

**LANCASTER  
CITY COUNCIL/SUCCESSOR AGENCY/  
FINANCING/POWER AUTHORITY  
MINUTES  
February 28, 2017**

**CALL TO ORDER**

Mayor/Chair Parris called the meeting of the Lancaster City Council/Successor Agency/Financing/Power Authority to order at 5:03 p.m.

**ROLL CALL**

PRESENT: Council Members/Agency Directors/Authority Members: Malhi, Mann, Underwood-Jacobs, Vice Mayor/Vice Chair Crist, Mayor/Chair Parris

**STAFF**

MEMBERS: City Manager/Executive Director; Deputy City Manager/Deputy Executive Director; City Attorney/Agency/Authority Counsel; City Clerk/Agency/Authority Secretary; Assistant to the City Manager; Development Services Director; Parks, Recreation and Arts Director; Planning Director; Finance Director; Housing Director; Public Safety Director

**INVOCATION**

Pastor Jeff Berg, Lutheran Church of the Master

**PLEDGE OF ALLEGIANCE**

Council Member Mann

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Mayor Parris requested that Item No.'s CC 4 and NB 2 be taken out of order and be heard at the same time.

**CC 4. ORDINANCE NO. 1019**

**Ordinance No. 1019**, (the "Ordinance"), adding Chapters 5.56 and 17.43 to the Lancaster Municipal Code relating to the regulation of medical cannabis; with specific prohibitions banning dispensaries, outdoor cultivation, distribution facilities, and delivery businesses in the City of Lancaster; and imposing stringent regulations upon indoor cultivation/manufacturing in limited zones.

**NB 2. ORDINANCE PROHIBITING NONMEDICAL MARIJUANA BUSINESSES**

The City Manager and the City Attorney presented the staff report on this item.

Addressing the City Council on Item No. CC 4

Speaking in favor of this item:

Shannon McDonald

Dan Hartman

Fran Sereseres

Linda Pettigrew

John Winter

David Paul

Bob Selan

Speaking in opposition of this item:

Henry Hearn

Joel Custudio

Jonatan Cvetko

Shane Idleman

Rob Dietzel

Felipe Saavedra

Brad Hayen

Tim Lee

James Carnicle

Ron Shreves

Gerry Bechard

Mark Schlosser

John Alvarez

Sean Appleton

Curtis Beeson

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**CC 4. ORDINANCE NO. 1019 CONTINUED....**

Jeremy Johnson  
Steve Baker  
John Meadors  
Matthew Buck  
Donald Christ  
Chris Johnson  
Jim Schettler speaking on behalf of Dr. Paul Chappell  
Dr. Stillion  
Ruben Honig  
Daniel Johnston  
Hal Lewis

Addressing the City Council on Item No. NB 2:  
Melanie Coker – spoke in favor of this item  
Cesar Miguel Rivera Vega Magallon – neutral regarding this item

Comments from the City Council:  
Council Member Mann thanked the community for their participation and stated his position hasn't changed over the years.

Vice Mayor Crist thanked Gerry Bechard for saying everything he feels; he is proud of the City.

Mayor Parris stated wished he could do something about citizens thinking he didn't listen to them; just because there's a disagreement doesn't mean he didn't listen; he loves the City as does the entire City Council.

Discussion among the City Council and staff included discussion of changing the allowable number of licenses.

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**CC 4. ORDINANCE NO. 1019**

Adopted **Ordinance No. 1019**, (the "Ordinance"), adding Chapters 5.56 and 17.43 to the Lancaster Municipal Code relating to the regulation of medical cannabis; with specific prohibitions banning dispensaries, outdoor cultivation, distribution facilities, and delivery businesses in the City of Lancaster; and imposing stringent regulations upon indoor cultivation/manufacturing in limited zones.

