

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
MARCH 14, 2006**

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 p.m. by Acting Chair Lee.

**II. ROLL CALL**

Councilmembers Present: Roger Bush, Timothy M. Farrell, Calvin Goings, Terry Lee, and Dick Muri; Shawn Bunney and Barbara Gelman were excused.

Council Staff Present: Steve Gross, Legal Legislative Analyst; Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Operations; Carolyn Pendle, Senior Legislative Analyst; Hugh Taylor, Senior Legislative Analyst; and Tom Weber, Administrator for Research and Policy.

There were approximately 30 visitors present.

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

The pledge was led by Lee, followed by a Moment of Silence in tribute to our men and women in the Military.

**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 November 15, 2005, regular Council Meeting.
2. The minutes of the December 6, 2005, District No. 2 Council Meeting.
3. The minutes of the December 13, 2005, District No. 4 Council Meeting.
4. The minutes of the January 10, 2006, regular Council Meeting.

- b. Action on Ordinances (refer, set date of hearing)
  - 1. PROPOSAL NO. 2005-103, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A NEW CHAPTER 9.56 OF THE PIERCE COUNTY CODE, "DRUG PARAPHERNALIA."  
Sponsored by: Councilmember Terry Lee  
Council contact person: Steve Gross, 798-7579  
DO PASS RECOMMENDATION - PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE ON FEBRUARY 28, 2006  
Suggested date of Council hearing: April 11, 2006
  - 2. PROPOSAL NO. 2006-12, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING TITLE 3 OF THE PIERCE COUNTY CODE, "PERSONNEL," BY ADOPTING A NEW CHAPTER 3.13, "DOMESTIC VIOLENCE IN THE WORKPLACE."  
Sponsored by: Councilmember Barbara Gelman  
Department contact person: Sue Wahlberg, 798-6174  
Council contact person: Carolyn Pendle, 798-3631  
DO PASS RECOMMENDATION - PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE ON FEBRUARY 28, 2006  
Suggested date of Council hearing: April 11, 2006
- c. Action on Resolutions (refer, set date of hearing)  
Department contact person: Patrick Kenney, 798-7450
  - 1. PROPOSAL NO. R2006-28, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING EXPENDITURES FOR THE HISTORICAL DOCUMENTS PROGRAM AS PART OF THE PROVISIO INCLUDED IN ORDINANCE NO. 2005-92s.  
Sponsored by: Councilmember Terry Lee  
Council contact person: Thomas Weber, 798-6067  
For referral to the Rules and Operations Committee

d. Other Items

Goings 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 Ordinance, which was approved and signed on February 23, 2006, was read into the record:

ORDINANCE NO. 2005-122, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH THE PIERCE COUNTY JUVENILE COURT GUILD; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

2. A message from the Executive transmitting the following Ordinances, which were approved and signed on March 3, 2006, was read into the record:

ORDINANCE NO. 2006-1, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF APPLICATIONS FOR TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTIES LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST11-05, RICHARD T. AND DONNA M. GLEASON - TAHOMA RIDGE AREA; APPLICATION NO. OST13-05, GERALD J. AND DEBRA J. PETTIT - FOREST GLEN AREA; APPLICATION NO. OST14-05, THE KANNENBERG LIVING TRUST - FOREST GLEN AREA; APPLICATION NO. OST16-05, JAMES C. AND GLORIA G. PETERSON - NISQUALLY HIGHLANDS AREA; APPLICATION NO. OST17-05, MICHAEL AND GAIL VENUTO - TAHOMA RIDGE AREA)

ORDINANCE NO. 2006-2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF APPLICATIONS FOR TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTIES LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST5-05, BROCO PROPERTIES, LLC - FOREST GLEN AREA; APPLICATION NO. OST6-05, ANDY AND ELIZABETH ZOLLER - FOREST GLEN AREA; APPLICATION NO. OST7-05, LESLIE ANN KELLEY AND ANNA DARLENE KELLEY - FOREST GLEN AREA; APPLICATION NO. OST8-05, JOAN ELIZABETH HAIN - TAHOMA RIDGE AREA; APPLICATION NO. OST9-05, JAMES E. AND SHIRLEY J. RAVE - FOREST GLEN AREA; APPLICATION NO. OST10-05, DONG H. AND HWA Z. KIM - NISQUALLY HIGHLANDS AREA)

ORDINANCE NO. 2006-3, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF APPLICATIONS FOR OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTIES LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS1-05, WILLIAM H. SCOTT JR. - ROY AREA; APPLICATION NO. OS3-05, EVERGREEN HOLDINGS, LLC - SPANAWAY AREA; APPLICATION NO. OS4-05, FAIRWAY HOLDINGS, LLC - BUCKLEY AREA; APPLICATION NO. OS15-05, JEFFREY HIIVA - ROY AREA)

ORDINANCE NO. 2006-11s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL TERMINATING THE NONCONFORMING USE OF MOTOR TRACKS ON RESIDENTIAL PROPERTY IF THESE USES DO NOT CONFORM WITH PIERCE COUNTY CODE SECTION 18A.33.300 E.1.; ADOPTING FINDINGS OF FACT; AND ESTABLISHING A REASONABLE AMORTIZATION TIMETABLE PURSUANT TO PIERCE COUNTY CODE SECTION 18A.35.130 K.

