

**MINUTES
PIERCE COUNTY COUNCIL MEETING
AUGUST 2, 2005**

TAPPS ISLAND CLUBHOUSE
20818 ISLAND PARKWAY EAST
SUMNER, WASHINGTON
(COUNCIL DISTRICT 1)

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(Note: These minutes are not verbatim. Recorded tapes are available upon request.)

I. CALL TO ORDER

The District meeting of the Pierce County Council was called to order at 5:06 p.m. by Chair Bunney.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

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

Bunney, Host Councilmember, explained the Charter requirement that each Councilmember conduct a Council meeting in his/her Council District. Councilmembers introduced themselves and stated the Council District they represent.

III. ROLL CALL

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

Council Staff Present: Steve Gross, Deputy Legal Counsel; Denise Johnson, Clerk of the Council; Janet Maillard, Council Staff; Duane Rivera, Councilmember Assistant; and Thomas Weber, Administrator for Research and Policy.

There were approximately 30 visitors present.

IV. APPROVAL OF AGENDA

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

V. CONSENT AGENDA

Lee moved to amend the Consent Agenda to add a Council hearing date of September 6, 2005, to Proposal No. 2005-62; motion seconded and passed on a voice vote.

- a. Approval of Minutes
- b. Action on Ordinances (refer, set date of hearing)
 1. PROPOSAL NO. 2005-45, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CANCELING CERTAIN UNCOLLECTIBLE PERSONAL PROPERTY TAXES.
Sponsored by: Councilmember Shawn Bunney
Contact person: Jack Rusler, 798-7551
DO PASS RECOMMENDATION - RULES AND OPERATIONS COMMITTEE ON JULY 18, 2005 (Shawn Bunney, Chair; Terry Lee, Vice Chair; Calvin Goings, Member)
Suggested date of Council hearing: August 30, 2005
 2. PROPOSAL NO. 2005-46s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 93-122; AND AUTHORIZING THE REOPENING OF A PORTION OF A. P. TUBBS ROAD IN THE WILKESON-CARBONADO AREA.
Sponsored by: Councilmember Shawn Bunney
Contact person: Jerry West, 798-3687
DO PASS AS SUBSTITUTED RECOMMENDATION - ECONOMIC AND INFRASTRUCTURE DEVELOPMENT COMMITTEE ON JULY 19, 2005 (Terry Lee, Chair; Roger Bush, Vice Chair; Shawn Bunney, Member; Calvin Goings, Member; Dick Muri, Member)
Suggested date of Council hearing: September 6, 2005
 3. PROPOSAL NO. 2005-51, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO EAST GIG HARBOR WATER DISTRICT, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY OWNED RIGHTS-OF-WAY, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.
Sponsored by: Councilmember Terry Lee
Contact person: Jerry West, 798-3687
To be heard in the Economic Development Committee on August 2, 2005
Suggested date of Council hearing: August 30, 2005
 4. PROPOSAL NO. 2005-52s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 19D.240 OF THE

PIERCE COUNTY CODE, THE PIERCE COUNTY COUNTY-WIDE PLANNING POLICIES, TO REFLECT AMENDMENTS RATIFIED BY THE PIERCE COUNTY REGIONAL COUNCIL.

Sponsored by: Councilmember Calvin Goings

Contact person: Anna Graham, 798-6253

DO PASS AS SUBSTITUTED RECOMMENDATION - COMMUNITY DEVELOPMENT COMMITTEE ON JULY 18, 2005 (Calvin Goings, Chair; Terry Lee, Vice Chair; Roger Bush, Member; Timothy M. Farrell, Member; Dick Muri, Member)

Suggested date of Council hearing: August 30, 2005

5. PROPOSAL NO. 2005-59, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 1. OF ORDINANCE NO. 2004-48s, WHICH VACATED A PORTION OF 204TH STREET EAST IN SECTION 6, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, IN THE FREDERICKSON AREA, TO CORRECT THE LEGAL DESCRIPTION CONTAINED THEREIN.

Sponsored by: Councilmember Terry Lee

Contact person: Jerry West, 798-3687

For referral to the Economic and Infrastructure Development Committee

6. PROPOSAL NO. 2005-60, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 3.12.020, 3.12.030 AND 3.12.070 OF THE PIERCE COUNTY CODE; AND REPEALING SECTION 3.12.040 OF THE PIERCE COUNTY CODE, "FINANCIAL DISCLOSURE".

