

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
FEBRUARY 20, 2001**

930 TACOMA AVENUE SOUTH, ROOM 1045  
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 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, Jan Shabro, and Kevin Wimsett; Pat O'Malley was excused.

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

There were approximately nine visitors present.

**IV. APPROVAL OF AGENDA**

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

**V. CONSENT AGENDA**

- a. Approval of Minutes
  - 1. The minutes of the January 16, 2001, regular Council meeting.
- b. Action on Ordinances (refer, set date of hearing)
  - 1. PROPOSAL NO. 2000-115s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL PROHIBITING THE DISCHARGE OF FIREARMS WITHIN UNINCORPORATED PORTIONS OF SECTIONS 1, 2, 12, 13, 14, 23, 24, 25, 26, 34, 35, AND 36, TOWNSHIP 19 NORTH, RANGE 4 EAST, AND SECTIONS 1, 2, AND 3, TOWNSHIP 18 NORTH, RANGE 4 EAST, IN THE SOUTH HILL AREA.  
Sponsored by: Councilmember Sarah Casada  
Contact person: Thomas Weber, 798-6067  
DO PASS AS SUBSTITUTED RECOMMENDATION - PUBLIC SAFETY COMMITTEE (Pat O'Malley, Chair; Calvin

Goings, Vice Chair; Kevin Wimsett, Member)  
Suggested date of Council hearing: March 6, 2001

2. PROPOSAL NO. 2001-14, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTERS 2.06 AND 2.07 OF THE PIERCE COUNTY CODE; AND ESTABLISHING THE DEPARTMENT OF COMMUNICATIONS; AND PROVIDING MINIMUM QUALIFICATIONS FOR ITS DIRECTOR.  
Sponsored by: Councilmember Wendell Brown  
Contact person: Hudson Stansbry, 798-6643  
For referral to the Rules and Operations Committee  
Suggested date of Council hearing: March 6, 2001
  3. PROPOSAL NO. 2001-15, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RELATING TO THE SEWER UTILITY OF THE COUNTY; PROVIDING FOR THE ISSUANCE OF \$\_\_\_\_\_ PAR VALUE OF SEWER REVENUE BONDS TO PROVIDE THE FUNDS TO PAY AND RETIRE THE OUTSTANDING SEWER REVENUE LINE OF CREDIT BOND ANTICIPATION NOTE (ULID NO. 90-4), OF THE COUNTY, [TO PAY THE COST OF IMPROVEMENTS IN ULID NO. 90-4, AND TO CAPITALIZE A RESERVE FOR] AND PAY COSTS OF ISSUANCE OF THE BONDS; FIXING THE DATE, FORM, INTEREST RATES, MATURITIES, TERMS AND COVENANTS OF THE BONDS; PROVIDING FOR THE SALE AND DELIVERY OF THE BONDS; AND FIXING THE INTEREST RATE ON UTILITY LOCAL IMPROVEMENT DISTRICT ASSESSMENT INSTALLMENTS.  
Sponsored by: Councilmember Wendell Brown  
Contact person: Jack Rusler, 798-7551  
For referral to the Rules and Operations Committee  
Suggested date of Council hearing: March 13, 2001
- c. Action on Resolutions (refer, set date of hearing)
1. PROPOSAL NO. R2001-21, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AMENDING RESOLUTION NO. R2000-86s, REFERRING THE PROPOSED PARK, RECREATION, AND OPEN SPACE PLAN BACK TO THE DEPARTMENT OF PARKS AND RECREATION SERVICES FOR REVISION, BY CHANGING THE DATE FOR RESUBMITTAL TO THE COUNCIL FROM FEBRUARY 1, 2001, TO JUNE 1, 2001.  
Sponsored by: Councilmember Karen S. Biskey  
Contact person: Grant Griffin, 798-4049  
For referral to the Planning Committee
  2. PROPOSAL NO. R2001-22, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF RONALD S. KLEIN AS THE DIRECTOR OF THE DEPARTMENT OF COMMUNICATIONS.  
Sponsored by: Councilmember Wendell Brown  
Contact person: April Phillips, 798-7477  
For referral to the Rules and Operations Committee

Suggested date of Council hearing: March 6, 2001

3. PROPOSAL NO. R2001-30, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ESTABLISHING AN AD HOC TASK FORCE TO REVIEW THE COMMISSION ON CHILDREN, YOUTH, AND THEIR FAMILIES; SETTING FORTH THE RESPONSIBILITIES AND DUTIES OF THE TASK FORCE; APPOINTING MEMBERS TO THE TASK FORCE; AND SETTING A DATE FOR A REPORT BACK TO THE COUNTY COUNCIL.

