

MINUTES
PIERCE COUNTY COUNCIL MEETING
MARCH 27, 2007

930 Tacoma Avenue South, Room 1045
Tacoma, WA 98402

(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 p.m. by Chair Lee.

II. Roll Call

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

Council Staff Present: Brad Chatfield, Communications Legislative Analyst; Jeff Cox, Deputy Legal Counsel; Patty Face, Deputy Clerk; Mardy Fairchild, Operations/Committee Clerk; Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Clerks; Carolyn Pendle, Senior Legislative Analyst; Cathy Sala, Committee Clerk; Jenifer Schultz, Committee Clerk; Leslie Swalley, Councilmember Assistant; Hugh Taylor, Senior Legislative Analyst; Tom Weber, Administrator for Research and Policy; Cindy Willis, Councilmember Assistant..

There were approximately 50 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

Muri 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

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

1. Proposal No. 2007-18, An Ordinance of the Pierce County Council Proposing Amendments to the Pierce County Charter to Make the Sheriff a

Nonpartisan Position; Requesting the Auditor to Submit these Amendments to the Voters at the November 2007 General Election; and Requesting the Prosecuting Attorney to Draft an Appropriate Ballot Title.

Sponsored by: Pierce County Council

Council contact person: Susan Long, (253) 798-6068

Committee recommendation: Do Pass at Public Safety and Human Services on February 27, 2007

Suggested date of Council hearing: April 24, 2007

2. Proposal No. 2007-24, An Ordinance of the Pierce County Council Relating to Contracting Indebtedness; Providing for the Issuance, Specifying the Maturity Date, Interest Rate, Terms and Covenants and Fixing the Form of a \$685,000 Par Value Limited Tax General Obligation Bond, 2007, of the County for the Purpose of Providing Funds to Pay the Cost of Acquiring Equipment for the County's Chambers Bay Golf Course, and Pay the Costs of Issuance and Sale of the Bond; Establishing a Bond Redemption Fund Approving the Sale and Providing for the Delivery of the Bond; Increasing the 2007 Chambers Bay Golf Course Budget to Include the Purchase of the Capitalized Equipment; and Setting an Effective Date.

Sponsored by: Councilmember Terry Lee

Department contact person: Jack Rusler, Budget and Finance,
(253) 798-7551

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 April 16, 2007

Suggested date of Council hearing: April 24, 2007

3. Proposal No. 2007-25, An Ordinance of the Pierce County Council Repealing Ordinance No. 96-86 Which Prohibited the Discharge of Firearms in the Wilkeson Area; and Creating Two Areas Where the Discharge of Firearms Would be Prohibited in Unincorporated Portions of Sections 22, 26, 27, 28, and 33 of Township 19 North, Range 6 East, in the Wilkeson Area.

Sponsored by: Councilmember Shawn Bunney

Department contact person: Sean Gaffney, Planning and Land Services,
(253) 798-2724

Council contact person: Thomas Weber, (253) 798-6067

For referral to the Public Safety and Human Services Committee

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

1. Proposal No. R2007-39, A Resolution of the Pierce County Council and Executive Requesting the Pierce County Civil Service Commission to Change Civil Service Rule 6.3 F. to Waive the Required Testing Fee for All Active Duty Military Personnel Who Would Take Any Civil Service Test for the Sheriff's Department.

Sponsored by: Pierce County Council
Council contact person: Carolyn Pendle, (253) 798-3631
Suggested date of Council hearing: April 3, 2007

2. Proposal No. R2007-41, A Resolution of the Pierce County Council Confirming the Appointment of Richard Thurston (District 3) to the Pierce County Planning Commission.

Sponsored by: Councilmember Roger Bush
Department contact person: Toni Fairbanks, Planning and Land Services,
(253) 798-7156
Council contact person: Susan Long, (253) 798-6068
Suggested date of Council hearing: April 3, 2007

d. Other Items

1. Rescind Council's Action of Setting Date of Hearing of April 17, 2007, for the following:

Proposal No. 2007-18, An Ordinance of the Pierce County Council Proposing Amendments to the Pierce County Charter to Make the Sheriff a Nonpartisan Position; Requesting the Auditor to Submit these Amendments to the Voters at the November 2007 General Election; and Requesting the Prosecuting Attorney to Draft an Appropriate Ballot Title.

Muri 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 March 15, 2007 was read into the record:

Ordinance No. 2006-131, An Ordinance of the Pierce County Council Prohibiting the Discharge of Firearms Within Portions of Section 10, Township 20 North, Range 1 West, in the Palmer Lake, Key Peninsula Area.

Ordinance No. 2006-139, An Ordinance of the Pierce County Council Repealing Ordinance No. 97-71s, "Chambers Creek Properties Master Site Plan, 1997," and Adopting the "Chambers Creek Properties Master Site Plan Update, December 21, 2005"; Initiate Any Amendment Actions to County Plans and Codes and Propose Any Amendment Actions to the Cities' Plans and Codes Which May Be Necessary to Enable Implementation of the Master Site Plan; and Commending the Members of the Citizens' Committee, Resource Team, and Management Team for Their Dedication in Developing the Master Site Plan Update.

