

**MINUTES
PIERCE COUNTY COUNCIL MEETING
MAY 22, 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, Jan Shabro, and Kevin Wimsett; Pat O'Malley was excused at the time of roll call.

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

There were approximately 62 visitors present.

IV. APPROVAL OF AGENDA

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

Moss moved that the Council reconsider Ordinance No. 2001-28 to amend the title; motion seconded and passed. The Clerk read the amended title into the record.

PROPOSAL NO. 2001-28, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 19 NORTH, AND RANGE 6 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST5-00, JRG INVESTMENTS - BURNETT AREA)

Moss moved adoption of Ordinance No. 2001-28 with the amendments indicated on the Agenda; motion seconded and passed on a roll call vote of six to zero.

V. CONSENT AGENDA

- a. Approval of Minutes
 1. The minutes of the March 13, 2001, regular Council meeting
 2. The minutes of the April 3, 2001, regular Council meeting
 3. The minutes of the May 1, 2001, regular Council meeting
 4. The meeting summary of the May 1, 2001, 20th Anniversary Celebration of the Pierce County Home Rule Charter
- b. Action on Ordinances (refer, set date of hearing)
 1. 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
DO PASS RECOMMENDATION - RULES AND OPERATIONS COMMITTEE
(Wendell Brown, Chair; Harold Moss, Vice Chair/excused; Pat O'Malley, Member)
Suggested date of Council hearing: June 5, 2001*
(District meeting)

2. 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
DO PASS RECOMMENDATION - RULES AND OPERATIONS COMMITTEE
(Wendell Brown, Chair; Harold Moss, Vice Chair/excused; Pat O'Malley, Member)
Suggested date of Council hearing: June 19, 2001
 3. PROPOSAL NO. 2001-50, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL DECLARING CERTAIN INTERESTS IN REAL PROPERTY TO BE SURPLUS (COMMONLY KNOWN AS THE CHENEY STADIUM CAMPUS); AND AUTHORIZING THE COUNTY EXECUTIVE TO PURSUE DISPOSAL THEREOF BY EXCHANGE WITH THE CITY OF TACOMA FOR THE CITY'S INTEREST IN REAL PROPERTY (COMMONLY KNOWN AS THE COUNTY-CITY BUILDING CAMPUS), SUBSTANTIALLY UPON THE TERMS SET FORTH HEREIN.
Sponsored by: Councilmember Wendell Brown
Contact person: Bob Dick, 798-6514
For referral to the Rules and Operations Committee
- c. Action on Resolutions (refer, set date of hearing)
1. PROPOSAL NO. R2001-85, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THE PIERCE CONSERVATION DISTRICT TO DEVELOP A COUNTY-WIDE PROGRAM FOR ORGANIZATIONS TO ADOPT STREAM BANKS FOR MAINTENANCE, ENHANCEMENT, PROTECTION AND EDUCATION PURPOSES; AND THAT THE PIERCE COUNTY FACILITIES MANAGEMENT DEPARTMENT INVENTORY COUNTY-OWNED LAND AND IDENTIFY POTENTIAL ADOPTION SITES.
Sponsored by: Councilmember Kevin Wimsett
Contact person: Thomas Weber, 798-6067
For referral to the Planning and Environment Committee

2. PROPOSAL NO. R2001-43s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REPEALING RESOLUTION NO. R2000-168; REQUESTING THAT THE COUNTY EXECUTIVE DEVELOP A COUNTY-WIDE TRAFFIC IMPACT FEE PROGRAM AND RELATED REGULATIONS; AND IDENTIFYING A SCHEDULE FOR REPORTING PROGRESS AND FINAL SUBMITTAL TO THE COUNTY COUNCIL.

