

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
JANUARY 29, 2002**

930 TACOMA AVENUE SOUTH, ROOM 1045  
TACOMA, WASHINGTON 98402  
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[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 3:00 p.m. by Chair Moss.

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

The pledge was led by Moss.

**III. ROLL CALL**

Councilmembers Present: Karen S. Biskey, Calvin Goings, Harold Moss, Pat O'Malley, Jan Shabro, and Kevin Wimsett; Wendell Brown was excused for jury duty.

Council Staff Present: Shawn Bunney, Research Analyst; Susan Long, Legal Counsel; Gerri Rainwater, Administrator/Clerks & Operations; and Tom Weber, Administrator/Research & Policy.

There were approximately 42 visitors present.

**IV. APPROVAL OF AGENDA**

O'Malley moved approval of the Agenda; motion seconded and passed.

**V. CONSENT AGENDA**

- a. Approval of Minutes
  1. The minutes of the November 20, 2001, regular Council meeting.
  2. The minutes of the January 3, 2002, special Council meeting.
- b. Action on Ordinances (refer, set date of hearing)
  1. PROPOSAL NO. 2002-3, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL JOINTLY CREATING THE FILUCY BAY WATERSHED PROTECTION DISTRICT; ESTABLISHING ITS BOUNDARIES; ADOPTING THE FILUCY BAY CLOSURE RESPONSE MATRIX; DESIGNATING LEAD AGENCIES; AND COMMITTING

PIERCE COUNTY WATER PROGRAMS' SUPPORT.

Sponsored by: Councilmember Karen Biskey

Contact person: Shawn Bunney, 798-3388

For referral to the Public Works Committee

To be heard by the Public Works Committee on

February 5, 2002

Suggested date of Council hearing date: February 12,  
2002

- c. Action on Resolutions (refer, set date of hearing)
  - 1. PROPOSAL NO. R2002-12, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING THE PROCESS FOR AMENDING TITLES 18, 18A, AND 18E OF THE PIERCE COUNTY CODE DEVELOPMENT REGULATIONS; REQUESTING THE PLANNING AND LAND SERVICES DEPARTMENT TO DEVELOP PROPOSED AMENDMENTS TO ALLOW THE SITING OF SCHOOLS AND OTHER CRITICAL FACILITIES IN VOLCANIC HAZARD AREAS WHEN LIFE SAFETY ISSUES CAN BE ADEQUATELY ADDRESSED; REFERRING THESE AMENDMENTS TO THE PLANNING COMMISSION AND APPROPRIATE LAND USE ADVISORY COMMISSIONS; AND SETTING A DATE FOR THE PLANNING COMMISSION TO SUBMIT ITS REPORT AND RECOMMENDATION TO THE COUNCIL.  
Sponsored by: Councilmember Jan Shabro  
Contact person: Anna Graham, 798-6253  
For referral to the Planning and Environment Committee
- d. Other Items

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

- 1. A message from the Executive transmitting the following Ordinances, which were approved and signed on January 14, 2002, was read into the record:

ORDINANCE NO. 2001-96, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING SECTIONS 1., 2., AND 3. OF ORDINANCE NO. 92-43; AND AUTHORIZING THE COUNTY AUDITOR TO ESTABLISH THE SIZE OF VOTING PRECINCTS, CONSISTENT WITH REVISED CODE OF WASHINGTON 29.04.040.

ORDINANCE NO. 2001-108, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 99-110, INCREASING THE ANNUAL SALARY OF THE PIERCE COUNTY PROSECUTING ATTORNEY.

**VII. PROCLAMATIONS, AWARDS, AND/OR APPOINTMENTS TO BOARDS AND COMMISSIONS - None**

**VIII. ORDINANCES**

**PROPOSAL NO. 2001-95, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING PIERCE COUNTY CODE TITLE 18A, THE PIERCE COUNTY DEVELOPMENT REGULATIONS, TITLE 18A - ZONING, TO AMEND SUBSECTION 18A.25.100F., TO REQUIRE A CONDITIONAL USE PERMIT, RATHER THAN ADMINISTRATIVE REVIEW, FOR MOBILE HOME PARKS IN THE MODERATE DENSITY SINGLE-FAMILY ZONE; AND SETTING AN EFFECTIVE DATE.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record. The amendment passed on a voice vote.

O'Malley moved adoption of Council Amendment No. 1 as set forth in Attachment I to these minutes; motion seconded. The Clerk read the amendment into the record.

Staff Testimony

Sean Gaffney, Planning and Land Services Department, provided an overview of the Ordinance, stating it amends the Urban Zone Classification Use table to require a Conditional Use Permit for a mobile home park in the MSF Zone rather than an Administrative Use Permit that is currently required. This will require a public hearing before the Hearing Examiner, and provide the public with an opportunity to testify regarding the proposed development.

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

**PROPOSAL NO. 2001-113, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2001-86s3, AND INCREASING THE BUDGETS FOR THE GENERAL FUND SPECIAL PROJECTS ACCOUNT, AND THE INFORMATION SERVICES FUND, TO PROVIDE FINANCING FOR A NEW COMPUTER AIDED MASS APPRAISAL-ASSESSMENT ADMINISTRATION AND TAX DISTRIBUTION SYSTEM.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Pat Kenney, Director, Budget and Finance Department, provided an overview of the Ordinance, and provided the Council with a Cost Estimate Summary, a copy of which is contained in the Ordinance file. Kenney stated seven other Counties are currently using this software package and stated he felt it would be a benefit to Pierce County.

