



**AGENDA**

**7:00 p.m. June 1, 2015 City Council Meeting**  
 Long Beach City Hall - Council Chambers  
 115 Bolstad Avenue West

**7:00 p.m. CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL**

Call to order	Mayor Andrew, Council Member Linhart, Council Member Perez,
And roll call	Council Member Murry, Council Member Hanson, and Council Member Phillips

**CONSENT AGENDA – TAB A**

All matters, which are listed within the consent section of the agenda, have been distributed to each member of the Long Beach City Council for reading and study. Items listed are considered routine by the Council and will be enacted with one motion unless a Council Member specifically requests it to be removed from the Consent Agenda to be considered separately. Staff recommends approval of the following items:

- Minutes, May 18, 2015 Regular City Council meeting.
- Payment Approval List for Warrant Registers 55375 - 555416 & 78010 – 78056 for \$201,820.46
- **AB 15-37 WS Parks Beach Gap Maintenance Amendment – TAB D**
- **AB 15-39 Agreement for Legal Services with Porter Foster Rorick LLP– TAB F**
- **AB 15-40 Don Nesbit Agreement TAB G**

**BUSINESS**

- **AB 15-35 Appointing Voting Delegates for 2015 AWC Annual Conference – TAB B**
- **AB 15-36 Appointing WCIA Delegate and Alternate – TAB C**
- **AB 15-38 2014 Budget Amendments – TAB E**

**ORAL REPORTS**

•	<b>City Council</b>	<b>Mayor</b>	<b>City Administrator</b>	<b>Department Heads</b>
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**CORRESPONDENCE AND WRITTEN REPORTS – TAB H**

- **Sales and Lodging tax reports for May 2015**
- **Tourism and Events staff report May 2015**
- **Correspondence – State of Washington – Department of Health**
- **Correspondence – WS Parks Wind Powered Vehicle Guidelines**
- **Correspondence – Charter Communications**
- **Correspondence – Willapa Harbor Parade Entry Form**
- **Correspondence – MRSC related to Medical Marijuana**
- **Correspondence – WCIA**
- **Correspondence – AD-West / Affordable Housing Apartments**
- **Correspondence – Thank you from Bellevue Christian School**

**FUTURE CITY COUNCIL MEETING SCHEDULE**

The Regular City Council meetings are held the 1 <sup>st</sup> and 3 <sup>rd</sup> Monday of each month at 7:00 PM and may be preceded by a workshop.	
June 15, 2015 – 7:00 pm – City Council Meeting	July 6, 2015 – 7:00 pm – City Council Meeting

**PUBLIC COMMENT**

At this time, the Mayor will call for any comments from the public on any subject whether or not it is on the agenda for any item(s) the public may wish to bring forward and discuss. Preference will be given to those who must travel. **Please limit your comments to five minutes. The City Council does not take any action or make any decisions during public comment.** To request Council action during the Business portion of a Council meeting, contact the City Administrator at least one week in advance of a meeting.

**ADJOURNMENT**

American with Disabilities Act Notice: The City Council Meeting room is accessible to persons with disabilities. If you need assistance, contact the City Clerk at (360) 642-4421 or advise City Clerk at the meeting.

**TAB - A**

## LONG BEACH CITY COUNCIL MEETING

May 18, 2015

### CALL TO ORDER; PLEDGE OF ALLEGIANCE; ROLL CALL

Mayor Andrew called the meeting to order at 7:00 p.m. and asked for the Pledge of Allegiance and roll call.

### ROLL CALL

David Glasson, City Administrator, called roll with Mayor Andrew, C. Linhart, C. Hanson, C. Perez, C. Phillips, and C. Murry all present.

### CONSENT AGENDA

Minutes, May 4, 2015 Regular City Council meeting

Payment Approval List for Warrant Registers 55318- 55369 & 77921 - 78009 for \$359,677.89

**C.Linhart made the motion to approve the consent agenda with C. Phillips seconding the motion. 5 Ayes 0 Nays, motion passed.**

### BUSINESS

AB 15-33      Ordinance 912 – Zoning Regulation Amendments

Gayle Borchard, Community Development Director, presented the agenda bill. This Ordinance includes up-to-date revisions from previous workshops and public comment. A Public Hearing was opened at 7:02:35 p.m. and closed at 7:02:55 with no comments. **C. Linhart made the motion to approve Ordinance 912 and C. Hanson seconded the motion with a title change. 5 Ayes 0 Nays motion passed.**

AB 15-34      Lodging Tax Funding Request- Ilwaco Coaches

David Glasson, City Administrator, presented the request from the Ilwaco Girls & Boys Basketball and Wrestling coaches for \$500 to go toward summer tournaments. **C. Phillips made the motion to approve AB 15-34 with C. Murry seconding the motion. 5 Ayes 0 Nays, motion passed.**

### ORAL REPORTS

C. Phillips, C. Perez, C. Hanson, C. Linhart, C. Murry, Mayor Andrew, David Glasson, City Administrator, LBPD Chief Wright, and Gayle Borchard, Community Development Director, presented reports.

**CORRESPONDENCE AND WRITTEN REPORTS**

- Visitors Bureau April Report
- Email/Anti-Harassment Training for city-wide staff.

**PUBLIC COMMENT**

**EXECUTIVE SESSION**

Potential Litigation and Discussing concluded at 8:11 p.m.

**ADJOURNMENT**

**C. Linhart made the motion to adjourn the meeting with C. Murry seconding the motion. 5 Ayes 0 Nays.** The meeting was adjourned at 8:15 p.m.

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Mayor

ATTEST:

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City Clerk



# Warrant Register

Check Periods: 2015 - May - Second

I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF LONG BEACH, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

Number	Name	Print Date	Clearing Date	Amount
55375	Bell, Helen S	5/20/2015		\$1,438.94
55376	Binion, Jacob	5/20/2015		\$1,774.42
55377	Bonney, Matthew T	5/20/2015		\$1,378.60
55378	Booi, Kristopher A	5/20/2015		\$1,636.22
55379	Borchard, Gayle	5/20/2015		\$1,635.05
55380	Cutting, Jeffrey G.	5/20/2015		\$1,988.81
55381	Daulton, Alan T	5/20/2015		\$572.90
55382	Elyson, Susan R	5/20/2015		\$1,059.70
55383	Fitzgerald, Rick E.	5/20/2015		\$1,656.01
55384	Gilbertson, Bradley K	5/20/2015		\$1,650.26
55385	Glasson, David R.	5/20/2015		\$2,887.02
55386	Goulter, John R.	5/20/2015		\$1,606.38
55387	Gray, Karen	5/20/2015		\$208.59
55388	Grisham, Shawn M	5/20/2015		\$884.90
55389	Haskin, Katie R	5/20/2015		\$994.56
55390	Huff, Timothy M.	5/20/2015		\$1,501.17
55391	Kirby, Gary E	5/20/2015		\$1,126.07
55392	Kitzman, Michael	5/20/2015		\$2,058.11
55393	Luethe, Paul J	5/20/2015		\$1,666.49
55394	Melting, Casey K	5/20/2015		\$1,828.82
55395	Payroll Vendor	5/20/2015		Void
55396	Myers, Ragan S.	5/20/2015		\$1,460.25
55397	Nawn, Rodney J.	5/20/2015		\$1,808.86
55398	Ostgaard, Loreta G	5/20/2015		\$1,437.66
55399	Padgett, Timothy J	5/20/2015		\$1,377.91
55400	Parker, Michael T	5/20/2015		\$1,564.27
55401	Russum, Richard	5/20/2015		\$1,686.87
55402	Simmons, Angela B	5/20/2015		\$63.53
55403	Warner, Ralph D.	5/20/2015		\$2,072.91

Execution Time: 9 second(s)

