



Legislation Text

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**File #: RES-38706, Version: 1**

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Req.#13583

RESOLUTIONNO. 38706

1 A RESOLUTION relating to community and economic development; authorizing the  
2 execution of an interlocal agreement with the Port of Tacoma for review and  
3 authorization of a flexible approach to the provision of shoreline public  
4 access under the City's Shoreline Master Program.

5 WHEREAS, under the City of Tacoma's current Shoreline Master Program  
6 ("SIVIP"), the Port of Tacoma ("Port") is required to provide public access as  
7 mitigation for using shoreline areas in a manner that preempts public use, and

8 WHEREAS the existing rules have often exempted Port development  
9 projects from this requirement, and

10 WHEREAS, under new state rules, once the City's adopted SMP is approved  
11 by the State Department of Ecology, this exemption will no longer be available, and

12 WHEREAS, given the limited opportunities to provide high quality public  
13 access on Port property, the new SMP authorizes the City to enter into agreements  
14 with the Port and other public agencies for public access provision geographically  
15 separate from the new development site, including the use of a public access fund  
16 and an in-lieu fee, and

17 WHEREAS on July 10, 2012, Port of Tacoma staff presented a draft Port of

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20 Tacoma Public Access Plan at a joint City Council-Port Commission study session,

21 and, as a result of the discussion, the City and the Port formed a joint committee

22 consisting of two Councilmembers and two Commissioners with the aim of building

23 consensus for an interlocal agreement regarding Port public access priorities and

24 proposed projects, and

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WHEREAS the joint committee prepared a draft interlocal agreement that

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was presented at a joint City Council/Port Commission study session on June 1 1,

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2013, and

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5 WHEREAS, upon finalization of the City of Tacoma Shoreline Master

6 Program, the adoption of this resolution will authorize the City Manager to execute

7 an interlocal agreement between the City of Tacoma and the Port of Tacoma that

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will: (1) provide a mechanism to better ensure that public access mitigation for

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10 individual Port projects can help create an integrated, connected public access

11 system; (2) identify shared priority public access projects in locations that will be

12 well used and enjoyed by the public; (3) streamline permitting for both the Port and

13 private applicants; (4) provide certainty to the City, Port, and private sector partners

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over the 10 years of the proposed agreement; and (5) provide a methodology for

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16 the use of a public access fee-in-lieu that can be utilized by both the Port and

17 private parties; Now, Therefore,

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

19 That upon finalization of the City of Tacoma Shoreline Master Program, the

20 proper officers of the City are hereby authorized to enter into an Interlocal

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22 Agreement with the Port of Tacoma for review and authorization of a flexible

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approach to the Shoreline Public Access Provision, said document to be

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substantially in the form of the interlocal agreement on file in the office of the City

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Clerk.

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5 Adopted AUG 6 2013

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Mayor

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Attest:

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11 City Clerk

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13 Approved as to form:

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16 Deputy City A@lrhey

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CITY CLERK USE ONLY

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1. DATE: JULY 12,2013

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2. SPONSORED BY: mayor Strickland and Councilmember Mello

3a. REQUESTING DEPARTMENT/DIVISION/PROGRAM PDS/Planning Services	4a. CONTACT (for questions): Ian Munce	PHONE: 573-2478
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3b. "RECOMMENDED FOR ADOPTION" FROM F-1 Yes F-1 No	4b. PERSON PRESENTING: Stephen Atkinson	PHONE: 591-5531
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E:1 To Committee as information only  
E Did not go before a Committee

3c. DID THIS ITEM GO BEFORE THE PUBLIC UTILITY BOARD?	4c. ATTORNEY: 591-5638	PHONE:
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F-1 Yes, on Not required Jeff Capell

N/A

Division Budget Officer/Finance Director  
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5. REQUESTED C-OCNCIL DATE: August 6, 2013

(If a specific council meeting date is required, explain why; i.e., grant application deadline, contract expiration date, required contract execution date, public notice or hearing required, etc.)

This specific date is requested as a follow up to a joint City of Tacoma/Port Commission study session that was held on June 11, 2013.

