



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

AUGUST 5, 2019  
 7:00 PM  
 (HANDICAPPED ACCESSIBLE)

# MINUTES

## JOINT SPECIAL MEETING

### INVOCATION:

PASTOR MIKE SMITH from Barstow Church of God in Christ 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/CHAIR HACKBARTH-MCINTYRE called the meeting to order at 7:00 p.m.

### PLEDGE OF ALLEGIANCE:

MAYOR/CHAIR HACKBARTH-MCINTYRE led the Pledge of Allegiance.

### ROLL CALL:

ALL PRESENT

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 REGARDING THE HIGH DESERT SURVEY**

**Recommended Action:**

Presentation only.

JOSEPH BRADY, OWNER OF BRADCO COMPANIES AND BARSTOW REAL ESTATE GROUP AND CO-DEVELOPER OF THE SHOPS AT SPANISH

- Noted that he lived in the High Desert for 31 years.
- Explained that during the last ten years, there had been some significant changes in the economy from the lack of home building.
- Stated that in the years 2000 to 2008, there were 34,408 homes built in the High Desert.
- Stated that in the last ten years, there were only 4,445 homes built within the same region.
- Noted that this had an impact on not only Barstow, but also the entire region.
- Explained that out of the 34,408 homes built, only about 365 homes were built in Barstow specifically.
- Stated that home building was down 88% in the entire region.
- Stated that in 1985, real estate was worth 190 million dollars in gross sales.
- Explained that in 2005, sales went up to 4.5 billion dollars a year, and that today real estate was down by 2.8 billion dollars.
- Noted that demographics and crime both changed in the same 20-year time frame.
- Stated that in 2014, he attended a meeting with John Husin in which Mr. Husin explained that if the High Desert did not change its economy, it would be bankrupt like the cities of Pomona and San Bernardino.
- Noted that Mr. Husin put him in contact with Dr. Barbra Sirotnik who had done surveys in the High Desert for many years.
- Noted that he wanted to create a custom survey to test the area for the opinions of residents, businesses, and government officials.
- Said that the survey was available for anyone who lived in the High Desert region, and who was over the age of 18.
- Stated the survey could be found at [www.highdesertsurvey.com](http://www.highdesertsurvey.com), and the survey would be running until August 31, 2019.
- Explained that after the survey closed, Mr. Husin would then compile the data over the following six months to create a solutions report.
- Noted that the solutions report would highlight the five most popular topics that came out of the survey.
- Noted that in April 2020, a luncheon would be held and broadcast live for the public's viewing.
- Asked every resident of the High Desert to take the ten-minute survey.
- Stated that if anyone had any questions regarding the survey, they could contact him between the hours of 8:00 a.m. to 4:00 p.m. at (760) 954-4576.

**RESULT: PRESENTATION ONLY**

**3. AFTER-EVENT REPORT AND PRESENTATION BY THE ART & INDUSTRIAL WOMEN'S CLUB**

**Recommended Action:**

After-event report and presentation only.

MARY HAILEY, REPRESENTATIVE FROM THE BARSTOW ART & INDUSTRIAL WOMEN'S CLUB

- Gave a presentation on the Juneteenth Celebration.
- Noted that the City of Barstow helped the Club tremendously in years past and thanked the City Council for their continued support with the Juneteenth event.

- Thanked staff at the Cora Harper Center for their assistance with the event along with Desert Manna, local churches, and Food for Less for their donations.

**RESULT: PRESENTATION ONLY**

**4. AFTER-EVENT REPORT AND PRESENTATION BY THE BARSTOW COMMUNITY COALITION**

**Recommended Action:**

After-event report and presentation only.

PEGGY FRIES, REPRESENTATIVE FROM THE BARSTOW COMMUNITY COALITION

- Gave a presentation on the Community Resource Fair event.
- Thanked Council and City staff for the use of the Cora Harper Community Center.
- Noted that this was the largest Resource Fair that the Barstow Community Coalition had put on.
- Stated there were 50 vendors signed up for the event.
- Thanked all vendors for their hard work.
- Noted how important the Resource Fair was for the community of Barstow.
- Stated that the Barstow Community Coalition was looking to work with the Barstow Police Department on the Neighborhood Watch program and create a campaign based on "if you see something, say something."
- Stated that Mercy Air was new to Barstow and the Resource Fair.
- Noted that people were able to sign up with insurance companies at the Resource Fair.
- Thanked the Military partners for always supporting the event and showing the community their options.
- Stated that if anyone was interested in meeting or joining the Barstow Community Coalition, the meetings were held on the first Wednesday of every month at the Probation DRC at 4:30 p.m.

