

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 KK (15 PAGES)**

MINUTES OF THE ADJOURNED REGULAR CITY  
COUNCIL MEETING OF THE CITY OF VERNON  
HELD NOVEMBER 28, 2001, AT 5:00 P.M.  
IN THE COUNCIL CHAMBERS OF THE CITY HALL  
LOCATED AT 4305 SANTA FE AVENUE, VERNON,  
CALIFORNIA

MEMBERS PRESENT: Malburg, Gonzales, Ybarra, 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 November 7, 2001 be approved and adopted as submitted. Motion carried.

Communication from Bruce V. Malckenhorst, City Administrator/City Clerk, dated November 13, 2001, was presented, advising that the below listed employees qualified in the month of October 2001 for a Perfect Attendance Award. This is awarded to employees on the basis of a minimum of two (2) years of perfect attendance:

<u>Date of Hire</u>	<u>Employee</u>		<u>Award/Yrs</u>
10/11/99	Miguel Zendejas	Police Officer	2
06/08/98	Alexandra Ronquillo	Police Dispatcher	3
02/01/79	Sharon Johnson	Budget Auditor/Deputy City Treasurer	7
10/16/94	Armando Hinojos	Systems Coordinator I	7
12/04/89	Deborah Medina	Administrative Associate	7
10/19/92	Abraham Alemu	Associate Engineer	9
09/18/89	David Shea	Fire Engineer	10

The Mayor presented awards to the aforementioned employees and extended congratulations on behalf of the entire City Council.

The following employees were unable to attend the meeting and their awards were accepted by their respective department head.

10/11/98	Elizabeth Negrete	Account Clerk	2
10/24/99	Kevin Greenway	Firefighter	2
10/05/98	Frank Menchaca	Police Officer	3
02/01/70	Randy Bohlander	Fire Engineer	4
10/13/97	Richard Hill	Police Officer	4
02/29/88	Jose Alvarez	Utilityman III	5
01/07/91	Chris Hanson	Fire Engineer	5
01/07/91	Jason Haugen	Firefighter	5
05/12/80	Joe Jimenez	Systems Coordinator II	6
11/16/87	Martha Parra	Transcriber/Typist	6
03/18/84	Michael DeFrank	Project Engineer	7
8/11/80	Louie Saenz	Utilityman II	11
10/01/87	Jerry Schreiber	Senior Electrical Inspector	14
06/03/74	Ron Anderson	Foreman	20

Adjourned Regular City Council Meeting Minutes  
November 28, 2001

The Mayor called a short recess at 5:07 p.m. The City Council reconvened at 5:10 p.m., all members present before the recess again being present.

Police Department Activity Log for the period November 1 through 15, 2001, was presented.

It was moved by Gonzales, seconded by Davis, that the Police Department Activity Log for the period November 1 through 15, 2001 be received and filed. Motion carried.

Fire Department Activity Report for the period November 1 through 15, 2001, was presented.

It was moved by Ybarra, seconded by McCormick, that the Fire Department Activity Report for the period November 1 through 15, 2001 be received and filed. Motion carried.

Risk Management Report for the month of October 2001, was presented.

It was moved by McCormick, seconded by Davis, that the Risk Management Report for the month of October 2001 be received and filed. Motion carried.

Health Department Report for the month of October 2001, was presented.

It was moved by Davis, seconded by Ybarra, that the Health Department Report for the month of October 2001 be received and filed. Motion carried.

Communication from Bruce V. Malckenhorst, City Administrator/City Clerk, dated October 31, 2001, was presented, advising that the Utilities Department sought bids for the purchase of a cooling tower necessary to cool-off recycled water to be used to operate the turbines at the Malburg Generating Station:

GEA Integrated Cooling Technologies	\$712,035.00
Marley Cooling Technologies	\$711,000.00

This has been reviewed by the Director of Utilities and the City Attorney and it is hereby recommended that the bid be awarded to Marley Cooling Technologies for a total cost of \$711,000.00, and a purchase contract be approved and executed. (Deferred from last meeting).

It was moved by Gonzales, seconded by Ybarra, that the aforementioned communication from the City Administrator/City Clerk, dated October 31, 2001 be received and filed and his recommendation approved. Motion carried.

