

MINUTES
PIERCE COUNTY COUNCIL MEETING
JULY 10, 2007

930 Tacoma Avenue South, Room 1045
Tacoma, WA 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 Lee.

II. Roll Call

Councilmembers Present: Shawn Bunney, Roger Bush, Timothy M. Farrell, Barbara Gelman, Terry Lee, and Dick Muri; Calvin Goings arrived after roll call.

Council Staff Present: Jeff Cox, Deputy Legal Counsel; Anna Graham, Senior Legislative Analyst; Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Clerks; Carolyn Pendle, Senior Research Analyst; and Susan Matthew, Councilmember Assistant..

There were approximately 30 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

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

V. Consent Agenda

No final action on any Ordinance or Resolution was taken under this Section.

a. Approval of Minutes

1. The minutes of the June 5, 2007, regular Council meeting
2. The minutes of the May 29, 2007, regular Council meeting
3. The minutes of the June 20, 2006, regular Council meeting

b. Action on Ordinances (refer, set date of hearing)

1. Proposal No. 2007-67, An Ordinance of the Pierce County Council Ratifying the Collective Bargaining Agreement Reached with Council 2, Washington State Council of County and City Employees, American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, Local 120 – District Court Probation; and Amending the Pierce County Salary Classification Plan.

Sponsored by: Councilmember Terry Lee

Department contact person: Debbie Young, Human Resources,
(253) 798-7762

Council contact person: Paul Bocchi, (253) 798-7304

For referral to the Rules and Operations Committee

To be heard in the Rules and Operations Committee on July 23, 2007

Suggested date of Council hearing: July 31, 2007

2. Proposal No. 2007-69, An Ordinance of the Pierce County Council Amending Chapter 2.98 of the Pierce County Code, "Pierce County Law and Justice Commission", to Revise the Membership and Update the Functions of the Pierce County Law and Justice Commission.

Sponsored by: Councilmember Barbara Gelman

Department contact person: Doug Vanscoy, Prosecuting Attorney,
(253) 798-6504

Council contact person: Carolyn Pendle, (253) 798-3631

For referral to the Public Safety and Human Services Committee

To be heard in the Public Safety and Human Services Committee on
July 24, 2007

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

1. Proposal No. R2007-84, An Resolution of the Pierce County Council Requesting the Department of Public Works and Utilities to Develop Amendments to Title 18E, Development Regulations – Critical Areas, Regarding the Regulation of Flood Hazard Areas; Requesting Required Environmental Analysis Pursuant to the State Environmental Policy Act be Completed; and Requesting that the Amendments be Forwarded to the Planning Commission for Consideration by a Date Certain.

Sponsored by: Councilmembers Calvin Goings and Terry Lee

Council contact person: Hugh Taylor, (253) 798-3665

For referral to the Community Development Committee

To be heard by the Community Development Committee on August 6, 2007

Suggested date of Council hearing: August 14, 2007

2. Proposal No. R2007-89, A Resolution of the Pierce County Council Confirming the Reappointment of One Existing Citizen Member (Joseph Price) and One Existing Representative of County Shooting Clubs (Michael Rasmussen) to the Pierce County Firearms Advisory Commission.

Sponsored by: Councilmember Roger Bush
Department contact person: Sean Gaffney, Planning and Land Services,
(253) 798-2724
Council contact person: Susan Long, (253) 798-6068
Suggested date of Council hearing: July 17, 2007

3. Proposal No. R2007-90, A Resolution of the Pierce County Council Confirming the Appointment of Two New Members (Kelly Coughlan-Mainard and Darwin Reed) to the Frederickson Advisory Commission.

Sponsored by: Councilmember Roger Bush
Department contact person: Cindy Anderson, Planning and Land Services,
(253) 798-2630
Council contact person: Susan Long, (253) 798-6068
Suggested date of Council hearing: July 17, 2007

4. Proposal No. R2007-91, A Resolution of the Pierce County Council Confirming the Reappointment of One Existing Member (Ronald Cleveland) to the Lodging Tax Advisory Committee.

Sponsored by: Councilmember Terry Lee
Department contact person: Kathy Benson, Community Services,
(253) 798-6902

VI. Messages from Executive/Judges/Prosecuting Attorney

1. A message from the Executive transmitting the following Ordinance, which was approved and signed on June 22, 2007, was read into the record:

Ordinance No. 2007-44s, An Ordinance of the Pierce County Council Amending Chapter 12.28 of the Pierce County Code to Allow for Summary Removal of Illegally Placed Objects, Including Signs, from County Rights-of-Way; and Adopting Civil Penalties for Certain Violations.

