

**MINUTES
PIERCE COUNTY COUNCIL MEETING
JULY 16, 2002**

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 O'Malley.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by O'Malley.

III. ROLL CALL

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

Council Staff Present: Shawn Bunney, Legal Council; Anna Graham, Research Analyst; and Gerri Rainwater, Administrator/Clerks & Operations.

There were approximately four visitors present.

IV. APPROVAL OF AGENDA

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

V. CONSENT AGENDA

a. Approval of Minutes

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

1. PROPOSAL NO. 2002-70s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2001-86S3, AS AMENDED, BY INCREASING THE 2002 BUDGET FOR THE SUPERIOR COURT (BREAKING THE CYCLE PROGRAM), MISCELLANEOUS CURRENT EXPENSE, AND THE SOLID WASTE MANAGEMENT FUND.

Sponsored by: Councilmember Pat O'Malley

Contact person: Patrick Kenney, 798-7450

DO PASS AS SUBSTITUTED RECOMMENDATION - RULES & OPERATIONS COMMITTEE (Harold Moss, Chair/excused; Pat

O'Malley, Vice Chair; Wendell Brown, Member)
Suggested date of Council hearing: August 13, 2002

2. PROPOSAL NO. 2002-80, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL DECLARING COUNTY OWNED REAL PROPERTY, LOCATED AT 104TH STREET SOUTHWEST AND 87TH AVENUE SOUTHWEST, IN LAKEWOOD, TO BE SURPLUS AND AUTHORIZING ITS SALE, PURSUANT TO PIERCE COUNTY CODE 2.110.
Sponsored by: Councilmember Harold Moss
Contact person: Public Works & Utilities, 798-7250
For referral to the Public Works Committee
- c. Action on Resolutions (refer, set date of hearing)
 1. PROPOSAL NO. R2002-85, A RESOLUTION OF THE PIERCE COUNTY COUNCIL FINDING THE COUNTY'S PARTICIPATION IN AN INTERLOCAL AGREEMENT TO FORM AND OPERATE A PUBLIC FACILITIES DISTRICT WITH THE CITIES OF TACOMA, FIFE, LAKEWOOD, AND UNIVERSITY PLACE TO CONSTRUCT AND OPERATE A REGIONAL CONVENTION CENTER, TO BE IN THE PUBLIC INTEREST AND AUTHORIZING THE EXECUTIVE TO EXECUTE THE AGREEMENT.
Sponsored by: Councilmember Harold Moss
Contact person: Hudson Stansbury, 798-6643
For referral to the Rules & Operations Committee
- d. Other Items

Brown 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

1. A message from the Executive transmitting the following Ordinances, which were approved and signed on June 26, 2002, was read into the record:

ORDINANCE NO. 2002-32, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO SHORE ACRES WATER COMPANY FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

ORDINANCE NO. 2002-35, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO THE TOWN OF STEILACOOM FOR LOCATION OF ELECTRIC LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY.

ORDINANCE NO. 2002-57, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2001-86s3, BY AMENDING THE FISCAL YEAR 2002 BUDGET FOR PREVENTION SERVICES PROGRAMS.

ORDINANCE NO. 2002-65, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL DECLARING THE INTENTION OF PIERCE COUNTY TO EMBRACE AND ESTABLISH THAT CERTAIN RAILROAD RIGHT-OF-WAY CORRIDOR LOCATED BETWEEN (1) MCMILLIN AND ORTING, (2) ORTING AND SOUTH PRAIRIE, AND (3) SOUTH PRAIRIE AND BUCKLEY, WASHINGTON TO THE PIERCE COUNTY, KING COUNTY LINE (BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY) FOR THE PURPOSE OF A PUBLIC HIGHWAY FOR A NON-MOTORIZED PATH AND TRAIL.

