



Legislation Passed April 12, 2016

The Tacoma City Council, at its regular City Council meeting of April 12, 2016, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

Substitute Resolution No. 39418

A resolution setting Tuesday, April 26, 2016, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the proposed amendments to the Marijuana Use Regulations, Land Use Regulatory Code, and the Nuisance Code, as recommended by the Planning Commission, and as recommended by staff, concerning the production, processing, researching, and retail sale of marijuana.

[Brian Boudet, Planning Manager; Peter Huffman, Director, Planning and Development Services]

Resolution No. 39419

A resolution authorizing the execution of Amendment No. 1 to the Interlocal Agreement with the Port of Tacoma, and increasing the City's commitment in the amount of \$662,119, for a cumulative total of \$1,691,589, budgeted from the Streets Initiative Fund, as the City's portion of a local grant match for the Port of Tacoma Road Reconstruction Project, to extend reconstruction work to include the section from Marshall Avenue to State Route 509.

[Tom Rutherford, P.E., Project Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 39420

A resolution appointing and reappointing individuals to the Board of Building Appeals and the Transportation Commission.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Resolution No. 39421

A resolution appointing and reappointing individuals to the Human Rights Commission.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Ordinance No. 28352

An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for employees represented by the International Brotherhood of Electrical Workers, Local 483, Custodial and Building Maintenance Unit.

[Joy St. Germain, Director, Human Resources]



SUBSTITUTE RESOLUTION NO. 39418

1 A RESOLUTION relating to land use regulations associated with Initiative 502;
2 setting Tuesday, April 26, 2016, as the date for a public hearing on the
3 proposed amendments to the Marijuana Use Regulations, Land Use
4 Regulatory Code, and the Nuisance Code, as recommended by the
5 Planning Commission, and as recommended by staff, concerning the
6 production, processing, researching and retail sale of marijuana.

7 WHEREAS State Initiative 502 ("I-502"), approved by Washington voters in
8 November 2012, provides a framework for licensing and regulating the production,
9 processing, and retail sale of recreational marijuana, and

10 WHEREAS, in February 2015, the City adopted pertinent land use
11 regulations in order to provide policy and regulatory guidance and facilitate the
12 review of recreational marijuana license applications within City limits, and

13 WHEREAS, in April 2015, the Washington State Legislature enacted the
14 Cannabis Patient Protection Act, establishing regulations for the formerly
15 unregulated aspects of the marijuana system and aligning it with the existing
16 recreational system, and

17 WHEREAS the State Liquor and Cannabis Board, through its rulemaking
18 process to establish corresponding administrative procedures and standards, has
19 expanded the existing cap on retail marijuana stores in the City earlier than
20 anticipated, and is set to promulgate other potential rule changes and establish a
21 new class of use, the marijuana cooperative, and

22 WHEREAS, in order to preserve the City's regulatory authority and the
23 validity of its legislative process, and to allow sufficient time for local policy
24 discussion on the matter, the City Council enacted a temporary moratorium on
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1 new marijuana retail uses and the establishment of marijuana cooperatives for a
2 period of six months, pursuant to Substitute Ordinance No. 28343, enacted on
3 January 12, 2016, and

4 WHEREAS the six-month moratorium allowed the Planning Commission and
5 staff sufficient time to develop recommendations for amended regulations which
6 address community concerns, and

7 WHEREAS the Planning Commission developed its recommendations
8 through a public review process, including a public hearing on March 2, 2016, and

9 WHEREAS the Planning Commission finalized its recommendations on
10 April 6, 2016, for proposed amendments to the Marijuana Use Regulations and the
11 Land Use Regulatory Code, and

12 WHEREAS Planning and Development Services staff has also developed
13 recommendations for proposed Code amendments based on technical analysis and
14 public comments, and presented such recommendations for consideration by the
15 Planning Commission, and

16 WHEREAS, while the Planning Commission and staff recommendations
17 differ in certain key provisions, they present valuable alternatives for the City
18 Council's decision-making at the policy level, and both merit citizen review and
19 comments, and

