

**MINUTES
PIERCE COUNTY COUNCIL MEETING
MAY 6, 2003**

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 Moss.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Moss, followed by a Moment of Silence in tribute to our Armed Forces.

III. ROLL CALL

Councilmembers Present: Paul Bocchi, Shawn Bunney, Barbara Gelman, Calvin Goings, Terry Lee, Harold Moss, and Kevin Wimsett.

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

There were approximately 47 visitors present.

IV. APPROVAL OF AGENDA

Wimsett 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 April 8, 2003, regular Council Meeting
 - 2. The minutes of the April 21, 2003, Special Council Meeting
- b. Action on Ordinances (refer, set date of hearing)
 - 1. PROPOSAL NO. 2003-50, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 3.12.030 OF THE PIERCE COUNTY CODE, "ETHICAL STANDARDS AND PROHIBITED PRACTICES ENUMERATED" BY INCREASING THE AMOUNT OF

PERMITTED MONETARY CONTRIBUTIONS FROM COUNTY PERSONNEL FROM \$50 TO \$100 PER CALENDAR YEAR PER CANDIDATE FOR ELECTED COUNTY OFFICE.

Sponsored by: Councilmember Harold Moss

Contact person: Tom Weber, 798-6067

For referral to the Rules & Operations Committee

2. PROPOSAL NO. 2003-51, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL SUBMITTING TO THE VOTERS OF PIERCE COUNTY AT THE NOVEMBER 2003 GENERAL ELECTION A PROPOSED AMENDMENT TO SECTION 3.70 OF THE PIERCE COUNTY CHARTER TO MAKE THE SHERIFF AN ELECTED POSITION.

Sponsored by: Councilmembers Kevin Wimsett, Terry Lee, and Calvin Goings

Contact person: Susan Long, 798-6068

For referral to the Rules & Operations Committee

To be heard by the Rules & Operations Committee on May 19, 2003

Suggested date of Council hearing: July 8, 2003

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

1. PROPOSAL NO. R2003-70, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN ALTERED VERSION OF THE FIRST AMENDED INTERLOCAL AGREEMENT BETWEEN PIERCE COUNTY AND THE CITIES OF FIFE, LAKEWOOD, TACOMA, AND UNIVERSITY PLACE, REGARDING THE FORMATION AND OPERATION OF A PUBLIC FACILITIES DISTRICT FOR THE PURPOSE OF CONSTRUCTING AND OPERATING A REGIONAL CONVENTION CENTER.

Sponsored by: Councilmember Harold Moss

Contact person: Skip Stansbury, 798-7477

For referral to the Rules & Operations Committee

To be heard by the Rules & Operations Committee on May 12, 2003

Suggested date of Council hearing: May 13, 2003*

d. Other Items

Wimsett 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 Ordinance, which was approved and signed on April 22, 2003, which was read into the record:
ORDINANCE NO. 2002-128, AN ORDINANCE OF THE PIERCE COUNTY

Pierce County Council Meeting
May 6, 2003

COUNCIL AMENDING PIERCE COUNTY CODE SECTION 10.36.010

"LIMITS ESTABLISHED"; DELETING REFERENCES TO THE FERRY "ISLANDER" WHICH THE COUNTY NO LONGER OWNS; AND RESTRICTING THE MAXIMUM VEHICLE LENGTH TO 38 FEET AND THE MAXIMUM LOAD LIMIT TO 67,500 POUNDS ON THE PIERCE COUNTY FERRY "M/V STEILACOOM."

Wimsett recommended that the Council advance to item 1, under Section IX. RESOLUTIONS.

IX. RESOLUTIONS

PROPOSAL NO. R2003-52, A RESOLUTION OF THE PIERCE COUNTY COUNCIL COMMENDING AND THANKING SANDY BASSETT, DEPUTY CLERK OF THE COUNCIL, FOR HER MANY YEARS OF DEDICATED SERVICE TO PIERCE COUNTY; AND PROCLAIMING THE DAY OF MAY 6, 2003, TO BE "SANDY BASSETT DAY" IN PIERCE COUNTY, WASHINGTON.

Wimsett moved adoption; motion seconded. The Clerk read the Proclamation into the record.

