

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
JANUARY 27, 2004**

930 TACOMA AVENUE SOUTH, ROOM 1045  
TACOMA, WASHINGTON 98402  
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**(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 3:05 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 Armed Forces.

**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; Steve Gross, Deputy Legal Counsel; and Leslie Swalley, Councilmember Assistant.

There were approximately 50 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

1. The minutes of the October 7, 2003, regular Council Meeting.

b. Action on Ordinances (refer, set date of hearing)

1. PROPOSAL NO. 2003-122, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF FOSS COUNTY ROAD LOCATED IN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 20 NORTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN THE KEY PENINSULA AREA.  
Sponsored by: Councilmember Shawn Bunney  
Contact person: Jerry West, 798-3687  
DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE (Shawn Bunney, Chair; Terry Lee, Vice Chair; Dick Muri, Member/non-voting member; Barbara Gelman, Member; Calvin Goings, Member)  
Suggested date of Council hearing: March 2, 2004
2. PROPOSAL NO. 2003-123, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THE PROPOSED NON-EXCLUSIVE TELECOMMUNICATIONS FRANCHISE TO MASHELL TELECOM, INC., FOR A TELECOMMUNICATIONS NETWORK IN PIERCE COUNTY TO BE IN THE PUBLIC INTEREST; SETTING FORTH TERMS AND CONDITIONS ACCOMPANYING THE GRANTING OF THE TELECOMMUNICATIONS FRANCHISE; PROVIDING FOR THE REGULATION OF CONSTRUCTION, OPERATION, MAINTENANCE, AND USE OF THE NETWORK; PRESCRIBING REMEDIES FOR THE VIOLATION OF THE PROVISIONS OF THE FRANCHISE; AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO THE FRANCHISE AGREEMENT.  
Sponsored by: Councilmember Shawn Bunney  
Contact person: Hudson Stansbury, 798-7477  
DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE (Shawn Bunney, Chair; Terry Lee, Vice Chair; Dick Muri, Member/non-voting member; Barbara Gelman, Member; Calvin Goings, Member)  
Suggested date of Council hearing: March 2, 2004
3. PROPOSAL NO. 2003-132, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 90-91 (GRANTING A FRANCHISE TO ELKHORN WATER DISTRICT) BY MAKING A TECHNICAL CORRECTION BY REVISING THE LEGAL DESCRIPTION.  
Sponsored by: Councilmember Shawn Bunney  
Contact person: Thomas Weber, 798-6067  
DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE (Shawn Bunney, Chair; Terry Lee, Vice Chair; Dick Muri, Member/non-voting member; Barbara Gelman, Member; Calvin Goings, Member)  
Suggested date of Council hearing: March 2, 2004

4. PROPOSAL NO. 2004-3, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 5.04.020, "KENNEL, CATTERY, GROOMING PARLOR, AND PET SHOP FEES," AND CHAPTER 5.24 OF THE PIERCE COUNTY CODE, "COMMERCIAL KENNEL OR CATTERY, HOBBY KENNEL, GROOMING PARLOR, OR PET SHOP" BY ADDING AVIARIES TO THE FACILITIES WHICH REQUIRE LICENSES.

Sponsored by: Councilmembers Shawn Bunney and Barbara Gelman

Contact person: Carolyn Pendle, 798-3631

For referral to the Public Safety & Human Services Committee

c. Action on Resolutions (refer, set date of hearing)

1. 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 COTERMINUS 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

For referral to the Rules & Operations Committee

To be heard by the Rules & Operations Committee on February 2, 2004

2. PROPOSAL NO. R2004-18, 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 COTERMINUS WITH THE BOUNDARIES OF THE 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

For referral to the Rules & Operations Committee

To be heard by the Rules & Operations Committee on February 2, 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 - None**

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

**PROPOSAL NO. R2004-10, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND COUNTY EXECUTIVE COMMENDING RAYMOND CLARK AS AN EMPLOYEE SUGGESTION AWARD WINNER.**

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

Lyle Quasim, Chief of Staff, on behalf of County Executive John Ladenburg and the Council, presented the Proclamation and thanked Clark for his suggestion and saving the County time and money. Award amount: \$200.

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. R2004-11, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND COUNTY EXECUTIVE COMMENDING BOB DEGRASSE AS AN EMPLOYEE SUGGESTION AWARD WINNER.**

Wimsett moved adoption; motion seconded. The Clerk read the title and DeGrasse's suggestion into the record.

Lyle Quasim, Chief of Staff, on behalf of County Executive John Ladenburg and the Council, presented the Proclamation and thanked DeGrasse for his suggestion and saving the County time and money. Award Amount: \$1,000.

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. R2004-12, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND COUNTY EXECUTIVE COMMENDING MATT MILLIE AND BARRY CHUNN AS EMPLOYEE SUGGESTION AWARD WINNERS.**

Wimsett moved adoption; motion seconded. The Clerk read the title and Millie's and Chunn's suggestion into the record. Lyle Quasim, Chief of Staff, on behalf of the County Executive John Ladenburg and the Council, presented the

Proclamations to Chunn and thanked him for their suggestion and saving the County time and money. Award amount: \$200 each.

