

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
JANUARY 3, 2002**

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**

Chair Brown called the special meeting of the Pierce County Council to order at 10:09 a.m.

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

Brown led the Pledge of Allegiance.

**III. ROLL CALL**

Councilmembers Present: Karen S. Biskey, Wendell Brown, Calvin Goings, Harold Moss, Pat O'Malley, Jan Shabro, and Kevin Wimsett.

Council Staff Present: Sandy Bassett, Deputy Clerk; Shawn Bunney, Research Analyst; Anna Graham, Research Analyst; Susan Long, Legal Counsel; Carolyn Pendle, Research Analyst; and Tom Weber, Administrator/Research & Policy.

There were approximately 24 visitors present.

**IV. APPROVAL OF AGENDA**

Moss moved approval of the Agenda. The motion was seconded and passed.

**V. CONSENT AGENDA**

- a. Approval of Minutes
  1. The minutes of the December 3, 2001, special Council meeting.
  2. The minutes of the December 11, 2001, regular Council meeting.
- b. Action on Ordinances (refer, set date of hearing)
  1. PROPOSAL NO. 2001-107, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING CHAPTER 2.63 OF THE PIERCE COUNTY CODE, NORTH CLOVER CREEK COLLINS ADVISORY COMMISSION; ADOPTING A NEW CHAPTER 2.63 OF THE

PIERCE COUNTY CODE, NORTH CLOVER CREEK COLLINS  
ADVISORY COMMISSION, TO BE CONSISTENT WITH THE  
PROVISIONS OF CHAPTER 2.45 OF THE PIERCE COUNTY  
CODE; AND ADJUSTING THE JURISDICTIONAL BOUNDARIES.

Sponsored by: Councilmembers Calvin Goings and  
Kevin Wimsett

Contact person: Anna Graham, 798-6253

DO PASS RECOMMENDATION - PLANNING & PUBLIC WORKS  
COMMITTEE

(Karen Biskey, Co-Chair; Harold Moss, Co-chair/  
excused; Calvin Goings, Vice-Chair; Jan Shabro,  
Member/excused; Kevin Wimsett, Member)

Suggested date of Council hearing: January 22, 2002

2. PROPOSAL NO. 2001-111, AN ORDINANCE OF THE PIERCE  
COUNTY COUNCIL DECLARING CERTAIN PROPERTY KNOWN AS  
THE "FAIRFAX PROPERTIES", LOCATED NEAR THE CARBON  
RIVER VALLEY OF PIERCE COUNTY, TO BE SUITABLE FOR  
RETENTION BY PIERCE COUNTY AS OPEN SPACE NATURE  
CONSERVANCY LANDS; DELETING SAID PROPERTY FROM THE  
ROSTER OF SURPLUS PROPERTIES OF PIERCE COUNTY, AND  
THE PIERCE COUNTY TIMBER RESOURCES MANAGEMENT PLAN;  
AND TRANSFERRING THE FAIRFAX PROPERTIES TO THE  
CUSTODY OF THE PIERCE COUNTY PARKS AND RECREATION  
SERVICES DEPARTMENT.

Sponsored by: Councilmember Wendell Brown

Contact person: Lloyd Fetterly, 798-6732

For referral to the Planning & Public Works  
Committee

3. PROPOSAL NO. 2001-112, AN ORDINANCE OF THE PIERCE  
COUNTY COUNCIL APPROVING A LAND LEASE AGREEMENT FOR  
THE LEASE OF REAL PROPERTY BETWEEN PIERCE COUNTY AS  
LESSOR, AND THE NISQUALLY RIVER INTERPRETIVE CENTER  
FOUNDATION AS LESSEE, FOR THE CONSTRUCTION, USE,  
MAINTENANCE, AND OPERATION OF THE NISQUALLY RIVER  
INTERPRETIVE CENTER.

Sponsored by: Councilmember Wendell Brown

Contact person: Lloyd Fetterly, 798-6732

For referral to the Rules & Operations Committee

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

1. PROPOSAL NO. R2001-198, A RESOLUTION OF THE PIERCE  
COUNTY COUNCIL APPROVING THE ANNEXATION OF REAL  
PROPERTY (COUNTRY ESTATES WATER SYSTEM) TO THE  
VALLEY WATER DISTRICT.

