



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

JUNE 17, 2019  
 7:00 PM  
 (HANDICAPPED ACCESSIBLE)

# MINUTES

## JOINT SPECIAL MEETING

### INVOCATION:

PASTOR OZZY RIOS from Victory Outreach gave the invocation.

**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:

MAYOR HACKBARTH-MCINTYRE called the meeting to order at 7:00 P.M.

### PLEDGE OF ALLEGIANCE:

MAYOR HACKBARTH MCINTYRE led the Pledge of Allegiance.

### ROLL CALL:

Attendee Name	Title	Status	Arrived
James M. Noble	Council Member/Director	Present	
Richard Harpole	Council Member/Director	Present	
Carmen Hernandez	Mayor Pro Tem/Vice Chair	Present	
Timothy Silva	Council Member/Director	Present	
Julie Hackbarth-McIntyre	Mayor/Chair	Present	

**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.*

### PRESENTATIONS:

- CERTIFICATE OF APPRECIATION FOR PLEDGE LEADER**  
Recommended Action:  
 Presentation item.

**RESULT: PULLED**

**2. PRESENTATION BY BARSTOW CROSSROADS KIWANIS CLUB**

**Recommended Action:**

Presentation only.

ELAINE PERALTA, PRESIDENT OF THE BARSTOW CROSSROADS KIWANIS CLUB presented a report of their school program "Don't Meth with Us".

- Stated their mission was to equip children and parents with the tools to combat drug use and addiction.
- Stated they went into 5<sup>th</sup> grade classrooms and met with students on a personal level.
- Stated meth was the most addictive drug, noting a person could be addicted after one use.
- Students were given a t-shirt, pin, wristband, and a drug-free pledge card.
- Noted the schools were very happy with the program and would like them to return on an annual basis.
- Stated Audrey Johnson of Skyline Elementary won their writing contest and was awarded a \$100.00 gift card.
- Said they had given each runner-up a \$25.00 gift card.

.AUDREY JOHNSON read her essay to the Council.

**RESULT: PRESENTATION ONLY**

**3. COLDWELL BANKER QUARTERLY UPDATE**

**Recommended Action:**

Presentation only.

RON BARBIERI OF COLDWELL BANKER COMMERCIAL gave a quarterly update on the real estate program in Barstow.

- Felt the key to growth in the High Desert was the migration of industrial warehousing distribution from down the hill to the High Desert.
- Stated clients were now looking to locate in the High Desert due to the shortage of industrial land down the hill.
- Stated for the last two years, they had been working with the owners of the old Sun Cal property, which was 6,500 acres, noting they had recently listed it for sale.
- Stated their goal was to find three to five buyers to purchase that property for development.

MAYOR PRO TEM HERNANDEZ

- Asked if they had any inquires on the Barstow Industrial Business Park property.
- Wanted the public to know the Council was working on bringing business to Barstow.

RON BARBIERI

- Said they had one in escrow, which was a buyer from Barstow.
- Stated they could not develop the business due to the cost.
- Stated they had other inquires on a few of the properties, but had not had any offers.
- Said there had been several inquiries brought before them regarding BNSF plans, but he did not have the answers.

**RESULT: PRESENTATION ONLY**

**PUBLIC HEARING:**

**PUBLIC HEARING OPENED AT 7:18 P.M.**

**4. PROTEST HEARING - DELINQUENT UNPAID SEWER / TRASH ACCOUNTS**

**Recommended Action:**

1. Conduct a protest hearing and subject to testimony received, adopt the attached Resolution No. 4962-2019 and waive further reading.
2. Where necessary and relevant, direct staff to resolve any conflicts with protest owners before the Final Lien List attached is filed with San Bernardino County.

ENVIRONMENTAL SERVICES ADMINISTRATOR BELINDA BARBOUR

- Presented information for the Protest Hearing of Delinquent Unpaid Sewer/Trash Accounts.
- Stated that on the current proposed lien list, there were 393 accounts in the amount of \$106,607.00.
- Read a list of the billing and notification process made by Burrtec to property owners.
- Noted the exceptions eligible for removal from the lien list (Line No. 148 and Line No. 281) as payment had been received for these accounts.

COUNCILMEMBER SILVA

- Said he would meet with Belinda Barbour as he noted a few accounts on the list that were transferred upon escrow.

***SPEAKERS***

VIRGINIA BROWN - BARSTOW, CA

- Stated that Council had told her in the past they could not see her name on the list, noting that she was on the current list under Line No. 57 for \$212.38, without notice.
- Stated she had not received an email, phone call, or letter in the mail, noting she checked her emails on a daily basis and believed Burrtec did not have her email address.
- Asked the City speak with Burrtec to remove their name off the list so they could continue to work on this.

MANNY LOPEZ - BARSTOW, CA

- Felt the word was not getting out to the public.
- Asked what the City's position was on it and how they were communicating with the public.

**PUBLIC HEARING CLOSED AT 7:24 P.M.**

MAYOR JULIE HACKBARTH MCINTYRE

- Asked Environmental Services Administrator Barbour if the letters were sent out by registered mail.

