

MINUTES
Wasco City Council
SPECIAL MEETING

Thursday, June 12, 2014– 5:00p.m.
City Council Chambers
746 8th Street, Wasco, California 93280

1) **CALL TO ORDER:** Mayor Cortez called the meeting to order at 5:00p.m.

2) **FLAG SALUTE:** Mayor Cortez led the flag salute.

3) **ROLL CALL:**

Present: Mayor Cortez, Members: Espitia and West

Absent: Members Martin and Wegman

Also Present: City Attorney Schroeter, City Manager Allen, City Clerk Rodriguez, Deputy Clerk Juan, and Interim City Manager Paris.

4) **COMMUNICATIONS FROM THE AUDIENCE:** None

5) Report and Possible Approval, RE: Consideration of hiring legal counsel to represent Councilmember Martin in the Fair Political Practices Commission investigation into a complaint that he had a conflict of interest in voting on the appeal of the Planning Commission decision approving the Savage Coal CUP application.

City Attorney Schroeter gave report. He informed council that after the hearing for the appeal, a complaint was filed by 3 members of the public. FPPC took the complaints and mailed a letter to Member Martin informing him that they are conducting an investigation. Member Martin could be fined, council's decision could be challenged and if this is brought back for council vote, Member Martin could not vote. Government Code 995.6 allows the city to pay for legal cost if incurred to defend Member Martin. Member Martin acted in interest of the city and not in malice. An attorney is willing to represent Member Martin and assist in this matter.

Mayor Cortez adjourned to close session at 5:09p.m.

Mayor Cortez reconvened the meeting at 5:25p.m.

City Attorney Schroeter reported that there was no reportable action on item 6a of closed session.

Member West made a motion to approve hiring of legal counsel to represent Member Martin, 2nd by Member Espitia. All in favor motion carried 3-0-0-2 (Member Martin and Wegman absent). Clerk Rodriguez announced the vote:

AYES: Cortez, Espitia, West

NOES: None

ABSTAIN: None

ABSENT: Martin and Wegman

Member West amended his motion to include "not to jeopardize the indemnification agreement with Savage Coal", 2nd by Member Espitia. All in favor motion carried 3-0-0-2 (Member Martin and Wegman absent). Clerk Rodriguez announced the vote:

AYES: Cortez, Espitia, West

NOES: None

ABSTAIN: None

ABSENT: Martin and Wegman

Mayor Cortez adjourned to close session at 5:27p.m.

Mayor Cortez reconvened the meeting at 5:46p.m.

6) **CLOSED SESSION:**

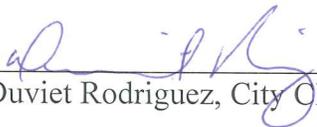
a) Conference with legal counsel regarding Sierra Club v. City of Wasco per Government Code Section 54956.9(d) (1).

City Attorney Schroeter reported that there was no reportable action.

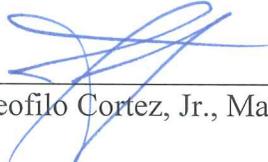
b) Labor Negotiations per Government Code Section 54957.

City Manager Allen reported that there was no reportable action.

7) **ADJOURNMENT:** Mayor Cortez adjourned the meeting at 5:47p.m.



Duviet Rodriguez, City Clerk



Teofilo Cortez, Jr., Mayor