Terry Hale, Director, Information Services Department, stated that this system had been selected through a collaborative effort with the Information Services Department, the Assessor-Treasurer's Office, and the Budget and Finance Department. He stated his Department would provide technical support to the program, stating the vendor that has been chosen leads the industry in this technology.

Ken Madsen, Assessor-Treasurer, provided an overview of the Request for Proposal process and how the vendor was chosen.

O'Malley and Wimsett thanked the Departments for taxpayer savings through the use of this program.

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

#### **IX. RESOLUTIONS**

##### **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.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

#### Staff Testimony

Bunney outlined the statutory process required of the Council in response to the petition for formation of the East Gig Harbor Water District. He stated the S1 version has been reviewed by the Prosecutor's Office and all parties, and constitutes Staff's recommendation to the Council for passage. He stated an election date of May 21, 2002, is established in the Resolution unless jurisdiction is invoked by the Boundary Review Board. He stated there are 13 Findings of Fact that are adopted in Exhibit "A" that support the decision to approve the petition. He stated the title meets the legal standards.

Biskey moved an amendment to the title at line 12 following the word "proposition" to add the words "and adopting Findings of Fact"; motion seconded and passed.

Executive Session:

At this point in the meeting the Chair announced the Council would be convening in Executive Session to discuss pending litigation. At 3:55 p.m. the meeting recessed for the purpose of an Executive Session; at 4:15 p.m. the meeting reconvened.

Public Testimony

Gretchen Russell, Dave Johnson, Don Dutton, and Dan Swain spoke in support of the petition.

Staff Testimony

Phil Prettyman, Deputy Prosecuting Attorney, presented a letter dated January 29, 2002. He outlined the effects of the passage of this Proposal as set forth in the five items in the letter. A copy of the letter is contained in the Resolution file.

The Proposal passed as substituted and amended on a roll call vote of five to zero.

**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.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Weber stated passage of this Resolution will allow Valley Water to annex the Country Estates Water System, pursuant to Revised Code of Washington 57.24.070. Valley Water District presently provides water service to Country Estates, but does not include it in the boundaries of the Water District. Passage of this Resolution would correct that omission.

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

**PROPOSAL NO. R2002-9, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPROVING, AS CREATING MUNICIPALITY, RESOLUTION NO. 2001-01 OF THE ECONOMIC DEVELOPMENT CORPORATION OF PIERCE COUNTY, ADOPTED DECEMBER 12, 2001, AUTHORIZING THE ISSUANCE OF \$8,100,000 OF NON-RECURSE REVENUE BONDS BY THE ECONOMIC DEVELOPMENT CORPORATION OF PIERCE COUNTY, FOR PURPOSES OF FINANCING THE ACQUISITION, IMPROVEMENT, AND EQUIPPING OF AN INDUSTRIAL DEVELOPMENT FACILITY FOR TRUE WORLD FOODS INTERNATIONAL, INC.**

O'Malley moved that the Proposal be continued to February 5, 2002; motion seconded and passed.

PROPOSAL NO. R2002-13, A RESOLUTION OF THE PIERCE COUNTY COUNCIL IN SUPPORT OF PROPOSITION NO. 1, TITLED "THE BOARD OF COMMISSIONERS OF PIERCE COUNTY PUBLIC TRANSPORTATION BENEFIT AREA, COMMONLY KNOWN AS PIERCE TRANSIT, ADOPTED RESOLUTION NO. 01-068 CONCERNING A PROPOSED 0.3% INCREASE IN THE SALES AND USE TAX. THIS PROPOSITION WOULD AUTHORIZE PIERCE TRANSIT TO IMPOSE AN ADDITIONAL SALES AND USE TAX, WITH THE INCREASED REVENUE BEING USED TO REPLACE FUNDS LOST BY ELIMINATION OF THE STATE MOTOR VEHICLE EXCISE TAX, AND THEREBY ENSURE CONTINUED DELIVERY OF THE CURRENT LEVEL OF PUBLIC TRANSPORTATION, INCLUDING LOCAL AND EXPRESS BUS SERVICES, SHUTTLE SERVICES FOR PEOPLE WITH DISABILITIES, VANPOOLS, PARK AND RIDE LOTS, OTHER IMPROVEMENTS, AND PROVIDE FOR FUTURE NEEDS, AS AUTHORIZED BY RESOLUTION NO. 01-068. SHALL THIS PROPOSITION BE: APPROVED OR REJECTED."

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

#### Staff Testimony

Long provided to the Council State law requirements that pertain to Council's adoption of a measure in support of ballot proposition.

Moss read the statement in support of this proposition that appeared in the Voter's Advisory pamphlet.

#### Staff Testimony

Don Monroe, Director, Pierce Transit, spoke in support of the Resolution, and urged Council's adoption.

The Chair called for public testimony; there was no response. The Proposal failed on a roll call vote of three to one; Biskey abstained, Wimsett was excused.

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

1. O'Malley moved to approve the Meeting Schedule for the week of February 4-8, 2002; motion seconded and passed.
2. O'Malley moved to approve the Council Agenda for February 5, 2002; motion seconded and passed.

Pierce County Council Meeting  
January 29, 2002

**XI. GENERAL PUBLIC COMMENTS - None**

**XII. ADJOURNMENT**

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

Attest:

Gerri Rainwater, Clerk of the Council

Approved:

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Harold Moss, Council Chair

Date Approved

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