



BARSTOW CITY COUNCIL /  
 BARSTOW FIRE PROTECTION DISTRICT  
 CITY COUNCIL CHAMBERS  
 220 EAST MOUNTAIN VIEW STREET  
 BARSTOW, CA 92311

MAY 6, 2019  
 5:30 PM  
 (HANDICAPPED ACCESSIBLE)

# AGENDA

## CLOSED SESSION

### MAYOR

Julie Hackbarth-McIntyre

### COUNCILMEMBERS

Carmen Hernandez  
 James M. Noble  
 Richard Harpole  
 Timothy R. Silva

### ELECTED CITY CLERK

JoAnne V. Cousino

### ELECTED CITY TREASURER

Michael Lewis

### PLANNING COMMISSIONERS

Marilyn Dyer Kruse  
 Beatrice Lint  
 Elbert Muncy III  
 Vacant  
 Andrew Ziemer

### BARSTOW FIRE PROTECTION DISTRICT

*A Subsidiary District of the City of Barstow*

Julie Hackbarth-McIntyre  
 Carmen Hernandez  
 Richard Harpole  
 James M. Noble  
 Timothy Silva

**PARTICIPATION IS INVITED:** IF YOU WISH TO BE HEARD ON ANY ITEM ON THE AGENDA INCLUDING ANY ITEM ON THE CONSENT CALENDAR, PLEASE SO INDICATE BY FILLING OUT A "REQUEST TO SPEAK" FORM AND HAND TO THE CITY CLERK. IF SPECIAL ACCOMMODATIONS ARE REQUIRED, 48 HOURS NOTICE MUST BE GIVEN TO THE CITY CLERK.

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

- Mayor Julie Hackbarth-McIntyre
- Council Member Timothy Silva
- Council Member James Noble
- Council Member Richard Harpole
- Mayor Pro Tem Carmen Hernandez

**CODE OF ETHICS:** AS YOUR ELECTED GOVERNING BOARD WE WILL REMEMBER THE "CODE OF ETHICS" THAT WE VOLUNTARILY AND UNANIMOUSLY APPROVED. DURING THIS MEETING WE WILL TREAT EACH OTHER AND THE PUBLIC WITH PATIENCE, CIVILITY AND COURTESY. THE DECISIONS MADE TONIGHT WILL BE FOR THE BENEFIT OF THE BARSTOW COMMUNITY AND NOT FOR PERSONAL GAIN.

**PUBLIC COMMENT:** THIS IS THE TIME AND PLACE FOR THE GENERAL PUBLIC TO ADDRESS THE GOVERNING BOARD ON MATTERS WITHIN THEIR JURISDICTION THAT ARE NOT CURRENTLY ON THE AGENDA. STATE LAW PROHIBITS THE GOVERNING BOARD FROM ADDRESSING ANY ISSUE NOT PREVIOUSLY INCLUDED ON THE AGENDA. THE GOVERNING BOARD MAY RECEIVE COMMENT AND SET THE MATTER FOR A SUBSEQUENT MEETING. SPEAKERS ARE ASKED TO LIMIT THEIR COMMENTS TO THREE MINUTES. ALL REQUESTS TO SPEAK MUST BE RECEIVED PRIOR TO THE AGENDA ITEM BEING ADDRESSED.

**REVIEW AND APPROVAL OF AGENDA:** THIS IS THE TIME FOR MEMBERS OF THE GOVERNING BOARD TO CALL FOR REARRANGING THE ORDER OF THE AGENDA; ADDING ITEMS TO OR REMOVING ITEMS FROM THE AGENDA; OR REMOVING ITEMS FROM THE CONSENT CALENDAR FOR DISCUSSION AND/OR SEPARATE ACTION.

