

MINUTES
PIERCE COUNTY COUNCIL MEETING
March 18, 2008

930 Tacoma Avenue South, Room 1045
Tacoma, WA 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 3:01 p.m. by Chair Lee.

II. Roll Call

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

Council Staff Present: Susan Long, Administrator for Legal and Operations; Denise Johnson, Clerk of the Council; Mike Kruger, Legislative Analyst; Jeff Cox, Deputy Legal Counsel; and Carolyn Pendle, Senior Legislative Analyst.

There were approximately 60 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

No final action on any Ordinance or Resolution was taken under this Section.

a. Approval of Minutes - None

b. Action on Ordinances (refer, set date of hearing)

1. Proposal No. 2008-14, An Ordinance of the Pierce County Council Addressing Animal Control, Vicious Animals, Fees and Penalties by Amending Chapters 6.02, 6.04, 6.07, and 6.16 of the Pierce County Code, Repealing Chapter 6.03 and Adopting a New Chapter 6.03.

Sponsored by: Councilmembers Roger Bush and Barbara Gelman
Department contact persons: Lisa Drury, Auditor's Office, (253) 798-2118;
and Al Rose, Prosecuting Attorney's Office, (253) 798-6385
Council contact person: Carolyn Pendle, (253) 798-3631
Committee recommendation: Do Pass at Public Safety and Human
Services on March 3, 2008
Suggested date of Council hearing: April 15, 2008

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

1. Proposal No. R2008-13, A Resolution of the Pierce County Council Authorizing the Pierce County Executive to Execute an Interlocal Agreement with the State of Washington, Office of the Secretary of State, Archives and Records Management Division for Document Preparation and Imaging Services.

Sponsored by: Councilmember Terry Lee
Department contact person: Michele Mallery, Public Works and Utilities,
(253) 798-3081
Council contact person: Jeff Cox, (253) 798-7579
Committee recommendation: Do Pass at Rules and Operations
on February 19, 2008
Suggested date of Council hearing: March 25, 2008

2. Proposal No. R2008-28, A Resolution of the Pierce County Council Approving, as Creating Municipality, Resolution No. 2007-01 of the Economic Development Corporation of Pierce County, Adopted September 20, 2007, Authorizing the Issuance of not to Exceed \$6,000,000 of Nonrecourse Revenue Bonds by the Economic Development Corporation of Pierce County for the Benefit of Art Morrison Enterprises, Inc.

Sponsored by: Councilmember Terry Lee
Department contact person: Susan Suess, Economic Development
Corporation of Pierce County, (253) 383-4726
Council contact person: Paul Bocchi, (253) 798-7304
For referral to the Rules and Operations Committee
To be heard in the Rules and Operations Committee on March 31, 2008
Suggested date of Council hearing: April 1, 2008

3. Proposal No. R2008-32, A Resolution of the Pierce County Council Setting the Date of an Evening Council Meeting in Council District No. 3 for Tuesday, July 22, 2008, at 5:30 p.m., at Pierce County Public Works and Utilities Central Maintenance Facility, 4812 196th Street East, Spanaway, Washington.

Sponsored by: Councilmember Roger Bush
Council contact person: Patty Face, (253) 798-2687
Suggested date of Council hearing: April 1, 2008

4. Proposal No. R2008-38, A Resolution of the Pierce County Council Authorizing the County Executive to Enter into a One-Year Contract for Publishing Legal Notices for Pierce County.

Sponsored by: Councilmember Terry Lee
Department contact person: Ken Matthews, Budget and Finance, (253) 798-7730

Council contact person: Susan Long, (253) 798-6068
For referral to the Rules and Operations Committee
To be heard by the Rules and Operations Committee on March 31, 2008
Suggested date of Council hearing: April 1, 2008

5. Proposal No. R2008-39, A Resolution of the Pierce County Council Appointing One New Member (Ken Witkoe) to the Pierce County Criminal Justice Task Force.

Sponsored by: Councilmember Dick Muri
Council contact person: Carolyn Pendle, (253) 798-3631
Suggested date of Council hearing: March 25, 2008

d. Other Items

Goings moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of 7-0.

VI. Messages from Executive/Judges/Prosecuting Attorney

1. A message from the Executive transmitting the following Ordinance, which was approved and signed on March 5, 2008:

Ordinance No. 2008-3, An Ordinance of the Pierce County Council Declaring Certain County-Owned Real Property as Surplus, Located along Interstate 5 in the Milton Area (Commonly Referred to as the Hylebos/Milton Wetlands); and Authorizing the County Executive to Pursue Disposal of the Property, Pursuant to Pierce County Code 2.110.

VII. Proclamations, Awards, and/or Appointments to Boards and Commissions

Proposal No. R2008-31, A Resolution of the Pierce County Council and Executive Honoring the Daffodil Festival and its Royal Court for 75 Years of Enhancing Life in Pierce County.

Goings moved adoption; motion seconded. The Clerk read the title into the record. The Chair read the Proclamation in the record in its entirety.