RESOLUTION NO. 7859 - A Resolution Of The City Council Of The City Of Vernon Approving And Authorizing The Execution Of An Equipment Purchase And Services Contract By And Between The City Of Vernon And Marley Cooling Technologies (deferred from last meeting), was presented.

Adjourned Regular City Council Meeting Minutes  
November 28, 2001

It was moved by McCormick, seconded by Davis, that Resolution No. 7859 be approved and adopted. Motion carried.

The City Clerk announced that now was the time for anyone in the audience who wished to address the City Council on any item 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 City Council at this time.

There was no one wishing to address the City Council at this time.

The City Clerk announced that now was the time to open the public hearing to consider a request from United Parcel Service, Inc., to allow the applicant to operate a trucking terminal at 2600 Soto Street, Vernon, California.

It was moved by Ybarra, seconded by Davis, to open the public hearing to consider a request from United Parcel Service, Inc., the time being 5:13 p.m. Motion carried.

The Director of Community Services and Water addressed the City Council and briefly summarized this matter.

Communication from Kevin Wilson, Director of Community Services and Water, dated November 15, 2001, was presented, advising that United Parcel Service, Inc., has applied for a conditional use permit to operate a truck terminal at 2600 Soto Street.

Submitted herewith are the following supporting documents:

1. Staff Report
2. Request for conditional use permit and information supporting the application.
3. Notice of Public Hearing, copies of notification letter to owners and tenants in the area, and affidavits of posting and mailing.

The project is categorically exempt from the California Environmental Quality Act because it is an existing facility as described in Section 15301.

It is hereby recommended that the City Council determine:

1. That the project is consistent with the General Plan as adopted by the City of Vernon.
2. That the project will not have a significant effect on the environment.
3. That the project will not individually or cumulatively have an adverse effect on wildlife resources.

It is further recommended that a Notice of Exemption be filed with the County Clerk and the conditional use permit be granted subject to the following conditions:

Adjourned Regular City Council Meeting Minutes  
November 28, 2001

- a. The facility shall be operated in accordance with and made to conform with all current codes, rules and regulations, and subject to permit fees as adopted by the City of Vernon. All trucking operations, including truck and trailer parking, shall be limited to the lot located at 2600 Soto Street or within existing properties currently occupied by United Parcel Service in the City of Vernon.
- b. All required federal, state, local, and regulatory agency permits shall be obtained prior to operation. Prior to occupancy, a business license and occupancy permit shall be obtained.
- c. All parking and loading facilities shall be paved with a hard durable surface material and shall be adequately drained, kept free of dust, mud, trash, and weeds. Where parking or maneuvering areas adjoin the public street, a barrier wall or landscaping shall be installed and maintained to meet City Standards. The wall or landscape strip shall be placed in accordance with the City of Vernon setback requirements. Adequate onsite parking shall be maintained so that off-street parking will not occur.
- d. The facility shall be operated in a manner that will prevent unsanitary conditions, odors or other nuisances. The property shall be provided with adequate refuse containers and refuse disposal services.
- e. The proposed site shall be structurally maintained to exclude rodents and maintained rodent free.
- f. Servicing of vehicles including washing, steam cleaning, and repairing shall be performed in facilities in compliance with appropriate codes.
- g. No equipment, freight or materials such as but not limited to hazardous materials, hazardous waste, refuse, tires, batteries or abandoned vehicles shall be stored onsite other than in buildings, trailers, or docks approved by the City of Vernon for such use.
- h. A National Pollutant Discharge Elimination System Permit shall be obtained from the California State Board of Water Resources, if required.
- i. Adequate plans and materials must be available for handling leaks or spills from vehicles during storage or transportation.
- j. A hazardous material permit shall be obtained from the City of Vernon Environmental Health Department if hazardous materials/waste are used handled or stored. Hazardous materials/waste shall be handled and managed in compliance with all appropriate federal, state, and local laws.
- k. The facility shall be operated in a manner that will not impede traffic on Soto Street and/or 26<sup>th</sup> Street.