**CLOSED SESSION:**

**1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (G.C. 54956.9(D)(2))**

**Recommended Action:**

**(GOVERNMENT CODE SECTION 54956.9(d)(2))**

*A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.*

**Number of potential cases: Two (2)**

**2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

**Recommended Action:**

**(Government Code Section 54956.9(d)(1))**

*The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in litigation.*

**Griego vs. City of Barstow**

**Case No. 5:19-cv-0630**

**3. CONFERENCE WITH LABOR NEGOTIATOR**

**Recommended Action:**

**Labor Negotiations - (Government Code Section 54957.6) Public Employee(s)**

**City Negotiator: City Manager/District Administrator Nikki Salas**

*Employee Organization: Unit 1 San Bernardino Public Employees' Association*

*Unit 2 San Bernardino Public Employees' Association*

*Unit 3 Barstow Police Officers' Association*

*Unit 5 Barstow Professional Firefighters' Association*

*Unit 6 Barstow Management Employees' Association*

*Unit 8 Barstow Police Department Management Association*

**REPORT OF CLOSED SESSION:**

**ADJOURNMENT:**

**Individuals electing to later challenge any items listed herein will be limited to addressing only those issues raised at any public hearing or in written correspondence received by the Governing Board prior to the meeting.**

**Materials related to an item on this Agenda submitted to the Governing Board after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 220 East Mountain View Ste. A, Barstow, CA 92311 during normal business hours.**

**The City of Barstow, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the City meeting due to disability, to please contact the City Clerk's Office (760) 255-5122, at least one business day prior to the scheduled meeting to ensure that we may assist you.**

I hereby certify, **UNDER PENALTY OF PERJURY** that this agenda has been posted 72 hours prior to the stated meeting in a place accessible to the public.


**Posted on the 3rd day of May, 2019.**

  
Julie Hackbarth-McIntyre, Mayor /BFPD Chair

  
Nikki Salas, City Manager/District Administrator

  
Patricia Rosenberg, Finance Director

  
JoAnne Cousins, CITY CLERK/SECRETARY

  
Jamie Williams, Fire Chief

**CONFIDENTIAL**

Barstow City Council/BFPD

05/6/19 05:30:PM

Laura Moraco

Doc ID: 3742

**CLOSED SESSION AGENDA ITEM****AGENDA MATTER:**

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (G.C. 54956.9(D)(2))

**EXECUTIVE SUMMARY:****DISCUSSION:****FISCAL IMPACT:****RECOMMENDED ACTION:****(GOVERNMENT CODE SECTION 54956.9(d)(2))**

*A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.*

*Number of potential cases: Two (2)*

**CONFIDENTIAL**

Barstow City Council/BFPD  
05/6/19 05:30:PM  
Laura Moraco  
Doc ID: 3743

**CLOSED SESSION AGENDA ITEM**

**AGENDA MATTER:**

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

**EXECUTIVE SUMMARY:**

**DISCUSSION:**

**FISCAL IMPACT:**

**RECOMMENDED ACTION:**

**(Government Code Section 54956.9(d)(1))**

*The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in litigation.*

**Griego vs. City of Barstow**

**Case No. 5:19-cv-0630**

**CONFIDENTIAL**

Barstow City Council/BFPD  
05/6/19 05:30:PM  
Laura Moraco  
Doc ID: 3739

**CLOSED SESSION AGENDA ITEM**

**AGENDA MATTER:**

CONFERENCE WITH LABOR NEGOTIATIONS

**EXECUTIVE SUMMARY:**

**DISCUSSION:**

**FISCAL IMPACT:**

**RECOMMENDED ACTION:**

*Labor Negotiations - (Government Code Section 54957.6) Public Employee(s)*

*City Negotiator: City Manager/District Administrator Nikki Salas*

*Employee Organization: Unit 1 San Bernardino Public Employees' Association*

*Unit 2 San Bernardino Public Employees' Association*

*Unit 3 Barstow Police Officers' Association*

*Unit 5 Barstow Professional Firefighters' Association*

*Unit 6 Barstow Management Employees' Association*

*Unit 8 Barstow Police Department Management Association*