

ORDINANCE NO. 17-968

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR REPEALING PORTIONS OF SECTIONS 11.02.010 AND 11.10.030 AND ADDING CHAPTER 11.11 TO THE MONTCLAIR MUNICIPAL CODE TO PROHIBIT MEDICAL CANNABIS DISPENSARIES, MEDICAL CANNABIS CULTIVATION, MEDICAL CANNABIS PROCESSING, COMMERCIAL CANNABIS ACTIVITY, DELIVERY OF CANNABIS AND CANNABIS PRODUCTS, AND OUTDOOR CULTIVATION OF CANNABIS IN THE CITY OF MONTCLAIR

WHEREAS, the People of the State of California approved Proposition 215, which was codified as California Health and Safety Code Section 11362.5 *et seq.*, and entitled the Compassionate Use Act of 1996 (“CUA”); and

WHEREAS, the CUA provides an affirmative defense to particular state laws regarding the possession or cultivation of cannabis for a qualified patient, or to a patient’s primary caregiver who possesses or cultivates cannabis for the personal medical use of the patient upon the recommendation of a physician, and also provides an affirmative defense to the criminal prosecution or punishment of a physician for recommending cannabis to a patient for medical purposes; and

WHEREAS, the Legislature of the State of California enacted Senate Bill 420 in 2003 (“Medical Marijuana Program” or “MMP”), codified as California Health and Safety Code Sections 11362.7 *et seq.*, which requires the State Department of Health Services to establish and maintain a voluntary program for the issuance of identification cards to qualified patients and primary caregivers, and which also prohibits the arrest of a qualified patient or a primary caregiver with a valid identification card for the possession, transportation, delivery or cultivation of medical cannabis; and

WHEREAS, one purpose of the CUA and MMP is “[t]o encourage the federal and state governments to implement a plan to provide for the safe and affordable distribution of marijuana to all patients in medical need of marijuana;” and

WHEREAS, the federal and state governments have not implemented a specific plan “to provide for the safe and affordable distribution of marijuana to all patients in medical need of marijuana,” thus leaving cities to decide how the CUA is intended to be implemented, particularly in regard to distribution of medical cannabis through mobile or storefront dispensaries; and

WHEREAS, the MMP does not require that cities provide for or allow the establishment and/or operation of mobile or storefront medical cannabis dispensaries; and

WHEREAS, the possession, sale and distribution of cannabis is presently prohibited by the federal Controlled Substances Act, codified at 21 U.S.C. Sections 801, *et seq.*, and California Health and Safety Code Section 11359; and

WHEREAS, California law, except as otherwise provided by the Adult Use of Marijuana Act (“AUMA”) and the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”), does not expressly authorize the sale or distribution of cannabis by mobile or storefront medical cannabis dispensaries to a primary caregiver, a qualified patient, or a person with an identification card, as those terms are defined in Section 11362.7 of the California Health and Safety Code; and

WHEREAS, the Montclair Municipal Code expressly prohibits the existence and operation of both mobile and storefront medical cannabis dispensaries in the City of Montclair, as codified in Chapter 11.10 (Uses: New, Existing and Prohibited); and

WHEREAS, California Health and Safety Code Section 11362.5(b)(2) expressly provides that nothing in the CUA “shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, nor to condone the diversion of cannabis for non-medical purposes;” and

WHEREAS, California Health and Safety Code Section 11362.83 expressly provides that “[n]othing in this article shall prevent a city ... from adopting and enforcing ... local ordinances that regulate the location, operation, or establishment of a medicinal cannabis cooperative or collective ... civil and criminal enforcement of local ordinances [and] ... other laws consistent with this article;” and

WHEREAS, California Health and Safety Code Section 11362.768 expressly provides that “[n]othing in this section shall prohibit a city, county, or city and county from adopting ordinances or policies that further restrict the location or establishment of a medicinal cannabis cooperative, collective, dispensary, operator, establishment, or provider;” and,

