

**MINUTES
PIERCE COUNTY COUNCIL MEETING
MAY 23, 2006**

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 Acting Chair Lee

II. ROLL CALL

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

Council Staff Present: Steve Gross, Deputy Legal Counsel; Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Clerks; Hugh Taylor, Senior Legislative Analyst; and Tom Weber, Administrator for Research and Policy.

There were four 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

Lee moved approval of the agenda; motion seconded and passed on a voice vote.

V. CONSENT AGENDA

- a. Approval of Minutes
- b. Action on Ordinances (refer, set date of hearing)
 1. PROPOSAL NO. 2006-51, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING ORDINANCE NO. 98-93s THEREBY REMOVING FIREARMS DISCHARGE RESTRICTIONS IN THE RAPJOHN LAKE AREA.
Sponsored by: Councilmember Dick Muri

Council contact person: Susan Long, 798-6068
For referral to the Public Safety and Human Services
Committee

2. PROPOSAL NO. 2006-52, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A NEW CHAPTER 19B.110 OF THE PIERCE COUNTY CODE, "THE GRAHAM COMMUNITY PLAN"; AMENDING TITLE 19A, "COMPREHENSIVE PLAN," TO ESTABLISH A NEW RURAL FARM DESIGNATION AND MODIFY AGRICULTURAL RESOURCE LANDS POLICIES; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

Sponsored by: Councilmembers Roger Bush and Shawn
Bunney

Department contact person: Katherine Brooks,
798-3181

Council contact person: Anna Graham, 798-6253
For referral to the Community Development Committee
Suggested date of Council hearing: September 19,
2006

3. PROPOSAL NO. 2006-53, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL IMPLEMENTING THE GRAHAM COMMUNITY PLAN; AMENDING TITLE 18A OF THE PIERCE COUNTY CODE, "PIERCE COUNTY DEVELOPMENT REGULATIONS - ZONING"; ADOPTING A NEW CHAPTER 18A.24, "GRAHAM USE AND DENSITY AND DIMENSION TABLES"; AMENDING THE PIERCE COUNTY ZONING ATLAS; ADOPTING A NEW CHAPTER 18B.180, "SIGN DESIGN - GRAHAM"; AMENDING CHAPTER 18E.50, "AQUIFER RECHARGE AND WELLHEAD PROTECTION AREAS"; AMENDING CHAPTER 18H.40, "TREE CONSERVATION"; AMENDING CHAPTER 18I.10, "GENERAL PROVISIONS" TO MODIFY THE DEFINITION FOR AGRICULTURAL LANDS; AMENDING SECTION 18J.10.055, "ADMINISTRATION"; ADOPTING A NEW CHAPTER 18J.80, "GRAHAM COMMUNITY PLAN AREA DESIGN STANDARDS AND GUIDELINES"; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

Sponsored by: Councilmembers Roger Bush and Shawn
Bunney

Department contact person: Katherine Brooks,
798-3181

Council contact person: Anna Graham, 798-6253
For referral to the Community Development Committee
Suggested date of Council hearing: September 19,
2006

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

1. PROPOSAL NO. R2006-51, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE EXECUTIVE TO ENTER INTO AN AMENDED INTERLOCAL AGREEMENT WITH THE CITY OF TACOMA FOR THE PURPOSE OF CHANGING THE NAME OF THE TACOMA-PIERCE COUNTY FAMILY JUSTICE CENTER TO THE CRYSTAL JUDSON FAMILY JUSTICE CENTER.

Sponsored by: Councilmember Shawn Bunney

Council contact person: Susan Long, 798-6068

DO PASS RECOMMENDATION - RULES AND OPERATIONS COMMITTEE ON MAY 8, 2006

Suggested date of Council hearing: June 6, 2006
(evening Council meeting)

2. PROPOSAL NO. R2006-52s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPOINTING A HEARING EXAMINER AND DEPUTY HEARING EXAMINERS; AUTHORIZING THE CHAIR OF THE PIERCE COUNTY COUNCIL TO ENTER INTO AN AGREEMENT FOR HEARING EXAMINER SERVICES FOR A FIVE-YEAR TERM; AND AUTHORIZING THE DIRECTOR OF BUDGET AND FINANCE TO DISBURSE EXPENDITURES FROM THE SPECIAL PROJECTS BUDGET.