Sponsored by: Councilmember Roger Bush

Contact person: Susan Long, 798-6068

For referral to the Rules and Operations Committee

7. PROPOSAL NO. 2005-62, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2004-107s AND MODIFYING THE COUNTY 2005 BUDGET.

Sponsored by: Councilmembers Shawn Bunney, Barbara Gelman, Calvin Goings, and Dick Muri

Contact person: Michael Transue, 798-7777

For referral to the Rules and Operations Committee

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

1. PROPOSAL NO. R2005-82, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THE PLANNING AND LAND SERVICES DEPARTMENT EVALUATE THE COMPATIBILITY OF SMALL SCALE ESPRESSO STANDS AS AN ALLOWED USE IN

THE RURAL NEIGHBORHOOD CENTER ZONE WITHIN THE GIG HARBOR PENINSULA COMMUNITY PLAN AREA; THAT SUCH EVALUATION INCLUDE REVIEW BY THE PENINSULA LAND USE ADVISORY COMMISSION; AND THAT A RECOMMENDATION, INCLUDING ANY REQUIRED AMENDMENTS TO TITLE 18A AND TITLE 18J AS APPROPRIATE, BE FORWARDED TO THE PIERCE COUNTY PLANNING COMMISSION FOR REVIEW BY A DATE CERTAIN.

Sponsored by: Councilmember Terry Lee

Contact person: Hugh Taylor, 798-3665

DO PASS RECOMMENDATION - COMMUNITY DEVELOPMENT COMMITTEE ON JULY 18, 2005 (Calvin Goings, Chair; Terry Lee, Vice Chair; Roger Bush, Member; Timothy M. Farrell, Member; Dick Muri, Member)

Suggested date of Council hearing: August 30, 2005

2. PROPOSAL NO. R2005-90, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THE PLANNING AND LAND SERVICES DEPARTMENT INITIATE THE PROCESS WITH THE WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES FOR TRANSFERING JURISDICTION ON CLASS IV GENERAL FOREST PRACTICES FROM WASHINGTON STATE TO PIERCE COUNTY BY DECEMBER 31, 2005, AS REQUIRED BY REVISED CODE OF WASHINGTON (RCW) 76.09.240; TO DEVELOP APPROPRIATE PROCEDURES FOR THE ADMINISTRATION OF FOREST PRACTICES AND COLLECTION OF ASSOCIATED FEES AS SET FORTH BY RCW 76.09; AND TO FORWARD RECOMMENDATIONS TO THE PIERCE COUNTY COUNCIL BY NOVEMBER 1, 2005.

Sponsored by: Councilmember Terry Lee

Contact person: Hugh Taylor, 798-3665

DO PASS RECOMMENDATION - COMMUNITY DEVELOPMENT COMMITTEE ON JULY 18, 2005 (Calvin Goings, Chair; Terry Lee, Vice Chair; Roger Bush, Member; Timothy M. Farrell, Member; Dick Muri, Member)

Suggested date of Council hearing: August 30, 2005

d. Other Items

Lee moved approval of the Consent Agenda; motion seconded and passed as amended on a roll call vote of five to zero (Bush and Farrell were excused).

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

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

PROPOSAL NO. R2005-103, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE COMMENDING THE ORGANIZERS AND VOLUNTEERS OF THE 2005 TACOMA TALL SHIPS FESTIVAL FOR THEIR EFFORTS IN CELEBRATING TACOMA'S HISTORIC WATERFRONT.

Lee moved adoption; motion seconded. The Clerk read the Proclamation in its entirety into the record.

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

Gelman announced that over one-million people attended the special event.

Clare Petrich, Port of Tacoma Commissioner and Tall Ships Representative, provided background information on the event and thanked the Council for the Proclamation.

The Proposal was adopted on a roll call vote of seven to zero.

PROPOSAL NO. R2005-110, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CELEBRATING THE TEN-YEAR ANNIVERSARY OF THE INCORPORATION OF THE CITY OF UNIVERSITY PLACE.

Lee moved adoption; motion seconded. Lee read the Proclamation in its entirety into the record.

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

Muri spoke in support of the Proclamation and complimented the City of University Place on its beautification project.

Gerald Gerhing, University Place Mayor Pro-Tem, thanked the Council for the Proclamation, and he spoke to the City's great partnership with Pierce County.

The Proposal was adopted on a roll call vote of seven to zero.

Gerhing accepted the Proclamation.

