

**MINUTES
PIERCE COUNTY COUNCIL MEETING
AUGUST 28, 2001**

PACIFIC LUTHERAN UNIVERSITY
SCANDINAVIAN CULTURAL CENTER
122nd AND PARK AVENUE
PARKLAND, WA 98447
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(Note: These minutes are not verbatim. Recorded tapes are available upon request.)

I. CALL TO ORDER

The District No. 3 meeting of the Pierce County Council was called to order at 7:00 p.m. by Chair Brown.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Brown.

Brown passed the gavel to Councilmember Wimsett, Host Councilmember for the District No. 3 meeting. Wimsett introduced Councilmembers, Staff, and special guests.

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 38 visitors present.

IV. APPROVAL OF AGENDA

Brown moved approval of the Agenda; motion seconded and passed.

V. CONSENT AGENDA

a. Approval of Minutes

1. The minutes of the July 10, 2001, regular Council meeting
2. The minutes of the July 24, 2001, regular Council meeting
3. The minutes of the July 31, 2001, regular Council meeting
4. The meeting summary of the August 3, 2001, Wetland

Training Session

5. The minutes of the August 7, 2001, regular Council meeting
- b. Action on Ordinances (refer, set date of hearing)
1. PROPOSAL NO. 2001-58s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2000-93s2, AS AMENDED; AND MODIFYING THE BUDGET FOR EMERGENCY MANAGEMENT, CLERK, EXECUTIVE, DISTRICT COURT EATONVILLE, DISTRICT COURT GIG HARBOR, JUVENILE, PROBATION, CORRECTIONS, SHERIFF, MEDICAL EXAMINER, PLANNING AND LAND SERVICES, SPECIAL PROJECTS AND THE ASSIGNED COUNSEL DEPARTMENTS IN THE GENERAL FUND; AND THE FACILITIES MANAGEMENT FUND.
Sponsored by: Councilmember Harold Moss
Contact person: Patrick Kenney, 798-7450
DO PASS AS SUBSTITUTED RECOMMENDATION - RULES AND OPERATIONS COMMITTEE (Wendell Brown, Chair; Harold Moss, Vice Chair; Pat O'Malley, Member/excused)
Suggested date of Council Hearing: September 18, 2001
 2. PROPOSAL NO. 2001-64, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 3.67 OF THE PIERCE COUNTY CODE, PERSONNEL -FAMILY AND MEDICAL LEAVE.
Sponsored by: Councilmember Wendell Brown
Contact person: Joe Carrillo, 798-6690
DO PASS RECOMMENDATION - RULES AND OPERATIONS COMMITTEE
(Wendell Brown, Chair; Harold Moss, Vice Chair; Pat O'Malley, Member/excused)
Suggested date of Council Hearing: September 11, 2001
 3. PROPOSAL NO. 2001-73, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 1.28.050 OF THE PIERCE COUNTY CODE, "AGENDA OF COUNCIL MEETINGS."
Sponsored by: Councilmember Wendell Brown
Contact person: Susan Long, 798-6068
For referral to the Rules and Operations Committee
 4. PROPOSAL NO. 2001-75, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 5.26.030 OF THE PIERCE COUNTY CODE, *FARES*, TO INCREASE TAXICAB FARES IN UNINCORPORATED PIERCE COUNTY.
Sponsored by: Councilmember Wendell Brown
Contact person: Susan Long, 798-6068
For referral to the Rules and Operations Committee

