

MINUTES  
PIERCE COUNTY COUNCIL MEETING  
**APRIL 17, 2007**

930 Tacoma Avenue South, Room 1045  
Tacoma, WA 98402

Voice: (253) 798-7777 – FAX: (253) 798-7509 – Toll-Free: (800) 992-2456 – TDD: (253) 798-4018  
[www.piercecountywa.org/council](http://www.piercecountywa.org/council)

**(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: Shawn Bunney, Roger Bush, Timothy M. Farrell, Barbara Gelman, Calvin Goings, and Terry Lee; Dick Muri was excused.

Council Staff Present: Paul Bocchi, Budget Legislative Analyst; Brad Chatfield, Communication Legislative Analyst; Anna Graham, Senior Legislative Analyst; Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Clerks; and Christine Wilson, Councilmember Assistant.

There were approximately 30 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

Goings 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**

1. The minutes of the February 27, 2007, regular Council meeting
2. The minutes of the March 13, 2007, regular Council meeting
3. The minutes of the March 20, 2007, regular Council meeting

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

1. Proposal No. 2007-23, An Ordinance of the Pierce County Council Amending Chapter 14.16 of the Pierce County Code, "Pierce County Fair," by Increasing Concession Booth Rates.

Sponsored by: Councilmember Roger Bush

Council contact person: Paul Bocchi, (253) 798-7304

Committee recommendation: Do Pass at Rules and Operations on April 2, 2007

Suggested date of Council hearing: May 15, 2007

2. Proposal No. 2007-36, An Ordinance of the Pierce County Council Requesting the Pierce County Auditor to Place on the August 2007 Primary Election Ballot a Proposition Authorizing a Levy Lid Lift to Increase the County's Tax Levies Annually for Six Consecutive Years Above the Limit Established in RCW 84.55.010 to Provide for Additional Funds for the Purpose of Veterans' Assistance; and Specifying the Dollar Rate Proposed for the First Annual Increase and the Limit Factor to be Used to Calculate Increases in the Following Five Years; and Requesting the Prosecuting Attorney to Draft an Appropriate Ballot Title.

Sponsored by: Pierce County Council

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

For referral to the Public Safety and Human Services Committee  
To be heard in the Public Safety and Human Services Committee  
on April 24, 2007

Suggested date of Council hearing: May 8, 2007

3. 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

To be heard in the Rules and Operations Committee on April 23, 2007

Suggested date of Council hearing: May 1, 2007

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

1. Proposal No. R2007-37, A Resolution of the Pierce County Council Accepting the Conserving Pierce County Farmlands: Development Rights

Purchasing Program Report; Requesting the Pierce County Executive to Proceed with Development of an Ordinance Establishing a Purchase of Development Rights Program; Referring the Implementing Ordinance to the Planning Commission; Requesting that the Purchase and Transfer of Development Rights Programs be Coordinated and Considered Jointly Before the Planning Commission; and Requesting that Such Programs be Funded in the 2008 Budget.

Sponsored by: Councilmember Calvin Goings

Council contact person: Anna Graham, (253) 798-6253

Committee recommendation: Do Pass at Community Development on  
April 16, 2007

Suggested date of Council hearing: May 8, 2007

**d. Other Items**

1. Motion to approve the Prosecuting Attorney's request for settlement authority in Cause No. 04-2-07032-1, pursuant to Pierce County Code 4.36.040.
2. Rescind Council's Action of Setting Date of Hearing of April 24, 2007 for:  
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.
3. Rescind Council's Action of Setting Date of Hearing of April 24, 2007 for:  
Proposal No. R2007-37, A Resolution of the Pierce County Council Accepting the Conserving Pierce County Farmlands: Development Rights Purchasing Program Report; Requesting the Pierce County Executive to Proceed with Development of an Ordinance Establishing a Purchase of Development Rights Program; Referring the Implementing Ordinance to the Planning Commission; Requesting that the Purchase and Transfer of Development Rights Programs be Coordinated and Considered Jointly Before the Planning Commission; and Requesting that Such Programs be Funded in the 2008 Budget.

Goings 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 30, 2007, was read into the record:

Ordinance 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.

Ordinance 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.

Ordinance 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.

Ordinance 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.

Ordinance 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.

