

**MINUTES
PIERCE COUNTY COUNCIL MEETING
FEBRUARY 6, 2001**

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

(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 3:06 p.m. by Chair Brown.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

Brown led the Pledge of Allegiance.

III. ROLL CALL

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

Council Staff Present: Sandy Bassett, Deputy Clerk; Anna Graham, Research Analyst; Carolyn Pendle, Research Analyst; Mary Sherman, Councilmember Assistant; and Tom Weber, Administrator/Research & Policy.

There were approximately 17 visitors present.

IV. APPROVAL OF AGENDA

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

V. CONSENT AGENDA

a. Approval of Minutes

1. The minutes of the January 23, 2001, regular Council meeting.

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

1. PROPOSAL NO. 2001-2s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2000-93s2, AND APPROPRIATING ADDITIONAL FUNDS FOR THE PIERCE COUNTY HUMANE SOCIETY.
Sponsored by: Councilmember Jan Shabro
Contact person: Patrick Kenney, 798-7450
DO PASS AS SUBSTITUTED RECOMMENDATION - RULES AND OPERATIONS COMMITTEE (Wendell Brown, Chair; Harold Moss, Vice Chair; Pat O'Malley, Member)
Suggested date of Council hearing: February 27, 2001
2. PROPOSAL NO. 2001-7, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING THE TRANSFER OF CERTAIN SANITARY SEWER FRANCHISE OWNERSHIP FROM WOLLOCHET HARBOR CLUB, INC., TO WOLLOCHET HARBOR SEWER DISTRICT; AND AMENDING THE FRANCHISE BOUNDARY AREA.
Sponsored by: Councilmember Harold Moss
Contact person: Jerry West, 798-3687
For referral to the Public Works Committee
To be heard by the Public Works Committee on February 14, 2001
3. PROPOSAL NO. 2001-8, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THE PROPOSED NON-EXCLUSIVE RESTRICTED FRANCHISE TO TYCOM NETWORKS (U.S.), INC., TO CONSTRUCT, CONNECT, INSTALL, MAINTAIN, REPAIR, REMOVE, REATTACH, REINSTALL, REPLACE, RELOCATE, ENLARGE, OPERATE, AND USE A TELECOMMUNICATIONS SYSTEM IN PIERCE COUNTY TO BE IN THE PUBLIC INTEREST; SETTING FORTH TERMS AND CONDITIONS ACCOMPANYING THE GRANTING OF THE NON-EXCLUSIVE RESTRICTED FRANCHISE; PROVIDING FOR THE REGULATION OF CONSTRUCTION, OPERATION, MAINTENANCE, AND USE OF THE NETWORK; PRESCRIBING REMEDIES FOR THE VIOLATION OF ITS PROVISIONS; AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO THE FRANCHISE AGREEMENT.
Sponsored by: Councilmember Harold Moss
Contact person: Hudson Stansbury, 798-6643
For referral to the Public Works Committee
To be heard by the Public Works Committee on February 14, 2001

4. PROPOSAL NO. 2001-9, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THE PROPOSED NON-EXCLUSIVE TELECOMMUNICATIONS FRANCHISE TO ELECTRIC LIGHTWAVE, 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 Harold Moss

Contact person: Hudson Stansbury, 798-6643

For referral to the Public Works Committee

To be heard by the Public Works Committee on

February 14, 2001

5. PROPOSAL NO. 2001-10, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THE PROPOSED NON-EXCLUSIVE TELECOMMUNICATIONS FRANCHISE TO RAINIER CONNECT, 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 Harold Moss

Contact person: Hudson Stansbury, 798-6643

For referral to the Public Works Committee

To be heard by the Public Works Committee on

February 14, 2001

6. PROPOSAL NO. 2001-11, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THE PROPOSED NON-EXCLUSIVE TELECOMMUNICATIONS FRANCHISE TO CENTURYTEL OF WASHINGTON, 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 Harold Moss

Pierce County Council Meeting
February 6, 2001

Contact person: Hudson Stansbury, 798-6643
For referral to the Public Works Committee
To be heard by the Public Works Committee on
February 14, 2001

7. PROPOSAL NO. 2001-12, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING CHAPTER 2.100 OF THE PIERCE COUNTY CODE, "TACOMA-PIERCE COUNTY COMMISSION ON CHILDREN, YOUTH, AND THEIR FAMILIES."

