

**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.
SEPTEMBER 7, 2010**

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 Flickinger in the Council Chamber located at 14177 Frederick Street, Moreno Valley, California.

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

Staff:	Jane Halstead	City Clerk
	Robert Hansen	City Attorney
	William Bopf	Interim City Manager

PUBLIC COMMENTS ON MATTERS UNDER THE JURISDICTION OF THE CITY COUNCIL

Mayor Flickinger opened the agenda items for public comments, which were received from Pete Bleckert (Item No. 5), Marcia Amino (Item No. 5) and Deanna Reeder (Item No. 5).

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: *Rocha v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 501395

- b 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

- c Case: *Constant v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 535987
- d Case: *Kagan v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 528105
- e Case: *Residents for a Livable Moreno Valley, an unincorporated association, Petitioner v. CITY OF MORENO VALLEY, Respondent, WESTERN REALCO, LLC, Real Party in Interest, and DOES 1 through 100, inclusive, Real Parties in Interest*
Court: Riverside Superior Court
Case No: RIC 536464
- f Case: *Tillman v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 543447
- g Case: *Arch Insurance Company v. City of Moreno Valley, Safeguard Insurance Company*
Court: Riverside Superior Court
Case No: RIC 513196
- h Case: *Norton v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 533180
- i Case: *Residents for a Livable Moreno Valley II*
Court: Riverside Superior Court
Case No: 10003334
- j Case: *Desprez v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 537756
- k Case: *Dillard v. City of Moreno Valley*

Court: Riverside Superior Court
Case No: RIC 528406

l Case: *RADOS v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 425323

m 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: RIC 514702

n Case: *In Re General Growth Properties, Inc.*
Court: U.S. Bankruptcy Court, Southern District of New York
Case No: 09-11977

o 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

p Case: *Los Angeles Engineering v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 524877

q Case: *Navarro v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 10007183

r Case: *Brooks v. City of Moreno Valley*
Court: Riverside Superior Court
Case No: RIC 510225

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

4 SECTION 54957 - PERSONNEL MATTERS

a) Public Employee Performance Evaluation: Interim City Manager

5 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

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

The City Attorney reported the following:

The City Council voted 5-0 in Closed Session to waive the Brown Act and attorney-client privilege to certain closed session items. This waiver is limited to the information that will be disclosed by the Mayor and it does not apply to any other closed session items or documents.

Mayor Flickinger reported the following:

1. The August 24 motion was to terminate the current city manager recruitment and commence a new recruitment. The reason for that motion was that two council members have heard closed session information related to the city manager recruitment from outsiders. The majority considered the recruitment process was compromised by the disclosure of confidential information. The Council directed the city attorney to employ the services of an investigator to look into this matter.

City Attorney Hansen reported the following:

2. The City Council voted 4-1, Council Member Hastings opposed, to reopen the previously terminated city manager recruitment for the purpose of re-interviewing the top candidates.

3. The correction to a previous closed session that should have been reported out but was not - in June at the first Closed Session, the City Council voted 5-0 to establish an ad hoc committee consisting of one member of the community appointed by each Council Member to review and rank the top applicants as selected by the City Council for the city manager recruitment. The ranking of the ad hoc committee was nonbinding on the City Council who would use the information from the ad hoc committee in its ranking of applicants to interview.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:35 p.m. by unanimous informal consent.

Submitted by:

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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