

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 II (5 PAGES)

MINUTES OF THE CITY COUNCIL MEETING OF THE
CITY OF VERNON HELD JUNE 27, 2000
AT 5:00 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.

Communication from Bruce V. Malkenhorst, City Administrator, dated June 19, 2000, was presented, requesting authority and funds for the following personnel to attend the Independent Cities Association Annual Seminar, at San Diego on July 5th thru 9th, 2000, with an expense allowance of \$940.00 each.

- Hilario Gonzales, Councilman
- Bruce V. Malkenhorst, City Administrator/City Clerk

It was moved by Ybarra, seconded by McCormick, that authority and funds be granted for Councilman Hilario Gonzales and City Administrator Bruce V. Malkenhorst to attend the aforementioned seminar with an expense allowance of \$940.00 each. Motion carried.

Communication from Bruce V. Malkenhorst, City Administrator, dated June 19, 2000, was presented, requesting authority and funds for the following personnel to attend the Independent Cities Association Annual Seminar, at San Diego on July 5th thru 9th, 2000, with an expense allowance of \$1,425.00 each.

- Leonis C. Malburg, Mayor
- Thomas Ybarra, Mayor Pro-tem
- William Davis, Councilman
- Michael McCormick, Councilman

It was moved by Davis, seconded by Ybarra, that authority and funds be granted for Mayor Leonis C. Malburg and Mayor Pro-tem Thomas Ybarra to attend the aforementioned seminar with an expense allowance of \$1,425.00 each, and that authority and funds be granted for Councilmen William Davis and Michael McCormick to attend the aforementioned seminar with an expense allowance of \$1,480.00 each. Motion carried.

Communication from Bruce V. Malkenhorst, Director of Finance, dated June 22, 2000, was presented, transmitting the Minutes for the Adjourned Finance Committee meeting held June 21, 2000, for approval of the recommendations contained therein.

It was moved by Davis, seconded by Gonzales, that the recommendations listed on the Minutes for the Adjourned Finance Committee meeting held June 21, 2000 be approved. Motion carried.

City Council Minutes

June 27, 2000

Communication from Bruce V. Malckenhorst, Director of Finance, dated June 22, 2000, was presented, transmitting the Agenda for the Adjourned Finance Committee meeting to be held June 26, 2000, for approval of the recommendations contained therein.

It was moved by Ybarra, seconded by McCormick, that the recommendations listed on the Minutes, for the Adjourned Finance Committee meeting held June 26, 2000 be approved. Motion carried.

RESOLUTION NO. 7558 - A Resolution Of The City Council Of The City Of Vernon Reaffirming The Amendment Of Resolution No. 6687 Which Adopted A Discretionary Educational Assistance Program, was presented.

It was moved by Gonzales, seconded by Davis, that Resolution No. 7558 be approved and adopted. Motion carried.

RESOLUTION NO. 7559 - A Resolution Of The City Council Of The City Of Vernon Reaffirming The Amendment Of Resolution No. 5950 Which Adopted A Perfect Attendance Incentive Program, was presented.

It was moved by McCormick, seconded by Ybarra, that Resolution No. 7559 be approved and adopted. Motion carried.

RESOLUTION NO. 7560 - A Resolution Of The City Council Of The City Of Vernon Approving A Budget For The Fiscal Year 2000-2001, was presented.

It was moved by Ybarra, seconded by Davis, that Resolution No. 7560 be approved and adopted. Motion carried.

RESOLUTION NO. 7561 - A Resolution Of The City Council Of The City Of Vernon Establishing A General Government Appropriations Limit For The Fiscal Year Ending June 30, 2001 Pursuant To Government Code Section 7910, was presented.

It was moved by McCormick, seconded by Gonzales, that Resolution No. 7561 be approved and adopted. Motion carried.

RESOLUTION NO. 7562 - A Resolution Of The City Council Of The City Of Vernon Fixing The Compensation For Certain Employees Of Said City As Of July 1, 2000, Authorizing Certain Expense Allowances And Repealing All Resolutions In Conflict Therewith, was presented.

It was moved by Ybarra, seconded by Davis, that Resolution No. 7562 be approved and adopted. Motion carried.

Communication from Bruce V. Malckenhorst, Director of Personnel, dated June 20, 2000, was presented, recommending that Bhavin Patel, Associate Resource Scheduler, Step 7, in the Utilities Department, be advanced and reclassified to Resource Scheduler, Step 7, with a new monthly base salary of \$4,418.00. This recommendation is based on Mr. Patel's meritorious job performance and increased job responsibilities during the past year, and if approval is granted it shall be effective July 2, 2000.