5. PROPOSAL NO. 2001-76, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING A LAND LEASE AGREEMENT FOR REAL PROPERTY AT PIERCE COUNTY AIRPORT (THUN FIELD) WITH PALENT CORPORATION; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE LEASE.
Sponsored by: Councilmember Harold Moss
Contact person: Bob Snyder, 798-7109
For referral to the Planning and Public Works Committee
6. PROPOSAL NO. 2001-77, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2000-34s AND ORDINANCE NO. 2000-35s, AS AMENDED BY ORDINANCE NO. 2001-23, TO CHANGE THE EFFECTIVE DATE FROM OCTOBER 1, 2001, TO MARCH 1, 2002.
Sponsored by: Councilmember Karen Biskey
Contact person: Anna Graham, 798-6253
For referral to the Planning and Public Works Committee
Suggested date of Council hearing: September 25, 2001
- c. Action on Resolutions (refer, set date of hearing)
 1. PROPOSAL NO. R2001-130, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ADOPTING THE *PIERCE COUNTY REPETITIVE LOSS PLAN JULY 2001*, RELATING TO FLOODING PROBLEMS AND SOLUTIONS.
Sponsored by: Councilmember Harold Moss
Contact person: Tim Ramsaur, 798-2725
For referral to the Planning and Public Works Committee
 2. PROPOSAL NO. R2001-133, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ENDORSING THE PIERCE COUNTY SHERIFF'S DEPARTMENT'S ACCEPTANCE OF A GRANT AWARD OF \$324,102.00 IN DEPARTMENT OF JUSTICE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS, FOR PUBLIC SAFETY SERVICES THAT ADDRESS CRITICAL NEEDS OF PIERCE COUNTY CITIZENS; AND PROVIDING FOR A PUBLIC HEARING ON THE PROPOSED COUNTY'S USE OF THE MONEY RECEIVED.
Sponsored by: Councilmember Wendell Brown
Contact person: James Jenkins, 798-7537
For referral to the Rules and Operations Committee
To be heard by the Rules and Operations Committee on September 4, 2001
Suggested date of Council hearing: September 4, 2001
- d. Other Items
Brown 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 August 6, 2001, was read into the record:

ORDINANCE NO. 2001-35, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO FIRGROVE MUTUAL WATER COMPANY, FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

ORDINANCE NO. 2001-37, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A NEW CHAPTER 2.83 OF THE PIERCE COUNTY CODE, ENTITLED "ALDERTON-MCMILLIN ADVISORY COMMISSION"; AND ESTABLISHING AND CREATING A FIVE-MEMBER LAND USE ADVISORY COMMISSION IN THE ALDERTON-MCMILLIN COMMUNITY, TO BE KNOWN AS THE ALDERTON-MCMILLIN ADVISORY COMMISSION.

ORDINANCE NO. 2001-47, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING SUPPLEMENTAL FRANCHISE NO. 10 TO THE CITY OF TACOMA, DEPARTMENT OF UTILITIES, WATER DIVISION, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON, FOR LOCATION OF WATER LINES ON CERTAIN COUNTY RIGHTS-OF-WAY WHICH EXPANDS THEIR FRANCHISE AREA; TERMINATING THE WATER FRANCHISES OF SOUTHEAST TACOMA MUTUAL WATER AND HYADA MUTUAL WATER; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

ORDINANCE NO. 2001-52, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING THE CITY OF ORTING, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON, A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE, AND MAINTAIN A SANITARY SEWER PIPELINE SYSTEM IN, ALONG, AND UNDER CERTAIN COUNTY-OWNED ROADS AND HIGHWAYS IN PIERCE COUNTY, WASHINGTON; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

2. A message from the Executive transmitting the following Ordinance, which was approved and signed on August 15, 2001, was read into the record:

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.

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

PROPOSAL NO. R2001-129, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPOINTING A NEW COMMISSIONER TO THE DRAINAGE DISTRICT NO. 26 BOARD OF COMMISSIONERS, TO FILL AN EXISTING VACANCY. (DONALD E. PROCTOR)

Brown 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. R2001-132, A RESOLUTION OF THE PIERCE COUNTY COUNCIL RECOGNIZING AND COMMENDING THE PARTICIPANTS AND SPONSORS OF BIZCAMP 2001; AND DECLARING THE WEEK OF AUGUST 27 TO SEPTEMBER 1, 2001, AS SALUTE TO THE ENTREPRENEURIAL SPIRIT WEEK IN PIERCE COUNTY, WASHINGTON.

