

**MINUTES
PIERCE COUNTY COUNCIL MEETING
May 3, 2005**

930 TACOMA AVENUE SOUTH, ROOM 1045
TACOMA, WASHINGTON 98402
(253) 798-7777 -- FAX: (253) 798-7509 -- TDD: (253) 798-4018
www.co.pierce.wa.us/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 Acting Chair Goings.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Goings, followed by a Moment of Silence in tribute to our men and women in the Military.

III. ROLL CALL

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

Council Staff Present: Patty Face, Deputy Clerk of the Council; Steve Gross, Deputy Legal Counsel, Susan Long, Administrator for Legal and Operations; Janet Maillard, Council Receptionist, and Tom Weber, Administrator for Research and Policy.

There were approximately 15 visitors present.

IV. APPROVAL OF AGENDA

Gelman moved approval of the Agenda; motion seconded and passed on a voice vote.

V. CONSENT AGENDA

a. Approval of Minutes

1. The Minutes of the June 1, 2004, regular Council meeting.
2. The Minutes of the August 3, 2004, regular Council meeting.

- b. Action on Ordinances (refer, set date of hearing)
 - 1. PROPOSAL NO. 2005-27, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RELATING TO CONTRACTING INDEBTEDNESS; PROVIDING FOR THE ISSUANCE, SPECIFYING THE MATURITY DATES, INTEREST RATES, TERMS AND COVENANTS AND FIXING THE FORM OF \$_____ PAR VALUE LIMITED TAX GENERAL OBLIGATION REFUNDING BONDS, 2005; ESTABLISHING A BOND REDEMPTION FUND; APPOINTING A REFUNDING TRUSTEE AND APPROVING A REFUNDING TRUST AGREEMENT; PROVIDING FOR BOND INSURANCE; AND APPROVING THE SALE AND PROVIDING FOR THE DELIVERY OF THE BONDS TO BANC OF AMERICA SECURITIES LLC OF SEATTLE, WASHINGTON.
Sponsored by: Councilmember Shawn Bunney
Contact person: Jack Rusler, 798-7551
For referral to the Rules and Operations Committee
To be heard in the Rules and Operations Committee on May 16, 2005
Suggested date of Council hearing: May 24, 2005
- c. Action on Resolutions (refer, set date of hearing)
- d. Other Items

Gelman moved approval of the consent agenda; motion seconded and passed on a roll call vote of four to zero.

VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY - None

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

PROPOSAL NO. R2005-54, A RESOLUTION OF THE PIERCE COUNTY COUNCIL PROCLAIMING THE MONTH OF MAY 2005 AS "OLDER AMERICANS MONTH" IN PIERCE COUNTY, WASHINGTON.

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

Public Testimony

Jim Self, Chair of Pierce County's Aging and Long Term Care Advisory Board thanked the Council for the Proclamation.

The Proposal was adopted on a roll call vote of four to zero. Self accepted the proclamation on behalf of the Board.

Pierce County Council Meeting
May 3, 2005

PROPOSAL NO. R2005-56, A RESOLUTION OF THE PIERCE COUNTY COUNCIL PROCLAIMING THE WEEK OF MAY 2-6, 2005, TO BE "JUROR APPRECIATION WEEK" IN PIERCE COUNTY, WASHINGTON.

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

Public Testimony

Presiding Superior Court Judge Stephanie Arend spoke to the important contributions of jurors and jury administrators, referencing trial by jury protocol for an open and democratic government. Arend introduced jury administration staff Rose Vanderhoof and Jan Davis and thanked them for their dedicated service.

Councilmembers thanked Arend and jury administration staff for their contributions to the judicial system.

The Proposal was adopted on a roll call vote of four to zero. Arend and Vanderhoof accepted the Proclamation on behalf of Pierce County Superior Court.

PROPOSAL NO. R2005- 57, A RESOLUTION OF THE PIERCE COUNTY COUNCIL PROCLAIMING THE MONTH OF MAY 2005 AS "NATIONAL BIKE MONTH" IN PIERCE COUNTY, WASHINGTON.