Adjourned Regular City Council Meeting Minutes  
November 28, 2001

1. All existing cracked sidewalks, curbs, and gutters adjacent to the site in Soto Street or 26<sup>th</sup> Street shall be repaired and maintained in compliance with City Standards.

m. Within two years a permanent guard shack with restroom facilities shall be constructed at 2600 Soto Street. UPS shall obtain a temporary trailer permit for the portable guard shack. This temporary guard shack shall have restroom facilities.

n. The project site on 26<sup>th</sup> Street shall be widened by 22 feet in the easterly direction for an overall driveway width of 50 feet.

The Mayor asked if there were any questions.

Councilman Gonzales asked if the property in question was owned by JC Sales.

The Director of Community Services and Water responded, "yes".

The Mayor asked if there were any other questions or comments.

Lee Fairborne, Real Estate Representative for United Parcel Service, Inc., introduced himself and addressed the City Council regarding the traffic during peak hours.

The City Administrator/City Clerk stated that a condition limiting the traffic during peak hours should be added.

Mr. Fairborne stated that he would have to look at this before he could commit to a condition on the peak traffic.

The Director of Community Services and Water recommended that the public hearing be continued to the next City Council meeting in order to review this particular issue further.

RESOLUTION NO. 7870 - A Resolution Of The City Council Of The City Of Vernon Granting A Conditional Use Permit For United Parcel Service, Inc. For The Operation Of A Trucking Terminal At 2600 Soto Street.

It was moved by Ybarra, seconded by Davis, that the public hearing for United Parcel Service, Inc., and Resolution No. 7870 be continued to the next City Council meeting. Motion carried.

Communication from Bruce V. Malikenhorst, City Administrator/City Clerk, dated November 8, 2001, was presented, requesting authority and funds for Account Clerk Elizabeth Negrete to attend the "CMTA Beginning Workshop" at Pomona on January 28 through 30, 2002, with an expense allowance of \$241.80.

It was moved by Ybarra, seconded by Davis, that authority and funds be approved for Account Clerk Elizabeth Negrete to attend the aforementioned workshop with an expense allowance of \$241.80. Motion carried.

Adjourned Regular City Council Meeting Minutes  
November 28, 2001

Communication from Lewis Pozzebon, Director of Environmental Health, dated November 13, 2001, was presented, requesting authority and funds for Chief Deputy Director of Environmental Health Dan Downing to attend the "Circle No. 7, Continuing Education Mosquito and Vector Seminar 1" at Diamond Bar on November 27 and 28, 2001, with an expense allowance of \$111.40.

It was moved by McCormick, seconded by Gonzales, that authority and funds be approved for Chief Deputy Director of Environmental Health Dan Downing to attend the aforementioned seminar with an expense allowance of \$111.40. Motion carried.

Communication from Bruce V. Malikenhorst, City Administrator/City Clerk, dated November 19, 2001, was presented, requesting authority and funds for the below listed officials to attend the "California Contract Cities Association Conference" at Sacramento on January 14 through 16, 2002, with an expense allowance of \$859.00 each.

- Thomas Ybarra, Mayor Pro Tem
- William Davis, Councilman

It was moved by Gonzales, seconded by Davis, that authority and funds be approved for the above listed officials to attend the aforementioned conference with an expense allowance of \$859.00 each. Motion carried.

Communication from Bruce Olson, Chief of Police, dated November 14, 2001, was presented, requesting authority and funds for the below listed police officers to attend the "Driving Under the Influence Seminar" at Laguna Hills on January 7 through 11, 2002, with an expense allowance of \$1,096.45 of which POST will reimburse \$924.80 each.

- Carlos Bejines
- Steve Wiles

It was moved by Ybarra, seconded by McCormick, that authority and funds be approved for the above listed police officers to attend the aforementioned seminar with an expense allowance of \$1,096.45. Motion carried.

Communication from Lewis Pozzebon, Director of Environmental Health, dated November 15, 2001, was presented, advising that the City of Vernon Jail was inspected on November 1, 2001 and the report reflects that the facility complies with the standards and requirements prescribed by the Board of Corrections regarding sanitary conditions.

It was moved by Davis, seconded by Gonzales, that the aforementioned communication from the Director of Environmental Health, dated November 15, 2001 be received and filed. Motion carried.

