

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 AA (4 PAGES)

MINUTES OF THE CITY COUNCIL MEETING OF
THE CITY OF VERNON HELD JUNE 27, 1995
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

MEMBERS ABSENT: McCormick

The meeting was called to order by Mayor Malburg.

It was moved by Ybarra, seconded by Gonzales, that the Minutes of the City Council Meeting held June 20, 1995, be deferred to the next City Council Meeting. Motion carried.

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

The Mayor asked if there was anyone in the audience who 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.

ORDINANCE NO. 1031 - An Ordinance of the City Council of the City of Vernon Amending the Code of the City of Vernon, California, 1959, By Repealing Chapter 21, Sewers and Sewage Disposal, of the Code of the City of Vernon, California, 1959 and Adding Chapter 21 Thereto Regarding Sewers and Storm Drains and Repealing All Ordinances or Parts of Ordinances in Conflict Therewith, was read by Title by the City Clerk for a Second and Final Reading.

It was moved by Davis, seconded by Ybarra, that Ordinance No. 1031 be approved and adopted. Motion carried.

Ayes: Malburg, Ybarra, Davis, Gonzales
Noes: None
Absent: McCormick

The City Clerk advised the Council that the following matter should be deferred to the next City Council Meeting.

Communication from Bruce V. Malckenhorst, City Clerk, dated June 22, 1995, advising that at the Council Meeting of June 20, 1995, the matter of the application from North American Land and Leasing Corporation for a Variance from the Comprehensive Zoning Ordinance, Section 26.4.2-8, Development Standards, for the building located at 3620 Santa Fe Avenue was deferred to this meeting. Upon further review by the Acting Director of Community Services, it is hereby recommended that the request for a variance be denied as the company is unable to meet the conditions pertaining to truck loading and maneuvering requirements.

RESOLUTION NO. 6644 - A Resolution of the City Council of the City of Vernon Denying a Variance to North American Land and Leasing Corporation from Section 26.4.2-8, Development Standards, of the Comprehensive Zoning Ordinance, for the Property Located at 3620 Santa Fe Avenue in the City of Vernon.

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It was moved by Gonzales, seconded by Ybarra, that the matter pertaining to the Variance request from North American Land and Leasing Corporation be deferred to the next City Council Meeting. Motion carried.

Communication from Bruce V. Malckenhorst, Director of Finance, dated June 22, 1995, was presented, transmitting the Agenda for the Adjourned Finance Committee Meeting to be held June 26, 1995 for approval of the recommendations contained therein.

It was moved by Davis, seconded by Gonzales, that the recommendations contained in the Agenda for the Adjourned Finance Committee Meeting held June 26, 1995, be approved. Motion carried.

RESOLUTION NO. 6649 - A Resolution of the City Council of the City of Vernon Approving a Budget for the Fiscal Year 1995-1996, was presented.

It was moved by Ybarra, seconded by Davis, that Resolution No. 6649 be approved and adopted. Motion carried.

RESOLUTION NO. 6650 - A Resolution of the City Council of the City of Vernon Establishing a General Government Appropriations Limit for the Fiscal Year Ending June 30, 1996 Pursuant to Government Code Section 7910, was presented.

It was moved by Gonzales, seconded by Ybarra, that Resolution No. 6650 be approved and adopted. Motion carried.

RESOLUTION NO. 6651 - A Resolution of the City Council of the City of Vernon Fixing the Compensation for Certain Employees of Said City as of July 1, 1995, Authorizing Certain Expense Allowances and Amending Resolution No., 5645 and Repealing All Resolutions in Conflict Therewith, was presented.

It was moved by Davis, seconded by Ybarra, that Resolution No. 6651 be approved and adopted. Motion carried.

RESOLUTION NO. 6652 - 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 Ybarra, seconded by Gonzales, that Resolution No. 6652 be approved and adopted. Motion carried.

RESOLUTION NO. 6653 - 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 1995-1996, and Confirming the Availability of Loans Pertaining Thereto, was presented.