Sponsored by: Councilmember Karen S. Biskey

Contact person: Carolyn Pendle, 798-3631

To be referred to the Rules and Operations Committee

To be heard by the Rules and Operations Committee on February 26, 2001

Suggested date of Council hearing: February 27, 2001

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 February 2, 2001, was read into the record:

ORDINANCE NO. 2000-98, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNDEVELOPED 40TH AVENUE EAST RIGHT-OF-WAY, WHICH IS ALSO KNOWN AS PENNSYLVANIA AVENUE, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 19 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN THE PUYALLUP AREA.

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

**PROPOSAL NO. R2001-20, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER AND THE REAPPOINTMENT OF ONE EXISTING MEMBER TO THE ETHICS COMMISSION (MICHELLE SHERLS AND DENISE HOOD).**

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

**PROPOSAL NO. R2001-23, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE PIERCE COUNTY**

**HOUSING AUTHORITY BOARD. (DAVID N. BOYD)**

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

Public Testimony

Paula Caldwell stated there is a long waiting list for housing for homeless people.

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

**VIII. ORDINANCES**

**PROPOSAL NO. 2000-106s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO PARKLAND LIGHT AND WATER COMPANY, FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE AND ESTABLISHING AN EFFECTIVE DATE OF THE ORDINANCE.**

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

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

Public Testimony

Paula Caldwell stated people do not get their money from franchises, and wanted to know what the costs of this franchise is to Pierce County.

Staff Testimony

Jennifer Andres, Public Works & Utilities Department, stated this is a five-year extension of the current franchise and increases the boundaries of the franchise area. She stated the franchise is consistent with County planning policies, and the Department supports the request.

The Proposal passed as substituted on a roll call vote of six to zero.

**PROPOSAL NO. 2000-107s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO PARKLAND LIGHT AND WATER COMPANY, OF PIERCE COUNTY, FOR LOCATION OF ELECTRIC LINES ON CERTAIN COUNTY-OWNED RIGHT-OF-WAYS; AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE AND ESTABLISHING AN EFFECTIVE**

**DATE OF THE ORDINANCE.**

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

Staff Testimony

Andres stated this franchise request is for the location of power lines on County-owned right-of-way. The boundary lines of the service area do not change. The franchise received appropriate review and was found to be consistent with the County policies. Andres stated no controversies have surfaced.

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

**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.**

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

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

Staff Testimony

Andres stated passage of this Ordinance would approve a franchise extension of five years for the installation and maintenance of distribution lines. She stated the franchise is consistent with County policy.

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

**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.**

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

Moss moved adoption of Committee Amendment No. 1 as set forth in Attachment III to these minutes; motion seconded

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and passed.

Staff Testimony

Andres stated this franchise would allow for the installation and maintenance of power distribution facilities. She stated the franchise has been reviewed and is consistent with County policy.

Goings thanked the Department and Staff for providing the maps illustrating the franchise boundary areas.

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

**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.**

Moss moved that the Proposal be continued to March 20, 2001; motion seconded and passed.

**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."**

Moss moved that the Proposal be continued to February 27, 2001; motion seconded and passed.

**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.**

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

Staff Testimony

Joe Carrillo, Personnel Department, stated passage of this Ordinance would ratify the Collective Bargaining Agreement reached with Local 612. He stated the Ordinance also combines many classifications into one, which will provide consistency and allow the Department greater flexibility in job assignments.

In response to Shabro's question, John Trent, Director of the Public Works & Utilities Department, provided background on the single classification theory. In response to a concern expressed by Louise Batchelor regarding workers who are improperly trained, Trent stated that a great deal of additional training has been provided.

Shabro asked that the Department report back in one year on the single classification.

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

**IX. RESOLUTIONS - None**

**X. OTHER BUSINESS/ANNOUNCEMENTS**

1. Acknowledging receipt of notification of "Addition of Property to the Chambers Creek Properties Master Site Plan," as required by Section 10.D of the Joint

Procedural Agreement. (A copy of this document is contained in the Clerk's meeting file.)

The Clerk read the acknowledgement into the record.

Joe Scorcio, Special Assistant to the Public Works & Utilities Department Director, provided a map indicating the five acres that had been donated by Abitibi that represents the addition of property to this master cite plan.

**XI. GENERAL PUBLIC COMMENTS**

1. Andrew Leaf spoke of his concern that citizens' rights under the Constitution should be law.
2. Louise Batchelor asked that the Council not establish a new Department of Communications.
3. Paula Caldwell stated Washington State has violated constitutional law and there is no help for homeless individuals and no jobs. She stated the State is not providing services that should be provided, and she feels there is a monopoly on services.

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:55 p.m.

Attest:

Clerk of the Council

Approved:

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Council Chair

Date Approved