ENVIRONMENTAL SERVICES ADMINISTRATOR BELINDA BARBOUR

- Answered "no", noting that the letters were sent out using regular mail to the address provided by the property owners.

MAYOR PRO TEM HERNANDEZ

- Felt the notification process had always been an issue.
- Said she was unsure if email addresses or telephone numbers were requested by Burrtec when a person set up their account with them.
- Noted that in the past she had requested that letters be sent by registered mail to insure the

letters were being received.

- Said she would make specific requests at an August Council meeting.

**COUNCILMEMBER NOBLE**

- Asked if Virginia Brown’s account could be pulled until they could get it rectified.
- Said he wanted to make sure Burrtec had the Brown’s correct contact information.
- Stated if everything was correct, their account would be put back on the next list.
- Said he preferred that the Browns be pulled off the list as of now.

**ENVIRONMENTAL SERVICES ADMINISTRATOR BELINDA BARBOUR**

- Stated if Council directed her to do so, she could pull them off the list for now.
- Said a decision would need to be made by the end of the week so they could file the liens with the County.
- Said at the direction of Council, she would meet with Virginia Brown to verify their contact information.

**COUNCILMEMBER HARPOLE**

- Asked if there was an annual process for Burrtec to have customers update their contact information.
- Shared his concerns with being notified by email.
- Asked Belinda Barbour to meet with Burrtec to clarify their notification process and update it if necessary.
- Asked if Line No. 57 was based on preexisting bills or new bills since it was discussed before.

**ENVIRONMENTAL SERVICES ADMINISTRATOR BELINDA BARBOUR**

- Stated yes, Burrtec did contact customers annually to update their contact information.
- Noted that it was the responsibility of property owners to notify all utility companies of their updated information.
- Said that the Browns had not made any payments on the account, noting this was an on-going balance and no payments had been made on the account within the last 90 days.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Carmen Hernandez, Mayor Pro Tem/Vice Chair
<b>SECONDER:</b>	Timothy Silva, Council Member/Director
<b>AYES:</b>	Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**5. ANNUAL RENEWAL AND REAFFIRMATION OF ASSESSMENT DISTRICT #1**

**Recommended Action:**

Staff recommends that the City Council take the following actions:

1. Adopt Resolution No. 4963-2019 (Attachment A), thereby approving the Engineer’s Report, and waive the full reading.
2. Adopt Resolution No. 4964-2019, declaring the City’s intention to reaffirm the levy and collection of annual assessment in Fiscal Year 2017/2018 in connection with Landscape Maintenance District No. 1, Street Maintenance District No. 1 Street Lighting Maintenance District No. 1, and Flood Control Maintenance District No. 1 (Attachment B), and waive the full reading.

**PUBLIC HEARING OPENED AT 7:35 P.M.**

ENGINEERING SERVICES ADMINISTRATOR DOMINGO GONZALES presented the Annual Renewal and Reaffirmation of Assessment District #1.

- Noted there had not been an increase in the assessment; however, it was required to be presented to the Council annually as it was a requirement to reaffirm the cost and expenditures.

COUNCILMEMBER SILVA

- Stated last time they approved the assessment, he asked about a grant for updating the landscaping on Barstow Road.

COUNCILMEMBER HARPOLE

- Agreed with Councilmember Silva.
- Stated the City needed to look into the landscaping to reduce the water usage and bring it up to date.

MAYOR JULIE HACKBARTH MCINTYRE

- Acknowledged that she knew Domingo Gonzales was working on the grants.

**NO SPEAKERS CAME FORWARD**

**CLOSED PUBLIC HEARING AT 7:47 P.M.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Carmen Hernandez, Mayor Pro Tem/Vice Chair
<b>SECONDER:</b>	Richard Harpole, Council Member/Director
<b>AYES:</b>	Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**REPORT OF CLOSED SESSION:**

NO CLOSED SESSION MEETING SCHEDULED.

**PUBLIC COMMENT:**

***SPEAKERS***

PAT ALEMAN - BARSTOW, CA

- Addressed his concerns about a video Councilmember Harpole posted to YouTube and Facebook regarding Measure Q.
- Noted that there were five departments that were against Measure Q, but Councilmember Harpole only talked about two.
- Stated that Mayor Hackbarth McIntyre was on the Fire Board at the time of the video in question.
- Stated that the public was going to vote off Measure Q and the recall of Councilmembers by ballot.

VIRGINA BROWN - BARSTOW, CA

- Expressed her hopes that Measure Q money would focus on the Police Department.
- Noted that a young man had been shot and killed immediately following her leaving a family member's home.
- Stated that six days later, the young man's brother was stabbed and killed.
- Expressed that the Police Department and the public both knew what the bad areas of Barstow were.
- Noted that she would like to see subdivision Police Departments throughout the community.
- Stated by having a couple subdivisions throughout the Barstow community, residents would feel more secure.
- Stated that she would like to see traffic cameras implemented once again in Barstow.
- Noted that she supported the Fire Department as well, but believed using more of the Measure Q money on the Police Department would be more beneficial to the City of Barstow.