Sponsored by: Councilmember Wendell Brown

Contact person: Thomas Weber, 798-6067

DO PASS RECOMMENDATION - RULES AND OPERATIONS  
COMMITTEE (Wendell Brown, Chair; Harold Moss, Vice  
Chair; Pat O'Malley, Member/excused)

Suggested date of Council hearing: January 29, 2002  
d. Other Items

Moss 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. A message from the Executive transmitting the following Ordinance, which was approved and signed on December 3, 2001, was read into the record:

ORDINANCE NO. 2001-86s3, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE ANNUAL BUDGET OF PIERCE COUNTY FOR FISCAL YEAR 2002.

2. A message from the Executive transmitting the following Ordinances, which were approved and signed on December 6, 2001, was read into the record:

ORDINANCE NO. 2001-51s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE UNIFIED SEWER PLAN FOR THE PIERCE COUNTY WASTEWATER UTILITY AS THE PIERCE COUNTY WASTEWATER UTILITY SEWERAGE GENERAL PLAN; INCORPORATING IT INTO THE PIERCE COUNTY CODE AS CHAPTER 19D.70; REPEALING CHAPTER 19D.80 OF THE PIERCE COUNTY CODE, THE CHAMBERS CREEK BASIN WATER QUALITY MANAGEMENT PLAN, PIERCE COUNTY, WASHINGTON; AND ADOPTING FINDINGS OF FACT.

ORDINANCE NO. 2001-102, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RENEWING THE MORATORIUM ESTABLISHED BY ORDINANCE NO. 2001-46s ON NEW CONSTRUCTION AND PERMITS ON ALL UNZONED GOVERNMENT LAND ON McNEIL ISLAND FOR SIX MONTHS; ACKNOWLEDGING THE COUNCIL'S COMPLIANCE WITH THE PUBLIC HEARING REQUIREMENT OF REVISED CODE OF WASHINGTON 36.70A.390; AND ADOPTING FINDINGS OF FACT.

ORDINANCE NO. 2001-105, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS UNION, LOCAL NO. 313; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

ORDINANCE NO. 2001-106, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH THE PIERCE COUNTY PROSECUTING ATTORNEYS' ASSOCIATION; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

3. A message from the Executive transmitting the following Ordinances, which were approved and signed on December 12, 2001, was read into the record:

ORDINANCE NO. 2001-65, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING CHAPTER 2.67 OF THE PIERCE COUNTY CODE, SOUTHWEST PIERCE COUNTY ADVISORY COMMISSION; ADOPTING A NEW CHAPTER 2.67 OF THE PIERCE COUNTY CODE, SOUTHWEST PIERCE COUNTY ADVISORY COMMISSION, TO BE CONSISTENT WITH THE PROVISIONS OF CHAPTER 2.45 OF THE PIERCE COUNTY CODE; CHANGING THE NUMBER OF MEMBERS OF THE COMMISSION TO FIVE; AND ADJUSTING THE JURISDICTIONAL BOUNDARIES.

ORDINANCE NO. 2001-66, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING CHAPTER 2.62 OF THE PIERCE COUNTY CODE, SPANAWAY ADVISORY COMMISSION; ADOPTING A NEW CHAPTER 2.62 OF THE PIERCE COUNTY CODE, SPANAWAY ADVISORY COMMISSION, TO BE CONSISTENT WITH THE PROVISIONS OF CHAPTER 2.45 OF THE PIERCE COUNTY CODE; AND ADJUSTING THE JURISDICTIONAL BOUNDARIES.

ORDINANCE NO. 2001-68, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING PORTIONS OF CHAPTER 8.88 OF THE PIERCE COUNTY CODE, WATERCRAFT REGULATIONS, REGARDING THE RULES, OPERATION, AND THE USE OF VESSELS AND WATERCRAFT ON THE WATERS OF UNINCORPORATED PIERCE COUNTY.

ORDINANCE NO. 2001-83, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF ELHI HILL COUNTY ROAD RIGHT-OF-WAY, LOCATED IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, IN THE SUMNER AREA.

