



RESPONSE TO PUBLIC COMMENTS

JOINT SPECIAL MEETING | MAY 2, 2022

The City of Barstow welcomes Public Comment from its residents and general public in respect to various items pertaining to the business of the City.

In order to effectively address constituent concerns prior to City Council Meetings, we encourage residents and the general public to attend our committee meetings, which allow for public participation and direct discussion with city staff on citywide related issues.

Attending the committee meetings allows an open forum for discussion of resident concerns without the 3 minute time duration as implemented during Public Comment at City Council Meetings, allowing staff to address issues prior to City Council Meetings.

Please refer to our city website at www.barstowca.org to review the city calendar for scheduled committee meetings of interest.

We look forward to your participation.

ITEM 6: RATIFICATION OF ACCOUNTS PAYABLE EXPENDITURES

CARMEN HERNANDEZ, BARSTOW, CALIFORNIA

Q: Asked for clarification on check #87314 payable to the Office of Homeless Services.

A: Check #87314 was for repayment of unspent grant funding that was returned to the grantee.

Q: Asked for clarification on check #87400 payable to Mojave Toyota and why is an individual officer's name listed on the warrant?

A: Names are listed because there are two (2) Lieutenants and there was a need to identify which one was receiving the Dodge SUV.

JOHN WILLIAMS, BARSTOW, CALIFORNIA

Q: Asked for clarification on check #87288 payable to Colantuono, Highsmith & Whatley. What is the \$9,125.10 charge for Additional Services for?

A: Detailed charges for Colantuono, Highsmith & Whatley invoice #032822 are exempt from disclosure as are they are privileged attorney-client communications under Government Code section 6254(k) and Evidence Code section 954.

ITEM 10: ADOPTION OF A RESOLUTION UPDATING THE CITY OF BARSTOW'S EXPENSE REIMBURSEMENT POLICIES TO SEPARATELY REGULATE EXPENSES FOR CITY ELECTED AND APPOINTED OFFICIALS AND FOR CITY EMPLOYEES

MIKE HERNANDEZ, BARSTOW, CALIFORNIA

Q: Does an elected official still need advance approval for travel by the Council as stipulated in the policy adopted in 2018?

A: **The updated Expense Reimbursement Policy for Elected Officials (Section F) will require separate City Council review and approval in advance as a consent calendar item at a public meeting of the City Council.**

Q: Will an elected official be reimbursed for mileage if the Council does not approve travel in advance?

A: **Any travel expenses, including local travel and mileage expenses which the City Council does not approve in advance shall not be reimbursed by the City per Section F of the Expense Reimbursement Policy for Elected Officials.**

GENERAL, NON-AGENDA PUBLIC COMMENT

ROLAND ULLOA, DOS COSTAS COMMUNICATIONS

Asked the following questions regarding Quality Life cannabis dispensary:

Q: What are the City's standards and practices regarding ownership, investment, loans, speculation on City properties and employees and elected city officials?

A: **The City of Barstow and Barstow Fire Protection District have adopted Ethics and Conflict of Interest Codes, which set requirements for avoiding certain conflicts of interest and maintaining ethics protections. The Political Reform Act, Government Code section 87100, et seq., and implementing regulations by the Fair Political Practices Commission, generally prohibit public officials from making government decisions in which the official has a personal financial interest. Government Code section 1090 generally prohibits public officials from making City decisions on a contract in which the official has a personal financial interest, subject to certain exceptions stated in law.**

Q: Who are the actual owners of the Quality Life cannabis dispensary?

A: **The owner of the Quality Life Dispensary is, Quality Life Inc, owned and operated by the CEO, Michael Wilhoit.**

Q: Does the State of California allow proxies, straw-man to own a dispensary for someone else?

A: **No, the state of California requires a license holder to own at least 20 percent of a company that receives a license. Michael Wilhoit owns 100 percent of the company Quality Life.**

Q: Does the City have any employees or elected officials who have ownership of any kind, including loans, promissory notes or barter in kind?

A: **The City is not aware of any City official or employee who has an ownership interest in the Quality Life dispensary, owned by Quality Life Inc. Form 700s for the City officials and employees required to file a Form 700, disclosing certain**

assets as required by law, are available upon request from the City Clerk's Office.

Q: Was the application for Quality Life dispensary fast tracked?

A: No, the City processed two cannabis applications and approved both applicants at the same time. One of the approved dispensaries is Quality Life, the second is currently under construction on their retail location.

Q: Why did Code Enforcement allow a marijuana dispensary to be built inside of a family restaurant?

A: The owner of the family restaurant decided to separate his building and create a space for a dispensary, which included a separate address. In addition, the restaurant falls within the approved commercial green zone that the City Council and the Planning Commission approved. The City Council and Planning Commission both approved this location, in the course of approving the development agreement for the dispensary after considering it at two public hearings. It was not a decision by staff alone.

FRANK DILLARD, BARSTOW, CALIFORNIA

Q: When will the asphalt on the First Street Bridge north end sidewalk (coming up from the Harvey House) be repaired?

A: The north end (asphalt) sidewalk will be assessed to see what improvements are financially viable.

COMMITTEE MEETING SCHEDULE

- FINANCE COMMITTEE
 - Meets as needed.
- HOMEWARD BOUND AD HOC COMMITTEE
 - Meets on the 2nd Wednesday of each month at 5:00 p.m. in the Council Chambers
- RESIDENT OVERSIGHT COMMISSION
 - Meets quarterly (March, June, September and December)
- RULES AND POLICIES COMMITTEE
 - Meets the last Tuesday of each month
- STREET COMMITTEE
 - Meets on the first Wednesday of each month
- WASTEWATER ENTERPRISE FUND AD HOC COMMITTEE
 - Meets semi-annually on the second Monday of January and July at 3:30 p.m., or as needed.