

**MINUTES**  
**PIERCE COUNTY COUNCIL MEETING**  
**SEPTEMBER 13, 2005**

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 3:19 p.m. by Chair Bunney.

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

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

**III. ROLL CALL**

Councilmembers Present: Shawn Bunney, Roger Bush, Tim Farrell, Calvin Goings; Barbara Gelman, Terry Lee, and Dick Muri

Council Staff Present: Steve Gross, Deputy Legal Counsel; Hugh Taylor, Senior Research Analyst; Denise Johnson, Clerk of the Council; Susan Long, Legal Counsel; Carolyn Pendle, Senior Research Analyst; Leslie Swalley, Councilmember Assistant; Tom Weber, Administrator for Research & Policy

There were approximately 100 visitors present.

**IV. APPROVAL OF AGENDA**

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

**V. CONSENT AGENDA**

- a. Approval of Minutes
- b. Action on Ordinances (refer, set date of hearing)
- 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 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 29, 2005, was read into the record:

ORDINANCE NO. 2005-38, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING SUPPLEMENTAL FRANCHISE NO. 1 TO THE CITY OF AUBURN, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON, FOR LOCATION OF SANITARY SEWER PIPELINES ON CERTAIN RIGHTS-OF-WAY.

ORDINANCE NO. 2005-54, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING INTERIM SIGN AND DESIGN STANDARDS FOR THE ALDERTON-MCMILLIN COMMUNITY PLAN AREA FOR APPLICATION TO COMMERCIAL DEVELOPMENTS UNTIL THE COMMUNITY PLAN AND ASSOCIATED IMPLEMENTING REGULATIONS CAN BE DEVELOPED; ADOPTING A NEW CHAPTER 18B.200 OF THE PIERCE COUNTY CODE, "ALDERTON-MCMILLIN INTERIM SIGN STANDARDS"; ADOPTING A NEW CHAPTER 18J.100, "ALDERTON-MCMILLIN INTERIM DESIGN STANDARDS AND GUIDELINES"; REQUESTING REVIEW BY THE PLANNING COMMISSION; AND ADOPTING FINDINGS OF FACT.

ORDINANCE NO. 2005-61, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 5.26.030 OF THE PIERCE COUNTY CODE, "FARES", TO MAKE A TECHNICAL CORRECTION.

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

**PROPOSAL NO. R2005-123, A RESOLUTION OF THE COUNTY COUNCIL AND EXECUTIVE PROCLAIMING THE MONTH OF SEPTEMBER 2005 AS "OVARIAN CANCER AWARENESS MONTH" IN PIERCE COUNTY, WASHINGTON.**

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

Joan Elvin-McAree thanked the Council for the Proclamation and spoke to the importance of the awareness of ovarian cancer symptoms.

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

The Chair presented Elvin-McAree with the Proclamation.

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Without objection from Council, the Chair advanced to Section IX. Resolutions, Item 1.

**PROPOSAL NO. R2005-122, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF KATHRYN KRAVIT-SMITH AS THE DIRECTOR OF THE PIERCE COUNTY PARKS AND RECREATION SERVICES DEPARTMENT.**

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

John Ladenburg, Pierce County Executive, introduced Kathryn Kravit-Smith and provided background information on her professional experience and qualifications in land use and recreation services. Ladenburg urged the Council to confirm her appointment.

Kravit-Smith thanked the Council for the opportunity to serve Pierce County, and thanked the Council for its support of parks.

Councilmembers Goings, Lee, Gelman, and Bunney spoke in support of the appointment and welcomed Kravit-Smith to Pierce County government.

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

Without objection from Council, the Chair advanced to Section VIII. Ordinances, Item 4.

**PROPOSAL NO. 2005-6s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING CHAPTER 8.64 OF THE PIERCE COUNTY CODE, "ALARM SYSTEMS", AS ADOPTED BY ORDINANCE NO. 92-170 AND AMENDED, AND ADOPTING A NEW CHAPTER 8.64, "ALARM SYSTEMS", RELATING TO ALARM SYSTEM PERMITTING, ALARM BUSINESS REGISTRATION, ALARM RESPONSES, REVOCATIONS, AND PRESCRIBING PENALTIES FOR VIOLATIONS; AND SETTING AN EFFECTIVE DATE.**

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

Staff Testimony

Gross explained the Proposal replaces the current Code Chapter on alarms, and he provided information on the proposed changes, the committee hearing on the issue, the

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proposal structure, the new fees, and the false alarm structure. The Proposal only applies to the unincorporated areas of Pierce County, not to Cities and Towns.

Chief Jim Jenkins, Pierce County Sheriff's Department, spoke in support of the Proposal and provided statistical information on false alarms. Jenkins responded to Bunney's question on costs associated with false alarms.

In response to Bunney's question, Gross explained the process that was used to make the recommendation on false alarms.