Ordinance No. 2007-14, 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. OST70-04, Richard E. Handsaker and Sandra M. Vandraiss – Silver Lake Highlands Area; Application No. OST12-06, Thomas and Gracie Pauly – Tahoma Ridge Area; Application No. OST14-06, Anthony and Laura Scoccolo – Tahoma Ridge Area; Application No. OST15-06, George M. Hartung – Tahoma Ridge Area; Application No. OST16-06, John R. and Carol L. Holmquist – Tahoma Ridge Area; Application No. OST17-06, Thomas S. and Laura L. Yarborough – Tahoma Area; Application No. OST19-06, William K. Meikle – Fox Island Area)

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

Proposal No. R2007-36, A Resolution of the Pierce County Council Honoring the Career of Tom Weber, Thanking Him for 21 Years of Service to the County Council, and Wishing Him Well in His Retirement.

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

Public Testimony

Harold Moss, former Pierce County Councilmember; Pat O'Malley, Superior Court Judge and former Pierce County Councilmember; Paul Cyr, former Pierce County Councilmember; Steve Cross, City of Tacoma; and Jenifer Schulz, Council Staff; spoke to Weber's retirement.

Councilmember Comments

Gelman, Farrell, Bush, and Lee expressed their appreciation to Weber for his service to Pierce County and wished him well in his retirement.

Weber spoke to years working for the Council, and thanked the Councilmembers, former Councilmembers, and Council staff for attending today's meeting.

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

VIII. Ordinances

Proposal No. 2006-111, An Ordinance of the Pierce County Council Vacating an Easement Within a Portion of Old Hales Passage Road Northwest in Section 27, Township 21 North, Range 1 East of the Willamette Meridian, in the Warren Area.

Muri 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 February 6, 2007. Weber explained there were no Council amendments being offered today, and he informed the Council that the Public Works and Utilities Department staff was in attendance to answer questions.

Lee explained that at committee level an extensive hearing was held on the Proposal, and asked the Public Works representative if there was more information to add.

Greg Dussault, Public Works and Utilities Department, responded there was no information to add.

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

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

Proposal No. 2006-134, An Ordinance of the Pierce County Council Vacating a Portion of 94th Avenue Northwest Located in the Southwest Quarter of Section 15, Township 22 North, Range 1 East, of the Willamette Meridian, in the Gig Harbor Area.

Proposal No. 2006-140, An Ordinance of the Pierce County Council Granting Sumner Viewpoint Homeowners' Association, a Nonexclusive Franchise to Construct, Operate and Maintain a Sanitary Sewer Pipeline System, In, Along, and Under Certain Public Roads and Highways in Pierce County, Washington; and Authorizing the County Executive to Enter into Said Franchise.

Muri 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 February 6, 2007.

Dussault reported the Public Works and Utilities Department recommends the road vacation.

Public Testimony

Judy Austin; Brad Reid, Petitioner; and Jean Zeren testified on the Proposal.

Councilmember Comments

Farrell remarked that he had conversation with Brian Stacy, County Engineer, regarding the vacation, and he informed the Council that Stacy recommends the vacation.

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

Proposal No. 2006-140, An Ordinance of the Pierce County Council Granting Sumner Viewpoint Homeowners' Association, a Nonexclusive Franchise to Construct, Operate and Maintain a Sanitary Sewer Pipeline System, In, Along, and Under Certain Public Roads and Highways in Pierce County, Washington; and Authorizing the County Executive to Enter into Said Franchise.

Muri 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 February 6, 2007.

Dussault reported the Department recommends passage of the Proposal.

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

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

Proposal No. 2006-141, An Ordinance of the Pierce County Council Granting Falling Water Division 1 Homeowners' Association a Nonexclusive Franchise to Construct, Operate, and Maintain a Sanitary Sewer Pipeline System In, Along, and Under Certain Public Roads and Highways in Pierce County, Washington; and Authorizing the County Executive to Enter into Said Franchise.

Muri 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 February 6, 2007.

Public Testimony

Alton McDonald; and Bill Diamond, Fallen Water Division 1 Homeowners' Association, testified on the Proposal,

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

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

Proposal No. 2006-142, An Ordinance of the Pierce County Council Granting Falling Water Division 3 Homeowners' Association a Nonexclusive Franchise to Construct, Operate, and Maintain a Sanitary Sewer Pipeline System In, Along, and Under Certain Public Roads and Highways in Pierce County, Washington; and Authorizing the County Executive to Enter into Said Franchise.

Muri 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 February 6, 2007.

Alton McDonald testified on the Proposal.

