

**MINUTES
PIERCE COUNTY COUNCIL MEETING
JUNE 19, 2001**

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 Vice Chair Moss.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Moss.

III. ROLL CALL

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

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

There were approximately 34 visitors present.

O'Malley moved that the Council reconsider Ordinance No. 2001-46s; motion seconded.

ORDINANCE NO. 2001-46s, AN EMERGENCY ORDINANCE OF THE PIERCE COUNTY COUNCIL DECLARING A MORATORIUM PURSUANT TO THE AUTHORITY AND PROCEDURES SET FORTH IN RCW 36.70A.390 ON NEW CONSTRUCTION ON ALL UNZONED GOVERNMENT LAND ON McNEIL ISLAND OF PIERCE COUNTY, WASHINGTON UNTIL SUCH TIME AS THE COMPREHENSIVE PLAN CLASSIFICATION(S) AND IMPLEMENTING DEVELOPMENT REGULATIONS ARE ADOPTED FOR THAT AREA; REQUIRING A PUBLIC REVIEW HEARING WITHIN SIXTY DAYS; AND DECLARING AN EMERGENCY.

O'Malley moved that Ordinance No. 2001-46s be brought before the Council for the purpose of making an amendment; motion seconded.

O'Malley moved adoption of the amendment as set forth in Attachment I to these minutes; motion seconded. (A copy of the amendment is also contained in the Ordinance file.)

Staff Testimony

Long explained the amendment is technical and clarifying in nature, and acknowledges a public hearing that was held on June 5, 2001.

O'Malley read the amendment into the record. The amendment passed on a voice vote. The Chair called for public testimony; there was no response. The Proposal passed on reconsideration as amended on a roll call vote of five to zero.

IV. APPROVAL OF AGENDA

O'Malley moved approval of the Agenda; motion seconded and passed.

V. CONSENT AGENDA

- a. Approval of Minutes
 1. The minutes of the May 15, 2001, regular Council meeting
- b. Action on Ordinances (refer, set date of hearing)
 1. 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: Tom Weber, 798-6067
Suggested date of Council hearing: July 10, 2001
 2. PROPOSAL NO. 2001-53, 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 SERVICES UNIT; AND

AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

Sponsored by: Councilmember Wendell Brown

Contact person: Joe Carrillo, 798-6690

For referral to the Rules and Operations Committee
To be heard by the Rules and Operations Committee
on July 9, 2001

Suggested date of Council hearing: July 10, 2001

3. PROPOSAL NO. 2001-54, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2000-93S2, AS AMENDED; ESTABLISHING A PARKS SALES TAX FUND; AND ADOPTING A 2001 BUDGET FOR THE PARKS SALES TAX FUND.

Sponsored by: Councilmember Wendell Brown

Contact person: Patrick Kenney, 798-7450

For referral to the Rules and Operations Committee

4. PROPOSAL NO. 2001-55, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH UNTIED STAFF NURSES UNION, LOCAL NO. 141, UNITED FOOD AND COMMERCIAL WORKERS UNION, AND THE REGISTERED NURSES UNIT; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

Sponsored by: Councilmember Wendell Brown

Contact person: Michael Taft, at 798-3394

For referral to the Rules and Operations Committee
To be heard by the Rules and Operations Committee
on July 9, 2001

Suggested date of Council hearing: July 10, 2001

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

1. PROPOSAL NO. R2001-100, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE ASSESSOR-TREASURER TO REFUND A PORTION OF 1995 AND 1996 PROPERTY TAXES COLLECTED ON REAL PROPERTY PARCEL NUMBER 03-20-340-2-006, AS PROVIDED BY REVISED CODE OF WASHINGTON 84.69.030 (BEADY BANKSTON)

Sponsored by: Councilmember Wendell Brown

Contact person: Robert Dick, 798-6514

For referral to the Rules and Operations Committee

2. PROPOSAL NO. R2001-101, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT TO PROVIDE FOR THE REIMBURSEMENT OF MOVING EXPENSES FOR MATTHEW SORENSON, DEPUTY COURT ADMINISTRATOR OF SUPERIOR COURT; AND APPROVING THE REIMBURSEMENT OF NOT MORE THAN 65% OF THE ACTUAL MOVING EXPENSES FOR MATTHEW SORENSON.

Sponsored by: Councilmember Wendell Brown

Contact person: Andra Motyka, 798-3963

For referral to the Rules and Operations Committee

3. PROPOSAL NO. R2001-108, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE CHAIR OF THE PIERCE COUNTY COUNCIL TO ENTER INTO AN AGREEMENT FOR PERSONAL SERVICES OF THE PIERCE COUNTY HEARING EXAMINER AND DEPUTY HEARING EXAMINERS FOR A ONE-YEAR TERM FROM JULY 1, 2001, THROUGH JUNE 30, 2002; AND AUTHORIZING THE DIRECTOR OF BUDGET AND FINANCE TO DISBURSE EXPENDITURES FROM THE SPECIAL PROJECTS BUDGET.