Pierce County Council Meeting
August 2, 2005

At the direction of the Chair, Bush and Farrell introduced themselves and spoke to the representation of their Council District.

PROPOSAL NO. R2005-105, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF SIX EXISTING MEMBERS TO THE PIERCE COUNTY CONSERVATION FUTURES PROGRAM CITIZENS' ADVISORY BOARD. (CARMELA MICHELI, JACQUELIN WHALEN, ROBERT EVANS, DIANE KERLIN, ROXY GIDDINGS, AND RENE LOCKHART).

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

Staff Testimony

Weber explained the Proposal confirms the appointments recommended by the Executive.

Farrell questioned whether or not Lockhart is a resident of Council District 4.

After discussion on the issue, Lee moved to continue the Proposal to the August 9, 2005, Council meeting; motion seconded and passed.

PROPOSAL NO. R2005-106, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF TACOMA CITY COUNCILMEMBER JULIE ANDERSON TO THE CENTRAL PUGET SOUND REGIONAL TRANSIT AUTHORITY ("SOUND TRANSIT") BOARD TO FILL AN UNEXPIRED TERM.

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

Staff Testimony

Weber provided information on the Proposal.

Farrell spoke in support of Anderson's appointment.

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

VIII. ORDINANCES

PROPOSAL NO. 2005-25s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO THE TOWN OF EATONVILLE, OF

Pierce County Council Meeting
August 2, 2005

PIERCE COUNTY, WASHINGTON, FOR LOCATION OF ELECTRIC LINES ON CERTAIN RIGHTS OF WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

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

Staff Testimony

Gross reported the Proposal received a do pass as substituted recommendation by the Economic and Infrastructure Development Committee on June 7, 2005.

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

PROPOSAL NO. 2005-32, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 8.88.480 OF THE PIERCE COUNTY CODE TO PROHIBIT THE OPERATION OF VESSELS POWERED BY INTERNAL COMBUSTION ENGINES ON THE WATERS OF LAKE JOSEPHINE.

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

Staff Testimony

Gross explained the Proposal adds the prohibition of combustion engines to the Pierce County Code. Gross reported the Proposal received a do pass recommendation by the Public Safety and Human Services Committee on June 7, 2005.

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

Muri provided comments in support of the Proposal.

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

The Chair recognized the attendance of County Executive John Ladenburg and Jan Shabro, State Senator of the 31st Legislative District.

IX. RESOLUTIONS

PROPOSAL NO. R2005-100s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CASCADE WATER ALLIANCE REGARDING PUBLIC WATER SUPPLY AND RECREATION ON LAKE TAPPS.

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

Staff Testimony

Gross provided background information on the Cascade Water Alliance. Gross highlighted the agreed upon conditions concerning the management of Lake Tapps as a public water supply project and a recreational facility, and summarized Sections 1. and 2. of Exhibit "A".

Lee recognized Bunney for his leadership and his hard work on the Memorandum of Understanding (MOU).

Leon Stucki, LTCC, provided a PowerPoint presentation which provided historical information on the Lake Tapps Water Supply project, and he highlighted the project. Stucki recognized committee members in attendance.

Public Testimony

John Ladenburg, Pierce County Executive, spoke in support of the Proposal and the water supply project. Ladenburg recognized the citizens for their work on the project, and he spoke to the continued working relationship with Cascade Water Alliance.

Grant Degginger, Chair of Cascade Water Alliance and City of Bellevue Councilmember, introduced Cascade Water Alliance personnel in attendance, and he spoke in support of the water supply project.

Kirk Sauler spoke in support of the MOU agreement.

Jan Shabro thanked the Council for coming to the Lake Tapps area, and she expressed her appreciation for the leadership of all involved in the project.

Mark Quehrn, Puget Sound Energy Team Member, spoke in support of the Proposal.

Diane Atmore expressed her concern with personal watercrafts safety and excess noise on the lake.

Councilmembers Goings, Bush, Muri, Gelman, and Farrell

provided closing comments in support of the Proposal.

The Proposal was adopted on a roll call vote of seven to zero.

X. OTHER BUSINESS/ANNOUNCEMENTS

1. Signing of Proposal No. R2005-100s by the Council Chair, the County Executive, and the Chair of Cascade Water Alliance.

XI. CITIZENS' FORUM

The Chair called for citizens' comments; there was no response.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:20 p.m.

Attest:

Denise D. Johnson, Clerk of the Council

Approved:

Shawn Bunney, Council Chair

Date