It was moved by Davis, seconded by Gonzales, that Resolution No. 6653 be approved and adopted. Motion carried.

RESOLUTION NO. 6654 - 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 1995-1996 Fiscal Year, was presented.

It was moved by Ybarra, seconded by Gonzales, that Resolution No. 6654 be approved and adopted. Motion carried.

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Communication from Bruce V. Malckenhorst, City Clerk, dated June 22, 1995, was presented, advising the Council that at their meeting held March 7, 1995, they approved a letter of understanding with Command Packaging regarding relocation assistance. An agreement has been prepared which provides for the purchase of electricity from the Vernon Municipal Utility for use by said customer at 3800 East 26th Street for the next seven years in consideration for the Redevelopment Agency providing a credit against the company's electrical bills during the first year of operation not to exceed \$80,000. This will assist the company in the reconstruction and rehabilitation of the facilities by providing electrical service to the machinery being installed by the company. This has been reviewed by the City Attorney, and it is hereby recommended that an Electrical Service Credit Agreement be approved and executed.

The Mayor asked the City Attorney if there was any collateral involved.

The City Attorney explained that this was a credit that will be reflected on the electrical bill and will be paid for by the Redevelopment Agency.

It was moved by Gonzales, seconded by Ybarra, that the communication from the City Clerk dated June 22, 1995 be received and filed, and that his recommendation be approved. Motion carried.

RESOLUTION NO. 6648 - A Resolution of the City Council of the City of Vernon Approving and Authorizing the Execution of an Electrical Service Credit Agreement By and Between the City of Vernon, The Redevelopment Agency of the City of Vernon and Grand Packaging, Inc., DBA Command Packaging, was presented.

It was moved by Ybarra, seconded by Davis, that Resolution No. 6648 be approved and adopted. Motion carried.

Mayor Malburg called a recess at 5:40 p.m.

The Council reconvened in regular session at 5:44 p.m., all members present before the recess again being present.

It was moved by Ybarra, seconded by Davis, that the Council go into Closed Session to confer on Item No. 1 listed below, the time being 5:44 p.m. Motion carried.

All persons were excluded from the Closed Session with the exception of the City Clerk, City Attorney, Chief Deputy City Clerk, Acting Director of Community Services, and the Engineering Associate.

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 Government Code Section 54957.

a. EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

The Engineering Associate was excused from the Closed Session at 5:55 p.m.

The Acting Director of Community Services was excused from the Closed Session at 5:56 p.m.

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It was moved by Gonzales, seconded by Davis, that the Council go out of Closed Session and resume regular session, the time being 5:56 p.m. Motion carried.

It was moved by Ybarra, seconded by Davis, that the Council go into Closed Session to confer on Items No. 2 and 3 listed below, the time being 5:56 p.m. Motion carried.

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

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

2. 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) City of Vernon vs. Central Basin Municipal Water District, LASC No. BC 121124;
- (b) City of South Gate, et al. vs. City of Los Angeles, et al., LASC NO. BC 129447;
- (c) CPUC Docket No. A.93-09-006 (BCAP);

3. With respect to every item of business to be discussed in Closed Session pursuant to Government Code Section 54956.95.

LIABILITY CLAIMS

Claimant: API Security, Inc.
Agency claimed against: City of Vernon

It was moved by Ybarra, seconded by Davis, that the Council go out of Closed Session and resume regular session, the time being 5:57 p.m. Motion carried.

It was moved by Gonzales, seconded by Ybarra, that the Engineering Associate be disciplined as recommended by the Acting Director of Community Services. Motion carried.

It was moved by Gonzales, seconded by Davis, that Monday, July 3, be deemed an additional holiday in observance of Independence Day for all miscellaneous personnel and non-emergency personnel as long as it does not have an adverse effect on the operations of the City. Motion carried.

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


Leonis C. Malburg
Mayor

ATTEST:


Bruce V. Malckenhorst, City Clerk

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