

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
AUGUST 17, 2004**

TACOMA, WASHINGTON 98402  
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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 3:05 p.m. by Vice Chair Wimsett.

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

The pledge was led by Wimsett, 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, Terry Lee, Dick Muri, and Kevin Wimsett. Councilmembers Calvin Goings and Harold Moss were excused.

Council Staff Present: Anna Graham, Sr. Legislative Analyst; Steve Gross, Legal Analyst; Denise Johnson, Clerk of the Council; Michael Transue, Budget Consultant; and Tom Weber, Administrator for Research and Policy.

There were eight visitors present.

**IV. APPROVAL OF AGENDA**

Lee moved to amend the Agenda to place Proposal No. 2004-115 as Item 6 of Section VI; motion seconded and passed. Lee moved adoption of the amended Agenda; motion seconded and passed.

**V. CONSENT AGENDA**

a. Approval of Minutes

Pierce County Council Meeting  
August 17, 2004

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

1. PROPOSAL NO. 2004-59, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING THE REMOVAL FROM OFFICE PROCEDURE IN SECTION 2.61.060 OF THE PIERCE COUNTY CODE REGARDING THE "ANDERSON ISLAND CITIZENS' ADVISORY BOARD."

Sponsored by: Councilmember Dick Muri

Contact person: Hudson Stansbury, 798-7477

DO PASS RECOMMENDATION - RULES & OPERATIONS COMMITTEE ON AUGUST 2, 2004 - (Harold Moss, Chair/excused; Kevin Wimsett, Vice Chair; Terry Lee, Member)

Suggested date of Council hearing: September 14, 2004

2. PROPOSAL NO. 2004-70, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REVISING THE CABLE TV FRANCHISING PROVISIONS OF THE PIERCE COUNTY CODE BY AMENDING CHAPTER 12.32 AND REPEALING AND RE-ENACTING CHAPTER 12.34.

Sponsored by: Councilmember Shawn Bunney

Contact person: Steve Gross, 798-7579

For referral to the Economic and Infrastructure Development Committee

To be heard in the Economic and Infrastructure Development Committee on September 7, 2004

3. PROPOSAL NO. 2004-71, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING PIERCE COUNTY CODE CHAPTER 12.32, "RIGHT-OF-WAY FRANCHISES FOR PUBLIC AND PRIVATE UTILITIES"; AMENDING CHAPTER 12.34, "TELECOMMUNICATIONS USERS OF PIERCE COUNTY RIGHTS-OF-WAY", TO ADD A NEW SECTION 12.34.865, "STANDARDS ADOPTED"; AMENDING SECTION 17B.10.060, "STANDARDS ADOPTED"; AND ADOPTING THE "MANUAL ON ACCOMMODATING UTILITIES IN PIERCE COUNTY RIGHT-OF-WAY," 4TH EDITION.

Sponsored by: Councilmember Shawn Bunney

Contact person: Steve Gross, 798-7579

For referral to the Economic and Infrastructure Development Committee

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

d. Other Items

Lee 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**

1. A message from the Executive transmitting the following Ordinances, which were approved and signed on August 3, 2004, was read into the record:

ORDINANCE NO. 2004-36, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CORRECTING THE LEGAL DESCRIPTION FOR THE MID-COUNTY LAND USE ADVISORY COMMISSION BY AMENDING SECTION 2.63.040 A. OF THE PIERCE COUNTY CODE, "SUMMIT-WALLER."

ORDINANCE NO. 2004-52s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL IMPLEMENTING THE 2003 COMPREHENSIVE PLAN AMENDMENTS, CORRECTING TECHNICAL ERRORS, AND MAKING SUBSTANTIVE AND TECHNICAL CHANGES TO THE DEVELOPMENT REGULATIONS, INCLUDING REORGANIZATION; AMENDING TITLE 18 OF THE PIERCE COUNTY CODE, DEVELOPMENT REGULATIONS-GENERAL PROVISIONS; REPEALING CHAPTER 18A.25, ZONE CLASSIFICATIONS AND USE TABLES; CREATING NEW CHAPTERS, 18A.17, PIERCE COUNTY (OUTSIDE COMMUNITY PLAN AREAS) USE AND DENSITY/DIMENSION TABLES, 18A.22 FREDERICKSON USE AND DENSITY/DIMENSION TABLES, 18A.23 GIG HARBOR USE AND DENSITY/DIMENSION TABLES, 18A.28 PARKLAND-SPANAWAY-MIDLAND USE AND DENSITY/DIMENSION TABLES, 18A.29, SOUTH HILL USE AND DENSITY/DIMENSION TABLES, 18A.31, UPPER NISQUALLY USE AND DENSITY/DIMENSION TABLES, AND 18A.33, ZONE CLASSIFICATIONS; AMENDING THE PIERCE COUNTY ZONING ATLAS; AMENDING TITLE 18B, PIERCE COUNTY DEVELOPMENT REGULATIONS-SIGNS; AMENDING TITLE 18J, PIERCE COUNTY DEVELOPMENT REGULATIONS-DESIGN STANDARDS AND GUIDELINES; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

2. A message from the Executive transmitting the following Ordinances, which were approved and signed on August 4, 2004, was read into the record:

ORDINANCE NO. 2004-38, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO BETHEL WATER COMPANY, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

ORDINANCE NO. 2004-39, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO WEATHERSWOOD VISTA WATER DISTRICT, INC., FOR LOCATION OF WATERLINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

ORDINANCE NO. 2004-46, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO KAPOWSIN WATER DISTRICT, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

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

**PROPOSAL NO. R2004-112, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE PIERCE COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES. (PAUL CHASCO)**

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

Muri spoke in support of Chasco's appointment.