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Register

Number	Name	Print Date	Clearing Date	Amount
55404	Wood, Matthew T	5/20/2015		\$836.06
55405	Wright, Flint R	5/20/2015		\$2,446.20
55406	Zuern, Donald D.	5/20/2015		\$2,228.59
55407	Mortenson, Tim	5/20/2015		\$1,810.70
55408	AFLAC	5/20/2015		\$216.26
55409	Association of WA Cities	5/20/2015		\$22,196.99
55410	City of Long Beach - Fica	5/20/2015		\$10,482.30
55411	City of Long Beach - FWH	5/20/2015		\$8,260.46
55412	Dept of Labor & Industries	5/20/2015		\$2,483.11
55413	Dept of Retirement Systems	5/20/2015		\$9,524.51
55414	Dept of Retirement Systems Def Comp	5/20/2015		\$1,150.00
55415	Massmutual Retirement Services	5/20/2015		\$525.00
55416	Teamsters Local #58	5/20/2015		\$190.00
78010	Caldwell, Tye	5/19/2015		\$126.50
78011	Beach Barons	5/19/2015		\$50.00
78012	Basket Case Greenhouse	5/19/2015		\$789.44
78013	Tangly Cottage Garden	5/19/2015		\$1,054.72
78014	Scoopers	5/21/2015		\$69.00
78015	Rando Tanks	5/27/2015		\$1,836.00
78016	Active Enterprises, Inc.	5/28/2015		\$323.70
78017	All Safe Mini Storage	5/28/2015		\$190.00
78018	ALS ENVIRONMENTAL	5/28/2015		\$735.00
78019	AlSCO-American Linen Div.	5/28/2015		\$61.58
78020	Association of WA Cities	5/28/2015		\$375.00
78021	Astoria Janitor & Paper Supply	5/28/2015		\$971.93
78022	At&t Mobility	5/28/2015		\$113.15
78023	Back Country Horse Outfitters	5/28/2015		\$700.00
78024	Backflow Management Inc	5/28/2015		\$1,500.00
78025	Bank of The Pacific	5/28/2015		\$41,687.97
78026	Basket Case Greenhouse	5/28/2015		\$111.56
78027	BMC WELDING	5/28/2015		\$5,659.50
78028	Coleman, George	5/28/2015		\$100.00
78029	CSB Construction Inc	5/28/2015		\$4,359.51
78030	Davis, Lynn	5/28/2015		\$94.48
78031	Emergency Medical Products, Inc	5/28/2015		\$69.25
78032	Ford Electric	5/28/2015		\$178.79
78033	GE Analytical Instruments, Inc	5/28/2015		\$577.70
78034	Glasson, David	5/28/2015		\$25.88
78035	Hach Company	5/28/2015		\$177.82
78036	Kulbel, Jim	5/28/2015		\$66.28
78037	L.N. Curtis & Sons	5/28/2015		\$1,109.02
78038	NASELLE-GRAYS RIVER SCHOOL DIST	5/28/2015		\$100.00
78039	North Central Laboratories	5/28/2015		\$100.50
78040	Ocean Beach Hospital	5/28/2015		\$1,739.98
78041	Pollardwater	5/28/2015		\$237.53
78042	Public Utility District 2	5/28/2015		\$7,799.94

Number	Name	Print Date	Clearing Date	Amount
78043	Purchase Power	5/28/2015		\$1,500.00
78044	Rank's Cabinets, Inc	5/28/2015		\$561.08
78045	Rose City Sound	5/28/2015		\$5,035.17
78046	Sea Western Fire	5/28/2015		\$40.25
78047	Standard Insurance Co.	5/28/2015		\$1,716.42
78048	STAPLES ADVANTAGE	5/28/2015		\$812.06
78049	Taft Plumbing	5/28/2015		\$58.16
78050	Unum Life Insurance	5/28/2015		\$57.00
78051	Verizon Wireless	5/28/2015		\$138.03
78052	Visa	5/28/2015		\$1,796.01
78053	Vision Municipal Solutions	5/28/2015		\$10,912.58
78054	Wadsworth Electric	5/28/2015		\$307.52
78055	Whitney Equipment Co. Inc	5/28/2015		\$790.67
78056	Wilcox & Flegel Oil Co.	5/28/2015		\$1,628.32
	<b>Total</b>		<b>Check</b>	<b>\$201,820.46</b>
	<b>Grand Total</b>			<b>\$201,820.46</b>

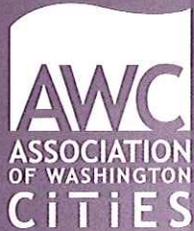
**TAB - B**



**CITY COUNCIL  
AGENDA BILL  
AB 15-35**

**Meeting Date: June 1, 2015**

<b>AGENDA ITEM INFORMATION</b>		
<b>SUBJECT: Appointing Voting Delegate(s) for the 2015 AWC Conference</b>	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
	Other:	
<b>COST: N/A</b>		
<b>SUMMARY STATEMENT:</b> The city has two representatives attending the Annual conference this June in Wenatchee. The attached correspondence explains the benefits of appointing voting delegates.		
<b>RECOMMENDED ACTION:</b> Appoint Councilman Phillips and City Administrator David Glasson as voting delegates.		



Date: May 20, 2015  
To: Mayor Bob Andrew, City of Long Beach  
From: Francis Benjamin, AWC Board President  
Subject: 2015 AWC Annual Business Meeting

AWC invites you to attend the annual **Business Meeting on Thursday, June 25, 2015, at the Wenatchee Convention Center**, in conjunction with the Annual Conference. The AWC Board of Directors strongly encourages your city to participate in the meeting by appointing voting delegates.

AWC bylaws allow each city to appoint up to three voting delegates. The bylaws do not specify the method or form cities must use to appoint delegates. If your city determines these appointments through council action, please share this information with your city council.

Each voting delegate will have one vote. Voting delegates have the opportunity to influence the operations of the Association by:

- Electing the members of the AWC Board of Directors, who play a critical leadership role in the success of the Association;
- Voting on potential amendments to the AWC bylaws, which govern the association's operations; and
- Approving the Statement of Policy, which provides the basis for policy recommendations by AWC's Legislative Priorities Committee, the Board and staff.

Once the Mayor, City Manager, or City Council has determined the city's voting delegates for 2015, please send their names and titles to Michelle Catlin, AWC Executive Assistant. The deadline for submitting voting delegate names is **Wednesday, June 17, 2015**. You may e-mail or fax this information to the attention of Michelle Catlin, Association of Washington Cities, to [michellec@awcnet.org](mailto:michellec@awcnet.org) or Fax: (360) 753-0149.

Additional information on the Annual Business Meeting, the AWC Board of Directors, and the Annual Conference can be found on the AWC's website: [www.awcnet.org](http://www.awcnet.org).

cc: City Clerk



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## Training & Education

### Annual business meeting

Make sure AWC's annual business meeting is part of your conference agenda. The business meeting is **Thursday, June 25 from 3:45 to 5:30 pm.**

#### Who are your city's voting delegates?

Each city has the opportunity to designate three voting delegates for the AWC annual business meeting. These delegates vote on important city issues like the Statement of Policy, and the board of directors.

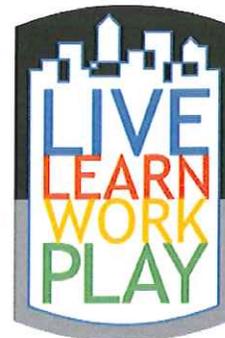
Send the names, titles, and city name, of the three voting delegates who will be representing your city to [Michelle Catlin](#) by June 17.

#### Why does AWC's annual business meeting matter?

- You elect your board of directors – the people who guide your association's activities
- You debate the hot issues that impact cities
- Hear from the State and Federal Policy Committee

#### Do we have your city's voting delegate information?

[Check now!](#)



#### Conference links

- [Conference home](#)
- [Annual business meeting](#)
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- [Parade of Flags](#)
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#### Quick Links

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- [AWC Board of Directors](#)
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##### AWC conferences

- [AWC Annual Conference](#)
- [City Action Days](#)
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**TAB - C**



**CITY COUNCIL  
AGENDA BILL  
AB 15-36**

**Meeting Date: June 1, 2015**

**AGENDA ITEM INFORMATION**

<b>SUBJECT: Appointing a Delegate and alternate to Washington Cities Insurance Authority.</b>	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	<b>COST: N/A</b>	Water/Wastewater Supervisor
	Other:	

**SUMMARY STATEMENT:** As members of Washington Cities Insurance Authority, we are required to select a delegate and alternate to coordinate training, timely responses to claims and be a primary contact among other duties. The City Administrator and Finance Director had served in that capacity for the last couple of years, and with Mr. Miles departure WCIA is anxious for the city to appoint a new delegate and alternate.

