

**MINUTES
PIERCE COUNTY COUNCIL MEETING
MARCH 21, 2006**

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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 3:03 p.m. by Chair Bunney.

II. ROLL CALL

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

Council Staff Present: Patty Face, Deputy Clerk; Susan Long, Administrator for Legal and Operations; Carolyn Pendle, Senior Legislative Analyst; Hugh Taylor, Senior Legislative Analyst; and Thomas Weber, Administrator for Research and Policy.

There were approximately twelve visitors present.

III. PLEDGE OF ALLEGIANCE TO THE FLAG

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

IV. APPROVAL OF AGENDA

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

V. CONSENT AGENDA

a. Approval of Minutes

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

1. PROPOSAL NO. 2005-115s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 19D.60 OF THE PIERCE COUNTY CODE, "STORM DRAINAGE AND SURFACE WATER MANAGEMENT PLAN"; AND ADOPTING THE "CLEAR/CLARKS CREEK BASIN PLAN" FOR THE UNINCORPORATED AREA OF PIERCE COUNTY AS AN AREA UPDATE TO PIERCE COUNTY'S STORM DRAINAGE AND SURFACE WATER MANAGEMENT PLAN.
Sponsored by: Councilmember Terry Lee
Department contact person: Marsha Huebner, 798-4662
Council contact person: Steve Gross, 798-7579
DO PASS AS SUBSTITUTED - ECONOMIC AND INFRASTRUCTURE DEVELOPMENT COMMITTEE ON FEBRUARY 21, 2006
Suggested date of Council hearing: April 18, 2006
2. PROPOSAL NO. 2006-10, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THAT ACQUISITION OF CERTAIN REAL PROPERTY FOR THE OLD SOLDIERS HOME SETBACK LEVEE CAPITAL PROJECT OF THE PIERCE COUNTY PUBLIC WORKS AND UTILITIES DEPARTMENT, STORM DRAINAGE AND SURFACE WATER MANAGEMENT UTILITY, IS A PUBLIC NECESSITY; AND AUTHORIZING THE PROSECUTING ATTORNEY TO COMMENCE CONDEMNATION PROCEEDINGS TO ACQUIRE REAL PROPERTY FOR SAID CAPITAL PROJECT. (MCABEE PARCEL)
Sponsored by: Councilmember Shawn Bunney
Department contact person: Hans Hunger, 798-6162
Council contact person: Susan Long, 798-6068
DO PASS RECOMMENDATION - ECONOMIC AND INFRASTRUCTURE DEVELOPMENT COMMITTEE ON MARCH 7, 2006
Suggested date of Council hearing: April 18, 2006
3. PROPOSAL NO. 2006-22, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 5.04 OF THE PIERCE COUNTY CODE, "BUSINESS LICENSE FEES," BY ADDING THE CATEGORY AND FEE FOR SHORT-TERM BOARDING FACILITIES.
Sponsored by: Councilmember Terry Lee
Department contact person: Vickie Chasco, 798-3716
Council contact person: Steve Gross, 798-7579
For referral to the Rules and Operations Committee

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4. PROPOSAL NO. 2006-23, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO THE ANDRAIN ROAD WATER ASSOCIATION, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY-OWNED RIGHTS OF WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

Sponsored by: Councilmember Terry Lee

Department contact person: Jerry West, 798-3687

Council contact person: Thomas Weber, 798-6067

For referral to the Economic and Infrastructure Development Committee

5. PROPOSAL NO. 2006-24, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO THE PARKLAND LIGHT AND WATER COMPANY, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY-OWNED RIGHTS OF WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

Sponsored by: Councilmember Terry Lee

Department contact person: Jerry West, 798-3687

Council contact person: Thomas Weber, 798-6067

For referral to the Economic and Infrastructure Development Committee

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

1. PROPOSAL NO. R2006-30, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE INTERLOCAL AGREEMENT WITH THE CITY OF TACOMA, FORMING THE TACOMA-PIERCE COUNTY HEALTH DEPARTMENT, WHICH WAS APPROVED BY THE TACOMA CITY COUNCIL ON DECEMBER 13, 2005.

