

MINUTES
PIERCE COUNTY COUNCIL MEETING
JANUARY 9, 2001

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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 3:00 p.m. by Vice Chair Brown.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Brown.

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: Anna Graham, Research Analyst; Susan Long, Legal Counsel; and Gerri Rainwater, Administrator/Clerks & Operations

There were approximately 30 visitors present.

IV. APPROVAL OF AGENDA

Moss moved approval of the Agenda; motion seconded and passed.

X. OTHER BUSINESS/ANNOUNCEMENTS (note change in order)

Election of 2001 Council Officers:

Goings moved that Councilmember Brown be elected Chair; that Councilmember Moss be elected Vice Chair; and that Councilmember O'Malley be elected Executive Pro Tempore; motion seconded and passed.

VII. PROCLAMATIONS, AWARDS, AND/OR APPOINTMENTS TO BOARDS AND COMMISSIONS (note change in order)

PROPOSAL NO. R2000-192, A RESOLUTION OF THE PIERCE COUNTY COUNCIL THANKING AND COMMENDING COUNCILMEMBER SARAH CASADA FOR HER SERVICE AND LEADERSHIP AS A MEMBER OF THE PIERCE COUNTY COUNCIL.

Moss moved adoption; motion seconded. The Clerk read the Proclamation into the record. Councilmembers and Rainwater spoke to the accomplishments of Councilmember Sarah Casada, and thanked her for her years of service and leadership. Casada thanked the Council for their recognition.

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

PROPOSAL NO. R2000-193, A RESOLUTION OF THE PIERCE COUNTY COUNCIL THANKING AND COMMENDING KEN MADSEN FOR HIS EIGHT YEARS OF SERVICE AS A MEMBER OF THE PIERCE COUNTY COUNCIL.

Moss moved adoption; motion seconded. The Clerk read the Proclamation into the record. Councilmembers spoke to the accomplishments of Councilmember Ken Madsen, and thanked him for his years of service and leadership. Madsen thanked the Council for their recognition.

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

Project Impact Summit Award Presentation to Mike Valentine, Associate Geology Professor, University of Puget Sound.

Steve Bailey, Emergency Management Department, made the presentation to Mike Valentine.

PROPOSAL NO. R2000-191, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER FILLING AN EXISTING VACANCY AND REAPPOINTMENT OF ONE EXISTING MEMBER TO THE PIERCE COUNTY ARTS COMMISSION (RELLA D. SCHAFFER, ELIZABETH A. WILLIS).

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

Staff Testimony

Marlette Buchanan, Pierce County Arts Commission, spoke in support of the appointments. In response to Councilmember Moss' question, Buchanan stated she had recently competed

in a National operatic competition, and was awarded first place. The Council congratulated Marlette for her accomplishments.

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

V. CONSENT AGENDA

a. Approval of Minutes

1. The minutes of the November 14, 2000, regular Council meeting
2. The minutes of the November 21, 2000, regular Council meeting.
3. The minutes of the November 28, 2000, regular Council meeting.
4. The minutes of the December 5, 2000, regular Council meeting.
5. The minutes of the December 12, 2000, special Council meeting.

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

1. PROPOSAL NO. 2000-108, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING A LAND LEASE AGREEMENT BETWEEN PIERCE COUNTY AND PALENT CORPORATION FOR REAL PROPERTY AT PIERCE COUNTY AIRPORT (THUN FIELD).
Sponsored by: Councilmember Jan Shabro
Contact person: Bob Snyder, 798-7109
DO PASS AS AMENDED RECOMMENDATION - RULES COMMITTEE (Sarah Casada, Chair; Wendell Brown, Vice Chair; Karen S. Biskey; Harold Moss; Jan Shabro)
Suggested date of Council hearing: January 23, 2001
2. PROPOSAL NO. 2000-111, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO OHOP MUTUAL LIGHT COMPANY, INC., A WASHINGTON CORPORATION OF PIERCE COUNTY, FOR LOCATION OF ELECTRIC LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY.
Sponsored by: Councilmember Harold Moss
Contact person: Jerry West, 798-3687
For referral to the Public Works Committee
3. PROPOSAL NO. 2000-115, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL PROHIBITING THE DISCHARGE OF FIREARMS WITHIN UNINCORPORATED PORTIONS OF SECTIONS 7, 18, 19, AND 30, TOWNSHIP 19 NORTH, RANGE 4 EAST, AND SECTION 25, TOWNSHIP 19 NORTH, RANGE 3 EAST, IN THE SOUTH HILL AREA.
Sponsored by: Councilmember Sarah Casada
Contact person: Thomas Weber, 798-6067
For referral to the Public Safety Committee