**RECOMMENDED ACTION:** Appoint David Glasson as the delegate, Helen Bell as the alternate delegate.



**TAB - D**



**CITY COUNCIL  
AGENDA BILL  
AB 15-37**

**Meeting Date: June 1, 2015**

**AGENDA ITEM INFORMATION**

<b>SUBJECT: WS Parks beach gap road maintenance agreement.</b>	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
<b>COST: N/A</b>	Water/Wastewater Supervisor	
	Other:	
<b>SUMMARY STATEMENT:</b> Attached is an interagency agreement with Washington State Parks and Recreation to have the city maintain the Bolstad and Sid Snyder approaches for calendar years 2016 and 2017. This agreement has been in place for 20 plus years and has worked well for both parties. The duration and terms of the agreement have stayed the same.		
<b>RECOMMENDED ACTION: Authorize staff to sign the agreement</b>		

Don Hoch, Director



STATE OF WASHINGTON  
**WASHINGTON STATE PARKS AND RECREATION COMMISSION**

1111 Israel Road SW • PO Box 42650 • Olympia, WA 98504-2650 • (360) 902-8500  
Internet Address: <http://www.parks.wa.gov>

May 19, 2015

Mr. David Glasson  
City of Longbeach Department of Public Works  
PO Box 310  
Long Beach, Washington 98631-0310

**Re: Amendment No. One (1)– City of Longbeach Gap Roads – Agmt. No. IA 315-038**

Dear Mr. Glasson:

Due to the need for continued gap road maintenance and as requested by the CITY, the Commission is prepared to *modify* the above-referenced agreement as follows:

**PERIOD OF PERFORMANCE**

This agreement shall now automatically expire on June 30, 2017, unless otherwise extended by the mutual consent of the parties. All terms of the original agreement remain in full force and effect.

The CITY will continue to document time and expenses in accordance with the terms of the original agreement. An executed original of this amendment will be provided following acceptance by the Commission as noted below.

\_\_\_\_\_  
City of Longbeach  
Department of Public Works

\_\_\_\_\_  
Mark Bibeau  
Chief Financial Officer, WSPRC

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

FG

cc: Ryan Layton, Approval Supervisor  
Louise Sexsmith, Project Representative  
Contracts  
Fiscal

Don Hoch, Director



STATE OF WASHINGTON  
**WASHINGTON STATE PARKS AND RECREATION COMMISSION**

1111 Israel Road SW • PO Box 42650 • Olympia, WA 98504-2650 • (360) 902-8500  
Internet Address: <http://www.parks.wa.gov>

May 19, 2015

Mr. David Glasson  
City of Longbeach Department of Public Works  
PO Box 310  
Long Beach, Washington 98631-0310

**Re: Amendment No. One (1)– City of Longbeach Gap Roads – Agmt. No. IA 315-038**

Dear Mr. Glasson:

Due to the need for continued gap road maintenance and as requested by the CITY, the Commission is prepared to *modify* the above-referenced agreement as follows:

**PERIOD OF PERFORMANCE**

This agreement shall now automatically expire on June 30, 2017, unless otherwise extended by the mutual consent of the parties. All terms of the original agreement remain in full force and effect.

The CITY will continue to document time and expenses in accordance with the terms of the original agreement. An executed original of this amendment will be provided following acceptance by the Commission as noted below.

\_\_\_\_\_  
City of Longbeach  
Department of Public Works

\_\_\_\_\_  
Mark Bibeau  
Chief Financial Officer, WSPRC

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

FG  
cc: Ryan Layton, Approval Supervisor  
Louise Sexsmith, Project Representative  
Contracts  
Fiscal

**TAB - E**



**CITY COUNCIL  
AGENDA BILL**

**Number: AB 15-38  
Meeting Date: June 1, 2015**

ITEM INFORMATION		
<b>SUBJECT:</b> Ordinance 914 – Amending 2014 Budget	<b>Coordination:</b>	
		<i>Initials</i> <i>Remarks</i>
	Mayor	
	City Council	
	City Administrator	DG
	City Attorney	
	City Engineer	
	Community Development Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	Water/Wastewater Supervisor	
<b>COST:</b> N/A	<b>Other:</b>	
<b>SUMMARY STATEMENT:</b> <i>The ordinance amends the 2014 budget to include the additional unexpected expenditures in the Current Expense, Law Enforcement, Streets, Arterial Streets, Police Sinking Fund, Sewer Operations and Storm Water Funds.</i>		
<b>RECOMMENDED ACTION:</b> <i>Adopt Ordinance 914.</i>		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	

**ORDINANCE No. 914**

**AN ORDINANCE OF THE CITY OF LONG BEACH, WASHINGTON, AMENDING  
THE 2014 BUDGET BY AUTHORIZING ADDITIONAL EXPENDITURES AND  
DECLARING AN EMERGENCY.**

**WHEREAS**, a public emergency now exists due to expenditures greater than allowed in the 2014 budget, and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LONG BEACH, WASHINGTON**, that the 2013 Budget is hereby amended to allow the following total expenditures.

**Passed** this 1<sup>st</sup> day of June, 2015.

AYES

NAYS

ABSENT

ABSTENTIONS

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

**2014 BUDGET AMENDMENTS**

<b>Current Expense Fund</b>	
Total Expenditures & Non-Expenditures	\$ 1,550,080
<b>Law Enforcement Fund</b>	
Total Expenditures & Non-Expenditures	\$ 990,126
<b>Streets Fund</b>	
Total Expenditures & Non-Expenditures	\$ 195,680
<b>Arterial Streets Fund</b>	
Total Expenditures & Non-Expenditures	\$ 58,168
<b>Police Sinking Fund</b>	
Total Expenditures & Non-Expenditures	\$ 40,000
<b>Sewer Operations Fund</b>	
Total Expenditures & Non-Expenditures	\$1,113,738
<b>Storm Water Fund</b>	
Total Expenditures & Non-Expenditures	\$ 214,658

**TAB - F**



**CITY COUNCIL**  
**AGENDA BILL**  
 Number: AB 15-39  
 Meeting Date: June 1, 2015

ITEM INFORMATION			
<b>SUBJECT:</b> Agreement for Legal Services with Porter Foster Rorick LLP	<b>Coordination:</b>		
		<i>Initials</i>	<i>Remarks</i>
	Mayor		
	City Council		
	City Administrator	DG	
	City Attorney	DG	
	City Engineer		
	Community Development Director		
	Fire Chief		
	Police Chief		
	Streets/Parks/Drainage Supervisor		
	Water/Wastewater Supervisor		
<b>COST:</b> N/A	<b>Other:</b>		
<b>SUMMARY STATEMENT:</b> <i>This agreement for representation was discussed with the City Attorney last meeting.</i>			
<b>RECOMMENDED ACTION:</b> <i>Authorize staff to sign the agreement.</i>			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>		



# PORTER FOSTER RORICK

LLP

800 Two Union Square | 601 Union Street | Seattle, Washington 98101 | Tel (206) 622-0203 | Fax (206) 223-2003 | www.pfrwa.com

May 19, 2015

David Glasson, City Administrator  
City of Long Beach  
P.O. Box 310  
Long Beach, Washington 98631

**Re: Engagement Letter**

Dear David:

Thank you for selecting Porter Foster Rorick to represent the City of Long Beach in the recent land use-related lawsuit. The purpose of this letter is to set forth our standard terms of engagement and explain the basis on which we provide legal services. We encourage you to review these terms carefully and call us if you have any questions.