ORDINANCE NO. 2001-85, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF WALLER ROAD EAST RIGHT-OF-WAY IN THE NORTHEAST AND NORTHWEST QUARTERS OF SECTION 14, TOWNSHIP 20 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, LOCATED IN THE SUMMIT-WALLER AREA.

ORDINANCE NO. 2001-93s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 4A.20.020, 4A.20.030, 4A.30.020, AND 4A.30.030 OF THE PIERCE COUNTY CODE, PIERCE COUNTY IMPACT FEES, TO PROVIDE FOR AN ANNUAL ADJUSTMENT TO THE SCHOOL AND PARK IMPACT FEE MAXIMUM FEE OBLIGATIONS, BASED ON THE CONSUMER PRICE INDEX ; AND AMENDING SECTION 4A.30.010 OF THE PIERCE COUNTY CODE, TO DESCRIBE THE INFORMATION NEEDED IN SCHOOL DISTRICT CAPITAL FACILITY PLANS SUBMITTED TO THE

COUNTY.

ORDINANCE NO. 2001-94, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF 354TH STREET EAST RIGHT-OF-WAY, LOCATED IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 17 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN THE EATONVILLE AREA.

ORDINANCE NO. 2001-97, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2000-93s2, AS AMENDED; AND MODIFYING THE 2001 BUDGET FOR THE TACOMA-PIERCE COUNTY HEALTH DEPARTMENT.

ORDINANCE NO. 2001-98s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2000-93s2, AS AMENDED; AND MODIFYING THE 2001 BUDGET FOR THE PIERCE COUNTY FERRY SERVICES FUND, THE SELF INSURANCE FUND, AND THE WORKERS' COMPENSATION FUND.

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

**PROPOSAL NO. R2001-200, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF TWO NEW MEMBERS, AND THE REAPPOINTMENT OF THREE EXISTING MEMBERS, TO THE PIERCE COUNTY ARTS COMMISSION. (JOYCE A. DIXON, JAMES SMITH, STAN AUSMUS, LEANNE KENNEDY, AND ALISON SONNTAG)**

Moss moved adoption of Proposal No. R2001-200; motion seconded. The Clerk read the title into the record.

Public Testimony:

Allison Sonntag thanked the Council for the opportunity to serve on the Commission. She noted that people choose to live in communities with arts and culture.

Brown and O'Malley praised the work of the Arts Commission.

Proposal No. R2001-200 passed on a roll call vote of seven to zero.

**PROPOSAL NO. R2001-201, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER, AND THE REAPPOINTMENT OF ONE EXISTING MEMBER, TO THE SOUTH HILL ADVISORY COMMISSION. (GARY A. WUSTERBARTH AND WILLIAM J. VANDERPAS)**

Moss moved adoption of Proposal No. R2001-201; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was none.

Proposal No. R2001-201 passed on a roll call vote of seven to zero.

**PROPOSAL NO. R2001-202, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE SUMMIT VIEW ADVISORY COMMISSION. (EMILY G. BLAKE)**

Moss moved adoption of Proposal No. R2001-202; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was none.

Proposal No. R2001-202 passed on a roll call vote of seven to zero.

**PROPOSAL NO. R2001-203, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE SUMMIT-WALLER COMMUNITY ADVISORY COMMISSION. (DENNIS YOUNG)**

Moss moved adoption of Proposal No. R2001-203; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was none.

Proposal No. R2001-203 passed on a roll call vote of seven to zero.

**VIII. ORDINANCES**

**PROPOSAL NO. 2001-109, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF BIRCH STREET NORTHEAST RIGHT-OF-WAY, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 21 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN THE DASH POINT AREA.**

Moss moved adoption of Proposal No. 2001-109; motion seconded. The Clerk read the title into the record.

Staff Testimony:

Jennifer Andres, Public Works & Utilities right-of-way agent, explained that the actual road location is north of where it was platted. This legislation will vacate the land not needed and the right-of-way corresponding to the physical location of Birch Street will be acquired. Andres said she has the deed for the relocated Birch Street right-of-way.

Public Testimony:

Donald Olsen said this vacation doesn't concern him. Generally, however, he is concerned with vacating rights-of-way due to ever-increasing traffic. The Chair noted that road vacations are reviewed by the Public Works Department prior to approval.

