

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
SEPTEMBER 2, 2003**

930 TACOMA AVENUE SOUTH, ROOM 1045  
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 3:08 p.m. by Chair Moss.

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

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

**III. ROLL CALL**

Councilmembers Present: Paul Bocchi, Shawn Bunney, Barbara Gelman, Calvin Goings, Terry Lee, Harold Moss, and Kevin Wimsett.

Council Staff Present: Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Operations; Tom Weber, Administrator for Research and Policy; and Carolyn Pendle, Research Analyst.

There were approximately 40 visitors present.

**IV. APPROVAL OF AGENDA**

At the request of the Chair, Long reviewed the Council's rules regarding public participation during Council meetings.

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

**RESOLUTION NO. R2003-112, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPOINTING KIRK KIRKLAND, RON KLEIN, AND ANN EFT TO A COMMITTEE TO PREPARE ARGUMENTS ADVOCATING VOTERS' APPROVAL OF A SALES AND USE**

**TAX INCREASE FOR CRIMINAL JUSTICE PURPOSES, AND APPOINTING JENNIE STEPHENSON, JAN SHABRO, AND ROBIN MCCOY TO A COMMITTEE TO PREPARE ARGUMENTS ADVOCATING VOTERS' REJECTION OF THE MEASURE.**

Lee moved to reconsider Resolution No. R2003-112; motion seconded and passed on a voice vote.

Lee moved the following amendments: on page 1 of 3, line 14, delete Jan Shabro and replace with Jan Teague; on page 2 of 3, line 18, delete Shabro and replace with Teague; motion seconded.

The Clerk read the title into the record. The Chair called for discussion on the amendment.

Gelman clarified the new name is a result of Jan Shabro withdrawing her name.

The motion passed on a voice vote. The Chair called for testimony on the amendment.

Public Testimony

Will Baker stated he will address his comments primarily to the viewing audience. During his testimony on the history leading to the reconsideration, the Chair reminded him that discussion is to be on the name change. Baker was not addressing his comments to the issue at hand; Goings called a Point of Order. Baker continued to not address the subject; the Chair requested Baker to refrain from further comment and return to his seat. Ignoring the Chair's request, Baker continued to speak out.

Goings moved a five-minute recess; motion seconded.

The meeting recessed at 3:12 p.m.; reconvened at 3:20 p.m. The Chair called for public testimony on the amended Proposal; there was no response. The Proposal passed as amended on a roll call vote of seven to zero.

**V. CONSENT AGENDA**

- a. Approval of Minutes
- b. Action on Ordinances (refer, set date of hearing)
  1. PROPOSAL NO. 2003-95, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 5.24.030 A. OF THE PIERCE COUNTY CODE (PCC), "LICENSE REQUIREMENTS - GENERALLY" TO EXEMPT LICENSED VETERINARIANS FROM THE REQUIREMENTS OF CHAPTER 5.24 PCC, RELATING TO KENNELS, GROOMING PARLORS, AND PET SHOPS.

Sponsored by: Councilmember Shawn Bunney & Kevin Wimsett  
Contact person: Carolyn Pendle, 798-3631  
For referral to the Public Safety & Human Services Committee  
To be heard by the Public Safety & Human Services Committee on September 23, 2003

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

Wimsett moved approval of the Consent Agenda; motion seconded. The Consent Agenda 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 Ordinance, which was approved and signed on August 22, 2003, was read into the record:

ORDINANCE NO. 2003-71, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH PIERCE COUNTY DEPUTY SHERIFFS' INDEPENDENT GUILD, LOCAL 1889, COMMUNITY SERVICE OFFICERS UNIT; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

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

**PROPOSAL NO. R2003-114, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND COUNTY EXECUTIVE PROCLAIMING THE MONTH OF SEPTEMBER 2003 AS "NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH" IN PIERCE COUNTY, WASHINGTON.**

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

Penni Newman, Human Services Department, accepted the Proclamation, and thanked the Council for their support.

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

**PROPOSAL NO. R2003-109, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE CITIZENS' ELECTION OVERSIGHT ADVISORY COMMISSION. (KEN BLAIR)**

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

In his absence, the Chair thanked Blair for serving on the Commission.

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. 2003-70s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL PERMANENTLY CLOSING CLAY CITY ROAD EAST FROM THE INTERSECTION OF SIGMOND ROAD EAST TO ALL CLASSES OF VEHICLES EXCEPT WEEKDAYS BETWEEN THE HOURS OF 10 A.M. TO 4 P.M. (EATONVILLE AREA)**

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

#### Staff Testimony

Weber stated the property owners requested that the road be closed due to problems in the area.

Deputy Haltunen, Sheriff's Department, provided information on the Proposal, stating the area has become a place for criminal activity and illegal dumping. Recently, excessive shot guns shells were seen in the area.

Wimsett commented on the condition of the site, and noted the time change will allow the property owners to have access to the road to conduct business.

Les Olsen, Public Works and Utilities Department, responded to Lee's gating concern that the Fire Department be able to access the property if an emergency occurs.