EDY SEEHAFFER - BARSTOW, CA

- Stated that she used the VVTA public transportation services regularly.
- Explained that she served as a VVTA ambassador.
- Requested that Council extend the VVTA bus services to East Main Street past Walmart.
- Noted that even though several businesses including Desert Manna, the Humane Society, and a low-income trailer park were all located in this vicinity, the City had no bus services available in the general area.
- Suggested a re-route on Bus 29 to extend its pick up locations to the area in question.
- Stated that the bus would need a pull-off area built for the safety of its passengers and other drivers.

CHARLES D' AURIA - BARSTOW, CA

- Expressed his agreement with Mrs. Brown's comments on the need for more Police presence in Barstow.
- Noted that he has lived in Barstow since 1957 and watched the City decline.
- Stated the City of Barstow needed to do more to increase safety.
- Noted that his neighborhood was having a lot of problems with mail being stolen.

ELONA JONES - BARSTOW, CA

- Felt that the Council did not care about the marijuana ordinance they created for the City of Barstow.
- Noted there were typos in the ordinance and it looked as though the Council copied and pasted information from corresponding cities.
- Stated that the ordinance was worse than Proposition 64.
- Expressed her concerns with only 50% of the tax for the marijuana ordinance going to the Police Department and 50% going into the General Fund.
- Noted that while Councilmember Harpole made videos in support of Measure Q, there had been no video made for the marijuana ordinance and the dying people in Barstow that this ordinance could potentially help.
- Stated the Council had no empathy and no respect.

JIMMY BROWN - BARSTOW, CA

- Expressed his support in Mrs. Brown's statements involving the distribution of monies collected from Measure Q going to the Police Department.
- Stated that crime in Barstow was rampant.
- Stated that Barstow was disappearing before us and Main Street was getting worse.
- Noted that he saw transients sleeping on the floors outside of public businesses, and asking for money outside of stores.
- Felt that the City needed more patrol officers for local businesses and storefronts.
- Stated he went to the Fire Department and a notice was placed on the door, stating it was closed due to employment issues.
- Noted that the Fire Department needed a full-time secretary brought in with Measure Q money.

PEGGY FRIES - BARSTOW, CA

- Announced the Annual Resource Fair was going to be held on Thursday, June 27, 2019 from 1:00 p.m. to 4:00 p.m. at the Cora Harper Fitness Center.
- Stated that vendors for the Community Resource Fair could begin set up at 10:00 a.m.
- Thanked the Council for allowing the Resource Fair to be held at the Cora Harper Fitness Center for the past five years.
- Talked about the Community Coalition and the programs they work alongside with.
- Noted that there were over 50 vendors for this year's event, and that the deadline for signup was June 17, 2019.
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ROLAND ULLOA - BARSTOW, CA

- Noted that Dos Costas Communications was the only media left in town, since the Highway Stations filed for bankruptcy years ago, and Barstow no longer had a newspaper.
- Stated that Dos Costas Communications was not receiving any notifications from the City of Barstow at all.
- Stated it took five weeks to schedule a meeting with the City Manager.
- Believed Council did not want the City informed.
- Noted that in May of 2018, Council met behind closed doors without notice to the public to sign an anti-immigration resolution promoted by President Donald J. Trump.
- Noted that the lawsuit from President Donald J. Trump against the State of California was thrown out, but the Council had not notified the public.
- Stated that City Manager Nikki Salas needed to be a strong leader and live in the City of Barstow.
- Noted he was supposed to be on a vacation, but instead he met with the City Manager, which he felt did not have a significant outcome.

#### JANE BROCKHURST- BARSTOW, CA

- Stated she was at the Council meeting on behalf of the Desert Discovery Center.
- Reminded the community that Desert Discovery Center was hosting the 8th Annual Mid-Summer Desert Festival on June 22, 2019 at 8:00 a.m. starting with the Re-imagine Barstow Walk, with the actual event starting at 10:00 a.m.
- Explained all of the activities the public would be able to participate in during the event.
- Hoped that Barstow families would come out and support the Desert Discovery Center and their Mid-Summer Desert Festival event.

#### ROSE BEARDSHEAR - BARSTOW, CA

- Thanked Jane Brockhurst for her work with the Bureau of Land Management.
- Noted that there was no funding provided for Mrs. Brockhurst to run the Desert Discovery Center.
- Noted that Mrs. Brockhurst ran the Desert Discovery Center off of grants, fundraisers, and the gift shop located inside.
- Noted that Mrs. Brockhurst had passed a full Federal background check and had access to the Federal building.
- Thanked Belinda Barbour for spearheading the Healthy Barstow Initiative.
- Asked the public to direct the homeless people they encounter to the Dignity Station heating and cooling center.
- Thanked Mayor Julie Hackbarth McIntyre and Mayor Pro Tem Carmen Hernandez for stepping forward and agreeing to participate in the Re-imagine Barstow Walks.
- Noted it was the first walk and would be a 3.2 mile walk.
- Thanked City staff for all the hard work they put in to make the event happen.

#### FRANK DILLARD - BARSTOW, CA

- Asked that Mayor Hackbarth McIntyre let the community know when she would not be in attendance at future Council meetings.
- Noted that he also saw transients camping out in front of the 99 Cent Only Store.
- Expressed his concerns about the crime rate in Barstow.
- Suggested that the vacant Vons building be used as an indoor skating rink.

