

**MINUTES
PIERCE COUNTY COUNCIL MEETING
AUGUST 7, 2001**

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TACOMA, WASHINGTON 98402
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(Note: These minutes are not verbatim. Recorded tapes are available upon request.)

I. CALL TO ORDER

Chair Brown called the regular meeting of the Pierce County Council to order at 3:10 p.m.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The Chair led the Pledge of Allegiance.

III. ROLL CALL

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

Council Staff Present: Shawn Bunney, Research Analyst; and Tom Weber, Administrator/Research & Policy; Susan Long, Legal Counsel; Rip Collins, Councilmember Assistant; and Sandy Bassett, Deputy Clerk.

There were approximately 15 visitors present.

IV. APPROVAL OF AGENDA

The amended Agenda was approved on a voice vote.

III. APPROVAL OF AGENDA

V. CONSENT AGENDA

a. Approval of Minutes

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

1. PROPOSAL NO. 2001-56, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNDEVELOPED 131ST (MAPLE) STREET SOUTH, AND A PORTION OF UNDEVELOPED 8TH AVENUE (EYE STREET) SOUTH, LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 3 EAST, OF THE WILLAMETTE MERIDIAN, LOCATED IN THE PARKLAND AREA.

Sponsored by: Councilmember Harold Moss

Contact person: Jennifer Andres, 798-7250

DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE
(Harold Moss, Chair/excused; Jan Shabro, Vice Chair;
Calvin Goings, Member)
Suggested date of Council hearing: September 4, 2001

2. PROPOSAL NO. 2001-67, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SUBSECTIONS 18A.25.250 B. AND 18A.25.150 E. OF THE PIERCE COUNTY CODE, TO ESTABLISH LEVELS FOR EDUCATION SERVICES; TO PERMIT LEVEL 1 EDUCATIONAL SERVICES IN THE RURAL SEPARATOR ZONE.
Sponsored by: Councilmember Karen Biskey
Contact person: Sean Gaffney, 798-2724
For referral to the Planning and Public Works Committee
3. PROPOSAL NO. 2001-68, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING PORTIONS OF CHAPTER 8.88 OF THE PIERCE COUNTY CODE, *WATERCRAFT REGULATIONS*, REGARDING THE RULES, OPERATION, AND THE USE OF VESSELS AND WATERCRAFT ON THE WATERS OF UNINCORPORATED PIERCE COUNTY.
Sponsored by: Councilmember Pat O'Malley
Contact person: Gerald Lawrence, 798-4953
For referral to the Planning and Public Works Committee
4. PROPOSAL NO. 2001-70, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL LEVYING AN ASSESSMENT IN 2001, FOR COLLECTION IN 2002, AGAINST LAND IN PIERCE COUNTY FOR THE CONTROL OF NOXIOUS WEEDS; SETTING THE RATE OF THE LEVY; AND EXEMPTING CERTAIN PROPERTY.
Sponsored by: Councilmember Wendell Brown
Contact person: Thomas Bertram, 798-7263
For referral to the Rules and Operations Committee
5. PROPOSAL NO. 2001-71, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING SUPPLEMENTAL FRANCHISE NO. 1 TO VALLEY WATER DISTRICT TO EXPAND THE AREA FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY.
Sponsored by: Councilmember Harold Moss
Contact person: Jerry West, 798-3687
For referral to the Planning and Public Works Committee
6. PROPOSAL NO. 2001-72, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO KANOOGA BEACH WATER SYSTEM, FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY AND OTHER COUNTY PROPERTY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.
Sponsored by: Councilmember Harold Moss
Contact person: Jerry West, 798-3687
For referral to the Planning and Public Works Committee

7. PROPOSAL NO. 2001-74, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH THE PIERCE COUNTY JUVENILE COURT GUILD; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.
Sponsored by: Councilmember Wendell Brown
Contact person: Joe Carrillo, 798-6690
Suggested date of Council hearing: August 21, 2001

- c. Action on Resolutions (refer, set date of hearing)
- d. Other Items

Moss 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 Ordinance, which was approved and signed on July 23, 2001, was read into the record:

ORDINANCE NO. 2001-57, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING THE CITY OF SUMNER, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON, A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE, AND MAINTAIN A SANITARY SEWER PIPELINE SYSTEM OVER, IN, ACROSS, UNDER, AND ALONG CERTAIN PUBLIC ROADS AND HIGHWAYS IN PIERCE COUNTY, WASHINGTON; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

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

PROPOSAL NO. R2001-128, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AMENDING RESOLUTION NO. R2001-2, BY APPOINTING COUNCILMEMBER JAN SHABRO TO THE WASHINGTON STATE ASSOCIATION OF COUNTIES LEGISLATIVE STEERING COMMITTEE.

Moss moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was none. Proposal No. R2001-128 passed on a roll call vote of six to zero.

VIII. ORDINANCES

PROPOSAL NO. 2000-108, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING A LAND LEASE AGREEMENT BETWEEN PIERCE COUNTY AND PALENT CORPORATION FOR REAL PROPERTY AT PIERCE COUNTY AIRPORT (THUN FIELD).

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

Goings moved the Proposal be referred to the Planning and Public Works Committee; motion seconded. Goings expressed concern with the length of the lease, which is 50 years. Goings said an amortization / depreciation schedule has been requested, but one has not yet been received.

