

**MINUTES
PIERCE COUNTY COUNCIL MEETING
SEPTEMBER 5, 2006**

930 TACOMA AVENUE SOUTH, ROOM 1045
TACOMA, WASHINGTON 98402
(253) 798-7777 -- FAX: (253) 798-7509 -- TDD: (253) 798-4018
www.piercecountywa.org/council

(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 p.m. by Acting Chair Lee.

II. ROLL CALL

Councilmembers Present: Roger Bush, Barbara Gelman, Calvin Goings, and Terry Lee. Councilmembers Shawn Bunney, Timothy Farrell, and Dick Muri were excused.

Council Staff Present: Patty Face, Deputy Clerk; Anna Graham, Senior Legislative Analyst; Steve Gross, Senior Legal Analyst; Susan Long, Administrator for Legal and Operations; Carolyn Pendle, Senior Legislative Analyst; and Thomas Weber, Administrator for Research and Policy.

There were approximately 20 visitors present.

III. PLEDGE OF ALLEGIANCE TO THE FLAG

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

IV. APPROVAL OF AGENDA

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

V. CONSENT AGENDA

- a. Approval of Minutes
 1. The minutes of the November 22, 2005, regular Council meeting.
 2. The minutes of the February 21, 2006, regular Council meeting.

3. The minutes of the August 1, 2006, regular Council meeting.
 4. The minutes of the August 22, 2006, regular Council meeting.
- b. Action on Ordinances (refer, set date of hearing)
1. PROPOSAL NO. 2006-89, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL LEVYING AN ASSESSMENT IN 2006, FOR COLLECTION IN 2007, AGAINST LAND IN PIERCE COUNTY FOR THE CONTROL OF NOXIOUS WEEDS.
Sponsored by: Councilmember Shawn Bunney
Department contact person: Beki Shoemaker, 798-6800
Council contact person: Paul Bocchi, 798-7304
DO PASS RECOMMENDATION - RULES AND OPERATIONS COMMITTEE ON AUGUST 21, 2006
Suggested date of Council hearing: October 10, 2006
 2. PROPOSAL NO. 2006-94, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE 2006 AMENDMENTS TO THE PIERCE COUNTY COMPREHENSIVE PLAN; AMENDING TITLE 19A OF THE PIERCE COUNTY CODE, "COMPREHENSIVE PLAN"; SETTING FORTH AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.
Sponsored by: Councilmember Calvin Goings
Department contact person: Mike Erkkinen, 798-2705
Council contact person: Anna Graham, 798-6253
For referral to the Community Development Committee
To be heard in the Community Development Committee on October 2, 2006
 3. PROPOSAL NO. 2006-96, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF 85TH STREET EAST RIGHT-OF-WAY IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, IN THE PUYALLUP AREA.
Sponsored by: Councilmember Calvin Goings
Department contact person: Jerry West, 798-3687
Council contact person: Thomas Weber, 798-6067
For a referral to the Economic and Infrastructure Development Committee
 4. PROPOSAL NO. 2006-97, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING THE CRYSTAL MOUNTAIN MASTER DEVELOPMENT PLAN WHICH WAS ADOPTED BY THE U.S. FOREST SERVICE IN 2004; RECOGNIZING THE MASTER DEVELOPMENT PLAN IN CONJUNCTION WITH THE 2006

AMENDMENTS TO THE PIERCE COUNTY COMPREHENSIVE PLAN
AS THEY RELATE TO CRYSTAL MOUNTAIN; AND ADOPTING
FINDINGS OF FACT.

Sponsored by: Councilmember Shawn Bunney
Department contact person: Mike Erkinen, 798-2705
Council contact person: Anna Graham, 798-6253
For referral to the Community Development Committee
To be heard in the Community Development Committee
on September 18, 2006

5. PROPOSAL NO. 2006-98, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THAT ACQUISITION OF REAL PROPERTY LOCATED WITHIN THE PROJECT AREA OF THE FOOTHILLS LINEAR PARK TRAIL (RAILS TO TRAILS) IS A PUBLIC NECESSITY; AND AUTHORIZING THE PROSECUTING ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS (SOUTH PRAIRIE TO BUCKLEY SEGMENT)

Sponsored by: Councilmember Shawn Bunney
Department contact person: Grant Griffin, 798-4049
Council contact person: Steve Gross, 798-7579
For referral to the Community Development Committee
Suggested date of Council hearing: October 30, 2006

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

1. PROPOSAL NO. R2006-114, 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.

Sponsored by: Councilmember Shawn Bunney
Department contact person: Debby Hyde, 798-7110
Council contact person: Thomas Weber, 798-6067
For referral to the Rules and Operations Committee
To be heard in the Rules and Operations Committee
on September 11, 2006
Suggested date of Council hearing:
September 19, 2006

2. PROPOSAL NO. R2006-119, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AMENDING THE CONTINUITY OF OPERATIONS PLAN (COOP) FOR THE OFFICE OF THE PIERCE COUNTY COUNCIL.

