



City of Tacoma

Committee of the Whole Minutes

747 Market Street Tacoma, WA 98402

9th Floor Visibility Center

February 17, 2015

3:00 PM

Call To Order

Mayor Strickland called the meeting to order at 3:09 p.m.

Present: 5 - Boe, Ibsen, Mello, Woodards and Strickland

Absent: 4 - Campbell, Lonergan, Thoms and Walker

Council Member Lonergan arrived at 3:10 p.m.

Council Member Thoms arrived at 3:12 p.m.

Briefing Items

1. [15-0152](#) Unlicensed Marijuana Businesses - Enforcement Strategy Update

Mayor Strickland discussed her overall philosophy regarding medical marijuana, legitimate medical marijuana stores, help from the Washington State Legislature, having a regulatory environment, and the possibility of the City of Tacoma coming up with their own regulations based on the model for recreational marijuana.

Council Member Lonergan arrived here, at 3:10 p.m.

City Attorney Elizabeth Pauli recapped the discussion so far regarding unlicensed marijuana operation.

Council Member Thoms arrived here, at 3:12 p.m.

Ms. Pauli stated in December 2014 enforcement options were discussed and the City Council received staff recommendations of “full enforcement” or closure of all unlicensed marijuana operations. She stated that subsequent to that in January 2015 there was a public hearing on enforcement strategy and from January – February 2015, 24 marijuana- related bills have been introduced in the Legislative Session.

City Attorney Pauli stated that today’s Committee of the Whole session is to

provide an opportunity to remind the City Council what the enforcement strategy is and what the proposed timeline is and then allow the City Council to have a discussion about whether there are any concerns on what has transpired or the timeline.

Ms. Pauli then reviewed the basic timelines for the next steps which included the 90 day letter, the summary suspension process, letters, and hearings.

Discussion ensued regarding the appeal process, summary suspensions, waiting to see what the State Legislature decides to do, “staying” the letters from going out, anticipated timelines for the State Legislature, collective gardens, moving ahead and shutting down all stores or waiting until there is resolution from the Senate.

City Manager T.C. Broadnax discussed the definitions and clarified “regulatory” versus what is done through zoning and land use.

Discussion ensued regarding the timeline for sending the cease and desist letters, businesses explaining what they are doing in response to the letters, how to accommodate people who have come to rely on these businesses for their medical need, enforcement and length of the time of the 90-day letter, and the perception of and clarity with the letters.

Discussion continued regarding the fairness and the balance of the owners of stores who have gone through all the regulatory requirements and legitimate patients access to a product they medically need.

City Attorney Pauli acknowledged the considerations on the table which are the impact on existing businesses to legitimate patients, and the Legislature acting or not acting.

Discussion ensued regarding nuisance complaints being processed which may or may not result in business closure for a period of time in the instance of an appeal.

Ms. Pauli reminded the City Council that at this point this is an administrative matter and that she will discuss with the City Manager about not sending the letter tomorrow and a revised timeline. She stated that a date will be set to revisit with the City Council a revised enforcement strategy that will take in the progress of the Legislature and any other intervening events.

Mayor Strickland encouraged the City Council Members to discuss this issue with their Legislators.

Discussion ensued regarding the appeal process. City Attorney Pauli stated that the appeals that are still out there are at the Court of Appeals or Supreme

Court level.

Mayor Strickland reviewed the number of recreational stores and medical stores which she thought would be a good number and would be geographically disbursed.

Discussion ensued regarding Second Substitute Washington State Senate Bill 5052 which asked the Liquor and Cannabis Board to reconsider the appropriate number.

Council Consideration Requests

There were no Council Consideration Requests.

Committee Reports

There were no Committee Reports.

Other Items of Interest

There were no other items of interest.

Adjournment

On proper motion, the meeting was adjourned at 4:11 p.m.

Marilyn Strickland, Mayor

Doris Sorum, City Clerk