

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 Y (4 PAGES)

**MINUTES OF THE ADJOURNED CITY COUNCIL
MEETING OF THE CITY OF VERNON HELD
JUNE 30, 1994 AT 5 P.M. IN THE COUNCIL
CHAMBERS OF THE CITY HALL LOCATED AT
4305 SANTA FE AVENUE, VERNON, CALIFORNIA**

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

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 21, 1994, be approved as submitted and adopted. Motion carried.

The City Clerk advised that now was the time for anyone in the audience to address the Council on any matter listed on the Agenda other than with regard to any Public Hearings that may be listed.

The Mayor asked if anyone in the audience wished to address the Council on any matter listed on the Agenda other than with regard to any Public Hearings that may be listed.

There was no one in the audience who wished to address the Council at this time.

The City Clerk advised that the following communication and the three resolutions pertaining to same should be deferred to the next City Council meeting.

Communication from Bruce V. Malkenhorst, City Clerk, dated June 16, 1994, advising that Vernon Metro Center II, a California Limited Partnership is proposing to subdivide and develop property at 3030 Atlantic Boulevard. In order to subdivide the property, the City is requiring the construction of frontage improvements which will include the widening of Atlantic Boulevard, the installation of a traffic signal and the extension of utilities. Vernon Metro Center II has requested that an assessment district be formed to pay for improvements. This has been reviewed by the Interim Director of Community Services and the City Attorney, and it is hereby recommended that (1) an agreement with Vernon Metro Center II be approved to insure that all costs associated with the formation of the Assessment District will be paid for out of a deposit made by the developer; (2) the services of Willdan Associates be retained as Assessment Engineer; and (3) the law firm of Jones Hall Hill & White be retained as Bond Attorneys for the project. (Deferred from the City Council Meeting held June 21, 1994.)

RESOLUTION NO. 6459 - A Resolution of the City Council of the City of Vernon Approving and Authorizing the Execution of an Agreement for Payment of Engineering and Bond Counsel Costs By and Between the City of Vernon and Vernon Metro Center II, A California Limited Partnership. (Deferred from the City Council Meeting held June 21, 1994.)

RESOLUTION NO. 6460 - A Resolution of the City Council of the City of Vernon Approving and Authorizing the Execution of an Agreement for Professional Services By and Between the City of Vernon and Willdan Associates. (Deferred from the City Council Meeting held June 21, 1994.)

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RESOLUTION NO. 6461 - A Resolution of the City Council of the City of Vernon Approving and Authorizing the Execution of an Agreement for Legal Services By and Between the City of Vernon and Jones Hall Hill & White. (Deferred from the City Council Meeting held June 21, 1994.)

It was by McCormick, seconded by Gonzales, that the aforementioned matter pertaining to Vernon Metro Center II, a California Limited Partnership, be deferred to the next City Council Meeting. Motion carried.

Communication from Bruce V. Malkenhorst, City Clerk, dated June 23, 1994, was presented, requesting authority and funds for himself, Mayor Pro Tem Thomas Ybarra, Councilmen Hilario Gonzales and William Davis to attend the League of California Cities Mayors and Councilmembers Executive Forum in Monterey, July 27-29, 1994 with an expense allowance of \$817 each.

It was moved by Gonzales, seconded by Ybarra, that authority be granted for the above listed City officials to attend the aforementioned conference with an expense allowance of \$817 each. Motion carried.

Communication from Bruce V. Malkenhorst, Director of Finance, dated June 23, 1994, was presented, transmitting the Agenda for the Adjourned Finance Committee Meeting to be held June 27, 1994, for approval of the recommendations contained therein.

It was moved by Davis, seconded by McCormick, to approve the recommendations listed on the Agenda for the Adjourned Finance Committee Meeting held June 27, 1994. Motion carried.

RESOLUTION NO. 6471 - A Resolution of the City Council of the City of Vernon Authorizing the Sale of Surrendered Weapons by the Police Department Pursuant to Section 12028(c) of the Penal Code, was presented.

It was moved by Ybarra, seconded by Gonzales, that Resolution No. 6471 be approved and adopted. Motion carried.