**Scope of Representation**

You have retained us to represent the City in Pacific County Superior Court, Case No. 15-2-00114-2, *Price v. Ostrem, et al.* Ultimately, we regard the City as our client, and we will retain a duty of loyalty and professional responsibility solely to the City as a corporate entity.

**Assessment of Possible Outcomes**

Our attorneys often are asked to state a judgment as to the outcome of legal matters. In doing so, we will use our best professional judgment as grounded in the experience of representing local governments for many years. We cannot, however, provide guarantees. Facts may change after our initial assessment, or the law itself may be changed by the legislature or the courts. Moreover, on some legal questions, there simply may not be a clear-cut answer. We will, however, always strive to provide you with the information necessary to make an informed decision regarding how best to proceed in the above-referenced matter.

**Legal Fees**

Our fees are based on a variety of factors, including the time and effort involved, the complexity or novelty of the matter, the experience and expertise of the person providing the service, and the nature and longevity of our professional relationship with the client. The basic fee for most services is calculated by multiplying the hours spent times the hourly rate of the professional providing the service at the time the service was rendered. All of our attorneys keep

David Glasson, City Administrator  
May 19, 2015  
Page 2

accurate daily records of time spent on behalf of the client in one-tenth hour segments. Our hourly rates are carefully reviewed and occasionally adjusted to reflect changes in overhead, the legal market, or the current level of experience or expertise of the professional involved. The time spent on a matter and the rate of the person providing the service is printed on your monthly invoice. A listing of our current hourly rates is enclosed with this letter.

Occasionally you may ask us to estimate the amount of legal fees likely to be incurred in a particular matter. Our attorneys will use their best professional judgment in doing so, however, any such estimate is not a guaranteed maximum. In most legal matters it is impossible to predict exactly how much time and effort will be required because of factors outside of our control, including changes in facts or law, or the choices and actions of an opposing party. As with our legal opinions, we will always strive to provide you with the cost information necessary to make an informed decision regarding the City's legal affairs.

#### **Billing for Costs**

Porter Foster Rorick does not charge for routine office expenses such as postage, faxes, copies, secretarial services, long-distance telephone charges, or other miscellaneous costs which we consider a normal part of our office overhead. We will bill for reimbursement of expenses incurred on your behalf from outside agencies, vendors, and professionals, such as court filing fees, expert witness costs, court reporter costs, messenger service or express mail fees, or the costs of outside document production services. In some cases, we will arrange for billing of these services directly to the City.

#### **Payment of Invoices**

We will send you an invoice for our services on or around the fifth day of each month. We have extended the grace period for payment of our invoices to 60 days from the date of the statement. The balance of all unpaid fees and costs will accrue interest at the rate of one percent per month (annual rate of 12%) after sixty (60) days from the date of the statement.

If you have any questions about a billing statement, we encourage you to immediately call the attorney working on the matter or our office manager, Maia Serosky. The earlier you bring a matter to our attention, the easier it is for us to respond to your inquiry. We do not charge for time spent responding to reasonable inquiries from clients regarding their bills.

#### **Termination of Relationship**

You have the right to terminate our attorney-client relationship at any time for any reason. If you decide to do so, you remain responsible for payment of any legal service rendered or costs incurred to the date we actually received notice, including any unpaid fees under a written

David Glasson, City Administrator  
May 19, 2015  
Page 3

retainer agreement. You also remain responsible for the services and costs necessary for concluding or transferring the matters on which we have been advising or representing you.

In some limited circumstances, the Rules of Professional Conduct that apply to all attorneys in Washington may allow or require that we discontinue representing you on a particular matter. Situations covered by the Rules of Professional Conduct include a conflict of interest with other clients, the failure of a client to pay for fees and/or costs, misrepresentation or failure by a client to fully inform the attorney regarding material facts, and conduct by a client that is inconsistent with the attorney's advice. If we decide to withdraw from representing you, we will give you immediate notice to that effect.

#### **Acknowledgement of Terms of Engagement**

After you have reviewed this letter, please acknowledge your understanding of the terms of our engagement by signing a copy of this letter in the space provided below and returning it to us at your earliest convenience. If the signed engagement letter is not returned to Porter Foster Rorick within ten (10) days, we will assume that these terms are acceptable to you. We also encourage you to retain a copy of this letter for your records.

#### **In Closing**

Thank you again for entrusting the representation of the City of Long Beach to Porter Foster Rorick. We look forward to this opportunity to work with you and provide the City with the responsive and personal service upon which we have built our professional reputation.

Sincerely,

PORTER FOSTER RORICK LLP



Kathleen Haggard  
Darcey J. Eilers

---

Terms of engagement accepted:

---

David Glasson, City Administrator

---

Date



# PORTER FOSTER RORICK LLP

800 Two Union Square | 601 Union Street | Seattle, Washington 98101 | Tel (206) 622-0203 | Fax (206) 223-2003 | [www.pfrwa.com](http://www.pfrwa.com)

## 2015 Regular Hourly Rates

The rates of our current attorneys and paralegal staff are as follows:

Lance Andree	\$240/hour	Cyndi Nelson	\$100/hour
Lynette Baisch	\$240/hour	Buzz Porter	\$260/hour
Andrea Bradford	\$190/hour	Tim Reynolds	\$190/hour
Darcey Eilers	\$190/hour	Mike Rorick	\$260/hour
Cliff Foster	\$260/hour	Jay Schulkin	\$190/hour
Jeff Ganson	\$240/hour	Maia Serosky	\$100/hour
Kathleen Haggard	\$240/hour	Brittany Tornquist	\$100/hour
Parker Howell	\$210/hour	Lorraine Wilson	\$240/hour
Rachel Miller	\$240/hour		

The rates of other legal professionals we engage in the coming year will be determined based on their level of expertise and experience under the following general structure:

Paralegal	\$100/hour	Associate III	\$240/hour
Law Clerk	\$125/hour	Partner	\$240/hour
Associate I	\$190/hour	Senior Partner	\$260/hour
Associate II	\$210/hour		

**TAB – G**



**CITY COUNCIL  
AGENDA BILL  
AB 15-40**

**Meeting Date: June 1<sup>st</sup>, 2015**

**AGENDA ITEM INFORMATION**

<b>SUBJECT: Trolley Art</b>	<i>Originator:</i>	
	Mayor	
	City Council	
	City Administrator	David Glasson
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	
	Finance Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
	<b>COST: \$1,456.65</b>	Water/Wastewater Supervisor
	Tourism & Events Coordinator	Ragan Myers

