

**MINUTES
PIERCE COUNTY COUNCIL MEETING
SEPTEMBER 23, 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 3:00 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 Armed Forces.

III. ROLL CALL

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

Council Staff Present: Patty Face, Deputy Clerk of the Council; Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Operations; Tom Weber, Administrator for Research and Policy; and Anna Graham, Research Analyst.

There were eight visitors present.

IV. APPROVAL OF AGENDA

Wimsett 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 August 5, 2003, regular Council Meeting.

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2. The minutes of the August 12, 2003, regular Council meeting.
 3. The minutes of the August 19, 2003, regular Council Meeting.
 4. The minutes of the August 26, 2003, regular Council Meeting.
- b. Action on Ordinances (refer, set date of hearing)
1. PROPOSAL NO. 2003-78, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL LEVYING AN ASSESSMENT IN 2003, FOR COLLECTION IN 2004, AGAINST LAND IN PIERCE COUNTY FOR THE CONTROL OF NOXIOUS WEEDS.
Sponsored by: Councilmember Harold Moss
Contact person: Rebecca Shoemaker, 798-6800
DO PASS RECOMMENDATION - RULES & OPERATIONS COMMITTEE (Harold Moss, Chair; Kevin Wimsett, Vice Chair; Terry Lee, Member)
Suggested date of Council hearing: October 21, 2003
 2. PROPOSAL NO. 2003-96, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 1.28 OF THE PIERCE COUNTY CODE, "RULES OF PROCEDURE - PIERCE COUNTY COUNCIL" BY ADOPTING CLARIFYING AND TECHNICAL CHANGES.
Sponsored by: Councilmember Harold Moss
Contact person: Susan Long, 798-6068
Suggested date of Council hearing: October 21, 2003
 3. PROPOSAL NO. 2003-97, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL LEVYING A SYSTEM OF SPECIAL ASSESSMENTS FOR THE PIERCE CONSERVATION DISTRICT OF \$5.00 PER PARCEL ON ALL BENEFITTING PROPERTIES IN THOSE PORTIONS OF THE PIERCE CONSERVATION DISTRICT LOCATED IN UNINCORPORATED PIERCE COUNTY AND THE MUNICIPALITIES OF FIRCREST, LAKEWOOD, MILTON, PUYALLUP, STEILACOOM, SUMNER, TACOMA, AND UNIVERSITY PLACE, FOR COLLECTION IN 2004 THROUGH 2006, PURSUANT TO REVISED CODE OF WASHINGTON 89.08.400; AUTHORIZING THE EXECUTIVE TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CONSERVATION DISTRICT; ADDRESSING THE APPOINTMENT OF COUNTY REPRESENTATION ON THE CONSERVATION DISTRICT'S OVERSIGHT PANEL; AND ADOPTING FINDINGS OF FACT.
Sponsored by: Councilmember Calvin Goings
Contact person Anna Graham, 798-6253
For referral to the Planning & Environment Committee
To be heard by the Planning & Environment Committee on October 8, 2003
Suggested date of Council hearing: November 4, 2003

- c. Action on Resolutions (refer, set date of hearing)
1. PROPOSAL NO. R2003-122, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING THE PROCESS FOR AMENDING TITLE 18A, "PIERCE COUNTY DEVELOPMENT REGULATIONS - ZONING" OF THE PIERCE COUNTY CODE TO ADDRESS NOISE ATTENUATING BARRIERS; REFERRING THESE AMENDMENTS TO THE PLANNING COMMISSION AND LAND USE ADVISORY COMMISSIONS; AND SETTING A DATE FOR THE PLANNING COMMISSION TO SUBMIT ITS REPORT AND RECOMMENDATION TO THE COUNCIL.
Sponsored by: Councilmembers Calvin Goings and Kevin Wimsett
Contact person: Anna Graham, 798-6253
For referral to the Planning & Environment Committee
To be heard by the Planning & Environment Committee on October 8, 2003
 2. PROPOSAL NO. R2003-128, A RESOLUTION OF THE PIERCE COUNTY COUNCIL COMMITTING TO PERFORMANCE AUDITS OF CRIMINAL JUSTICE SYSTEM IMPROVEMENTS FUNDED BY THE PROPOSED SALES AND USE TAX ON THE NOVEMBER 6, 2003, BALLOT, AND DIRECTING THE PERFORMANCE AUDIT COMMITTEE TO DEVELOP, AND THE CRIMINAL JUSTICE TASK FORCE TO REVIEW, CRITERIA FOR EVALUATING THE IMPACT OF PROGRAMS AND STAFF FUNDED BY THE NEW REVENUE.
Sponsored by: All Councilmembers
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 30, 2003
Suggested date of Council hearing: October 7, 2003

d. Other Items

Wimsett 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 Ordinance, which was approved and signed on September 8, 2003 was read into the record:

ORDINANCE 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 PUBLIC SAFETY AND CRIMINAL JUSTICE SYSTEMS, PURSUANT TO SECOND ENGROSSED SUBSTITUTE SENATE BILL (SESSB) 5659, CHAPTER 24, LAWS OF WASHINGTON, 2003.

2. A message from the Executive transmitting the following Ordinances, which were approved and signed on September 9, 2003, was read into the record:

ORDINANCE 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)

ORDINANCE 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 \$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.

VII. PROCLAMATIONS, AWARDS, AND/OR APPOINTMENTS TO BOARDS AND COMMISSIONS - None

VIII. ORDINANCES

PROPOSAL NO. 2003-54s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 19D.140 OF THE PIERCE COUNTY CODE, "SATELLITE SYSTEM AND MANAGEMENT PROGRAM AND DISPUTE RESOLUTION PROCESS", BY ESTABLISHING TIMELY AND REASONABLE SERVICE CRITERIA.

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

Staff Testimony

Susan Clark, Public Works and Utilities Department, provided an overview of the Proposal and answered questions of Councilmember Bunney.

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

PROPOSAL NO. 2003-67, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING 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.

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

Staff Testimony

Bruce Duncan, Public Works and Utilities Department, provided an overview of the Proposal.

The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of six to zero; Bunney was excused at the time of vote.

PROPOSAL NO. 2003-69, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING CHAPTER 19D.120 OF THE PIERCE COUNTY CODE, "COORDINATED WATER SYSTEM PLAN AND WATER GENERAL PLAN"; AND ADOPTING A NEW CHAPTER 19D.120, "COORDINATED WATER SYSTEM PLAN AND REGIONAL SUPPLEMENT 2001."

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

Staff Testimony

Clark provided an overview of the Proposal and answered questions of Councilmembers referencing the 2514 Watershed Plan.

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. R2003-108, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING THE PROCESS FOR AMENDING CHAPTER 18A.25 OF THE PIERCE COUNTY CODE, "ZONE CLASSIFICATIONS AND USE TABLES" TO ALLOW REGIONAL PARKS IN RURAL ACTIVITY CENTERS; REQUESTING THE PLANNING AND LAND SERVICES DEPARTMENT TO DEVELOP THE AMENDMENTS AND CONDUCT THE NECESSARY ENVIRONMENTAL REVIEW; REFERRING THESE AMENDMENTS TO THE PLANNING COMMISSION AND APPROPRIATE LAND USE ADVISORY COMMISSIONS; AND SETTING A DATE FOR THE PLANNING COMMISSION TO SUBMIT ITS REPORT AND RECOMMENDATION TO THE COUNCIL.

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

Staff Testimony

Graham provided an overview of the Proposal.

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

The Chair moved to take public comments under Section XI. GENERAL PUBLIC COMMENTS.

XI. GENERAL PUBLIC COMMENTS

1. Bob Henkel spoke against the public safety sales tax ballot measure.
2. Dale Washam spoke against the public safety sales tax ballot measure.

Long cautioned the speakers that Revised Code of Washington (RCW) 42.17.130 prohibits the use of public facilities to promote or oppose a ballot measure, and stated that objective information is okay, but supporting or opposing is not allowed.

Washam expressed concern regarding Pierce County's use of Clover Park television Channel 22, KRCC.

X. OTHER BUSINESS/ANNOUNCEMENTS

1. The Council convened into Executive Session from 3:37 p.m. until 3:55 p.m., pursuant to RCW 42.30.110(i).

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:55 p.m.

Attest:

Patty Face, Deputy Clerk of the Council

Approved:

Councilmember Harold Moss, Council Chair

Date Approved

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