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

**PROPOSAL NO. R2006-29, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE PROCLAIMING THE WEEK OF APRIL 1-7, 2006, AS "VOLUNTEER RECOGNITION WEEK" IN PIERCE COUNTY, WASHINGTON; AND CONGRATULATING SUE BRAATEN AND ROBERTA MURRAY AS THE 2005 VOLUNTEERS OF THE YEAR; MADISSON GRAFFE AS THE YOUNG ADULT VOLUNTEER OF THE YEAR; AND THE SHERIFF RESERVE DEPUTIES AS THE GROUP VOLUNTEERS OF THE YEAR.**

Goings moved adoption; motion seconded. Lee read the Proclamation in its entirety into the record.

Staff Testimony

Lin Spellman, Juvenile Court Services, thanked the Council for the Proclamation and spoke to volunteer program.

John Ladenburg, County Executive, congratulated the volunteer winners, and thanked them for their willingness to volunteer their time.

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

The Proposal was adopted on a roll call vote of five to zero.

Lee presented a copy of the Proclamation to the honoree, and Jim Jenkins accepted for the Sheriff's Department.

**PROPOSAL NO. R2006-24, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF ONE ALTERNATE MEMBER TO THE BOARD OF EQUALIZATION. (HARLEY MOBERG)**

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

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Staff Testimony

Weber explained the Proposal confirms the reappointment of one member to the Board.

Public Testimony

Harley Moberg thanked the Council for the reappointment. He spoke in support of the board membership expansion, and he explained changes to the Board of Equalization.

Lee and Muri expressed their appreciation to Moberg for his willingness to serve Pierce County.

The Proposal was adopted on a roll call vote of five to zero.

Without objection from Council Lee suspended the Rules to allow the Executive to address the Council.

Executive Ladenburg briefed the Council on Regional Support Network (RSN) issues.

Councilmembers thanked the Executive for providing the briefing.

Lee returned to the regular order of the business meeting.

**PROPOSAL NO. R2006-25, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF ONE MEMBER TO THE GRAHAM ADVISORY COMMISSION. (WILLIAM "BUD" REHBERG)**

Goings moved adoption. The Clerk read the title into the record.

Staff Testimony

Weber explained the Proposal confirms the reappointment of the appointee to the Graham Advisory Commission.

Councilmembers Bush, Muri and Farrell spoke in support of the reappointment.

Public Testimony

Bud Rehberg thanked the Council for his appointment.

The Chair called for final Council comments; there was no response.

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The Proposal was adopted on a roll call vote of five to zero.

**PROPOSAL NO. R2006-26, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE PIERCE COUNTY COMMUNITY DEVELOPMENT CORPORATION BOARD OF DIRECTORS. (STEPHEN PARSONS)**

Goings moved adoption. The Clerk read the title into the record.

Staff Testimony

Weber explained the term is for a legal attorney, and this is the first time Parson will be appointed to the Board.

Councilmembers Bush, Muri and Farrell spoke in support of the reappointment.

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

The Proposal was adopted on a roll call vote of four to zero (Farrell was excused).

**PROPOSAL NO. R2006-27, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE ETHICS COMMISSION. (TERRY LANE)**

Goings moved adoption. The Clerk read the title into the record.

Staff Testimony

Weber explained the Proposal confirms the appointment of Terry Lane to the Ethic Commission.

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

The Proposal was adopted on a roll call vote of five to zero.

Lee expressed his appreciation of the volunteers taking time to serve Pierce County.

**VIII. ORDINANCES**

**PROPOSAL NO. 2005-55s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL DECLARING TAX TITLED PARTIAL OWNERSHIP INTEREST IN CERTAIN REAL PROPERTY AS SURPLUS; AUTHORIZING THE COUNTY EXECUTIVE TO PURSUE DISPOSAL OF THE COUNTY'S PARTIAL OWNERSHIP BY EXCHANGE FOR A COMMENSURATE INTEREST IN SIMILAR REAL PROPERTY PURSUANT TO CHAPTER 2.110 OF THE PIERCE COUNTY CODE. (THE COUNTY'S OWNERSHIP INTEREST IS IN PROPERTY LOCATED NEAR 198TH AVENUE EAST AND 131ST STREET COURT EAST IN THE BONNEY LAKE AREA); AND RATIFYING THE TERMS OF THE AGREEMENT PURSUANT TO SECTION 2.110.120 OF THE PIERCE COUNTY CODE.**

Goings moved to continue the Proposal to the March 21, 2006, 3:00 p.m. Council meeting; motion seconded and carried.