VII. Proclamations, Awards, and/or Appointments to Boards and Commissions

Proposal No. R2007-83, A Resolution of the Pierce County Council Confirming the Appointment of One New Member (Arthur A. Schmidt) to the Ethics Commission.

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

Proposal No. R2007-87, A Resolution of the Pierce County Council Confirming the Reappointment of Two Existing Members (John Bugg and Leslie White) to the Pierce County Arts Commission.

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

The Chair called for public testimony; there was no response

In response to Farrell's question, Bunney appointees have to reside within one of the seven Council districts.

The question was called; the Proposal was adopted on a roll call vote of seven to zero.

VIII. Ordinances

Proposal No. 2007-49s, An Ordinance of the Pierce County Council Providing for Pierce County's Participation in a Regional Transportation Investment District and Providing for the Submission to the Qualified Electors, at a Special Election to be held in Conjunction with the General Election on November 6, 2007, of a Proposition to Authorize the Creation of the Regional Transportation Investment District and to Approve a Regional Transportation Investment Plan, Including Sources of Revenue and a Financing Plan.

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

Staff Testimony

Long provided a summary of the Proposal to the Council. She reported the Committee of the Whole passed the Proposal with a do pass as submitted recommendation on July 9, 2007. The Plan has been adopted by Snohomish and King Counties. Long explained the Regional Transportation Investment District (RTID) process.

David Hopkins, RTID, provided an overview of the RTID Plan. A copy of the PowerPoint presentation is contained in the Ordinance file.

The Chair explained that Hopkins provided an in-depth presentation at yesterday's Committee of the Whole.

Adonais Clark, Planning and Land Services Department, as the Environmental Designee addressed the State Environmental Policy Act (SEPA) issues.

David St. Pierre, Deputy Prosecuting Attorney, briefly advised the Council on the constitutional challenge to Substitute House Bill 1396, stating the single ballot is constitutional according to the opinion of one court in this state.

Public Testimony

The following testified to the Proposal: Ken Paulson; Angela Wingate; Mark Martinez; Bryan Flint, Tacoma Audubon Society; Bill Giddings, David Graybill, Tacoma-Pierce County Chamber of Commerce; and Will Kneduk, SR 520 Users Coalition (handout in Ordinance file).

Councilmembers Farrell, Bush, Gelman, Bunney, and Lee provided closing comments on the Proposal. Councilmembers acknowledge Bunney for representing the Council on the Board and for leadership in obtaining the RTID Plan.

The question was called; the Proposal passed on a roll call vote of seven to zero.

Proposal No. 2007-50, An Ordinance of the Pierce County Council Proposing Amendments to the Pierce County Charter to Make the Assessor-Treasurer a Nonpartisan Position and Setting the Limit on Terms to Three Consecutive 4-Year Terms; Requesting the Auditor to Submit these Amendments to the Voters at the November 2007 General Election; and Requesting the Prosecuting Attorney to Draft an Appropriate Ballot Title.

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

Staff Testimony

Long reported the Proposal received a do pass recommendation by the Rules and Operations Committee on July 2, 2007. She explained the Proposal asks the voters if the Assessor-Treasurer should be a nonpartisan position and if the term of office should be extended.

Goings moved Council Amendment No. 1 on pink; motion seconded. A copy of the amendment is identified as Attachment I to these minutes.

Long explained the clarifying amendment.

Public Testimony on the Amendment

Robert Hill and Ken Paulson testified on the proposed amendment.

Goings and Bush provided comments on the amendment.

The question was called; the motion carried.

Public Testimony on Proposal No. 2007-50 as Amended

Ken Paulson and Robert Hill testified on the amended Proposal.

Bush explained the Proposal will allow the citizens to have a voice at the polls.

Long reminded the Council the Proposals amending the Charter must receive a supermajority vote to pass.

The question was called; the Proposal passed as amended on a roll call vote of six to one (Farrell voted nay).

Proposal No. 2007-51, An Ordinance of the Pierce County Council Proposing Amendments to the Pierce County Charter to Make the Auditor a Nonpartisan Position and Setting the Limit on Terms to Three Consecutive 4-Year Terms; Requesting the Auditor to Submit these Amendments to the Voters at the November 2007 General Election; and Requesting the Prosecuting Attorney to Draft an Appropriate Ballot Title.

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

Staff Testimony

Long explained the Proposal and reported the Proposal received a do pass recommendation by the Rules and Operations Committee on July 2, 2007.

Goings moved Council Amendment No. 1 on blue; motion seconded. A copy of the amendment is identified as Attachment II to these minutes.

Long explained the proposed amendment.

The Chair called for public testimony on the amendment; there was no response. The Chair called for Council comments on the amendment; there was no response.

The question was called; the motion carried.

