

**MINUTES
PIERCE COUNTY COUNCIL MEETING
FEBRUARY 25, 2003**

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 3:05 p.m. by Vice Chair Wimsett.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Wimsett.

III. ROLL CALL

Councilmembers Present: Paul Bocchi, Shawn Bunney, Barbara Gelman, Calvin Goings, Terry Lee, and Kevin Wimsett; Harold Moss was excused.

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

There were approximately 53 visitors present.

IV. APPROVAL OF AGENDA

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

V. CONSENT AGENDA

- a. Approval of Minutes
 - 1. The minutes of the January 14, 2003, regular Council meeting.
 - 2. The minutes of the February 4, 2003, regular Council meeting.
 - 3. The minutes of the February 11, 2003, regular Council meeting.
- b. Action on Ordinances (refer, set date of hearing)
 - 1. PROPOSAL NO. 2002-121s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNIMPROVED 174TH STREET EAST, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, IN THE SPANAWAY AREA.

Sponsored by: Councilmember Pat O'Malley
Contact person: Les Olsen, 798-3216
DO PASS AS SUBSTITUTED RECOMMENDATION - PUBLIC WORKS
COMMITTEE (Shawn Bunney, Chair; Terry Lee, Vice
Chair; Paul Bocchi, Member; Barbara Gelman,
Member/excused; Calvin Goings, Member)
Suggested date of Council hearing: March 25, 2003

2. PROPOSAL NO. 2003-3, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 3.68 OF THE PIERCE COUNTY CODE, "SICK LEAVE", TO BRING THE COUNTY'S RULES REGARDING PERMISSIBLE USES OF SICK LEAVE INTO COMPLIANCE WITH THE WASHINGTON STATE FAMILY CARE ACT, WHICH BECAME EFFECTIVE ON JANUARY 1, 2003.
Sponsored by: Councilmember Harold Moss
Contact person: Joe Carrillo, 798-6690
DO PASS RECOMMENDATION - RULES & OPERATIONS COMMITTEE (Harold Moss, Chair; Kevin Wimsett, Vice Chair; Terry Lee, Member)
Suggested date of Council hearing: March 25, 2003
3. PROPOSAL NO. 2003-4, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 3.72.010 OF THE PIERCE COUNTY CODE, "ACCRUAL OF VACATION LEAVE", TO ADJUST VACATION ACCRUAL RATES FOR NON-REPRESENTED, NON-ELECTED EMPLOYEES; AND SETTING AN EFFECTIVE DATE.
Sponsored by: Councilmember Harold Moss
Contact person: Joe Carrillo, 798-6690
DO PASS RECOMMENDATION - RULES & OPERATIONS COMMITTEE (Harold Moss, Chair; Kevin Wimsett, Vice Chair; Terry Lee, Member)
Suggested date of Council hearing: March 25, 2003
4. PROPOSAL NO. 2003-14, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF AN ALLEY WAY LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 20 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN THE PUYALLUP AREA.
Sponsored by: Councilmember Shawn Bunney
Contact person: Jerry West, 798-3687
For referral to the Public Works Committee

5. PROPOSAL NO. 2003-15, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO RESCIND A LEASE EXECUTED BY PIERCE COUNTY, THE CITY OF TACOMA, AND THE TACOMA RESCUE MISSION, FOR PROPERTY JOINTLY OWNED BY THE COUNTY AND THE CITY OF TACOMA; AND TO TRANSFER OWNERSHIP OF THAT PROPERTY TO THE TACOMA RESCUE MISSION AND TO HABITAT FOR HUMANITY.

Sponsored by: Councilmember Harold Moss

Contact person: Hugh Morgan, 798-6922

For referral to the Rules and Operations Committee

Suggested date of Council hearing: March 25, 2003

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

Goings 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 - None

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

PROPOSAL NO. R2003-21, A PROCLAMATION OF THE PIERCE COUNTY EXECUTIVE AND PIERCE COUNTY COUNCIL DECLARING MONDAY, MARCH 3, 2003, AS "READ ACROSS AMERICA DAY" IN PIERCE COUNTY, WASHINGTON.

