

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
APRIL 11, 2006**

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 Bunney

**II. ROLL CALL**

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

Council Staff Present: Steve Gross, Deputy Legal Counsel; Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Clerks; Carolyn Pendle, Senior Research Analyst; Leslie Swalley, Councilmember Assistant; Hugh Taylor, Senior Legislative Analyst; and Tom Weber, Administrator for Research and Policy.

There were approximately 40 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**

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. 2006-31, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RELATED TO FEES FOR RIGHT-OF-WAY AND ROAD CLOSURE PERMITS; WAIVING CERTAIN FEES FOR NON-PROFIT ORGANIZATIONS; AND AMENDING CHAPTER 17B.10 OF THE PIERCE COUNTY CODE, "GENERAL PROVISIONS," IN CONNECTION THEREWITH.

Sponsored by: Councilmember Barbara Gelman  
Council contact person: Steve Gross, 798-7579  
For referral to the Economic and Infrastructure  
Development Committee

2. PROPOSAL NO. 2006-33, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 14.16 OF THE PIERCE COUNTY CODE, "PIERCE COUNTY FAIR," BY INCREASING THE PARKING FEES AND CHANGING THE CAMPING FEES.

Sponsored by: Councilmember Roger Bush  
Council contact person: Steve Gross, 798-7579  
For referral to the Rules and Operations Committee

3. PROPOSAL NO. 2006-34, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 612; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

Sponsored by: Councilmember Shawn Bunney  
Department contact person: Michael Taft, 798-3394  
Council contact person: Thomas Weber, 798-6067  
For referral to the Rules and Operations Committee  
Suggested date of Council hearing: May 9, 2006

4. PROPOSAL NO. 2006-35, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH THE TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS UNION, LOCAL 313; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

Sponsored by: Councilmember Shawn Bunney  
Department contact person: Michael Taft, 798-3394  
Council contact person: Thomas Weber, 798-6067  
For referral to the Rules and Operations Committee  
Suggested date of Council hearing: May 9, 2006

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

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

Department contact person: Patrick Kenney, 798-7450

Council contact person: Thomas Weber, 798-6067

DO PASS RECOMMENDATION - RULES AND OPERATIONS  
COMMITTEE ON

MARCH 27, 2006

Suggested date of Council hearing: April 18, 2006

2. PROPOSAL NO. R2006-41, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THAT THE PARKS AND RECREATION SERVICES DEPARTMENT DEVELOP UPDATED COST ESTIMATES FOR EACH COMPONENT OF THE STAGE 1 IMPROVEMENTS IDENTIFIED WITHIN THE "SPRINKER RECREATION CENTER MASTER SITE PLAN AND PRE-DESIGN, PHASE II REPORT," DATED JULY 31, 2003; REQUESTING THAT THE DEPARTMENT DEVELOP UPDATED ESTIMATES OF THE ECONOMIC IMPACT OF THE STAGE 1 IMPROVEMENTS; AND EXPRESSING THE COUNCIL'S INTENT TO REEVALUATE ALTERNATIVES FOR THE FUNDING AND TIMING OF IMPROVEMENTS TO THE SPRINKER RECREATION CENTER BASED UPON THE UPDATED INFORMATION.

Sponsored by: Councilmember Barbara Gelman

Council contact person: Hugh Taylor, 798-3665

For referral to the Community Development Committee

To be heard in the Community Development Committee on  
April 17, 2006

Suggested date of Council hearing: May 9, 2006

3. 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

DO PASS RECOMMENDATION - RULES AND OPERATIONS  
COMMITTEE ON APRIL 10, 2006

Suggested date of Council hearing: April 18, 2006

d. Other Items

1. **Rescind Council's Action of Setting Date of Hearing of April 18, 2006:**

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.

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**

1. A message from the Executive transmitting the following Ordinances, which were approved and signed on March 28, 2006, was read into the record:

ORDINANCE 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.

ORDINANCE 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).

ORDINANCE 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.

ORDINANCE 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.

ORDINANCE 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.

ORDINANCE 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.

ORDINANCE 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.

ORDINANCE 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."