Sponsored by: Councilmembers Barbara Gelman and Terry Lee

Department contact person: Hudson Stansbury, 798-7477

Council contact person: Carolyn Pendle, 798-3631

For referral to the Rules and Operations Committee

2. PROPOSAL NO. R2006-33, A RESOLUTION OF THE PIERCE COUNTY COUNCIL FINDING THAT THE PUBLIC WORKS AND UTILITIES DEPARTMENT HAS COMPLIED WITH THE BUDGET PROVISIO IN ORDINANCE NO. 2005-92s, REGARDING THE ACQUISITION OF SURFACE WATER MANAGEMENT PROJECTS; AND AUTHORIZING THOSE FUNDS TO BE EXPENDED IN ACCORDANCE WITH THE BUDGET.

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Sponsored by: Councilmember Terry Lee
Council contact person: Steve Gross, 798-7579
For referral to the Economic and Infrastructure
Development Committee
To be heard by the Economic and Infrastructure
Development Committee on April 4, 2006
Suggested date of Council hearing: April 18, 2006

3. PROPOSAL NO. R2006-35, A RESOLUTION OF THE PIERCE COUNTY COUNCIL RELATED TO AGRICULTURE; ACCEPTING THE PIERCE COUNTY AGRICULTURE STRATEGIC PLAN; IDENTIFYING IMPLEMENTATION REQUIREMENTS; REQUESTING THE PIERCE COUNTY EXECUTIVE TO PROVIDE RECOMMENDATIONS FOR FUNDING THE IMPLEMENTATION OF THE PLAN AS A COMPONENT OF THE 2007 PIERCE COUNTY BUDGET PROCESS; AND AUTHORIZING EXPENDITURES FOR THE COMPLETION OF PHASE II OF THE PURCHASE/TRANSFER OF DEVELOPMENT RIGHTS PROGRAM FOR AGRICULTURE RESOURCE LANDS.

Sponsored by: Councilmembers Calvin Goings and Shawn Bunney

Council contact person: Hugh Taylor, 798-3665
For referral to the Rules and Operations Committee
To be heard by the Rules and Operations Committee on
March 28, 2008
Suggested date of Council hearing: April 11, 2006

d. Other Items

Lee moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of seven to zero.

VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY - None

VII. PROCLAMATIONS, AWARDS, AND/OR APPOINTMENTS TO BOARDS AND COMMISSIONS - None

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.

Lee move adoption; motion seconded. The Clerk read the title into the record.

Weber stated the Proposal received a do pass recommendation at the Rules and Operations Committee on August 8, 2005, and was continued from last week's Council Meeting.

Public Testimony

Jay Hambly, former Superintendent of the White River School District testified and thanked the Council and Executive.

Councilmember Comment

Goings complimented all parties involved.

Bunney commented the land exchange creates a great opportunity to establish an 80-acre park in East Pierce County, and preserve acreage in the Carbon River area, and site a school for the White River School District.

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

PROPOSAL NO. 2005-113, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING SUPPLEMENTAL FRANCHISE NO. 1 TO NORTHWEST PIPELINE, FOR LOCATION OF NATURAL GAS PIPELINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO THE FRANCHISE AGREEMENT.

Lee move adoption; motion seconded. The Clerk read the title into the record.

Weber stated the Proposal received a do pass recommendation at

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the Economic and Infrastructure Development Committee on January 31, 2006.

Bruce Duncan, Public Works and Utilities, briefed Councilmembers.

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

PROPOSAL NO. 2005-118, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING PIERCE COUNTY CODE CHAPTER 10.28, "MOVEMENT OF OVERLEGAL LOADS ON ROADS AND HIGHWAYS," AND AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS AND UTILITIES - TRANSPORTATION SERVICES TO COLLECT FEES FOR PERMITS DEFINED BY THIS CHAPTER.

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

Weber stated the Proposal received a do pass recommendation at the Economic and Infrastructure Development Committee on February 7, 2006.

Bruce Duncan, Public Works and Utilities, testified that the Proposal brings Pierce County Code Chapter 10.28 into conformance with state law; Revised Code of Washington Chapter 46.44, and Washington Administrative Code 468-38-110.

