

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
AUGUST 6, 2002**

930 TACOMA AVENUE SOUTH, ROOM 1045  
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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 Moss.

**II. PLEDGE OF ALLEGIANCE TO THE FLAG**

The pledge was led by Moss.

**III. ROLL CALL**

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

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

There were approximately 11 visitors present.

**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 28, 2002, regular Council meeting.

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

1. PROPOSAL NO. 2002-78, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL DIRECTING THE PERFORMANCE AUDIT COMMITTEE TO ENGAGE THE SERVICES OF AN INDEPENDENT CONSULTANT TO CONDUCT A PERFORMANCE REVIEW OF PUGET SOUND BEHAVIORAL HEALTH.

Sponsored by: Councilmembers Karen Biskey and Wendell Brown

Contact person: Thomas Weber, 798-6067

DO PASS AS SUBSTITUTED RECOMMENDATION - RULES & OPERATIONS COMMITTEE (Harold Moss, Chair; Pat O'Malley, Vice Chair; Wendell Brown, Member)  
Suggested date of Council hearing: September 3, 2002

2. PROPOSAL NO. 2002-82, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A SUPPLEMENTAL FRANCHISE NO. 1 TO SPANAWAY WATER COMPANY, FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY.  
Sponsored by: Councilmember Pat O'Malley  
Contact person: Jerry West, 798-3687  
For referral to the Public Works Committee
- c. Action on Resolutions (refer, set date of hearing)
- d. Other Items

O'Malley moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of seven 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 July 26, 2002, was read into the record:

ORDINANCE 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.

ORDINANCE NO. 2002-64, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF BARKUBEIN COUNTY ROAD EAST (226th AVENUE EAST), LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 20 NORTH, RANGE 5 EAST, OF THE WILLAMETTE MERIDIAN, LOCATED IN THE BONNEY LAKE AREA.

ORDINANCE NO. 2002-81, AN EMERGENCY ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 17C.60.090 OF THE PIERCE COUNTY CODE, "FIREWORKS" REGARDING THE DATES WHEN THE SALE, PURCHASE, AND DISCHARGE OF FIREWORKS ARE PERMITTED IN UNINCORPORATED PIERCE COUNTY; AND DECLARING AN EMERGENCY.

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

**PROPOSAL NO. R2002-88, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE GRAHAM ADVISORY COMMISSION. (ROBERT NELSON)**

O'Malley 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 seven to zero.

**PROPOSAL NO. R2002-89, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF ONE EXISTING MEMBER TO THE UPPER NISQUALLY ADVISORY COMMISSION. (ROBERT MILLER)**

O'Malley 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 seven to zero.

**PROPOSAL NO. R2002-90, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF THREE NEW MEMBERS TO THE SOUTH HILL ADVISORY COMMISSION. (DANA A. BROWN, CARLOS R. VEST, AND BETSY Z. STUBBS)**

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

Public Testimony

Dana Brown was present, and thanked the Council for his appointment, stating he looks forward to working with the Commission.

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

**VIII. ORDINANCES - None**

**IX. RESOLUTIONS**

**PROPOSAL NO. R2002-93, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THE PIERCE COUNTY FARM ADVISORY COMMISSION TO DEVELOP PROPOSED RECOMMENDATIONS TO SUPPORT DIRECT MARKETING EFFORTS RELATED TO AGRICULTURAL ACTIVITIES IN PIERCE COUNTY AND TO DEVELOP PROPOSED RECOMMENDATIONS REGARDING LIMITED COMMERCIAL USES ASSOCIATED WITH RURAL AGRICULTURAL ACTIVITIES; AND REQUESTING THE COUNTY EXECUTIVE TO PROVIDE STAFF AND OTHER RESOURCES TO SUPPORT THIS EFFORT.**

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

Staff Testimony

Brynn Brady, Planning and Land Services Department, provided an overview of the Resolution, stating the Farm Advisory Commission wishes to develop specific recommendations and programs to increase the viability of farming in Pierce County. The Proposal contains a request to develop changes to policies and regulations related to agricultural activities, and to examine programs that market local agricultural projects directly to the citizens of Pierce County. She stated the Commission will use its operating budget for these programs, and request additional funds to participate in existing programs.

