Two Parcels for Commercial/Retail Uses and Two Parcels that will be Dedicated for Future Freeway Improvements on a 158 Acre Site (With Additional Off-Site Improvements and Drainage) Located Adjacent to and South of Highway 60 Along Future Eucalyptus Avenue (Fir Avenue) Between Redlands Boulevard and Theodore Street

Resolution No. 2009-11

A Resolution of the City Council of the City of Moreno Valley, California Approving PA07-0091 (Plot Plan) for an Approximate 1,820,000 Square Foot Industrial Warehouse Building with Ancillary Commercial/Retail and Office Uses on an Approximately 83 Acre Parcel Generally Located Adjacent to and South of Highway 60 Along Future Eucalyptus Avenue (Fir Avenue) Between Redlands Boulevard and Theodore Street

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

**G REPORTS**

G .1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES  
(Informational Oral Presentation - not for Council action)

a. Report by Mayor Stewart on March Joint Powers Commission

(MJPA)

b. Report by Council Member Hastings on Western Riverside Council of Governments (WRCOG)

G .2 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

## **H LEGISLATIVE ACTIONS**

H .1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H .2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H .3 ORDINANCES - URGENCY ORDINANCES - NONE

H .4 RESOLUTIONS - NONE

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**

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

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

Number of Cases:

3 SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

a) Property: 13956 Day Street  
City Negotiator: Chris A. Vogt  
Under Negotiation: Price and terms of payment  
Owner: Odufalu  
Owners Negotiator: N/A  
APN 291-191-004

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: Robert G. Gutierrez  
Employee Organization: MVCEA

b) Agency Representative: Robert G. Gutierrez  
Employee Organization: MVMA

c) Agency Representative: Robert G. Gutierrez  
Employee Organization: Moreno Valley Confidential  
Management Employees

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

**ADJOURNMENT**