

**MINUTES
PIERCE COUNTY COUNCIL MEETING
MARCH 27, 2001**

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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 3:04 p.m. by Vice Chair Moss.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Moss.

III. ROLL CALL

Councilmembers Present: Karen S. Biskey, Calvin Goings, Harold Moss, Pat O'Malley, and Kevin Wimsett. Wendell Brown was excused; Jan Shabro arrived shortly after roll call.

Council Staff Present: Anna Graham, Research Analyst; Susan Long, Legal Counsel; Carolyn Pendle, Research Analyst; Sandy Bassett, Deputy Clerk; Rip Collins, Councilmember Assistant; and Tom Weber, Administrator/Research & Policy.

There were approximately 8 visitors present.

IV. APPROVAL OF AGENDA

O'Malley moved approval of the amended Agenda as presented; motion seconded and passed.

V. CONSENT AGENDA

- a. Approval of Minutes
 - 1. The amended minutes of the October 5, 1999, regular Council meeting.
 - 2. The minutes of the February 6, 2001, regular Council meeting.
 - 3. The minutes of the March 7, 2001, special joint meeting of the Pierce County Council, Metropolitan King County Council, and Federal Way Chamber of Commerce
- b. Action on Ordinances (refer, set date of hearing)
 - 1. PROPOSAL NO. 2001-22, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CREATING A NEW CHAPTER 2.46 OF THE

PIERCE COUNTY CODE, "PIERCE COUNTY AIRPORT-THUN
FIELD ADVISORY COMMISSION."

Sponsored by: Councilmembers Calvin Goings and
Kevin Wimsett

Contact person: Thomas Weber, 798-6067

For referral to the Planning and Environment
Committee

2. PROPOSAL NO. 2001-24, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 17 NORTH, AND RANGE 5 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST2-00, ROBERT S. AND JAMI S. CASHMAN - KAPOWSIN AREA)
Sponsored by: Councilmember Karen S. Biskey
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning and Environment Committee
3. PROPOSAL NO. 2001-25, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 18 NORTH, AND RANGE 5 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST4-00, MIKE AND CINDY SCHRADER - ORTING AREA)
Sponsored by: Councilmember Karen S. Biskey
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning and Environment Committee
4. PROPOSAL NO. 2001-26, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 18 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS3-00, RICHARD AND DIANE GAMACHE, SPANAWAY AREA)
Sponsored by: Councilmember Karen S. Biskey
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning and Environment Committee

5. PROPOSAL NO. 2001-27, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS11-00, JANICE M. KOBAK AND GARY CASTELLANE - CRYSTAL VILLAGE AREA)
Sponsored by: Councilmember Karen S. Biskey
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning and Environment Committee
6. PROPOSAL NO. 2001-28, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 15 NORTH, AND RANGE 6 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST5-00, JRG INVESTMENTS - BURNETT AREA)
Sponsored by: Councilmember Karen S. Biskey
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning and Environment Committee
7. PROPOSAL NO. 2001-29, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 17 NORTH, AND RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST7-00, JOEY AND PAM CASTOR - KAPOWSIN AREA)
Sponsored by: Councilmember Karen S. Biskey
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning and Environment Committee
8. PROPOSAL NO. 2001-30, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 18 NORTH, AND RANGE 5 EAST OF THE WILLAMETTE MERIDIAN; AND

ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST6-00, KAREL A. PELTRAM - ORTING AREA)

Sponsored by: Councilmember Karen S. Biskey
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning and Environment Committee

9. PROPOSAL NO. 2001-31, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, LOCATED IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 17 NORTH, AND RANGE 2 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST8-00, ED R. BERG - MC KENNA AREA)
Sponsored by: Councilmember Karen S. Biskey
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning and Environment Committee
10. PROPOSAL NO. 2001-20s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A NEW CHAPTER 2.55 OF THE PIERCE COUNTY CODE, ENTITLED "SUMMIT VIEW ADVISORY COMMISSION"; AND ESTABLISHING AND CREATING A FIVE-MEMBER LAND USE ADVISORY COMMISSION IN THE SUMMIT VIEW COMMUNITY TO BE KNOWN AS THE SUMMIT VIEW ADVISORY COMMISSION.
Sponsored by: Councilmembers Calvin Goings and Kevin Wimsett
Contact person: Anna Graham, 798-6253
Suggested hearing date: April 17, 2001
11. PROPOSAL NO. 2001-21s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 2.75.040 OF THE PIERCE COUNTY CODE, "GEOGRAPHICAL BOUNDARIES", ADJUSTING THE JURISDICTIONAL BOUNDARIES OF THE SOUTH HILL ADVISORY COMMISSION.
Sponsored by: Councilmember Calvin Goings
Contact person: Anna Graham, 798-6253
Suggested hearing date: April 17, 2001
12. PROPOSAL NO. 2000-97s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL TERMINATING THE CONCOMITANT AGREEMENT WHICH WAS APPROVED BY ORDINANCE NO. 86-92S, AS AMENDED, FOR THE SUNRISE DEVELOPMENT (FORMERLY, RAINIER TERRACE); AND REQUESTING PLANNING AND LAND SERVICES TO ADMINISTER THE PROJECT (AFTER THE PROPONENT SUBMITS AN APPLICATION FOR FINAL APPROVAL OF A PLANNED UNIT DEVELOPMENT