Sponsored by: Councilmembers Roger Bush, Calvin Goings, and Dick Muri
Council contact person: Susan Long, 798-6068

For referral to the Select Committee on Emergency
Preparedness

To be heard in the Select Committee on Emergency
Preparedness on September 13, 2006

d. Other Items

Goings moved approval of the Consent Agenda; motion
seconded and passed on roll call vote of four to zero.

VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY - None

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

**PROPOSAL NO. R2006-108, A RESOLUTION OF THE PIERCE COUNTY
COUNCIL AND EXECUTIVE PROCLAIMING SEPTEMBER 2006, AS "OVARIAN
CANCER AWARENESS MONTH" IN PIERCE COUNTY, WASHINGTON.**

Goings moved adoption; motion seconded. The Clerk read
the Proclamation in its entirety into the record.

Joan Elvin-McAree addressed the importance of ovarian
cancer awareness education and thanked the Council for the
Proclamation. Elvin-McAree announced the website of
www.ovariancancer.org for additional online information.

Jean Christ provided symptom reference cards and teal
awareness ribbons. Elvin-McAree explained that the "teal
awareness ribbons" are a symbol to remind us of ovarian
cancer awareness during the month of September.

The Acting Chair called for public testimony; there was no
response. The Acting Chair called for Council comment;
there was no response. The Proposal was adopted on a roll
call vote of four to zero. Lee presented the Proclamation
to Elvin-McAree and Christ.

**PROPOSAL NO. R2006-116, A RESOLUTION OF THE PIERCE COUNTY COUNCIL
COMMEMORATING THE FIFTH ANNIVERSARY OF THE SEPTEMBER 11, 2001,
TERRORIST ATTACKS ON THE UNITED STATES; AND PROCLAIMING SEPTEMBER
11, 2006, AS "PATRIOT'S DAY" IN PIERCE COUNTY, WASHINGTON.**

Goings moved adoption; motion seconded. The Clerk read
the title of the Proclamation into the record. Acting
Chair Lee read the Proclamation content in its entirety
into the record.

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Steve Bailey, Director of Emergency Management, expressed appreciation for the Proclamation on behalf of all of the Public Safety Community. He thanked the Council and Executive for their leadership, and said the Department remains busy; the Urban Search and Rescue Team which served at the World Trade Center on September 11, was currently returning from Florida where they had been staged to assist with Hurricane Ernesto. He expressed appreciation to the United States Military personnel for faithfully serving the Country, and personal gratitude to his grandson who currently is serving in the United States Marine Corp. Bailey said it is a great honor for law enforcement, fire, emergency and medical officials, to receive the Proclamation.

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

Councilmember Comment

Lee began by saying that September 11, 2001, is a day in American History that nobody will forget. He said it is an honor to be a part of a Council that recognizes the fateful events of September 11, and he was hopeful that future Council's would continue to remind us of how vigilant we need to be to protect the freedoms we take too much for granted.

Bush said it is fitting to remember September 11, as a day of loss, as well as a day of courage and selfless commitment, to help those hurting; and a day of remembrance of those on Flight 93 who realized they would not be sacrificed needlessly. Bush said "Patriots Day" is a day to reflect upon the costs of freedom.

Gelman said September 11, is her birthday as well as for many others. Gelman said there aren't words to express how grateful we should feel; however, September 11, was a wakeup call to all of us that we cannot take our freedoms for granted.

Goings said the events of September 11 changed everything. He said the United States is a better Country as a result of September 11, and he could not remember a time when our society was more patriotic and supportive of each other.

The Proposal was adopted on a roll call vote of four to zero. Lee presented the Proclamation to Bailey.

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PROPOSAL NO. R2006-117, A RESOLUTION OF THE PIERCE COUNTY COUNCIL RECOGNIZING THE SERVICE AND SACRIFICE OF OUR EMERGENCY SERVICES PERSONNEL; AND PROCLAIMING THE WEEK OF SEPTEMBER 10 TO 16, 2006, AS "FIRST RESPONDERS RECOGNITION WEEK" IN PIERCE COUNTY, WASHINGTON.

Goings moved adoption; motion seconded. The Clerk read the Proclamation title into the record. Acting Chair Lee read the Proclamation content in its entirety into the record.

