

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 CC (4 PAGES)

MINUTES OF THE ADJOURNED CITY COUNCIL MEETING
OF THE CITY OF VERNON HELD JUNE 27, 1996 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 Davis, seconded by Ybarra, that the Minutes of the City Council Meeting held June 18, 1996, 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 Council on any matter listed on the Agenda.

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

Communication from Bruce V. Malckenhorst, City Clerk, dated June 20, 1996, was presented, transmitting Program Supplement No. 009 to the State-Local Transportation Partnership Program Agreement No. SLTPP-5139 with the State of California Department of Transportation. The City is proposing to resurface portions of Corona Avenue, Loma Vista Avenue, District Boulevard, 50th Street, and Santa Fe Avenue in the 1996-97 Fiscal Year. These streets were nominated for partial funding under Cycle Eight of this program, and the City may be eligible to receive approximately \$118,884 towards the construction costs. This has been reviewed by the Director of Community Services and the City Attorney, and it is hereby recommended that the application be forwarded to the State of California Department of Transportation.

Kevin Wilson, Director of Community Services, advised the Council that the City needs to approve only the application, not the agreement, at this time.

It was moved by Ybarra, seconded by Gonzales, that the communication from the City Clerk dated June 20, 1996 be received and filed, and that his recommendation be approved. Motion carried.

RESOLUTION NO. 6816 - A Resolution of the City Council of the City of Vernon Approving Applications for State-Local Transportation Partnership Program Funds (Cycle 8), was presented.

It was moved by Davis, seconded by McCormick, that Resolution No. 6816 be approved and adopted. Motion carried.

Communication from Bruce V. Malckenhorst, City Clerk, dated June 20, 1996, was presented, transmitting the 1996 Annual Report on the Status of the Vernon General Plan. This has been reviewed by the Director of Community Services and the City Attorney, and it is hereby recommended that the report be approved and adopted.

It was moved by Gonzales, seconded by Ybarra, that the communication from the City Clerk dated June 20, 1996 be received and filed, and that his recommendation be approved. Motion carried.

5498

COV-MALSR 00010507

CC-1

City Council Minutes
page 2

June 27, 1996

RESOLUTION NO. 6814 - A Resolution of the City Council of the City of Vernon Approving and Adopting the Annual Report on the General Plan for Fiscal Year 1995-1996, was presented.

It was moved by Ybarra, seconded by Gonzales, that Resolution No. 6814 be approved and adopted. Motion carried.

Communication from Bruce V. Malckenhorst, Director of Finance, dated June 24, 1996, was presented, transmitting the Minutes of the Adjourned Finance Committee Meeting held June 20, 1996, for approval of the recommendations contained therein.

It was moved by Ybarra, seconded by Gonzales, that the Minutes of the Adjourned Finance Committee Meeting held June 20, 1996 be approved. Motion carried.

Communication from Bruce V. Malckenhorst, Director of Finance, dated June 24, 1996, was presented, transmitting the Agenda for the Adjourned Finance Committee Meeting to be held June 24, 1996, for approval of the recommendations contained therein.

It was moved by Ybarra, seconded by Gonzales, that the recommendations contained in the Agenda for the Adjourned Finance Committee Meeting held June 24, 1996, be approved. Motion carried.

RESOLUTION NO. 6808 - A Resolution of the City Council of the City of Vernon Approving a Budget for the Fiscal Year 1996-1997, was presented.

It was moved by Ybarra, seconded by McCormick, that Resolution No. 6808 be approved and adopted. Motion carried.

RESOLUTION NO. 6809 - A Resolution of the City Council of the City of Vernon Establishing a General Government Appropriations Limit for the Fiscal Year Ending June 30, 1997 Pursuant to Government Code Section 7910, was presented.

It was moved by McCormick, seconded by Davis, that Resolution No. 6809 be approved and adopted. Motion carried.

RESOLUTION NO. 6810 - A Resolution of the City Council of the City of Vernon Approving the Payment of Premiums for Medical Insurance for Certain Categories of Employees during the 1996-1997 Fiscal Year, was presented.

It was moved by Gonzales, seconded by Ybarra, that Resolution No. 6810 be approved and adopted. Motion carried.

RESOLUTION NO. 6812 - 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 1996-1997, and Confirming the Availability of Loans Pertaining Thereto, was presented.

It was moved by Ybarra, seconded by Davis, that Resolution No. 6812 be approved and adopted. Motion carried.

RESOLUTION NO. 6813 - 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 1996-1997 Fiscal Year, was presented.

It was moved by McCormick, seconded by Gonzales, that Resolution No. 6813 be approved and adopted. Motion carried.

5497

COV-MALSR 00010508

CC-2

City Council Minutes
page 3

June 27, 1996

RESOLUTION NO. 6815 - 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 Davis, that Resolution No. 6815 be approved and adopted. Motion carried.

RESOLUTION NO. 6811 - A Resolution of the City Council of the City of Vernon Fixing the Compensation for Certain Employees of Said City as of July 1, 1996, Authorizing Certain Expense Allowances and Amending Resolution No. 5645 and Repealing All Resolutions In Conflict Therewith, was presented.

It was moved by McCormick, seconded by Gonzales, that Resolution No. 6811 be approved and adopted. Motion carried.

The Mayor called a recess at 5:20 p.m.

The Council reconvened in regular session at 5:24 p.m., all members present before the recess again being present.

It was moved by Ybarra, seconded by McCormick, that the Council go into Closed Session to confer on Item No. 1 listed below, the time being 5:24 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, and Fire Chief.

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 Fire Chief was excused from the Closed Session at 5:35 p.m.

It was moved by Ybarra, seconded by Gonzales, that the Council go out of Closed Session and resume regular session, the time being 5:35 p.m. Motion carried.

The City Clerk advised there were no issues to be discussed in Closed Session Item No. 2.

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;
2CIV B160019;
- (b) City of Vernon vs. Central Basin, etc., Zastrow, et al., LASC No. BC 130693;
2CIV D098203;
- (c) City of South Gate, et al. vs. City of Los Angeles, et al., LASC No. BC 129447;


5496

City Council Minutes
page 4

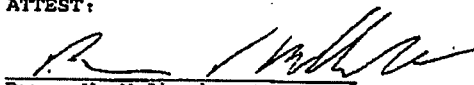
June 27, 1996

- (d) The Atchison, Topeka and Santa Fe Railway vs. City of Vernon; LASC No. BC 123510;
- (e) The City of Vernon v. The Atchison, Topeka and Santa Fe Railway, CPUC Case No. 96-01-019;
- (f) CPUC Docket No. A.93-09-006 (SoCalGas) (BCAP);
- (g) CPUC Docket No. A.91-03-039 (SoCalGas) (BCAP);
- (h) SoCalGas v. Vernon LASC No. BS 017468; 2 CIV B088723 and 2 CIV B077228;
- (i) Johnson & Vincent v. Vernon. LASC BS 039646;

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


Leonis C. Malburg
Mayor

ATTEST:


Bruce V. Malckenhorst
City Clerk

5495

COV-MALSR 00010510