Sponsored by Councilmembers Karen S. Biskey and Jan Shabro

Contact person: Anna Graham, 798-6253

Change date of Council hearing from June 5, 2001 to June 19, 2001

d. Other Items

Moss 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 - None

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

National Association of Counties 2001 Acts of Caring Award presentation - Pierce County Juvenile Court Volunteer Program, Lin Spellman, Program Coordinator

American Public Works Association Award Presentation to John Trent, Director of Public Works and Utilities. (Continued from the May 15, 2001, Council meeting)

PROPOSAL NO. R2001-86, A RESOLUTION OF THE PIERCE COUNTY COUNCIL RECOGNIZING AND COMMENDING THE CAREER AND CONTRIBUTIONS OF PIERCE COUNTY CITIZEN PAUL CHILCOTE; AND DECLARING THE DAY OF TUESDAY, MAY 22, 2001, TO BE "PAUL CHILCOTE DAY" IN PIERCE COUNTY, WASHINGTON.

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

Paul Chilcote accepted the Proclamation and thanked the Council for their recognition.

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

PROPOSAL NO. R2001-87, A RESOLUTION OF THE PIERCE COUNTY COUNCIL COMMENDING THE STUDENTS AND TEACHERS OF EVERGREEN PRIMARY, CHAMBERS, AND ARTONDALE ELEMENTARY SCHOOLS FOR THEIR "SAFE AND LOVED" BAGS PROJECT; AND FURTHER, PROCLAIMING THE MONTH OF MAY AS "FOSTER CARE MONTH" IN PIERCE COUNTY, WASHINGTON.

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

Students accepted the Proclamation on behalf of their schools and explained the Safe and Loved Bags Project to the Council.

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

VIII. ORDINANCES

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.

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

Staff Testimony

Jennifer Andres, Public Works and Utilities Department, explained this right-of-way was acquired through tax title and the property has never been improved or maintained by the County. The abutting property owners wish to vacate the right-of-way, and the Department supports the request.

Public Testimony

Kathy Gleason, Principal Petitioner, spoke in support of the request.

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

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 BY ALL MAJOR POLITICAL PARTIES AND TO ADD A DEFINITION OF "MAJOR POLITICAL PARTY."

Moss moved that the Proposal be re-referred to the Rules

and Operations Committee; motion seconded and passed.

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 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 Clerk read the amendment into the record. The amendment passed.

Moss moved adoption of Council Amendment No. 2 as set forth in Attachment II to these minutes; motion seconded. The Clerk read the amendment into the record. The amendment passed.

Moss moved adoption of Council Amendment No. 3 as set forth in Attachment III to these minutes; motion seconded. The Clerk read the amendment into the record. The amendment passed.

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

Councilmember O'Malley entered the meeting.

IX. RESOLUTIONS

PROPOSAL NO. R2001-55, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPOINTING FOUR MEMBERS TO THE PIERCE COUNTY DISTRICTING COMMITTEE.

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

Biskey moved adoption of Council Amendment No. 1 on page 2 of 2 under the column entitled Democrats insert the names Bill Smitherman and John Thompson; motion seconded and passed.

Moss moved adoption of Council Amendment No. 2 on page 2 of 2 under the column entitled Republicans insert the names Mark Hullinger and Deryl McCarty; motion seconded and passed.

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

RESOLUTION NO. R2001-82, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THE COUNTY EXECUTIVE TO CONDUCT AN IMMEDIATE SEISMIC ASSESSMENT OF ALL COUNTY-OWNED BUILDINGS AND FACILITIES; TO FORM A COMMITTEE TO STUDY THE RELOCATION OF THE DATA CENTER AND THE EMERGENCY OPERATIONS CENTER; AND MAKE RECOMMENDATIONS ON HOW TO PROCEED WITH THE SEISMIC STUDY RESULTS.

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

Shabro stated she initiated this Resolution as a result of the February 28, 2001, earthquake. She wanted to ensure that all County facilities are evaluated for the safety of employees and the public.

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

X. OTHER BUSINESS/ANNOUNCEMENTS

1. Tacoma Public Utilities presentation on the utility crisis - Mark Crisson, Director of TPU and Steven Klein, Tacoma Power Supervisor.

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XI. GENERAL PUBLIC COMMENTS

1. Kathy Gleason stated she was concerned about how utilities are administered in Pierce County.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:50 p.m.

Attest:

Clerk of the Council

Approved:

Council Chair

Date Approved

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