WHEREAS, in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.* (2013) 56 Cal.4th 729, the California Supreme Court held that neither the CUA nor the MMP preempt local regulation or bans of medical cannabis dispensaries, and that cities can affirmatively and proactively prohibit such activities and uses, which is what the City of Montclair has done in adopting and/or amending Chapter 11.10 of the MMC; and

WHEREAS, on November 8, 2016, California voters approved Proposition 64, which is known as the Control, Regulate and Tax Adult Use of Marijuana Act (the “AUMA”); and

WHEREAS, one of the stated purposes of the AUMA is to strictly control the cultivation, processing, manufacture, distribution, testing and sale of non-medical cannabis through a system of state licensing, regulation, and enforcement; and

WHEREAS, the AUMA authorizes the issuance of state licenses for “commercial marijuana activities” which include the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, transportation, delivery or sale of non-medical cannabis or cannabis products as defined in Section 26001 of the California Business and Professions Code, which is part of the AUMA; and

WHEREAS, no state license for any commercial cannabis activities may be issued if the approval will violate local ordinances; and

WHEREAS, beginning January 1, 2018, AUMA makes it legal to sell and distribute cannabis through a regulated business; and

WHEREAS, Business and Professions Code Section 26200, which is included in the AUMA, expressly recognizes the authority of cities to completely prohibit commercial cannabis activities or businesses and outdoor residential cannabis cultivation activities as a valid exercise of their local powers; and

WHEREAS, on June 27, 2017, the California Governor approved SB 94 known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (the “MAUCRSA”), establishing a regulatory system for medical and adult non-medical use of cannabis and managed by the Bureau of Cannabis Control; and

WHEREAS, in 2015, California enacted three bills—AB 243, AB 266, and SB 643—that collectively established a comprehensive state regulatory framework for the licensing and enforcement of cultivation, manufacturing, retail sale, transportation, storage, delivery and testing of medicinal cannabis in California known as the Medical Cannabis Regulation and Safety Act (MCRSA); and

WHEREAS, SB 837 built upon the MCRSA framework and added comprehensive environmental safeguards that require the State Water Resources Control Board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines governing the use of water for cannabis cultivation with the goal of protecting streams and rivers from illegal diversion; and

WHEREAS, the MAUCRA repeals the MCRSA and includes certain provisions of the MCRSA in the licensing provisions of the AUMA; and

WHEREAS, Section 26055(d) of the Business and Professions Codes provides that state licensing authorities shall not approve an application for a state license for a commercial cannabis business if approval of the state license would violate provisions of any local ordinance or regulation adopted in accordance with Section 26200 of the Business and Professions Code; and

WHEREAS, Section 26200(a)(1) of the Business and Professions Code provides that the state shall not “supersede or limit the authority of a local jurisdiction to adopt and enforce local ordinances to regulate businesses licensed under this Division [by the state], including but not limited to, local zoning and land use requirements, business license requirements, and requirements related to reducing exposure to secondhand smoke, or to completely prohibit the establishment or operation of one or

more types of businesses licensed under this Division [by the state] within the local jurisdiction”; and

WHEREAS, prior to January 1, 2018, Section 26055(f)(1) of the Business and Professions Code requires that “A local jurisdiction shall provide to the bureau [Bureau of Cannabis Control] a copy of any ordinance or regulation related to commercial cannabis activity and the name and contact information for the person who will serve as the contact for state licensing authorities regarding commercial cannabis activity within the jurisdiction”; and

WHEREAS, on March 19, 2007, the City Council adopted Ordinance No. 07-981, amending Chapters 11.02 and 11.10 of the Montclair Municipal Code defining and prohibiting medical cannabis dispensaries; and,

WHEREAS, on January 4, 2016, the City Council, pursuant to the MCRSA, adopted Ordinance No. 15-955, amending Chapter 11.10 of the Montclair Municipal Code prohibiting medical cannabis dispensaries, cultivation of cannabis, delivery of cannabis, and all commercial cannabis activities in the City; and

