

In the Matter of the Calculation of Final Compensation of:

Bruce Malkenhorst, Sr., Respondent,
and
City of Vernon, Respondent

OAH Case No. 2013080917

CalPERS Case No. 2012-0671

EXHIBIT L (6 PAGES)

283137

MINUTES OF AN ADJOURNED CITY COUNCIL MEETING
OF THE CITY OF VERNON HELD JUNE 30, 1987, AT
5:00 P.M. IN THE CITY COUNCIL CHAMBERS OF THE
CITY HALL LOCATED AT 4305 SANTA FE AVENUE,
VERNON, CALIFORNIA

MEMBERS PRESENT: Malburg, Ybarra, McCormick, Davis, Gonzales

MEMBERS ABSENT: None

The meeting was called to order by Mayor Malburg.

It was moved by Ybarra, seconded by Davis, that the minutes of the City Council meeting held June 16, 1987, be approved and adopted. Motion carried.

At this time the Mayor asked if anyone wished to address the City Council regarding any items listed on today's agenda.

There was no one present in the audience.

Communication from Victor Vaits, Director of Community Services, dated June 17, 1987, was presented, transmitting for consideration a fully executed Grant Deed from Alan S. Cohen and Pearl T. Cohen, for a portion of property situated at the corner of District Boulevard and Slauson Avenue, and a Certificate of Acceptance; and recommending that the property be accepted and the Mayor and City Clerk be authorized to sign the Certificate of Acceptance.

It was moved by Gonzales, seconded by Ybarra, that the aforementioned Grant Deed from Alan S. Cohen and Pearl T. Cohen be accepted and the Certificate of Acceptance be approved and the Mayor and City Clerk be authorized to execute same. Motion carried.

Communication from Bruce V. Malckenhorst, City Clerk, dated June 23, 1987, was presented, advising of an Amendment to the Agreement extending Animal Control Services through 1987-88, the language of the agreement, the hourly rate charged and the fees remain the same as in the 1986-87 agreement. Said agreement has been reviewed by the Director of Health & Environmental Control Section and it is hereby recommended that it be extended.

It was moved by Davis, seconded by McCormick, that the Amendment to the Agreement extending Animal Control Services through 1987-88, be extended. Motion carried.

RESOLUTION NO. 5403 - A Resolution of the City Council of the City of Vernon Approving a Budget for the Fiscal Year 1987-1988. was presented.

It was moved by Ybarra, seconded by Davis, that Resolution No. 5403 be approved and adopted. Motion carried.

RESOLUTION NO. 5404 - A Resolution of the City Council of the City of Vernon Establishing a General Government Appropriations Limit for the Fiscal Year Ending June 30, 1988 Pursuant to Government Code Section 7910, was presented.

It was moved by McCormick, seconded by Gonzales, that Resolution No. 5404 be approved and adopted. Motion carried.

RESOLUTION NO. 5405 - A Resolution of the City Council of the City of Vernon Fixing the Compensation for Certain Employees of Said City as of July 1, 1987, Authorizing Certain Expense Allowances and Repealing All Resolutions in Conflict Therewith, was presented.

It was moved by Ybarra, seconded by McCormick, that Resolution No. 5405 be deferred to Closed Session. Motion carried.

RESOLUTION NO. 5406 - A Resolution of the City Council of the City of Vernon Establishing Compensation for the City

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Attorney, David B. Brearley, in Accordance with Section 5 of the City Attorney Employment Agreement Approved by Resolution No. 5298, was presented.

It was moved by McCormick, seconded by Davis, that Resolution No. 5406 be deferred to Closed Session. Motion carried.

Communication from Bruce V. Malckenhorst, Director of Finance, dated June 23, 1987, was presented, transmitting the Minutes of the Finance Committee Meeting held June 18, 1987, for approval of recommendations contained therein.

It was moved by Gonzales, seconded by McCormick, that the Minutes of the Finance Committee meeting held June 18, 1987 be approved as written and recommendations contained therein be adopted. Motion carried.

Communication from Bruce V. Malckenhorst, Director of Personnel, dated June 23, 1987, was presented, transmitting the agenda for the Adjourned Personnel Committee meeting to be held June 25, 1987, and recommending approval of recommendations contained thereon.

It was moved by Ybarra, seconded by Davis, that the actions on the agenda for the Adjourned Personnel Committee meeting held June 25, 1987 be approved. Motion carried.

Communication from Bruce V. Malckenhorst, Director of Finance, dated June 23, 1987, was presented, transmitting the agenda for the Adjourned Finance Committee meeting to be held June 25, 1987, and recommending approval of recommendations contained thereon.

It was moved by McCormick, seconded by Ybarra, that the actions on the agenda for the Adjourned Finance Committee meeting held June 25, 1987 be approved. Motion carried.

The matter of the ratification of the Mayor's execution of Letters of Intent to purchase capacity and energy from Bonneville Power Administration and the California Department of Water Resources was discussed and staff's request for the adoption of a resolution approving said ratification and purchase.