Public Testimony:

Queen Olivia Anderson, Cascade Christian High School, gave a brief history of the Daffodil Festival.

The Daffodil Princesses introduced themselves.

Ron Simchen, President, Daffodil Festival, spoke in support of Proposal No. R2008-31.

Goings thanked the Daffodil Courts, parents of the Daffodil Princesses and the Daffodil Officers for attending the meeting.

Muri and Lee expressed their appreciation to the Daffodil Court for their involvement in the Daffodil Festival

The Chair presented the Proclamation to Queen Anderson.

The question was called; Proposal No. R2008-31 was adopted on a roll call vote of 7-0.

Proposal No. R2008-29, A Resolution of the Pierce County Council and Executive Commending Mr. David King for his Exceptional Service to the Citizens of Pierce County, and for his Dedication and Total Commitment to the Pierce County Planning Commission.

Goings moved adoption; motion seconded. The Clerk read the title into the record. The Chair read the Proclamation in the record in its entirety.

David King thanked the Council for the recognition.

The Chair thanked King for his years of leadership.

Public Testimony:

Chip Vincent, Planning and Land Services Department; spoke in support of the Proposal.

The Chair presented the Proclamation to King.

The question was called; Proposal No. R2008-29 was adopted on a roll call vote of 6-0; Gelman was excused at the time of vote.

Proposal No. R2008-22, A Resolution of the Pierce County Council and Executive Commending the Master Builders Association of Pierce County for its Environmental Stewardship and Encouraging Builders and Developers to Employ Green Building Techniques and the Tacoma-Pierce County Built Green® Program.

Goings moved adoption; motion seconded. The Clerk read the title into the record. The Chair read the Proclamation in the record in its entirety.

Tiffany Speir, Master Builders Association, introduced Duke York, President of the Master Builders Association, and spoke to the Built Green program. Speir thanked the Council for supporting the program.

Public Testimony:

Bud Rehberg testified on the Proposal.

The Chair presented the Proclamation to York.

The question was called; the Proposal was adopted on a roll call vote of seven to zero.

Proposal No. R2008-30, A Resolution of the Pierce County Council Confirming the Reappointment of One Existing Member (Joanna S. Monroe) to the Personnel Board.

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

Long explained Proposal No. R2008-30.

Sue Walberg, Human Resources Department, spoke to Proposal No. R2008-30.

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

The question was called; Proposal No. R2008-30 was adopted on a roll call vote of 7-0.

Proposal No. R2008-34, A Resolution of the Pierce County Council Confirming the Appointment of Whitney Rhodes (District 4) to the Pierce County Planning Commission.

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

Long explained Proposal No. R2008-34.

Public Testimony:

Whitney Rhodes spoke regarding the appointment.

Farrell urged passage of Proposal No. R2008-34.

The question was called; Proposal No. R2008-34 was adopted on a roll call vote of 7-0.

VIII. Ordinances

Proposal No. 2007-111, An Ordinance of the Pierce County Council Granting a Nonexclusive Franchise to the Kanooga Beach Water System for Location of Waterlines on Certain County-Owned Rights-of-Way and Authorizing the County Executive to Execute Said Franchise.

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

Cox explained Proposal No. 2007-111.

Public Testimony:

Tracy Timm, Public Works and Utilities Department, urged Council to pass the Proposal.

The question was called; Proposal 2007-111 passed on a roll call vote of 6-0. Bunney was excused at the time of vote.

Proposal No. 2007-112, An Ordinance of the Pierce County Council Vacating Wilson's to B.B. Kelley County Road Located in the Southeast Quarter of Section 26, Township 20 North, Range 5 East, W.M., in the Bonney Lake Area.

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

Kruger explained Proposal No. 2007-112.

Goings and Farrell spoke regarding Proposal No. 2007-112.

Public Testimony:

Tracy Timm, Public Works and Utilities Department; and Roy Harries testified on the Proposal.

Muri and Bush suggested that Proposal No. 2007-112 be continued.

Goings moved to continue Proposal No. 2007-112 to a date certain of April 1, 2008, 3:00 p.m., Council meeting; motion seconded and passed on a roll call vote of five to one; Muri voted no.

Proposal No. 2007-114, An Ordinance of the Pierce County Council Vacating a Portion of 162nd Avenue KPN Located in the Northwest Quarter of Section 1, Township 21 North, Range 1 West of the Willamette Meridian, in the Key Center Area.

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

Kruger explained Proposal No. 2007-114.

Public Testimony:

Kip Clinton, Key Peninsula Parks Commissioner; Scott Gallacher, Key Peninsula Parks (handout in Ordinance file); and Tracy Timm, Public Works and Utilities Department testified regarding Proposal No. 2007-114.

Muri, Lee, Farrell, and Goings provided comments regarding Proposal No. 2007-114.

The question was called; Proposal 2007-114 was defeated on a roll call vote of 1-5. Gelman, Goings, Bush, Farrell and Lee voted no. Bunney was excused at the time of vote.