WHEREAS, despite the City’s existing prohibition against all types of cannabis business, the City has experienced numerous adverse impacts from unregulated medical and commercial cannabis activities as a result of establishments that have operated illegally, including medical cannabis dispensaries and cultivations sites; and

WHEREAS, the City desires to exercise its local power and authority to prohibit regulated and unregulated medical cannabis dispensaries, commercial cannabis activities and delivery of cannabis, and ban outdoor cultivation of cannabis for medical, commercial and residential cannabis-related activities as part of Title 11 of the Montclair Municipal Code (Zoning and Development); and

WHEREAS, the City Council has determined that unless and until it adopts a local regulatory scheme for licensing and regulating commercial cannabis activities in the City, there exists a current and immediate threat to public health, safety and welfare if the City does not add Chapter 11.11 to the Montclair Municipal Code to prohibit regulated and unregulated medical cannabis dispensaries, commercial cannabis activities and delivery of cannabis, and ban outdoor cultivation of cannabis for medical, commercial and residential cannabis-related activities in the City of Montclair; and

WHEREAS, the City Council has determined that this ordinance is a matter of City-wide importance and necessary for the preservation and protection of the public health, safety and welfare of the citizens of the City of Montclair and is enacted pursuant to the City’s police power; and

WHEREAS, the City Council has already enacted provisions of the Municipal Code to prohibit all medical cannabis or commercial cannabis activities within the City, including, but not limited to, those for which a State license is required, the City Council desires to expressly reaffirm the prohibition on all medical cannabis dispensaries, medical cannabis cultivation, medical cannabis processing, commercial activities regarding non-medical cannabis and cannabis-related products, and to ban the delivery and outdoor cultivation of cannabis in the City (except where the City is preempted by federal or state law from enacting a prohibition on any such establishment or activity) in order to protect the health, safety and welfare of the community and to further define those activities which are prohibited within the City; and

WHEREAS, the City Council finds and determines that this ordinance is not subject to CEQA pursuant to Sections 15060(c)(2) and 15060(c)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment and is not a “project” as defined in Section 15378 of the CEQA Guidelines.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTCLAIR DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. That portion of Section 11.02.010 of Chapter 11.02 of Title 11 of the Montclair Municipal Code defining “medical marijuana dispensary” is hereby repealed.

SECTION II. Subsections (B) through (F) of Section 11.10.030 of Chapter 11.10 of Title 11 of the Montclair Municipal Code are hereby repealed.

SECTION III. Chapter 11.11 (“Medical Marijuana Dispensaries, Cultivation and Processing, Commercial Marijuana Activities, and Outdoor Cultivation of Marijuana”) is hereby added to Title 11 of the Montclair Municipal Code to read in full as follows:

CHAPTER 11.11 MEDICAL CANNABIS DISPENSARIES, CULTIVATION AND PROCESSING, COMMERCIAL CANNABIS ACTIVITIES, DELIVERY OF CANNABIS AND CANNABIS-RELATED PRODUCTS, AND OUTDOOR CULTIVATION OF CANNABIS

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- 11.11.090 Use or Activity Prohibited by State or Federal Law**
- 11.11.100 Exceptions**
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11.11.010 Findings and Purpose.

The City Council finds that the purpose and intent of this Chapter is to prohibit medical cannabis dispensaries, medical cannabis cultivation, medical cannabis processing, commercial activities regarding non-medical cannabis and cannabis-related products, and to ban the delivery and outdoor commercial and residential cultivation of cannabis in order to protect the health, safety and welfare of the community.

11.11.020 Definitions.

For purposes of this Chapter, the following definitions shall apply. For purposes of Chapter 11.11, these definitions shall supersede any other definitions of the same terms elsewhere in this Code.

Attending Physician means an individual who possesses a license in good standing to practice medicine or osteopathy issued by the Medical Board of California or the Osteopathic Medical Board of California and who has taken responsibility for an aspect of the medical care, treatment, diagnosis, counseling, or referral of a patient and who has conducted a medical examination of that patient before recording in the patient’s medical record the physician’s assessment of whether the patient has a serious medical condition and whether the medical use of cannabis is appropriate.