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4. PROPOSAL NO. 2000-116, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 14.20.020 AND 14.20.040 OF THE PIERCE COUNTY CODE, "SPRINKER RECREATION CENTER" AND "FACILITY USE FEES", TO REMOVE PARKING FEES AT SPRINKER, FRONTIER, LAKE TAPPS, AND SPANAWAY COUNTY PARKS.
Sponsored by: Councilmembers Wendell Brown, Pat O'Malley, Karen S. Biskey, and Jan Shabro
Contact person: Thomas Weber, 798-6067
For referral to the Planning and Environment Committee

5. PROPOSAL NO. 2000-117, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO ELMHURST MUTUAL POWER & LIGHT COMPANY, A WASHINGTON CORPORATION OF PIERCE COUNTY, FOR LOCATION OF ELECTRIC LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY.
Sponsored by: Councilmember Harold Moss
Contact person: Jerry West, 798-3687
For referral to the Public Works Committee

6. PROPOSAL NO. 2000-118, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO PUBLIC UTILITY DISTRICT NO. ONE OF LEWIS COUNTY, A PUBLIC UTILITY OF THE STATE OF WASHINGTON, FOR LOCATION OF ELECTRIC LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY.
Sponsored by: Councilmember Harold Moss
Contact person: Jerry West, 798-3687
For referral to the Public Works Committee

7. PROPOSAL NO. 2001-1, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH COUNCIL 2, WASHINGTON STATE COUNCIL OF COUNTY AND CITY EMPLOYEES, AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME), AFL-CIO, LOCAL 120 - CORRECTION AND DETENTION CENTER, NON-UNIFORMED GROUP; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.
Sponsored by: Councilmember Wendell Brown
Contact person: Joe Carrillo, 798-6690
For referral to the Rules Committee
Suggested date of Council hearing: January 23, 2001

- c. Action on Resolutions (refer, set date of hearing)
- d. Other Items

1. Motion authorizing the Prosecuting Attorney and Risk Management to proceed with settlement negotiations as requested in Cause No. 97-2-07236-6.

Moss moved adoption 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 County Executive John Ladenburg. Ladenburg provided an overview of some immediate changes in the Executive's office. He introduced Lyle Quasim, newly appointed Staff Director, who would be a member of the management team with the Department Directors. In response to Brown's remarks, Ladenburg stated he looked forward to the noon Study Sessions on Mondays, beginning January 22, 2001.
2. A message from the Executive transmitting the following Ordinance, which was approved and signed on December 14, 2000, was read into the record:

ORDINANCE NO. 2000-83s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING YEAR 2000 AMENDMENTS TO THE CAPITAL FACILITIES ELEMENT OF THE PIERCE COUNTY COMPREHENSIVE PLAN; AMENDING TITLE 19E OF THE PIERCE COUNTY CODE, CAPITAL FACILITIES - SIX YEAR FINANCING PLAN; AMENDING CHAPTER 19A.100 OF THE PIERCE COUNTY

CODE, CAPITAL FACILITIES ELEMENT; SETTING FORTH AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

3. A message from the Executive transmitting the following Ordinances, which were approved and signed on December 16, 2000, was read into the record:

ORDINANCE NO. 2000-76, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 2.112.010 OF THE PIERCE COUNTY CODE, PIERCE COUNTY AIRPORT FEES, BY AMENDING THE FEE SCHEDULES FOR HANGARS, TIE DOWNS, STORAGE SPACES, AND BUILDING AND LAND RENTAL LEASE RATES; AND SETTING AN EFFECTIVE DATE.

