

**MINUTES
PIERCE COUNTY COUNCIL MEETING
JULY 29, 2003**

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 Chair Moss.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Moss, followed by a Moment of Silence in tribute to our men and women in the Military.

III. ROLL CALL

Councilmembers Present: Shawn Bunney, Barbara Gelman, Calvin Goings, Harold Moss, Kevin Wimsett. Paul Bocchi and Terry Lee arrived after roll call.

Council Staff Present: Denise Johnson, Council Clerk; Susan Long, Administrator for Legal & Operations; Tom Weber, Administrator for Research & Policy; Anna Graham, Research Analyst.

There were approximately 20 visitors present.

IV. APPROVAL OF AGENDA

Wimsett 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. 2003-52, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A NEW SECTION 8.08.075 OF THE PIERCE COUNTY CODE (PCC), "VIOLATION - PENALTY," AND AMENDING PCC 17C.80.025, "SECTION 203 AMENDED - VIOLATIONS" FOR THE PURPOSE OF MAKING CERTAIN VIOLATIONS OF CHAPTER 8.08 PCC, "PUBLIC NUISANCES," AND CHAPTER 17C.80 PCC, "UNIFORM CODE FOR

THE ABATEMENT OF DANGEROUS BUILDINGS," MISDEMEANORS.
(CRIMINAL TRESPASS)

Sponsored by: Councilmembers Kevin Wimsett and Paul Bocchi

Contact person: Susan Long, 798-6068

DO PASS RECOMMENDATION - PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE (Barbara Gelman, Chair; Paul Bocchi, Vice Chair; Shawn Bunney, Member; Calvin Goings, Member; Terry Lee, Member)

Suggested date of Council hearing: September 9, 2003

2. PROPOSAL NO. 2003-60, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO AMERICAN WATER RESOURCES, INC., FOR THE LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

Sponsored by: Councilmember Shawn Bunney

Contact person: Jerry West, 798-3687

DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE (Shawn Bunney, Chair; Terry Lee, Vice Chair; Paul Bocchi, Member; Barbara Gelman, Member/excused; Calvin Goings, Member)

Suggested date of Council hearing: August 26, 2003

3. PROPOSAL NO. 2003-63, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF CRESCENT VALLEY CUTOFF ROAD NORTHWEST, WHICH IS LOCATED IN THE WEST HALF OF SECTION 33, TOWNSHIP 22 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN THE GIG HARBOR AREA.

Sponsored by: Councilmember Shawn Bunney

Contact person: Jerry West, 798-3687

DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE (Shawn Bunney, Chair; Terry Lee, Vice Chair; Paul Bocchi, Member; Barbara Gelman, Member/excused; Calvin Goings, Member)

Suggested date of Council hearing: August 26, 2003

4. PROPOSAL NO. 2003-64, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO LONGBRANCH SHORES ASSOCIATION, FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

Sponsored by: Councilmember Shawn Bunney

Contact person: Jerry West, 798-3687

DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE
(Shawn Bunney, Chair; Terry Lee, Vice Chair; Paul Bocchi, Member; Barbara Gelman, Member/excused; Calvin Goings, Member)

Suggested date of Council hearing: August 26, 2003

5. PROPOSAL NO. 2003-73, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 2.67.040 OF THE PIERCE COUNTY CODE, "JURISDICTION AND AUTHORITY", ADJUSTING THE JURISDICTIONAL BOUNDARIES OF THE SOUTHWEST PIERCE COUNTY ADVISORY COMMISSION TO INCLUDE THE EATONVILLE AREA.

Sponsored by: Councilmember Kevin Wimsett

Contact person: Anna Graham, 798-6253

For referral to the Planning & Environment Committee

6. PROPOSAL NO. 2003-74, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING THE CITY OF AUBURN, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON, A NONEXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE, AND MAINTAIN A SANITARY SEWER PIPELINE SYSTEM OVER, IN, ALONG, AND UNDER CERTAIN PUBLIC ROADS AND HIGHWAYS IN PIERCE COUNTY, WASHINGTON; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

Sponsored by: Councilmember Shawn Bunney

Contact person: Jerry West, 798-3687

For referral to the Public Works Committee

7. PROPOSAL NO. 2003-76, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING THE ACQUISITION OF THE LAND AND FACILITY LOCATED AT 2501 SOUTH 35TH STREET, TACOMA, WASHINGTON; AUTHORIZING THE PROSECUTING ATTORNEY TO COMMENCE CONDEMNATION, IF NECESSARY; AND APPROPRIATING \$3,300,000 TO FUND THIS PURCHASE BY AMENDING ORDINANCE NO. 2002-112S, AS AMENDED, INCREASING THE 2003 BUDGET FOR MISCELLANEOUS CURRENT EXPENSE, THE ADMINISTRATION BUILDING FUND, AND THE CORPORATE EXPRESS BUILDING FUND.