Proposal No. 2001-109 passed on a roll call vote of seven to zero.

**IX. RESOLUTIONS**

**PROPOSAL NO. R2001-192, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING AND ENDORSING THE EXECUTION OF AN AMENDED AGREEMENT BETWEEN PIERCE COUNTY AND PIERCE COUNTY RECYCLING, COMPOSTING AND DISPOSAL, LLC D/B/A LRI ("LRI"), AS RECOMMENDED TO THE COUNCIL BY THE COUNTY EXECUTIVE; AND CONCURRING WITH THE REQUESTED FOUR PERCENT SOLID WASTE RATE INCREASE.**

Moss moved adoption of Proposal No. R2001-192; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was none.

Staff Testimony:

Carolyn Pendle, Council Research Analyst, said this revision and rate increase comes following the adoption of the Solid Waste Management Plan.

Steve Wamback, Administrator of the Solid Waste Division of the Department of Public Works and Utilities, said this is an amendment to the solid waste disposal agreement with LRI. It is the instrument through which an annual cost of living increase will be incorporated into solid waste tipping fees. The net result is an increase of \$3.37 (from \$81.63 to \$85.00) per ton in the tipping fee charged at the transfer stations in the County. Wamback stated that half of the 4% increase is attributed to the cost of living increases and the other half to the restoration of the County administrative cost component. He said the net impact on a customer with a single can of garbage will be 25 cents per month. Wamback responded to questions from Councilmembers.

Moss moved Council Amendment No. 1 on the lime (**Attachment 1** to these minutes); motion seconded. The Chair called for public testimony on the amendment; there was none. The motion passed on a voice vote.

Public Testimony:

Donald Olsen urged the Council to vote no on this Proposal, saying residents are probably paying one of the highest garbage rates in the United States. At Biskey's request, Wamback responded and stated that the current rates are not the highest in the Nation, or even in Washington State.

Proposal No. R2001-192, as amended, passed on a roll call vote of six to one. Wimsett vote no.

**PROPOSAL NO. R2001-193, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPROVING THE PETITION FOR THE FORMATION OF THE EAST GIG HARBOR WATER DISTRICT; ESTABLISHING BOUNDARIES; ADOPTING FINDINGS OF FACT; AND CALLING FOR AN ELECTION UPON THE PROPOSITION.**

Moss moved adoption of Proposal No. R2001-193; motion seconded. The Clerk read the title into the record.

Following a discussion and testimony where the following people spoke, Moss moved to continue Proposal No. R2001-193 to January 29, 2001:

Shawn Bunney, Council Research Analyst;  
Phil Prettyman, Deputy Prosecuting Attorney;  
Susan Clark, Pierce County Water Programs;  
Richard Rodriguez, Washington State Department of Health  
(see paperwork he presented in the meeting file);  
Darek Pelt, Washington State Department of Health;  
Gene Ekhart, Washington Utilities and Transportation  
Commission;  
Joe Dominczyk, Harbor Springs Water Company engineer; and  
Bart Adams, attorney for Harbor Springs Water Company.

The motion to continue was seconded and passed on a voice vote.

**X. OTHER BUSINESS/ANNOUNCEMENTS**

1. Moss moved to certify the following budget certifications, and instruct the Clerk of the Council to forward the Certifications to the Pierce County Assessor-Treasurer's Office, pursuant to Revised Code of Washington 84.52.020:
  - (a) City of Buckley
  - (b) City of Tacoma (Regular Levy -- two submittals)
  - (c) City of Tacoma (Emergency Medical Service Levy)
  - (d) Metropolitan Park District of Tacoma
  - (e) Pierce County Fire Protection District No. #2
  - (f) Pierce County Fire Protection District No. #10

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- (g) Pierce County Fire Protection District No. #11
- (h) Pierce County Fire Protection District No. #12
- (i) Pierce County Fire Protection District No. #22
- (j) Pierce County Fire Protection District No. #24
- (k) Town of Wilkeson

The motion was seconded and passed on a voice vote.

**XI. GENERAL PUBLIC COMMENTS** - None

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned  
at 12:01 p.m.

Attest:

Sandy Bassett, Deputy Clerk of the Council

Approved:

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Harold Moss, Council Chair

Date Approved

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