

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
FEBRUARY 24, 2004**

930 TACOMA AVENUE SOUTH, ROOM 1045  
TACOMA, WASHINGTON 98402  
(253) 798-7777 -- FAX: (253) 798-7509 -- TDD: (253) 798-4018  
[www.co.pierce.wa.us/council](http://www.co.pierce.wa.us/council)

**(Note: These minutes are not verbatim. Recorded tapes are available upon request.)**

**I. CALL TO ORDER**

The regular meeting of the Pierce County Council was called to order at 3:07 p.m. by Chair Moss.

**II. PLEDGE OF ALLEGIANCE TO THE FLAG**

The pledge was led by Moss, followed by a Moment of Silence in tribute to our men and women in the Military.

**III. ROLL CALL**

Councilmembers Present: Shawn Bunney, Barbara Gelman, Calvin Goings, Terry Lee, Harold Moss, Dick Muri, and Kevin Wimsett.

Council Staff Present: Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Operations; Tom Weber, Administrator for Research and Policy; Carolyn Pendle, Research Analyst; Steve Gross, Deputy Legal Counsel; Hugh Taylor, Research Analyst; and Leslie Swalley, Councilmember Assistant.

There were approximately 20 visitors present.

**IV. APPROVAL OF AGENDA**

Wimsett moved approval of the Agenda; motion seconded and passed on a voice vote.

**V. CONSENT AGENDA**

a. Approval of Minutes

Pierce County Council Meeting  
February 24, 2004

- b. Action on Ordinances (refer, set date of hearing)
1. PROPOSAL NO. 2003-104s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL UPDATING THE GROWTH MANAGEMENT ACT POPULATION ALLOCATIONS TO THE CITIES, TOWNS, AND UNINCORPORATED AREAS OF PIERCE COUNTY FOR THE YEAR 2022; AND ADOPTING FINDINGS OF FACT.  
Sponsored by: Councilmember Calvin Goings  
Contact person: Dan Cardwell, 798-7039  
DO PASS AS SUBSTITUTED RECOMMENDATION - COMMUNITY DEVELOPMENT COMMITTEE (Calvin Goings, Chair; Terry Lee, Vice Chair; Harold Moss, Member/excused; Dick Muri, Member; Kevin Wimsett, Member)  
Suggested date of Council hearing: March 30, 2004
  2. PROPOSAL NO. 2004-10, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO SYLVIA LAKE WATER SUPPLY, INC., FOR LOCATION OF WATERLINES ON CERTAIN COUNTY OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.  
Sponsored by: Councilmember Shawn Bunney  
Contact person: Jerry West, 798-3687  
For referral to the Economic & Infrastructure Development Committee
  3. PROPOSAL NO. 2004-11, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO RIVIERA COMMUNITY CLUB FOR LOCATION OF WATERLINES ON CERTAIN COUNTY OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.  
Sponsored by: Councilmember Shawn Bunney  
Contact person: Jerry West, 798-3687  
For referral to the Economic & Infrastructure Development Committee
  4. PROPOSAL NO. 2004-12, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 19C.10 OF THE PIERCE COUNTY CODE, PROCEDURES FOR AMENDMENTS TO THE COMPREHENSIVE PLAN, TO MODIFY THE LENGTH OF THE TIMELINE FOR COMPREHENSIVE PLAN AMENDMENT CYCLES; AND ADOPTING FINDINGS OF FACT.  
Sponsored by: Councilmembers Calvin Goings and Terry Lee  
Contact person: Anna Graham, 798-6253  
For referral to the Community Development Committee  
To be heard by the Community Development Committee on March 8, 2004

