

**MINUTES
PIERCE COUNTY COUNCIL MEETING
FEBRUARY 19, 2002**

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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 Chair Moss.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Moss.

III. ROLL CALL

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

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

There were approximately 36 visitors present.

IV. APPROVAL OF AGENDA

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

V. CONSENT AGENDA

- a. Approval of Minutes
- b. Action on Ordinances (refer, set date of hearing)
 - 1. PROPOSAL NO. 2001-110, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING AN UNIMPROVED ALLEY WAY IN THE PLAT OF HYADA PARK, LOCATED IN THE NORTHEAST TACOMA AREA IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 21 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN.
Sponsored by: Councilmember Harold Moss
Contact person: Jennifer Andres, 798-2720
DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE
(Pat O'Malley, Chair; Kevin Wimsett, Vice Chair;

Karen Biskey, Member; Calvin Goings, Member, Harold Moss, Member)

Suggested date of Council hearing: March 19, 2002

2. PROPOSAL NO. 2002-1, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF 64TH STREET EAST, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 20 AND THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 20 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, IN THE SUMNER AREA.

Sponsored by: Councilmember Harold Moss

Contact person: Jennifer Andres, 798-2720

DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE (Pat O'Malley, Chair; Kevin Wimsett, Vice Chair; Karen Biskey, Member; Calvin Goings, Member, Harold Moss, Member)

Suggested date of Council hearing: March 19, 2002

3. PROPOSAL NO. 2002-2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 2.106.060 OF THE PIERCE COUNTY CODE, EXCEPTIONS TO COMPETITIVE FORMAL SEALED BID PROCEDURES, AUTHORIZING THE USE OF CREDIT CARDS.

Sponsored by: Councilmember Wendell Brown

Contact person: Michael Clark, 798-7730

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

Suggested date of Council hearing: March 5, 2002

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

Brown moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of five to zero.

VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY

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

ORDINANCE 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.

ORDINANCE 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.

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

PROPOSAL NO. R2002-19, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE PROCLAIMING THE MONTH OF FEBRUARY 2002 AS "BLACK HISTORY MONTH" IN PIERCE COUNTY, WASHINGTON.

Brown moved adoption; motion seconded. The Clerk read the Proclamation into the record. The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of five to zero.

Moss extended an invitation to the Black History Month celebration at the Sheraton at 11:00 a.m. on Saturday, featuring Ossie Davis.

VIII. ORDINANCES

PROPOSAL NO. 2001-111s, 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 RESOURCE 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.

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

Staff Testimony

Lloyd Fetterly, Deputy Prosecuting Attorney, stated passage of this Ordinance would declare the Fairfax properties, consisting of 1,640 acres near the Carbon River Valley, to be suitable for retention by Pierce County as Open Space Nature Conservancy lands, and would delete the properties from the roster of surplus properties of Pierce County. The properties would be transferred to the custody of the Pierce County Parks and

Recreation Services Department. He stated there would be further studies on linking this property with others, and investigating the feasibility of non-motorized vehicle, hiking, and equestrian trails. He stated there is a possibility that the Department of Natural Resources property, U.S. Forest Service property, National Parks property, and private property may be linked to this site.

In response to Shabro's request for a more in-depth fiscal analysis, Grant Griffin, Parks and Recreation Services Department, stated there would be a net cost of \$1 million to log the property exclusive of the old growth. He said maintenance and operations figures from 1977 to 1998 would indicate that the County spends approximately \$789 per year for maintenance and operations costs. The maintenance does not include pesticide control.

Public Testimony

Nancy Pearson, Cascade Land Conservancy, spoke in support of the Ordinance, urging that the property be preserved for future generations.

Tom Galdabini, Cascade Land Conservancy, spoke in support of the Ordinance.

Elizabeth McKercher stated the Fairfax properties could be as important to Pierce County as Pt. Defiance Zoo.

Roxy Giddings thanked the Council for their action on the Proposal, and urged adoption.

William Giddings stated he feels it is in the public's best interest to adopt this Ordinance, and urged the Council to do so.

Mardel Chowen, Friends of the Carbon Canyon, spoke in support of the Ordinance.

Sue McCouskey stated she is the closest neighbor to the forest, and spoke of cooperating with the County in conserving this property, and acting as good stewards of the land.

John Jarvis, Superintendent of Mt. Rainier National Park, stated the Department supports and applauds the County for their foresighted approach to maintaining this important piece of property.

