

**MINUTES
PIERCE COUNTY COUNCIL MEETING
APRIL 16, 2002**

930 TACOMA AVENUE SOUTH, ROOM 1045
TACOMA, WASHINGTON 98402
(253) 798-7777 -- FAX: (253) 798-7509 -- TDD: (253) 798-4018

(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 3:05 p.m. by Chair Moss.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Moss.

III. ROLL CALL

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

Council Staff Present: Shawn Bunney, Research Analyst; Gerri Rainwater, Administrator/Clerks & Operations; and Tom Weber, Administrator/Research & Policy.

There were approximately 32 visitors present.

IV. APPROVAL OF AGENDA

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

Moss announced that Items 4, 5, and 6 were on the Agenda for referral to Committee and setting dates of hearing, and that those who were in attendance at the meeting for these issues could attend the Rules & Operations Committee meeting and Council meeting to provide testimony.

V. CONSENT AGENDA

- a. Approval of Minutes
- b. Action on Ordinances (refer, set date of hearing)
 - 1. PROPOSAL NO. 2002-16s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CHANGING THE NAME OF A PORTION OF 69TH AVENUE EAST AND 70TH AVENUE EAST TO WOODLAND AVENUE EAST; DESIGNATING THE ARTERIAL CLASSIFICATION FOR

THIS ROAD BY AMENDING ORDINANCE NO. 98-117; REVISING THE MAXIMUM SPEED LIMIT FOR THIS ROAD BY AMENDING ORDINANCE NO. 2001-103; DIRECTING THE COUNTY ENGINEER TO PROPERLY IMPLEMENT THE ARTERIAL DESIGNATION, MAXIMUM SPEED LIMIT, AND ROAD NAME THROUGH THE USE OF APPROPRIATE TRAFFIC CONTROL DEVICES; AND SETTING AN EFFECTIVE DATE.

Sponsored by: Councilmember Calvin Goings

Contact person: Jim Ellison, 798-5133

DO PASS AS SUBSTITUTED RECOMMENDATION - PUBLIC WORKS COMMITTEE (Pat O'Malley, Chair; Kevin Wimsett, Vice Chair; Karen Biskey, Member; Calvin Goings, Member, Harold Moss, Member)

Suggested date of Council hearing: May 7, 2002

2. PROPOSAL NO. 2002-18s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THE PROPOSED NON-EXCLUSIVE FRANCHISE AND LEASE AGREEMENT BETWEEN PIERCE COUNTY AND SPRINT SPECTRUM, L. P., FOR WIRELESS TELECOMMUNICATIONS ANTENNAE AND EQUIPMENT TO BE PLACED ON PROPERTY OWNED BY PIERCE COUNTY, WHICH IS LOCATED AT 215 SOUTH 36TH STREET, TACOMA, WASHINGTON, AND KNOWN AS THE PUGET SOUND BEHAVIORAL HEALTH BUILDING, TO BE IN THE PUBLIC INTEREST; SETTING FORTH TERMS AND CONDITIONS ACCOMPANYING THE GRANTING OF THE FRANCHISE; PROVIDING FOR THE STANDARDS, CONDITIONS, RENTAL AMOUNT, AND OTHER TERMS OF SUCH OCCUPANCY; PRESCRIBING REMEDIES FOR THE VIOLATION OF THE PROVISIONS THEREOF; AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO THE FRANCHISE AND LEASE AGREEMENT.

Sponsored by: Councilmember Harold Moss

Contact person: Hudson Stansbury, 798-7477

DO PASS AS SUBSTITUTED RECOMMENDATION - RULES & OPERATIONS COMMITTEE (Harold Moss, Chair/excused; Pat O'Malley, Vice Chair; Wendell Brown, Member)

Suggested date of Council hearing: May 7, 2002

3. PROPOSAL NO. 2002-19s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 5.24.050 AND 6.04.030 OF THE PIERCE COUNTY CODE RELATIVE TO FEES FOR KENNELS, CATTERIES, GROOMING PARLORS, PET SHOPS, AND PET LICENSES; ADDING A BI-ANNUAL FINANCIAL REQUEST FOR SERVICE AND PERMIT DATA REPORTING REQUIREMENTS; AND SETTING AN EFFECTIVE DATE.

Sponsored by: Councilmember Harold Moss

Contact person: Pat Kenney, 798-7450

DO PASS AS SUBSTITUTED RECOMMENDATION - RULES & OPERATIONS COMMITTEE (Harold Moss, Chair/excused; Pat O'Malley, Vice Chair; Wendell Brown, Member)