5. PROPOSAL NO. 2003-127, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 8.88.170 OF THE PIERCE COUNTY CODE, "RECKLESS OPERATION"; AND ADOPTING A NEW SECTION 8.88.165 OF THE PIERCE COUNTY CODE, "NEGLIGENT OPERATION".  
Sponsored by: Councilmembers Terry Lee, Shawn Bunney, and Barbara Gelman  
Contact persons: Jerry Lawrence at 798-4954 and Thomas Weber at 798-6067  
To be heard in the Public Safety & Human Services Committee on March 9, 2004  
Suggested date of Council hearing: March 23, 2004 (evening meeting)
  6. PROPOSAL NO. 2003-128s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 8.88.360 OF THE PIERCE COUNTY CODE, "PERSONAL WATERCRAFT."  
Sponsored by: Councilmembers Terry Lee, Shawn Bunney, and Barbara Gelman  
Contact persons: Jerry Lawrence at 798-4954 and Thomas Weber at 798-6067  
DO PASS AS SUBSTITUTED RECOMMENDATION - PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE (Barbara Gelman, Chair; Dick Muri, Vice Chair; Shawn Bunney, Member; Calvin Goings, Member; Terry Lee, Member)  
Suggested date of Council hearing: March 23, 2004 (evening meeting)
  7. PROPOSAL NO. 2003-134s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 8.88.040 AND 8.88.250 AND ADOPTING NEW SECTIONS 8.88.252 AND 8.88.254 OF THE PIERCE COUNTY CODE, "WATERCRAFT REGULATIONS" TO ADDRESS IMPOUNDMENT OF DERELICT OR ABANDONED VESSELS.  
Sponsored by: Councilmember Terry Lee  
Contact person: Thomas Weber, 798-6067  
To be heard by the Public Safety & Human Services Committee on March 9, 2004  
Suggested date of Council hearing: March 23, 2004 (evening meeting)
- c. Action on Resolutions (refer, set date of hearing)
1. PROPOSAL NO. R2003-142s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ACCEPTING THE "SPRINKER RECREATION CENTER MASTER SITE PLAN AND PRE-DESIGN, PHASE II REPORT", DATED JULY 31, 2003; ENDORSING THE ACTION PLAN; ESTABLISHING THE SEQUENCE AND TIMING OF STAGE 1, STAGE 2, FUTURE STAGE IMPROVEMENTS AND RESERVED PROGRAMS; ESTABLISHING OTHER ACTION ITEMS; AND REQUESTING THAT THE COUNTY EXECUTIVE AND PARKS AND RECREATION SERVICES DEPARTMENT SEEK ALTERNATIVE

FUNDING SOURCES TO IMPLEMENT THE STAGE 1 IMPROVEMENTS  
PRIOR TO THE 2005 BUDGET CYCLE.

Sponsored by: Councilmembers Kevin Wimsett and  
Barbara Gelman

Contact person: Joseph Scorcio, 798-4661

DO PASS AS SUBSTITUTED RECOMMENDATION - COMMUNITY  
DEVELOPMENT COMMITTEE (Calvin Goings, Chair; Terry  
Lee, Vice Chair; Harold Moss, Member; Dick Muri,  
Member; Kevin Wimsett, Member)

Suggested date of Council hearing: March 30, 2004

2. PROPOSAL NO. R2004-17, A RESOLUTION OF THE PIERCE  
COUNTY COUNCIL CALLING FOR AN ELECTION ON  
\_\_\_\_\_ FOR THE PURPOSES OF SUBMITTING TO THE  
AFFECTED VOTERS THE QUESTION OF WHETHER TO FORM A  
METROPOLITAN PARK DISTRICT WHOSE BOUNDARIES ARE  
COTERMINOUS WITH THE BOUNDARIES OF THE KEY PENINSULA  
PARK AND RECREATION DISTRICT IN UNINCORPORATED PIERCE  
COUNTY, AND ON THE ELECTION OF THE FIVE INITIAL  
METROPOLITAN PARK COMMISSIONERS; AND REQUESTING THAT  
THE PROSECUTING ATTORNEY WRITE AN APPROPRIATE BALLOT  
TITLE.