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

**PROPOSAL NO. R2004-113, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF ONE EXISTING MEMBER TO THE MID-COUNTY LAND USE ADVISORY COMMISSION. (EMILY G. BLAKE)**

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

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

**PROPOSAL NO. R2004-116, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE STORM DRAINAGE AND SURFACE WATER MANAGEMENT ADVISORY BOARD. (LESLIE RYAN-CONNELLY)**

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

Staff Testimony

Gross provided information on the Proposal and the Surface Water Advisory Board appointment.

Harold Smelt, Public Works & Utilities - Water Programs, provided information on the appointee, and spoke in support of her appointment.

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

**PROPOSAL NO. R2004-117, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE PIERCE COUNTY CONSERVATION FUTURES PROGRAM CITIZENS' ADVISORY BOARD. (CARMELA MICHELI)**

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

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

**PROPOSAL NO. R2004-115s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ADOPTING ITS 2005 BUDGET PRIORITIES AND REQUESTING THAT THE PIERCE COUNTY EXECUTIVE INCLUDE THESE PRIORITIES IN THE 2005 BUDGET FOR PIERCE COUNTY.**

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

Staff Testimony

Transue provided information on the Proposal, and explained the preliminary issues and priorities to be funded in the 2005 budget.

Lyle Quasim, Chief of Staff, stated the Executive Office will look at the priority items proposed to be in the budget. He expressed his appreciation of the Council and Executive working together on budget issues.

Wimsett stated the Council looks forward to working with the Executive Staff and Department Directors on the budget.

Public Testimony

Don Williams spoke to farming issues in Pierce County and the Tacoma-Pierce County Health Department's smoking ban.

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

VIII. ORDINANCES

**PROPOSAL NO. 2004-60, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH THE PIERCE COUNTY PROSECUTING ATTORNEYS' ASSOCIATION; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.**

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

Staff Testimony

Weber stated the Proposal received a do pass recommendation by the Rules and Operations Committee on August 2, 2004.

Debbie Young, Human Services Department, stated she was available for questions; no questions were asked.

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

**PROPOSAL NO. 2004-61, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2002-127 BY AMENDING THE AREAS WHERE THE DISCHARGE OF FIREARMS IS PROHIBITED; AND CREATING AREAS WHERE THE DISCHARGE OF FIREARMS IS RESTRICTED IN PORTIONS OF THE UNINCORPORATED AREAS OF SECTIONS 27 AND 34, TOWNSHIP 18, RANGE 2 EAST, AND SECTIONS 3, 4, AND 10, TOWNSHIP 17, RANGE 2 EAST, IN THE ROY AREA.**

Lee moved to continue the Proposal to September 21, 2004; motion seconded and passed.

**PROPOSAL NO. 2004-73, AN EMERGENCY ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2003-103s; DELETING MAP AMENDMENTS M-10-DUNNING, M-10-ROZGOWSKI, AND M-10-THE BUTTES, AND RELATED FINDINGS OF FACT; AMENDING ORDINANCE NO. 2004-52s, WHICH IMPLEMENTS ORDINANCE NO. 2003-103s; IN RESPONSE TO A FINAL DECISION AND ORDER OF THE CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD IN "ORTON FARMS ET AL. V. PIERCE COUNTY, CASE NO. 04-3-0007c"; AND DECLARING AN EMERGENCY.**

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

Staff Testimony

Graham provided background information on the Proposal and explained its urgency. Graham stated since the maps were not effective yet, no applications have been accepted.

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

**IX. RESOLUTIONS**

**PROPOSAL NO. R2004-89, A RESOLUTION OF THE PIERCE COUNTY COUNCIL RATIFYING, AS REQUIRED BY PIERCE COUNTY CODE 2.110.120, THE SALE OF THE SURPLUS COUNTY-OWNED REAL PROPERTY LOCATED AT 868 173RD STREET SOUTH, SPANAWAY, WASHINGTON.**

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

Staff Testimony

Weber stated the Proposal received a do pass recommendation by the Rules and Operations Committee on July 6, 2004.

Suzanne Hedlund, Facilities Management, stated she was available for questions; no questions were asked.

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

**PROPOSAL NO. R2004-106, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO APPLY FOR FUNDING ASSISTANCE FOR A WASHINGTON WILDLIFE AND RECREATION PROGRAM (WWRP) TO THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION, FOR THE DEVELOPMENT OF THE SECOND PHASE OF THE CUSHMAN TRAIL IN GIG HARBOR AND PIERCE COUNTY.**

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

Staff Testimony

Weber stated the Proposal received a do pass recommendation by the Rules and Operations Committee on August 6, 2004.

Jan Wolcott, Director of Pierce County Parks and Recreation Services, provided information on the Proposal and explained

the availability of funding. In response to Bunney's question, he explained the application process.

Lee thanked the Parks Department for the grant application, and spoke in support of the Cushman Trail in Gig Harbor.

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

**X. OTHER BUSINESS/ANNOUNCEMENTS - None**

The Chair announced the conclusion of the televised portion of the business meeting.

**XI. GENERAL PUBLIC COMMENTS**

1. Don Williams expressed his concerns regarding the Habitat for Directions package.

Wimsett clarified to Williams that the Community Development Committee has not voted on the issue, and informed him that the proposals for the Directions package were continued in Committee to September 13, 2004.

Weber stated the Proposals will be heard by the full Council on October 19, 2004.

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:46 p.m.

Attest:

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Denise D. Johnson, Clerk of the Council

Approved:

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Councilmember Harold Moss, Council Chair

Date Approved

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