Paul Pastor, Sheriff, expressed appreciation to law enforcement and fire service personnel for their sacrifice. He said they are heroes on a day to day basis, who step outside themselves to help other people, and he thanked the Council for the acknowledgement.

Jack Andren, Chief of Central Pierce Fire and Rescue, said he was honored to be present on behalf of Merle Frank, President of the Pierce County Fire Chiefs' Association. Andren said the men and women paramedics, firefighters and emergency medical technicians, who report for duty and act every single day, are those who deserve this honor. Andren thanked the Council for the Proclamation.

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

Councilmember Comment

Bush said it is a privilege to vote for a Proclamation that recognizes the men and women who serve to protect us every day, who are there when we work, sleep, play and study. He said they are truly courageous heroes who sacrifice their lives, if necessary, to protect us and our loved ones. Bush encouraged citizens to reach out and express appreciation to those who protect us during the week of September 10-16, 2006.

Goings added his words of support and said he's had the opportunity having served as a former fire commissioner to see first hand the level of dedication, professionalism and commitment, the fire service provides to the community. Goings said he has seen first hand the Sheriff's Department's professional handlings of difficult situations. Goings said it is the "thin blue line" of the law enforcement and fire service that keeps the community running.

Gelman said there are plenty of acts of courage and sacrifice among us every day. Gelman said law enforcement and the fire service give us the gift of courage in many ways and expressed her appreciation.

Lee thanked Sheriff Pastor, Fire Marshall Wienholz and Fire Chief Andren, for everything they do for the citizens of Pierce County.

The Proposal was adopted on a roll call vote of four to zero. Lee presented the Proclamation to Sheriff Pastor.

PROPOSAL NO. R2006-121, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE PROCLAIMING SEPTEMBER 16, 2006, AS "A DAY OF HARMONY" IN PIERCE COUNTY, WASHINGTON.

Goings moved adoption; motion seconded. The Clerk read the Proclamation title into the record. Acting Chair Lee read the Proclamation content in its entirety into the record.

Steve Mondau of the Totem-Aires, said "A Day of Harmony" would be celebrated by several quartets on September 16, 2006, in celebration of the 60th Anniversary of Barbershop Quartets, and thanked the Council for the Proclamation.

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

Councilmember Comment

Bush commented on the positive influence and happiness that Barbershop Quartet music brings to people.

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

VIII. ORDINANCES - None

IX. RESOLUTIONS

PROPOSAL NO. R2006-110s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ACCEPTING THE FEASIBILITY PLAN PREPARED BY SUPERIOR COURT IN RESPONSE TO A 2006 BUDGET PROVISIO; ADDRESSING IMPLEMENTATION OPPORTUNITIES FOR USING ELECTRONIC REPORTING IN COURTROOMS,

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ELECTRONIC TRACKING OF RECOUPMENT ORDERS, AND RECONCILIATION OF LINK AND SCOMIS DATA IN PENDING CASES; AND AUTHORIZING EXPENDITURE OF UP TO \$37,000 IN THE 2006 BUDGET FOR HIRING A COURT COMMISSIONER AND LEGAL ASSISTANT EFFECTIVE OCTOBER 1, 2006.

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

Staff Testimony

Long briefed the Council on the substitute and stated the Proposal received a do pass as substituted recommendation in the Rules and Operations Committee on September 5, 2006.

Stephanie Arend, Presiding Superior Court Judge, thanked Councilmembers for the Proposal.

The Acting Chair called for public testimony.

Public Testimony

Wendy Zicht, Vice President of the Tacoma-Pierce County Bar Association, thanked and commended the Council for the Proposal.

Don Williams asked questions of the Council on the Proposal.

Councilmember Comment

Lee responded to Williams and stated the Council would continue to look for efficiencies and economies of scale in all departments, including the Judicial Branch. He explained that in response to the Council, the Superior Court would help identify efficiencies which the Council could use to facilitate expenditure of taxpayer monies. Lee stated that moving forward the Council would successfully fund a 7th Court Commissioner on October 1, 2006, and the Council would continue a dialogue with Superior Court as the 2007 Budget moves closer.

Bush concurred with Lee and stated the issue had been worked on for over a year. He said the citizens of Pierce County deserve to have their legal issues resolved in a timely manner.

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

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X. OTHER BUSINESS/ANNOUNCEMENTS - None

XI. CITIZENS' FORUM

Ken Paulsen spoke regarding impact fees.

Don Williams spoke regarding the Chambers Creek
Properties.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned
at 3:52 p.m.

Attest:

Patricia L. Face, Deputy Clerk

Approved:

Shawn Bunney, Council Chair

Date Approved

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