Sponsored by: Councilmember Terry Lee

Contact person: Steve Gross, 798-7579

DO PASS RECOMMENDATION - RULES & OPERATIONS COMMITTEE  
(Harold Moss, Chair; Kevin Wimsett, Vice Chair; Terry  
Lee, Member)

Suggested date of Council hearing: March 2, 2004

3. PROPOSAL NO. R2004-34, A RESOLUTION OF THE PIERCE  
COUNTY COUNCIL DECLARING ITS INTENT TO VACATE  
LYBECKER DRIVE NORTHWEST IN THE WEST HALF OF SECTION  
4 AND THE EAST HALF OF SECTION 5, TOWNSHIP 21 NORTH,  
RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, IN THE GIG  
HARBOR AREA; AND DIRECTING THE COUNTY ENGINEER TO  
EXAMINE THE INTENDED VACATION AND REPORT THE FINDINGS  
AND CONCLUSIONS THEREOF TO THE COUNCIL.

Sponsored by: Councilmember Terry Lee

Contact person: Thomas Weber, 798-6067

For referral to the Economic & Infrastructure  
Development Committee

4. PROPOSAL NO. R2004-35, A RESOLUTION OF THE PIERCE  
COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF NINE  
MEMBERS TO THE STORM DRAINAGE AND SURFACE WATER  
MANAGEMENT ADVISORY BOARD. (PAUL BUCICH, ROBERT  
CERQUI, ALLEN ZULAUF, STACY DANIEL, DEBORAH JOHNSTON,  
DONALD BRINK, KRIS KAUFFMAN, SEAN COMFORT, AND  
WILLIAM HIGDAY)

Sponsored by: Councilmember Shawn Bunney

Contact person: Tim Ramsaur, 798-2952

To be heard by the Economic & Infrastructure  
Development Committee on March 2, 2004  
Suggested date of Council hearing: March 9, 2004

5. PROPOSAL NO. R2004-37, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ACKNOWLEDGING PIERCE COUNTY'S SUPPORT FOR THE IMPLEMENTATION OF THE NISQUALLY WATERSHED MANAGEMENT PLAN DATED OCTOBER 31, 2003, RECOGNIZING THAT IMPLEMENTATION IS CONTINGENT UPON AVAILABLE FUNDING; AUTHORIZING THE SIGNING OF A JOINT RESOLUTION OF THE PIERCE COUNTY COUNCIL, THE THURSTON COUNTY BOARD OF COMMISSIONERS AND THE LEWIS COUNTY BOARD OF COMMISSIONERS APPROVING THE NISQUALLY WATERSHED MANAGEMENT PLAN AT A JOINT SESSION SCHEDULED FOR APRIL 13, 2004; AND COMMENDING THE NISQUALLY WATERSHED PLANNING UNIT.

Sponsored by: Councilmember Shawn Bunney

Contact person: Steve Gross, 798-7579

For referral to the Economic & Infrastructure  
Development Committee

To be heard by the Economic & Infrastructure  
Development Committee on March 16, 2004

Suggested date of Council hearing: March 30, 2004

d. Other Items

Wimsett moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of seven to zero.

**VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY**

1. Evaluation of Job Creation Opportunities for Pierce County Government - Phase I Final Report, County Executive John Ladenburg.

Executive Ladenburg spoke to the following findings (recommendations) contained in the report: demographics; permit process; remove the Economic Development Division from the Human Services Department, move its location to downtown, and expand its budget. He concurs with the recommendations provided by Berk & Associates.

After the presentation, Councilmembers Bunney, Lee, Gelman, and Moss offered comments in support of the recommendations contained in the report. Ladenburg stated he will immediately reorganize the Community Development's structure and will look for downtown office space. He will work with the Council staff on the action plan.

Bunney thanked Ladenburg for his leadership and spoke in support of report recommendations, especially the Economic Development Division's move to a downtown location.

Lee stated he looks forward to the implementation of the recommendations. In response to Lee's question, Ladenburg announced the report will be available tomorrow on the Economic Development web page.

In response to Gelman's question, Ladenburg spoke to the transportation recommendations and future transportation needs.