Cannabis or Marijuana means all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, and/or Cannabis ruderalis, whether growing or not; the seed thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative mixture, or preparation of the plant, its seeds, or resin. “Marijuana” or “Cannabis” does not mean “industrial hemp” as defined by Section 81000 of the Food and Agricultural Code or Section 11018.5 of the Health and Safety Code as the same may be amended from time to time.

Cannabis-related products means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible, ingestible, or topical product containing cannabis or concentrated cannabis and other ingredients.

Commercial cannabis activities includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, transportation, distribution, delivery, trade or sale of cannabis and cannabis-related products by any person, entity, commercial or business enterprise, whether for-profit or nonprofit.

Delivery means the transfer of cannabis or cannabis-related products by an individual or entity originating outside of the City of Montclair to any other person or entity located within the City of Montclair.

Fully enclosed and secure structure means a code compliant space within a building, greenhouse or other structure which has a complete roof enclosure supported by connecting walls extending from the ground to the roof, which is secure against unauthorized entry, provides complete visual screening, and which is accessible only through one or more locking doors.

Identification Card means a document issued by the California Department of Public Health that identifies a person authorized to engage in the medical use of cannabis and the person's designated primary caregiver, if any.

Medical cannabis cultivation means any activity involving the growing, planting, harvesting, farming, drying, curing, grading, or trimming of medical cannabis. "Medical cannabis cultivation" shall not include cultivation, harvest, drying, or processing of not more than six living cannabis plants and possession of the cannabis produced by the plants.

Medical cannabis dispensary means a facility or location, whether fixed or mobile, which provides, makes available, or distributes cannabis to a primary caregiver or qualified patient, or a person with an identification card issued in accordance with California Health and Safety Code Sections 11362.5, et seq. For purposes of this Chapter, "medical cannabis dispensary" shall not include the following uses: (1) a clinic licensed pursuant to Chapter 1 of Division 2 of the California Health and Safety Code; (2) a health care facility licensed pursuant to Chapter 2 of Division 2 of the California Health and Safety Code; (3) a residential care facility for persons with chronic life-threatening illnesses licensed pursuant to Chapter 3.01 of Division 2 of the California Health and Safety Code; (4) a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the California Health and Safety Code; or (5) a residential hospice or home health agency licensed pursuant to Chapter 8 of Division 2 of the California Health and Safety Code.

Medical Cannabis Processing means any method or activity used to prepare medical cannabis or its by-products for commercial retail and/or wholesale use, including but not limited to: drying, cleaning, curing, packaging, and extraction of active ingredients to create cannabis-related products and concentrates.

Outdoor cultivation means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis that is not within a fully enclosed and secure structure.

Person with an Identification Card means an individual who is a qualified patient, who has applied for and received a valid identification card issued pursuant to Section 11362.7 of the Health and Safety Code.

Primary Caregiver means the individual, designated by a qualified patient or person with an identification card, who has consistently assumed responsibility for the housing, health, or safety of that patient. A primary caregiver shall be at least 18 years of age, unless the primary caregiver is the parent of a minor child who is a qualified patient or a person with an identification card or the primary caregiver is a person otherwise entitled to make medical decisions under state law pursuant to Section 69022, 7002, 7050 or 7120 of the Family Code.

Qualified Patient means a person who is entitled to the protections of Section 11362.5 of the Health and Safety Code, but who does not have an identification card issued by the California Department of Public Health.

11.11.030 Commercial Cannabis Activities Prohibited.

A. Commercial cannabis activities are prohibited in the City of Montclair. No use permit, variance, building permit, or any other entitlement, license or permit, whether administrative or discretionary, shall be approved or issued for commercial cannabis activities. It shall be unlawful for any person or entity to own, manage, conduct, operate, or to be employed in or by, or as a landlord or land owner (or as such landlord or land owner's agent, property manager or similar person having control over real property on behalf of its owner) to allow or permit to exist, or be established, conducted, operated, owned or managed on or within real property owned or controlled by such person, any commercial cannabis activity or to participate as a

landlord, lessor, land owner, employee, contractor, agent or volunteer, or in any other manner or capacity, in any commercial cannabis activity. Each day a violation of this provision of this chapter is committed, or permitted to continue, shall constitute a separate offense.