Sponsored by: Councilmember Harold Moss

Contact person: Patrick Kenney, 789-7450

For referral to the Rules & Operations Committee

Suggested date of Council hearing: September 2, 2003

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

1. PROPOSAL NO. R2003-96, A RESOLUTION OF THE PIERCE COUNTY COUNCIL TO AUTHORIZE THE PIERCE COUNTY EXECUTIVE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN PIERCE COUNTY AND ITS CITIES AND TOWNS TO IMPLEMENT STATE OF WASHINGTON SUBSTITUTE HOUSE BILL 2060, WHICH AUTHORIZES A \$10.00 SURCHARGE ON CERTAIN DOCUMENTS RECORDED WITH COUNTY AUDITORS FOR THE PURPOSE OF

PROVIDING FUNDS FOR AFFORDABLE LOW-INCOME HOUSING.
Sponsored by: Councilmember Kevin Wimsett
Contact person: Gary Aden, 798-6912
For referral to the Rules & Operations Committee

d. Other Items

Wimsett 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

Presentation: 3 NACO Achievement Awards and 13 NACIO Awards of Excellence presented by John Ladenburg, Pierce County Executive

Ladenburg provided information on the National Association of County Information Officers, and recognized the Departments and individuals that received the awards.

PROPOSAL NO. R2003-97, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE PIERCE COUNTY HOUSING AUTHORITY. (ROBERT GUNSTROM)

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

Moss thanked Gunstrom for his willingness to serve. Moss called for public testimony; there was no response. The Proposal was adopted on a roll call vote of five to zero.

VIII. ORDINANCES

PROPOSAL NO. 2003-40s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL PROVIDING FURTHER IMPLEMENTATION OF THE GIG HARBOR PENINSULA COMMUNITY PLAN; AMENDING TITLE 18A, DEVELOPMENT REGULATIONS - ZONING; AMENDING TITLE 18B, DEVELOPMENT REGULATIONS - SIGNS; AMENDING TITLE 18J, DEVELOPMENT REGULATIONS - DESIGN STANDARDS AND GUIDELINES; AMENDING THE PIERCE COUNTY ZONING CODE TO CORRECT A PROVISION RELATING TO NATIVE VEGETATION RETENTION FOR THE PARKLAND-SPANAWAY-MIDLAND AREA; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

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

Staff Testimony

Graham explained that the Proposal is a second substitute because it reformats Exhibit "A". The language in the Proposal has not been changed from the first substitute.

Goings pointed out this Proposal, Proposal No. 2003-45s2, and Proposal No. 2003-57s unanimously passed through the Committee process with little or no opposition. The Proposals provide cleanup and technical changes.

Wimsett moved Council Amendment No. 1 as printed on the yellow; motion seconded. A copy of the amendment is included with these minutes as Attachment I.

Graham explained the proposed amendments. She responded to Bocchi's questions regarding the location criteria, and Gelman's question regarding the impact of contractor yards along Highway 16.

The Chair called for testimony on the amendment; there was no response. The amendment passed on a voice vote.

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

PROPOSAL NO. 2003-45s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING SECTION 18A.35.130 OF THE PIERCE COUNTY CODE, NONCONFORMING STANDARDS; ADOPTING A NEW SECTION 18A.35.130 OF THE PIERCE COUNTY CODE, NONCONFORMING STANDARDS; AND AMENDING PIERCE COUNTY CODE SECTION 18A.75.070, NONCONFORMING USE PERMIT, TO MODIFY THE NONCONFORMING USE STANDARDS FOR UNINCORPORATED PIERCE COUNTY.

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

Staff Testimony

Sean Gaffney, Planning and Land Services Department, provided background information on the Proposal. The new standards will apply only within the Urban Area, and no changes will be made in the Rural Area. In response to Gelman's question, Gaffney stated the change will apply County-wide in Urban Growth Area.

Wimsett moved Council Amendment No. 1 on the pink; motion seconded. A copy of the amendment is included with these minutes as Attachment II.