Suggested date of Council hearing: May 7, 2002

4. PROPOSAL NO. 2002-41s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 2.54 OF THE PIERCE COUNTY CODE, "DISTRICT COURT DISTRICTING PLAN", TO CONSOLIDATE ALL PIERCE COUNTY DISTRICT COURTS INTO ONE PIERCE COUNTY DISTRICT COURT.
Sponsored by: Councilmembers Kevin Wimsett, Harold Moss, and Pat O'Malley
Contact person: Susan Long, 798-6068
For referral to the Rules & Operations Committee
To be heard by the Rules & Operations Committee on April 29, 2002
Suggested date of Council hearing: April 30, 2002
 5. PROPOSAL NO. 2002-42, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A SALARY ADJUSTMENT FOR THE PART-TIME DISTRICT COURT JUDGE IN DISTRICT NO. 3, EATONVILLE, PURSUANT TO REVISED CODE OF WASHINGTON 43.03.012.
Sponsored by: Councilmember Harold Moss
Contact person: Hudson Stansbury, 798-7477
For referral to the Rules & Operations Committee
To be heard by the Rules & Operations Committee on April 29, 2002
Suggested date of Council hearing: April 30, 2002
 6. PROPOSAL NO. 2002-44, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL SETTING THE PROPORTION OF FULL-TIME WORK FOR THE PART-TIME DISTRICT COURT JUDGE, POSITION NO. 6, GIG HARBOR (PREVIOUSLY DISTRICT COURT NO. 2) PURSUANT TO REVISED CODE OF WASHINGTON 43.03.012.
Sponsored by: Councilmember Harold Moss
Contact person: Susan Long, 798-6068
For referral to the Rules & Operations Committee
To be heard by the Rules & Operations Committee on April 29, 2002
Suggested date of Council hearing: April 30, 2002
- c. Action on Resolutions (refer, set date of hearing)
1. PROPOSAL NO. R2002-45, A RESOLUTION OF THE PIERCE COUNTY COUNCIL RELATING TO RACIAL PROFILING IN POLICING.
Sponsored by: Councilmember Harold Moss
Contact person: Carolyn Pendle, 798-3631
For referral to the Rules & Operations Committee
- 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 April 3, 2002, was read into the record:

ORDINANCE NO. 2002-40, AN EMERGENCY ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2000-34s AND ORDINANCE NO. 2000-35s, AS AMENDED, TO CHANGE THE EFFECTIVE DATE FROM MARCH 1, 2002, TO DECEMBER 1, 2002; AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2002-27, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH PIERCE COUNTY DEPUTY SHERIFFS' INDEPENDENT GUILD, LOCAL NO. 1889; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

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

PROPOSAL NO. R2002-33, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE DECLARING THE WEEK OF APRIL 22-28, 2002, AS VOLUNTEER RECOGNITION WEEK IN PIERCE COUNTY, WASHINGTON; AND CONGRATULATING AND COMMENDING ARDITH DERAAD AND JUDI HOLLEY AS THE YEAR'S TOP INDIVIDUAL VOLUNTEERS; AND THE LONG TERM CARE OMBUDSMAN PROGRAM AS THE TOP VOLUNTEER GROUP WINNER FOR THE YEAR 2001.

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

Lori Durand accepted the Proclamation on behalf of the Long Term Care Ombudsman Program; Jim Jenkins accepted the Proclamation on behalf of Judi Holley, and Ardith DeRaad accepted for herself.

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

PROPOSAL NO. R2002-34, A RESOLUTION OF THE PIERCE COUNTY COUNCIL PAYING TRIBUTE AND HONORING THE 200TH ANNIVERSARY OF THE UNITED STATES MILITARY ACADEMY AT WEST POINT; RECOGNIZING THE ACADEMY AS A LIVING TESTAMENT TO THE ACCOMPLISHMENTS OF THE UNITED STATES THROUGHOUT ITS HISTORY; AND RECOGNIZING WEST POINT AS THE ACADEMY MOVES FORWARD INTO ITS THIRD CENTURY OF SERVICE TO THE NATION.

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

Thomas Morgan, LTC, USA, Retired, accepted the Proclamation, and thanked the Council for their recognition. He provided West Point information to Councilmembers. A copy of the packet is contained in the Clerk's meeting file.

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

PROPOSAL NO. R2002-40, A RESOLUTION OF THE PIERCE COUNTY COUNCIL COMMENDING AND THANKING REPRESENTATIVE RUTH FISHER FOR HER YEARS OF DEDICATED SERVICE TO THE 27TH LEGISLATIVE DISTRICT, PIERCE COUNTY, AND THE STATE OF WASHINGTON.

O'Malley moved adoption; motion seconded. O'Malley read the Proclamation into the record.

Representative Fisher thanked the Council for their recognition. The Proposal passed on a roll call vote of six to zero.

VIII. ORDINANCES

PROPOSAL 2001-104s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 85-149, TO EXPAND THE FRANCHISE BOUNDARY AREA OF THE CITY OF BONNEY LAKE'S SANITARY SEWER FRANCHISE.

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

Staff Testimony

Brian Stacy, Sanitary Sewer Division, stated this Ordinance is a companion to the Resolution that was previously adopted by Council, and would transfer ownership of the franchise agreement to the City of Bonney Lake from Pierce County. This will allow Bonney Lake to provide the maintenance and operation to the service area.

The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of four to two; Wimsett and Goings voted no.

PROPOSAL NO. 2002-9, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2001-86s3, BY ADDING A PROVISIO FOR A FISH STOCKING PROGRAM TO THE PARKS AND RECREATION SERVICES DEPARTMENT'S BUDGET.

Following a discussion and public testimony, Brown moved to

continue the Proposal to April 23, 2002; motion seconded and passed.

IX. RESOLUTIONS - None

X. OTHER BUSINESS/ANNOUNCEMENTS - None

XI. GENERAL PUBLIC COMMENTS

1. Michael Nelson stated he appreciates the Council's procedures for allowing the public to speak. He stated he had recently attended a Pierce County Library Board meeting and was not allowed to provide testimony during the discussion.
2. Randy Boss invited the Council to the Auditor's Office for the final submission of the signatures on the Referendum for the second REET.
3. Paul Treyz, District Court #3, recommends that the Council not vote to combine District Courts, and asked that the Council adopt the recommendation that had been approved by the Redistricting Committee.
4. Richard DeJean, District Court, stated he opposes the concept of combining District Courts, and that District Court #4 cannot operate on a smaller budget.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:18 p.m.

Attest:

Gerri Rainwater, Clerk of the Council

Approved:

Harold Moss, Council Chair

Date Approved