Sponsored by: Councilmember Karen S. Biskey

Contact person: Shawn Bunney, 798-3388

For referral to the Rules and Operations Committee

To be heard by the Rules and Operations Committee
on June 25, 2001

Suggested date of Council hearing: June 26, 2001

d. Other Items

O'Malley moved adoption of the Consent Agenda; motion seconded and passed on a roll call vote of five to zero.

VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY

1. A message from the Executive transmitting the following Ordinances, which were approved and signed on May 30, 2001, was read into the record:

ORDINANCE 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.

ORDINANCE 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.

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

PROPOSAL NO. R2001-99, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE CONGRATULATING THE FRANKLIN PIERCE "AAA" STATE TRACK AND FIELD GOLD MEDALLISTS, STEVE CARROLL, AARON JOSEPH, ERIC KIMBLE, MARIE MUAI, JESSE RAINWATER, AND DANIEL ROBERTS; AND PROCLAIMING THE WEEK OF JUNE 17-23, 2001, TO BE "FRANKLIN PIERCE CARDINAL RECOGNITION WEEK" IN PIERCE COUNTY, WASHINGTON.

O'Malley moved adoption; motion seconded. The Clerk read the Proclamation into the record.

Carroll, Joseph, Muai, Rainwater, and Coach Howard Lutton accepted their Proclamations and thanked the Council for their recognition.

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

PROPOSAL NO. R2001-92, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE COMMENDING DEAN SMITH AS AN EMPLOYEE SUGGESTION AWARD WINNER.

O'Malley moved adoption; motion seconded. The Clerk read the Proclamation into the record.

Dean Smith accepted the Proclamation and thanked the Council for their recognition.

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

PROPOSAL NO. R2001-93, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE COMMENDING DEAN SMITH AS AN EMPLOYEE SUGGESTION AWARD WINNER.

O'Malley moved adoption; motion seconded. The Clerk read the Proclamation into the record.

Dean Smith accepted the Proclamation and thanked the Council for their recognition.

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

PROPOSAL NO. R2001-89, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE COMMENDING STEVE ROSE AS AN EMPLOYEE SUGGESTION AWARD WINNER.

O'Malley moved adoption; motion seconded. The Clerk read the Proclamation into the record.

Steve Rose accepted the Proclamation and thanked the Council for their recognition.

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

PROPOSAL NO. R2001-90, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE COMMENDING DENNIS MITCHEL AS AN EMPLOYEE SUGGESTION AWARD WINNER.

O'Malley moved adoption; motion seconded. The Clerk read the Proclamation into the record. The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of five to zero.

PROPOSAL NO. R2001-91, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE COMMENDING STEVE ROSE AND EMERY HOBART AS EMPLOYEE SUGGESTION AWARD WINNERS.

O'Malley moved adoption; motion seconded. The Clerk read the Proclamation into the record.

Steve Rose and Emery Hobart accepted their Proclamations and thanked the Council for their recognition.

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

PROPOSAL NO. R2001-94, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE COMMENDING GERRI RAINWATER AS AN EMPLOYEE SUGGESTION AWARD WINNER.

O'Malley moved adoption; motion seconded. The Clerk read the Proclamation into the record.

Gerri Rainwater accepted the Proclamation and thanked the Council for their recognition.

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

PROPOSAL NO. R2001-95, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE COMMENDING LAURIE BILLECK AND ROBERT HAMILTON AS EMPLOYEE SUGGESTION AWARD WINNERS.

O'Malley moved adoption; motion seconded. The Clerk read the Proclamation into the record. The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of five to zero.

PROPOSAL NO. R2001-109, A PROCLAMATION OF THE PIERCE COUNTY EXECUTIVE AND COUNTY COUNCIL RECOGNIZING GAULT MIDDLE SCHOOL'S SPACE CENTER AND THE MONTHS OF PREPARATION DEDICATED TO CARRYING OUT ITS MISSION.

O'Malley moved adoption; motion seconded. The Clerk read the Proclamation into the record.

Educators and students from Gault Middle High explained their Space Center Mission, provided a video to the Council, and thanked the Council for their recognition.

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

EXECUTIVE SESSION:

The Chair announced the Council would convene in Executive Session to discuss pending litigation with Legal Counsel. Long provided the authority, Revised Code of Washington 42.30.110(1)(i).

At 4:15 p.m. the meeting recessed for the purpose of an Executive Session. At 4:25 p.m. the Clerk announced on the record that the meeting would be extended for another approximate 10 minutes; at 4:36 p.m. the Council reconvened in regular session.

VIII. ORDINANCES

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.

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Patrick Kenney, Director of the Budget and Finance Department, stated passage of this Ordinance would add money to the Capital Improvement Fund to provide environmental enhancements to the County's building at the Annex. Kenney pointed out the extent of the improvements are set forth in Exhibit "A."