**RESULT: PRESENTATION ONLY**

**5. AFTER-EVENT REPORT AND PRESENTATION BY BARSTOW LITTLE LEAGUE SOFTBALL**

**Recommended Action:**

After-event report and presentation only.

GILBERT MALDONADO, REPRESENTATIVE FROM BARSTOW LITTLE LEAGUE SOFTBALL CLUB.

- Gave a presentation on the 2019 Barstow Little League Softball season.
- Thanked the Council for their continued sponsorship.
- Noted that new equipment was bought with sponsorship money.
- Explained that there was a district tournament held in San Bernardino and Barstow Little League Softball was invited to play.
- Stated that the tournament started Friday, August 5, 2019, and the team spent the entire weekend in San Bernardino with parent volunteers.
- Thanked City Manager Nikki Salas for meeting with him to discuss ways of keeping Barstow's youth off the streets.

**RESULT: PRESENTATION ONLY**

**PUBLIC HEARINGS:**

**6. RESOLUTION ELIMINATING THE CITY'S GENERAL FUND SUBSIDY OF THE SOLID WASTE COLLECTION RATES IN ALL CATEGORIES EXCEPT SINGLE FAMILY RESIDENTIAL**

**Recommended Action:**

Adopt Resolution No. 4969-2019, Eliminating the General Fund Subsidy of Solid Waste Collection Rates for All Account Categories Except for Single-Family Residential, and Decreasing Single-Family Residential Subsidies Beginning in 2019 Until Completely Eliminated by August 31, 2022, and waive the full reading.

**PUBLIC HEARING OPENED AT 7:27 P.M.**

ENVIRONMENTAL SERVICES ADMINISTRATOR BELINDA BARBOUR provided an overview and history of solid waste collection rates and general fund subsidies.

- Explained how the rate structure would be processed.
- Stated that there had been no rate increases to users since 1995.

MAYOR HACKBARTH-MCINTYRE

- Asked when the rate subsidy was originally initialized.

ENVIRONMENTAL SERVICES ADMINISTRATOR BELINDA BARBOUR

- Responded that the General Fund has been subsidizing the solid waste rates since 1996.
- Provided a brief overview of the history of the source of funds that had been utilized for the subsidy of the solid waste collection rates.
- Stated that currently the Solid Waste management account was \$395,000 in the negative, which was the reason for the general fund subsidy.

**SPEAKERS**

MARSHA WEASMA – BARSTOW, CA

- Stated that she was in disagreement with giving Burrtec a 3.8 percent increase.
- Noted that more people were moving here.
- Stated that there were more problems in our streets and an increase in illegal dumping in our desert, on the streets and in our lots.
- Asked that the City Council and staff come up with some other solutions.

TED WEASMA – BARSTOW, CA

- Said that he disagreed with eliminating the rate subsidization.
- Stated that over half of the City was on a fixed income or welfare.
- Said that he believed that the increase would be a hardship on the residents.

BENNY FEDRICK – BARSTOW, CA

- Stated that the amount of information given made the topic seem unclear.
- Stated that the community agreed to pay the 1% for the Measure Q Tax and now they want to take the subsidy away.
- Said that he believed that 74.3% of the Barstow community was on some form of public assistance.

MIKE HERNANDEZ – BARSTOW, CA

- Provided the history of the subsidy.
- Stated that many years ago, the City made plans to build a MRF (Material Recovery Facility) and had a portion of the trash bill set aside for that project.
- Continued that the City of Victorville built a MRF, eliminating the need for Barstow to build one.
- Stated the set aside funds were used to subsidize the residential trash rates.
- Said now the consumer had to pay the cost.