Brown moved adoption; motion seconded. The Clerk read the Proclamation into the record.

The Chair called for public testimony; there was no response. Wimsett asked that the Clerk send the Proclamation to the appropriate individuals.

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

VIII. ORDINANCES

PROPOSAL NO. 2001-54, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2000-93s2, AS AMENDED; ESTABLISHING A PARKS SALES TAX FUND; AND ADOPTING A 2001 BUDGET FOR THE PARKS SALES TAX FUND.

Brown moved that the Proposal be continued to September 4, 2001; motion seconded and passed.

PROPOSAL NO. 2001-59, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 2.96.020, "DEFINITIONS," 2.97.020, "DEFINITIONS," AND 2.97.080, "CONSERVATION FUTURES COVENANTS" TO CLARIFY THE DEFINITION OF "OPEN SPACE" AS IT APPLIES TO PIERCE COUNTY'S CONSERVATION FUTURES PROGRAM.

Brown moved that the Proposal be postponed indefinitely; motion seconded. Biskey pointed out this Proposal is still being heard in Committee, and needs further work. The motion passed on a voice vote.

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.

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

Staff Testimony

Joe Carrillo, Personnel Department, stated passage of this Ordinance would ratify a Collective Bargaining Agreement reached with the Juvenile Court Guild. He stated it would implement changes for 2000, 2001, and 2002.

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

IX. RESOLUTIONS

PROPOSAL NO. R2001-123, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THE PIERCE COUNTY FARM ADVISORY COMMISSION TO DEVELOP PROPOSED RIGHT-TO-FARM LEGISLATION; REQUESTING THE COUNTY EXECUTIVE TO PROVIDE STAFF AND OTHER RESOURCES TO SUPPORT THIS EFFORT; AND SETTING A DATE FOR SUBMITTAL OF THE PROPOSED LEGISLATION TO THE COUNTY COUNCIL FOR CONSIDERATION.

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

Brown moved adoption of Committee Amendment No. 1 as set forth in Attachment I to these minutes; motion seconded. The Clerk read the amendment into the record.

Public Testimony

Dick Karkner, Farm Advisory Commission Member, stated the Commission Members had not yet had time to review the amendment, and asked that Staff be available to help the Commission understand the intent of the amendment. He stated he also felt that the January 30, 2002, date for submittal of their proposed legislation to the Council was too soon, and asked that that date be moved back to June.

Roxy Giddings spoke in support of the amendment.

The amendment passed on a voice vote.

Goings moved an amendment on page 3 at line 15 to delete January 30, 2002 and insert March 1, 2002; motion seconded and passed.

Ken Shamblin, Farm Advisory Commission Member, stated he hopes to promote good pesticide practices, and supports farming as good stewardship of the land.

Roxy Giddings stated she hopes the Commission will promote organically grown products.

Bob Arnold, Farm Advisory Commission Member, stated his special interest is in aquaculture and good forestry practices. He supports salmon farming.

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

X. OTHER BUSINESS/ANNOUNCEMENTS - None

XI. GENERAL PUBLIC COMMENTS

1. Lowell Johnson stated he had inadvertently overpaid a Pierce County sewer bill by over \$160.00 through a bank transfer. He stated his efforts to receive a refund for this money have been to no avail, and asked the Council for assistance.

The Chair asked Mr. Johnson to meet with Tom Weber to review County policy on this matter.

2. Terrie Franklin spoke on behalf of the Rawlins Family regarding a false arrest. A copy of Franklin's remarks is contained in the Clerk's meeting file.
3. Goings introduced State Representative Dave Morrell, who was visiting the meeting.

Pierce County Council Meeting
August 28, 2001

XII. ADJOURNMENT

There being no further business, the meeting was adjourned
at 7:45 p.m.

Attest:

Clerk of the Council

Approved:

Council Chair

Date Approved

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