Ordinance 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.

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

Ordinance 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."

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

**Proposal No. R2007-45, A Resolution of the Pierce County Council and Executive Honoring the Daffodil Festival, its Organizers and its Royal Court for 74 Years of Enhancing Life in Pierce County.**

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

Daffodil Queen Michele Wood thanked the Council for the Proclamation, and provided a history on the Daffodil Festival. Wood urged the Council and community to attend the Daffodil parade on Saturday, April 28, 2007.

The Daffodil Princesses introduced themselves and stated their future goals.

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

Councilmembers expressed their appreciation to the Daffodil Royal Court.

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

At 3:30 p.m. the business meeting recessed to allow the Royal Court to provide Daffodil pins; the business meeting reconvened at 3:35 p.m.

**Proposal No. R2007-50, A Resolution of the Pierce County Council Proclaiming April 22, 2007, as Earth Day in Pierce County, Washington, and Urging All Residents to Think Globally and Act Locally to Protect Our World for Future Generations.**

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

Public Testimony

The following individuals testified on the Proposal: Roxy Giddings, Kirk Kirkland, and Krystal Kyer, Tacoma Audubon Society.

Gelman spoke in support of the Proposal, and commented on the recent television program on global warming.

Bunney concurred with Giddings; comment that everyday is Earth Day, and urged the community to support this weekend's various Earth Day events.

The Proclamation was accepted by Kirk Kirkland.

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

Without objection from Council, the Chair advanced to Item 2. of Section IX, Resolution.

#### IX. Resolutions

**Proposal No. R2007-48, A Resolution of the Pierce County Council Supporting the County's Participation in the Green Ribbon Climate Action Task Force Established by the City of Tacoma to Develop Enforceable Goals for Reduction of Greenhouse Gas Emissions; Requesting the County Executive to Pursue Greenhouse Gas Reduction Goals for County Operations and to Promote Public Awareness about Climate Change Issues; and Supporting International Efforts to Reduce Greenhouse Gas Emissions Meeting the Kyoto Protocol.**

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

#### Staff Testimony

Graham explained the Proposal and spoke to the purpose of the Proposal.

Debby Hyde, Pierce County's Green Ribbon Climate Action Task Force Representative, thanked the Council for providing the Proposal and noted it will be a policy statement. Hyde spoke to the Greenhouse Gas Study which will be coming to the Council at a future date.

#### Public Testimony

The following individuals testified on the Proposal: Krystal Kyer; Bill Giddings; Bud Rehberg, Friends of Pierce County; Kirk Kirkland; and Roxy Giddings.

Councilmembers Bunney, Farrell, Gelman, and Lee provided comments in support of the Proposal. Bush spoke to Section 3. of the Proposal, and explained why he would not be supporting the Proposal.

The Proposal was adopted on a roll call vote of five to one; Bush voted nay.

The Chair returned to the regular order of the business meeting.

#### VIII. Ordinances

**Proposal No. 2006-66s, An Ordinance of the Pierce County Council Declaring Certain County-Owned Real Property as Surplus, Located off 144<sup>th</sup> Street NW and Peacock Hill Avenue NW, in the Gig Harbor Area (Commonly Referred to as the Peacock Hill Property); Authorizing the County Executive to Pursue Disposal of the Property, Pursuant to Pierce County Code 2.110; and Expressing Council Intent Regarding the Use of Proceeds from Any Sale.**

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

### Staff Testimony

Bocchi explained the Proposal authorizes the Executive to sale 40 acres of County property. Bocchi reported the Proposal received a do pass recommendation by the Rules and Operations Committee on February 26, 2007.

Brian Ziegler, Director of the Public Works and Utilities Department, explained the property is not tax titled property, and all proceeds will be deposited in the County Road Fund and will be used for road purposes. The property appraisal is \$2 million.

### Public Testimony

Randy Boss and Ken Paulson testified on the Proposal.

The Chair responded to Boss' and Paulson's comments.

At the Chair's request, Long explained the process to sell surplus property. Long clarified the Revised Code of Washington cited by Boss and noted the County uses Chapter 2.110 in disposing the property. Long commented that the Executive has reviewed the property and has declared it surplus. Long responded to Boss' concerns regarding noticing requirements.