JIMMY BROWN – BARSTOW, CA

- Said he thought that Measure Q would be paying for all of this.
- Requested that the City Council look at the budget to see what fat could be cut.

ELONA JONES – BARSTOW, CA

- Said that Mr. Hernandez provided some good information and history on the subject.
- Stated that when you take money from A and do B with it, then it was wrong.

JOE CRUZ – BARSTOW, CA

- Stated that the City needed to help residents as well as the local economy and consideration should be made to do so..

ART GONZALES – BARSTOW, CA

- Shared that the last time he attended a City Council meeting was when the City Council voted to double the trash rates.
- Stated that a lot of residents would not be able to afford the rate increase.

RICHARD FAULKNER – BARSTOW, CA

- Talked about his situation with his vacant property.
- Stated that he disagreed with the proposed rate increase.

CHERYL MORROW – BARSTOW, CA

- Stated she had a vacant home that she had been paying trash and sewer fees on.
- Said it was vacant and had been vacant for a year.

JAMIE GARNES – BARSTOW, CA

- Said the trash bills were too high.

PUBLIC HEARING CLOSED AT 8:05 P.M.

***CITY COUNCIL QUESTIONS / COMMENTS***

COUNCIL MEMBER SILVA

- Asked if Burretec was still offering the option of a smaller bin at a reduced rate.
- Asked if the City had ever taken a home because of a tax lien.

ENVIRONMENTAL SERVICES ADMINISTRATOR BELINDA BARBOUR

- Responded that no foreclosure had ever been initiated as the result of a delinquent trash bill.
- Provided information on reduced rates
- Informed the public that there was a smaller (35 gallon) container available at a lower rate.

MAYOR PRO TEM HERNANDEZ

- Asked how many times a week were the services provided.
- Inquired about the mandatory service.

COUNCIL MEMBER NOBLE

- Inquired why it had taken this long to bring this issue forward.

ENVIRONMENTAL SERVICES ADMINISTRATOR BELINDA BARBOUR

- Provided additional history on the rate subsidy and previous Council actions that allowed the subsidies to draw down reserved funds.
- Stated that the General Fund must now subsidize the Solid Waste Fund from the impact of the rate subsidy.

MAYOR HACKBARTH-MCINTYRE

- Asked Assistant City Manager Cindy Prothro to explain the differences of an Enterprise Fund and the General Fund with the mandates that they operate under.

ASSISTANT CITY MANAGER CINDY PROTHRO

- Provided that an Enterprise Fund was supposed to be self-sustaining and were paid for by the ratepayers for its services.

MAYOR HACKBARTH-MCINTYRE

- Asked the City Attorney to explain the State of California trash mandates.

CITY ATTORNEY THERESA HIGHSMITH

- Responded that the City of Barstow did mandate trash service, but it was a service that was provided by a third party through a franchise agreement.
- Stated that the reason that it was mandated was that it was a health and sanitation issue.
- Continued that mandating trash was a constitutional power of every General Law City in the State of California.
- Stated there were a few exceptions in which a property may show that a vacancy produces no waste and eliminate the bill for that vacant property. If there were any waste at all, trash service was then mandated.
- Explained the tax structure of Measure Q as a general sales tax and an adjunct of the general fund.
- Stated that if you were using general taxes for a particular service approved by the people to reimburse a fund for services that individuals were receiving, it was inappropriate to subsidize that fund for other purposes.

**MOTION BY COUNCILMEMBER SILVA, SECONDED BY MAYOR PRO TEM HERNANDEZ AND MOTION WAS CARRIED UNANIMOUSLY TO OPEN FOR DISCUSSION.**

COUNCIL MEMBER SILVA

- Discussed the history of the rate subsidy and its effect on the community.

COUNCIL MEMBER HARPOLE

- Discussed the costs of trash services and the breakdowns thereof.
- Discussed the benefits of the rate subsidy to residents.
- Provided a brief overview of programs available to the community.

MAYOR PRO TEM HERNANDEZ

- Discussed the trash bill breakdown of costs and projected increases.
- Reiterated that the City cannot use tax-payers dollars to subsidize the fees for a service that should be self-sustaining by the users.