Kirk Kirkland, Tacoma Audubon Society, stated he feels the previous controversy over this issue stimulated a good debate on the pros and cons, and thanked the Council for their leadership in bringing the issue back for a final determination.

Diane Walkup, Tacoma Land Conservancy, stated passage of this Ordinance would be a positive step in nature conservation.

Dan Rosen spoke in support of the Ordinance, thanking the Council for preserving this important piece of land.

Randy Boss spoke against the Proposal, stating he cannot find a definition of nature conservancy or resource conservancy, and felt it would be illegal for the Council to pass this Ordinance. Griffin responded that the definitions are contained in the County's Capital Facilities Plan. Long provided copies of Title 19 of Pierce County Code Appendix A Glossary wherein resource conservancy is defined. A copy is contained in the Ordinance file.

Ken Batker spoke in support of the Ordinance, encouraging passive recreation as part of the Parks systems. Batker thanked Brown, Moss, O'Malley and Ken Madsen for their prior vote on this issue to save this land, and thanked Councilmembers Shabro and Biskey for bringing the broad debate forward in public hearings.

Dave Batker spoke in support of the Ordinance, stating this piece of property is equal in stature to that of Pt. Defiance. He thanked the Council for their vision.

Michael Nelson stated he agrees with Randy Boss.

Nancy Ninehouse, Tacoma Mountaineers, spoke in favor of the Ordinance, and thanked the Council for their vision and foresight.

Following Councilmembers comments, the Proposal passed on a roll call vote of five to zero.

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.

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

Public Testimony

Steve Craig, President of the Nisqually River Interpretive Center Foundation, provided historical background on the development of the proposed lease, and an overview of the project. Copies of his handout are contained in the Clerk's meeting file. In response to Shabro's question regarding removing timber from the property, Craig stated there is a possibility that some logging activities may occur, and there will be some on-site logging demonstrations.

Michael Nelson stated there should be an area for overnight camping and a place for the homeless to spend the night or have a fire.

The Proposal passed on a roll call vote of four to zero; Brown was excused at the time of vote.

IX. RESOLUTIONS

PROPOSAL NO. R2002-6, A RESOLUTION OF THE PIERCE COUNTY COUNCIL DECLARING ITS INTENT TO VACATE A PORTION OF 69TH AVENUE EAST, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 4 EAST, OF THE WILLAMETTE MERIDIAN, IN THE PUYALLUP AREA; AND DIRECTING THE COUNTY ENGINEER TO EXAMINE THE INTENDED VACATION AND REPORT THE FINDINGS AND CONCLUSIONS THEREOF TO THE COUNCIL.

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

Staff Testimony

Jennifer Andres, Public Works and Utilities Department, stated this Resolution represents a Council request for a vacation of this portion of 69th Avenue that is located in the Wilshire Estates. She stated the present right-of-way is 70 feet, and the effect of the vacation would be to reduce it by 10 feet to get to the required 60-foot right-of-way. She stated there will be a report from the County

Engineer to the Council.

The Chair called for public testimony, there was no response. The Proposal passed on a roll call vote of four to zero; Brown was excused at the time of vote.

X. OTHER BUSINESS/ANNOUNCEMENTS

1. Status on the LEADS/Reboot Project, and Introduction to "Enforcer" John Pirak, LESA Director; Mark Knutson, LESA Information Technology Assistant Director; and Deputy Nick Hausner, Pierce County Sheriff's Department. Copies of the handouts are contained in the Clerk's meeting file.
2. Moss announced that there was a serious traffic accident on southbound Interstate 5; an alert had been issued urging people to use alternate routes.

XI. GENERAL PUBLIC COMMENTS

1. Grant Pelesky stated he had received a post card entitled "Tax Alert Canceled." He stated it insulted his intelligence, and wanted to know who had paid for it.
2. Randy Boss referred back to Ordinance No. 2001-11s that the Council had passed earlier in the meeting. He stated the three references that had been provided by Council had nothing to do with resource lands. He stated that he did not know about the Substitute Ordinance. Boss stated there is a tax revolt in the County, and petitions for a referendum are being circulated to repeal the second Real Estate Excise Tax.
3. Michael Nelson stated the County could improve the quality of life in Pierce County by using part of the gas tax to build parking facilities.

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XII. ADJOURNMENT

There being no further business, the meeting was adjourned
at 5:18 p.m.

Attest:

Gerri Rainwater, Clerk of the Council

Approved:

Harold Moss, Council Chair

Date Approved

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