#### Public Testimony

The following individuals offered testimony on the Proposal: Bonnie Hattle; Mark Schofield; Jeff Johnson; Ted Kilcup, Franklin Pierce Schools and Pierce County School Coalition; Russ Parker; Arnold Shively; Charlene Renquist; Mike McFadden; Harvey Conrad; Steve Sully, Chrubb Security; Don Holderman; Jon Sargent, SIAC; Jim Payne; Dave Simon, Brink's Home Security; Kim Clark; Barbara Guller; Ron Haner, WBFSA; Jim Morrison; Linda Rowling; Mr. Chris Hruza; and Lou Sorg. Copies of letters from Elise Hoit (presented by Renquist) and Clark are contained in the Ordinance file.

At the direction of the Chair, Gross, Jenkins and Ed Smith, Sheriff's Department, responded to questions/concerns addressed during public testimony.

Gelman and Lee expressed their concern with the Proposal as written.

Gelman moved to return the Proposal back to committee; motion seconded.

After discussion of the motion, the motion failed on a roll call vote of two to five (Farrell, Goings, Muri, Bunney, and Bush voted no).

Goings moved for recess; motion seconded. At 5:05 p.m. the Council was in recess; at 5:39 p.m. the business meeting reconvened. All Councilmembers were in attendance.

Lee moved adoption of Council Amendment No. 1 on green; motion seconded. A copy of the amendment is identified as Attachment I to these minutes.

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Gross explained the purpose of the amendment. The Amendment Memo changes suggested by Gross were rolled into the amendment as reflected in Attachment I.

Lee explained the intent is to have all references to verified responses removed.

Goings thanked the audience for their patience and explained the amendments allow the Council to proceed with the Proposal.

### Public Testimony

The following individuals provided testimony on the amendment: Ron Haner, Ken Paulson, Jim Jenkins, Paul Pastor, Don Williams, Jeff Johnson, Jon Sargent, Linda Rowling, Mike Basozki, and Chris Hruza.

At the direction of the Chair, Gross, responded to verified response questions/concerns addressed during testimony.

Gelman suggested that the Ordinance be reviewed in one year.

Lee spoke in support of Council Amendment No. 1.

Bush and Bunney spoke to the potential decrease of false alarms if the Proposal is passed.

The motion passed on a voice vote.

The Chair called for public testimony on Proposal No. 2005-6s as amended; there was no response.

Bush and Muri thanked Gross for his work on the alarm Ordinance.

Gelman thanked the Council for supporting the amendment.

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

The Chair returned to the regular order of the business meeting.

### **VIII. ORDINANCES**

**PROPOSAL NO. 2005-63, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL  
DECLARING ITS FUNDING INTENTIONS RELATED TO THE CHAMBERS BAY GOLF**

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**COURSE; REAFFIRMING THAT THE PRINCIPAL FUNDING SOURCE FOR ALL COSTS ASSOCIATED WITH THE FINANCING, CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE GOLF COURSE WILL BE THE REVENUES GENERATED BY THE CHAMBERS BAY GOLF COURSE; AND DIRECTING THAT THE PIERCE COUNTY EXECUTIVE DEVELOP A STRATEGY TO UTILIZE AVAILABLE LAND WITHIN THE CHAMBERS CREEK PROPERTIES FOR ADDITIONAL REVENUE GENERATION, IF NEEDED.**

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

#### Staff Testimony

Taylor provided information on the Proposal and noted that Proposal No. 2005-50 is its companion. Taylor reported the Proposal received a do pass recommendation by the Rules and Operations Committee on September 6, 2005.

Lee moved adoption of Council Amendment No. 1 on salmon; motion seconded. A copy of the amendment is identified as Attachment II to these minutes.

Taylor explained the amendment was requested by the Bond Counsel.

#### Public Testimony

Don Johnson and Don Williams spoke to the amendment.

Bunney responded to questions/concerns addressed during testimony.

Hugh Spitzer, Bond Counsel, spoke to the future sale of the property and repayment penalty and answered questions of Councilmember.

The motion passed on a voice vote.

Lee moved adoption of Council Amendment No. 2 on blue; motion seconded. A copy of the amendment is identified as Attachment III to these minutes.

Taylor provided information on the amendment and read Proposal Sections 2, 4, 7, 8 and 10 into the record.

#### Public Testimony

Don William spoke to the amendment.

The motion passed on a voice vote.

Public Testimony

The following individuals provided testimony on Proposal No. 2005-63s as amended: Don Johnson, Don Williams, John Ladenburg, and Ken Paulson.

Councilmembers Farrell, Lee, Goings and Bunney provided closing comments on the Proposal.

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

**PROPOSAL NO. 2005-50s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RELATING TO CONTRACTING INDEBTEDNESS; PROVIDING FOR THE ISSUANCE, SPECIFYING THE MATURITY DATES, INTEREST RATES, TERMS AND COVENANTS AND FIXING THE FORM OF \$\$20,770,000 PAR VALUE LIMITED TAX GENERAL OBLIGATION BONDS, 2005, OF THE COUNTY FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF CONSTRUCTING THE CHAMBERS BAY GOLF COURSE, INCLUDING THE REPAYMENT OF INTERIM FINANCING THEREFOR, AND TO CAPITALIZE INTEREST ON AND PAY THE COSTS OF ISSUANCE AND SALE OF SUCH BONDS; ESTABLISHING A BOND REDEMPTION FUND; PROVIDING FOR BOND INSURANCE; APPROVING THE SALE AND PROVIDING FOR THE DELIVERY OF THE BONDS; AND SETTING AN EFFECTIVE DATE.**

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

Staff Testimony

Taylor clarified the Clerk misspoke the par value amount and he provided the correct amount, which is contained in the proposal title.