2. A message from the Executive transmitting the following Ordinances, which were approved and signed on March 30, 2006, was read into the record:

ORDINANCE NO. 2005-117, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO THE WASHINGTON WATER SERVICE COMPANY, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY-OWNED RIGHTS OF WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

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

ORDINANCE NO. 2006-6, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO ELMHURST MUTUAL POWER AND LIGHT COMPANY, OF PIERCE COUNTY, FOR LOCATION OF ELECTRIC LINES ON CERTAIN RIGHTS OF WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

ORDINANCE NO. 2006-15, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH THE TEAMSTERS LOCAL UNION NO. 117, AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS, ON BEHALF OF SHERIFF'S CIVILIAN SUPPORT STAFF; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

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

**PROPOSAL NO. R2006-37, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE RECOGNIZING AND HONORING THE MANY CONTRIBUTIONS MADE TO PIERCE COUNTY BY THE DAFFODIL FESTIVAL AND ITS ROYAL COURT FOR THE PAST 73 YEARS.**

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

Daffodil Queen Mollie Ruiz thanked the Council for the honor, spoke to the upcoming Festival events, and commented on her future goals.

The Daffodil Princesses introduced themselves and stated their future goals.

Executive John Ladenburg thanked the Daffodil Festival and its Royal Court for their services. Ladenburg urged the citizens to support the Daffodil Parade.

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

Councilmembers Lee, Goings and Gelman expressed their gratitude to the Royal Court and the Daffodil Festival Association.

Goings recognized Council staff for providing the Proclamation and reception.

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

Ladenburg presented the Proclamation to Ruiz.

Daffodil pins were made available by the Royal Court.

**PROPOSAL NO. R2006-43s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE COMMENDING AND THANKING THE WESTERN WASHINGTON FAIR ASSOCIATION BOARD OF DIRECTORS, MANAGER AND STAFF FOR HOSTING THE APRIL 8, 2006, LIVABLE COMMUNITIES FAIR AT THE PUYALLUP FAIR AND EVENTS CENTER IN PUYALLUP, WASHINGTON; AND PROCLAIMING APRIL 11, 2006, AS WESTERN WASHINGTON FAIR DAY.**

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

Bunney spoke in support of the Proclamation.

Ladenburg thanked the Puyallup Fair for donating space for the Livable Community Fair, and remarked he anticipates the fair attendance to exceed last year's. Ladenburg recognized Diane Braaten, Executive's Office, for her work on the fair events.

Bunney thanked Ladenburg and his staff for their leadership in putting the fair event together, and noted this year was the first time the Council was involved in the event.

#### Public Testimony

Trent Hogan, Puyallup Fair Manager, thanked the Council and Executive for the Proclamation. Hogan urged all to the upcoming Spring Fair and other upcoming events.

Denny Elvins, President of the Puyallup Fair, thanked Ladenburg and the Council for their support.

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

Ladenburg presented the Proclamation to Hogan and Elvins.  
**PROPOSAL NO. R2006-38, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE FREDERICKSON ADVISORY COMMISSION. (EDWARD L. REDING)**

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

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

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

**PROPOSAL NO. R2006-39, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF FOUR NEW MEMBERS TO THE MENTAL HEALTH ADVISORY BOARD. (BARBARA BEST, SHIRLEY "TY" LEE, CONNIE RUTHERFORD, AND BRENDA WILLIAMS)**

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

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

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

**PROPOSAL NO. R2006-40, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF SIX NEW MEMBERS TO THE CHEMICAL DEPENDENCY ADVISORY BOARD. (JEFF BAROH, LEN P. JOHNSON, KELLY J. LEASURE, BILL OLTMAN, REBECCA ROGER, AND AMAR M. SAPALO)**

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

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

Bunney thanked all the volunteers appointed today for their willingness to serve.

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

#### **VIII. ORDINANCES**

##### **PROPOSAL NO. 2005-103, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A NEW CHAPTER 9.56 OF THE PIERCE COUNTY CODE, "DRUG PARAPHERNALIA."**

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

#### Staff Testimony

Gross reported the Proposal received a do pass recommendation by the Public Safety and Human Services Committee on February 28, 2006. Gross explained the Proposal provides a tool for the Prosecuting Attorney, and he explained the definition of "drug paraphernalia".