It was moved by Ybarra, seconded by Gonzales, that the execution of the Letter of Intent to purchase capacity and energy from the Bonneville Power Administration be ratified and a resolution approving same be adopted. Motion carried.

RESOLUTION NO. 5407 - A Resolution of the City Council of the City of Vernon Approving and Ratifying the Mayor's Execution of a Letter of Intent with the Bonneville Power Administration ("BPA"), was presented.

It was moved by McCormick, seconded by Gonzales, that Resolution No. 5407 be approved and adopted. Motion carried. Councilman Davis abstained from voting on the above motion and disqualified himself because it is reasonably foreseeable that the decision will have a material financial effect on his source of income.

RESOLUTION NO. 5396 - A Resolution of the City Council of the City of Vernon Approving and Ratifying the Mayor's Execution of a Letter of Intent to Extend the Power Sale Agreement between the Department of Water Resources of the State of California ("CDWR") and the City of Vernon to Provide for the Purchase of Capacity and Energy and to Provide Notice to Southern California Edison Company of said Purchase.

It was moved by Ybarra, seconded by Gonzales, that Resolution No. 5396 be approved and adopted. Motion carried. Councilman Davis abstained from voting on the above motion and disqualified himself because it is reasonably foreseeable that the decision will have a material financial effect on his source of income.

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The matter of the ratification of the Mayor's execution of a Firm Transmission Service Agreement with Southern California Edison was discussed and instructions to the City Administrator to send a letter of protest to Southern California Edison concerning said agreement, and staff's request the adoption of a resolution approving said Firm Transmission Service Agreement.

It was moved by McCormick, seconded by Gonzales, that the matter of a Firm Transmission Service Agreement with Southern California Edison be deferred to Closed Session. Motion carried.

Communication from Bruce V. Malkehhorst, Director of Personnel, dated June 25, 1987, was presented, recommending that the following personnel actions be approved as indicated:

I. Hire

The below listed temporary employees assigned to Community Services be hired on a regular full time basis classified as Utilityman V, Step 7, with monthly salaries of \$1519 effective July 1, 1987:

Adam Alvarez
Rene Morales
Ruben Reynoso

It was moved by McCormick, seconded by Davis, to hire above listed employees on a regular full basis classified as Utilityman V, Step 7, effective July 1, 1987. Motion carried.

Michael Gillman be hired as Police Officer I, Step 4, with a monthly salary of \$1933 effective June 29, 1987, with continued employment contingent upon the successful completion of the background process and the execution of an Employment Agreement.

It was moved by Ybarra, seconded by Gonzales, that Michael Gillman be hired as Police Officer I, Step 4, with a monthly salary of \$1933, effective June 29, 1987. Motion carried.

Antonio Olivo be hired as a temporary employee assigned to the Light & Power Department with an hourly wage of \$5.25 effective June 29, 1987.

It was moved by McCormick, seconded by Davis, that Antonio Olivo be hired as a temporary employee assigned to the Light & Power Department with an hourly wage of \$5.25, effective June 29, 1987. Motion carried.

II. Reclassifications

Battalion Chief Larry Spadt to serve as Acting Fire Chief in the absence of Frank Claunch, and to receive the pay of Deputy Fire Chief, Step 1, effective June 24, 1987, with a new monthly salary of \$4918 (which includes 2 1/2% Educational Incentive Pay and 5% Longevity);

It was moved by Gonzales, seconded by Ybarra, that Battalion Chief Larry Spadt serve as Acting Fire Chief in the absence of Frank Claunch, and receive the pay of Deputy Fire Chief, Step 1, effective June 24, 1987, that salary being \$4918 (which includes 2 1/2% Educational Incentive Pay and 5% Longevity). Motion carried.

Ronald Anderson be advanced and reclassified to Foreman, Step 3, with a new monthly salary of \$3658 (which includes 10% longevity pay) effective July 1, 1987;

It was moved by McCormick, seconded by Davis, that Ronald Anderson be advanced and reclassified to Foreman, Step 3, with a new monthly salary of \$3658 (which includes 10% longevity pay) effective July 1, 1987. Motion carried.

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Terry Gresham be reclassified and advanced to Foreman, Step 3, with a new monthly salary of \$3658 (which includes 10% longevity pay) effective July 1, 1987;

It was moved by Ybarra, seconded by Gonzales, that Terry Gresham be reclassified and advanced to Foreman, Step 3, with a new monthly salary of \$3658 (which includes 10% longevity pay) effective July 1, 1987. Motion carried.

Albert Cruz be reclassified and advanced to Utilityman IV, Step 2, with a new monthly salary of \$2322 (which includes 5% longevity pay) effective July 1, 1987;

It was moved by Davis, seconded by Ybarra, that Albert Cruz be reclassified and advanced to Utilityman IV, Step 2, with a new monthly salary of \$2322 (which includes 5% longevity pay) effective July 1, 1987. Motion carried.