Staff Testimony:

Weber said a letter was received today from Mr. Pailca, President of Palent Corporation, explaining his rationale for requesting the 50-year lease. Copies of the letter were circulated and copies are included in the Proposal and Meeting files.

Public Testimony:

Robert Pailca, President of Palent Corporation, said there isn't any amortization schedule. He said the information requested of him on Friday is contained in the letter the Council received today. The estimated project cost for the structure being proposed is \$900,000, but Pailca testified he never said it would take 50 years to get back his investment.

The Chair said questions remain that need to be answered and it's most appropriately done in Committee.

Weber said there is another lease regarding additional hangers that the Palent Corporation would like to construct. The Proposal regarding that lease has just been sponsored for introduction. Moss indicated it would be helpful if both Proposals could be discussed in Committee at the same time.

The Council amendment (Amendment No. 1 on blue) included in the Proposal No. 20001-108 packet is to be passed on to the Committee for consideration.

The motion to refer Proposal No. 2000-108 to committee passed on a voice vote.

**PROPOSAL NO. 2001-61, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL
AMENDING ORDINANCE NO. 2000-93s2, AS AMENDED, BY INCREASING THE BUDGET
FOR THE RAINIER COMMUNICATIONS FUND.**

Moss moved adoption; motion seconded. The Clerk read the title

into the record.

Staff Testimony:

Shawn Bunney, Council Research Analyst, said this Proposal would provide \$68,800 for the creation of additional programming.

Biskey moved and read into the record the Committee Amendment dated July 23, 2001 (attached and labeled **Attachment No. 1** to these minutes). The motion was seconded. The Chair called for public testimony; there was none. The amendment passed on a voice vote.

The Chair called for public testimony on Proposal No. 2000-61 as amended; there was no response. Proposal No. 2001-61, as amended, passed on a roll call vote of six to zero.

PROPOSAL NO. 2001-69, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CALLING FOR AN ELECTION OF THE VOTERS OF PIERCE COUNTY AT THE NOVEMBER 2001 GENERAL ELECTION TO AMEND PIERCE COUNTY CHARTER SECTIONS 4.10, "ELECTION PROCEDURES," AND 4.70, "VACANCIES"; TO REPEAL SECTION 4.20, "INDEPENDENT CANDIDATES" TO PROVIDE THAT THE NOMINATING PRIMARIES AND ELECTIONS OF ALL COUNTY ELECTED POSITIONS BE CONDUCTED IN ACCORDANCE WITH THE LAWS GOVERNING THE ELECTION OF NONPARTISAN OFFICERS.

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

Goings moved to postpone Proposal No. 2001-69 indefinitely; motion seconded.

Public Testimony:

Robert McKercher Jr. asked that the Proposal be killed or tabled indefinitely.

The motion to postpone Proposal No. 2001-69 indefinitely passed on a voice vote.

IX. RESOLUTIONS

PROPOSAL NO. R2001-54s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE RAINIER COMMUNICATIONS COMMISSION INTERLOCAL CABLE TELEVISION AND COMMUNICATION SERVICES COOPERATION AGREEMENT.

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

Moss moved Council Amendment No. 1 on the orange (see **Attachment 2** to these minutes); motion seconded. The Chair called for testimony on the amendment; there was none. The amendment passed on a voice vote.

The Chair called for public testimony on Proposal No. R2001-54s as amended; there was no response. Proposal No. R2001-54s as amended passed on a roll call vote of six to zero.

PROPOSAL NO. R2001-110, A RESOLUTION OF THE PIERCE COUNTY COUNCIL DECLARING THE INTENT TO VACATE A PORTION OF UNDEVELOPED 131ST (MAPLE) STREET SOUTH AND A PORTION OF UNDEVELOPED 8TH AVENUE (EYE STREET) SOUTH, LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 3 EAST, OF THE WILLAMETTE MERIDIAN, WHICH IS LOCATED IN THE PARKLAND AREA; AND DIRECTING THE COUNTY ENGINEER TO EXAMINE THE PROPOSED VACATION AND REPORT THE FINDINGS AND CONCLUSIONS THEREOF TO THE COUNCIL.

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

Staff Testimony:

Jennifer Andres, Public Works & Utilities Right-of-way Agent, reported that Pierce County's Water Programs Division owns the majority of the property around the area proposed to be vacated. The Water Programs Division made the request to vacate this land. She said the other adjoining property owner is in favor of the request to vacate as well.

The Chair called for public testimony; there was none. Proposal No. R2001-128 passed on a roll call vote of six to zero.

PROPOSAL NO. R2001-122s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ADOPTING A SCOPE OF WORK TO ACCOMPANY NEW APPROPRIATIONS TO THE RAINIER COMMUNICATIONS COMMISSION FOR THE CREATION OF A NEW PILOT PROJECT, THE "COUNCIL PROGRAM".

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

Staff Testimony:

Shawn Bunney said this is the companion document to the appropriation of funds to the Rainier Communications Commission (RCC) to fund a new program. Bunney provided an overview of the

scope of work for the new program. He explained that this is a pilot program and will be subject to funding through a budget appropriation each year.

The Chair called for public testimony; there was none. Proposal No. R2001-122s passed on a roll call vote of six to zero.

X. OTHER BUSINESS/ANNOUNCEMENTS - None.

XI. GENERAL PUBLIC COMMENTS - None.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:40 p.m.

Attest:

Clerk of the Council

Approved:

Council Chair

Date Approved

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