2. A message from the Executive transmitting the following Ordinances, which were approved and signed on February 10, 2004, was read into the record:

ORDINANCE NO. 2003-129, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL DECLARING THE PROPERTY LOCATED AT 11709 WOODLAND AVENUE EAST AS SURPLUS, AND APPROVING THE EXCHANGE OF REAL PROPERTY NEGOTIATED BETWEEN PIERCE COUNTY PUBLIC WORKS AND UTILITIES DEPARTMENT, WATER PROGRAMS DIVISION, AND HENRIETTA R. PAZ FOR PROPERTY LOCATED AT 11715 WOODLAND AVENUE EAST, PIERCE COUNTY, WASHINGTON; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE AGREEMENT TO EXCHANGE REAL PROPERTY.

ORDINANCE NO. 2003-131, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL DECLARING THE PROPERTIES LOCATED AT 309 SASAKI LANE SOUTHWEST AND THE TERMINUS OF ALBERT BELL ROAD EAST AS SURPLUS; APPROVING THE EXCHANGE OF REAL PROPERTY NEGOTIATED BY THE PIERCE COUNTY PUBLIC WORKS AND UTILITIES DEPARTMENT, WATER PROGRAMS DIVISION, AND THE STATE OF WASHINGTON DEPARTMENT OF GENERAL ADMINISTRATION FOR PROPERTY LOCATED IN ORTING, WASHINGTON; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE AGREEMENT TO EXCHANGE REAL PROPERTY.

3. Correction of Transmittal Date - A message from the Executive transmitting the following Ordinance, which was approved and signed on January 28, 2004, was read into the record:

ORDINANCE NO. 2003-116, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO THE CITY OF ROY, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON, FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

**VII. PROCLAMATIONS, AWARDS, AND/OR APPOINTMENTS TO BOARDS AND COMMISSIONS**

**PROPOSAL NO. R2004-36, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AMENDING RESOLUTION R2004-2s BY APPOINTING DICK MURI TO THE LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' DISABILITY BOARD; AND AMENDING THE APPOINTMENTS TO THE COURTHOUSE SECURITY STANDING COMMITTEE AND SAFE STREETS.**

Wimsett moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was no response. The Proposal was adopted on a roll call vote of seven to zero.

**VIII. ORDINANCES - None**

**IX. RESOLUTIONS**

**PROPOSAL NO. R2003-139s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING THE PROCESS FOR A SPECIAL COMPREHENSIVE PLAN AMENDMENT CYCLE TO ADDRESS THE REQUIREMENTS OF REVISED CODE OF WASHINGTON (RCW) 36.70A.130(4) FOR A COMPLIANCE REVIEW; IDENTIFYING COMPONENTS OF THE AMENDMENT CYCLE; ESTABLISHING A PUBLIC PARTICIPATION PROCESS; REQUESTING THE PLANNING AND LAND SERVICES DEPARTMENT TO CONDUCT THE NECESSARY EVALUATION AND ANALYSES, PREPARE NEEDED AMENDMENTS, AND PROVIDE APPROPRIATE ENVIRONMENTAL DOCUMENTATION PURSUANT TO THE STATE ENVIRONMENTAL POLICY ACT; AND REQUESTING THAT RECOMMENDATIONS OF THE PLANNING COMMISSION AND LAND USE ADVISORY COMMISSIONS BE SUBMITTED TO THE COUNTY COUNCIL BY AUGUST 15, 2004.**

Wimsett moved adoption; motion seconded. The Clerk read The title into the record.

Staff Testimony

Graham stated the Proposal was considered at two Committee public hearings and was forwarded to the Council with a do pass as substituted recommendation. She explained the intent of the Proposal, and explained the special Comprehensive Plan amendment process and the components of the Proposal. She spoke to specific issues identified by Council for inclusion in the review. The Council will revisit the issue in the fall. A copy of the handout she presented is contained in the Ordinance file.

Wimsett moved Council Amendment No. 1 on the blue; motion seconded. A copy of the amendment is included with these minutes as Attachment I.