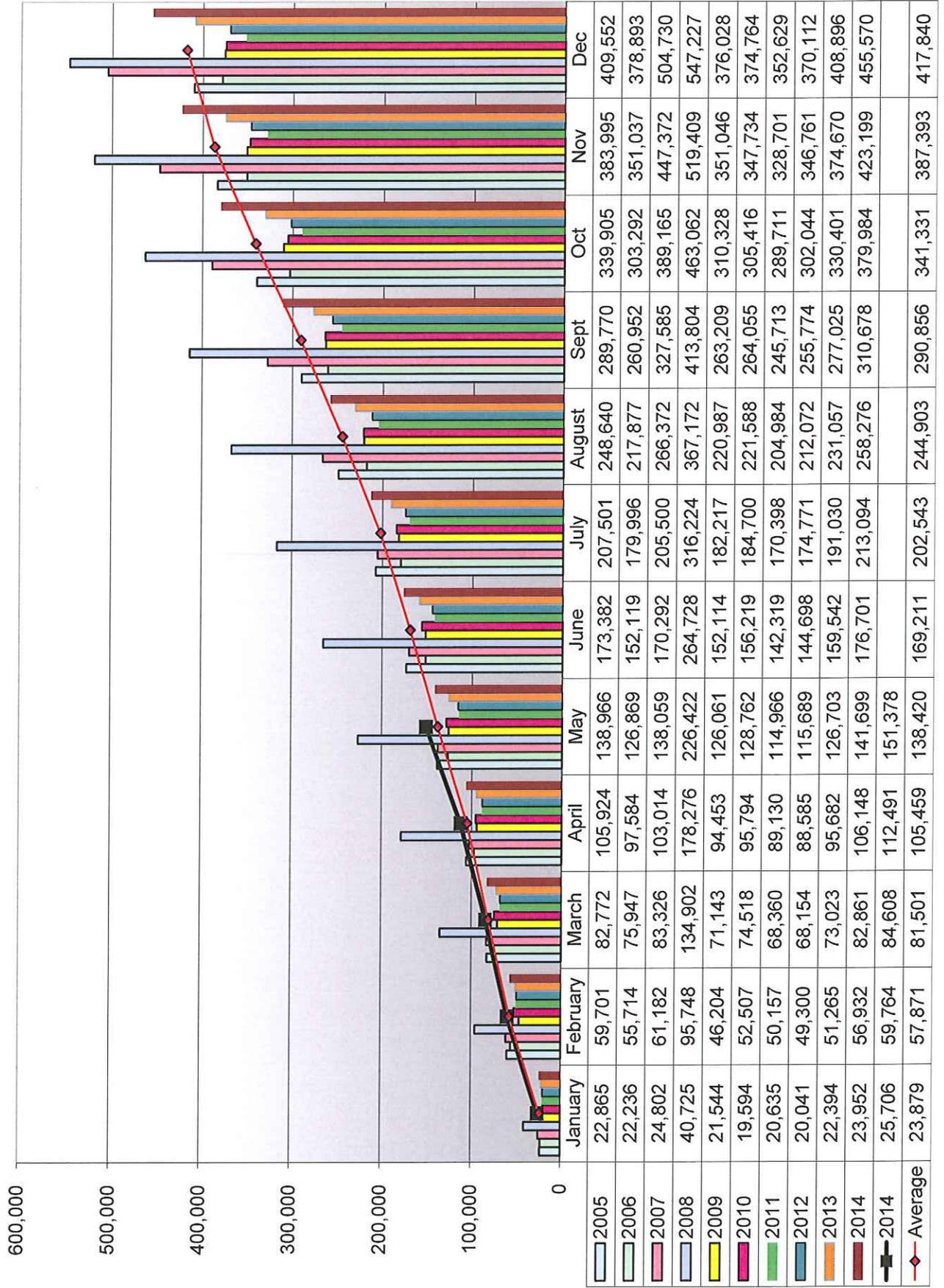
**SUMMARY STATEMENT:** David Glasson and I have met with Don Nisbett and discussed ideas for the graphic art to be placed on the trolley for advertising. Don Nisbett has come up with some great ideas. He will create 3 pieces of art. One for each side of the trolley and one for the back end of the trolley. Each piece will cost \$450 each plus tax. The additional uses for the artwork in the future: Business cards, webpage, postcards, signs, banners and ads. Artist will keep the originals and we will be provided a JPG. Don Nisbett requires half down up front. Allow 8 weeks for artwork to be completed.

**RECOMMENDED ACTION:** *Allow staff to work with Don Nisbett and go forward with the artwork.*

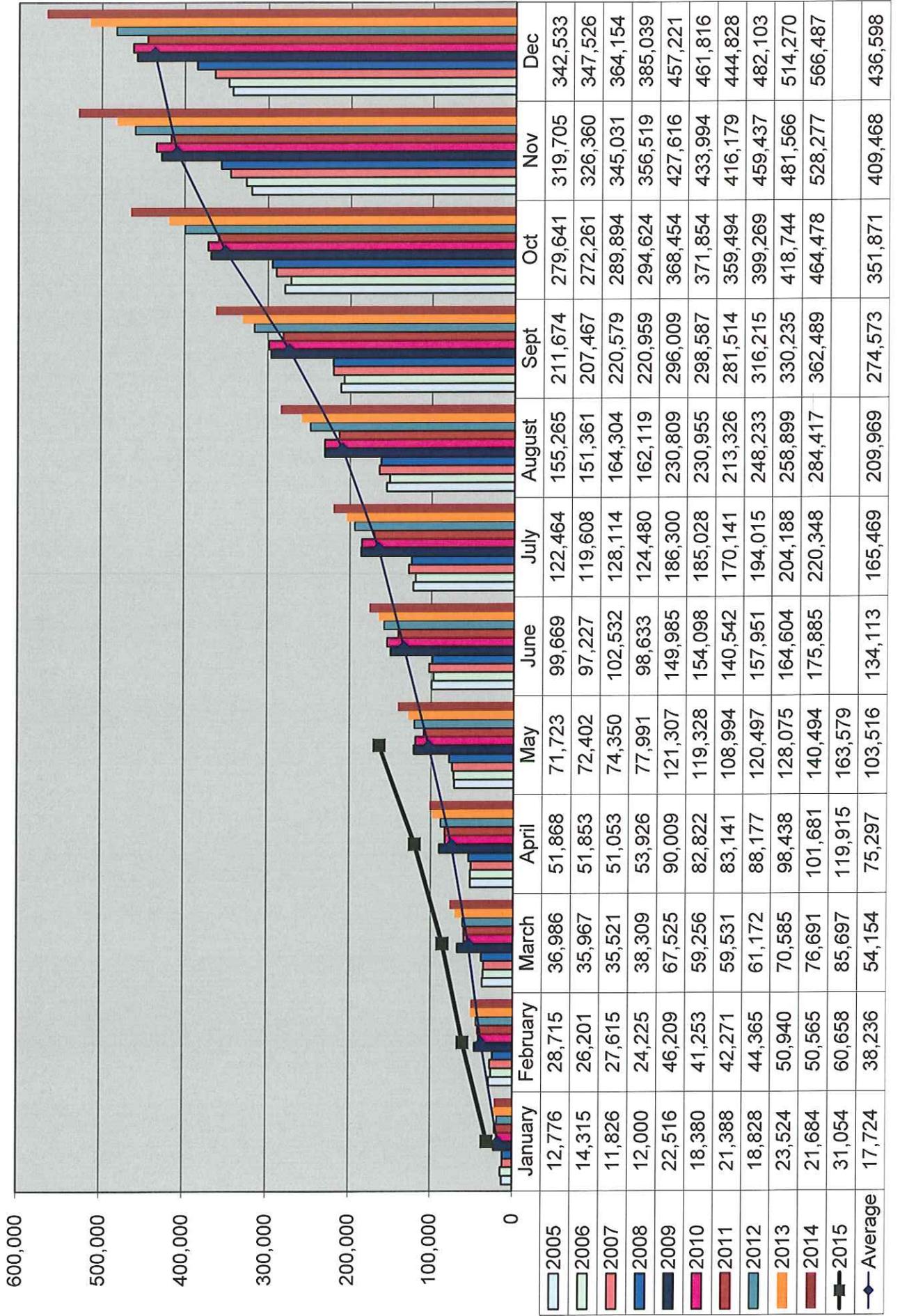


**TAB – H**

# Sales Tax Collections



## Lodging Tax Collections



**2015 May Staff Report**  
**Tourism & Events Department**

**SummerFest:**

- Confirming Entertainment and hosted first SummerFest Weekend.
- Social Media outlets for marketing the activities and performers.
- Distributing Rack Cards for the schedule of events.
- Met with several performers for entertainment.
- Hosted the first sidewalk chalk art contest of the season (25 people participated).
- Continuing to prepare safety information for upcoming safety weekends.
- Assisted David in setting up the new sound system for the stage.
- Continuing to create material for the upcoming themed weekends.
- Took First Aid/CPR Class at Fire District #1. Passed.
- Hosting bands from Adrift through our Partnership.

**Long Beach Marketing/Tourism Promotion:**

- Trolley marketing design/artwork discussion.
- Discussed using the Trolley with folks from WorldMark.
- Has phone conversation and email with Carol Zahorsky regarding upcoming press releases and festivals.
- Creating Info Welcome bags for groups going to conventions and trade shows.
- Attended the Ocean Park Area Chamber Meeting.
- Attended the Long Beach Peninsula Visitors Bureau Meeting.
- Attended the EDC South meeting.
- Working with a local group for a GEO caching event taking place in September.
- Renting & scheduling out the Train Depot.
- Renting & scheduling of the Trolley for Weddings/Special Events.