B. Exceptions. Nothing in Subsection A of Section 11.11.030 shall be deemed to make unlawful those activities protected pursuant to California Health and Safety Code Section 11362.1 and Business and Professions Code Section 26033, as follows: (1) possession of not more than 28.5 grams of cannabis not in the form of concentrated cannabis or 8 grams of cannabis in the form of concentrated cannabis, including contained in cannabis products, by a person 21 years of age or older or by a person with an identification card, qualified patient or primary caregiver within the meaning of Section 11362.7 of the Health and Safety Code and, excluding the qualified patient, is in possession of a valid identification card issued by the California Department of Public Health pursuant to Section 11362.7, Section 11362.71 and Section 11362.765 of the Health and Safety Code; (2) cultivation of not more than 6 living cannabis plants and possession of the cannabis produced by the plants within a private residence or a fully and enclosed structure that is accessory to and located on the grounds of the private residence if intended for personal use only; (3) smoking or ingesting cannabis or cannabis-related products on private residential property; (4) the transport of up to 28.5 grams of cannabis or 8 grams of concentrated cannabis or cannabis-related products by a person 21 years of age or older and obtained from a location outside the City of Montclair for transport to a private residence within the City for non-commercial use; and (5) the transport of up to 8 ounces of dried cannabis or up to 6 cannabis plants or 12 immature cannabis plants obtained from a location outside the City of Montclair to a private residence within the City for non-commercial use by a person with an identification card, qualified patient or primary caregiver within the meaning of Section 11362.7 of the Health and Safety Code and, excluding a qualified patient, is in possession of a valid identification card issued by the California Department of Public Health pursuant to Section 11362.7, Section 11362.71 and Section 11362.765 of the Health and Safety Code; provided, however, pursuant to Section 11362.77(a)(b) of the Health and Safety Code, a person with an identification card, qualified patient or primary caregiver may possess an amount of cannabis consistent with the patient's needs if the person with an identification card, qualified patient or primary caregiver has an Attending Physician's recommendation that the quantity specified herein does not meet the person with an identification card or qualified patient's medical needs.

11.11.040 Outdoor Cultivation of Cannabis Prohibited.

Outdoor cultivation of cannabis by any person owning, leasing, occupying, or having charge or possession of any parcel within any zoning district in the City is prohibited. It shall be unlawful for any person or entity to own, manage, conduct, or operate, or as a landlord or land owner (or as such landlord or land owner's agent, property manager or similar person having control over real property on behalf of its owner) to allow or permit to exist, or be established, conducted, operated, owned or managed on or within real property owned or controlled by such person, the outdoor cultivation of cannabis or to participate as a landlord, lessor, land owner, employee, contractor, agent or volunteer, or in any other manner or capacity, in the outdoor cultivation of cannabis. Each day a violation of this provision of this chapter is committed, or permitted to continue, shall constitute a separate offense.

11.11.050 Delivery of Cannabis and Cannabis-related Products Prohibited .

Delivery of cannabis and/or cannabis-related products is prohibited within the City of Montclair.

11.11.060 Medical Cannabis Dispensaries Prohibited.

Medical cannabis dispensaries, cooperatives, collectives, establishments or providers are prohibited in the City of Montclair. It shall be unlawful for any person or entity to own, manage, conduct, operate or be employed in or by, or as a landlord or land owner (or as such landlord or land owner's agent, property manager or similar person having control over real property on behalf of its owner) to allow or permit to exist, or to be established, conducted, operated, owned or managed on or within any real property owned or controlled by such person, a medical cannabis dispensary, cooperative, collective, establishment and/or provider or to participate as a landlord, lessor, land owner, employee, contractor, agent or volunteer, or in any other manner or capacity, in any medical cannabis dispensary, cooperative, collective, establishment

and/or provider. Each day a violation of this provision of this chapter is committed, or permitted to continue, shall constitute a separate offense.