On a motion by Mayor Parris and seconded by Council Member Underwood-Jacobs, the City Council approved Item No CC 4 with clarifying direction to apply the surcharge on a per square foot area of manufacturing per the addition to the Ordinance of manufacturing uses and with direction to the City Manager to issue only 5 licenses without returning to the City Council for further direction, by the following vote: 3-2-0-0; AYES: Malhi, Underwood-Jacobs, Parris; NOES: Mann, Crist; ABSTAIN: None; ABSENT: None

**NB 2. ORDINANCE PROHIBITING NONMEDICAL MARIJUANA BUSINESSES**

On a motion by Vice Mayor Crist and seconded by Council Member Underwood-Jacobs, the City Council introduced **Ordinance No. 1021**, (the "Ordinance"), adding Chapter 5.60 to the Lancaster Municipal Code relating to the prohibition of nonmedical marijuana businesses, by the following vote: 5-0-0-0; AYES: Malhi, Mann, Underwood-Jacobs, Crist, Parris; NOES: None; ABSTAIN: None; ABSENT: None

Mayor Parris requested a brief recess at this time.

Vice Mayor Crist reconvened the meeting at 7:52 p.m.

**SA NB 1. ASSIGNMENT OF CERTAIN CONTRACTUAL RIGHTS AND OBLIGATIONS BY CLUTTER MOTORS, INC. TO SULLY III AVP, LLC**

It was the consensus of the City Council to waive the staff report for this item.

On a motion by Agency Director Mann and seconded by Agency Director Underwood-Jacobs, the Successor Agency adopted **Resolution No. SA 03-17**, consenting to assignment of certain contractual rights and obligations by Clutter Motors, Inc. to Sully III AVP, LLC and approving and authorizing execution of documents related thereto, by the following vote: 4-0-0-1; AYES: Malhi, Mann, Underwood-Jacobs, Crist; NOES: None; ABSTAIN: None; ABSENT: Parris

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**M 1. MINUTES**

Council Member Mann stated although he was not at the February 14, 2017 meeting, he has reviewed the minutes.

On a motion by Council Member Mann and seconded by Council Member Malhi, the City Council/Successor Agency/Financing/Power Authority approved the City Council/Successor Agency/Financing/ Power Authority Regular Meeting Minutes of February 14, 2017, by the following vote: 4-0-0-1; AYES: Malhi, Mann, Underwood-Jacobs, Crist; NOES: None; ABSTAIN: None; ABSENT: Parris

**CONSENT CALENDAR**

Addressing the City Council on Item No. CC 5

Fran Sereseres – discussed the homes, price and timeline involved in this item.

On a motion by Council Member Mann and seconded by Council Member Underwood-Jacobs, the City Council approved the Consent Calendar with the exception of Item No. CC 4, by the following vote: 4-0-0-1; AYES: Malhi, Mann, Underwood-Jacobs, Crist; NOES: None; ABSTAIN: None; ABSENT: Parris

**CC 1. ORDINANCE WAIVER**

Waived further reading of any proposed ordinances. (This permits reading the title only in lieu of reciting the entire text.)

**CC 2. WARRANT REGISTER**

Approved the Check and Wire Registers for January 22, 2017 – February 4, 2017 in the amount of \$3,284,588.05.

**CC 3. INVESTMENT REPORT**

Accepted and approved the January 2017, Monthly Report of Investments as submitted.

**CC 5. HOUSING AND NEIGHBORHOOD REVITALIZATION NEIGHBORHOOD STABILIZATION PROGRAM (NSP) BID NO. 652-17**

Awarded Housing and Neighborhood Revitalization Neighborhood Stabilization Program Construction Project No. 652-17 to Hiesl Construction, Inc. of Acton, California, in the amount of \$431,715.00 (plus a 10% contingency) and authorized the City Manager, or his designee, to sign all documents.

**CC 6. APPROVED PARCEL MAP NO. 68972**

Approved Parcel Map No. 68972, located at the southeast corner of Avenue J and 20<sup>th</sup> Street East, owned by the NIKI Lancaster, LP; accepted the easement dedications for Avenue J and 20<sup>th</sup> Street East; rejected the offers of dedication of easements for private and future streets; made findings that this project will not violate any of the provisions of Sections 66473.5, 66474.1, and 66474.6 of the Subdivision Map Act; and instructed the City Clerk to endorse on the face of the map the certificate, which embodies the approval of said map and the dedications shown thereon.

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**CC 7. PUBLIC WORKS CONSTRUCTION PROJECT NO. 14-008, AVENUE K-8 BIKE PATH IMPROVEMENTS**

Accepted the work constructed by Granite Construction Company for **Public Works Construction Project No. 14-008, Avenue K-8 Bike Path Improvements, BTA 12/13-07-LA-06**, and directed the City Clerk to file the Notice of Completion for the project. Retention on this project has been disbursed in accordance with California Public Contract Code.