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

Gross explained the amendment.

Bunney called for public testimony on the amendment. There was no response. Bunney called for Councilmember comments; there was no response.

The motion passed.

Bunney called for public testimony on Proposal No. 2005-103 as amended; there was no response.

Lee informed the Council that he was pleased to sponsor the Proposal, as it addresses and strengthens state statute to fix loop holes.

Councilmembers Bush and Bunney thanked Lee for the Proposal.

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

**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."**

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

Staff Testimony

Pendle reported the Proposal received a do pass recommendation by the Public Safety and Human Services Committee on February 28, 2006. Pendle summarized the new policies set forth in the Proposal.

Betsy Sawyer, Human Resources Department Director, spoke in support of the Proposal, and informed the Council that all unions have reviewed the Proposal.

Bunney called for public testimony on the Proposal; there was no response. Bunney called for Councilmember comments; there was no response.

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

Without objection from Council, Bunney advanced to Section IX., Item 3. on today's agenda

**IX. RESOLUTIONS**

**PROPOSAL NO. R2006-31s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ACCEPTING THE FEASIBILITY PLAN PREPARED BY SUPERIOR COURT IN RESPONSE TO A 2006 BUDGET PROVISIO ADDRESSING IMPLEMENTATION OPPORTUNITIES FOR USING ELECTRONIC REPORTING IN COURTROOMS, ELECTRONIC TRACKING OF RECOUPMENT ORDERS, AND RECONCILIATION OF LINX AND SCOMIS DATA IN PENDING CASES; AUTHORIZING EXPENDITURE OF UP TO \$100,000 IN THE 2006 BUDGET FOR HIRING A COURT COMMISSIONER AND LEGAL ASSISTANT EFFECTIVE JULY 1, 2006; DIRECTING THE PERFORMANCE AUDIT COMMITTEE TO CONDUCT A PLANNING STUDY IN 2006 TO DETERMINE WHETHER A PERFORMANCE AUDIT SHOULD BE CONDUCTED TO ADDRESS COURTROOM STAFFING ISSUES AND THE EFFICIENCY AND COST EFFECTIVENESS OF ELECTRONIC/VIDEO RECORDING; AND REQUESTING THE PERFORMANCE AUDIT COMMITTEE TO DO FOLLOW-UP WORK AS NEEDED ON TOPICS ADDRESSED IN PREVIOUS AUDIT REPORTS AND TO TRACK THE COURT'S PROGRESS ON THE TOPICS REFERENCED IN THE SUPERIOR COURT BUDGET PROVISIO IN ORDINANCE NO. 2005-92s.**

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

Staff Testimony

Pendle reported the Proposal received a do pass as substitute recommendation by the Public Safety and Human Services Committee on March 14, 2006. Pendle explained the Proposal is the result of a budget proviso in Ordinance No. 2005-92s. Pendle briefed the Council on the amendment approved in Committee.

Stephanie Arend, Superior Court Presiding Judge, thanked the Council for recognizing the need for another court commissioner. She spoke to the needs of the court commissioners and superior court, outlined the Feasibility Plan, and clarified the department performance audit was not conducted in 2001 as reflected in the Proposal. Arend read into the record Revised Code of Washington Chapter 2.56 (General Rule 32 Court Performance Audits) expressing her concerns with the Council conducting court performance audits. A copy of her handout is included in the Ordinance file.

Arend had dialog with Council on whether or not the Council has authority to conduct performance audits of courts.

Thomas Larkin, Superior Court Judge, spoke to performance audits, and commented that Superior Court supports performance audits. He spoke to the Court and Council working together on past performance audit issues.

After lengthy discussion on the proposal, Bush moved to table the Proposal; motion seconded. Bush explained that he wants to make sure the Proposal is correct.

In response to Gelman's question, Bush explained that he does not have a date certain to bring the Proposal back before the Council.

After discussion on the motion, Long clarified to the Council that the motion is to have the Proposal postponed indefinitely.

The Proposal was postponed indefinitely on a roll call vote of six to one (Goings voted nay).

The Chair returned to the regular of business.