2. A message from the Executive transmitting the following Ordinance, which was approved and signed on July 2, 2002, was read into the record:

ORDINANCE NO. 2002-21s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING CHAPTER 19B.40 OF THE PIERCE COUNTY CODE, THE PARKLAND SPANAWAY COMMUNITY COMPREHENSIVE PLAN; ADOPTING A NEW CHAPTER 19B.40 OF THE PIERCE COUNTY CODE, THE PARKLAND-SPANAWAY-MIDLAND COMMUNITIES PLAN; AMENDING THE PIERCE COUNTY COMPREHENSIVE PLAN, TITLE 19A OF THE PIERCE COUNTY CODE, TO INCORPORATE THE POLICIES OF THE PARKLAND-SPANAWAY-MIDLAND COMMUNITIES PLAN; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

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

PROPOSAL NO. R2002-83, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF ONE EXISTING MEMBER TO THE BOATING ADVISORY COMMISSION (RUSSELL FINEMAN) AND AMENDING RESOLUTION NO. R99-132, THE REAPPOINTMENT OF LEO LONG, RICHARD VAN CISE, AND ROGER COLEMAN TO THE BOATING ADVISORY COMMISSION, BY CORRECTING THEIR TERM EXPIRATION DATES FROM JULY 16, 2002, TO JULY 16, 2004.

Brown 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 six to zero.

PROPOSAL NO. R2002-84, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF TWO MEMBERS TO THE GRAHAM ADVISORY COMMISSION. (HARRY BELL, EDWIN BUECHL)

Brown 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 six to zero.

VIII. ORDINANCES

PROPOSAL NO. 2001-59s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 2.97.020 OF THE PIERCE COUNTY CODE, "DEFINITIONS" AND SECTION 2.97.080, "CONSERVATION FUTURES COVENANTS" TO LIMIT THE FUTURE USE OF PROPERTIES PURCHASED IN THE PROGRAM AND TO CLARIFY THE PASSIVE NATURE OF ALLOWED IMPROVEMENTS ON PROPERTY PURCHASED WITH CONSERVATION FUTURES FUNDS; AND AMENDING SECTION 2.96.040 TO MODIFY THE MEMBERSHIP OF THE CONSERVATION FUTURES PROGRAM CITIZENS' ADVISORY BOARD TO PROVIDE A MORE BALANCED MEMBERSHIP BETWEEN INCORPORATED AND UNINCORPORATED AREAS.

Brown moved that the Proposal be continued to July 30, 2002; motion seconded and passed.

PROPOSAL NO. 2002-45, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO PUBLIC UTILITY DISTRICT NO. 1 OF LEWIS COUNTY, A PUBLIC UTILITY OF THE STATE OF WASHINGTON, FOR LOCATION OF ELECTRIC LINES ON CERTAIN COUNTY OWNED RIGHTS-OF-WAY; REPEALING ORDINANCE NO. 2000-118; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

Brown moved that the Proposal be continued to July 23, 2002; motion seconded and passed.

IX. RESOLUTIONS

PROPOSAL NO. R2002-86, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPROVING THE PIERCE COUNTY BOARD OF EQUALIZATION'S REQUEST TO CONVENE TO ACT ON TIMELY FILED TAXPAYER PETITIONS WHICH EXCEED THE REQUIREMENTS OF REVISED CODE OF WASHINGTON 84.48.010.

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

Staff Testimony

Weber explained the Council had previously passed a motion approving the Board of Equalization's request to convene pursuant to Revised Code of Washington 84.48.010, and adoption of this Resolution is being requested to support that motion.

Brown stated the convening of the Board of Equalization is an opportunity for taxpayers to dispute their property taxes and ask for relief. He stated the process, through the Assessor-Treasurer's office, is made available to taxpayers for this purpose.

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

X. OTHER BUSINESS/ANNOUNCEMENTS - None

XI. GENERAL PUBLIC COMMENTS

1. Randy Boss stated he had submitted proposed language to Councilmembers regarding Proposal No. 2001-59s to recommend a compromise on the definition of Passive Recreation. He encouraged the Council to review this language, and consider an amendment. He stated he would be back before the Council on July 30, 2002, when the Proposal will be heard.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:20 p.m.

Attest:

Geri Rainwater, Clerk of the Council

Approved:

Councilmember Harold Moss, Chair

Date Approved