Public Testimony

Dick Carkner, Pierce County Farm Advisory Commission, spoke in support of the Resolution, stating the Commission is dedicated to bringing produce to local consumers.

Moss and Brown thanked the Commission for their work on farming issues in Pierce County, and expressed their support.

The following people spoke in support of the Ordinance: Helen Babbitt; Alice Carkner; Corina Solaire; Monty Mahan, representing the Pierce County Conservation District; and Cheryl Ouellette.

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

**PROPOSAL NO. R2002-64s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING PROPOSED AMENDMENTS TO TITLE 18, DEVELOPMENT REGULATIONS - GENERAL PROVISIONS, AND TITLE 18A, DEVELOPMENT REGULATIONS - ZONING, OF THE PIERCE COUNTY CODE; TO MODIFY THE NONCONFORMING USE STANDARDS AND APPLICATION SUBMITTAL STANDARDS FOR UNINCORPORATED PIERCE COUNTY; REFERRING THE PROPOSED REGULATIONS TO THE PLANNING AND LAND SERVICES DEPARTMENT FOR ENVIRONMENTAL REVIEW AND TO THE PLANNING COMMISSION, COMMUNITY PLANNING BOARDS, AND THE LAND USE ADVISORY COMMISSIONS; AND SETTING A DATE FOR THE PLANNING COMMISSION'S REPORT AND RECOMMENDATION BACK TO THE COUNTY COUNCIL.**

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

Staff Testimony

Graham provided an overview of the Resolution, stating its passage would initiate proposed amendments to Title 18 to modify nonconforming use standards and application submittal standards, and refers the proposed amendments to the Planning and Land Services Department, the Planning Commission, the Community Board, and the Land Use Advisory Commission for a report and recommendation back to the County Council.

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

**PROPOSAL NO. R2002-65s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THE COMMUNITY PLANNING BOARDS AND THE PLANNING AND LAND SERVICES DEPARTMENT USE THE ADOPTED UPPER NISQUALLY VALLEY COMMUNITY PLAN, GIG HARBOR PENINSULA COMMUNITY PLAN, PARKLAND-SPANAWAY-MIDLAND COMMUNITIES PLAN, AND IMPLEMENTING REGULATIONS ASSOCIATED WITH THESE PLANS AS TEMPLATES FOR DEVELOPING FUTURE COMMUNITY PLANS AND IMPLEMENTING REGULATIONS.**

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

Staff Testimony

Graham provided an overview of the Resolution, stating its passage would ask the Planning and Land Services Department and the Community Planning Boards to use previously adopted community plans and implementing regulations as templates for future community plans and associated regulations.

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

O'Malley moved an amendment in the title at line 3 following the word "DEPARTMENT" to insert the word "TO"; motion seconded and passed.

The Proposal passed as substituted on a roll call vote of six to one; Wimsett voted no.

**X. OTHER BUSINESS/ANNOUNCEMENTS**

1. Acknowledgment of receipt of a copy of Resolution #751, which was adopted by the City of Fife, regarding a Notice of Intention to annex certain properties, and calling for an election thereon.

2. Acknowledgment of receipt of a copy of Resolution #1007, which was adopted by the City of Bonney Lake, regarding a Notice of Intention to annex certain properties.

Executive Session

At 3:40 p.m. the Council convened in Executive Session pursuant to RCW 42.30.110(i); at 4:00 p.m. the Chair announced the Executive Session would adjourn at 4:20 p.m.; at 4:20 p.m. the Chair announced the Executive Session would end at 4:40 p.m.; the regular meeting reconvened at 4:40 p.m.

**X. OTHER BUSINESS/ANNOUNCEMENTS (cont.)**

3. Brown announced that today is National Night Out Day, and urged people to participate in this neighborhood event.
4. O'Malley announced that Pierce County had recently received a national recognition award for their budget preparation process, and that the City of Lakewood has opened the new Towne Center. O'Malley stated the University Place festival held over the past weekend was a success.

**XI. GENERAL PUBLIC COMMENTS - None**

**XII. ADJOURNMENT**

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

Attest:

Gerri Rainwater, Clerk of the Council

Approved:

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Harold Moss, Council Chair

Date Approved