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

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

Proposal No. 2007-5, An Ordinance of the Pierce County Council Granting a Nonexclusive Franchise to Firgrove Mutual Water Company, for Location of Waterlines on Certain County-Owned Rights-of-Way and Authorizing the County Executive to Execute Said Franchise.

Muri 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 February 6, 2007.

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

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

Proposal No. 2007-12s, An Ordinance of the Pierce County Council Amending Ordinance No. 2006-114s; and Modifying the County 2007 Budget.

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

Staff Testimony

Bocchi provided Proposal information to the Council, and reported the Proposal received a do pass as substitute recommendation by the Rules and Operations Committee on February 12, 2007.

Muri moved Council Amendment No. 1 on yellow; motion seconded. A copy of the amendment is identified as Attachment I to these minutes.

Bocchi explained the amendment.

Public Testimony on the Amendment

Cheryl Thompson spoke to the amendment.

Lee called for Councilmember comments; there was no response.

The motion carried.

Muri moved Council Amendment No. 2 on yellow; motion seconded. A copy of the amendment is identified as Attachment II to these minutes.

Bocchi explained the amendment.

Public Testimony on the Amendment

Charlotte Medlock spoke to the amendment.

Councilmembers Muri, Farrell and Lee provided final comments in support of the amendment.

The motion carried.

Public Testimony on Proposal No 2007-12s as Amended

Belinda Jones; Vickie Banks, Key Peninsula area; Janet Bettering, Violence Prevention Allocation Committee; and Jud Morris testified on the amended Proposal.

Lee commented the Proposal also regards the "Right Choice Voting" program, which is new to the County.

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

Proposal No. 2007-15, An Ordinance of the Pierce County Council Adopting a New Chapter 9.45 of the Pierce County Code, "Stay Out of Areas of Prostitution Orders."

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

Staff Testimony

Pendle explained the Sheriff's Department has requested the Proposal, and she provided information on the Proposal. Pendle reported the Proposal received a do pass recommendation at the Rules and Operations Committee on February 13, 2007.

Public Testimony

Robert Hill, Alton McDonald, and Sheriff Paul Pastor testified on the Proposal.

Councilmember Comments

Bush explained the Proposal allows an individual to stay out of a specific limited area because of his/her past unlawful activity.

Muri commented the City of Lakewood's SOAP Ordinance is effective, and he urged the Council to pass the Proposal.

Gelman commented the Proposal will help the Sheriff to enforce laws in the Parkland area.

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

IX. Resolutions - None

X. Other Business/Announcements - None

XI. Citizens' Forum

1. Robert Hill expressed his concern regarding the voter's pamphlet not containing the complete amendment text.
2. Don Williams, Firgrove Water Mutual Company, thanked the Council for passing Proposal No. 2007-5.
3. Alton McDonald suggested the Council have a forum that citizens can express their concerns without coming to the Council meetings. In addition, he spoke of the recent shooting of three police officers.

Lee responded to McDonald's comments by informing him that it is important to the Council to hear from the public. Lee encouraged citizens to submit written comments as well as attend the Council meeting.

XII. Adjournment

There being no further business, the meeting was adjourned at 3:27 p.m.

Attest:

Denise D. Johnson, Clerk of the Council

Approved:

Terry Lee, Council Chair

Date Approved

Pierce County

ATTACHMENT I

930 Tacoma Avenue South, Room 1046
Tacoma, Washington 98402-2176
(253) 798-7777
FAX (253) 798-7509
TDD (253) 798-4018
1-800-992-2456
www.piercecountywa.org/council

March 27, 2007

Council Amendment No. 1
yellow

TO: Councilmembers
FROM: Councilmembers Lee and Bunney
SUBJECT: Proposed Amendment to Proposal No. 2007-12s

-
This amendment will amend Exhibit “A” to the 2007 Budget Ordinance by reallocating previously appropriated funds as shown below:

- 1. On page 10 of the Ordinance, at line 11, insert the following:

Schools – Out to Lights Out.....	201,025	176,025
Electric Gates – 144 KPN / Pole Rd.	25,000	0
Cascade Land Conservancy	50,000	

Pierce County

ATTACHMENT II

930 Tacoma Avenue South, Room 1046
Tacoma, Washington 98402-2176
(253) 798-7777
FAX (253) 798-7509
TDD (253) 798-4018
1-800-992-2456
www.piercecountywa.org/council

March 27, 2007

Council Amendment No. 2
yellow

TO: Councilmembers
FROM: Councilmembers Bunney, Farrell, Muri
SUBJECT: Proposed Amendment to Proposal No. 2007-12s

-
This amendment will amend Exhibit “A” to the 2007 Budget Ordinance by reallocating previously appropriated funds as shown below:

- 2. On page 10 of the Ordinance, at line 11, insert the following:

Schools – Out to Lights Out.....	176,025	171,025
Tacoma Historical Society-WWII Memorial.....		5,000