

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 P (3 PAGES)**

MINUTES OF THE CITY COUNCIL MEETING OF THE  
CITY OF VERNON HELD JUNE 27, 1989 AT 4:45  
P.M. IN THE COUNCIL CHAMBERS OF THE CITY  
HALL LOCATED AT 4305 SANTA FE AVENUE, VERNON,  
CALIFORNIA

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

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 20, 1989 be deferred to the next City Council Meeting. Motion carried.

Communication from Norman Michiels, Director of Environmental Health, dated June 15, 1989, was presented, requesting authority and funds for Dan Downing, Environmental Specialist, to attend a Short Course for the Training of Testers for Backflow Prevention Assemblies at University of Southern California, July 10-14, 1989, with an expense allowance of \$611.10.

It was moved by McCormick, seconded by Gonzales, that authority be granted to issue warrant to Dan Downing in the amount of \$611.10 for his attendance at a Short Course for the Training of Testers for Backflow Prevention Assemblies at University of Southern California, July 10-14, 1989. Motion carried.

Communication from Bruce V. Malkenhorst, City Clerk, dated June 22, 1989, was presented, requesting authority and funds for himself and Councilmen Thomas Ybarra and William Davis to attend the Mayors and Councilmembers Forum in Monterey, July 25-28, 1989, with an expense allowance of \$1002.

It was moved by Gonzales, seconded by McCormick, that authority be granted for the aforementioned City officials to attend the Mayors and Councilmembers Forum in Monterey, July 25-28, 1989, with an expense allowance of \$1002. Motion carried.

RESOLUTION NO. 5638 - A Resolution of the City Council of the City of Vernon Objecting to the Air Quality Management Plan Proposed by the South Coast Air Quality Management District, was presented.

David B. Brearley, City Attorney, briefly addressed the City Council on this matter and advised that the City was represented by a member of the City Attorney's staff.

It was moved by Ybarra, seconded by McCormick, that Resolution No. 5638 be approved and adopted. Motion carried.

RESOLUTION NO. 5639 - A Resolution of the City Council of the City of Vernon Approving a Budget for the Fiscal Year 1989-1990, was presented.

It was moved by Ybarra, seconded by Davis, that Resolution No. 5639 be approved and adopted. Motion carried.

Communication from David B. Brearley, City Attorney, dated June 22, 1989, was presented, with regard to Notice of Capacity Additions starting January 1, 1991 - (Special Condition No. 12.)

The City Attorney addressed the City Council on this matter and distributed his letter dated June 27, 1989 with regard to this matter, and presenting staff's recommendations for the City to enter into agreements with the entities shown on the following pages to supply capacity and energy effective July 1, 1991:

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ENTITY	WINTER	SUMMER	LOAD FACTOR
Department of Water Resource	67 MW	98 MW	On-Peak and Mid-Peak
Department of Water and Power	30 MW	30 MW	100%
Salt River Project	20 MW	20 MW (May & Oct.)	88%
Cities of Burbank and Glendale	30 MW	30 MW	Off-Peak
City of Pasadena	15 MW	15 MW	Off-Peak

The City Attorney recommended to the City Council that he be authorized to provide Southern California Edison Company notice that these purchase arrangements are being acquired pursuant to Special Condition 12.

It was moved by McCormick, seconded by Ybarra, to receive and file the City Attorney's communications dated June 22 and 27, 1989, and to approve his recommendations. Motion carried. Councilman Davis abstained from voting and disqualified himself because it is reasonably foreseeable that the decision may have a material financial effect on his source of income.

RESOLUTION NO. 5640 - A Resolution of the City Council of the City of Vernon Establishing a General Government Appropriations Limit for the Fiscal Year Ending June 30, 1990 Pursuant to Government Code Section 7910, was presented.

It was moved by Gonzales, seconded by Davis, that Resolution No. 5640 be approved and adopted. Motion carried.

RESOLUTION NO. 5641 - A Resolution of the City Council of the City of Vernon Fixing the Compensation for Certain Employees of Said City as of July 1, 1989, Authorizing Certain Expense Allowances and Repealing All Resolutions in Conflict Therewith, was presented.

It was moved by Ybarra, seconded by Gonzales, that Resolution No. 5641 be approved and adopted. Motion carried.

RESOLUTION NO. 5642 - A Resolution of the City Council of the City of Vernon Establishing Compensation for the City 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. 5642 be approved and adopted. Motion carried.

ORDINANCE NO. 983 - An Ordinance of the City Council of the City of Vernon Amending the Code of the City of Vernon Which Prohibits the Possession of an Open Container at a Liquor Store and Prohibiting the Drinking of Alcoholic Beverages in Public Places or on Posted Private Premises, was read by title for a First Reading.

It was moved by Ybarra, seconded by McCormick, that Ordinance No. 983 be approved for a First Reading. Motion carried.

Communication from Bruce V. Malckenhorst, Director of Finance, dated June 22, 1989, was presented, transmitting the minutes of the Adjourned Finance Committee Meetings held June 19

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and 21, 1989, for approval of the recommendations contained therein.

It was moved by McCormick, seconded by Davis, that the minutes of the Adjourned Finance Committee Meetings held June 19 and 21, 1989, be approved as indicated. Motion carried.

Communication from Bruce V. Malckenhorst, Director of Finance, dated June 22, 1989, was presented, transmitting the agenda for the Adjourned Finance Committee Meeting to be held June 26, 1989, for approval of the recommendations contained therein.

It was moved by Davis, seconded by Ybarra, that the recommendations listed on the agenda for the Adjourned Finance Committee Meeting held June 26, 1989, be approved as indicated. Motion carried.

It was moved by McCormick, seconded by Ybarra, that the Council go into Closed Session to confer with the City Attorney pursuant to Government Code Section 54956.9(a), the time being 5:32 p.m. Motion carried.

All persons with the exception of the City Attorney and 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 at 5:45 p.m.

Councilman Davis resumed his seat on the Council at 6:15 p.m.

It was moved by McCormick, seconded by Davis, that the Council go out of Closed Session and resume regular session the time being 6:20 p.m. Motion carried.

It was moved by McCormick, seconded by Gonzales, that the Council go into Closed Session pursuant to Government Code Section 54957 the time being 6:22 p.m. Motion carried.

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

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

It was moved by McCormick, seconded by Ybarra that the Council go out of Closed Session and resume regular session the time being 6:30 p.m. Motion carried.

It was moved by McCormick, seconded by Davis, that July 3, 1989 be granted as an additional holiday for miscellaneous personnel who are not required for emergency services and any other non-represented employees which does not effect operations of the City. Motion carried.

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

  
Leonis C. Malburg, Mayor

ATTEST:

  
Bruce V. Malckenhorst, City Clerk

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