Graham explained that the amendments are technical in nature.

The Chair called for testimony on the amendment; there was no response. The amendment passed on a voice vote.

Public Testimony

Al Cunningham, Director, Capital Projects and Facilities Management of Good Samaritan Community Health Care, expressed concern that the zoning change will restrict the clinic's future building plans. He requested the Nonconforming Use percentages be increased.

Goings stated he's comfortable with the Proposal as it stands, and suggested that Cunningham and Wimsett meet to discuss the concerns.

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

PROPOSAL NO. 2003-57s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 18.140 OF THE PIERCE COUNTY CODE, "COMPLIANCE" TO CLARIFY THAT THE CHAPTER APPLIES TO THE SAME DEVELOPMENT REGULATIONS AS SET FORTH IN SECTION 18.20.020 OF THE CODE; AND ADOPTING FINDINGS OF FACT.

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

Staff Testimony

Gaffney explained the Proposal is a technical clarification that applies to other regulations as set forth in Pierce County Code 18.20.020.

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

IX. RESOLUTIONS

PROPOSAL NO. R2003-95, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPROVING, AS CREATING MUNICIPALITY, RESOLUTION NO. 2003-03 OF THE ECONOMIC DEVELOPMENT CORPORATION OF PIERCE COUNTY, ADOPTED _____, 2003, AUTHORIZING THE ISSUANCE OF \$5,300,000 OF REVENUE BONDS BY THE ECONOMIC DEVELOPMENT CORPORATION OF PIERCE COUNTY FOR PURPOSES OF FINANCING A PORTION OF THE COSTS OF A MANUFACTURING FACILITY FOR SEATAC PACKAGING MANUFACTURING CORP.

Wimsett moved adoption; motion seconded. The Clerk read the

title into the record.

Wimsett moved Council Amendment No. 1, as printed on the gray; motion seconded. A copy of the amendment is included with these minutes as Attachment III.

Staff Testimony

Weber explained the amendment fills in the blanks contained in the Proposal. The Corporation passed their Resolution on July 21, 2003.

The Chair called for public testimony on the amendment; there was no response. The amendment passed on a voice vote.

The Chair called for public testimony on the amended Proposal.

Public Testimony

Susan Suess, Economic Development Board for Tacoma-Pierce County, and representative of the Economic Development Corporation, stated the Resolution is the final process for the issuance of the \$5.3 million industrial development bonds. She provided background information on the process relating to this project and on the manufacturing company. Suess introduced Jeff Lawrence, Vice President and General Manager, SeaTac Manufacturing Corp, and Deanna Gregory, Bond Counsel, Preston Gates & Ellis.

Lawrence provided information on the bond project and the company, stating that between 8-10 new employees have been hired since he first came before the Council. The business is progressing, and building construction will start after the issuance of the bonds. He thanked the County for its assistance, and looks forward to continuing working in Pierce County.

Bunney thanked Lawrence for continuing and expanding his business in Pierce County.

Gelman thanked Lawrence for joining the Pierce County community, and reminded the Council of the products manufactured by the Company.

The Proposal was adopted as amended on a roll call vote of six to zero.

X. OTHER BUSINESS/ANNOUNCEMENTS

Wimsett moved to amend the Council Meeting Agenda of August

Pierce County Council Meeting
July 29, 2003

5, 2003, to add the following Proposal to Section V., Consent Agenda, and to refer the Proposal to the Public Safety & Human Services Committee: PROPOSAL NO. 2003-80, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CALLING FOR AN ELECTION ON NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO COUNTY VOTERS THE DETERMINATION OF WHETHER OR NOT TO IMPOSE A COUNTY-WIDE LOCAL SALES AND USE TAX TO FUND AT LEAST 100 NEW CITY POLICE OFFICERS AND COUNTY SHERIFF DEPUTIES AND TO MAKE NEEDED IMPROVEMENTS TO THE CRIMINAL JUSTICE SYSTEM, PURSUANT TO SECOND ENGROSSED SUBSTITUTE SENATE BILL (SESSB) 5659, CHAPTER 24, LAWS OF WASHINGTON, 2003; motion seconded and passed on a voice vote.

XI. GENERAL PUBLIC COMMENTS - None

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:05 p.m.

Attest:

Denise D. Johnson
Clerk of the Council

Approved:

Councilmember Terry Lee
Executive Pro Tempore

Date Approved

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