COUNCIL MEMBER NOBLE

- Stated that he was opposed to rate increases and hoped to avoid any future circumstances such as this one in the future.

MAYOR HACKBARH-MCINTYRE

- Discussed previous contract negotiation points within the Burrtec contract and the effects of cost of living increases and the subsidized rates that were being provided to the community.

COUNCIL MEMBER HARPOLE

- Asked the City Manager to explain if the tax dollars from the General Fund that had already been expended would be recovered to maintain the subsidy.

CITY MANAGER NIKKI SALAS

- Responded that the City was not looking to have the Solid Waste Fund replenished with what the General Fund had paid out.

DISCUSSION CLOSED AT 8:20 P.M.

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

**7. RESOLUTION APPROVING A REQUEST BY BURRTEC WASTE INDUSTRIES FOR A CONSUMER PRICE INDEX (CPI) INCREASE OF 3.80% TO EXISTING RATES FOR SOLID WASTE/RECYCLING COLLECTION SERVICES PROVIDED BY BURRTEC WASTE INDUSTRIES**

**Recommended Action:**

Adopt Resolution No. 4970-2019, approving a request by Burrtec Waste Industries for a Consumer Price Index (CPI) increase of 3.80% to existing rates for solid waste/recycling collection services provided by Burrtec Waste Industries, and waive the full reading.

ENVIRONMENTAL SERVICES ADMINISTRATOR BELINDA BARBOUR presented the staff report regarding the CPI increase of 3.80% to the existing rates requested by Burrtec Waste Industries.

- Noted that Barstow had the lowest trash rate in the High Desert with mid-range comparable bin rates.

- Stated that there were new rates for Organic Services and explained the new mandate.

**PUBLIC HEARING OPENED AT 8:23 P.M.**

**COUNCIL MEMBER HARPOLE**

- Asked why there was a new rate for organic waste.

**ENVIRONMENTAL SERVICES ADMINISTRATOR BELINDA BARBOUR**

- Provided that the services were mandatory under State of California Assembly Bill 341 and Assembly Bill 1826.

- Stated that the City was now in full compliance with the State of California mandates.

- Provided a PowerPoint presentation of the rate breakdown for residential and commercial customers.

**COUNCIL MEMBER HARPOLE**

- Noted that Cal Recycle received a portion of the Landfill Tipping Fees.

- Discussed controversial State requirements and the effects on cities.

**MAYOR PRO TEM HERNANDEZ**

- Stated she would like to see the organic portion of the rates excluded until the City Council could see it in writing.

- Stated that she would like to see the Compliance Order.

- Said that she was a member of the JPA (Joint Powers Authority) and had not previously been provided the Organic Rate Schedule.

**ENVIRONMENTAL SERVICES ADMINISTRATOR BELINDA BARBOUR**

- Explained that there was currently a Compliance Order in place that must be adhered to.

**CITY MANAGER NIKKI SALAS**

- Stated that the Compliance Order would be made available if the City Council chose to move the item to another meeting date.

***SPEAKERS***

**MARSHA WEASMA – BARSTOW, CA**

- Asked that the City Council dig where they can as every penny would help.

TED WEASMA – BARSTOW, CA

- Asked where the revenues from the recycling that Burrtec picked up from residents went to.

ENVIRONMENTAL SERVICES ADMINISTRATOR BELINDA BARBOUR

- Provided a brief overview of the cost expenditures versus the recycling revenue that had been experienced by the City.

TED WEASMA – BARSTOW, CA

- Asked if the recycling revenue paid for the City's Fourth of July Fireworks display.
- Asked if the City could find a buyer for the recyclables in lieu of sending them to the landfill site.

ENVIRONMENTAL SERVICES ADMINISTRATOR BELINDA BARBOUR

- Confirmed that recycling revenue did not pay for City fireworks.

VICE PRESIDENT OF BURRTEC WASTE INDUSTRIES MIKE ARREGUIN

- Responded that the recycling was picked up and co-mingled, with separation of materials completed at the MRF (Material Recovery Facility) in Victorville.
- Discussed hauling fee costs per tonnage and the cost of processing.
- Reported that there were currently some cities that were burying their recyclables in the landfills as it had become burdensome with recycling costs.
- Stated that cities would receive compliance letters for commercial organic waste to reflect the cost of taking the materials to a waste site.