Public Testimony

Dennis Flannigan, Ken Madsen, Sally W. Walker, Rose Hill, Betty Ringlee, Barbara Schatz, Anne Norris, Mardy Fairchild, and Chris Schutz spoke to commend Sandy Bassett for her years of service to Pierce County.

Following Councilmembers' remarks, Bassett accepted the Proclamation and a gift from the Council.

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

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

PROPOSAL NO. R2003-68, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE SPANAWAY ADVISORY COMMISSION. (RICK GEHRKE)

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

The Chair acknowledged Rick Gehrke and thanked him for his willingness to serve on this Commission. The Chair called for public testimony; there was no response.

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

VIII. ORDINANCES

PROPOSAL NO. 2003-39, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH UNITED HEALTHCARE WORKERS, LOCAL 1184, SYSTEM COUNCIL NO. 15, NATIONAL CONFERENCE OF FIREMEN AND OILERS SERVICE EMPLOYEES INTERNATIONAL UNION - GENERAL UNIT; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

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

Staff Testimony

Debbie Young, Personnel Department, stated she was the chief negotiator on this bargaining agreement, and those represented are employees of the Puget Sound Behavioral Health Center.

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

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

PROPOSAL NO. 2003-27, 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, IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 16 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS7-02, FRED A. MILLER - EATONVILLE AREA)

Wimsett 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. 2003-28, 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, IN THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS10-02, DAVID AND STEPHANIE DREW - PUYALLUP AREA)

Wimsett 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. 2003-29, 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, IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 19 NORTH, RANGE 6 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS5-02, DAVID AND TAMARA BROWN - BUCKLEY AREA)

Wimsett 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. 2003-53, AN EMERGENCY ORDINANCE OF THE PIERCE COUNTY COUNCIL RELATING TO PARKS AND RECREATION; CREATING FOUR INTERIM COMMUNITY ADVISORY COUNCILS TO ASSIST IN THE IDENTIFICATION OF CAPITAL FACILITIES AND PROJECTS TO BE PAID FOR OUT OF SALES TAX REVENUES PURSUANT TO RCW 82.14.400 (ZOO-TREK SALES TAX); APPOINTING MEMBERS TO THE INTERIM COMMUNITY ADVISORY COUNCILS; ESTABLISHING REPORTING DATES FOR COMMITTEE RECOMMENDATIONS BACK TO THE COUNCIL; SETTING A SUNSET DATE; ADOPTING A DEFINITION OF "PARKS"; ADOPTING FINDINGS OF FACT; AND DECLARING AN EMERGENCY.

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

Staff Testimony

Lloyd Fetterly, Prosecuting Attorney's Office, provided an overview of the need for an Emergency Ordinance as it relates to a recent decision in the courts regarding the County's lack of Community Advisory Councils. He stated there is a need for this Emergency Ordinance to clarify the use of funds from the Zoo-Trek revenues for projects in unincorporated Pierce County. Fetterly responded to questions from Council- members.

Goings pointed out there is a sunset date for the Community Advisory Councils; however, they could be reestablished at a later date if there is a need to make recommendations on future projects. He stated the legislative intent is to comply with the court's decision.

Fetterly pointed out the County is at risk of losing a construction season if a delay should occur, and there is a potential for loss of use of the facilities that further compounds the adverse monetary effects.

Goings moved an amendment as follows:

On page 2 of Exhibit A, at line 3, delete the word Committees, and insert the word Commissions; on page 2, at line 7, following the word county, insert the words Zoo-Trek; on page 4 of Exhibit A, at line 4, following the word four, insert the word Zoo-Trek; motion seconded.

Following a discussion, the amendment passed on a voice vote.

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

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

X. OTHER BUSINESS/ANNOUNCEMENTS - None

XI. GENERAL PUBLIC COMMENTS

Phyllis Barrett testified about concerns she has with the Sheriff's Department.

Alton MacDonald spoke of concerns he has with police brutality, and similar problems in the Sheriff's Department.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:20 p.m.

Attest:

Gerri Johnson, Clerk of the Council

Approved:

Councilmember Harold Moss, Council Chair

Date Approved

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