Sponsored by: Councilmembers Karen S. Biskey and Jan Shabro

Contact person: Susan Long, 798-6068

For referral to the Human Services Committee

Suggested date of Council hearing: February 20, 2001

8. PROPOSAL NO. 2001-13, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH INTERNATIONAL UNION OF OPERATING ENGINEERS (IUOE), LOCAL 612, AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

Sponsored by: Councilmember Wendell Brown

Contact person: Joe Carrillo, 798-6690

Suggested hearing date: February 20, 2001

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

1. PROPOSAL NO. R2001-13, A RESOLUTION OF THE PIERCE COUNTY COUNCIL, RATIFYING AMENDMENT NO. ONE TO THE PURCHASE AND SALE AGREEMENT, WHICH WAS RATIFIED BY RESOLUTION NO. R2000-87, OF THE SURPLUS COUNTY-OWNED REAL PROPERTY WHICH IS LOCATED AT 1304 PACIFIC AVENUE IN TACOMA, WASHINGTON, REFERRED TO AS THE PACIFIC BLOCK PROPERTY.

Sponsored by: Councilmember Wendell Brown

Contact person: Suzanne Hedlund, 798-6880

For referral to the Rules and Operations Committee

d. Other Items

Moss moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of six 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 January 26, 2001, was read into the record:

ORDINANCE 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 - CORRECTIONS AND DETENTION CENTER, NON-UNIFORMED GROUP; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

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

PROPOSAL NO. R2001-12, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF TWO REGULAR MEMBERS, AND THE APPOINTMENT OF FOUR ALTERNATE MEMBERS, TO THE BUILDING AND FIRE CODES BOARD OF APPEALS. (C. J. CELESTINO, GARY FRANZ, CURTIS HOOD, RICH MAC DOUGAL, ROD THAUT, AND JONATHAN WHITE)

Moss moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was none. Proposal No. R2001-12 passed on a roll call vote of six to zero.

PROPOSAL NO. R2001-14, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE MEMBER TO THE PIERCE COUNTY PARKS AND RECREATION CITIZENS' ADVISORY BOARD. (DON WILLIAMS)

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

Staff Testimony:

Mike Dobb, Parks and Recreation Services, said they feel very fortunate to have a person of Mr. William's experience and background as a potential Board member.

The Chair called for public testimony; there was none. The motion passed on a roll call vote of six to zero.

PROPOSAL NO. R2001-18, A RESOLUTION OF THE PIERCE COUNTY COUNCIL PROCLAIMING SUPPORT FOR GOVERNOR LOCKE'S INITIATIVE TO ESTABLISH A NEW STATE TECHNOLOGY INSTITUTE AT THE UNIVERSITY OF WASHINGTON TACOMA IN THE BELIEF THAT EDUCATION IN HIGH-TECHNOLOGY FIELDS WILL BE A PRIMARY ECONOMIC ENHANCEMENT FOR OUR COMMUNITY, THE REGION, AND ALL OF WASHINGTON STATE.

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

O'Malley spoke in support of the Resolution.

The Chair called for public testimony; there was none. The Chair said this is a great opportunity for Tacoma and Pierce County. The motion passed on a roll call vote of six to zero.

PROPOSAL NO. R2001-19, A PROCLAMATION OF THE PIERCE COUNTY EXECUTIVE AND COUNCIL DECLARING THE DAY OF FEBRUARY 8, 2001, AS "VIRGINIA TAYLOR DAY" IN PIERCE COUNTY IN RECOGNITION OF HER TIRELESS EFFORTS TO BETTER OUR COMMUNITY.

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

Moss, O'Malley, Shabro, and Brown shared their memories of Virginia Taylor. Moss said he will be delivering the Proclamation to Taylor's family.

The Chair called for public testimony; there was none. The motion passed on a roll call vote of six to zero.

VIII. ORDINANCES

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).

Moss moved adoption; motion seconded. The Clerk read the title into the record. Moss moved Proposal No. 2000-108 be postponed indefinitely; motion seconded. The Chair called for public testimony; there was none. Moss stated that, as Chair of the Public Works Committee, he will request it placed on the Council Agenda when it is ready. The motion to postpone passed on a voice vote.

PROPOSAL NO. 2000-112, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 14.20.050 OF THE PIERCE COUNTY CODE, "GOLF COURSE

FEES", BY AMENDING FEE SCHEDULES; AND ESTABLISHING AN EFFECTIVE DATE FOR THE NEW FEES.

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

Moss moved Council Amendment No. 1 to 2000-112 (**Attachment 1** to these minutes). The motion was seconded. The Chair called for testimony; there was none. The amendment passed on a voice vote.

Moss said he had expressed a concern that Park fees would have to be raised when the parking fees were removed from some parks recently.

O'Malley said the parking fees went into the General Fund, not the Parks budget.

Biskey asked if these fees are being raised because the Council repealed the parking fees. Mike Dobb said these fees will be used for maintenance and new fencing and that the golf courses are separate.

Public Testimony:

Andy Leaf questioned a comment Moss made. Moss said the comment was made in fun.

Following discussion, Proposal No. 2000-112, as amended, passed on a roll call vote of six to zero.