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

Public Testimony

Debbie Germer, Public Works and Utilities thanked the Council for participating in cooperative efforts with the City of Tacoma and Pierce Transit for proclaiming the month of May as Bike Month in Pierce County.

Germer responded to Gelman's question regarding the free bike helmet program at Mary Bridge Children's Hospital.

The Proposal was adopted on a roll call vote of four to zero. Germer accepted the Proclamation on behalf of the Public Works and Utilities Department.

PROPOSAL NO. R2005-59, A RESOLUTION OF THE PIERCE COUNTY EXECUTIVE AND COUNTY COUNCIL PROCLAIMING MAY 6, 2005, AS "PIERCE COUNTY PEACE OFFICERS MEMORIAL DAY", AND THE WEEK OF MAY 15-22, 2005, AS "POLICE WEEK" IN PIERCE COUNTY, WASHINGTON.

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

Public Testimony

Eileen Bisson, Co-Chair for the Law Enforcement Memorial Committee, and Chief of Corrections, invited the public and Councilmembers to attend the Annual Memorial service on May 6, 2005, at 1:30 p.m. in Trinity Lutheran Church at Pacific Lutheran University.

The Proposal was adopted on a roll call vote of four to zero. Bisson thanked the Council and Executive and accepted the Proclamation on behalf of Pierce County's men and women in law enforcement.

PROPOSAL NO. R2005-58, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF TWO MEMBERS TO THE MENTAL HEALTH ADVISORY BOARD. (LINDA JOHNSTON AND NINA COGSWELL)

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

PROPOSAL NO. R2005-60, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF ONE EXISTING MEMBER TO THE PIERCE COUNTY LANDMARKS COMMISSION. (CARLOS "CARL" VEST)

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

PROPOSAL NO. R2005-62, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REAPPOINTING COUNTY EXECUTIVE JOHN W. LADENBURG TO A SECOND FULL TERM ON THE PIERCE TRANSIT BOARD.

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

VIII. ORDINANCES

PROPOSAL NO. 2005-1s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THE PROPOSED NON-EXCLUSIVE TELECOMMUNICATIONS FRANCHISE TO 360NETWORKS(USA)INC., FOR A TELECOMMUNICATIONS NETWORK IN PIERCE COUNTY TO BE IN THE PUBLIC INTEREST; SETTING FORTH TERMS AND CONDITIONS ACCOMPANYING THE GRANTING OF THE TELECOMMUNICATIONS FRANCHISE; PROVIDING FOR THE REGULATION OF CONSTRUCTION, OPERATION,

MAINTENANCE, AND USE OF THE NETWORK; PRESCRIBING REMEDIES FOR THE VIOLATION OF THE PROVISIONS OF THE FRANCHISE; AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO THE FRANCHISE AGREEMENT.

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

Gross briefed Councilmembers and reported the Proposal received a do pass as substituted recommendation in the Economic and Infrastructure Development Committee on March 15, 2005.

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

PROPOSAL NO. 2005-13, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING SUPPLEMENTAL FRANCHISE NO. 1 TO THE CITY OF ORTING FORLOCATION OF WATERLINES ON CERTAIN COUNTY OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO THE FRANCHISE AGREEMENT.

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

Weber briefed Councilmembers and reported the Proposal received a do pass as substituted recommendation in the Economic and Infrastructure Development Committee on March 15, 2005.

Bruce Duncan, Public Works and Utilities provided a brief overview of the Proposal.

Public Testimony

Mark Bethune, City Administrator for the City of Orting, testified that the agreement would benefit the City of Orting and Pierce County.

