

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
APRIL 24, 2001**

930 TACOMA AVENUE SOUTH, ROOM 1045  
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 3:00 p.m. by Chair Brown.

**II. PLEDGE OF ALLEGIANCE TO THE FLAG**

The pledge was led by Brown.

**III. ROLL CALL**

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

Council Staff Present: Susan Long, Legal Counsel; Gerri Rainwater, Administrator/Clerks & Operations; and Tom Weber, Administrator/Research & Policy.

There were approximately four visitors present.

Brown passed the gavel to Moss. Brown requested a Point of Personal Privilege, stating he wanted to make a public apology regarding the discussion of Resolution No. R2001-41s at the April 17, 2001, Council meeting. He apologized to Councilmember Biskey for not responding to her call for the question, and to Councilmember Goings for his remarks regarding Goings' motion.

The gavel passed back to Brown.

**IV. APPROVAL OF AGENDA**

Moss moved approval of the Agenda; motion seconded and passed.

**V. CONSENT AGENDA**

- a. Approval of Minutes
- b. Action on Ordinances (refer, set date of hearing)
  - 1. PROPOSAL NO. 2001-4, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNDEVELOPED

364TH STREET EAST RIGHT-OF-WAY, IN THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 17 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN THE EATONVILLE AREA.

Sponsored by: Councilmember Harold Moss  
Contact person: Jennifer Andres, 798-7250  
DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE  
(Harold Moss, Chair; Jan Shabro, Vice Chair; Calvin Goings, Member)  
Suggested date of Council hearing: May 22, 2001

2. PROPOSAL NO. 2001-18, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CANCELING CERTAIN UNCOLLECTIBLE PERSONAL PROPERTY TAXES.

Sponsored by: Councilmember Wendell Brown  
Contact person: Jack Rusler, 798-7551  
DO PASS RECOMMENDATION - RULES AND OPERATIONS COMMITTEE (Wendell Brown, Chair; Harold Moss, Vice Chair/excused; Pat O'Malley, Member)  
Suggested date of Council hearing: May 15, 2001

3. PROPOSAL NO. 2001-19, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2000-93s2, AND MODIFYING THE 2001 BUDGET FOR THE SHERIFF'S DEPARTMENT, THE COMMUNICATIONS DEPARTMENT, THE PARKS AND RECREATION SERVICES DEPARTMENT, SPECIAL PROJECTS, AND THE RAINIER COMMUNICATIONS COMMISSION FUND.

Sponsored by: Councilmember Wendell Brown  
Contact person: Patrick Kenney, 798-7540  
DO PASS RECOMMENDATION - RULES AND OPERATIONS COMMITTEE (Wendell Brown, Chair; Harold Moss, Vice Chair/excused; Pat O'Malley, Member)  
Suggested date of Council hearing: May 15, 2001

4. PROPOSAL NO. 2001-32s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING THE 2001-2006 TRANSPORTATION IMPROVEMENT PROGRAM AND 2001-2014 FOURTEEN-YEAR FERRY PROGRAM, TO INCLUDE THE 86TH AVENUE EAST PROJECT, FROM 176TH STREET EAST TO 170TH STREET EAST, PURSUANT TO REVISED CODE OF WASHINGTON SECTION 36.81.121, AND CHAPTER 136-15 WASHINGTON ADMINISTRATIVE CODE 136, CHAPTER 15; FINDING THAT THIS PROJECT IS A PUBLIC NECESSITY; AUTHORIZING THE PROSECUTING ATTORNEY TO COMMENCE CONDEMNATION PROCEEDINGS TO ACQUIRE REAL PROPERTY FOR THE CAPITAL IMPROVEMENT PROJECT CONTAINED IN THE AMENDMENT; AND ADOPTING FINDINGS OF FACT.