AND DEVELOPMENT AGREEMENT FOR THE SUNRISE DEVELOPMENT) PURSUANT TO PCC 18A.75.080 AND IN CONSIDERATION OF THE HEARING EXAMINER'S DECISION OF MAY 20, 1997.

Sponsored by: Councilmember Pat O'Malley

Contact person: Anna Graham, 798-6253

Suggested hearing date: April 17, 2001

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

1. PROPOSAL NO. R2001-45, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THE COUNTY EXECUTIVE, IN COOPERATION WITH THE PIERCE COUNTY SHERIFF, TO STUDY THE EFFECTIVENESS OF IMPOUNDING CARS OF MOTORISTS WHO ARE DRIVING WITHOUT A VALID LICENSE, PURSUANT TO REVISED CODE OF WASHINGTON 46.55.113.

Sponsored by: Councilmember Calvin Goings

Contact person: Carolyn Pendle, 798-3631

For referral to the Public Safety Committee

2. PROPOSAL NO. R2001-21s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AMENDING RESOLUTION NO. R2000-86s, REFERRING THE PROPOSED PARK, RECREATION, AND OPEN SPACE PLAN BACK TO THE DEPARTMENT OF PARKS AND RECREATION SERVICES FOR REVISION, BY CHANGING THE DATE FOR RESUBMITTAL TO THE COUNCIL FROM FEBRUARY 1, 2001, TO JUNE 1, 2001.

Sponsored by: Councilmember Karen S. Biskey

Contact person: Anna Graham, 798-6253

DO PASS AS SUBSTITUTED RECOMMENDATION - PLANNING AND LAND SERVICES COMMITTEE

(Karen S. Biskey, Chair; Calvin Goings, Vice Chair; and Kevin Wimsett, Member)

Suggested hearing date: April 17, 2001

d. Other Items

O'Malley 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

1. A message from the Executive transmitting the following Ordinances, which were approved and signed on March 6, 2001, was read into the record:

ORDINANCE NO. 2001-2s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2000-93s2, AND APPROPRIATING ADDITIONAL FUNDS FOR THE PIERCE COUNTY HUMANE SOCIETY.

ORDINANCE NO. 2001-12, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING CHAPTER 2.100 OF THE PIERCE COUNTY CODE, "TACOMA-PIERCE COUNTY COMMISSION ON CHILDREN, YOUTH, AND THEIR FAMILIES."

2. A message from the Executive transmitting the following Ordinances, which were approved and signed on March 8, 2001, was read into the record:

ORDINANCE NO. 99-141, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING SOUTH FORK ESTATES HOMEOWNERS' ASSOCIATION A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE, AND MAINTAIN A SANITARY SEWER PIPELINE SYSTEM IN, ALONG, AND UNDER CERTAIN PUBLIC ROADS AND HIGHWAYS IN PIERCE COUNTY, WASHINGTON.

ORDINANCE NO. 2000-115s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL PROHIBITING THE DISCHARGE OF FIREARMS WITHIN UNINCORPORATED PORTIONS OF SECTIONS 1, 2, 12, 13, 14, 23, 24, 25, 26, 34, 35, and 36, TOWNSHIP 19 NORTH, RANGE 4 EAST, AND SECTIONS 1, 2, AND 3, TOWNSHIP 18 NORTH, RANGE 4 EAST, IN THE SOUTH HILL AREA.

ORDINANCE NO. 2001-14, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTERS 2.06 AND 2.07 OF THE PIERCE COUNTY CODE; AND ESTABLISHING THE DEPARTMENT OF COMMUNICATIONS; AND PROVIDING MINIMUM QUALIFICATIONS FOR ITS DIRECTOR.

3. A message from the Executive transmitting the following Ordinance, which was approved and signed on March 14, 2001, was read into the record:

ORDINANCE 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.