### **REVIEW AND APPROVAL OF AGENDA:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Timothy Silva, Council Member/Director
<b>SECONDER:</b>	James M. Noble, Council Member/Director
<b>AYES:</b>	Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**STAFF REPORTS:**

NONE

**POLICE CHIEF COMMENTS:**

POLICE CHIEF ALBERT RAMIREZ

- Thanked everyone who supported the “Coffee with a Cop” event last week.
- Noted that there was a great turn out and he was able to speak with a lot of people he did not know in the community.

**FIRE CHIEF COMMENTS:**

FIRE CHIEF JAMIE WILLIAMS

- No comments.

**BUSINESS OF THE COUNCIL / BFPD:**

COUNCILMEMBER/DIRECTOR SILVA

- Asked Chief Albert Ramirez to bring a report forward to address the public’s concerns with the homeless inside of stores.

COUNCILMEMBER/DIRECTOR HARPOLE

- Noted that a public speaker brought attention to a video posted on Facebook by Mr. Harpole from October of 2018.
- Said that he went to the Fire District and pulled old minutes and researched everything that was said in the video in question.
- Stated that he was absolutely certain that Mayor Hackbarth McIntyre was not on the Fire Board when the vote was taken.
- Noted the public’s concern of Measure Q money being used to obtain more officers.
- Stated there was room for eight officers with the Measure Q funds that the Police Department would obtain.
- Said that he would like to see more than eight officers added, but realistically with the amount of schooling and training the new officers must go through, the City would be doing good to get those eight officers onto the streets in a year.
- Stated that VVTA does a comprehensive analysis every five years, with the last one being done in 2017, noting that this analysis was what the bus routes were based on.
- Noted more than likely there would not be any major changes made to the bus route schedules until the time of the next comprehensive analysis report.

MAYOR PRO TEM/VICE CHAIR HERNANDEZ

- No comments.

COUNCILMEMBER/DIRECTOR NOBLE

- No comments.

MAYOR/CHAIR HACKBARTH - MCINTYRE

- Reiterated that Saturday, June 22, 2019 at 8:00 a.m. at the Desert Discovery Center she and Mayor Pro Tem Hernandez would be walking with the public.
- Stated that the walk would cover the grounds of District 4.
- Noted that every quarter she was going to rotate walks throughout the different districts.
- Stated that the walks were open to the public, and there would be an announcement made before each walk letting the public know what district the walk would follow.

**CITY MANAGER / DISTRICT ADMINISTRATOR COMMENTS:**

CITY MANAGER NIKKI SALAS

- Provided the public with an economic development update.
- Noted that the new Taco Bell had opened.
- Noted that Best Western Plus was open in Lenwood.
- Announced that Terrible Herbst gas station on Main Street had opened.
- Announced that Terrible Herbst gas station in Lenwood was being built and the wood framing had started to go up.
- Noted that a new Jack in the Box as well as an electric charging station were going into the Walmart shopping center.
- Stated that her office had been fielding calls for other issues within the City as well as calls for community development.

**CONSENT CALENDAR ITEMS:**

CITY CLERK COUSINO READ THE FOLLOWING:

**BFPD:**

**6. MINUTES CLOSED SESSION - JUNE 3, 2019 6:00 P.M.**

**Recommended Action:**

Approve minutes as presented.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Carmen Hernandez, Mayor Pro Tem/Vice Chair
<b>SECONDER:</b>	James M. Noble, Council Member/Director
<b>AYES:</b>	Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**7. MINUTES JOINT SPECIAL COUNCIL/BFPD - JUNE 3, 2019 7:00 PM**

**Recommended Action:**

Approve the minutes as presented.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Carmen Hernandez, Mayor Pro Tem/Vice Chair
<b>SECONDER:</b>	James M. Noble, Council Member/Director
<b>AYES:</b>	Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**8. BARSTOW FIRE DISTRICT - RATIFICATION OF ACCOUNTS PAYABLE EXPENDITURES**

**Recommended Action:**

Approve and ratify expenses as audited for checks # 76920 - 76985 and wire # 612 totaling \$53,174.48.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Carmen Hernandez, Mayor Pro Tem/Vice Chair  
**SECONDER:** James M. Noble, Council Member/Director  
**AYES:** Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**CITY COUNCIL:**

**9. MINUTES CLOSED SESSION - JUNE 3, 2019 6:00 P.M.**

**Recommended Action:**

Approve minutes as presented.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Carmen Hernandez, Mayor Pro Tem/Vice Chair  
**SECONDER:** James M. Noble, Council Member/Director  
**AYES:** Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**10. MINUTES JOINT SPECIAL COUNCIL/BFPD - JUNE 3, 2019 7:00 PM**

**Recommended Action:**

Approve the minutes as presented.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Carmen Hernandez, Mayor Pro Tem/Vice Chair  
**SECONDER:** James M. Noble, Council Member/Director  
**AYES:** Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**11. RATIFICATION OF ACCOUNTS PAYABLE EXPENDITURES**

**Recommended Action:**

Approve and ratify expenses, as audited, for checks # 76797 - 76984 and wire # 610 - 613 totaling \$559,860.07.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Carmen Hernandez, Mayor Pro Tem/Vice Chair  
**SECONDER:** James M. Noble, Council Member/Director  
**AYES:** Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**12. AUTHORIZATION TO APPROPRIATE ADDITIONAL DEVELOPMENT IMPACT FEE FUNDS FOR IMPROVEMENTS TO OPAL CHANNEL.**

**Recommended Action:**

Staff recommends that the City Council authorize the appropriation of (1) \$6,039.25 to Account No. 400.802.216.19.425.

COUNCILMEMBER SILVA

- Requested that the origin of the revenue on development impact fees be provided.

ASSISTANT CITY MANAGER CINDY PROTHRO

- Provided particulars to the upstream improvement projects that will assist in the mitigation of overflows on the lower area, which were supporting two local businesses.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Carmen Hernandez, Mayor Pro Tem/Vice Chair
<b>SECONDER:</b>	James M. Noble, Council Member/Director
<b>AYES:</b>	Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**BUSINESS ACTION ITEMS:**

**CITY COUNCIL:**

**13. APPROVAL AMENDMENT NO. 1 TO AGREEMENT NO. 15-100118 WITH SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY (SBCTA) FOR THE NORTH FIRST AVENUE BRIDGE OVER MOJAVE RIVER PROJECT**

**Recommended Action:**

Staff recommends that the City Council take the following action:

1. Approve the Project Funding Agreement 15-100118 Amendment 1 between City and SBCTA.

**ITEMS NO. 13 AND 14 TAKEN TOGETHER.**

**ENGINEERING SERVICES ADMINISTRATOR DOMINGO GONZALES**

- Presented the public with a brief history on how the project began.
- Noted that the City was working with SBCTA, Caltrans, and local consultants to figure out how the City would pay the high costs for all the bridges.
- Stated that SBCTA recommended that the City do an escalation price on the bridges, which was included in the agreement.
- Stated that the project would be turned over to SBCTA as they had more knowledge in the building of bridges and had more resources as to funding.
- Explained that the City was heavily involved in the building of the new bridges, but were determined to keep this project at 100% financed.

**MAYOR PRO TEM CARMEN HERNANDEZ**

- Noted that the State was concerned about the City's inability to pay for the new bridges, so SBCTA was going to accept the responsibility for paying the bills.
- Noted that Council had to approve this and the increases had been figured in already.
- Stated that she understood how hard it was to get SBCTA to take on this responsibility.
- Asked when the project was set to begin.

**CITY ENGINEER BRAD MERRILL**

- Stated that the City hoped that the project would begin mid-2020.

**MAYOR HACKBARTH MCINTYRE**

- Thanked SBCTA and Paula Beauchamp for all her help throughout the process.
- Noted that the City was now in the revised 10-year plan on SBCTA.
- Stated that there was going to be one more stipulation coming back for the management authority to be signed into that agreement.
- Noted that SBCTA worked with Caltrans on numerous occasions, and were able to move this process a lot faster than the City's staff could.
- Thanked Dr. Wolfe and the executive director for working with our agency.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Richard Harpole, Council Member/Director
<b>SECONDER:</b>	Timothy Silva, Council Member/Director
<b>AYES:</b>	Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**14. APPROVAL AMENDMENT NO. 1 TO AGREEMENT NO. 15-100119 WITH SBCTA FOR NORTH FIRST AVENUE OVERHEAD BRIDGE OVER BNSF RAILROAD TRACKS**

**Recommended Action:**

Staff recommends that the City Council take the following action:

1. Approve Project Funding Agreement 15-100119, Amendment 1 between the City and SBCTA.

ITEM NO. 14 TAKEN WITH ITEM NO. 13.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Timothy Silva, Council Member/Director
<b>SECONDER:</b>	Richard Harpole, Council Member/Director
<b>AYES:</b>	Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**15. A RESOLUTION OF THE CITY OF BARSTOW CALLING A SPECIAL MUNICIPAL ELECTION**

**Recommended Action:**

City Council to approve Resolution 4965-2019 calling for a Special Municipal Election for November 5, 2019 to submit a Special Cannabis Tax Measure to the qualified voters of the City of Barstow and requesting San Bernardino County to provide specified election services, and waive the full reading.

CITY MANAGER NIKKI SALAS

- Noted that on June 3, 2019, Council brought forth an ordinance on the sales of cannabis in the City of Barstow.
- Stated that the cost for bringing forth a special election would cost voters an estimated \$133,000.00.

MAYOR PRO TEM CARMEN HERNANDEZ

- Stated that the price for holding a special election was far too high.
- Asked when the next regularly scheduled election was to be held and what the cost would be then?.

CITY MANAGER NIKKI SALAS

- Answered that the next regularly scheduled election was to be held in March 2020 for primaries.
- Stated that the Registrar of Voters estimated the cost of a regularly scheduled election at \$36,000.00.

PAT ALEMAN - BARSTOW, CA

- Addressed his concerns with the City website's accessibility.
- Stated that the ordinance was hard to find on the website.
- Noted that in the past, he smoked marijuana for medical reasons, but he no longer consumed marijuana.
- Stated that marijuana in both the medical form and recreational form were legal in California, but not in Barstow.
- Addressed his concerns with the money accumulated from marijuana sales going into the City's general fund.
- Suggested the City invest the money from cannabis sales into resources for educating children on the dangers of using marijuana.