**PH 1. APPEALS OF PLANNING COMMISSION DECISIONS**

Vice Mayor Crist opened the Public Hearing and continued the item to the next City Council meeting.

**NB 1. APPROVAL OF AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT WITH BYD**

It was the consensus of the City Council to waive the staff report for this item.

On a motion by Council Member Mann and seconded by Council Member Malhi, the City Council approved the Second Amendment to the Disposition and Development Agreement with BYD Energy, LLC and BYD Coach & Bus, LLC (collectively referred to as BYD), thus authorizing a shift in the City's previously agreed-upon incentive responsibility to providing off-site public improvements required in association with BYD's expansion; and authorized the City Manager or his designee to execute all related documents, by the following vote: 4-0-0-1; AYES: Malhi, Mann, Underwood-Jacobs, Crist; NOES: None; ABSTAIN: None; ABSENT: Parris

**CA 1. DISCUSSION AND POSSIBLE ACTION REGARDING ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT APPOINTMENTS**

This item was not discussed

**CR I. REPORT ON THE ACTIVITIES OF THE BOARD OF DIRECTORS FOR THE ANTELOPE VALLEY TRANSIT AUTHORITY**

Vice Mayor Crist read a Press Release issued by the AVTA regarding contingent measures to minimize impacts of current labor dispute.

**CR 2. COUNCIL REPORTS**

Vice Mayor Crist discussed a recent AVAQMD meeting and recent TDA Article 8 Hearings.

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**LANCASTER HOUSING AUTHORITY**

No action required at this time.

**LANCASTER FINANCING AUTHORITY**

No action required at this time.

**LANCASTER POWER AUTHORITY**

No action required at this time.

**CITY MANAGER / EXECUTIVE DIRECTOR ANNOUNCEMENT**

The City Manager stated staff appreciates the City Council and the community working together respectfully and cordially regarding difficult issues such as those discussed at this meeting.

**CITY CLERK /AGENCY/AUTHORITY SECRETARY ANNOUNCEMENT**

The City Clerk provided the public with the procedure to address the City Council/Successor Agency/Authority regarding non-agendized item.

**PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS**

Addressing the City Council at this time:

Jacob Johnson – commended the City Council for their work done, stated African American Pastors were not invited to the discussions involving marijuana and requested the City Council consider that regarding future issues.

Fran Sereseres – thanked the City Council for all they do for the City and the seniors in the community.

David Abber – commended Council Member Mann and Vice Mayor Crist for their vote.

Council Member Underwood-Jacobs stated she will always put what is best for the City and the people in it before her personal interests.

Christopher Clark – discussed his experience in the medical marijuana industry.

**ADJOURNMENT**

Vice Mayor Crist adjourned the meeting at 8:08 p.m. and stated the next City Council meeting will be held on Tuesday, March 14, 2017 at 5:00 p.m.

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PASSED, APPROVED and ADOPTED this 14<sup>th</sup> day of March, 2017, by the following vote:

AYES: Council Members Malhi, Mann, Underwood-Jacobs, Vice Mayor Crist,  
Mayor Parris

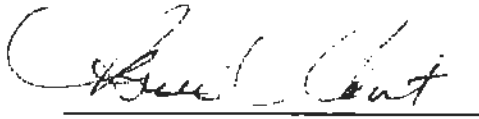
NOES: None

ABSTAIN: None

ABSENT: None

ATTEST:

APPROVED:



BRITT AVRIT, MMC  
CITY CLERK  
AGENCY/AUTHORITY SECRETARY



R. REX PARRIS  
MAYOR/CHAIRMAN

STATE OF CALIFORNIA            }  
COUNTY OF LOS ANGELES       }ss  
CITY OF LANCASTER             }

CERTIFICATION OF MINUTES  
CITY COUNCIL/SUCCESSOR AGENCY/FINANCING/POWER AUTHORITY

I, \_\_\_\_\_, \_\_\_\_\_ of the City of Lancaster,  
CA, do hereby certify that this is a true and correct copy of the original City Council/Successor  
Agency/Financing/Power Authority Minutes, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, CA on this  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(seal)

\_\_\_\_\_