PAT ALEMAN – BARSTOW, CA

- Stated his disagreement with the trash fee/tax going up.
- Stated that the residents were getting the double whammy with this increase in addition to the general tax for Measure Q.
- Stated that he felt that the City Council did not care.

BENNY FEDRICK – BARSTOW, CA

- Asked what the term length was for the contract between the City and Burrtec.
- Asked if there were any remaining revenues that were received by the City after the billing process through Burrtec was completed.

CITY MANAGER NIKKI SALAS

- Responded that the City maintained administration fees at 74 cents per bale, which were collected and received by the City to cover Solid Waste employee wages and one additional staff member wages for one day per week for work performed in support of Solid Waste activities.
- Provided that there was an agreement in place with Burrtec Waste Industries that expired in the year 2033.

MIKE HERNANDEZ – BARSTOW, CA

- Stated that the City had a surplus of \$50,000 years ago and Burrtec got that.
- Said that Burrtec also received all of the recycle revenue that was previously shared with the City.
- Discussed the required procedure of City and Burrtec for getting a letter for property vacancy rate reduction.
- Stated that the City was not helping property owners with vacancies become aware of how the process worked.
- Talked about the billing and discrepancies that commonly occurred.
- Stated that there was a discrepancy of \$ 7.82 on the proposed rate change chart as presented and wanted to know what the difference was of the actual increase.

ASSISTANT CITY MANAGER CINDY PROTHRO

- Stated that the reference was made to commercial accounts where the subsidy was being



eliminated in its entirety.

- Said the additional cost was coming from the rate increase.

CITY MANAGER NIKKI SALAS

- Advised the City Council that Cal Recycle would soon visit the City to conduct an audit.
- Stated that if an adopted fee were not in place, there was a possibility of the City being fined.
- Stated the Letter of Non Compliance would be posted with the agenda item.

**PUBLIC HEARING CLOSED AT 8:51 PM**

**DISCUSSION**

MAYOR PRO TEM HERNANDEZ

- Inquired about the temporary bin timeline and availability process and what the contract provided.

ENVIRONMENTAL SERVICES ADMINISTRATOR BELINDA BARBOUR

- Explained State mandates and procedures.
- Stated she would provide the documentation to the City Council.

COUNCIL MEMBER HARPOLE

- Questioned and confirmed that Burrtec had not received a CPI increase last year.
- Clarified that a trash can used at a residence was called a barrel or a cart.
- Clarified that trash dumpsters were commonly called a bin and were on a separate rate scale from the residence rates; with both commercial and residential disposal rates per ton being the same.

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

**CITY COUNCIL TOOK A SHORT BREAK AT 8:58 P.M.**

**MEETING RECONVENED AT 9:05 P.M. WITH ALL MEMBERS PRESENT**

**REPORT OF CLOSED SESSION:**

**1. CONFERENCE WITH LEGAL COUNSEL**

***Anticipated Litigation***

**(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: One (1)*

CITY ATTORNEY THERESA HIGHSMITH reported the following during the Regular City Council Meeting held at 7:00 P.M.

Item No. 1: The City Council met in Closed Session to receive a briefing regarding anticipated litigation on one potential case. No action was taken. Direction was provided to the City Attorney.

**PUBLIC COMMENT:**

***SPEAKERS***

PAT ALEMAN - BARSTOW, CA

- Stated that he created a post on Facebook about the City of Barstow wasting taxpayer's money for the anticipated casino project.
- Felt that the Voting District were split the way that the Council wanted them to be split.
- Noted that Districts would be brought back up again.

BENNIE FREDRICK - BARSTOW, CA

- Felt that Police Chief Ramirez was doing a great job with Measure Q money to clean up the downtown area.
- Questioned Code Enforcement on their presence throughout the City.
- Noted many of the City buildings had weeds growing, and he would like to see the issue resolved.
- Felt that the beautification of Barstow was extremely important.