20 WHEREAS the nuisance regulations, as contained in Title 8 of the Tacoma
21 Municipal Code, applicable to marijuana-related businesses are also being
22 amended to be consistent with the proposed amendments to the Land Use
23 Regulatory Code, and



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WHEREAS, pursuant to TMC 13.02, the City Council is required to conduct a public hearing before enacting any amendments to the Land Use Regulatory Code and other relevant provisions of the Code; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That a public hearing on the proposed amendments to the Marijuana Use Regulations and Land Use Regulatory Code, as recommended by the Planning Commission, and as recommended by staff, concerning the production, processing, researching and retail sale of marijuana, as well as the proposed amendments to the Nuisance Code, shall be held before the City Council in the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, on Tuesday, April 26, 2016, at approximately 5:30 p.m. or as soon thereafter as the same may be heard.

Section 2. That the Clerk of the City of Tacoma shall give proper notice of the time and place of said hearing.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 39419

1 A RESOLUTION relating to the Port of Tacoma; authorizing the execution of
2 Amendment No. 1 to the Interlocal Agreement with the Port of Tacoma
3 increasing the City's commitment in the amount of \$662,119, for a cumulative
4 City contribution of \$1,691,589, budgeted from the Streets Initiative Fund, as
5 the City's portion of a local grant match for the Port of Tacoma Road
6 Reconstruction Project, to extend reconstruction work on the Port of
7 Tacoma Road to include the section from Marshall Avenue to SR 509.

8 WHEREAS, on February 24, 2015, the City Council adopted Resolution
9 No. 39119, authorizing the execution of an Interlocal Agreement with the Port of
10 Tacoma ("Port") for the Port of Tacoma Road Reconstruction Project ("Project"),
11 which outlined the financial contributions and management responsibilities for both
12 parties, and

13 WHEREAS the Project was funded through grants from the Washington State
14 Transportation Improvement Board ("TIB") and Washington State Freight Mobility
15 Strategic Investment Board, as well as contributions from the Port, Tacoma Water,
16 Tacoma Rail, private funding, and the City's Heavy Haul Corridor Permit Fund, and

17 WHEREAS, in January 2016, as the Project neared completion, the TIB
18 notified City staff that additional funding might be available, contingent on a local
19 agency match, to extend reconstruction work on the Port of Tacoma Road to
20 include an additional 1,600 feet of pavement, from Marshall Avenue to SR 509, and

21 WHEREAS, working collaboratively with the Port, Public Works staff
22 prepared an amendment to the Interlocal Agreement to allow for the additional
23 work on Port of Tacoma Road, and to specify the financial responsibilities of each
24 party to supplement the additional TIB funding, and
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WHEREAS the proposed amendment will increase the City's contribution to the Project from \$1,029,470 to \$1,691,589, and the Port's contribution from \$865,970 to \$1,045,970, and

WHEREAS the Port Commission approved the proposed amendment on March 17, 2016, and

WHEREAS it is in the best interests of the City to enter into the proposed amendment; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute Amendment No. 1 to the Interlocal Agreement with the Port of Tacoma, increasing the City's commitment in the amount of \$662,119, for a cumulative City contribution of \$1,691,589, budgeted from the Streets Initiative Fund, as the City's portion of a local grant match for the Port of Tacoma Road Reconstruction Project, to extend reconstruction work on the Port of Tacoma Road to include the section from Marshall Avenue to SR 509, said amendment to be substantially in the form of the document on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 39420

1 BY REQUEST OF COUNCIL MEMBERS BLOCKER, IBSEN, McCARTHY, AND
2 THOMS

3 A RESOLUTION relating to committees, boards, and commissions; appointing
4 and reappointing individuals to the Board of Building Appeals and
5 Transportation Commission.