### **Long Beach Package Travel:**

- Hosted a meet and greet with Bellevue School Students and the Mayor regarding Lewis & Clark.
- Hosted a meet and greet with 60+ School Students from Bend, Oregon studying the area. They come to the Long Beach Peninsula every 3 years.
- New web changes being made.
- Working with a Tour Operator out of New Mexico regarding her July visit.
- New itineraries are being created.
- New Social Media Page has been created.
- Preparing to host a Tour Operator for a FAM Tour in June from Canada.
- Working with Groups Today and Courier for marketing Long Beach Package Travel.
- Chairing the WA State NTA Delegation for 2015-2016 Package Travel Convention. This is my second year of chairing.

### **Cruise Ships:**

- To date 350 people have come to the Washington side of the river off the Queen to utilize our services.
- Working with Lori Kulp from Lor's Tours to help get passengers around the area.
- Creating Welcome Info bags for groups coming off the cruise ship.
- Linblad will be coming in the fall.

### **Festivals & Events:**

- Assisted in Loyalty Days preparation.
- Met with SandSations gals to discuss the event.
- Met with Holli at the Kite Museum regarding Kite Festival and the Trolley.
- Called and made arrangements for Porta Potties for Surf Perch and Loyalty Days.
- Met with the City Crew regarding festival logistics checklist for May/June Festivals.

- Ordered and purchased “FIREWORKS” banner for the City.
- Turned in Application for Come Play on Labor Day Parade
- Turned in Application for Ocean Park 4<sup>th</sup> of July Parade

**Columbia Pacific Farmers Market:**

- Assisted in distributing Rack Cards for the event.
- Referred new vendors to Katie for the market.
- Assisted with Social Media outlets for the market.
- Took Food handlers card test & passed.

**Long Beach Merchants Association:**

- Attended the regular monthly meeting.
- Attended the board meeting regarding festivals.
- Participated in an anti-Harassment Class via City Hall.
- Attended City Staff Meetings as scheduled.

**STATE OF WASHINGTON**  
**Public Water System**  
**Operating Permit**

The Department of Health Office of Drinking Water issues a permit to operate

**LONG BEACH WATER DEPARTMENT (ID# 48000 M.)**

to owner: **LONG BEACH, CITY OF** County: **PACIFIC**

LONG BEACH, CITY OF  
PO BOX 310  
LONG BEACH, WA 98631

This Permit is valid through **May 2016**

**PERMIT CATEGORY: \*\*\*\* Green \*\*\*\***

The permit category may be modified or the permit revoked subject to water system compliance with applicable State of Washington drinking water rules and regulations and the following statements:

The system operating permit color category is based on information on file with the Department at the time this permit was printed.

System is substantially in compliance with applicable drinking water requirements.





## Guidelines for using wind-powered vehicles on Washington's ocean beaches

On March 26, 2015 the Washington State Parks and Recreation Commission approved the use of wind-powered vehicles on portions of Parks-managed ocean beaches. Wind-powered vehicles include kite buggies, blo-karts, kite boards and other wind/sand sailing recreational vehicles.

Wind-powered vehicles are allowed—subject to certain conditions and seasonal restrictions—in designated areas on **Long Beach**, **South Beach** and **North Beach** in Pacific and Grays Harbor counties. Maps are available at park kiosks and in park offices. Please consult the use-area maps before you head out. Using wind-powered vehicles on unauthorized portions of the beach is subject to citation.

The rules for wind-powered vehicle use include:

- The State Parks Director establishes the areas on the beach where use can occur.
- The maximum speed limit for wind-powered vehicles is 25 mph.
- Use is limited to the hard sand portion of the beach.
- Use can occur from sunrise to sunset, unless otherwise restricted.
- During recreational razor clam digs, use is prohibited from three hours before the published low tide until three hours after the published low tide.
- A minimum age of 16 is required for operation. Those under 16 must be accompanied by a person 16 years of age or older.
- Wind-powered vehicles must yield right-of-way to all pedestrian, equestrian and vehicle traffic.
- Wind-powered vehicles cannot be operated in a reckless manner, including weaving through congested pedestrian, equestrian or vehicular traffic; operating unnecessarily close to other users of the beach; or recklessly swerving at the last possible moment to avoid collision.



Blo-karts.



Kite buggy. Photo: Donna Lokhorst

For more information, please speak to the park manager or contact Randy Kline, project manager, at [randy.kline@parks.wa.gov](mailto:randy.kline@parks.wa.gov) or (360) 902-8632.

**David Glasson**

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**From:** Trautmann, Cara [Cara.Trautmann@charter.com]  
**Sent:** Thursday, May 21, 2015 4:52 PM  
**Subject:** Notice from Charter Communications - Programming Changes



Charter strives to provide products and services that deliver value and enhance our customers' experience. We also place significant value on our relationship with you and your community.

This is to inform you that on or after June 20, 2015, Charter will be transitioning the following change from an East Coast feed to a West Coast feed. Listed below will be their new channel location:

Channel Name	Channel #
FYI	112
H2	130
LMN	190
Nicktoons Network	106
Teen Nick	104

Bill messages will be sent to those Customers that are part of these launches and changes. Customers with questions are encouraged to call **1-888-GET CHARTER**. The complete channel lineup will be available for review at: [www.charter.com/channellineup](http://www.charter.com/channellineup). Please contact me with any questions or comments you may have at [cara.trautmann@charter.com](mailto:cara.trautmann@charter.com).

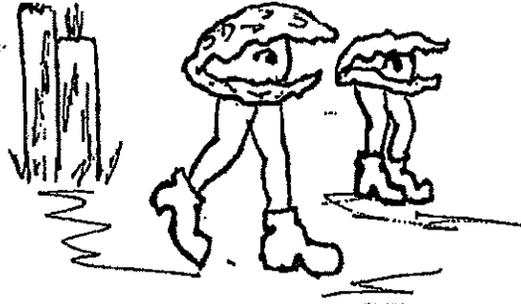
Sincerely,

Cara



**Cara Trautmann** | Government Affairs | 360.258.5104  
222 NE Park Plaza Drive, Suite 231 | Vancouver, WA 98684

Lineup: Astoria, OR (Non-rebuild), CG, OR (Non-rebuild); Dallas, OR; Douglas Co, OR; Baker, OR



June 1, 2015

Greetings from Willapa Harbor!

As usual, South Bend will be hosting a celebration on Labor Day weekend, September 5<sup>th</sup> through September 7<sup>th</sup>, 2015. We are hoping that you will be able to come to South Bend that weekend to help us celebrate. The Grand Parade is on Sunday, September 6<sup>th</sup>, and the theme this year is "Oyster "Rocker" feller". The theme is all about rock and roll music and the item Willapa Bay is famous for – Oysters!

We have had some very successful celebrations in the past and each year we try to hold a bigger & better celebration. Some of the popular events returning again this year, besides the much loved Grand Parade, will include kid's day activities, kayaking on the river, a baseball tournament, oyster opening and eating contests, a pancake breakfast, food & crafts vendors, live music, duck races, a fishing derby, and the ever popular fireworks. New this year will be a mini-triathlon on Monday comprised of a run, a bike, and a kayak leg. The Grand Parade and the fireworks display on Sunday are our two main events. We hope you will join us to make this year's parade a spectacular attraction. As always, we anticipate a large crowd for both of these events. South Bend will be spraying for mosquitoes the day before the parade (unless it's pouring down rain - which we hope it's not!).

Attached is a parade entry form. Be sure to let us know how many participants you expect with your group. This will help us get a better idea of the amount of refreshments needed following the parade. We will be handing out hot dogs and water after the parade this year. Please complete this form and return it to us "as soon as possible" so we can get our mapping and scheduling completed and packets made up for you when you arrive. Please make sure you give us a contact person, telephone number and/or email address.