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

**PROPOSAL NO. 2003-76, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING THE ACQUISITION OF THE LAND AND FACILITY LOCATED AT 2501 SOUTH 35TH STREET, TACOMA, WASHINGTON; AUTHORIZING THE PROSECUTING ATTORNEY TO COMMENCE CONDEMNATION, IF NECESSARY; AND APPROPRIATING**

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**\$3,300,000 TO FUND THIS PURCHASE BY AMENDING ORDINANCE NO. 2002-112S, AS AMENDED, INCREASING THE 2003 BUDGET FOR MISCELLANEOUS CURRENT EXPENSE, THE ADMINISTRATION BUILDING FUND, AND THE CORPORATE EXPRESS BUILDING FUND.**

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

Staff Testimony

Dan Cagle, Facilities Management Department, provided information on the Proposal, stating this building will be home to the Emergency Management Department and Emergency Operations Center, and will provide storage for various departments. A decision to purchase the building has to be made by October 1, 2003.

Goings requested that an update on the overall complex plan be provided at an upcoming Study Session with the Executive. Goings acknowledged former Councilmember Jan Shabro for her work on relocating the Emergency Operations Center.

Lee stated the appraisal is in line with the purchase price.

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

**PROPOSAL NO. 2003-80s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CALLING FOR AN ELECTION ON NOVEMBER 4, 2003, FOR THE PURPOSE OF SUBMITTING TO COUNTY VOTERS THE DETERMINATION OF WHETHER OR NOT TO IMPOSE A COUNTY-WIDE LOCAL SALES AND USE TAX TO FUND AT LEAST 100 NEW CITY AND COUNTY COMMISSIONED LAW ENFORCEMENT OFFICERS AND TO MAKE NEEDED IMPROVEMENTS TO THE CRIMINAL JUSTICE SYSTEM, PURSUANT TO SECOND ENGROSSED SUBSTITUTE SENATE BILL (SESSB) 5659, CHAPTER 24, LAWS OF WASHINGTON, 2003.**

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

Staff Testimony

Pendle provided information on the Proposal, stating the Senate Bill authorizes the County to place on the ballot a sales and use tax up to 3/10 of 1 percent for criminal justice purposes. Pendle reviewed the Act's requirements. If approved by the voters, the tax will be collected beginning in April 2004, and the jurisdictions will receive money in June 2004. She commented on the Task Force goals and recommendations, and walked through the Sections of the Proposal.

Deputy Mayor Bil Moss, representing the City of Tacoma, read a statement into the record supporting the Proposal. A copy of her letter is contained in the Ordinance.

County Executive John Ladenburg spoke in support of the Proposal, stating passage of the Proposal will allow citizens to determine where their tax monies be applied. He commented on law enforcement funding, and urged the Council to pass the Proposal so the tax measure could be put on the ballot. In response to Goings' question about the mechanisms of the Proposal, Ladenburg outlined how the tax allocation will work, if the voters approve the tax. Ladenburg responded to Lee's concern regarding the lack of 24-hour police protection in certain areas.

Paul Pastor, Pierce County Sheriff, expressed concern about the high crime rate in Pierce County. The Proposal will give citizens the opportunity to get the safety they seek.

Jerry Horn, Prosecuting Attorney, spoke in support of the Proposal, stating passage would help tackle the causes of the crime war, and make citizens accountable in the criminal justice system. He stated law enforcement has a bad reputation with Pierce County businesses.

Ron Lucas, Mayor of Steilacoom, thanked the Executive for making the Cities and Towns aware of the Proposal, and for asking for support and comments. Lucas thanked the Council for their work on the Proposal.

Judge Driscoll, Criminal Justice Task Force Member, commented on increase of felonies in Pierce County, and spoke in support of the Proposal.

Bob Jean, City Manager of City of University Place, spoke in support of the Proposal, and provided a letter on behalf of the Council supporting the Proposal. A copy of the letter is in the Ordinance file. He outlined how their share of the money will be used on law enforcement.

Goings thanked the Task Force members for their work on the Proposal. He commented on the safety of officers in unincorporated area, stating 24-hour protection will be provided to areas where it is currently lacking.

Public Testimony

Helen Myrick, Spanaway resident, spoke in support of the Proposal, and urged the Council to give the citizens a chance to vote on the issue.

Ann Eft, Director of Pierce County Coalition Against Domestic Violence, stated the funding will provide assistance to domestic violence victims in the outlying areas, and provide domestic violence services.

Don Williams spoke in support of the people having the opportunity to vote on the use and sales tax. He expressed concerns regarding the Proposal, and questioned why the Committee members changed their vote. He would like to see more accountability in the Proposal.

Alton McDonald expressed concerns with the timing of the Proposal even though basic services are needed; accountability of the money; and treatment of minorities by law enforcement.

Patty Shoemaker, University Place resident, spoke in opposition to the approach of increased public safety funding, stating the additional funding should come from a portion of existing rate levy.

Goings responded to Williams' concerns regarding the Committee vote and the issue of accountability.