ORDINANCE NO. 2000-94, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 2.04.150 OF THE PIERCE COUNTY CODE, "COUNTY AUDITOR/ELECTION DEPARTMENT FEES" TO CLARIFY THE APPLICATION OF THE PROVISIONS.

ORDINANCE NO. 2000-109s2, AN EMERGENCY ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 99-113, AS AMENDED, AND MODIFYING THE 2000 BUDGET FOR THE TACOMA-PIERCE COUNTY HEALTH DEPARTMENT; AND DECLARING AN EMERGENCY.

4. A message from the Executive transmitting the following Ordinance, which was approved and signed on December 22, 2000, was read into the record:

ORDINANCE NO. 2000-47s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE YEAR 2000 UPDATE TO THE TACOMA-PIERCE COUNTY SOLID WASTE MANAGEMENT PLAN PURSUANT TO REVISED CODE OF WASHINGTON (RCW) CHAPTER 70.95 AND PIERCE COUNTY CODE CHAPTER 8.28, TO REPLACE THE 1992 TACOMA-PIERCE COUNTY SOLID WASTE MANAGEMENT PLAN; AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO REVISED INTERLOCAL AGREEMENTS WITH THE CITIES AND TOWNS OF PIERCE COUNTY PURSUANT TO RCW CHAPTER 39.34, COMMITTING THE MUNICIPALITIES TO THE COUNTY'S DISPOSAL SYSTEM; AMENDING PIERCE COUNTY CODE CHAPTER 8.28, "SOLID WASTE MANAGEMENT," AND CHAPTER 19D.90, "TACOMA-PIERCE COUNTY SOLID WASTE MANAGEMENT PLAN," TO REFLECT CHANGES TO THE PLAN; AND ADOPTING FINDINGS OF FACT.

VIII. ORDINANCES

PROPOSAL NO. 2000-56s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 2.05 OF THE PIERCE COUNTY CODE, PLANNING AND LAND SERVICES DEPARTMENT FEES; CORRECTING THE EFFECTIVE DATE; AND REPEALING THE COMPREHENSIVE PLAN AMENDMENT FILING FEE.

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

Staff Testimony

Graham pointed out that it was necessary to insert a new Exhibit "A" as the one in Council packets did not contain the correct changes. She stated as a result of discussions as to who would be required to pay the Plan Amendment fee, it was determined that the fee should be removed. In response to Goings' question, Graham stated the anticipated revenue from the fee was \$25,000 to \$40,000 per two-year cycle.

Moss moved the amendment to include the new Exhibit "A"; motion seconded and passed.

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

PROPOSAL NO. 2000-102s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RELATING TO UTILITY LOCAL IMPROVEMENT DISTRICT NO. 90-4, DUPONT'S NORTHWEST LANDING; APPROVING AND CONFIRMING THE ASSESSMENT ROLL OF UTILITY LOCAL IMPROVEMENT DISTRICT NO. 90-4; FIXING INTEREST RATES AND PENALTIES ON UNPAID ASSESSMENTS; AND PROVIDING FOR THE FILING OF THE FINAL ASSESSMENT ROLL WITH THE COUNTY ASSESSOR-TREASURER FOR COLLECTION.

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

Staff Testimony

Tony Tipton, Public Works and Utilities Department, stated the Department recommends passage of this Ordinance, which will confirm the final assessment roll for DuPont's Northwest Landing development, known as ULID 90-4. The revenue raised through the collection of the ULID assessments will be used to pay the debt service on bonds issued to pay for the project's actual construction costs. He stated the total amount of the final assessment is \$22,288,222.86, one of the largest in the last ten years.

He stated notice was provided to all property owners of record, of which there were 966. He stated one protest letter from Roger and Erika Sharpe was received; Tipton read that letter into the record. A copy of the letter is contained in the Ordinance file.

Public Testimony

Bob Martin, Weyerhaeuser Real Estate Company, stated Weyerhaeuser Real Estate Company would be paying the assessment for all parcels with the exception of one that is owned by Glacier. He thanked the Committee and the Public Works staff for the efficient movement of this legislation through the system.