Thank you and we hope to see you in our Grand Parade. If you have any questions, you may contact the Parade Chairperson, Julie Struck at (360) 875-5571 or (360) 875-6372.

Sincerely,

Julie Struck

**ENTRY BLANK – LABOR DAY GRAND PARADE  
SUNDAY –SEPTEMBER 6, 2015  
SOUTH BEND, WASHINGTON  
(1:00 PM)**

Please complete and return to:  
Labor Day Committee  
c/o Julie Struck  
PO Drawer 9  
South Bend, WA 98586  
360-875-5571/FAX 360-875-4009

THEME: OYSTER “ROCKER” FELLER

Entry Deadline: August 28, 2015  
(To be eligible for judging)

**All floats to be judged begin at 11 AM**

Name of Group: \_\_\_\_\_

Person in Charge: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email address: \_\_\_\_\_

(INDICATE CATEGORY TO INSURE ACCURATE JUDGING)

**CAR/VEHICLES:**      Antique      Classic      Other      Year \_\_\_\_\_ Model \_\_\_\_\_

**CAR CLUBS:**      Club Name \_\_\_\_\_ # of Cars \_\_\_\_\_

**CLOWNS:**      Commercial      Senior      Junior      Other

**COLOR GUARD      DRILL/FLAG TEAMS      MARCHING UNIT**

**FLOATS:**      Commercial/Business      Community      Fraternal

**MOUNTED UNITS:**      Senior      Junior      Other      Must have pooper-scooper

**NOVELTY:** \_\_\_\_\_ (A unit that does not fit in the above  
Listed categories)

Does entry have Noise/Music? \_\_\_\_\_ Length of Entry \_\_\_\_\_ ft.

**Number of Participants?** \_\_\_\_\_

We assume all responsibility of entry in your parade and will hold harmless the Labor Day Committee, the Willapa Harbor Chamber of Commerce, or any allied organization, including the City of South Bend, for any injuries, damages or mishaps which may occur during the 2015 Willapa Harbor “Come and Play On Labor Day” Grand Parade. To prevent possible injury, no candy will be thrown from moving vehicles; it may be distributed by attendants walking along with the units. Also, all entries are required to stay in the lane designated for the parade and not cross into the lane used for through traffic.

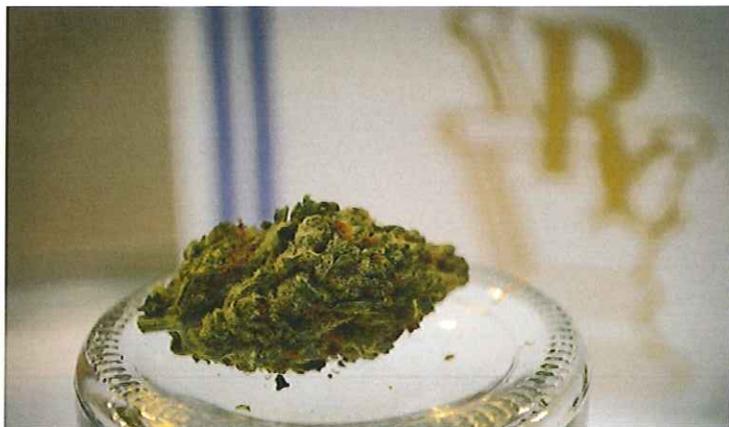
Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_



## Medical Marijuana Reform Legislation Enacted

May 14, 2015 by [Jim Doherty \(/Home/Stay-Informed/MRSC-Insight.aspx?aid=105\)](#)

Category: [Recreational and Medical Marijuana \(/Home/Stay-Informed/MRSC-Insight.aspx?catID=109&cat=Recreational and Medical Marijuana\)](#), [2015 Legislation \(/Home/Stay-Informed/MRSC-Insight.aspx?catID=224&cat=2015 Legislation\)](#)



Here's a toast to the Washington State Legislature! On Friday, April 24, Governor Jay Inslee approved, with several section vetoes, [Second Substitute Senate Bill 5052 \(http://lawfilesex.leg.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf\)](#) (2SSB 5052), which significantly revamps the entire medical marijuana structure in Washington. This legislation -- named the "Cannabis Patient Protection Act" -- was sorely needed. The legislation is lengthy (72 pages), partly because

of its complexity and partly because it amends numerous existing statutes. [Section 2 \(http://lawfilesex.leg.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=2\)](#) of 2SSB 5052 provides a good statement of its intent, and the [Final Bill Report \(http://lawfilesex.leg.wa.gov/biennium/2015-16/Pdf/Bill%20Reports/Senate/5052-S2%20OSBR%20FBR%2015.pdf\)](#) provides an excellent, detailed summary of its provisions.

First, a nomenclature change: the relevant statutes ([chapter 69.51A RCW \(http://app.leg.wa.gov/rcw/default.aspx?cite=69.51A\)](#)) previously referred to "medical cannabis" throughout, but they are now amended to refer to "medical marijuana." However, the Legislature was not consistent with this change in how it named this legislation and in how it renamed the Washington State Liquor Control Board as the Washington State Liquor and Cannabis Board, presumably so that the board could retain the same initials, LCB.

The entire medical marijuana system will now be under the jurisdiction of the LCB, and state licenses will be required for anyone making retail sales of medical marijuana or growing or processing medical marijuana for retail sale. Businesses now operating as medical marijuana collective gardens and dispensaries will have to make the shift to operating as licensed marijuana businesses, with all of the record-keeping now applicable to recreational marijuana producers, processors, and retailers. If a recreational marijuana store chooses to obtain an LCB endorsement as a retailer of medical marijuana, the retail staff will need to be trained on various aspects of medical marijuana. See [Section 37 \(http://lawfilesex.leg.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=55\)](#) of 2SSB 5052.

The LCB will be busy over the coming year, as will many of the medical marijuana businesses that have flourished in some jurisdictions around the state since even before the passage of I-502. It has been a free-for-all out there, and this legislation is a significant game-changer. [Section 6 \(http://lawfilesex.leg.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=13\)](#) of 2SSB 5052 provides standards for the LCB to conduct a "comprehensive, fair, and impartial evaluation of the applications timely received." The LCB is authorized to determine how much additional marijuana plant canopy will need to be developed to provide for the growing of

medical marijuana, and the LCB will be determining how many additional retail stores will be needed to provide access to medical marijuana by qualifying patients or their caregivers. The LCB must reopen the license period for retail stores and allow for additional licenses to be issued to address the needs of the medical market. However, nothing in the statutes has changed regarding the authority of local governments to adopt and enforce zoning provisions relating to marijuana uses.

The Legislature included significant protections for medical marijuana patients who voluntarily sign up for the state medical marijuana registry after meeting the stricter requirements for being certified as a medical marijuana patient; see [Sections 17](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=30) (<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=30>) through 21 of 2SSB 5052. Qualifying patients will be issued "recognition cards." Information from the state registry database regarding who is on the database will be exempt under the Public Records Act, except as necessary for retail sales and criminal justice purposes; see [Section 22 and 23](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=44) (<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=44>) of 2SSB 5052.

The statutes regarding "collective gardens" are repealed, effective July 1, 2016; see [Section 49](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=71) (<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=71>) of 2SSB 5052. The legislation instead provides for LCB-certified "cooperatives" with a maximum of four patients or designated providers - and there will be a 60-day waiting period between adding new members. See [Section 26](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=47) (<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=47>) of 2SSB 5052 for the details on these LCB-registered growing cooperatives. The location of the cooperative must be registered with LCB, but cooperatives are permitted only if they are at least one mile away from a marijuana retailer. A cooperative can have up to four patients or designated providers and a maximum of 60 plants and 72 ounces of useable marijuana. (No more than 15 plants may be grown in a housing unit, unless the housing unit is the location of a cooperative.)

