

# AGENDA

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## SPECIAL MEETING

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**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 IT 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

**PUBLIC COMMENTS:** THIS IS THE TIME AND PLACE FOR THE GENERAL PUBLIC TO ADDRESS THE CITY COUNCIL ON MATTERS WITHIN THEIR JURISDICTION THAT ARE NOT CURRENTLY ON THE AGENDA. STATE LAW PROHIBITS THE COUNCIL FROM ADDRESSING ANY ISSUE NOT PREVIOUSLY INCLUDED ON THE AGENDA. THE CITY COUNCIL MAY RECEIVE COMMENT AND SET THE MATTER FOR A SUBSEQUENT MEETING. SPEAKERS ARE ASKED TO LIMIT THEIR COMMENTS TO THREE MINUTES.

### DISCUSSION/ACTION ITEMS

1. **CONSIDERATION OF POTENTIAL ACTIONS FOR THE ESTABLISHMENT OF INDIAN GAMING CASINO PROJECTS IN THE CITY.** These issues involve, but are not limited to: Preparation and submission of a municipal service agreement (MSA) with the Chemehuevi Tribe as well as other Indian tribes, and the completion of related due diligence of those tribes; City Council action expressing its support for a casino in Barstow and further give direction as to whether the staff should prepare a ballot initiative for the electorate for the November 2005 ballot; and requirements for enacting land use authority, General Plan and zoning designations for Indian gaming in the city limits.

**Recommended Action:** That the City Council evaluate the issues presented and determine whether to:

- 1) Direct staff to prepare and submit a Municipal Service Agreements (MSAs) between the City of Barstow and the Chemehuevi Tribe requesting the executed MSA to be submitted to the City by no later than 5:00 p.m. Monday, July 18, 2005. Direct the Chemehuevi Tribe to reimburse the City for the cost of preparing said MSA. Direct that the same procedure will be followed with the Big Lagoon Tribe once the City receives the due diligence information and costs for the due diligence research;
- 2) Take formal action to support a gaming casino in the City of Barstow.
- 3) Direct staff to prepare the appropriate ballot measure for the City Council's future consideration for the November 2005 election.

- 4) Direct staff to initiate Barstow Municipal Code, General Plan and Zoning amendments to provide Indian gaming (in an area of the City to be determined); and/or
- 5) Direct staff as appropriate.

**2. COMMENTS FROM THE CITY COUNCIL**

**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 Council prior to the meeting.*

*I hereby certify, UNDER PENALTY OF PERJURY, that this agenda for the Special Meeting to be held at 3:30 p.m. on July 13, 2005 has been posted 24 hours prior to the stated meeting in a place accessible to the public.*

Posted on \_\_\_\_\_ day of \_\_\_\_\_ 2005.

Approved:

\_\_\_\_\_  
*F.M. Stewart, City Manager*

\_\_\_\_\_  
*Tanya F. Concho, Deputy City Clerk  
for JoAnne V. Cousino, City Clerk*

\_\_\_\_\_  
*Lawrence E. Dale, Mayor*

# The City of BARSTOW

**AGENDA MATTER:**

**CONSIDERATION OF POTENTIAL ACTIONS FOR THE ESTABLISHMENT OF INDIAN GAMING CASINO PROJECTS IN THE CITY**

**EXECUTIVE SUMMARY:**

Mayor Pro Tem Darling, with Mayor Dale's concurrence have requested that several issues related to Indian gaming casinos be agendized for discussion and City Council action/direction to staff. These issues involve, but are not limited to: Preparation of municipal service agreement (MSA) with the Chemehuevi Tribe as well as other Indian tribes, and the completion of related due diligence of those tribes; City Council action expressing its support for a casino in Barstow and further give direction as to whether the staff should prepare a ballot initiative for the electorate on the November 2005 ballot; and requirements for enacting land use authority, General Plan and zoning designations for Indian gaming in the city limits.

**DISCUSSION:**

Attached are e-mails from Mayor Pro-Tem Darling and Mayor Dale. In response to those correspondence, staff has agendized this Special Meeting during which the Council can deliberate Staff has categorized the three specific issues below. Each of these may have related variations/options not listed which the Council may also wish to discuss.

(Continued on page 2)

**RECOMMENDED ACTION:**

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- 2) Take formal action to support a gaming casino in the City of Barstow.
- 3) Direct the staff to prepare the appropriate ballot measure for the City Council's future consideration for the November 2005 election.
- 4) Direct staff to initiate Barstow Municipal Code, General Plan and Zoning amendments to provide Indian gaming (in an area of the City to be determined); and/or
- 5) Direct staff as appropriate.

PROPOSED BY	FUNDS BUDGETED	FUNDS AVAILABLE	MEETING DATE
Ron Rector/ Scott Priester	-0-	N/A	July 13, 2005 Special Meeting
C.M. APPROVAL	AMOUNT REQUIRED	CATEGORY	ITEM NUMBER
F.M. Stewart	U/K	City Council	

**CITY COUNCIL OF THE CITY OF BARSTOW  
NOTICE OF SPECIAL MEETING**

NOTICE IS HEREBY GIVEN pursuant to the Government Code of the State of California, Section 54956, at the request of the undersigned Council Members that a special meeting of the City Council is called for Wednesday, July 13, 2005, at 3:30 p.m., in the Council Chambers of City Hall:

1. **CONSIDERATION OF POTENTIAL ACTIONS FOR THE ESTABLISHMENT OF INDIAN GAMING CASINO PROJECTS IN THE CITY.** These issues involve, but are not limited to: Preparation and submission of a municipal service agreement (MSA) with the Chemehuevi Tribe as well as other Indian tribes, and the completion of related due diligence of those tribes; City Council action expressing its support for a casino in Barstow and further give direction as to whether the staff should prepare a ballot initiative for the electorate for the November 2005 ballot; and requirements for enacting land use authority, General Plan and zoning designations for Indian gaming in the city limits.

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- 2) Take formal action to support a gaming casino in the City of Barstow.
- 3) Direct staff to prepare the appropriate ballot measure for the City Council's future consideration for the November 2005 election.
- 4) Direct staff to initiate Barstow Municipal Code, General Plan and Zoning amendments to provide Indian gaming (in an area of the City to be determined); and/or
- 5) Direct staff as appropriate.

by e-mail \_\_\_\_\_ July 12, 2005, 2:08 p.m. \_\_\_\_\_  
Lawrence E. Dale, Mayor

by e-mail \_\_\_\_\_ July 12, 2005, 2:08 p.m. \_\_\_\_\_  
Gloria Darling, Mayor Pro Tem

by phone \_\_\_\_\_ July 12, 2005, 10:30 a.m. \_\_\_\_\_  
Helen Runyon, Councilmember

by e-mail \_\_\_\_\_ July 12, 2005, 2:08 p.m. \_\_\_\_\_  
Paul J. Luellig, Jr., Councilmember

by e-mail \_\_\_\_\_ July 12, 2005, 2:08 p.m. \_\_\_\_\_  
Joe D. Gomez, Councilmember

Copies to press/radio boxes at Police Department on \_\_\_\_\_ at \_\_\_\_\_

Attorney notified by telephone/fax on \_\_\_\_\_ .

I hereby certify under penalty of perjury that this *NOTICE* has been posted 24 hours before the meeting in a specified location. Signed this 12<sup>th</sup> day of July, 2005, at Barstow, California.

\_\_\_\_\_  
Tanya F. Concho, Deputy City Clerk, for  
JoAnne V. Cousino, City Clerk