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

PROPOSAL NO. 2000-114, AN EMERGENCY ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING A TEMPORARY ONE-TIME LIMITED EXEMPTION FROM THE PROVISIONS OF THE PIERCE COUNTY CHARTER ARTICLE 7 - "PERSONNEL SYSTEM" AND THE PIERCE COUNTY CODE TITLE 3 - "PERSONNEL", TO FACILITATE THE TRANSFER OF PERSONNEL AND FUNCTIONS OF THE PUGET SOUND HOSPITAL TO PIERCE COUNTY, PURSUANT TO THE EXEMPTION AUTHORITY SET FORTH IN PIERCE COUNTY CHARTER, SECTION 7.20 (1) (h); AND DECLARING AN EMERGENCY.

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

Staff Testimony

Pat Kenney, Budget and Finance Department, stated this Ordinance was requested to allow the transition of existing employees at Puget Sound Hospital to be transferred as Pierce County employees, allowing for a smooth transition of the services for Pierce County citizens.

In response to Biskey's question as to why this is an emergency measure, Kenney stated the Ordinance is needed to retain the level of service without interruption. He stated these employees will go through a six-month probation period, and during that time their performance will be evaluated.

Following discussion among Councilmembers, the Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of seven to zero.

IX. RESOLUTIONS

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PROPOSAL NO. R2001-1, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ESTABLISHING THE COUNCIL'S STANDING COMMITTEES; NAMING THE COMMITTEE MEMBERSHIPS; AND SETTING MEETING TIMES FOR STANDING COMMITTEE MEETINGS FOR 2001.

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

Shabro stated it was her understanding that this Proposal would be continued, to allow time for review of the proposition of changing Committee memberships from five to three.

Brown stated after further review with outside counsel, it was his intention to appoint three-member Committees.

Moss asked that a discussion be held at some future time regarding the differences of opinion on this matter.

The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of six to one; Shabro voted no.

PROPOSAL NO. R2001-2, A RESOLUTION OF THE PIERCE COUNTY COUNCIL MAKING APPOINTMENTS TO POSITIONS ON EXTERNAL BOARDS, COMMISSIONS, COMMITTEES, AND OTHER ORGANIZATIONS FOR THE YEAR 2001.

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

Moss moved adoption of Council Amendment No. 1 as set forth in Attachment I to these minutes; motion seconded and passed.

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

PROPOSAL NO. R2000-176, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REPEALING RESOLUTION NOS. R97-2 AND R98-4 REGARDING THE COUNCIL'S RULES FOR COMMITTEES; AND APPROVING AND ADOPTING NEW RULES FOR THE COUNCIL'S STANDING AND SELECT COMMITTEES.

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

Moss moved adoption of Council Amendment No. 1 as set forth in Attachment II to these minutes; motion seconded and passed.

Shabro, again, stated her concern about the mention of three-member Committees.

Staff Testimony

Long pointed out the Resolution failed to include a section in the body of the Resolution repealing Resolution Nos. 97-2 and 98-4. Moss made that motion; motion seconded and passed. Long provided a brief description of the specifics of the new Rules for the Committees, stating that through the passage of this Resolution these rules would be binding on the Council's Standing and Select Committees.

The Chair called for public testimony; there was no response. The Proposal passed as amended on a roll call vote of six to one; Shabro voted no.

X. OTHER BUSINESS/ANNOUNCEMENTS

1. Moss moved to certify the following budget certifications, and instructed 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; motion seconded and passed:
 - a. Pierce County Fire Protection District No. 1
 - b. Metropolitan Park District of Tacoma
 - c. Pierce County Fire Protection District No. 24
 - d. Pierce County Fire Protection District No. 22
 - e. Pierce County Fire Protection District No. 3
 - f. City of DuPont (Cities/Towns & Emergency Medical Service)
 - g. Pierce County Fire Protection District No. 25

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XI. GENERAL PUBLIC COMMENTS - None

XI. ADJOURNMENT

There being no further business, the meeting was adjourned
at 4:45 p.m.

Attest:

Clerk of the Council

Approved:

Council Chair

Date Approved