Sponsored by: Councilmember Harold Moss  
Contact person: Troy Lee, 798-3555  
DO PASS AS SUBSTITUTED RECOMMENDATION - PUBLIC

WORKS COMMITTEE (Harold Moss, Chair; Jan Shabro,  
Vice Chair; Calvin Goings, Member)  
Suggested date of Council hearing: May 15, 2001

5. PROPOSAL NO. 2001-36, ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 4.36.040, 4.36.050, and 4.36.110 OF THE PIERCE COUNTY CODE, REGARDING CLAIMS AND SUITS FOR DAMAGES; TO RAISE THE JOINT SETTLEMENT AUTHORITY OF THE EXECUTIVE AND PROSECUTING ATTORNEY FROM \$50,000.00 TO \$250,000.00.  
Sponsored by: Councilmember Wendell Brown  
Contact person: Hudson Stansbury, 798-6643  
For referral to the Rules and Operations Committee
6. PROPOSAL NO. 2001-37, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A NEW CHAPTER 2.83 OF THE PIERCE COUNTY CODE, ENTITLED "ALDERTON-MCMILLIN ADVISORY COMMISSION"; AND ESTABLISHING AND CREATING A FIVE-MEMBER LAND USE ADVISORY COMMISSION IN THE ALDERTON-MCMILLIN COMMUNITY, TO BE KNOWN AS THE ALDERTON-MCMILLIN ADVISORY COMMISSION.  
Sponsored by: Councilmembers Calvin Goings and Jan Shabro  
Contact person: Anna Graham, 798-6253  
For referral to the Planning and Environment Committee
7. PROPOSAL NO. 2001-38, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2000-93S2, AS AMENDED; AND MODIFYING THE 2001 BUDGET FOR THE REAL ESTATE EXCISE TAX CAPITAL IMPROVEMENT FUND.  
Sponsored by: Councilmember Wendell Brown  
Contact person: Patrick Kenney, 798-7450  
For referral to the Rules and Operations Committee
8. PROPOSAL NO. 2001-39, 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, SAID PROPERTY LOCATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 20 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN; REQUIRING PUBLIC ACCESS; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS1200, GARY I. ROBINSON, ANDERSON ISLAND)  
Sponsored by: Councilmember Calvin Goings  
Contact person: Airyang Julia Park, 798-2783  
For referral to the Planning and Environment Committee  
Suggested date of Council hearing: May 29, 2001

9. PROPOSAL NO. 2001-40, 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, SAID PROPERTY BEING LOCATED IN THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 16 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; REQUIRING PUBLIC ACCESS; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS17-00, CLOUDE PORTEUS, EATONVILLE AREA)  
Sponsored by: Councilmember Calvin Goings  
Contact person: Airyang Julia Park, 798-2783  
For referral to the Planning and Environment Committee  
Suggested date of Council hearing: May 29, 2001
10. PROPOSAL NO. 2001-41, 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, SAID PROPERTY BEING LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 17 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS16-00, RESOURCE INVESTMENTS, INC - KAPOWSIN AREA)  
Sponsored by: Councilmember Calvin Goings  
Contact person: Airyang Julia Park, 798-2783  
For referral to the Planning and Environment Committee  
Suggested date of Council hearing: May 29, 2001
11. PROPOSAL NO. 2001-42, 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, SAID PROPERTY BEING LOCATED IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS14-00, MARY J. AND DEWARD JOHNSON, PUYALLUP AREA)  
Sponsored by: Councilmember Calvin Goings  
Contact person: Airyang Julia Park, 798-2783  
For referral to the Planning and Environment Committee  
Suggested date of Council hearing: May 29, 2001
12. PROPOSAL NO. 2001-43, 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, SAID PROPERTY BEING LOCATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS13-00, GREGORY J. AND SUSAN M. CANNARD - GIG HARBOR PENINSULA AREA)  
Sponsored by: Councilmember Calvin Goings  
Contact person: Airyang Julia Park, 798-2783  
For referral to the Planning and Environment Committee  
Suggested date of Council hearing: May 29, 2001

13. PROPOSAL NO. 2001-34, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CALLING FOR AN ELECTION OF THE VOTERS OF PIERCE COUNTY AT THE NOVEMBER 2001 GENERAL ELECTION, TO AMEND PIERCE COUNTY CHARTER SECTION 4.50, "DISTRICTING COMMITTEE", TO PROVIDE FOR REPRESENTATION ON THE DISTRICTING COMMITTEE FROM ALL MAJOR POLITICAL PARTIES; AND TO ADD A DEFINITION OF "MAJOR POLITICAL PARTY".  
Sponsored by: Councilmember Wendell Brown  
Contact person: Susan Long, 798-6068  
Suggested date of Council hearing: May 22, 2001

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

1. PROPOSAL NO. R2001-69, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO ALLOCATE FUNDS DISBURSED BY THE WASHINGTON STATE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT FOR THE PIERCE COUNTY BUILDABLE LANDS PROJECT.  
Sponsored by: Councilmember Wendell Brown  
Contact person: Dan Cardwell, 798-7039  
For referral to the Planning and Environment Committee