Lee stated his constituents want more services and protection, and he will support the 3/10 of 1 percent.

Gelman acknowledged the Task Force members in attendance; they received a round applause from the audience. She stated citizens requested to be allowed to vote on the tax.

Bocchi spoke in opposition to the Proposal, expressing concern about the timing of the vote because of economic reasons.

Bunney spoke in support of the Proposal, stating the choice is the citizens, not the Council's.

Wimsett spoke in support of the Proposal, stating his district has one of the largest crime areas in the County. The passage of the Proposal will give people the opportunity to vote.

Moss spoke in support of the Proposal, stating the County has the opportunity to take the tax vote to the people.

The Proposal passed on a roll call vote of six to one (Bocchi voted no).

#### **IX. RESOLUTIONS**

**PROPOSAL NO. R2003-90, A RESOLUTION OF THE PIERCE COUNTY COUNCIL DECLARING ITS INTENT TO VACATE A PORTION OF FOOTHILLS TRAIL RIGHT-OF-WAY IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, IN THE ALDERTON AREA; AND DIRECTING THE COUNTY ENGINEER TO EXAMINE THE INTENDED VACATION AND REPORT THE FINDINGS AND CONCLUSIONS TO THE COUNCIL.**

Wimsett moved adoption; motion seconded. The meeting recessed at 5:10 p.m.; reconvened at 5:22 p.m. The Clerk read the title into the record.

#### Staff Testimony

Olsen provided information on the Proposal, stating the vacation area has been reviewed by Staff. There is no future use as County right-of-way, and the Department supports the vacation.

The Chair called for public testimony; there was no response. The Proposal was adopted on a roll call vote of six to zero (Bocchi was excused at time of vote).

**PROPOSAL NO. R2003-96, A RESOLUTION OF THE PIERCE COUNTY COUNCIL TO AUTHORIZE THE PIERCE COUNTY EXECUTIVE TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN PIERCE COUNTY AND ITS CITIES AND TOWNS TO IMPLEMENT STATE OF WASHINGTON SUBSTITUTE HOUSE BILL 2060, WHICH AUTHORIZES A \$10.00 SURCHARGE ON CERTAIN DOCUMENTS RECORDED WITH COUNTY AUDITORS FOR THE PURPOSE OF PROVIDING FUNDS FOR AFFORDABLE LOW-INCOME HOUSING.**

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

#### Staff Testimony

Tom Hilyard, Director of Human Services, provided information on the Proposal, stating passage will authorize the Executive to enter into interlocal agreements regarding affordable

housing in Cities and Towns. In response to Bunney's question, Hilyard stated all cities are participating. In response to Goings' question, Hilyard stated district issues have been worked out.

Public Testimony

Alton McDonald spoke in support of the Resolution, noting there should be accountability in funding low-income housing.

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

**PROPOSAL NO. R2003-113, A RESOLUTION OF THE PIERCE COUNTY COUNCIL DECLARING ITS INTENDED DISTRIBUTION OF NATIONAL FOREST RELATED SAFETY-NET PAYMENTS BETWEEN TITLE II AND TITLE III OF THE SECURE SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.**

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

Staff Testimony

Mary Schmidtke, Budget & Finance Department, provided information on the Proposal, stating the Resolution is a requirement of Federal guidelines. She provided payment options, and stated the budget intentions of the Executive relating to the forest lands. She clarified for Goings that approximately \$161,000 will be dedicated to Title III projects.

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

**PROPOSED NO. R2003-115, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF BRIAN ZIEGLER AS THE DIRECTOR OF THE PUBLIC WORKS & UTILITIES DEPARTMENT.**

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

Staff Testimony

Ladenburg explained the selection process leading to the hiring of Brian Ziegler, and provided qualification and work experience information on Ziegler.

Brian Ziegler acknowledged his wife, Julie, and thanked the Council and Executive for their support. He looks forward to

working for and serving the citizens of Pierce County. He answered questions of Councilmembers.

Councilmembers offered congratulatory comments to Ziegler.

Public Testimony

Randy Boss spoke in support of Ziegler's appointment to Public Works Director.

McDonald expressed concerns regarding racial tensions in the Public Works and Utilities Department.

Ladenburg responded to McDonald's comments, stating he wasn't aware of the problems. Ladenburg requested McDonald give him the employees' names or have the employees contact him so an investigation could be started by the Personnel Department.

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

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

**XI. GENERAL PUBLIC COMMENTS**

1. Bill Haynes, a District 3 resident, expressed concerns with the 1,250 sq. ft. limit to build a single-family dwelling on his property. Wimsett will meet with Hayes after the meeting, and later discuss the concern with departmental staff.
2. McDonald expressed concerns regarding the treatment that some citizens receive from Sheriff's Deputies, and asked that the Council investigate.

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:05 p.m.

Attest:

\_\_\_\_\_  
Denise D. Johnson, Clerk of the Council

Approved:

\_\_\_\_\_  
Councilmember Harold Moss, Council Chair

Date Approved

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