6. SUMMARY AGENDA TITLE:

Interlocal Agreement Authorizing a Flexible Approach to Shoreline Public Access Provision Between the City of Tacoma and the Port of Tacoma.

7. BACKGROUND INFORMATION/GENERAL DISCUSSION:

This Resolution will authorize the City Manager, upon finalization of the City of Tacoma Shoreline Master Program, to execute an interlocal agreement between the City of Tacoma and the Port of Tacoma that will:

- ? Provide a mechanism to better ensure that public access mitigation for individual Port projects can help create an integrated, connected public access system;
- ? Identify shared priority public access projects in locations that will be well used and enjoyed by the public;
- ? Streamline permitting for both the Port and private applicants;
- ? Provide certainty to the City, Port and private sector partners over the 10 years of the proposed agreement;
- ? Provide a methodology for the use of a public access fee-in-lieu that can be utilized by both the Port and private parties.

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Office of the City Clerk (711212013)

REQUEST (CONT)

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Ord/Res 3-8706

Under the current State/City Shoreline Master Program (SMP) the Port is required like other permit applicants to provide public access as mitigation for using shoreline areas in a manner that preempts public use. However, the existing rules have often exempted Port development projects from this requirement. Under new State rules, though, once the City's adopted Shoreline Master Program is approved by the State Department of Ecology, this exemption will no longer be available. Given the limited opportunities to provide high quality public access on Port property, the new SMP authorizes the City to enter into agreements with the Port (and other public agencies) for public access provision geographically separate from the new development site, including the use of a public access fund and an in-lieu fee.

On July 10, 2012 Port of Tacoma staff presented a draft Port of Tacoma Public Access Plan at a joint City Council/Port Commission study session. As a result of the discussion at the joint study session, the City and the Port formed a joint committee consisting of two Councilmembers and two Commissioners with the aim of building consensus for an interlocal agreement regarding Port public access priorities and proposed projects. The joint committee prepared a draft interlocal agreement that was presented at a joint City Council/Port Commission study session on June 11, 2013.

8. LIST ALL MATERIAL AVAILABLE AS BACKUP INFORMATION FOR THE REQUEST AND INDICATE WHERE FILED:

Source Documents/Backup Material	Location of Document
Locally-approved Shoreline Master Program	Municipal Building, Room 345
Interlocal Agreement	Municipal Building, Room 345

9. WHICH OF THE CITY'S STRATEGIC GOALS DOES THIS ITEM SUPPORT? (CHECK THE GOAL THAT BEST APPLIES)

- A. Fj A SAFE, CLEAN AND ATTRACTIVE COMMUNITY
- B. EI A DIVERSE, PRODUCTIVE AND SUSTAINABLE ECONOMY
- C. 0 A HIGH-PERFORMING, OPEN AND ENGAGED GOVERNMENT

10. IFT HIS CONTRACT IS FOR AN AMOUNT OF \$200,000 OR LESS, EXPLAIN WHY IT NEEDS LEGISLATIVE APPROVAL:

11. FINANCIAL IMPACT: EI EXPENDITURE EI REVENUE

- A. M No IMPACT (NO FISCAL NOTE)
- B. DYES, OVER \$ 1 00,000, Fiscal Note Attached
- C. EI YES, UNDER \$ 1 00,000, (NO FISCAL NOTE)  
Provide funding source information below:

FUNDING SOURCE: (Enter amount of funding from each source)

Fund Number & Name: State \$ city \$ Other \$ Total Amount

If an expenditure, is it budgeted? F1 Yes F1 No Where? Cost Center:

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Office of the City Clerk (0513112013)

Resolution No. 3 8706  
Adopted: AUG - 6 2013  
Maker of Motion:  
Seconded:

Voice Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Mr. Boe				
Mr. Campbell				
Mr. Ibsen				
Mr. Lonerqan				
Mr. Mello				
Mr. Thoms				
Ms. Walker				
Ms. Woodards				
Mayor Strickland				

Roll Call Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Mr. Boe				
Mr. Campbell				
Mr. Ibsen				
Mr. Lonerqan				
Mr. Mello				
Mr. Thorns				
Ms. Walker				

Ms. Woodards  
Mayor Strickland

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