PROPOSAL NO. 2000-113s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 14.20 OF THE PIERCE COUNTY CODE, "PARKS AND RECREATION SERVICES FEES", BY AMENDING FEE SCHEDULES; ADDING NEW FEES FOR PARKS AND RECREATION ACTIVITIES AND FACILITIES; AND ESTABLISHING AN EFFECTIVE DATE FOR THE NEW FEES.

Moss moved adoption of Proposal No. 2000-113s; motion seconded. The Clerk read the title into the record.

In response to a question from Biskey, Mike Dobb said the fee increases are not included in the 2001 Budget.

Moss moved Council Amendment No. 1 to 2000-113s (**Attachment 2** to these minutes); motion seconded. The motion passed on a voice vote.

Public Testimony:

Louise Batchelor suggested the fees go back into the Parks budget.

Proposal No. 2000-113s, as amended, passed on a roll call vote of six to zero.

IX. RESOLUTIONS

PROPOSAL NO. R2001-4, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO EXECUTE REVISED INTERLOCAL AGREEMENTS WITH THE CITIES AND TOWNS OF PIERCE COUNTY, ENDORSING THE YEAR 2000 TACOMA-PIERCE COUNTY SOLID WASTE MANAGEMENT PLAN AND COMMITTING THE MUNICIPALITIES TO THE COUNTY'S DISPOSAL SYSTEM.

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

Moss moved Council Amendment No. 1 to R2001-4 (**Attachment 3** to these minutes). The motion was seconded.

Staff Testimony:

Steve Wamback explained the amendment.

Council Amendment No. 1 (Attachment 3) passed on a voice vote.

Moss moved the amendments on the Committee Amendment Sheet, dated January 17, 2001, (**Attachment 4** to these minutes); motion seconded. Wamback explained the amendments.

Public Testimony:

Louise Batchelor said the Council should be watching the dump for water contamination problems in Puyallup.

Andrew Leaf said if the County takes responsibility for unmandated situations then it should mandate all rules and regulations.

Donald Olsen asked whether cities can withdraw from this agreement and arrange for their own garbage disposal. Wamback replied that cities can exit the system and explained how that would be done. Olson said he is surprised that Pierce County wants out-of-state garbage. He said their ultimate goal is to close the 304th dump and clean up the Hidden Valley site.

The amendment passed on a voice vote. The Chair called for public testimony on the Ordinance as amended.

Public Testimony:

Warren Olson said he sees a problem trying to negotiate contracts when we don't have the figures on the fees.

Joyce Moss voiced her concerns about monitoring of the cash flow at the dump. She also said the practice of requiring cash payment is very inconvenient.

Don Olson expressed his concern that LRI is not responsible for clean up.

Andrew Leaf testified about a landslide under the Narrows Bridge that uncovered about 40 years of garbage.

Joyce Moss asked that revenue at the dump be monitored and said the money should go into the General Fund. She also said employees at the dump should consider themselves County employees, not LRI employees.

At the request of the Chair, Wamback provided an overview of the current financial monitoring system. He also said they plan to look into allowing checks, debit cards, and/or credit cards. He noted that this agreement has no commitment to any certain garbage facility. Wamback responded to questions from Councilmembers.

Proposal No. R2001-4, as amended, passed on a roll call vote of six to zero.

X. OTHER BUSINESS/ANNOUNCEMENTS

1. Moss moved to amend the Meeting Schedule for the week of February 12 - 16, 2001, by adding a meeting of the Human Services Committee on Thursday, February 15, 2001, at 11:00 to consider the following Proposal:

PROPOSAL NO. 2001-12, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING CHAPTER 2.100 OF THE PIERCE COUNTY CODE, "TACOMA-PIERCE COUNTY COMMISSION ON CHILDREN, YOUTH, AND THEIR FAMILIES."

The motion was seconded and passed on a voice vote.

XI. GENERAL PUBLIC COMMENTS

1. Joyce Moss expressed her concerns about the dump.
2. Mike Dobb, Parks and Recreation, introduced Don Williams who was just appointed to the Parks and Recreation Advisory Board.
3. Don Williams said he is looking forward to working on the Board and provided information on his background.

4. Louise Batchelor recommended taxes on utility bills be figured on last summer's rates and that safety testing be done on all gas lines. She also expressed her opinions on insurance on employees and paying off debt.
5. Andrew Leaf said he recently reported terrible wrong doings. He recited various quotations on the subject of justice.
6. Barbara Dolan spoke regarding the methamphetamine problem and the work being done by the Safe Streets group in McKenna. She stressed the need to coordinate the available resources.
7. Don Olson praised the Sheriff's Office Community Council and encouraged people to participate in the 13-week classes they offer.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:55 p.m.

Attest:

/s/
Clerk of the Council

Approved:

/s/
Council Chair

3/27/01
Date Approved