Adjourned Regular City Council Meeting Minutes  
November 28, 2001

Communication from Bruce V. Malckenhorst, City Administrator/City Clerk, dated November 19, 2001, was presented, advising that on August 1, 2001, this legislative body approved and authorized the filing of various documents with the South Coast Air Quality Management District (AQMD) regarding the Malburg Generating Station.

After further review by staff and the City Attorney, it is hereby recommended that Resolution No. 7813 adopted August 1, 2001 be amended to approve the filing of Permit to Construct, Title V applications and related documents with the AQMD under the six (6) month fast track permitting process. This amendment will also allow the City Administrator to acquire the needed emissions reduction credits for the Malburg Generating Project.

The Mayor asked if the reduction credits are easy to acquire.

The Director of Utilities advised that they are easy to obtain but that they are expensive.

It was moved by Ybarra, seconded by McCormick, that the aforementioned communication from the City Administrator/City Clerk, dated November 19, 2001 be received and filed and his recommendation approved. Motion carried.

RESOLUTION NO. 7876 - A Resolution Of The City Council Of The City Of Vernon Amending Resolution No. 7813, Which Approved And Authorized Regarding The Filing Of Permit To Construct And Title V Applications And Related Documents With The South Coast Air Quality Management District Regarding The Malburg Generating Station And Authorized The City To Do All Other Actions Deemed Necessary Or Advisable Concerning The Application Process, was presented.

It was moved by Gonzales, seconded by Davis, that Resolution No. 7876 be approved and adopted. Motion carried.

RESOLUTION NO. 7872 - A Resolution Of The City Council Of The City Of Vernon, California, Calling And Giving Notice Of The Holding Of A General Municipal Election To Be Held On Tuesday, April 9, 2002 For The Election Of Certain Officers As Required By The Provisions Of The City Of Vernon Charter, was presented.

It was moved by Gonzales, seconded by Davis, that Resolution No. 7872 be approved and filed. Motion carried.

RESOLUTION NO. 7873 - A Resolution Of The City Council Of The City Of Vernon, California, Requesting The Board Of Supervisors Of The County Of Los Angeles To Render Specified Services To The City Relating To The Conduct Of A General Municipal Election To Be Held On Tuesday, April 9, 2002, was presented.

It was moved by Davis, seconded by Ybarra, that Resolution No. 7873 be approved and adopted. Motion carried.



Adjourned Regular City Council Meeting Minutes  
November 28, 2001

RESOLUTION NO. 7874 - A Resolution Of The City Council Of The City Of Vernon, Adopting Regulations For Candidates For Elective Office Pertaining To Candidates Statements Submitted To The Voters At An Election To Be Held On Tuesday, April 9, 2002, was presented.

It was moved by McCormick, seconded by Gonzales, that Resolution No. 7874 be approved and adopted. Motion carried.

Communication from Bruce V. Malckenhorst, Director of Personnel, dated November 21, 2001, was presented, transmitting the Agenda for the Adjourned Regular Personnel Committee meeting to be held November 27, 2001 for approval of the recommendations contained therein.

It was moved by Ybarra, seconded by Davis, that the recommendations on the Agenda for the Adjourned Regular Personnel Committee Meeting held November 27, 2001 be approved. Motion carried.

Communication from Bruce V. Malckenhorst, Director of Finance, dated November 15, 2001, was presented, transmitting the Minutes of the Regular Finance Committee meeting held November 13, 2001 for approval of the recommendations contained therein.

It was moved by McCormick, seconded by Davis, that the recommendations on the Minutes of the Regular Finance Committee meeting held November 13, 2001 be approved and adopted. Motion carried.

RESOLUTION NO. 7868 - A Resolution Of The City Council Of The City Of Vernon Authorizing The Sale Of Surplus Property From The Following Departments: Community Services & Water, Fire And Police Pursuant To Section 2.31 Of The Vernon City Code, was presented.

It was moved by Ybarra, seconded by Gonzales, that Resolution No. 7868 be approved and adopted. Motion carried.

Communication from Bruce V. Malckenhorst, Director of Finance, dated November 21, 2001, was presented, transmitting the Agenda for the Regular Finance Committee meeting to be held November 27, 2001 for approval of the recommendations contained therein.

It was moved by Gonzales, seconded by McCormick, that the recommendations on the Agenda for the Regular Finance Committee meeting held November 27, 2001 be approved. Motion carried.