Proposal No. 2007-119, An Ordinance of the Pierce County Council Granting Supplemental Franchise No. 7 to City of Gig Harbor, a Municipal Corporation, State of Washington, for Location of Sanitary Sewer Pipelines on Certain County-Owned Rights-of-Way.

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

Cox stated that the City of Gig Harbor has asked that Proposal No. 2007-119 be postponed.

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

Goings moved the Proposal be postponed indefinitely; motion seconded and passed on a vote of 6-0. Bunney was excused at the time of vote.

Proposal No. 2007-123, An Ordinance of the Pierce County Council Vacating a Portion of Unimproved 122nd Avenue A.I. and 96th Street A.I., located in the Southeast Quarter of Section 32, Township 20 North, Range 1 East, Willamette Meridian, on Anderson Island.

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

Kruger explained Proposal No. 2007-123.

Public Testimony:

Tracy Timm, Public Works and Utilities Department, spoke regarding Proposal No. 2007-123.

The question was called; the Proposal passed on a roll call vote of 6-0. Bunney was excused at the time of vote.

Proposal No. 2008-1s, An Ordinance of the Pierce County Council Adopting Amendments to the Pierce County Development Regulations and the Zoning Atlas to Implement the 2007 Amendments to the Pierce County Comprehensive Plan; Amending the Pierce County Code Chapter 18A.29, "South Hill Use and Density and Dimension Tables," and Chapter 18A.33, "Zone Classifications"; Making Technical

Amendments to Chapter 18A.22, "Frederickson Use and Density and Dimension Tables"; Setting Forth an Effective Date; and Adopting Findings of Fact.

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

Kruger explained Proposal No. 2008-1s.

Goings moved Amendment No. 1, green; motion seconded. Kruger explained Amendment No. 1.

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

The question was called; Amendment No. 1 passed on a voice vote; Muri and Bunney were excused at the time of vote.

The Chair called for public testimony on the proposal as amended; there was no response.

The question was called; Proposal No. 2008-1s passed as amended on a roll call vote of 6-0. Bunney was excused at the time of vote.

IX. Resolutions

Proposal No. R2008-21, A Resolution of the Pierce County Council Setting the Date of an Evening Council Meeting in Council District No. 2 for Tuesday, June 10, 2008, at 5:30 p.m., at Riverside Elementary School, 5515 44th Street East, Puyallup, Washington.

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

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

The question was called; Proposal No. 2008-21 was adopted on a roll call vote of 6-0. Bunney was excused at the time of vote.

X. Other Business/Announcements

1. Motion to amend Section VII. of the March 25, 2008, Council Agenda to add the following:
 3. Proposal No. R2008-39, A Resolution of the Pierce County Council Appointing One New Member (Ken Witkoe) to the Pierce County Criminal Justice Task Force.

Goings moved adoption; motion seconded and passed.

XI. Citizens' Forum

The following individuals addressed the Council: Martha Ward (handout in the Clerk's meeting file); Leandra Bernsteil (handout in Clerk's meeting file); Dean Webber, Country Aire Manor Mobile Home Park; John Shaw, Tacoma Yacht Club; Tom Seigal, Bethel School District; Ken Paulson; Anthony Guerrero; Alton McDonald; Bruce Minker, Pierce County Corrections; and Kip Clinton, Key Peninsula Parks.

XII. Adjournment

There being no further business, the meeting was adjourned at 4:35 p.m.

Attest:

Denise D. Johnson, Clerk of the Council

Approved:

Terry Lee, Council Chair

Date Approved



Pierce County Council

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Council Amendment No. 1
 Proposed Ordinance No. 2008-1s
 green

March 4, 2008

To: Councilmembers

From: Councilmembers Calvin Goings and Roger Bush

Hearing Date: March 11, 2008

Attachments: None

Subject: Proposed amendment to Proposal No. 2008-1s to reflect residential uses authorized through the 2007 plan amendments (Exhibit F to Ordinance 2007-86s) in the Mixed Use District classification within the South Hill Community Plan Area.

The following amendment to Proposal 2008-1s would amend Title 18A, Section 18A.29.010, South Hill Urban Zone Classifications (Table 18A.29.010) to show that multi-family residential uses would be permitted in the Mixed Use District zone (MUD) in the South Hill Community Plan Area.

- On page 2 of Exhibit A, in Table 18A.29.010, insert the rows for the “Residential Use Category” and the “Multi-Family Housing” Use Type to appear as follows (note that only Multi-Family Housing in the MUD zone is shown to be amended by including a “P” in the blank cell), which is consistent with the request in the related approved application for Plan Amendment:

Use Categories And Use Types	SOUTH HILL Urban Zone Classifications (Table 18A.29.010)						
	Urban Districts						
	MUD: Mixed Use District	HRD: High Density Residential District	ROC: Residential/ Office-Civic	[Reserved]	[Reserved]	[Reserved]	[Reserved]
	MUD	HRD	ROC				
RESIDENTIAL USE CATEGORY							
Multi-Family Housing	P	P	P5				