Tony Tipton, Public Works & Utilities Department - Water Programs, acknowledged the attendance of representatives from Bac of America Securities and Foster Pepper & Shefelman.

John Ladenburg, County Executive, thanked the Council for its support over the last two years on the issue, and spoke of the economic impact the PGA tour provided to King County. Ladenburg urged the Council to adopt the Proposal.

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Jack Rusler, Budget & Finance Department, explained the bid process and announced Morgan Stanley was awarded the winning bid. He provided a comparison of the substitute version of the Proposal to the original Proposal.

Spitzer thanked Rusler for describing changes to the original Proposal.

#### Public Testimony

The following individuals spoke to the Proposal: Don Williams, Ken Paulson and Don Johnson.

At the Chair's request, Taylor and Tipton spoke to the project cost differences and the final bid.

At the Chair's request, Spitzer explained the bond sale process.

Muri spoke in opposition to the golf course.

Councilmembers Lee, Farrell and Gelman spoke in support of the Proposal.

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

**PROPOSAL NO. 2003-62s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 19D.60 OF THE PIERCE COUNTY CODE, "STORM DRAINAGE AND SURFACE WATER MANAGEMENT PLAN"; ADOPTING THE "MUCK CREEK BASIN PLAN" FOR THE UNINCORPORATED AREA OF PIERCE COUNTY, AS AN AREA UPDATE TO PIERCE COUNTY'S STORM DRAINAGE AND SURFACE WATER MANAGEMENT PLAN; AND ADOPTING FINDINGS OF FACT AND CONCLUSIONS.**

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

#### Staff Testimony

Gross described the Proposal to the Council, and noted the blank contained in the Proposal would be filled in administratively.

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

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**PROPOSAL NO. 2005-64, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF APPLICATIONS FOR OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTIES LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS33-02, DUANE J. TIBEAU - BONNEY LAKE AREA; APPLICATION NO. OS100-04, MICHAEL D. AND PENNY CANNON - GIG HARBOR AREA; APPLICATION NO. OS111-04, ADRIANA CURL - ROY AREA)**

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

Staff Testimony

Gross provided information on the Proposal, and he reported the Proposal received a do pass recommendation from Planning Commission. The Proposal received a do pass recommendation from the Council Community Development Committee on September 12, 2005.

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

**IX. RESOLUTIONS**

**PROPOSAL NO. R2005-124, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CALLING FOR AN ELECTION TO BE HELD ON NOVEMBER 8, 2005, FOR THE PURPOSE OF SUBMITTING TO THE AFFECTED VOTERS THE DETERMINATION OF WHETHER OR NOT PIERCE COUNTY FIRE DISTRICT NO. 5 SHALL EXPAND THE BOARD OF FIRE COMMISSIONERS FROM THREE MEMBERS TO FIVE MEMBERS; AND REQUESTING THAT THE PROSECUTING ATTORNEY WRITE AN APPROPRIATE BALLOT TITLE.**

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

Staff Testimony

Long reported the Proposal received a do pass recommendation by the Rules and Operations Committee on September 12, 2005. She provided information on the Proposal.

The Chair called for public testimony; there was no response. The Chair called for Councilmember comments;

there was no response. The Proposal passed on a roll call vote of seven to zero.

**PROPOSAL NO. R2005-126, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CALLING FOR AN ELECTION ON NOVEMBER 8, 2005, FOR THE PURPOSE OF SUBMITTING TO THE AFFECTED VOTERS THE DETERMINATION OF WHETHER OR NOT CERTAIN TERRITORY THAT IS IN UNINCORPORATED PIERCE COUNTY, LOCATED ADJACENT TO THE CURRENT CITY LIMITS OF PUYALLUP, SHOULD BE ANNEXED TO AND BECOME A PART OF THE CITY OF PUYALLUP; AND REQUESTING THAT THE PROSECUTING ATTORNEY WRITE AN APPROPRIATE BALLOT TITLE.**

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

#### Staff Testimony

Long reported the Proposal received a do pass recommendation by the Rules and Operations Committee on September 12, 2005, and she explained the Proposal to the Council.

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

#### **X. OTHER BUSINESS/ANNOUNCEMENTS**

Without objection from Council, the Chair allowed the following item:

1. Presentation of Sculptured Maquette Bronze of Captain Meriwether Lewis with his dog, Seaman. The statue was presented to the citizens of Pierce County by the Fort Lewis Chapter of the Association of the United States Army. Handouts are contained in the Clerk's meeting file.

#### **XI. CITIZENS' FORUM**

1. Don Williams expressed his concerns with the bond Ordinance process.

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**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned  
at 7:44 p.m.

Attest:

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

Approved:

\_\_\_\_\_  
Shawn Bunney, Council Chair

\_\_\_\_\_  
Date Approved

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