Public Testimony on Proposal No. 2007-51 as Amended

Robert Hill testified on the amended Proposal.

Bush provided remarks on the amended Proposal.

The question was called; the Proposal passed as amended on a roll call vote of six to one (Farrell voted nay).

Proposal No. 2007-53, An Ordinance of the Pierce County Council Declaring County-Owned Real Property as Surplus, Tax Parcel Number 747002-128-2, Approximately 2.90 Acres Located on the East Side of Pacific Avenue, South of South 35th Street in Tacoma, Washington; and Authorizing the County Executive to Pursue Disposal of the Property Pursuant to Pierce County Code 2.110.

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

Staff Testimony

Bocchi explained the Proposal is the first of a two-step process, and spoke to the purchase price of the property. The Proposal received a do pass recommendation by the Rules and Operations Committee on July 2, 2007.

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

Councilmembers Bush, Goings and Farrell expressed their concerns with the Proposal.

Lee provided comments on the Proposal.

The question was called; the Proposal passed on a roll call vote of five to two (Farrell and Goings voted nay).

IX. Resolutions

Proposal No. R2007-59s2, A Resolution of the Pierce County Council Stating Its Support for the Restriping of Spanaway Loop Road between Tule Lake Road South and Military Road South to Four Lanes Consisting of Two Southbound Travel Lanes, a Center Turn Lane, and One Northbound Travel Lane in Order to Address the Level of Service (LOS) Failure of the Roadway while Minimizing Impacts to Adjacent Residential Neighborhoods; and Expressing the Council's Intent to Evaluate and Report on the Feasibility of Establishing Limitations on Heavy Truck Use of Spanaway Loop Road.

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

Staff Testimony

Taylor explained the differences between the original and substituted Proposals. Taylor briefed the Council on the proposed changes to Spanaway Loop Road, and informed the Council that the Department supports the second substituted Proposal.

Public Testimony

The following testified to the Proposal: Charlotte Chalker, Brent Olson, Roxy Giddings, Bill Giddings, Pamela Mayer, and Rick Silvan.

At the request of the Chair, Taylor responded to the concerns expressed during public testimony.

In response to Gelman's question, Taylor informed the Council that the study is to be complete on November 1, 2007.

Gelman suggested the Proposal be continued until after the study is complete.

After discussion, the question was called. The question was called; the Proposal was adopted on a roll call vote of six to zero (Bunney was excused).

X. Other Business/Announcements

1. Goings moved to amend the July 16-20, 2007 Meeting Schedule as follows:

Remove Proposal Nos. 2007-65, 2007-66, and 2007-68 from the July 16, 2007 Rules and Operations Committee Agenda

Add the following item to the July 16, 2007 Rules and Operations Committee Agenda: Report from Sheriff Paul Pastor regarding Towing Contract

The question was called; the motion was seconded and carried.

XI. Citizens' Forum

1. Roxy Giddings addressed the Council regarding the lack of members on the Conservation Futures Board.

XII. Adjournment

There being no further business, the meeting was adjourned at 4:57 p.m.

Attest:

Denise D. Johnson, Clerk of the Council

Approved:

Terry Lee, Council Chair

Date Approved

Pierce County

Office of the County Council

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ATTACHMENT I

October 15, 2007

COUNCIL AMENDMENT NO. 1 Pink

TO: Councilmembers

FROM: Councilmembers Goings and Bush

SUBJECT: **PROPOSED AMENDMENT TO ORDINANCE NO. 2007-50**

We recommend the following amendment to Exhibit A of Proposed Ordinance No. 2007-50:

- On page 1 of 1, lines 37-39, amend as follows:

"Service as ~~an elected County official~~ **the Assessor-Treasurer** prior to ~~the commencement of this Charter~~ **January 1, 2009**, shall ~~not~~ be counted as part of ~~any official's~~ **the Assessor-Treasurer's** ~~two~~ **three** consecutive terms."

lm

c:Denise Johnson, Clerk of the Council

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ATTACHMENT II

October 15, 2007

COUNCIL AMENDMENT NO. 1 Blue

TO: Councilmembers

FROM: Councilmembers Goings and Bush

SUBJECT: **PROPOSED AMENDMENT TO ORDINANCE NO. 2007-51**

We recommend the following amendment to Exhibit A of Proposed Ordinance No. 2007-51:

- On page 1 of 1, lines 36-38, amend as follows:

"Service as ~~an elected County official~~ **the Auditor** prior to the commencement of this Charter **January 1, 2009**, shall ~~not~~ be counted as part of ~~any official's~~ **the Auditor's** ~~two~~ **three** consecutive terms."

Im

c: Denise Johnson, Clerk of the Council