2. PROPOSAL NO. R2001-55, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPOINTING FOUR MEMBERS TO THE PIERCE COUNTY DISTRICTING COMMITTEE.  
Sponsored by: Wendell Brown  
Contact person: Susan Long, 798-6068  
Change referral from Rules and Operations to the Committee of the Whole  
Suggested date of Council hearing: May 22, 2001

d. Other Items

Moss 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 - None**

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

**PROPOSAL NO. R2001-60, A RESOLUTION OF THE PIERCE COUNTY COUNCIL PROCLAIMING THE WEEK OF APRIL 29 THROUGH MAY 5, 2001, AS "MUNICIPAL CLERKS WEEK" IN PIERCE COUNTY, WASHINGTON.**

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

Sandy Bassett, Denise Johnson, Cathy Sala, and Jenifer Schultz accepted the Proclamation and thanked the Council for their recognition.

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

**PROPOSAL NO. R2001-66, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE UPPER NISQUALLY ADVISORY COMMISSION. (BRYAN BOWDEN)**

Moss moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of seven to zero.

**VIII. ORDINANCES**

**PROPOSAL NO. 2000-118, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO PUBLIC UTILITY DISTRICT NO. ONE OF LEWIS COUNTY, A PUBLIC UTILITY OF THE STATE OF WASHINGTON, FOR LOCATION OF ELECTRIC LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY.**

Moss moved that the Proposal be continued to May 8, 2001, motion seconded and passed.

**IX. RESOLUTIONS**

**PROPOSAL NO. R2001-38, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPROVING THE "VALLEY WATER DISTRICT FINAL WATER COMPREHENSIVE PLAN" WHICH IS DATED FEBRUARY 2001.**

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

Staff Testimony

Weber stated the Plan had been reviewed by the County's Department of Health and the State Department of Health and found it to be consistent with all other plans. Weber recommended approval.

The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of seven to zero.

**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.**

Moss moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was no response. The Proposal passed as on a roll call vote of seven to zero.

**PROPOSAL NO. R2001-52, A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING THE DATE OF AN EVENING COUNCIL MEETING IN COUNCIL DISTRICT NO. 1, FOR TUESDAY, JUNE 5, 2001, AT STAHL JUNIOR HIGH SCHOOL IN THE SCHOOL COMMONS, LOCATED AT 9610 - 168TH STREET EAST, PUYALLUP, WASHINGTON 98375.**

Moss moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of seven to zero.

**PROPOSAL NO. R2001-67, A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING THE DATE OF AN EVENING COUNCIL MEETING IN COUNCIL DISTRICT NO. 3, FOR TUESDAY, AUGUST 28, 2001, AT PACIFIC LUTHERAN UNIVERSITY SCANDINAVIAN CULTURAL CENTER, LOCATED AT 122ND AND PARK AVENUE, PARKLAND, WASHINGTON.**

Moss moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of seven to zero.

**PROPOSAL NO. R2001-70, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONVENING THE INITIAL MEETING OF THE ZOO AND TREK AUTHORITY (ZTA) PURSUANT TO AN INTERLOCAL AGREEMENT AMONG PIERCE COUNTY, THE CITY OF TACOMA, AND THE METROPOLITAN PARK DISTRICT OF TACOMA; AND**

**DESIGNATING TERM LIMITS FOR THE COUNTY'S ZOO AND TREK AUTHORITY REPRESENTATIVES. (COUNCILMEMBERS CALVIN GOINGS AND JAN SHABRO, AND COUNTY EXECUTIVE, JOHN LADENBURG)**

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

Moss moved adoption of Council Amendment No. 1 as set forth in Attachment I to these minutes; motion seconded.

The Chair called for public testimony; there was no response. The Proposal passed as amended on a roll call vote of seven to zero.

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

**XI. GENERAL PUBLIC COMMENTS**

1. Louise Batchelor stated she wishes the County would not vacate land that it may need later on.
2. Bill Hand spoke of the property at Chambers Creek, stating there is a great deal of underbrush along Grandview, and feels it could create a fire hazard, especially during the summer months. O'Malley stated he would follow up with Mr. Hand on this problem. Batchelor suggested that the District Court Probation work crews could assist with this.

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:37 p.m.

Attest:

Clerk of the Council

Approved:

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Council Chair

Date Approved