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

Lyle Quasim, County Executive Staff Director, stated the Executive supports reading programs in Pierce County. The proclamation was presented to representatives of the Tacoma School District who thanked the Council for their recognition, and presented Dr. Suess hats to the Councilmembers.

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

PROPOSAL NO. R2003-20, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AMENDING RESOLUTION NO. R2003-2s BY MAKING ADDITIONAL APPOINTMENTS TO POSITIONS ON EXTERNAL BOARDS, COMMISSIONS, COMMITTEES, AND OTHER ORGANIZATIONS FOR THE YEAR 2003.

Goings 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.

RESOLUTION NO. R2003-25, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF THREE EXISTING MEMBERS TO THE MENTAL HEALTH ADVISORY BOARD. (CHRIS DARDIS, HARRISON JOHN FISHER AND HARVEY HOGLUND)

Goings 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.

RESOLUTION NO. R2003-27, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF TWO NEW MEMBERS TO THE ALLOCATION ADVISORY COMMITTEE FOR PREVENTION PROGRAMS. (CHERYL HARLOW AND SUSAN THOMAS)

Goings 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.

VIII. ORDINANCES

PROPOSAL NO. 2003-5s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING A TEMPORARY, ONE-TIME LIMITED EXEMPTION FROM THE PROVISIONS OF THE PIERCE COUNTY CHARTER ARTICLE 7 "PERSONNEL SYSTEM", AND PIERCE COUNTY CODE TITLE 3 "PERSONNEL", TO FACILITATE THE TRANSFER OF PERSONNEL OF THE PIERCE COUNTY COMMUNITY DEVELOPMENT CORPORATION TO PIERCE COUNTY, PURSUANT TO THE EXEMPTION AUTHORITY SET FORTH IN PIERCE COUNTY CHARTER, SECTION 7.20(1)(h); AND AMENDING ORDINANCE NO. 2002-112S BY INCREASING THE 2003 BUDGETS FOR ECONOMIC DEVELOPMENT AND THE HOUSING REPAIR PROGRAM AND CORRECTING A TECHNICAL ERROR.

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

Denise Dyer, Economic Development, stated passage of this ordinance would facilitate the transfer of two employees of Pierce County's Community Development Corporation to the Pierce County Personnel System. This would authorize the

exemption allowed in the Charter relative to hiring practices and benefit accruals such as sick leave and vacation. She stated the ordinance also amends the budgets of the Department of Community Services and Economic Development and the Housing Program.

Dyer responded to questions of Councilmembers regarding the implementation of this change.

The Chair called for public testimony; there was no response.

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

IX. RESOLUTIONS

PROPOSAL NO. R2003-8s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING AMENDMENTS TO THE COMPREHENSIVE PLAN FOR PIERCE COUNTY FOR 2003; CONFIRMING THE INITIATION OF AMENDMENTS BY THE CITIES AND TOWNS; CONFIRMING THE INITIATION OF AMENDMENTS BY THE COUNTY EXECUTIVE; AND REQUESTING THE PLANNING AND LAND SERVICES DEPARTMENT TO CONDUCT AN ENVIRONMENTAL REVIEW AND EVALUATION OF THE INITIATED AMENDMENTS, AND FORWARD THE ASSOCIATED REPORTS TO THE PLANNING COMMISSION, AFFECTED LAND USE ADVISORY COMMISSIONS, AND THE PIERCE COUNTY REGIONAL COUNCIL FOR ITS REVIEW AND RECOMMENDATION BACK TO THE COUNTY COUNCIL.

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

Anna Graham provided an overview of the resolution stating that it confirms the initiation of amendments to the County's Comprehensive Plan for the 2003 cycle. Graham referenced a document indicating the status of amendments that were heard by the Planning and Environment Committee, and recommended for initiation. She stated this is the first step in an approximate two-year process of identifying amendments to the Comprehensive Plan. (A copy of that document is contained in the resolution file.)

Bunney moved adoption of Council Amendment No. 1 as printed on the blue; motion seconded. Bunney explained the effects of this amendment would be to expand the Puget Western Urban Growth area to include the adjacent parcels that are currently zoned RNC. A copy of the amendment is attached to these minutes as Attachment No. 1. A copy is also contained in the resolution file with an associated map. Bunney pointed out that the City of Sumner had submitted a letter stating they do not oppose the amendment. A copy of that letter is contained in the

resolution file.

Staff Testimony

Carl Halsan, on behalf of the property owners, spoke in support of the amendment.

The amendment passed on a voice vote.

Bunney moved adoption of Amendment No. 2 as printed on the yellow; motion seconded. Following a discussion and testimony, the amendment was defeated on a voice vote. A copy of the amendment is attached to these minutes as Attachment No. 2. A copy is also contained in the resolution file.

Goings moved a technical amendment on Exhibit "A" at page 3 of 3 to delete the language from line 10 through line 17; motion seconded. As there were no proposed text amendments initiated by the County Council this language is not required. The amendment passed on a voice vote.

Goings moved an amendment to Exhibit "B" on page 1 of 3 at line 21-1/2 to change the word "File" to "Fife"; motion seconded and passed.

Public Testimony

The Chair called for public testimony on R2003-8s as amended.

Pat VanEaton submitted documents relative to Amendment PA-26. A copy is contained in the resolution file.

Bill Brantley spoke in support of Amendment PA-14 asking that the Council increase the density if possible.

Charles McTee submitted a letter to the Council regarding water issues in the Town of Eatonville. A copy of the letter is contained in the resolution file. He asked the Council to reject PA-26 and support PA-39.

Dennis Perry, representing Kings Manor, spoke in support of PA-46, and thanked Gelman for her support on this issue.

Naomi Wallace spoke on behalf of Kings Manor, and in support of PA-46.

Stan Haskey spoke in support of PA-46 stating the Kings Manor financial picture could be jeopardized because of the

nonconforming use.

Dwight Briske spoke in support of PA-46.

John Wallace spoke in support of PA-46.

Francis Huber spoke in support of PA-14.

Pastor Peter Mohr spoke in support of PA-46.

Cindy Beckett stated that PA-14 and PA-46 should not be considered by the Council until the Growth Management Hearings Board has made their findings and decisions on this issue. She stated that the area at McKinley and 84th should not be zoned high density, and the zoning should match that of the City of Tacoma.

Dave Crewes spoke in support of PA-14.

Molly Huber spoke in support of PA-14.

Ted Johnson spoke in support of PA-46.

Sandra Church submitted a letter to the Council objecting to PA-11. A copy of her letter and supporting document is contained in the resolution file.

Linda Smith submitted comments regarding PA-46 stating a concern for wetlands in the area. She also submitted a letter from Environmental Biologist, Scott Sissons, regarding her maintenance on the wetlands. A copy of that letter is included with Smith's submittal and is contained in the resolution file.

Robert Logan spoke in support of PA-46.

Ronald Walter spoke in support of PA-14.

Tim Frizell spoke in support of PA-7 and PA-26.

Michael Noel submitted a letter to the Council regarding concerns in the Eatonville area. A copy of the letter is contained in the resolution file.

Hermine Solarice stated she is opposed to PA-46 because of concern for wetland areas.

Frank Zwaslak spoke in support of PA-46, and thanked Gelman for her support.

Graham pointed out that the map associated with PA-46 that was in the Council packet, did not accurately reflect the changes contained in the amendment. The map is not an attachment to the resolution but Graham wanted the information on the record so that the map would accurately reflect the amendment.

Following Councilmember comments, the resolution passed as substituted and amended on a roll call vote of six to zero.

PROPOSAL NO. R2003-9, A RESOLUTION OF THE PIERCE COUNTY COUNCIL RATIFYING THE SALE OF THE SURPLUS COUNTY-OWNED AND TAX-TITLED PROPERTIES, AS REQUIRED BY PIERCE COUNTY CODE 2.110.120; THE COUNTY-OWNED PROPERTY IS LOCATED AT 62ND AVENUE EAST AND 12TH STREET EAST, IN FIFE, WASHINGTON; THE TAX TITLED PROPERTIES ARE LOCATED AT 3214 SOUTH ASH STREET IN TACOMA, WASHINGTON, AND AT 1538 SOUTH SPRAGUE AVENUE, IN TACOMA, WASHINGTON.

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

Susan Hedlund, Facilities Management, provided an overview of the details of the sale of the referenced property stating passage of the resolution would ratify the sale of one County-owned property, and two tax-titled properties that had previously been declared to be surplus through passage of a Council Ordinance.