**PROPOSAL NO. R2006-22s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING AMENDMENTS TO THE COMPREHENSIVE PLAN FOR PIERCE COUNTY FOR THE 2006 ANNUAL AMENDMENTS; CONFIRMING THE INITIATION OF AMENDMENTS BY THE COUNTY EXECUTIVE; AND REQUESTING THE PLANNING AND LAND SERVICES DEPARTMENT TO CONDUCT AN ENVIRONMENTAL REVIEW AND EVALUATION OF THE INITIATED AMENDMENTS, AND FORWARD THE ASSOCIATED REPORTS TO THE PLANNING COMMISSION AND AFFECTED LAND USE ADVISORY COMMISSIONS FOR REVIEW AND RECOMMENDATION BACK TO THE COUNTY COUNCIL.**

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

Staff Testimony

Graham reported the Proposal received a do pass as substitute recommendation by the Community Development Committee on March 13, 2006. Graham provided background information on the 2006 Plan amendment cycle, and informed the Council that there are no Council amendments to the Proposal.

Public Testimony

Jeff Mann testified to the Proposal.

Councilmembers Bush, Goings and Bunney spoke in support of the Proposal.

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

**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.**

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

Staff Testimony

Taylor explained the Proposal formally accepts the Strategic Plan and releases \$50,000 of funding for the Phase II

PDR/TDR program. Taylor reported the Proposal received a do pass recommendation from the Rules and Operations Committee on March 27, 2006.

Rob Allen, Economic Development Division, provided background information on the Comprehensive Plan and on the Strategic Plan process.

Clark Worth, Barney & Worth, Inc., provided a PowerPoint presentation highlighting the Strategic Plan.

Bunney thanked Worth for the visual presentation.

Dick Carkner, Chairman of Pierce County Farm Advisory Commission, spoke to the agriculture base in Pierce County, the Farm Advisory Commission's letter supporting the Comprehensive Plan amendments, the 2004 Comprehensive Plan amendments, and the top priorities of implementing options of the Commission. Carkner answered Councilmember questions regarding value added seed money.

Monte Mahan, Pierce County Conservation District, thanked the Council for preserving farm land in the County. Mahan updated the Council on farming programs, and informed the Council that the Board recommends passage of the Proposal.

Ryan Dicks, Cascade Land Conservancy, updated the Council on the PDR/TDR program.

Goings explained the PDR program to the viewing audience.

Bunney commented on the Alder-McMillin Planning Board.

Bunney asked Taylor to meet with the key players regarding valley farming land issues on pilot programs.

#### Public Testimony

Jennifer Harte, Washington State University-Pierce County Cooperative Extension, spoke in support of the Strategic Plan.

Councilmembers Goings, Gelman, Farrell, and Lee provided comments in support of the Proposal.

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

**XI. CITIZENS' FORUM** - None

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned  
at 5:20 p.m.

Attest:

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Denise D. Johnson, Clerk of the Council

Approved:

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

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

## Pierce County

Office of the County Council

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April 7, 2007

COUNCIL AMENDMENT NO. 1

TO: Council

FROM: Steve Gross, Council Staff

SUBJECT: Proposal 2006-103, Drug Paraphernalia

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Upon further review, and at the recommendation of the Prosecutor's office, staff recommends that Proposal 2005-103, Exhibit A, be amended as shown on Attachment A to this amendment. The Prosecutor's office believes that state law sufficiently addresses the use of drug paraphernalia. Therefore, the intent of these changes is to remove the provisions in the original proposal related to use, but to still prohibit the sale and distribution of drug paraphernalia. Additionally, a new remedies section is added that combines the penalty/remedy sections of 9.50.040 into a more easily-read section, and modifies the penalties.

The changes are as follows:

1. Proposed Section 9.56.040 (beginning on Page 4, Exhibit A) is amended to remove all references to "use" of drug paraphernalia. It also removes the penalty or remedy provisions, which have been consolidated into a new section.
2. A new section, 9.56.050 is added. This section combines the penalty sections previously founded in 9.56.040. It also strengthens those penalties by making the third and subsequent offense a misdemeanor, instead of a civil infraction.

Atch.