City Council Minutes

June 27, 2000

It was moved by Gonzales, seconded by Ybarra, that the communication from the Director of Personnel dated, June 20, 2000, be received and filed and his recommendation approved. Motion carried.

Communication from Bruce V. Malkenhorst, Director of Personnel, dated June 20, 2000, was presented, recommending that Daniel Garcia, Power Resource Coordinator, Step 2, in the Utilities Department, be granted a merit step increase to Power Resource Coordinator, Step 1, with a new monthly base salary of \$6,986.00. This recommendation is based on Mr. Garcia's satisfactory job performance during the past year, and if approval is granted, it shall be effective July 2, 2000.

It was moved by McCormick, seconded by Ybarra, that the communication from the Director of Personnel dated, June 20, 2000, be received and filed and his recommendation approved. Motion carried.

RESOLUTION NO. 7563 - 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 2000-2001, And Confirming The Availability Of Loans Pertaining Thereto, was presented.

It was moved by Davis, seconded by Gonzales, that Resolution No. 7563 be approved and adopted. Motion carried.

RESOLUTION NO. 7564 - A Resolution Of The City Council Of The City Of Vernon Approving The Payment Of Premiums For Insurance For Life, Health, Vision And Dental Benefits For Certain Categories Of Employees During The 2000-2001 Fiscal Year, was presented.

It was moved by Ybarra, seconded by McCormick, that Resolution No. 7564 be approved and adopted. Motion carried.

RESOLUTION NO. 7565 - A Resolution Of The City Council Of The City Of Vernon Approving The Continued Payment Of Premiums For Medical-Dental Insurance For Certain Categories Of Retired Employees During The 2000-2001 Fiscal Year, was presented.

It was moved by Gonzales, seconded by Davis, that Resolution No. 7565 be approved and adopted. Motion carried.

The City Clerk advised that the next two items concerning Sunlaw should be removed from the Agenda.

Consideration Of The City Of Vernon's Exercise Of Right Of First Refusal Regarding Sale Of Cogeneration Facility Under The Transmission Service Agreement Between Sunlaw Cogeneration Partners I And The City Of Vernon For Cogeneration Facility To Be Located At Downey Road At 50th Street. (Deferred From Previous City Council Meeting Held June 20, 2000)

City Council Minutes

June 27, 2000

Consideration Of The City Of Vernon's Exercise Of Right Of First Refusal Regarding Sale Of Cogeneration Facility Under The Transmission Service Agreement Between Sunlaw Cogeneration Partners I And The City Of Vernon For Cogeneration Facility To Be Located At Southwest Corner Of Vernon And Alcoa Avenues.

It was moved by Davis, seconded by Ybarra, that the above two items concerning Sunlaw be removed from the agenda. Motion carried.

The Mayor called a recess at 4:50 p.m. The Council reconvened in Regular Session at 4:53 p.m., all members present before the recess again being present.

It was moved by Ybarra, seconded by Davis, that the City Council go into Closed Session on Item No. 1 Motion carried.

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

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

b. PUBLIC EMPLOYEE APPOINTMENT/PERFORMANCE EVALUATION


It was moved by McCormick, seconded by Davis, that the City Council go out of Closed Session pertaining to Item No. 1, the time being 4:54 p.m. Motion carried.

It was moved by McCormick, seconded by Gonzales, that Battalion Chief James F. Smith be appointed to Fire Chief to replace retiring Fire Chief Telford, effective July 7, 2000 and that his Employment Agreement be accepted and ratified. Motion carried.

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


Leonis C. Malburg
Mayor

ATTEST:


Bruce V. Malkenhorst
City Clerk

NOTICE OF ADJOURNMENT

Notice is hereby given that the City Clerk of the City of Vernon adjourned the Regular City Council meeting held June 20, 2000 at 5:00 p.m. to June 27, 2000 at 4:30 p.m., to be held in the City Council Chambers of the City Hall located at 4305 Santa Fe Avenue, Vernon, California.

6/24
Date

Gloria J. Orasco
Chief Deputy City Clerk

AFFIDAVIT OF POSTING
NOTICE OF ADJOURNMENT

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I, Gloria J. Orasco, declare as follows:

That I am the Chief Deputy City Clerk of the City of Vernon, and that a regular meeting of the City Council of the City of Vernon held June 20, 2000 was adjourned to June 27, 2000 and that a copy of said notice (as set forth above) was posted at a conspicuous place near the door of the room at which said meeting was to be held, within 24 hours of said adjournment.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 6/24/00, at Vernon, California.

Gloria J. Orasco
Chief Deputy City Clerk