Sponsored by: Councilmember Shawn Bunney

Council contact person: Steve Gross, 798-7579

DO PASS AS SUBSTITUTED - RULES AND OPERATIONS COMMITTEE ON MAY 8, 2006

Suggested date of Council hearing: May 30, 2006

3. PROPOSAL NO. R2006-66, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THAT THE PLANNING AND LAND SERVICES DEPARTMENT EVALUATE THE COMPATIBILITY OF LEVEL 3 RELIGIOUS ASSEMBLY AS A CONDITIONAL USE IN THE RESERVE 5 ZONE OF THE GIG HARBOR PENINSULA COMMUNITY PLAN AREA; AND THAT A RECOMMENDATION, INCLUDING ANY REQUIRED AMENDMENTS TO TITLE 18A, BE FORWARDED TO THE PLANNING COMMISSION FOR REVIEW BY AUGUST 1, 2006.

Sponsored by: Councilmember Terry Lee

Council contact person: Hugh Taylor, 798-3665

For referral to the Community Development Committee

To be heard in the Community Development Committee on
June 5, 2006

Suggested date of Council hearing: June 13, 2006

4. PROPOSAL NO. R2006-74, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A ONE-YEAR CONTRACT FOR PUBLISHING LEGAL NOTICES FOR PIERCE COUNTY.

Sponsored by: Councilmember Terry Lee
Department contact person: Michael Clark, 798-7730
Council contact person: Susan Long, 798-6068
For referral to the Rules and Operations Committee
Suggested date of Council hearing: June 13, 2006

d. Other Items

1. Rescind Council's May 16, 2006, Action of Referral to the Rules and Operations Committee, and Setting the Rules and Operations Committee Hearing and the Council Hearing for May 30, 2006:

PROPOSAL NO. R2006-66, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THAT THE PLANNING AND LAND SERVICES DEPARTMENT EVALUATE THE COMPATIBILITY OF LEVEL 3 RELIGIOUS ASSEMBLY AS A CONDITIONAL USE IN THE RESERVE 5 ZONE OF THE GIG HARBOR PENINSULA COMMUNITY PLAN AREA; AND THAT A RECOMMENDATION, INCLUDING ANY REQUIRED AMENDMENTS TO TITLE 18A, BE FORWARDED TO THE PLANNING COMMISSION FOR REVIEW BY AUGUST 1, 2006.

Goings moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of five to zero.

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

VII. PROCLAMATIONS, AWARDS, AND/OR APPOINTMENTS TO BOARDS AND COMMISSIONS - None

VIII. ORDINANCES

PROPOSAL NO. 2006-23, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO THE ANDRAIN ROAD WATER ASSOCIATION, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY-OWNED RIGHTS OF WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

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

Staff Testimony

Weber reported the Proposal received a do pass recommendation by the Economic and Infrastructure Development Committee on April 4, 2006.

Bruce Duncan, Public Works and Utilities, explained the Proposal renews an expiration franchise. The County Engineer recommends the 15 year franchise.

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

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

PROPOSAL NO. 2006-24, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO THE PARKLAND LIGHT AND WATER COMPANY, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY-OWNED RIGHTS OF WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

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

Staff Testimony

Weber reported the Proposal received a do pass recommendation by the Economic and Infrastructure Development Committee on April 4, 2006.

Bruce Duncan, Public Works and Utilities, explained the Proposal renews an expiring franchise and the County Engineer recommends the 15 year franchise.

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

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

PROPOSAL NO. 2006-26, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING AN EASEMENT WITHIN A PORTION OF OLD HALES PASSAGE ROAD NW IN SECTION 27, TOWNSHIP 21 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN IN THE WARREN AREA.

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

Staff Testimony

Weber reported the Proposal received a do pass recommendation by the Economic and Infrastructure Development Committee on April 4, 2006.

Bruce Duncan, Public Works and Utilities, explained the deed is being replaced, and Proposal releases the easement that was reserved in the 1969 vacation.

