ORDINANCE NO. 1191

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VERNON AMENDING ORDINANCE NO. 1187 RELATING TO LIVING WAGES TO REMOVE LANGUAGE IN SECTION 2.132(b)

WHEREAS, on October 4, 2011, the City Council of the City of Vernon adopted Ordinance No. 1187 amending Chapter 2 of the Code of the City of Vernon relating to Living Wages as part of the City’s good governance reforms; and

WHEREAS, the City Council desires to amend Ordinance No. 1187 to remove the language “at the employee’s request” from Section 2.132(b).

THE CITY COUNCIL OF THE CITY OF VERNON HEREBY ORDAINS:

SECTION 1: The City Council of the City of Vernon hereby finds and determines that the recitals contained hereinabove are true and correct.

SECTION 2: Article XVIII, Section 2.132(b) of Chapter 2 of the Code of the City of Vernon is hereby amended to read as follows:

Section 2.132. Payment of Minimum Compensation to Employees.

(b) Employers shall provide at least twelve (12) compensated days off per year for sick leave, vacation, or personal necessity. Employers shall also permit employees to take at least an additional ten (10) days a year of uncompensated time to be used for sick leave for the illness of the employee or a member of his or her immediate family where the employee has exhausted his or her compensated days off for that year.

SECTION 3: Severability. The City Council declares that, should any portion of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining portions of this ordinance shall remain
in full force and effect.

SECTION 4: Book of Ordinances. The City Clerk shall attest and certify to the adoption of this Ordinance and shall cause this Ordinance and the City Clerk's certification to be entered in the Book of Ordinances of the Council of this City. The City Clerk shall cause this ordinance to be published or posted as required by law.

SECTION 5: Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

APPROVED AND ADOPTED this 17th day of January, 2012.

Name: William J. Davis

Title: Mayor / Mayor Pro-Tem

ATTEST:

Willard G. Yamaguchi, City Clerk
STATE OF CALIFORNIA      ) ss
COUNTY OF LOS ANGELES )

I, WILLARD G. YAMAGUCHI, City Clerk of the City of Vernon, do hereby certify that the foregoing Ordinance, being Ordinance No. 1191, was duly and regularly introduced at a regular meeting of the City Council of the City of Vernon, held in the City of Vernon on Tuesday, January 3, 2012, and thereafter adopted at a meeting of said City Council held on Tuesday, January 17, 2012, by the following vote:

AYES: Councilmembers: Mayor Pro-Tem Davis, Maisano, McCormick, Newmire

NOES: Councilmembers: None

ABSENT: Councilmembers: None

And thereafter was duly signed by the Mayor or Mayor Pro-Tem of the City of Vernon.

Executed this 19 day of January, 2012, at Vernon, California.

[Signature]
WILLARD G. YAMAGUCHI
City Clerk

(SEAL)
CITY CLERK'S OFFICE

INTEROFFICE MEMORANDUM

DATE: January 18, 2012

TO: Rory Burnett, Finance Director/City Treasurer
Daniel Calleros, Interim Police Chief
Kristen Enomoto, Council Department Manager
Carlos Fandino, Director of Light & Power
Masami Higa, Assistant Finance Director
Alex Kung, Senior Accounting Manager
Joaquin Leon, Deputy City Treasurer
Leonard Grossberg, Interim Director of Health & Environmental Control
James Rodino, Police Captain
Martha Valenzuela, Director of Personnel/Business Services
Mark Whitworth, City Administrator/Fire Chief
Kevin Wilson, Director of Community Services & Water

FROM: Willard Yamaguchi, City Clerk

RE: Ordinance No. 1191 — An Ordinance of the City Council of the City of Vernon Amending Ordinance No. 1187 Relating to Living Wages to Remove Language in Section 2.132 (b)

Transmitted herewith is a copy of Ordinance No. 1191 referenced above, which was approved by City Council on January 17, 2012.

Thank you.