6 WHEREAS vacancies exist on the Board of Building Appeals and
7 Transportation Commission, and

8 WHEREAS, at its meeting of March 23, 2016, the Infrastructure,
9 Planning, and Sustainability Committee conducted interviews and
10 recommended the appointment and reappointment of individuals to the Board
11 of Building Appeals, and

12 WHEREAS, at its meeting of March 23, 2016, the Infrastructure,
13 Planning, and Sustainability Committee conducted interviews and
14 recommended the appointment of an individual to the Transportation
15 Commission, and

16 WHEREAS, pursuant to the City Charter Section 2.4 and the Rules,
17 Regulations, and Procedures of the City Council, the persons named on
18 Exhibit "A" have been nominated to serve on the Board of Building Appeals
19 and Transportation Commission; Now, Therefore,

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22 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

23 That those nominees to the Board of Building Appeals and Transportation
24 Commission listed on Exhibit "A" are hereby confirmed and appointed or
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1 reappointed as members of such board or commission for such terms as are set
2 forth on Exhibit "A."

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4 Adopted _____

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Mayor

7 Attest:

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9 City Clerk

10 Approved as to form:

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12 City Attorney

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EXHIBIT "A"

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BOARD OF BUILDING APPEALS

Appointing **Rick Semple** to Position 1 for an unexpired term to expire August 12, 2019.

Reappointing **Rory Connolly** to Position 4 for a five-year term to expire January 7, 2021.

TRANSPORTATION COMMISSION

Appointing **John Thurlow** to the At-Large No. 4 position for an unexpired term to expire July 31, 2016, followed by a three-year term to expire July 31, 2019.



RESOLUTION NO. 39421

1 BY REQUEST OF COUNCIL MEMBERS BLOCKER, LONERGAN, AND
2 WOODARDS

3 A RESOLUTION relating to committees, boards, and commissions; appointing and
4 reappointing individuals to the Human Rights Commission.

5 WHEREAS vacancies exist on the Human Rights Commission, and

6 WHEREAS, at its meeting of March 24, 2016, the Community Vitality and
7 Safety Committee conducted interviews and recommended the appointment and
8 reappointment of individuals to the Human Rights Commission, and

9 WHEREAS, pursuant to the City Charter Section 2.4 and the Rules,
10 Regulations, and Procedures of the City Council, the persons named on Exhibit "A"
11 have been nominated to serve on said commission; Now, Therefore,
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13 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

14 That those nominees to the Human Rights Commission listed on Exhibit "A"
15 are hereby confirmed and appointed or reappointed as members of such
16 commission for such terms as are set forth on Exhibit "A."
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18 Adopted _____

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Mayor

21 Attest:
22 _____

23 City Clerk

24 Approved as to form:
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26 City Attorney



EXHIBIT "A"

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HUMAN RIGHTS COMMISSION

Appointing **Lorenzo Cervantes** to an unexpired term to expire December 31, 2018.

Appointing **Kelsey Fischer** to an unexpired term to expire December 31, 2016.

Appointing **Thomas Hudson** to a three-year term, effective May 3, 2016, to expire May 2, 2019.

Appointing **Joseph Kloby** to an unexpired term to expire December 31, 2016.

Appointing **Brogan Shell** to a three-year term, effective May 1, 2016, to expire April 30, 2019.

Appointing **Matthew Smith** to a three-year term to expire March 3, 2019.

Reappointing **Anita Latch** to a three-year term to expire March 3, 2019.

Reappointing **Richard McGrue** to a three-year term to expire March 3, 2019.

Reappointing **Lucas Smiraldo** to a three-year term to expire March 3, 2019.



ORDINANCE NO. 28352

1 AN ORDINANCE relating to the Compensation Plan; amending Section 1.12.355
 2 of the Tacoma Municipal Code to implement rates of pay and compensation
 3 for employees represented by the International Brotherhood of Electrical
 4 Workers, Local 483, Custodial and Building Maintenance Unit; and declaring
 5 the effective dates thereof.