ROLAND ULLOA - BARSTOW, CA

- Questioned why the City was rushing an election for the marijuana ordinance.
- Stated that the Council was rushing the election because they knew that citizens would not vote and Council wanted to see the ordinance fail.
- Addressed his concerns with the City not being able to afford a \$100,000.00 election.
- Stated that if the Council waited until November, the ordinance would have a positive outcome.
- Stated that by rushing the election, the Council was designing the ordinance to fail.

BILL EARNEST - BARSTOW CA

- Stated that he was in full support of the marijuana ordinance and the way it was written.
- Noted that he believed the cannabis ordinance would be a good thing for the City of Barstow.

COUNCILMEMBER HARPOLE

- Noted that the projected \$100,000.00 annually was a very conservative number.

CITY MANAGER NIKKI SALAS

- Noted that Councilmember Harpole's statement was true, because the Council had not yet weighed in on the amount that was to be assessed, and the City was taking a conservative approach as to not end up like other cities who expected a cannabis tax revenue to solely fund their City.

COUNCILMEMBER HARPOLE

- Noted that when the public votes this ordinance into fruition, it would take at least six months to adopt it because part of the process involved establishing licenses, administrative regulations, and working out licensing issues with the State of California.
- Stated that the farther the election was pushed out, the longer it would take to implement the ordinance.
- Reiterated that the \$100,000.00 figure was very conservative and the Council fully expected the City to reach above that figure and beyond within the first year of the ordinance being in effect.
- Noted that the \$100,000.00 figure for the first year of the ordinance would cover the cost of the special election.
- Noted that if the Federal government ever decided to legalize marijuana for interstate transfer, Barstow would be the perfect place to distribute from.
- Reiterated that the sooner that the ordinance passed, the better.

COUNCILMEMBER SILVA

- Stated that it was his impression that an election would make more people willing to vote, instead of the opposite.
- Noted that he was rethinking the special election because of the high cost.

COUNCILMEMBER NOBLE

- Noted that he believed waiting until March of 2020 would save the City from unnecessary expenses.
- Agreed with Councilmember Silva that the cost of doing a special election was too high.

MAYOR HACKBARTH - MCINTYRE

- Asked what the cost was for Measure J.
- Questioned whether there were new services with the Registrar of Voters that may have caused the expenses to change so drastically.

CITY CLERK JOANNE COUSINO

- Answered that the cost for Measure J was somewhere in the \$30,000 dollar range.

- Then clarified that Measure Q cost the City about \$36,000 dollars.

CITY MANAGER NIKKI SALAS

- Answered that the prices were so high because this was an off-election cycle, and as of June 2019, the City of Barstow would be the only jurisdiction bringing forward an issue for an election, causing the City to bear the full cost of said election.

COUNCILMEMBER HARPOLE

- Asked whether or not this ordinance was able to go onto a primary election.

CITY ATTORNEY THERESA HIGHSMITH

- Answered yes, the Council could request that the County consolidate with the primary election.  
- Suggested that if Council were planning on waiting for the primary election that they continue the item until then, otherwise they would be calling the election far too early.

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 10/21/2019 7:00 PM</b>
<b>MOVER:</b>	James M. Noble, Council Member/Director	
<b>SECONDER:</b>	Timothy Silva, Council Member/Director	
<b>AYES:</b>	Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre	

**16. APPROVAL OF UPDATED MEMORANDUMS OF UNDERSTANDING WITH UNITS 1, 2, 6 AND 8**

**Recommended Action:**

Staff recommends that the City Council take the following action:

1. Approve the MOU with Unit 1. (Attachment B)
2. Approve the MOU with Unit 2. (Attachment D)
3. Approve the MOU with Unit 6. (Attachment F)
4. Approve the MOU with Unit 8. (Attachment H)

CITY MANAGER NIKKI SALAS

- Turned the item over to Assistant City Manager Cindy Prothro.  
- Thanked Assistant City Manager Cindy Prothro, Human Resources Manager Darcy Wigington, as well as Senior Administrative Analyst Heidi Riley for all the hard work they did on the negotiations.

ASSISTANT CITY MANAGER CINDY PROTHRO

- Provided an overview of the new terms of the MOUs for Units 1, 2, 6, and 8.  
- Stated that the City completed its lengthy negotiations in the spring for four units.  
- Noted that all four units have essentially the same economic terms as far as COLA increases.  
- Stated the units would be getting a 2% increase beginning in the first pay period of FY 2019 - 2020.  
- Noted that the units would receive a onetime payment of 1.5% non-pensionable for their base rate pay ending in FY 2018-2019, to be paid in July.  
- Noted that units would receive another 2% increase in January 2020 and a final 2% increase in June of 2121.  
- Noted that this would be a four-year agreement with each of the units.  
- Stated that in addition to those long-term items, small items for officers included an increase in uniform pay from \$900.00 to \$1,200.00 per year.  
- Noted that there was an increase in sergeants assigned to non-duty patrol from 2.5% to 5%, adding that there was only one officer that fit into that category.  
- Stated that for SRT and CNT, an additional \$500.00 was issued to cover additional cost for premiums.  
- Stated that the goal was to limit the impact on the general and special funds.