Graham read the amendment into the record, and explained the amendment will add the specific issue of rural farms.

Bunney, amendment co-sponsor, encouraged the Council to support the amendment.

The Chair called for testimony on the amendment.

Public Testimony

Greg Barlett spoke in support of the amendment.

Robin Lee spoke in support of the amendment.

Goings, amendment co-sponsor, cautioned that once you build on farmland, the land under that building is no longer considered to be farmland.

The amendment passed on a voice vote.

The Chair called for testimony on the Proposal as amended.

Public Testimony

Jessica Brandon, 1000 Friends of Washington, spoke in support of the Proposal.

Brian Flint, Conservation Coordinator for Tahoma Audubon Society, spoke in support of the Proposal.

The Proposal passed as amended on a roll call vote of seven to zero.

**PROPOSAL NO. R2004-33, A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING THE DATE OF AN EVENING COUNCIL MEETING IN COUNCIL DISTRICT NO. 6 FOR TUESDAY, MAY 18, 2004, AT 5:30 P.M., IN THE LAKEWOOD CITY HALL COUNCIL CHAMBERS, 6000 MAIN STREET SW, LAKEWOOD, WASHINGTON.**

Wimsett moved adoption; motion seconded. The Clerk read the title into the record.

Muri encouraged the Council and the community to attend the evening District meeting.

The Chair called for public testimony; there was no response. The Proposal was adopted on a roll call vote of seven to zero.

**PROPOSAL NO. R2004-32, A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING THE DATE OF AN EVENING COUNCIL MEETING IN COUNCIL DISTRICT NO. 7 FOR TUESDAY, MARCH 23, 2004, AT 6:00 P.M., IN THE GIG HARBOR CIVIC CENTER COUNCIL CHAMBERS, 3510 GRANDVIEW STREET, GIG HARBOR, WASHINGTON.**

Wimsett moved adoption; motion seconded. The Clerk read the title into the record.

Lee encouraged the Council and the community to attend the evening District meeting.

The Chair called for public testimony; there was no response. The Proposal was adopted on a roll call vote of seven to zero.

**PROPOSAL NO. R2004-29, A RESOLUTION OF THE PIERCE COUNTY COUNCIL RECOGNIZING AND APPRECIATING THE MEMBERS OF THE MOUNT RAINIER CHAPTER AND THE MILITARY OFFICERS ASSOCIATION OF AMERICA FOR THEIR DISTINGUISHED SERVICE TO THIS COMMUNITY AND OUR NATION.**

Wimsett moved adoption; motion seconded. The Clerk read the title into the record. Muri read the Resolution in its entirety into the record.

#### Public Testimony

Heinz Haskin, President of State Chapter of Military Officers Association of America, offered his appreciation to Muri and the Council for the Resolution.

Doug Kotrba, Local Chapter of Military Officers Association of America, provided information on the purpose of the Association.

The Proposal was adopted on a roll call vote of seven to zero.

#### **X. OTHER BUSINESS/ANNOUNCEMENTS**

At 4:01 p.m., the Chair announced the televised portion of the meeting is ended.

#### **XI. GENERAL PUBLIC COMMENTS**

1. Bob Henkel expressed concerns regarding the Department of Labor & Industry; Council procedures; Tacoma-Pierce County Health Department; decision voting of Councilmembers at hearings; his correspondence addressed to Council; and inaccurate page numbering on the Council Agenda.

2. Alton McDonald spoke to the general comments not be

televised at Council meetings, and racial concerns.

3. Linda Rawlings asked the Council to allow the general comments to be televised.

Bunney stated his reason for supporting the general comments not being televised, and noted people's access to government is not being hindered.

Muri urged citizens to attend Committee hearings to offer their input on issues.

## **XII. ADJOURNMENT**

There being no further business, the meeting was adjourned  
At 4:12 p.m.

Attest:

\_\_\_\_\_  
Denise D. Johnson, Clerk of the Council

Approved:

\_\_\_\_\_  
Councilmember Harold Moss, Council Chair

Date Approved

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