DARREN FIKSTAD - BARSTOW, CA

- Explained Desert Manna's programs and services.
- Thanked those who supported Desert Manna throughout their 31 years of service.

ROLAND ULLOA - BARSTOW, CA

- Felt that President Trump was to blame for the largest Latino Massacre in the United States.
- Explained that in 2016, Mayor Hackbarth-McIntyre attended a meeting with President Trump where he called Latinos invaders.
- Noted that he was attending the meeting to ask Mayor Hackbarth-McIntyre to resign from her position.

PAUL COURTNEY - BARSTOW, CA

- Stated that Barstow Community College classes would begin on August 12, 2019.
- Read the names of 28 students who EC Barstow helped to get their GED's.
- Noted that by 2020, EC Barstow planned to put on a public graduation ceremony.

DAVID MENDEZ - BARSTOW, CA

- Expressed his concern for PIO Anthony Riley as he fell ill at the last City Council meeting.
- Asked who was going to take over his responsibilities in his absence.
- Questioned when his return would take place.

MIKE HERNANDEZ - BARSTOW, CA

- Stated he would like to see biographies put on the City of Barstow website as well as Channel 6 of past Councilmembers.
- Noted that he would like to see Brad Merrell's picture on the website as well as Channel 6.

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

**MOTION:** COUNCILMEMBER HARPOLE MOVED, SECONDED BY COUNCILMEMBER NOBLE AND MOTION CARRIED UNANIMOUSLY TO MOVE CONSENT CALENDAR ITEM NO. 18 TO BE ADDRESSED UNDER BUSINESS ACTION ITEMS AND TO APPROVE THE REST OF THE AGENDA AS PRESENTED.

## **STAFF REPORTS:**

NONE.

## **POLICE CHIEF COMMENTS:**

POLICE CHIEF ALBERT RAMIREZ

- Stated on Tuesday, August 6, 2019, the Barstow Police Department would be hosting National Night Out between the times of 6:00 p.m. and 9:00 p.m. at Dana Park.

- Invited the public to the event to meet the Police Officers and other members of the community.
- Stated that on Thursday, August 8, 2019, Barstow schools would be back in session.
- Asked the public to please watch for children while driving.
- Asked the children of Barstow to be aware of their surroundings and follow safety rules.

## **FIRE CHIEF COMMENTS:**

### FIRE CHIEF WILLIAMS

- Noted that the Barstow Fire Department would be out in support of National Night Out on Tuesday, August 6, 2019.
- Reminded the public that children and pets should not be left in cars.
- Welcomed Walter Jue to the Barstow Fire Department as the new Arson Investigator.

## **BUSINESS OF THE COUNCIL / BFPD:**

### COUNCIL MEMBER SILVA

- No comments.

### COUNCIL MEMBER HARPOLE

- No comments.

### MAYOR PRO TEM HERNANDEZ

- Noted that she received many complaints from citizens about different utility companies working in the streets.
- Explained that she talked with City Manager Nikki Salas about having utility companies come to Council meetings any time they have work planned inside of the City to explain the work they planned on doing.
- Stated that the Street Committee meeting would be held on August 14, 2019, instead of August 7, 2019.
- Dispelled a rumor that a person calling 911 for a heart attack situation would be classified as an obvious death.

### POLICE CHIEF RAMIREZ

- Stated that dispatchers were trained in medical emergency situations.
- Explained that the dispatcher classified the call based on the information that the caller provided.

### SENIOR DISPATCHER RUTH ANN SHEFCHIK

- Noted the qualifying factors for an obvious death call.
- Explained that if a caller reported that the victim was cold and stiff, decapitated, decomposed, or had severe injuries that were incompatible with life, they would be classified as obvious death.

### MAYOR PRO TEM HERNANDEZ

- Questioned if a heart attack patient called, would they receive the proper medical team care.

### SENIOR DISPATCHER RUTH ANN SHEFCHIK

- Answered yes, a caller who was suffering a heart attack would definitely receive medical attention.

### MAYOR PRO TEM HERNANDEZ

- Asked the public to please come to Council with any questions they may have regarding any issue.