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

PROPOSAL NO. 2006-19s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING CHAPTER 2.92 OF THE PIERCE COUNTY CODE, "SOLID WASTE ADVISORY COMMITTEE"; AND ADOPTING A NEW CHAPTER 2.92 OF THE PIERCE COUNTY CODE, "SOLID WASTE ADVISORY COMMITTEE."

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

Pendle stated the Proposal received a do pass as substituted recommendation at the Economic and Infrastructure Development Committee on March 1, 2006, with one amendment. She stated the Committee amendment requires at least seven of the Solid Waste Advisory Committee (SWAC) members to reside in unincorporated Pierce County. Pendle referenced a letter from

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the SWAC regarding membership qualification. Pendle briefed Councilmembers on recommendations contained in a packet received from the Graham Advisory Commission.

Steve Wamback, Solid Waste Administrator for Public Works and Utilities, stated he testified at the Economic and Infrastructure Development Committee hearing, and had since met with the Graham Advisory Commission to work with them on the various amendments that they propose. Wamback acknowledged Roxy Giddings, Vice Chair of the Solid Waste Advisory Committee, in the audience.

Bunney thanked Ms. Giddings for her work on the Solid Waste Advisory Committee, and called for Public Testimony.

Public Testimony

Roxy Giddings, Vice Chair of the Solid Waste Advisory Committee, referenced the SWAC letter regarding membership qualification. She testified that SWAC membership should be determined by an individual's qualifications rather than by residence.

Bill Giddings testified.

Bud Rehberg, Chair of the Graham Advisory Commission, testified thanking Pendle for her presentation and Wamback for a productive meeting with the Graham Advisory Commission. He stated the intent of the GAC is to have a dialogue with the SWAC and other Community groups on important issues and expressed his hope that the Council, SWAC and the Public Works and Utilities Department would take the Commission's proposed amendments under consideration. He read a letter into the record and stated the GAC would support the recommendations from the Solid Waste Administrator.

Councilmember Comments

Muri said it is a modest requirement that seven of the fifteen SWAC members reside in unincorporated Pierce County.

Gelman thanked Roxy and Bill Giddings for their long-dedicated service to Pierce County.

Lee acknowledged Roxy and Bill Giddings for their hard work on

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the SWAC. He said solid waste issues are of more concern in unincorporated Pierce County, and having seven of fifteen SWAC members representing unincorporated Pierce County will not be a majority.

Bush said the skills, experience, knowledge and availability of unincorporated Pierce County citizens equal that of incorporated Pierce County citizens, and the requirement that seven of fifteen SWAC members represent unincorporated Pierce County represents compromise, and it can be revisited if necessary in the future.

Bunney thanked the parties involved, particularly the Graham Advisory Commission for their hard look at the issue and for their message to be included and a party of record.

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

IX. RESOLUTIONS

PROPOSAL NO. R2006-8, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE CITIES AND TOWNS OF PIERCE COUNTY, THEREBY AMENDING THE INTERLOCAL AGREEMENT AS RECOMMENDED BY THE PIERCE COUNTY REGIONAL COUNCIL.

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

Taylor briefed Councilmembers, stating the Pierce County Regional Council membership would be modified to add voting members for the cities of Lakewood, University Place and Puyallup. The Port of Tacoma would be added as a voting member. The Proposal would also add Ex Officio members for the Puyallup Tribe, Pierce Transit, and Washington State Department of Transportation District 3. Taylor stated the Pierce County Regional Council recommended a do pass recommendation on May 19, 2005, and signatory requirements have been met. Taylor stated the Community Development Committee recommended a do pass recommendation on February 6, 2006, and there is one technical amendment.

Lee moved Council Amendment No. 1 on yellow; motion second. A copy of the amendment is attached with these minutes as Attachment I.

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The Chair called for public testimony on the amendment; there was no response. The amendment passed on a voice vote.

The Chair called for public testimony on Proposal No. R2006-8 as amended; there was no response. The Proposal was adopted as amended on a roll call vote of seven to zero.

X. OTHER BUSINESS/ANNOUNCEMENTS - None

XI. CITIZENS' FORUM

Ken Paulsen commented.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:37 p.m.

Attest:

Patricia L. Face, Deputy Clerk

Approved:

Shawn Bunney, Council Chair

Date Approved

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