RESOLUTION NO. 7869 - A Resolution Of The City Council Of The City Of Vernon Amending Schedule II (Exhibit "B") Of Resolution No. 7796 Which Fixed The Compensation For Certain Employees And Authorized Certain Expense Allowances, was presented.

It was moved by Ybarra, seconded by Davis, that Resolution No. 7869 be approved and adopted. Motion carried.

Adjourned Regular City Council Meeting Minutes  
November 28, 2001

RESOLUTION NO. 7871 - A Resolution Of The City Council Of The City Of Vernon Delegating Investment Authority To The City Treasurer, was presented.

It was moved by McCormick, seconded by Gonzales, that Resolution No. 7871 be approved and adopted. Motion carried.

RESOLUTION NO. 7875 - A Resolution Of The City Council Of The City Of Vernon Approving And Authorizing The Execution Of A Maintenance Agreement By And Between The City Of Vernon And Thomason Mechanical Corporation, was presented.

It was moved by Gonzales, seconded by Ybarra, that Resolution No. 7875 be approved and adopted. Motion carried.

Warrant Register No. 1078 covering claims and demands presented during the period of November 1, 2001 through November 21, 2001, drawn on Wells Fargo Bank totaling \$687,423.55, which includes demand Nos. 201459 through 201744 (inclusive), excluding Utility demands. (Accounting period November, 2001).

It was moved by Davis, seconded by McCormick, that Warrant Register No. 1078 be approved and payment authorized for claims and demands totaling \$687,423.55, excluding Utility demands. Motion carried.

Warrant Register No. 1078 covering claims and demands presented during the period of November 1, 2001 through November 21, 2001, drawn on Wells Fargo Bank totaling \$8,082,894.58 which includes Utilities demand nos. as listed below. (Accounting period November, 2001):

201462	201467	201470	201472	201474	201479
201480	201481	201482	201483	201489	201494
201497	201508	201509	201517	201518	201523
201524	201525	201526	201527	201532	201546
201552	201557	201559	201570	201575	201584
201589	201599	201616	201617	201620	201628
201629	201634	201644	201649	201657	201664
201669	201679	201681	201682	201684	201689
201691	201695	201698	201703	201705	201711
201712	201720	201729	201737	201740	201741

It was moved by Ybarra, seconded by Gonzales, that Warrant Register No. 1078 be approved and payment authorized for Utility claims and demands totaling \$8,082,894.58. Motion carried. Councilman Davis abstained from voting and disqualified himself because it is reasonably foreseeable that his decision may have a material financial effect on his source of income.

Payroll Warrant Register No. 545 covering claims and demands presented during the period of September 9, 2001 through October 6, 2001, drawn on Wells Fargo Bank totaling \$1,679,295.50, which includes demand nos. 7301 through 7340 (inclusive). (Accounting Period: October, 2001).

Adjourned Regular City Council Meeting Minutes  
November 28, 2001

It was moved by McCormick, seconded by Davis, that Payroll Warrant Register No. 545 be approved and payment authorized for claims and demands totaling \$1,679,295.50. Motion carried.

The Mayor called a short recess at 5:55 p.m. The City Council reconvened in regular session at 5:57 p.m., all members present before the recess again being present.

The City Clerk announced that now was the time for the City Council to go into closed session on Item No. 1.

It was moved by Gonzales, seconded by Ybarra, to go into closed session on Item No. 1, the time being 5:57 p.m. Motion carried.

All persons were excused from closed session with the exception of the City Clerk, the Chief Deputy City Clerk, the Assistant to the Chief Deputy City Clerk, the Director of Community Services and Water, the Senior Utility Clerk, and the City Attorney.

The Mayor ordered all communications to and from 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 Senior Utility Clerk was excused from closed session at 6:08 p.m.

The Director of Community Services and Water was excused from closed session at 6:10 p.m.

It was moved by Ybarra, seconded by Davis, that the City Council go out of closed session and resume regular session, the time being 6:12 p.m. Motion carried.

The City Clerk announced that there was nothing to be discussed on Item No. 2.