COUNCILMEMBER SILVA

- Asked if the correction was made on the measure for Unit 1.
- Asked when something was corrected, did it also get corrected on the website for public viewing.

ASSISTANT CITY MANAGER CINDY PROTHRO

- Answered yes, Units 1 and 2 were corrected.
- Stated that she would make sure that the website matched the MOUs with corrections.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Richard Harpole, Council Member/Director
<b>SECONDER:</b>	Timothy Silva, Council Member/Director
<b>AYES:</b>	Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**17. APPROVAL OF THE MASTER FEE SCHEDULE FY 2019/20**

**Recommended Action:**

Staff recommends that the City Council approve the Master Fee Schedule for FY 2019/20.

<b>RESULT:</b>	<b>PULLED</b>
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**COUNCIL / BFPD:**

**18. APPROVAL OF FISCAL YEAR 2019/20 BUDGET**

**Recommended Action:**

Staff recommends that the City Council take the following actions:

1. Approve the Fiscal Year 2019/20 Budget and adopt the budget approval resolution and budget document, excluding the Barstow Fire Protection District Budget – Fund 225, and waive the full reading.

CITY MANAGER NIKKI SALAS

- Thanked staff for their time and diligent efforts in the preparation of the proposed budget.

ASSISTANT CITY MANAGER CINDY PROTHRO

- Provided a PowerPoint presentation of the proposed Fiscal Year 2019/2020 Budget.
- Information provided included an overview of budget major funds to include General Fund, Barstow Fire Protection District, Wastewater, Solid Waste and Measure Q, with a focus on operations.
- Explained the considerations for the growth in property tax revenues.
- Discussed the slight decline in sales tax revenue.
- Discussed the Transient Occupancy Tax and the growth in revenue.
- Discussed the drop in staffing and salary savings due to retirements.
- Discussed the increasing CalPERS pension costs.
- Noted the presentation covered both Fire and City funds, Item Nos. 18 & 19.

MAYOR/CHAIR JULIE HACKBARTH MCINTYRE

- Asked Assistant City Manager Prothro to explain when they had to start reporting the unfunded liability and how the numbers looked in previous budgets.

ASSISTANT CITY MANAGER CINDY PROTHRO

- Stated this was the fourth year they had reported the unfunded liability.
- Stated that in prior budgets, it was included in the rates but was not broken down separately.

- Stated when it was embedded into the rates, they were not funding the liability in full.
- Stated when the company changed their mortality rates, they changed how they calculated the unfunded liability.

COUNCILMEMBER/DIRECTOR SILVA

- Felt there was some leakage with the Transient Occupancy Tax and asked how we calculated that.
- Asked if the Mechanic position at the Wastewater Treatment Plant would have an overlay of responsibilities as well.

ASSISTANT CITY MANAGER CINDY PROTHRO

- Stated they did not have exact numbers.
- Stated there was a shortage of hotel rooms making consultants and contractors doing local work to have to get rooms in the Victorville/Hesperia area.
- Stated hotel proprietors said they were packed.
- Stated the Wastewater Treatment Plant Operators have had to supplement the mechanics with the maintenance of the facility, which took them away from their other duties.
- Confirmed two mechanics would be kept pretty busy.

CITY MANAGER NIKKI SALAS

- Noted that the Wastewater Treatment Plant was built in 1967; therefore, there was a lot of work that needed to be done by the mechanics.

COUNCILMEMBER/DIRECTOR HARPOLE

- Asked where the 39 percent of the revenue came from.

ASSISTANT CITY MANAGER

- Stated it came from the fuel station tax.

COUNCILMEMBER/DIRECTOR HARPOLE

- Stated when a new gas station was being built in town, people would complain.
- Stated this meant 39 percent of our revenue came from gas sales and mostly from travelers.
- Stated it was important since it paid for a lot of services within our community.
- Inquired about the Economic Development Administrator position.
- Asked if it was the same position they had previously eliminated.

CITY MANAGER NIKKI SALAS

- Stated this would be an entry level position.
- Felt it was better to bring the Economic Development position in as an Administrator and pay them a reasonable wage.
- Stated the position could grow into a higher position based on revenue brought in and the need to expand the program.
- Noted they would be forming a City Economic Committee to follow up on leads that come forward.
- Noted the Executive Assistant position would provide support for the Measure Q Oversight Commission, the City Manager's Office, City Council, Economic Development, and the Assistant City Manager's Office.
- Stated they would like to address the budget mid-year and possibly add additional positions.
- Noted they wanted to make sure they were not spending more than the anticipated revenue.

COUNCILMEMBER/DIRECTOR SILVA

- Stated the public was not aware of how sales tax revenue was collected and disbursed to the City and asked for it to be explained.

ASSISTANT CITY MANAGER CINDY PROTHRO

- Stated revenue was taken in on a monthly basis.
- Stated the sales tax was collected by the businesses and then was collected by the State the following month, and the third month it was distributed to the City.

