

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

**CLOSED SESSION – 6:00 P.M.  
NOVEMBER 3, 2009**

**CALL TO ORDER** – The Closed Session of the City Council of the City of Moreno Valley, Moreno Valley Community Services District and the Community Redevelopment Agency of the City of Moreno Valley was called to order at 6:00 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street, Moreno Valley, California.

**Council:**

Richard A. Stewart	Mayor
Bonnie Flickinger	Mayor Pro Tem
William H. Batey II	Council Member
Robin Hastings	Council Member
Jesse Molina	Council Member

**Staff:**

Jane Halstead	City Clerk
Robert Hansen	Interim City Attorney

**PUBLIC COMMENTS ON MATTERS UNDER THE JURISDICTION OF THE CITY COUNCIL**

Mayor Stewart opened the agenda items for public comments, which were received from Pete Blekert and Marcia Amino.

Closed Session was held in the City Manager’s Conference Room, Second Floor, City Hall 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**

None

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 8:00 p.m. by unanimous informal consent.

Submitted by:

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Jane Halstead, City Clerk, CMC  
Secretary, Moreno Valley Community Services District  
Secretary, Community Redevelopment Agency of the City of Moreno Valley

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