

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
FEBRUARY 1, 2005**

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 p.m. by Chair Bunney.

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

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

**III. ROLL CALL**

Councilmembers Present: Shawn Bunney, Roger Bush, Barbara Gelman, Calvin Goings, Dick Muri, and Terry Lee; Timothy M. Farrell arrived after roll call.

Council Staff Present: Denise Johnson, Clerk of the Council; Anna Graham, Research Analyst; Susan Long, Legal Counsel; Carolyn Pendle, Research Analyst; Duane Rivera, Councilmember Assistant; and Tom Weber, Administrator/ Research & Policy.

There were five visitors present.

**IV. APPROVAL OF AGENDA**

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

**V. CONSENT AGENDA**

a. Approval of Minutes

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

1. PROPOSAL NO. 2004-115, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THE PROPOSED NON-EXCLUSIVE TELECOMMUNICATIONS FRANCHISE TO ADVANCED 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 - ECONOMIC & INFRASTRUCTURE DEVELOPMENT COMMITTEE ON JANUARY 18, 2005 - (Terry Lee, Chair; Roger Bush, Vice Chair; Shawn Bunney, Member; Calvin Goings, Member; Dick Muri, Member)

Suggested date of Council hearing: March 8, 2005

2. PROPOSAL NO. 2004-121, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF 65TH AVENUE EAST LOCATED IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, IN THE FIFE AREA.

Sponsored by: Councilmember Shawn Bunney

Contact person: Jerry West, 798-3687

DO PASS RECOMMENDATION - ECONOMIC & INFRASTRUCTURE DEVELOPMENT COMMITTEE ON JANUARY 18, 2005 - (Terry Lee, Chair; Roger Bush, Vice Chair; Shawn Bunney, Member; Calvin Goings, Member; Dick Muri, Member)

Suggested date of Council hearing: March 8, 2005

3. PROPOSAL NO. 2004-126, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO GRAHAM HILL MUTUAL WATER COMPANY, 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

DO PASS RECOMMENDATION - ECONOMIC & INFRASTRUCTURE DEVELOPMENT COMMITTEE ON JANUARY 18, 2005 - (Terry Lee, Chair; Roger Bush, Vice Chair; Shawn Bunney, Member; Calvin Goings, Member; Dick Muri, Member)

Suggested date of Council hearing: March 8, 2005

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

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

1. A message from the Executive transmitting the following Ordinance, which was approved and signed on January 20, 2005, was read into the record:

ORDINANCE NO. 2004-128s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2004-87s TO MAKE TECHNICAL MAP CORRECTIONS; CORRECTING AN INADVERTENT OVERSIGHT BY SPECIFYING THE REDESIGNATION AND REZONING OF CERTAIN PARCELS ZONED AGRICULTURE TO THE SURROUNDING DESIGNATIONS AND ZONES CONSISTENT WITH THE AGRICULTURE POLICIES ADOPTED IN THE ORDINANCE AND MAKING OTHER TECHNICAL MAP AND ZONING ATLAS CORRECTIONS; AND SETTING AN EFFECTIVE DATE.

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

**PROPOSAL NO. R2005-6, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE PIERCE COUNTY PLANNING COMMISSION. (MALCOLM RUSSELL)**

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

Bunney thanked the appointee for his service to the Commission.

Farrell stated Russell will be a great asset to the Planning Commission.

Muri spoke in support of the appointment, noting that Russell is a resident in Council District 6.

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**

**PROPOSAL NO. 2005-9, AN EMERGENCY ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING ORDINANCE NO. 2004-128S; MAKING TECHNICAL CORRECTIONS TO ORDINANCE NO. 2004-87S; AMENDING SECTION 19A.30.230 OF THE PIERCE COUNTY CODE, "COMPREHENSIVE PLAN LAND USE DESIGNATIONS MAP", CHAPTER 18A.17, "PIERCE COUNTY (OUTSIDE OF COMMUNITY PLAN AREAS) USES AND DENSITY/DIMENSION TABLES", CHAPTER 18A.23, "GIG HARBOR PENINSULA USES AND DENSITY AND DIMENSION TABLES", CHAPTER 18A.29, "SOUTH HILL USES AND DENSITY AND**

**DIMENSION TABLES", CHAPTER 18A.31, "UPPER NISQUALLY USES AND DENSITY AND DIMENSION TABLES", CHAPTER 18A.33, "ZONE CLASSIFICATIONS", SECTION 18A.35.020, "DENSITY AND DIMENSION", AND THE PIERCE COUNTY ZONING ATLAS; AND DECLARING AN EMERGENCY.**

The Clerk read the title into the record.

Staff Testimony

Graham explained Ordinance No. 2004-87s is being repealed due to mapping errors contained in that Ordinance. She explained the Ordinance is an emergency because the Compliance package becomes effective today.

Lee moved adoption; motion seconded.

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

**IX. RESOLUTIONS**

**PROPOSAL NO. R2005-2, A RESOLUTION OF THE PIERCE COUNTY COUNCIL URGING THE 2005 WASHINGTON STATE LEGISLATURE TO SUPPORT FULL STATE FUNDING OF DEPENDENCY INDIGENT DEFENSE AND ADDITIONAL FUNDING SUPPORT FOR CRIMINAL INDIGENT DEFENSE, AS RECOMMENDED BY THE PIERCE COUNTY CRIMINAL JUSTICE TASK FORCE.**

The Clerk read the title into the record.

Gelman spoke in support of the Proposal.

Public Testimony

Judge Stephanie Aaron spoke in support of the Proposal, stating defense funding is in crisis mode.

Gelman stated that she will be monitoring the legislation at the state level.

In response to Gelman's questions, Aaron spoke to who will be affected by the Proposal, and she provided a summary on indigent funding.

Muri spoke to the importance of the passing the Proposal.

Staff Testimony

Pendle explained the Pierce County pilot program that handles indigent defense. She spoke to the amount of funding provided by the state for indigent defense.

Lee moved adoption; motion seconded. The Proposal passed on a roll call vote of seven to zero.

**X. OTHER BUSINESS/ANNOUNCEMENTS**

1. Update on the Tacoma Urban League -- Steven P. Ellis, President & CEO; and Bonnie Pinckney, Board Chairperson. A copy of the handout provided is contained in the Clerk's meeting file.

Goings thanked Ellis and Pinckney for their presentations and their efforts in the community.

In response to Lee's question, Ellis provided an explanation on the differences of a youth assessment center and community accountability boards.

In response to Gelman's question, Ellis spoke to measuring the success of youths that have entered the program.

The Chair announced the conclusion of the televised portion of the business meeting.

**XI. GENERAL PUBLIC COMMENTS**

1. Thomas White spoke to the dilemma of removing non-working vehicles from his property.

Bunney provided background information on White's situation, and informed White that he will continue to work with him on the issue.

Pierce County Council Meeting  
February 1, 2005

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned at  
3:40 p.m.

Attest:

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

Approved:

\_\_\_\_\_  
Shawn Bunney, Council Chair

\_\_\_\_\_  
Date Approved

f:\wpfiles\minutes\cncl 10-10-04.min.doc