11.11.070 Medical Cannabis Cultivation and Processing Prohibited.

A. Medical cannabis cultivation or medical cannabis processing are prohibited in the City of Montclair, except where the City is preempted by federal or state law from enacting a prohibition on such activity. No use permit, variance, building permit, or any other entitlement, license, or permit, whether administrative or discretionary, shall be approved or issued for the activities of medical cannabis cultivation or medical cannabis processing, and no person shall otherwise establish or conduct such activities in the City, except where the City is preempted by federal or state law from enacting a prohibition on any such activity for which the use permit, variance, building permit, or any other entitlement, license or permit is sought.

B. **Exceptions.** Nothing in Subsection A of Section 11.11.070 shall be deemed to prohibit or make unlawful those activities protected pursuant to California Health and Safety Code section 11362.77, as follows: a qualified patient or primary caregiver [as those terms are defined in California Health & Safety Code section 11362.7] (1) may possess no more than eight ounces of dried cannabis per qualified patient; (2) may maintain no more than six mature or 12 immature cannabis plants per qualified patient; and (3) may possess an amount of cannabis consistent with the patient's needs if the qualified patient or primary caregiver has a physician's recommendation that the limitations set forth in California Health & Safety Code section 11362.77(a) does not meet the qualified patient's medical needs.

11.11.080 Medical Cannabis Dispensaries, Medical Cannabis Cultivation or Processing, Commercial Cannabis Activities, Delivery of Cannabis, and Outdoor Cultivation Declared Public Nuisances.

The establishment, maintenance or operation of a medical cannabis dispensary, the cultivation or processing of medical cannabis, any commercial cannabis activity, the delivery of cannabis, and outdoor cultivation of cannabis in violation of this Chapter within the City is hereby declared to be a public nuisance and may be abated as such by all available means.

11.11.090 Use or Activity Prohibited by State or Federal Law.

Nothing contained in this chapter shall be deemed to permit or authorize any use or activity which is otherwise prohibited by any state or federal law.

11.11.100 Applicability of Other Laws.

Nothing in this Chapter shall limit or preclude the enforcement of other applicable laws.

SECTION IV. Severability If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional.

SECTION VI. Savings Clause Neither the adoption of this Ordinance nor the repeal of any other ordinance of this City shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license or penalty or the penal provisions application to any violation thereof. The provisions of this Ordinance, insofar as they are substantially the same as ordinance provisions previously adopted by the City relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments. The provisions of this Ordinance shall have priority over substantially similar provisions previously adopted by the City relating to the same subject matter.


SECTION VII. Posting The City Clerk shall certify to the passage of this Ordinance and cause the same to be posted pursuant to Government Code Section 36933. The City Clerk shall also cause a copy of this ordinance to be transmitted to the Director of the California Bureau of Cannabis Control prior to January 1, 2018.

SECTION VIII. Effective Date This ordinance shall take effect and be in full force thirty (30) days from and after its final passage.

APPROVED AND ADOPTED this 18th day of September, 2017.

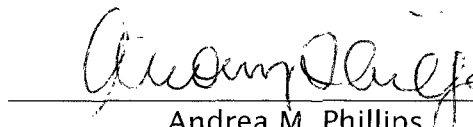

Mayor Pro Tem

ATTEST:


City Clerk

I, Andrea M. Phillips, City Clerk of the City of Montclair, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 17-968 of said City, which was introduced at a regular meeting of the City Council held on the 5th day of September, 2017, and finally passed not less than five (5) days thereafter on the 18th day of September, 2017, by the following vote, to-wit:

AYES: Martinez, Ruh, Dutrey, Raft
NOES: None
ABSTAIN: None
ABSENT: Eaton


Andrea M. Phillips
City Clerk