### FIRE CHIEF WILLIAMS

- Noted that the dispatching system was based off of medical priority, along with the rest of the nation.
- Explained that it was not a matter of how the dispatcher felt about the priority of the call, but rather based on facts of the patient.
- Explained that the first question asked was if there was potential to restore a normal heart rhythm.
- Noted that sudden cardiac arrest calls were not classified as anything other than that specifically.

- Noted that all cardiac arrest calls would receive proper medical treatment based on the facts that the caller provided.
- Noted that over 98% of the calls that were classified as obvious death were coded correctly.
- Noted that all Police Officers are trained in high performance CPR.
- Explained that even if a call was coded incorrectly, patients were still receiving high quality care from a first responder who was trained on how to properly care for them.

**COUNCIL MEMBER NOBLE**

- No comments.

**MAYOR HACKBARTH MCINTYRE**

- Noted that she would speak to the City Manager about getting biographies of past Councilmembers on the website.

**CITY MANAGER / DISTRICT ADMINISTRATOR COMMENTS:**

**CITY MANAGER NIKKI SALAS**

- Noted that there was an economic development meeting held earlier in the month to discuss the building of a potential housing tract in Barstow.
- Noted that the manufacturing company bringing 400 jobs to Barstow pulled paperwork to do their tenant improvements, provided plans, and were moving quickly to get the first phase of the company up and running.
- Explained that there was a vacancy in Code Enforcement.
- Noted that the City was working hard to get an interview panel together to interview applicants for the Code Enforcement position.
- Noted that while the vacancy was being filled, there was one Code Enforcement Supervisor handling about 600 cases.

**CONSENT CALENDAR ITEMS:**

CITY CLERK COUSINO READ THE FOLLOWING:

**BFPD:**

**8. MINUTES CLOSED SESSION - JULY 15, 2019 6:00 P.M.**

**Recommended Action:**

Approve minutes as presented.

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

**9. MINUTES JOINT SPECIAL COUNCIL/SUCC/BFPD - JULY 15, 2019 7:00 PM**

**Recommended Action:**

Approve the minutes as presented.

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

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

**Recommended Action:**

Approve and ratify expenses as audited for checks # 77252 - 77424 and wires 617 - 618 totaling \$989,071.40.

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

**CITY COUNCIL:**

**11. MINUTES CLOSED SESSION - JULY 15, 2019 6:00 P.M.**

**Recommended Action:**

Approve minutes as presented.

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

**12. MINUTES JOINT SPECIAL COUNCIL/SUCC/BFPD - JULY 15, 2019 7:00 PM**

**Recommended Action:**

Approve the minutes as presented.

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

**13. RATIFICATION OF ACCOUNTS PAYABLE EXPENDITURES**

**Recommended Action:**

Approve and ratify expenses, as audited, for checks # 77251 - 77423 and wires 618 - 627 totaling \$1,325,402.77.

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

**14. REQUEST TO SET DATE, TIME, AND PLACE FOR PUBLIC HEARING**

**Recommended Action:**

Staff recommends that the City Council set the protest hearing for delinquent utility accounts for Monday, September 16, 2019, at 7:00 p.m. in the Barstow Council Chambers.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Richard Harpole, Council Member  
**SECONDER:** Timothy Silva, Council Member  
**AYES:** Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**15. CONSIDERATION TO CANCEL THE CITY COUNCIL MEETING SCHEDULED FOR SEPTEMBER 2, 2019**

**Recommended Action:**

Cancel the September 2, 2019, City Council meeting.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Richard Harpole, Council Member  
**SECONDER:** Timothy Silva, Council Member  
**AYES:** Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**16. APPROVAL OF CITY COUNCIL TRAVEL TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE IN LONG BEACH, CA**

**Recommended Action:**

Approve travel for Mayor Julie Hackbarth-McIntyre and Council Member James Noble to Long Beach, CA for the League of California Cities Annual Conference.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Richard Harpole, Council Member  
**SECONDER:** Timothy Silva, Council Member  
**AYES:** Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