WY: dj

Attachment

c: Ana Barcia
   Ordinance Nos. 1191 & 1187
DATE: December 13, 2011
TO: Honorable City Council
FROM: Mark C. Whitworth, City Administrator
RE: Living Wage Ordinance Amendment

Background

On October 4, 2011, the City Council adopted a Living Wage Ordinance (Ordinance No. 1187) as part of the City’s good governance reforms. The ordinance applies to City employees and contractors and was modeled after the City of Los Angeles’s Living Wage Ordinance.

Upon further examination of the ordinance, it has been discovered that certain language in Section 2.132(b) was inadvertently included. This section states in part “[e]mployers shall provide at least twelve (12) compensated days off per year for sick leave, vacation, or personal necessity at the employee’s request.” The italicized language provides the employee the option of designating up to twelve days of his/her compensated time off as any one categorical type.

The City currently provides entry level employees with a total of sixteen (16) compensated days off per year, eight (8) as sick leave and eight (8) as vacation. Thus, if the required twelve days consisted of any combination of the three types, the City would be more than meeting the minimum requirement. An informal survey revealed that several of the City’s current contractors are in similar situations.

By simply removing the language, “at the employee’s request[,]” from this provision of the ordinance, it would allow the City and its contractors the appropriate flexibility to meet the 12-day minimum requirement, while maintaining the requirement that employees receive a minimum of twelve compensated days off per year.

Recommendation

It is recommended that Ordinance No. 1187 be amended to remove the language, “at the employee’s request” from Section 2.132(b).
PROOF OF PUBLICATION  
(2015.5 C.C.P.)

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES

I am a citizen of the United States and a resident of the County aforementioned; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of 
EASTERN GROUP PUBLICATIONS:
EASTSIDE SUN, MEXICAN AMERICAN SUN,
NORTHEAST SUN, BELL GARDENS SUN,
VERNON SUN, COMMERCE COMET,
CITY TERRACE COMET, MONTEBELLO COMET,
MONTEREY PARK COMET,
E.L.A. BROOKLYN BELVEDERE COMET
AND WYVERNWOOD CHRONICLE,
newspapers of general circulation, printed and published THURSDAYS in the County of Los Angeles, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of JUNE 21, 1966.
CASE NUMBER 884861;
that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit: 
JANUARY 12,
all in the year 2012.
I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at LOS ANGELES, California, this 12th day of JANUARY, 2012.

[Signature]

CITY OF VERNON
Proof of Publication of

City of Vernon City Council Meeting
January 3, 2012
Ordinance No. 1191 Summary

CITY OF VERNON CITY COUNCIL MEETING
JANUARY 3, 2012
ORDINANCE NO. 1191 SUMMARY

A CERTIFIED COPY OF THE FULL TEXT OF PROPOSED ORDNANCE NO. 1191 IS AVAILABLE IN THE OFFICE OF THE CITY CLERK LOCATED AT 1305 SANTA ANA AVENUE, VERNON, CALIFORNIA.

WHEREAS, Ordinance No. 1191 was duly introduced at a regular meeting of the City Council of the City of Vernon held on January 3, 2012; and

WHEREAS, Ordinance No. 1191 is scheduled to be approved and adopted by said Council at a regular meeting to be held on January 17, 2012.

NOW, THEREFORE, the City Council of the City of Vernon is proposing to adopt Ordinance No. 1191 amending Ordinance No. 1187 relating to living wages to remove language in Section 2.1225.

RESOLVED, that Ordinance No. 1191 was duly introduced at a regular meeting of the City Council of the City of Vernon held on January 3, 2012 and said Ordinance is scheduled to be approved and adopted at a regular meeting of the City Council to be held on January 17, 2012.

Dated: January 4, 2012

William G. Yamaguchi, City Clerk
PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES

I am a citizen of the United States and a resident of the County aforementioned; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of

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AND WYVERNWOOD CHRONICLE,

newspapers of general circulation, printed and published THURSDAYS in the County of Los Angeles, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under the date of JUNE 21, 1966,

CASE NUMBER 884861:

that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

JANUARY 26,

all in the year 2012.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at LOS ANGELES, California, this 26th day of JANUARY, 2012.

Signature