Cities and counties should review their existing zoning regulations regarding collective gardens - which will by July 2016 either have to become cooperatives or cease operation - and recreational marijuana uses to ensure they are consistent with this legislation and with rules to be adopted by the LCB to implement it. And, once the revised system is functioning, with the LCB having the primary enforcement role, local governments can play a role in assisting with oversight and enforcement of the LCB-registered cooperatives; see subsection (7) of [Section 26](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=47) (<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=47>) and subsection (3) of [Section 27](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=49) (<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=49>), the latter of which states:

Cities, towns, counties, and other municipalities may create and enforce civil penalties, including abatement procedures, for the growing or processing of marijuana and for keeping marijuana plants beyond or otherwise not in compliance with this section.

So, local governments may want to consider their enforcement role beyond that of ensuring compliance with zoning regulations.

The legislation has 52 sections (though the Governor vetoed seven of those), and there are three different effective dates for the various sections. (As passed by the Legislature, this bill was not to be effective unless a companion bill, [HB 2136](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/House%20Bills/2136-S2.E.pdf) (<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/House%20Bills/2136-S2.E.pdf>), was enacted by October 1, 2015, but the Governor vetoed that section.) Here is a brief summary for the effective dates of some of the key provisions.

#### Effective Immediately:

1. Creation of the secure, confidential medical marijuana authorization database ([Section 21](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=39) (<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=39>));
2. An exemption for disclosure of database information is added to the public records act ([Section 22](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=44) (<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=44>));

(<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=44>); and

3. Controlled purchase programs to make sure minors are not purchasing marijuana at licensed stores ([Section 33 \(http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=53\)](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=53)).

#### Effective July 24, 2015:

1. More detailed standards for the LCB when evaluating applications for marijuana licenses ([Section 6 \(http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=13\)](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=13));
2. Authorization for the LCB to determine increased production capacity for medical marijuana and increased retail stores ([Section 8 \(http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=20\)](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=20)); and
3. Requirement for recreational stores to obtain LCB endorsement if they intend to sell medical marijuana ([Section 10 \(http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=24\)](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=24)).

#### Effective July 1, 2016:

1. Detailed requirements for staff training at any retail store selling medical marijuana; training for entering information into confidential patient database ([Section 12 \(http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=26\)](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=26));
2. Qualified medical marijuana patients who have a current recognition card cannot be arrested for possession or delivery of marijuana offenses if they are in compliance with the medical marijuana laws ([Section 24 \(http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=45\)](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=45));
3. Qualified medical marijuana patients or designated caregivers who are not entered into the state database and who do not have a recognition card can raise their status as a medical marijuana patient as an affirmative defense at trial if prosecuted ([Section 25 \(http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=46\)](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=46));
4. Details regarding cooperatives formed by up to four medical marijuana patients or designated caregivers ([Section 26 \(http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=47\)](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=47)); and
5. Repeals all provisions regarding what were known as "collective gardens" ([Section 49 \(http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=71\)](http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5052-S2.SL.pdf#page=71)).

One important goal of this legislation is to meet the concerns of the federal government as expressed in the "Cole memo (<https://www.documentcloud.org/documents/781805-doj-marijuana-memo.html>)" and to move toward an integrated marijuana industry in the state with uniform regulations and accountability. As a result of this legislation, there will be an increase in the number of licensed retail stores, and it is very likely that this increase will decrease the amount of unregulated and untaxed marijuana being sold in the state. As the marijuana industry matures there will be fluctuations in the supply and demand, but the retail price of licensed marijuana product should move lower and be more competitive with prices offered by illegal street dealers.

Will these new regulations motivate additional cities and counties to repeal their prohibition ordinances and allow licensed marijuana businesses? Time will tell. If the marijuana industry matures into a responsible, tax-paying segment of our communities and provides convenient access to certified and tested products, I would not be surprised if more jurisdictions choose to cooperate with this innovative approach.

Image courtesy of [Dank Depot \(https://www.flickr.com/photos/dankdepot/5376905335/\)](https://www.flickr.com/photos/dankdepot/5376905335/)



## About Jim Doherty

Jim has over 20 years of experience researching and responding to varied legal questions at MRSC. He updates MRSC's Public Records Act publication and has special expertise in transmission pipeline planning issues, as well as the issues surrounding medical and recreational marijuana.

[VIEW ALL POSTS BY JIM DOHERTY ▶ \(/Home/Stay-Informed/MRSC-Insight.aspx?aid=105\)](/Home/Stay-Informed/MRSC-Insight.aspx?aid=105)

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## Comments

0 comments on Medical Marijuana Reform Legislation Enacted

Blog post currently doesn't have any comments.

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## David Glasson

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**From:** Lisa Knapton [lisak@wciapool.org]  
**Sent:** Tuesday, May 19, 2015 9:55 AM  
**To:** David Glasson  
**Subject:** RE: Sign in Sheet from Training today.  
**Attachments:** Form-Delegate Job Description (rev 2015).docx

David:

It was my pleasure! I thoroughly enjoyed providing the training. Your staff was fantastic. They asked a lot of questions, which is great. Shows they were listening. Thank you for sending the sign-in sheet. I have sent back to you our Delegate/Alternate assignment form. Since Gene was the alternate and has left the City, you will need to assign a new Alternate. I can come out and provide a new alternate orientation when you are ready, as well. Thank you for the hospitality yesterday.

Best regards,

*Lisa*

Lisa Knapton  
Sr. Risk Management Representative



PO Box 88030  
Tukwila, WA 98138  
Phone: (206) 687-7899  
Fax: (206) 575-7426

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**From:** David Glasson [<mailto:dglasson@longbeachwa.gov>]  
**Sent:** Monday, May 18, 2015 2:12 PM  
**To:** Lisa Knapton  
**Subject:** Sign in Sheet from Training today.

Lisa,

It was nice to see you again and thanks for the good training.

David



Affordable Housing Apartments - Affirmative Fair Housing Marketing

May 2015

Mayor
City Hall
City of Long Beach
Long Beach, WA 98631

Dear Mayor:

As part of our Affirmative Fair Housing Marketing Plan, every year we make a special outreach effort to organizations, such as yours, describing the low-income housing apartment project that provides affordable housing in your area. The apartments listed below are accessible to all groups regardless of race, color, religion, sex, handicap, familial status, and/or national origin. The properties below are Elderly properties. The requirements are that the tenant must be either 62 years of age or handicapped at any age for the elderly project.

The requirements to qualify are:

Gross family income not to exceed:
1 Person \$37,900 Annually
2 Persons \$42,550 Annually
3 Persons \$47,150 Annually
4 Persons \$51,800 Annually
5 Persons \$55,500 Annually

Rent based on 30% of adjusted family income or basic rent, whichever is greater. No one is required to pay more than market rent.

The following are the apartment complexes we manage, showing the address, basic and market rents, and the names of the managers.

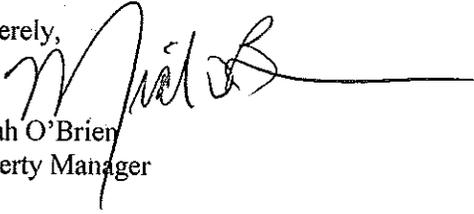
Pacific Place Apartments
208 Central Avenue
South Bend, WA 98586
Rental Range \$0 - \$829 (23) 1-bedroom apartments
\$0 - \$854 (1) 2-bedroom apartments
21 of the 24 units have rental assistance available
Mgr: Robbie Buchanan
(360) 875-6027

Westwind Manor Apartments
301 SW 10th St.
Long Beach, WA 98631
Rental Range \$0 - \$839 (34) 1-bedroom apartments
33 of the 34 units have rental assistance available
Mgr: Ralph & Glenda Crawford
(360) 642-4658



Any referrals should call or write the apartment managers.

Sincerely,

A handwritten signature in black ink, appearing to read "Micah O'Brien", followed by a horizontal line extending to the right.

Micah O'Brien  
Property Manager

"This institution is an equal opportunity provider and employer"

"We are pledged to the letter and spirit of U.S. policy for the achievement of equal housing opportunity throughout the Nation. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex, or national origin."