2. With respect to every item of business to be discussed in Closed Session pursuant to Section 54957.6.

a. Conference with Labor Negotiator  
Agency Negotiator: City Administrator  
Unrepresented Classifications

The City Clerk announced that now was the time to go into closed session on Item Nos. 3, 4, and 5.

All persons were excused from closed session with the exception of the City Clerk, the Chief Deputy City Clerk, the Assistant to the Chief Deputy City Clerk, and the City Attorney.

Adjourned Regular City Council Meeting Minutes  
November 28, 2001

The Mayor ordered all communications to and from closed session deemed privileged and confidential.

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

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

- (a) The City of Vernon v. The Atchison, Topeka and Santa Fe Railway, CPUC Case No. 96-01-019;
- (b) FERC Docket Nos. ER97-2355, EC 96-19-000 and ER96-1663 (Restructuring);
- (c) David Venegas, et al. v. City of Vernon, LASC No. BC 207136;
- (d) Vernon v. All Persons; LASC No. BC 222145; CA B148676;
- (e) Cal Compact Landfill Site, Carson, California; EPA No. Unassigned; Shell Chemical Company, et al. v. County of Los Angeles, et al., USDC Case No. 00-01917 MRP (MANx); Phillips Petroleum Company, et al., v. County of Los Angeles, et al., USDC Case No. CV00-01938 MRP (MANx);
- (f) Vernon v. Regional Water Quality Control Board; Nos. A-1280, A1280(a) and A-1280(b);
- (g) City of Torrance, et al v. State Compensation Insurance Fund, Case Number Unknown;
- (h) Paveco Construction, Inc. v. Valley Engineers, Inc., et al., LASC Case No. BC 236933;
- (i) Kelly Pipe Co., etc. v. Valley Engineers, Inc., etc., et al; Valley Engineers, Inc., etc. v. City of Vernon, etc. et al., LASC Case No. BC 227815;
- (j) Alameda Corridor Transportation Authority, etc. v. City of Vernon, etc., et al., LASC Case No. BC 238846 cons. with City of Vernon v. Alameda Corridor Transp. Auth., LASC Case No. BC 238841;
- (k) FERC Docket No. ER98-3594 (ISO), FERC Docket No. ER98-3760 (ISO); FERC Docket No. ER00-2019-000 (ISO); FERC Docket No. EL00-105 (ISO); FERC Docket No. EL01-14-000 (Vernon v. ISO); FERC Docket No. ER01-313 (ISO); FERC Docket No. ER01-315 (SCE/ISO); FERC Docket No. ER01-724 (ISO); FERC Docket No. EL01-41 (Strategic Energy v ISO); FERC Docket Nos. EL00-95-022/EL00-98-021 (SDG&E); FERC Docket Nos. EL00-95-023/EL00-98-022 (ISO); FERC Docket Nos. EL00-95-024/EL00-98-023 (PG&E); FERC Docket Nos. EL00-95-025/EL00-98-024 (SCE); FERC Docket No. EL01-1579 (ISO); FERC Docket No. EL01-57-000 (Reliant Energy, etc. et al. v. ISO); EL01-75 (Vernon v. ISO); USCA No. 01-1187 (consolidated with 01-1190) (PG&E v. FERC); USCA No. 01-1193 (Modesto v. FERC); FERC Docket No. EL00-95 (SDG&E v. Sellers of Energy, et al.) consolidated with FERC Docket No. EL00-98; FERC Docket Nos. RT01-82 (SDG&E), RT01-83 (PG&E), RT01-85 (ISO) and RT01-92 (SCE); SRP v. ISO, FERC Docket No. EL01-84; City of Anaheim, et al. v. ISO/Vernon/SCE/SDG&E, Case No. 71-198-00758-00 04 JTJ-R;
- (l) The Burlington Northern and Santa Fe Railway Company v. City of Vernon; USDC No. CV-00-12891 NM (AJWx);
- (m) Sterling Davis v. City of Vernon, et al., USDC No. CV-01-01602 DDP (AJWx);
- (n) City of Corona v. All Persons, etc. et al., RSC Case No. 351283;