In response to O'Malley's question, Dan Cagle, Facilities Management Department, stated the allocation of funds should be adequate for the repairs, and to replace the building with new construction would cost approximately \$15 million to \$17 million.

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

IX. RESOLUTIONS

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.

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Gary Predoehl, Public Works and Utilities Department, stated the Department supports this Resolution as substituted. He stated they are proceeding with a number

of projects that are identified and are working on a schedule to meet the deadline. He stated they had discussed the Proposal with Clark and Snohomish Counties to review their programs.

The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of four to one; Goings voted no.

PROPOSAL NO. R2001-59s2, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THE PIERCE COUNTY PUBLIC WORKS & UTILITIES DEPARTMENT TO PLACE APPROPRIATE TRAFFIC SIGNS ON A NUMBER OF HISTORIC ROADS IN THE SOUTH HILL AREA; TO MARK KEY INTERSECTIONS WHERE THE ORIGINAL UPPER PUYALLUP TO STEILACOOM COUNTY ROAD INTERSECTS WITH MAJOR COUNTY ROADS; REQUESTING THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION TO RECOGNIZE THE HISTORIC NAME OF BALL-WOOD ROAD ALONG STATE ROUTE 161 IN THE SOUTH HILL AREA; AND REQUESTING THE LANDMARKS COMMISSION TO DEVELOP CRITERIA TO EVALUATE FUTURE HISTORIC ROAD SIGN APPLICATIONS.

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Goings stated that Paul Hackett, President of the South Hill Historical Society, was unable to remain at the meeting because of another commitment. Goings stated this Resolution is the result of a request from the residents in the community who wish to identify and preserve the historic perspective of the South Hill area, which dates back to 1853. Goings thanked Tom Ballard, County Engineer, for his work on this project.

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

PROPOSAL NO. R2001-76, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING A PROPOSED AMENDMENT, PURSUANT TO REVISED CODE OF WASHINGTON 36.70.640, TO AMEND SUBSECTION 18A.25.100 F. OF THE PIERCE COUNTY CODE, TO REQUIRE A CONDITIONAL USE PERMIT RATHER THAN ADMINISTRATIVE REVIEW FOR MOBILE HOME PARKS IN THE MODERATE DENSITY SINGLE-FAMILY ZONE; AND REFERRING THE PROPOSED AMENDMENT TO THE DEPARTMENT OF PLANNING AND LAND SERVICES, AND THE PIERCE COUNTY PLANNING COMMISSION, FOR A REPORT AND RECOMMENDATION BACK TO THE COUNTY COUNCIL.

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Goings stated Linda Gerull, Information Services Department, had wanted to speak on this issue but had to leave the meeting earlier. Goings stated that the residents of the South Hill community had pointed out that there is no public hearing review for the development of mobile home parks in the Moderate Density Single-Family zone. He stated passage of this Resolution would refer that issue to the Planning Commission and the Planning Department for their recommendation and report back to the Council as to whether or not there should be a public comment process.

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

X. OTHER BUSINESS/ANNOUNCEMENTS

1. Acknowledging receipt of a Request: O'Malley moved to approve that the Board of Equalization convene on July 16, 2001, pursuant to RCW 84.48.010; motion seconded and passed.

XI. GENERAL PUBLIC COMMENTS

1. Alton McDonald stated he had provided the Council with a copy of the City of Tacoma's proposed racial profiling Resolution, and asked that the County Council follow suit.
2. Rainwater pointed out that Resolution R2001-76, which was adopted earlier in the meeting had a blank on page 3 of 3 at line 3 for a date for the Planning Commission to submit their report and recommendation back to the Council.

Following a conversation with Staff, O'Malley moved reconsideration of R2001-176; motion seconded and passed.

PROPOSAL NO. R2001-76, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING A PROPOSED AMENDMENT, PURSUANT TO REVISED CODE OF WASHINGTON 36.70.640, TO AMEND SUBSECTION 18A.25.100 F. OF THE PIERCE COUNTY CODE, TO REQUIRE A CONDITIONAL USE PERMIT RATHER THAN ADMINISTRATIVE REVIEW FOR MOBILE HOME PARKS IN THE MODERATE DENSITY SINGLE-FAMILY ZONE; AND REFERRING THE PROPOSED AMENDMENT TO THE DEPARTMENT OF PLANNING AND LAND SERVICES, AND THE PIERCE COUNTY PLANNING COMMISSION, FOR A REPORT AND RECOMMENDATION BACK TO THE COUNTY COUNCIL.

O'Malley moved adoption of R2001-176; motion seconded.

Goings moved an amendment on page 3 of 3 at line 3 to insert the date "October 1, 2001"; motion seconded and passed.

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

XI. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:45 p.m.

Attest:

Clerk of the Council

Approved:

Council Chair

Date Approved

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