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

PROPOSAL NO. R2001-47, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF SIX NEW MEMBERS TO THE PIERCE COUNTY GOLF COURSE CITIZENS' ADVISORY BOARD. (LAURETTA ERICKSON, SAM GRUBB, JEFF HURDUS, GERRI RAINWATER, PATRICK K. REGAN, AND STAN SIDOR)

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

O'Malley moved Council Amendment No. 1 (Attachment 1 to these minutes).

Staff Testimony:

Tom Weber explained that the amendment sets term expiration dates.

The Chair called for testimony; there was none. The amendment contained on Attachment 1 passed on a voice vote.

The Chair called for testimony on the amended Proposal; there was none. Proposal No. R2001-47, as amended, passed on a roll call vote of six to zero.

PROPOSAL NO. R2001-49, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF FIVE NEW MEMBERS TO THE PIERCE COUNTY CONSERVATION FUTURES CITIZENS' ADVISORY BOARD. (LEONARD BAUER, PATRICIA CLIFFORD, ROXY GIDDINGS, GEORGE HESS, AND WILLIAM VANDERPAS)B

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

The Chair recognized Roxy Giddings who was in the audience. Moss and O'Malley each thanked her for her work. The Chair called for testimony; there was none. Proposal No. R2001-49 passed on a roll call vote of six to zero.

VIII. ORDINANCES - None

IX. RESOLUTIONS

PROPOSAL NO. R2001-50, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REFERRING THE "GIG HARBOR PENINSULA COMMUNITY PLAN" BACK TO THE PLANNING COMMISSION FOR ADDITIONAL REVIEW CONCERNING THE TACOMA NARROWS AIRPORT POLICIES AND CONSIDERATION OF THE DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT; AND REQUESTING THE

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**PLANNING COMMISSION TO MAKE A FINAL RECOMMENDATION WITH FINDINGS
OF FACT BACK TO THE COUNCIL BY APRIL 10, 2001.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

The Chair called for testimony; there was none. Proposal No. R2001-50 passed on a roll call vote of six to zero.

PROPOSAL NO. R2001-57, AN EMERGENCY RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE REQUESTING GOVERNOR LOCKE AND THE SECRETARY OF THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES (DSHS) TO RECONSIDER CURRENT PLANS TO REVISE THE FUNDS ALLOCATION FORMULA PROVIDED UNDER RCW 71.24.035; AND DECLARING AN EMERGENCY.

O'Malley moved adoption; motion seconded. The Clerk read the title into the record. O'Malley explained that Western State Hospital stands to lose funding for 400 beds. He said the State's planned fund allocation formula and its affect on Pierce County and its cities and towns is of great concern to him. O'Malley said when people are excluded from treatment at Western State they will likely end up being dealt with by the Sheriff's Office or local emergency rooms; both expensive options.

Shabro agreed with O'Malley and complimented him for his quick action on the issue.

Weber pointed out some suggested technical amendments.

Goings moved the following amendments:

Page 1, line 10 - replace "DEPARTMENT OF HEALTH AND SOCIAL" with "DEPARTMENT OF SOCIAL AND HEALTH"

Page 1, line 20 - replace "71,24,035" with "71.24.035"

Page 3, line 1 - following Pierce County insert "Council"

The motion was seconded. The Chair called for testimony; there was none. The amendment passed on a voice vote.

The Chair called for testimony on the amended Proposal; there was none. Proposal No. R2001-57, as amended, passed on a roll call vote of six to zero.

X. OTHER BUSINESS/ANNOUNCEMENTS

1. Presentation: Briefing on Governor Gary Locke's Proposed Technology Institute and University of Washington, Tacoma's Legislative Request -- Vicky Carwein, Chancellor, University of Washington, Tacoma.

Councilmembers were presented a packet of information (copy contained in the meeting file) on the UW Tacoma. Vicky Carwein introduced Dr. Larry Crum and Mike Wark. Carwein explained the need for a Technology Institute

in the State and outlined the University of Washington - Tacoma's plans for funding and operating the Institute. Carwein and Crum responded to questions from Councilmembers.

2. O'Malley moved the motion to acknowledge receipt of City of Auburn's Ordinance No. 5512, annexing 415 acres in Pierce County, known as the Lakeland Phase II Annexation. The motion was seconded. The Chair called for testimony; there was none. The motion passed on a voice vote.

XI. GENERAL PUBLIC COMMENTS

1. Michael Hamilton, representing the Libertarian Party, expressed concerns with the Party's lack of representation on the Redistricting Committee.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:55 p.m.

Attest:

Clerk of the Council

Approved:

Council Chair

Date Approved

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