Adjourned Regular City Council Meeting Minutes  
November 28, 2001

- (o) Cities of Arcadia, et al. v. The California Regional Water Quality Control Board, etc., et al., LASC No BC 245633;
- (p) FERC Docket No EL01-33 (SCE/PX); FERC Docket No. EL01-36 (Coral Power, L.L.C., et al. v. PX); FERC Docket No. EL01-37 (SRP & SMUD v. PX);
- (q) FERC Docket No. EL01-34 (SCE, PG&E, SDG&E);
- (r) FERC Docket No. EL01-42 (Universal Studios v. Southern California Edison Company);
- (s) A-1 Steel Fence Co., Inc. v. Amelco Construction, et al., LASC (SE District) No. 01C00602;
- (t) Central and West Basin Water Replenishment District, etc., v. Charles E. Adams, et al., LASC No. C 786656;
- (u) Gerald Dressen v. Vernon; WCAB No. MON 0262992; MON 0262994;

3. With respect to every item of business to be discussed in closed session pursuant to Government Code § 54956.95.

LIABILITY CLAIM

Claimant: PACIFIC COAST IMPRESSIONS, INC.  
Agency Claimed Against: CITY OF VERNON

5. With respect to every item of business to be discussed in closed session pursuant to subdivision (c) of Government Code § 54956.9.

CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION

Initiation of litigation: One (1) potential case.

It was moved by Gonzales, seconded by Ybarra, that the City Council go out of closed session and resume regular session, the time being 6:18 p.m. Motion carried.

It was moved by McCormick, seconded by Ybarra, that the discipline recommended by the Director of Community Services and City Administrator for the Senior Utility Clerk be approved. Motion carried.

It was moved by Davis, seconded by Gonzales, that the termination of the Information Technology Manager be ratified. Motion carried.

It was moved by Ybarra, seconded by Gonzales, that authorization to retain the Services of Robert Clay be approved. Motion carried.

It was moved by Gonzales, seconded by Ybarra, that the actions by Channing Strother of McCarthy, Sweeney & Harkaway in intervening in FERC Docket No. ER02-250 (California Independent System Operator Corporation) are hereby ratified. Motion carried.

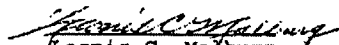


Adjourned Regular City Council Meeting Minutes  
November 28, 2001

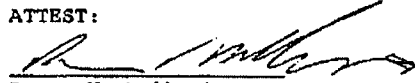
It was moved by Davis, seconded by McCormick, that the claim from Pacific Coast Impressions, Inc., be rejected. Motion carried.

It was moved by McCormick, seconded by Ybarra, that Monday, December 24, and Monday, December 31, 2001 be deemed additional holidays in observance of the legal holidays of December 25, 2001, and January 1, 2002 for all miscellaneous 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 City Council at this time, it was moved by McCormick, seconded by Gonzales, that the meeting adjourn. Motion carried.

  
Leonis C. Malburg  
Mayor


ATTEST:

  
Bruce V. Malkenhorst  
City Clerk

ORDER OF ADJOURNMENT OF MEETING  
OF THE CITY COUNCIL OF THE CITY OF VERNON

I HEREBY CERTIFY THAT THE CITY CLERK OF THE CITY OF VERNON  
ADJOURNED THE CITY COUNCIL MEETING (DUE TO LACK OF QUORUM) TO BE  
HELD NOVEMBER 21, 2001, AT 5:00 P.M. IN THE COUNCIL CHAMBERS OF  
THE CITY HALL, LOCATED AT 4305 SANTA FE AVENUE, VERNON,  
CALIFORNIA, TO NOVEMBER 28, 2001, AT 5:00 P.M.

  
Bruce V. Malckenhorst  
City Clerk

By:   
Gloria J. Orosco  
Chief Deputy City Clerk

AFFIDAVIT OF POSTING  
ORDER OF ADJOURNMENT

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) ss  
CITY OF VERNON )

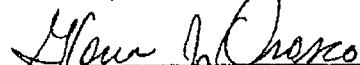
I, GLORIA J. OROSCO, Chief Deputy City Clerk of the  
City of Vernon do hereby certify that I did, on the            day  
of November 2001, have posted

The above Order of Adjournment for the City Council  
Meeting.

Said Order was posted at a conspicuous place near the door of  
the room at which said meeting was held, within 24 hours of said  
adjournment.

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

Dated: November 21, 2001

  
Gloria J. Orosco  
Chief Deputy City Clerk