**PROPOSAL NO. 2005-112, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CREATING SCHOOL SPEED ZONES AND MAXIMUM SPEED LIMITS AT ARTONDALE AND EVERGREEN ELEMENTARY SCHOOLS, PURSUANT TO REVISED CODE OF WASHINGTON 46.61.440(2).**

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

Staff Testimony

Weber reported the Proposal received a do pass recommendation by the Economic and Infrastructure Development Committee on January 31, 2006.

Jim Ellison, Public Works and Utilities, provided background information on the Proposal, and informed the Council the Peninsula School District requested the Proposal. Ellison explained the Proposal grants authority to the schools to operate the 20 miles per hour school speed zone sign at an established time.

Lee spoke to the importance of the Proposal.

The Proposal passed on a roll call vote of four to zero (Farrell was excused).

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**PROPOSAL NO. 2005-114s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING THE APPLICATION TO INSTALL HISTORIC BOATMAN ROAD SIGNS AT TWO INTERSECTIONS, AT 114TH AVENUE COURT EAST AND VALLEY AVENUE EAST, AND AT BENSTON DRIVE EAST AND 114TH AVENUE COURT EAST, IN RECOGNITION OF THE HISTORIC SIGNIFICANCE OF 114TH AVENUE COURT EAST AND BENSTON DRIVE EAST THROUGH THEIR HISTORIC ASSOCIATION AS BOATMAN ROAD.**

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

Staff Testimony

Weber reported the Proposal received a do pass as substitute recommendation by the Economic and Infrastructure Development Committee on January 31, 2006.

Airyang Julia Park, Planning and Land Services, explained the Proposal and noted the applications were reviewed by the Landmarks Commission in October 2005. Park informed the Council that changes have been made since the Proposal was submitted to the Council.

In response to Lee's question if the Proposal should be continued or passed today, Park explained the Proposal could be referred back to the Landmarks Commission or be adopted by Council as is.

Public Testimony

Wilden Wild testified on the Proposal.

Goings spoke in support of the Proposal.

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

**PROPOSAL NO. 2006-7, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 2.24 OF THE PIERCE COUNTY CODE, "PROBATION SERVICES," CONSOLIDATING THE PROBATION DEPARTMENT AS A DIVISION OF THE PIERCE COUNTY DISTRICT COURT; PLACING MANAGEMENT RESPONSIBILITY WITH THE DISTRICT COURT ADMINISTRATOR; AND CLARIFYING THE SALARIES AND BENEFITS OF THE STAFF.**

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

Staff Testimony

Pendle explained the Proposal and reported the Proposal received a do pass recommendation by the Public Safety and Human Services Committee on January 24, 2006.

In response to Goings' question, Pendle clarified the Probation Department employees will report to the District Court Administrator not the Probation Department Director.

Chuck Ramey, District Court #1, thanked the Council for the Proposal and spoke in support of the Proposal.

Public Testimony

Alton McDonald testified on the Proposal.

Lee called for final Council comments; there was no response.

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

**PROPOSAL NO. 2006-18, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING EMERGENCY ORDINANCE NO. 2006-14; MODIFYING THE MEMBERSHIP OF THE PLANNED DEVELOPMENT DISTRICTS AD HOC ADVISORY COMMITTEE; EXPANDING THE RESPONSIBILITIES OF THE INTERDEPARTMENTAL REVIEW TEAM; CONDUCTING A PUBLIC HEARING ON THE EMERGENCY ORDINANCE WITHIN 60 DAYS AS REQUIRED BY RCW 36.70A.390; AND ADOPTING FINDINGS OF FACT.**

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

Staff Testimony

Taylor explained the modifications of the Emergency Ordinance, and provided an overview of the Proposal. Taylor suggested an oral amendment to change the date in Section 3. from March 21, 2006 to March 14, 2006.

Goings moved the suggested oral amendment; motion seconded.

Lee called for public testimony on the amendment; there was no response.

The motion carried.

Lee called for public testimony on the Proposal as amended; there was no response.

Goings expressed his appreciation to the Proposal sponsors and Taylor for his work on the Proposal. Goings directed the Clerk to add the Public Works and Utilities Director to the final Proposal distribution list.

**IX. RESOLUTIONS - None**

**X. OTHER BUSINESS/ANNOUNCEMENTS - None**

**XI. CITIZENS' FORUM**

1. Ken Paulson addressed the Council regarding the new Tacoma Narrows Bridge referendum title and ballot being assigned to him. In addition, he commented on the Central Meadow Park.

Lee responded to Paulson's comments.

2. Alton McDonald expressed his concerns with the Family Justice Center Building contract and funding for the property rental.

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:07 p.m.

Attest:

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Denise D. Johnson, Clerk of the Council

Approved:

\_\_\_\_\_  
Terry Lee, Council Chair

\_\_\_\_\_  
Date Approved