COUNCILMEMBER/DIRECTOR NOBLE

- Asked where in the process was the replacement of the generator.
- Asked if any of the findings from the audit were added in the budget.
- Stated he appreciated the staff in regards to the budget and addressing the concerns of the community.

ENGINEERING CONSTULTANT BRAD MERRELL

- Stated they had an electrical engineer look at the generator.
- Stated they did have a plan; however, it was not cheap.
- Noted the City was not in compliance with it as far as air quality.
- Felt it needed to be relocated to the back of the lot.

ASSISTANT CITY MANAGER CINDY PROTHRO

- Stated they were addressing the audit findings at year-end.
- Stated they wanted to make certain all the procedures were in place so this would not happen again.

MAYOR/CHAIR JULIE HACKBARTH MCINTYRE

- Stated in regards to the generator that it was not just about moving it but also about the location of it.
- Said the reason they would bring it back mid-year was because it was a big project.
- Stated the generator was near the police dispatch area.
- Said the generator would need to be relocated and the area expanded to accommodate more dispatchers.

CITY MANAGER NIKKI SALAS

- Stated they would be looking into the cost of relocating the generator.
- Said they would like to look in the cost of locating the dispatch and records center.
- Noted they were trying to incorporate the projects into one.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Richard Harpole, Council Member/Director
<b>SECONDER:</b>	Timothy Silva, Council Member/Director
<b>AYES:</b>	Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**19. PRELIMINARY REVIEW OF PROPOSED FIRE DISTRICT BUDGET FY 2019-20**

**Recommended Action:**

The Fire Board is asked to approve the preliminary budgeted expenditures of \$5,164,610, and revenues of \$5,166,551 for fiscal year 2018-19. The budget will be formally adopted on July 15, 2019 after completion of the notice period required by Health & Safety Code Section 13893(b).

ASSISTANT CITY MANAGER CINDY PROTHRO

- Noted that Item No. 19, Preliminary Review of Proposed Fire District Budget for Fiscal Year 2019-2020, and the budget presentation was presented under Item No. 18.

COUNCILMEMBER/DIRECTOR SILVA

- Requested that the public be informed on how sales tax revenue was collected and disbursed to the City.

ASSISTANT CITY MANAGER CINDY PROTHRO

- Provided an outline of how tax monies were received from the State of California.
- Discussed the timelines for tax collection and disbursement.

COUNCILMEMBER/DIRECTOR NOBLE

- Inquired as to the status of the replacement of the City Hall generator.

CONSULTING CITY ENGINEER BRAD MERRELL

- Provided that the generator was out of compliance.
- Noted that the unit would be relocated and the associated costs were extremely high.

COUNCILMEMBER/DIRECTOR NOBLE

- Complimented the staff for their approach in the preparation of the proposed City budget.

MAYOR/CHAIR HACKBARTH-MCINTYRE

- Provided additional logistics on the relocation of the generator.

CITY MANAGER NIKKI SALAS

- Stated that staff would be providing a cost analysis of the generator replacement and relocation in addition to obtaining costs for a records and dispatch center.
- Said the goal was to accomplish completion of those two projects at the same time.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Richard Harpole, Council Member/Director
<b>SECONDER:</b>	Timothy Silva, Council Member/Director
<b>AYES:</b>	Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**DEFERRED ITEMS:**

NONE.

**COUNCIL COMMITTEE REPORTS:**

COUNCILMEMBER SILVA

- Nothing to report.

COUNCILMEMBER HARPOLE

- Noted he attended a VVTA meeting.
- Stated there was not anything that had a direct impact on Barstow services.
- Discussed the special routes for July 4, 2019.
- Stated Public Information Officer Anthony Riley would work on getting the word out for the July 4, 2019 celebration.
- Complimented City Manager Nikki Salas for her leadership and bringing a balanced budget and her conservative approach to the budget.

MAYOR PRO TEM CARMEN HERNANDEZ

- Said she attended a Street Committee meeting.
- Stated they discussed bridges and West Section 7.
- Mentioned the Street Committee would be dark in July.

- Stated she had a Mojave Desert Air Quality Management District meeting on June 24, 2019.
- Mentioned there would not be a City Council meeting on July 1, 2019.
- Stated at the Mojave Desert Air Quality Management District meeting on June 10, 2019, they approved the budget.

COUNCILMEMBER NOBLE

- Stated he attend the Military Affairs meeting.
- Encouraged the military citizens to continue to look out for additional discounts throughout the community.
- Stated he attended the Juneteenth Celebration, and there was a great turn-out, but would like to see more attendees.
- Said they discussed moving the event to Foglesong Park in 2020.
- Stated he appreciated the budget and the conservative approach.

MAYOR JULIE HACKBARTH MCINTYRE

- Thanked the staff for all their hard worked on the budget.
- Gave a special thank you to Accountants Lorraine Barnes and Julia Littleton for their hard work and long hours on the budget.
- Stated they went above and beyond expectation.

**ADJOURNMENT:**

By the consensus of the Council Members without objection, the meeting adjourned at 9:48 p.m.

*Respectfully Submitted:*

*Approved:*

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JoAnne V. Cousino  
City Clerk/Secretary

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Julie Hackbarth-McIntyre  
Mayor/Chair