BE IT ORDAINED BY THE CITY OF TACOMA:

6 Section 1. That Section 1.12.355 of the Tacoma Municipal Code is hereby
 7 amended, effective retroactive to January 1, 2016, to read as follows:

Code	A	Job Title	1	2	3	4	5
6006		Building Maintenance Supervisor, Assistant	<u>29.69</u>	<u>31.18</u>	<u>32.73</u>		
6005		Building Maintenance Worker	<u>24.74</u>	<u>25.98</u>	<u>27.28</u>		
6002		Custodian	<u>17.27</u>	<u>18.14</u>	<u>19.04</u>	<u>20.00</u>	<u>20.99</u>

Code	A	Job Title	1	2	3	4	5
6006		Building Maintenance Supervisor, Assistant	<u>30.28</u>	<u>31.80</u>	<u>33.39</u>		
6005		Building Maintenance Worker	<u>25.23</u>	<u>26.50</u>	<u>27.83</u>		
6002		Custodian	<u>17.62</u>	<u>18.50</u>	<u>19.42</u>	<u>20.40</u>	<u>21.41</u>

16 Section 2. That Section 1.12.355 of the Tacoma Municipal Code is hereby
 17 amended, effective January 1, 2017, to read as follows:

Code	A	Job Title	1	2	3	4	5
6006		Building Maintenance Supervisor, Assistant	<u>30.28</u>	<u>31.80</u>	<u>33.39</u>		
6005		Building Maintenance Worker	<u>25.23</u>	<u>26.50</u>	<u>27.83</u>		
6002		Custodian	<u>17.62</u>	<u>18.50</u>	<u>19.42</u>	<u>20.40</u>	<u>21.41</u>

Code	A	Job Title	1	2	3	4	5
6006		Building Maintenance Supervisor, Assistant	<u>30.90</u>	<u>32.44</u>	<u>34.06</u>		
6005		Building Maintenance Worker	<u>25.73</u>	<u>27.03</u>	<u>28.39</u>		
6002		Custodian	<u>17.97</u>	<u>18.87</u>	<u>19.81</u>	<u>20.81</u>	<u>21.84</u>



1 Section 3. That Section 1.12.355 of the Tacoma Municipal Code is hereby
 2 amended, effective January 1, 2018, to read as follows:

Code	A	Job Title	1	2	3	4	5
6006		Building Maintenance Supervisor, Assistant	30.90	32.44	34.06		
6005		Building Maintenance Worker	25.73	27.03	28.39		
6002		Custodian	17.97	18.87	19.81	20.81	21.84

Code	A	Job Title	1	2	3	4	5
6006		Building Maintenance Supervisor, Assistant	<u>31.51</u>	<u>33.09</u>	<u>34.75</u>		
6005		Building Maintenance Worker	<u>26.25</u>	<u>27.57</u>	<u>28.95</u>		
6002		Custodian	<u>18.33</u>	<u>19.25</u>	<u>20.20</u>	<u>21.22</u>	<u>22.27</u>

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11 Section 4. That Section 1.12.355 of the Tacoma Municipal Code is hereby
12 amended, effective January 1, 2019, to read as follows:

Code	A	Job Title	1	2	3	4	5
6006		Building Maintenance Supervisor, Assistant	<u>31.51</u>	<u>33.09</u>	<u>34.75</u>		
6005		Building Maintenance Worker	<u>26.25</u>	<u>27.57</u>	<u>28.95</u>		
6002		Custodian	<u>18.33</u>	<u>19.25</u>	<u>20.20</u>	<u>21.22</u>	<u>22.27</u>

Code	A	Job Title	1	2	3	4	5
6006		Building Maintenance Supervisor, Assistant	<u>32.15</u>	<u>33.75</u>	<u>35.44</u>		
6005		Building Maintenance Worker	<u>26.77</u>	<u>28.12</u>	<u>29.53</u>		
6002		Custodian	<u>18.70</u>	<u>19.63</u>	<u>20.61</u>	<u>21.65</u>	<u>22.72</u>

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22 Section 5. That Section 1 of this ordinance shall become effective
23 retroactive to January 1, 2016. That Section 2 of this ordinance shall become
24 effective January 1, 2017. That Section 3 of this ordinance shall become effective
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January 1, 2018. That Section 4 of this ordinance shall become effective

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January 1, 2019.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney