

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
MARCH 13, 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 by Vice Chair O'Malley.

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

The pledge was led by O'Malley.

**III. ROLL CALL**

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

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

There were approximately eight visitors present.

**IV. APPROVAL OF AGENDA**

Biskey 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. 2001-18, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CANCELING CERTAIN UNCOLLECTIBLE PERSONAL PROPERTY TAXES.

Sponsored by: Councilmember Wendell Brown  
Contact person: Jack Rusler, 798-7551  
For referral to the Rules and Operations Committee

2. PROPOSAL NO. 2001-19, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2000-93s2, AND MODIFYING THE 2001 BUDGET FOR THE SHERIFF'S DEPARTMENT, THE COMMUNICATIONS DEPARTMENT, THE PARKS AND RECREATION SERVICES DEPARTMENT, SPECIAL PROJECTS, AND THE RAINIER COMMUNICATIONS COMMISSION FUND.

Sponsored by: Councilmember Wendell Brown  
Contact person: Patrick Kenney, 798-7540  
For referral to the Rules and Operations Committee

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

1. PROPOSAL NO. R2001-38, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPROVING THE "VALLEY WATER DISTRICT FINAL WATER COMPREHENSIVE PLAN" WHICH IS DATED FEBRUARY 2001.

Sponsored by: Councilmember Harold Moss  
Contact person: Susan Clark, 798-6169  
For referral to the Public Works Committee

2. PROPOSAL NO. R2001-43, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REPEALING RESOLUTION NO. R2000-158; REQUESTING THAT THE COUNTY EXECUTIVE DEVELOP A COUNTY-WIDE TRAFFIC IMPACT FEE PROGRAM AND RELATED REGULATIONS; AND IDENTIFYING A SCHEDULE FOR REPORTING PROGRESS AND FINAL SUBMITTAL TO THE COUNTY COUNCIL.

Sponsored by: Councilmembers Karen S. Biskey and Jan Shabro

Contact person: Anna Graham, 798-6253  
For referral to the Planning and Environment Committee and the Public Works Committee  
Suggested date of Council hearing: May 1, 2001

3. PROPOSAL NO. R2001-44, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING A PROCESS FOR CONSIDERING THE PUBLIC'S NEED FOR PARKS IN DEVELOPMENT OF A SPENDING PLAN FOR THE REVENUES OF THE 1/10TH OF 1 PERCENT SALES TAX APPROVED BY THE VOTERS OF PIERCE COUNTY ON SEPTEMBER 19, 2001; REQUESTING THAT THE SPENDING PLAN ADDRESS ALL REVENUES AVAILABLE FOR PARKS; REQUESTING THE COUNTY EXECUTIVE TO PRESENT THE DRAFT PROPOSED SPENDING PLAN TO THE ACTIVE LAND USE ADVISORY COMMISSIONS AND IN OTHER PUBLIC FORUMS ACROSS THE COUNTY FOR REVIEW AND RECOMMENDATION; AND TO CONSIDER PUBLIC COMMENT IN DEVELOPING A FINAL DRAFT PROPOSED PLAN TO BE PRESENTED TO THE

COUNCIL WITHIN FOUR MONTHS OF THE ADOPTION OF THIS RESOLUTION.

Sponsored by: Councilmembers Karen S. Biskey, Calvin Goings, Kevin Wimsett and Jan Shabro

Contact person: Anna Graham, 798-6253

For referral to the Planning and Environment Committee

d. Other Items

Biskey 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 21, 2001, was read into the record:

ORDINANCE 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.

ORDINANCE 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.

ORDINANCE 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.

ORDINANCE 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; AND ESTABLISHING AN EFFECTIVE DATE..

ORDINANCE NO. 2001-13, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH INTERNATIONAL UNION OF OPERATING

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ENGINEERS (IUOE), LOCAL 612, AND AMENDING THE PIERCE  
COUNTY SALARY CLASSIFICATION PLAN.

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

**PROPOSAL NO. R2001-36, A RESOLUTION OF THE PIERCE COUNTY COUNCIL  
PROCLAIMING THE WEEK OF APRIL 1-7, 2001, TO BE "FRIENDS OF THE  
LIBRARY WEEK" IN PIERCE COUNTY, WASHINGTON.**

Biskey moved adoption; motion seconded. The Clerk read  
the Proclamation into the record.

Staff Testimony

Neel Parikh, Pierce County Library, accepted the  
Proclamation and thanked the Council for their  
recognition. She outlined programs and some of the  
highlights of the year that have been completed by the  
Library. She stated the Library staff would like to have  
an opportunity to meet with the Council to discuss  
strategic planning. Parikh responded to questions of  
Councilmembers regarding the Library's activities.

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

**PROPOSAL NO. R2001-35, A RESOLUTION OF THE PIERCE COUNTY COUNCIL  
CONFIRMING THE APPOINTMENT OF TWO NEW MEMBERS TO THE BOARD OF  
DIRECTORS OF THE ECONOMIC DEVELOPMENT CORPORATION OF PIERCE  
COUNTY (BERNALYN McGAUGHEY AND DAVID GRAYBILL)**

Biskey 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 five to zero.

**PROPOSAL NO. R2001-42, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF TWO NEW MEMBERS TO THE PENINSULA ADVISORY COMMISSION. (MARK MAUREN AND JAMES D. DE PEW)**

Biskey 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 five to zero.

**VIII. ORDINANCES**

**PROPOSAL NO. 2000-68, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNDEVELOPED CARR'S INLET COUNTY ROAD, AND A PORTION OF UNDEVELOPED J. W. EARLE ROAD (78TH AVENUE NORTHWEST) RIGHT-OF-WAY, LOCATED IN THE NORTHEAST QUARTER OF SECTION 11, AND THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 21 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, IN THE GIG HARBOR AREA.**

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

Biskey moved adoption of the Committee Amendment as set forth in Attachment I to these minutes; motion seconded. Biskey stated adoption of this amendment would change the legal description. The amendment was adopted by a voice vote.

Staff Testimony

Jennifer Andres, Public Works and Utilities Department, stated these two rights-of-way were acquired in 1884 and 1891, respectively, and neither is being used. This right-of-way was replaced with Rosedale Road. The current right-of-way divides property of an abutting property owner, therefore, this vacation has been requested.

Biskey stated that during the Committee hearing one of the property owners had opposed this action. Biskey asked whether or not the Committee amendment that was adopted would address that concern and resolve the problem. Andres responded in the affirmative.

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

**PROPOSAL NO. 2001-6, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL  
ADOPTING A NEW SECTION 3.52.085 OF THE PIERCE COUNTY CODE,  
"EMPLOYEE INCENTIVE AND RECOGNITION."**

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

Staff Testimony

Joe Scorcio, Special Assistant to the Public Works and Utilities Department Director, stated this measure is of a housekeeping nature. He has for seven years worked on the Employee Recognition Committee, which promotes programs such as the KUDOS and Employee Recognition Banquets. These programs have been budgeted for in the past, some funds coming from Personnel, and some in the Executive's budget. He stated it is important to bring formality to the process by codifying the language. He stated passage of this Ordinance would not add anything to the existing Budget because the programs have already been included.

Shabro thanked Staff for the thorough fiscal data, stating she is very supportive of employee recognition programs, and gave credit to the Committee members for their work. A copy of Scorcio's handout is contained in the Ordinance file.

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

**PROPOSAL NO. 2001-15s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL  
RELATING TO THE SEWER UTILITY OF THE COUNTY; PROVIDING FOR THE  
ISSUANCE OF \$18, 495,000 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.**

Biskey moved adoption as substituted; motion seconded.  
The Clerk read the title into the record.

Staff Testimony

Jack Rusler, Budget and Finance Department, stated the bond sale had occurred this morning via the Internet. He provided a handout that set forth the details of the bond sale results. A copy of the handout is contained in the Ordinance file. The successful bidder was Solomon Smith Barney, Inc. Rusler stated Standard & Poor's had now upgraded the County's rating to an AA-, which is a great benefit to the County as it lowers the interest rate and will result in an approximate \$250,000.00 in savings. Rusler provided an overview of the Standard & Poor's rating report. He stated Pierce is one of the four Counties in the State with this high rating.

Hugh Spitzer, Bond Counsel, provided an explanation of the changes that were set forth in the Substitute Ordinance, stating that it includes the maturity dates and interest rates of the bonds. Spitzer indicated that the parity bid form had been provided to the Clerk as an attachment to the Ordinance.

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

**PROPOSAL NO. 2001-23, AN EMERGENCY ORDINANCE OF THE PIERCE COUNTY  
COUNCIL AMENDING ORDINANCE NO. 2000-34s AND ORDINANCE NO. 2000-  
35s TO CHANGE THE EFFECTIVE DATES FROM APRIL 1, 2001, TO OCTOBER  
1, 2001; AND DECLARING AN EMERGENCY.**

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

Staff Testimony

Graham stated passage of this Emergency Ordinance would change the effective dates of the two Ordinances mentioned to allow time for the Central Puget Sound Growth Management Hearings Board to issue a final decision on this appeal. It was originally thought that the April 1, 2001, effective date would provide sufficient time; it will not. That is why the October 1, 2001, date is being recommended. Graham stated the Board's decision will most

likely be delayed until July 1, 2001, so the change in the effective date is important.

Lloyd Fetterly, Deputy Prosecuting Attorney representing the Planning and Land Services Department, stated he supports Graham's remarks.

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

**IX. RESOLUTIONS - None**

**X. OTHER BUSINESS/ANNOUNCEMENTS**

1. Biskey moved to amend the Meeting Schedule for March 19-23, 2001, page 4 of 4, to add the following two proposals to the agenda for the Planning and Environment Committee meeting on March 21, 2001; motion seconded:

6. PROPOSAL NO. R2001-41, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING PROPOSED INTERIM REGULATIONS FOR THE SOUTH HILL COMMUNITY PLAN AREA; REQUESTING THE PLANNING AND LAND SERVICES DEPARTMENT, WITH THE ASSISTANCE FROM THE PUBLIC WORKS AND UTILITIES DEPARTMENT, TO DEVELOP PROPOSED INTERIM REGULATIONS ADDRESSING TRANSPORTATION, LAND USE RELATED ISSUES, AND STORMWATER/SEWER ISSUES; REFERRING THESE PROPOSED INTERIM REGULATIONS TO THE PLANNING COMMISSION AND SOUTH HILL ADVISORY COMMISSION; AND SETTING A DATE FOR THE PLANNING COMMISSION'S REPORT AND RECOMMENDATION BACK TO THE COUNTY COUNCIL.

7. PROPOSAL NO. R2001-39, A RESOLUTION OF THE PIERCE COUNTY COUNCIL DECLARING THEIR INTENT TO INITIATE A COMMUNITY PLAN FOR THE COMMUNITIES OF SUMMIT-WALLER, NORTH CLOVER CREEK COLLINS, AND SUMMIT VIEW, TO BE KNOWN AS THE MID-COUNTY COMMUNITIES PLAN; AND REQUESTING THE COUNTY EXECUTIVE TO INCLUDE FUNDING FOR THIS COMMUNITY PLAN IN THE NEXT ANNUAL BUDGET.

**XI. GENERAL PUBLIC COMMENTS - None**

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:15 p.m.

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Attest:

Clerk of the Council

Approved:

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Council Chair

Date Approved

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