Richard Stoykovich be reclassified and advanced to Utilityman II, Step 2, with a new monthly salary of \$2886 (which includes 5% longevity pay) effective July 1, 1987;

It was moved by Davis, seconded by McCormick, that Richard Stoykovich be reclassified and advanced to Utilityman II, Step 2, with a new monthly salary of \$2886 (which includes 5% longevity pay) effective July 1, 1987. Motion carried.

Fred Tachovsky be reclassified and advanced to Chief Electrical Inspector, Step 1, with a new monthly salary of \$5497 (which includes 10% longevity pay) effective July 1, 1987;

It was moved by Ybarra, seconded by Gonzales, that Fred Tachovsky be reclassified and advanced to Chief Electrical Inspector, Step 1, with a new monthly salary of \$5497 (which includes 10% longevity pay) effective July 1, 1987. Motion carried.

Rosa Gonzales be reclassified and advanced to Secretary, Step 5, with a new monthly salary of \$1977 (which includes 5% longevity pay) effective July 1, 1987;

It was moved by McCormick, seconded by Ybarra, that Rosa Gonzales be reclassified and advanced to Secretary, Step 5, with a new monthly salary of \$1977 (which includes 5% longevity pay) effective July 1, 1987. Motion carried.

The above advancements and reclassifications are based on the employees' meritorious job performance and increased job responsibilities during the past year.

III. Transfers

Jeff Roland a temporary employee assigned to the Community Services Department be transferred on a lateral basis only to the Light & Power Department, effective July 5, 1987;

It was moved by Davis, seconded by Gonzales, that Jeff Roland, a temporary employee assigned to the Community Services Department be transferred on a lateral basis only to the Light & Power Department, effective July 5, 1987. Motion carried.

Debbie Pile be transferred to the Light & Power Department on a lateral basis only, effective July 1, 1987.

It was moved by Ybarra, seconded by McCormick, that Debbie Pile be transferred to the Light & Power Department on a lateral basis only, effective July 1, 1987. Motion carried.

Communication from Lew Adams, Director of Water & Power, dated June 25, 1987, was presented, submitting for your review a lease agreement with California Purification and Recycling, 5261

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East Washington Blvd., Commerce, California, 90040, to provide purified water for operation of the Turbine Generators. Under this agreement, California Purification and Recycling provides and maintains the equipment necessary for operation of the turbine units; said lease is for a three (3) year period. The engineering consultant and staff have reviewed this system with comparison with other proposals and feel this is the preferred one; and it is hereby recommend that said agreement be approved and authority be granted for the Director of Water & Power to sign on behalf of the City.

It was moved by Gonzales, seconded by Ybarra, that the lease agreement with California Purification and Recycling to provide purified water for operation of the Turbine Generators be approved and authorization be granted for the Director of Water to sign on behalf of the City.

It was moved by McCormick, seconded by Ybarra, that the City Council recess to Closed Session pursuant to Government Code Section 54956.9(a), to confer with its attorney regarding pending litigations, the being 6:03 P.M. Motion carried.

All persons with the exception of the City attorney and the City Clerk were excluded from Closed Session.

The Mayor ordered all communications to and from Closed Session deemed privileged and confidential.

Councilman Davis was excused from Closed Session, the time being 6:42 P.M.

Councilman Davis resumed his seat on the Council at 7:08 P.M.

It was moved by McCormick, seconded by Ybarra, that City Council go out of Closed Session and resume Regular Session, the time being 7:09 P.M. Motion carried.

It was moved by Ybarra, seconded by Gonzales, that the City Council recess to Closed Session/Personnel pursuant to Government Code Section 54957, the time being 7:10 P.M. Motion carried.

All persons with the exception of the City Attorney and the City Clerk were excluded from Closed Session.

The Mayor ordered all communications to and from Closed Session deemed privileged and confidential.

The City Attorney was excused from Closed Session, the time being 7:11 P.M.

The City Attorney returned to Closed Session, the time being 7:36 P.M.

It was moved by McCormick, seconded by Ybarra, that City Council go out of Closed Session and resume Regular Session, the time being 8:00 P.M. Motion carried.

RESOLUTION NO. 5405 - A Resolution of the City Council of the City of Vernon Fixing the Compensation for Certain Employees of said City as of July 1, 1987, Authorizing Certain Expense Allowances and Repealing All Resolutions in Conflict Therewith, was presented (deferred from earlier in the meeting).

It was moved by Ybarra, seconded by McCormick that Resolution No. 5405 be approved and adopted. Motion carried.

RESOLUTION NO. 5406 - A Resolution of the City Council of the City of Vernon Establishing Compensation for the Attorney, David B. Brearley, in Accordance with Section 5 of the

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City Attorney Employment Agreement Approved by Resolution No. 5298, was presented (deferred from earlier in the meeting).

It was moved by Gonzales, seconded by Davis, that Resolution No. 5406 be approved and adopted. Motion carried.

There being no further business to come before the Council, it was moved by McCormick, seconded by Davis, that the meeting adjourn.

ATTEST:


Leonis C. Malburg
Mayor


Bruce V. Malckenhorst
City Clerk

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