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

PROPOSAL NO. 2005-17, 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. OST46-04, MICHAEL AND HEATHER TSCHUSCHNER - FOREST GROVE AREA; APPLICATION NO. OST47-04, JOHN C. LEWIS AND LILY L. SHUI- WILLOW LAKE AREA; APPLICATION NO. OST48-04, RONALD P. AND LINA C.M. ADRIANSE - HIGHLAND MEADOWS AREA; APPLICATION NO. OST49-04, LAMARR AND GINGER IMEL - HIGHLAND MEADOWS AREA; APPLICATION NO. OST50-04, HAROLD L. AND ROXANN L. TIBBITTS -

WILLOW LAKE AREA; APPLICATION NO. OST51-04, PHILLIP B. AND HEIDI M. DALRYMPLE - WILLOW LAKE AREA; APPLICATION NO. OST52-04, CHARLES M. BOCK AND LESLIE ATTEBERY-BOCK - WILLOW LAKE AREA; APPLICATION NO. OST53-04, SUZAN B. VAN EATON- FOREST GROVE AREA)

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

Gross briefed Councilmembers and reported the Proposal was heard and recommended for a do pass recommendation by the Planning Commission on January 25, 2005; and received a do pass recommendation in the Community Development Committee on March 21, 2005.

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

PROPOSAL NO. 2005-20, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF AN APPLICATION FOR OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTIES LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS65-04, CALVIN D. BAMFORD JR. - ELGIN AREA)

Gross briefed Councilmembers and reported the Proposal was heard at the Planning Commission on February 22, 2005; and received a do pass recommendation in the Community Development Committee on April 11, 2005.

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

PROPOSAL NO. 2005-21, 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.OST54-04, DAVID P. AND JODI R. CHEN - WILLOW LAKE AREA; APPLICATION NO. OST55-04, GREGORY AND DIANE BROOKS - WILLOW LAKE AREA; APPLICATION NO. OST56-04, JAMES C. AND STEPHANIE A. ROOF - WILLOW LAKE AREA; APPLICATION NO. OST57-04, SEAN AND YURIKO BARRETT - TULE LAKE AREA; APPLICATION NO.

OST58-04, CALVIN L. AND MADALYNNE F. WANDREY - WILLOW LAKE AREA; APPLICATION NO. OST59-04, CURTIS L. AND VALERIE K. GRINDLEY - JACKSON FOREST AREA; APPLICATION NO. OST61-04, RICHARD H. AND ELVA I. MOATS - WILLOW LAKE AREA; APPLICATION NO. OST62-04, PAULINA J. ADAMS AND BONNIE C. BOYLE - HIGHLAND MEADOWS AREA)

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

Gross briefed Councilmembers and reported the Proposal was heard at the Planning Commission on February 22, 2005; and received a do pass recommendation in the Community Development Committee on April 11, 2005.

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

IX. RESOLUTIONS

PROPOSAL NO. R2005-24, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THE PLANNING AND LAND SERVICES DEPARTMENT TO REVIEW THE LANDSCAPING STANDARDS OF TITLE 18A OF THE PIERCE COUNTY CODE AND DESIGN STANDARDS OF TITLE 18J OF THE PIERCE COUNTY CODE APPLICABLE WITHIN THE CITY OF GIG HARBOR'S URBAN GROWTH AREA FOR CONSISTENCY PURPOSES; TO DEVELOP RECOMMENDATIONS TO RESOLVE ANY INCONSISTENCIES IN COOPERATION WITH THE CITY OF GIG HARBOR; TO DEVELOP RECOMMENDATIONS FOR RESOLVING ANY OTHER INCONSISTENCIES WITHIN THE LANDSCAPING PROVISIONS OF TITLE 18A OR DESIGN STANDARDS OF TITLE 18J DISCOVERED DURING THIS REVIEW; AND TO FORWARD ALL RECOMMENDATIONS TO THE PLANNING COMMISSION FOR REVIEW BY AUGUST 1, 2005.

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

Weber briefed Councilmembers and reported the Proposal received a do pass recommendation by the Community Development Community on April 4, 2005.

Sean Gaffney, Planning and Land Services provided a brief overview and responded to Councilmember comments.

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

Pierce County Council Meeting
May 3, 2005

X. OTHER BUSINESS/ANNOUNCEMENTS

Goings introduced and welcomed new Council Receptionist Janet Maillard.

The Chair announced the conclusion of the televised portion of the business meeting.

GENERAL PUBLIC COMMENTS - None

XI. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:40 p.m.

Attest:

Patricia L. Face, Council Deputy Clerk

Approved:

Councilmember Shawn Bunney, Council Chair

Date Approved

f:\wpfiles\minutes\cou 05-03-05 min.doc