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. R2004-13, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND COUNTY EXECUTIVE COMMENDING RICHARD KELLY AS AN EMPLOYEE SUGGESTION AWARD WINNER.**

Wimsett moved adoption; motion seconded. The Clerk read the title and Kelly's suggestion into the record.

Lyle Quasim, Chief of Staff, on behalf of County Executive John Ladenburg and the Council, presented the Proclamation to Brian Ziegler, Director of Public Works & Utilities Department, who accepted the Proclamation on Kelly's behalf. Award amount: \$1,000.

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. R2004-14, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND COUNTY EXECUTIVE COMMENDING SARAH BOGER AS AN EMPLOYEE SUGGESTION AWARD WINNER.**

Wimsett moved adoption; motion seconded. The Clerk read the title and Boger's suggestion into the record.

Lyle Quasim, Chief of Staff, on behalf of County Executive John Ladenburg and the Council, presented the Proclamation and congratulated Boger on her suggestion and saving the County time and money. Award Amount: \$200.

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. R2004-15, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND COUNTY EXECUTIVE COMMENDING LANA P. DAO AS AN EMPLOYEE SUGGESTION AWARD WINNER.**

Wimsett moved adoption; motion seconded. The Clerk read the title and Dao's suggestion into the record.

Lyle Quasim, Executive Chief of Staff, on behalf of County Executive John Ladenburg and the Council, presented the Proclamation and congratulated Dao on her suggestion and saving the County time and money. Award Amount: \$700.

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. R2004-16, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND COUNTY EXECUTIVE COMMENDING BILL HANSON AS AN EMPLOYEE SUGGESTION AWARD WINNER.**

Wimsett moved adoption; motion seconded. The Clerk read the title and Hanson's suggestion into the record.

Lyle Quasim, Executive Chief of Staff, on behalf of the County Executive John Ladenburg and the Council, presented the Proclamation and congratulated Hanson on his suggestion and saving the County time and money. Award Amount: \$700.

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

Moss noted the efforts of the employees to save time and money is appreciated by the Executive and Council.

**PROPOSAL NO. R2004-8, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF FIVE NEW MEMBERS TO THE ALLOCATION ADVISORY COMMITTEE FOR PREVENTION PROGRAMS (MARCIA BRICKNER, KEVIN ENTZE, MARTHA GRAY, MARY SODERQUIST AND ROBERT THORNTON); ESTABLISHING A COMMON MONTH AND DAY FOR THE EXPIRATION OF COMMITTEE MEMBERSHIP; AND EXTENDING THE CURRENT EXPIRATION DATE OF TWO POSITIONS TO COMPLY WITH THE NEW COMMON EXPIRATION DATE.**

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

Wimsett moved Council Amendment No. 1; motion seconded. A copy of the amendment is attached to these minutes as Attachment I.

Staff Testimony

Weber noted the Proposal was continued from the last Council meeting. The amendment makes the Proposal consistent with the title.

The Chair called for testimony on the amendment; there was no response. The amendment passed.

Gelman asked if Domestic Violence should be included in the Committee name, and requested to know the purpose of the Committee.

Long responded there is a separate Committee on the prevention of violence. This Committee was created to advise the Executive and the Council on allocating the criminal justice sales tax revenue for domestic violence and other prevention programs.

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

**VIII. ORDINANCES - None**

**IX. RESOLUTIONS**

**PROPOSAL NO. R2004-4s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL DECLARING ITS INTENT TO VACATE PORTIONS OF 168TH STREET EAST AND 130TH AVENUE EAST RIGHT-OF-WAY IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 4 EAST, OF THE WILLAMETTE MERIDIAN, IN THE SOUTH HILL AREA; AND DIRECTING THE COUNTY ENGINEER TO EXAMINE THE INTENDED VACATION AND REPORT THE FINDINGS AND CONCLUSIONS THEREOF TO THE COUNCIL.**

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

Staff Testimony

Bruce Duncan, Public Works & Utilities Department, provided background information and explained the purpose of the Proposal. The County Engineer supports the vacation. All fees for the standard vacation are being paid by the applicant.

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. R2004-19, A RESOLUTION OF THE PIERCE COUNTY COUNCIL  
RECOGNIZING THE YELLOW FLAG WITH THREE RED STRIPES AS THE OFFICIAL  
FLAG OF THE VIETNAMESE AMERICAN COMMUNITY.**

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

Muri spoke to the importance of the Resolution as it  
recognizes the Vietnamese community who have chosen to make  
America their home.

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

Staff Testimony

Mr. Bao Bui provided remarks and information on the National  
Flag of Pre-Vietnam, and urged the Council to recognize the  
flag.

Bunney and Gelman thanked Muri for sponsoring the Resolution,  
and provided supportive remarks.

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

**X OTHER BUSINESS/ANNOUNCEMENTS - None**

The meeting recessed at 3:35 p.m.; reconvened at 3:43 p.m.

At 3:43 p.m. Moss announced under his authority and with his  
discretion as the Chair, the televised portion of the County  
Council meeting is concluded.

**XI. GENERAL PUBLIC COMMENTS**

Long announced that the speaker is to direct comments to the Chair,  
not to attack or make an allusion to the motive of members, and not  
to slander or malign any individual; citing text from Robert Rules  
of Order and Chapter 1.28 of the County Code, the Council's Rules  
of Procedures.

1. Bob Henkel commented on campaign financing issues.