Public Testimony

John Sloan, representing Thomas Edwards, testified to the Proposal.

At the Chair's request, Duncan responded to Sloan's testimony by explained that he was not aware of the neighbor's request. Duncan suggested to the Council that he meet with Sloan to discuss the vacation.

The Chair announced that he is available to meet with Duncan and Sloan, if needed.

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

PROPOSAL NO. 2006-27, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO THE OHOP MUTUAL LIGHT COMPANY, INC., OF PIERCE COUNTY, FOR LOCATION OF ELECTRIC LINES ON CERTAIN RIGHTS OF WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

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

Staff Testimony

Weber reported the Proposal received a do pass recommendation by the Economic and Infrastructure Development Committee on April 4, 2006.

Bruce Duncan, Public Works and Utilities, explained the Proposal renews a franchise for a term of 15 years. The County Engineer recommends franchise.

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

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

IX. RESOLUTIONS

PROPOSAL NO. R2006-65, A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING THE DATE OF AN EVENING COUNCIL MEETING IN COUNCIL DISTRICT NO. 5 FOR TUESDAY, JUNE 6, 2006, AT 5:30 P.M., AT THE MIDLAND ELEMENTARY SCHOOL GYMNASIUM, 2300 105TH STREET EAST, TACOMA, WASHINGTON.

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

Public Testimony

Ken Paulson spoke to the Proposal.

The Chair called for Councilmember comments; there was no response.

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

PROPOSAL NO. R2006-67, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AMENDING RESOLUTION NO. R2006-2 TO APPOINT COUNCILMEMBERS TO THE PIERCE COUNTY REGIONAL SUPPORT NETWORK GOVERNING BOARD ESTABLISHED IN CHAPTER 2.40 OF THE PIERCE COUNTY CODE.

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

Staff Testimony

Pendle explained the Proposal appoints Councilmembers Gelman, Farrell and Muri as members, and Councilmembers Goings and Lee as alternates to the Board.

Chair called for public testimony; there was no response.

Councilmembers Lee, Gelman and Muri spoke to the importance of the Governing Board.

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

PROPOSAL NO. R2006-68, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ENDORSING THE ACCEPTANCE OF A GRANT AWARD OF \$31,513.99 FROM WASHINGTON STATE DEPARTMENT OF TRANSPORTATION (AVIATION) GRANT FUNDS, AS PARTICIPATORY CONTRIBUTIONS TO THE FEDERAL ADMINISTRATION OF AVIATION (FAA) GRANT FUNDING FOR THE REMOVAL OF TREE OBSTRUCTIONS, LAND ACQUISITION, AND THE INSTALLATION OF AN AUTOMATED WEATHER OBSERVATION SYSTEM (AWOS) AT THE PIERCE COUNTY AIRPORT, THUN FIELD.

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

Staff Testimony

Weber reported the Proposal was not heard in committee due to time constraints.

Mike Esher, Public Works and Utilities - Thun Field, explained the urgency of the Proposal and explained how the grant monies will be used. Esher answered Councilmember questions regarding land acreage and its appraised value. Esher informed the Council that the Thun Field Advisory Committee approved the pending projects.

Goings requested in the future the recommendations of the committee be attached to the Proposal.

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

X. OTHER BUSINESS/ANNOUNCEMENTS

1. Goings moved to approve the May 30, 2006 Council Agenda, and to approve the May 29-June 2, 2006 Meeting Schedule; motion seconded and carried.

XI. CITIZENS' FORUM

1. Ken Paulson spoke to a New Zealand newspaper article regarding bio-diesel. He expressed his concerns regarding the assessed value of property in Pierce County and the maintenance building for the new golf course.
2. Alton McDonald expressed his concern regarding the lack of minority workers at the Highway 16 expansion and new Narrows Bridge work sites.

Bush responded to McDonald's comments by suggesting that he contact the state and Sound Transit regarding the issue.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned
at 3:39 p.m.

Attest:

Denise D. Johnson, Clerk of the Council

Approved:

Terry Lee, Council Chair

Date Approved