RESOLUTION NO. 6465 - A Resolution of the City Council of the City of Vernon Approving a Budget for the Fiscal Year 1994-1995, was presented.

It was moved by Ybarra, seconded by Davis, that Resolution No. 6465 be approved and adopted. Motion carried.

RESOLUTION NO. 6466 - A Resolution of the City Council of the City of Vernon Establishing a General Government Appropriation Limit for the Fiscal Year Ending June 30, 1995 Pursuant to Government Code Section 7910, was presented.

It was moved by Gonzales, seconded by McCormick, that Resolution No. 6466 be approved and adopted. Motion carried.

RESOLUTION NO. 6467 - A Resolution of the City Council of the City of Vernon Fixing the Compensation for Certain Employees of Said City as of July 1, 1994, Authorizing Certain Expense Allowances and Amending Resolution No. 5645 and Repealing All Resolutions in Conflict Therewith, was presented.

It was moved by Ybarra, seconded by Davis, that Resolution No. 6467 be approved and adopted. Motion carried.

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RESOLUTION NO. 6468 - A Resolution of the City Council of the City of Vernon Making Appropriations for the Operating Costs of the Redevelopment Agency of the City of Vernon for the Fiscal Year 1994-1995, and Confirming the Availability of Loans Pertaining Thereto, was presented.

It was moved by McCormick, seconded by Gonzales, that Resolution No. 6468 be approved and adopted. Motion carried.

RESOLUTION NO. 6469 - A Resolution of the City Council of the City of Vernon Approving the Continued Payment of Premiums for Medical Insurance for Certain Categories of Retired Employees During the 1994-1995 Fiscal Year, was presented.

It was moved by Davis, seconded by Ybarra, that Resolution No. 6469 be approved and adopted. Motion carried.

RESOLUTION NO. 6470 - A Resolution of the City Council of the City of Vernon Approving and Authorizing the Execution of an Amendment to the City Attorney Employment Agreement Establishing Compensation for David B. Brearley as City Attorney, was presented.

It was moved by McCormick, seconded by Gonzales, that Resolution No. 6470 be approved and adopted. Motion carried.

The Mayor called a recess at 5:25 p.m.

The Council reconvened in regular session at 5:32 p.m., all members present before the recess again being present.

It was moved by McCormick, seconded by Ybarra, that the Council go into Closed Session to confer with legal counsel on Item No. 1 listed below, the time being 5:33 p.m. Motion carried.

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

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

1. With respect to every item of business to be discussed in closed session pursuant to subdivision (a) of Government Code Section 54956.9.

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Name of Cases:

- (a) Central Basin Municipal Water District v. City of Vernon, LASC No. BS 028717;
- (b) City of Vernon v. Central Basin Municipal Water District Board of Directors, et al., LASC No. BS 028742;
- (c) City of Vernon, et al. v. Board of Harbor Commissioners of the City of Long Beach et al., LASC No. BC 106713;
- (d) FERC Docket No. ER94-1288 (WRTA);
- (e) CPUC Docket No. A.91-03-039 (SoCalGas);
- (f) City of Orange, et al. v. City of Vernon, et al., San Francisco Case No. 956982;

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Councilman Davis was excused at 5:34 p.m.

Councilman Davis returned at 5:35 p.m.

Mayor Malburg was excused at 5:35 p.m. and Mayor Pro
Tem Ybarra assumed the Chair.

Mayor Malburg returned at 5:40 p.m. and assumed the
Chair.

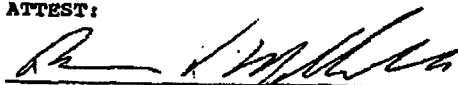
It was moved by Ybarra, seconded by McCormick, that
the Council go out of Closed Session and resume regular session
the time being 5:41 p.m. Motion carried.

It was moved by McCormick, seconded by Gonzales, that
the City Attorney's actions in intervening in Docket No. 94-1288
of the Federal Energy Regulatory Commission be approved. Motion
carried. Councilman Davis abstained from voting on this matter
and disqualified himself because it is reasonably foreseeable
that the decision may have a material financial effect on his
source of income.

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


Leonis C. Malburg
Mayor

ATTEST:


Bruce V. Malckenhorst
City Clerk

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