**17. DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE TO BE HELD OCTOBER 16 - 18, 2019, IN LONG BEACH, CA**

**Recommended Action:**

Designate Mayor Julie Hackbarth-McIntyre as the voting delegate and Council Member James Noble as the alternate voting delegate of the City of Barstow for the 2019 League of California Cities Annual Conference to be held October 16 - 18, 2019, in Long Beach, CA.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Richard Harpole, Council Member  
**SECONDER:** Timothy Silva, Council Member  
**AYES:** Noble, Harpole, Hernandez, Silva, Hackbarth-McIntyre

***ITEM 18 WAS PULLED FROM CONSENT CALENDAR BY MAYOR PRO TEM HERNANDEZ TO ADDRESS AS A BUSINESS ACTION ITEM. ITEM WAS DISCUSSED AFTER ITEM 20.***

**18. APPROVAL OF MEASURE Q RESIDENT OVERSIGHT COMMISSION GUIDELINES**

**Recommended Action:**

Approve the Measure Q Resident Oversight Commission Guidelines as presented.

MAYOR PRO TEM HERNANDEZ

- Thanked the committee that worked on the guidelines and had included the necessary items that were requested for clarity.
- Stated her confusion on Section 5 of those who were chosen for the Commission and the

alignment of the members with the City Council Members and Mayor's terms.

CITY MANAGER NIKKI SALAS

- Noted that the ordinance described how the alignment per districts were designated, stating three (3) seats (Mayor, Mayor Pro Tem and a Council Member) would be partial terms until the year 2020.
- Councilmember Noble and Councilmember Silvas' seats would be two full terms.
- Stated that staff would bring back the ordinance to clarify the alignment of the Commission.
- Noted that the responsibility of the Commission was to review expenditures after the Council made decisions.

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

## BUSINESS / ACTION ITEMS:

**BFPD:**

**CITY COUNCIL:**

### 19. AUTHORIZATION TO APPROPRIATE DEVELOPMENT IMPACT FEE FUNDS FOR SIGNAL UPGRADES

**Recommended Action:**

Staff recommends that the City Council authorize the appropriation of \$13,000.00 to Account No. 400.805.516.20.425.

ASSISTANT CITY MANAGER CINDY PROTHRO

- Presented information on the proposed upgrade of two signals.
- Stated upgrades would consist of installing upgraded cameras, monitors and processors with intersection software.
- Stated the upgrades would be funded by the Development Impact Fees.

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

### 20. APPROVAL OF UPDATED MEMORANDUM OF UNDERSTANDING WITH UNIT 3

**Recommended Action:**

Staff recommends that the City Council take the following action:

1. Approve the MOU with Unit 3. (Attachment B)

ASSISTANT CITY MANAGER CINDY PROTHRO

- Discussed the negotiated changes of the contract.
- Talked about the change in arbitration.

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

**DEFERRED ITEMS:**

NONE

**COUNCIL COMMITTEE REPORTS:**

**COUNCILMEMBER SILVA**

- Noted that there was no Finance Committee meeting coming up.

**COUNCILMEMBER HARPOLE**

- No comments.

**MAYOR PRO TEM HERNANDEZ**

- Stated that the Street Committee would be meeting on August 14, 2019, at 5:00 p.m., and invited the public to join the meeting.

- Noted they would be reviewing the first draft of an encroachment permit and trenching policy.

- Stated the meeting would also discuss a municipal code amendment.

- Noted that old business would be the Yucca Bridge project, pending utility permits, First Avenue Bridge project status, and highway safety improvement projects.

- Noted there would not be another meeting held until August 26, 2019, for the Mojave Desert Air Quality Management District.

**COUNCILMEMBER NOBLE**

- Stated that the Military Affairs meeting would be held on August 13, 2019, at 8:00 a.m.

- Noted he had an opportunity to talk to the new Commander for Ft Irwin.

- Stated one of the things that was to be discussed was the relationship between Barstow to Ft Irwin.

- Stated that he wanted to make sure the Commander made contact with our City Manager in order to build a better relationship between Barstow and Fort Irwin.

**ADJOURNMENT: (10:07 P.M.)**

By consensus of the City Council, without objection, the meeting was adjourned at 10:07 P.M.

Respectfully Submitted:

Approved:

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JoAnne V. Cousino  
City Clerk/Secretary

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Julie Hackbarth-McIntyre  
Mayor/Chair