The Chair called for public testimony; there was no response.

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

PROPOSAL NO. R2003-15s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL RATIFYING, AS REQUIRED BY PIERCE COUNTY CODE 2.110.120, THE SALE OF THE SURPLUS COUNTY-OWNED REAL PROPERTY, LOTS 1 THROUGH 12, BLOCK 1304 ON PACIFIC AVENUE IN TACOMA, WASHINGTON, WHICH INCLUDES THE LUZON BUILDING.

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

Cagle stated passage of this resolution would authorize the sale of this County-owned real property that had been purchased in 1990 for a new administration building. That building was not built, and the Executive now wishes to sell this property. Cagle responded to questions of Councilmembers regarding the terms of the sale stating that the services of a broker were used at a cost of approximately two percent of the selling price. Cagle

stated the proceeds from the sale would go to the General Fund.

The Chair called for public testimony; there was no response.

The proposal passed on a roll call vote of five to one; Gelman vote nay.

PROPOSAL NO. R2003-19, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AMENDING RESOLUTION NO. R2003-1s, BY CHANGING THE MEETING TIMES FOR THE COUNCIL'S PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE, AND FOR THE PUBLIC WORKS COMMITTEE.

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

Weber stated this resolution was being requested to allow the Public Safety and Human Services Committee to meet on alternating Tuesdays at 10:00 a.m.

The Chair called for public testimony; there was no response.

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

PROPOSAL NO. R2003-23, A RESOLUTION OF THE PIERCE COUNTY COUNCIL DECLARING AS SURPLUS PERSONAL PROPERTY CONSISTING OF THE TEMPORARY METAL BUILDING AND APPURTENANCES KNOWN AS THE PIERCE COUNTY JAIL ANNEX, AND AUTHORIZING ITS SALE UPON EXPEDITED TERMS DETERMINED BY THE EXECUTIVE TO BE IN THE BEST INTEREST OF THE COUNTY, WHICH MAY INCLUDE, BUT ARE NOT LIMITED TO, SALE PURSUANT TO NOTICE PUBLISHED NOT LESS THAN FIVE DAYS PRIOR TO THE DATE ON WHICH THIS RESOLUTION IS ADOPTED.

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

Skip Stansbury outlined the details of the disposal of the temporary jail known as the Pierce County Jail Annex stating a sale would hopefully be consummated by late afternoon on February 26. Stansbury responded to questions of Councilmembers regarding the safety aspects of the removal, how evaluations of the value of jail beds is ascertained, and the cost of construction and maintenance of the annex to date.

Cagle stated that when the building is removed approximately 170 public parking spaces will be placed on the property.

The Chair called for public testimony; there was no response.

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

PROPOSAL NO. R2003-22, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ADOPTING PROCEDURES FOR FILLING VACANCIES IN THE PIERCE COUNTY DISTRICT COURT AND DESIGNATING AN AD HOC COMMITTEE TO ASSIST THE COUNCIL WITH THE INITIAL SCREENING OF APPLICANTS.

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

Susan Long provided an overview of the procedures that would be adopted by this resolution for filling the current vacancy in Pierce County District Court and setting forth procedures for future appointments. Long reviewed Exhibit "A" with the Council responding to questions as to the implementation of these procedures.

Goings moved an amendment on page 3 of Exhibit "A" to delete the names Susan Long and Gerri Johnson; motion seconded. Goings stated if these procedures are to be used in the future, if the names of these employees change, by not having them reference in the document it would not have to be amended. The amendment passed on voice vote.

The Chair called for public testimony; there was no response.

The proposal passed as amended on a roll call vote of six to zero.

X. OTHER BUSINESS/ANNOUNCEMENTS

Goings moved to amend the Meeting Schedule for the week of March 3-7, 2003, by adding a Special Meeting for the purpose of a Council/Staff Retreat on Thursday, March 6, 2003, from 8:30 a.m. to 4:30 p.m. The meeting will be held at the Pierce County Environmental Services Building (Public Meeting Room), located at 9850 - 64th Street West, University Place, Washington.

The motion was seconded and passed on a voice vote.