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

**Proposal No. 2007-3, An Ordinance of the Pierce County Council Amending the Pierce County Code, Chapter 18A.75, "Pierce County Development Regulations – Zoning," to Create a New Type of Planned Unit Development Called Major Institution Master Plan (MIMP) and Establish a Review Process and Required Findings for the Approval of a MIMP; Adopting Findings of Fact; and Setting an Effective Date.**

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

### Staff Testimony

Taylor provided information on the Proposal and the Planned Unit Development (PUD) process. Taylor explained the amendments were approved by the Planning Commission on December 12, 2006, and the Council's Community Development passed the Proposal on February 26, 2006. Taylor comment there is no fiscal impact associated with the Proposal.

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

Taylor explained technical amendment.

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

The motion passed.

Public Testimony on Proposal No. 2007-3 as Amended

Sherry Tonn, Pacific Lutheran University, testified on the Proposal.

Goings and Gelman thanked Tonn and Pacific Lutheran University for working with the community on State Route 7 projects.

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

**Proposal No. 2007-13, An Ordinance of the Pierce County Council Documenting the Adopted Prior Amendment of Comprehensive Plan Maps Contained in Pierce County Code Section 19A.30.010, Urban Growth Areas, Section 19A.30.170, Open Space, and Section 19A.30.230, Comprehensive Plan Land Use Designations Map.**

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

Staff Testimony

Graham explained the Proposal is a housekeeping measure. Graham reported the Proposal received a do pass recommendation by the Community Development Committee on March 5, 2007.

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

Graham explained the amendment.

The Chair called for public testimony on the amendment; there was no response. The Chair called for public testimony on the Proposal as amended; there was no response.

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

IX. Resolutions (cont.)

**Proposal No. R2007-46, A Resolution of the Pierce County Council Amending Resolution No. R2007-11 Regarding Appointments of Councilmembers and Staff to Positions on External Boards, Commissions, Committees, and Other Organizations for the Year 2007.**

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

Staff Testimony

Long explained the Proposal changes the current Proposal by striking Tom Weber from Committees and inserting Jeff Cox.

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

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

X. Other Business/Announcements - None

XI. Citizens' Forum

1. Ken Paulson expressed his concerns about the number of proposed traffic lanes on the new Narrows Bridge, and about the proposed mowing equipment for the Chambers Bay Golf Course.

Lee responded to Paulson's comments by explaining the State is currently doing an analysis to determine the number bridge lanes.

2. Roxy Giddings expressed her concerns regarding the holes being closed on the old Narrows Bridge. She spoke in favor of having four lanes on the new Narrows Bridge.
3. Robert Hill acknowledged several County employees for assisting him on his project. Hill expressed his concerns with the City of Seattle Council procedures for the General Comments portion of its meetings.

There being no further business, the meeting was adjourned at 4:40 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

April 17, 2007

Council Amendment No. 1  
Green

TO: Pierce County Council  
FROM: Council Staff  
SUBJECT: Proposed Amendment to Proposal No. 2007-3

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We recommend the following technical amendment to Proposed Ordinance No. 2007-3:

1. On page 2 of the Ordinance, line 15, insert “February 26” in the blank.
2. On page 7 of Exhibit A, lines 30 to 32, remove (1) and (2) and replace with the following, as shown:
  - (1) The location and density of residential development;
  - (2) The location and type of ~~commercial~~ non-residential components;
3. On page 8 of Exhibit A, line 22, add an “s” to “structure”.
4. On page 8 of Exhibit A, line 35; after “MIMP’s proposals” insert “; and”.
5. On page 10 of Exhibit A, line 28, after “phase of a Master Plan” remove the comma.

## Pierce County

## ATTACHMENT II

930 Tacoma Avenue South, Room 1046  
Tacoma, Washington 98402-2176  
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1-800-992-2456  
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April 17, 2007

Council Amendment No. 1  
Yellow

TO: Pierce County Council

FROM: Council Staff

SUBJECT: Proposed Amendment to Proposal No. 2007-13

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We recommend the following amendment to Proposed Ordinance No. 2007-13:

1. Remove Exhibit C, Comprehensive Plan Land Use Designations Map and replace with the updated map attached.

(Clerk Note: copy of the map is contained in the Ordinance file.)

Attachment

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