

**MINUTES
PIERCE COUNTY COUNCIL MEETING
SEPTEMBER 27, 2005**

(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 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, Dick Muri, Timothy M. Farrell, Calvin Goings, and Terry Lee; Barbara Gelman arrived after roll call.

Council Staff Present: Steve Gross, Deputy Legal Counsel; Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Operations; and Tom Weber, Administrator for Research and Policy.

There were two 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)
 - 1. PROPOSAL NO. 2005-74, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO JOPP WATER COMPANY, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.
Sponsored by: Councilmember Terry Lee
Department contact person: Jerry West, 798-3687
Council contact person: Thomas Weber, 798-6067
For referral to the Economic and Infrastructure Development Committee

2. PROPOSAL NO. 2005-75, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 18.160, "VESTING," OF THE PIERCE COUNTY CODE RELATED TO STORMWATER VESTING.
Sponsored by: Councilmember Terry Lee
Department contact person: Hudson Stansbury, 798-7477
Council contact person: Steve Gross, 798-7579
For referral to the Economic and Infrastructure Development Committee

3. PROPOSAL NO. 2005-76, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NOS. 2003-89s2 AND 2003-90s2 TO REPEAL THE SUNSET DATES FOR THE FORMATION OF THE CONSOLIDATED PARKLAND-SPANAWAY-MIDLAND AND MID-COUNTY LAND USE ADVISORY COMMISSIONS.
Sponsored by: Councilmember Calvin Goings
Council contact person: Anna Graham, 798-6253
For referral to the Community Development Committee
To be heard in the Community Development Committee on October 10, 2005

4. PROPOSAL NO. 2005-77, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO THE CITY OF FIFE, A MUNICIPAL CORPORATION OF PIERCE COUNTY, WASHINGTON, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.
Sponsored by: Councilmember Terry Lee
Department contact person: Jerry West, 798-3687
Council contact person: Thomas Weber, 798-6067
For referral to the Economic and Infrastructure Development Committee

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

1. PROPOSAL NO. R2005-128, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO EXECUTE AN INTERLOCAL AGREEMENT WITH KING COUNTY TO ALLOW FOR IMPROVEMENTS TO THE JOINTLY OWNED PIERCE COUNTY/KING COUNTY GREENWATER RIVER BRIDGE.
Sponsored by: Councilmember Shawn Bunney
Department contact person: Don Peterson, 798-3147
Council contact person: Thomas Weber, 798-6067
For referral to the Economic and Infrastructure Development Committee

d. Other Items

Lee moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of six to zero (Gelman was excused).

VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY

1. A message from the Executive transmitting the following Ordinances, which were approved and signed on September 13, 2005, was read into the record:

ORDINANCE NO. 2005-11s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL UPDATING THE PIERCE COUNTY SUBDIVISION AND PLATTING CODE; REPEALING TITLE 16, "SUBDIVISION AND PLATTING"; ADOPTING A NEW TITLE 18F, "DEVELOPMENT REGULATIONS-LAND DIVISIONS AND BOUNDARY CHANGES"; AMENDING TITLE 18, "DEVELOPMENT REGULATIONS-GENERAL PROVISIONS"; ADOPTING FINDINGS OF FACT; AND SETTING AN EFFECTIVE DATE.

ORDINANCE NO. 2005-46s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 93-122; AND AUTHORIZING THE REOPENING OF A PORTION OF A. P. TUBBS ROAD IN THE WILKESON-CARBONADO AREA.

ORDINANCE NO. 2005-52s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 19D.240 OF THE PIERCE COUNTY CODE, THE PIERCE COUNTY COUNTY-WIDE PLANNING POLICIES, TO REFLECT AMENDMENTS RATIFIED BY THE PIERCE COUNTY REGIONAL COUNCIL.

ORDINANCE NO. 2005-62s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2004-107s; AND MODIFYING THE COUNTY 2005 BUDGET.

2. A message from the Executive transmitting the following Ordinance, which was approved and signed on September 14, 2005, was read into the record:

ORDINANCE 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.

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

PROPOSAL NO. R2005-132, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPOINTING ONE NEW MEMBER TO THE ANDERSON ISLAND CITIZENS' ADVISORY BOARD. (ERIK HODGE)

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

Muri spoke in support of Hodge's appointment to the Board.

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

The Proposal was adopted on a roll call vote of six to zero (Gelman was excused).

VIII. ORDINANCES

PROPOSAL NO. 2005-59, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 1. OF ORDINANCE NO. 2004-48s, WHICH VACATED A PORTION OF 204TH STREET EAST IN SECTION 6, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, IN THE FREDERICKSON AREA, TO CORRECT THE LEGAL DESCRIPTION CONTAINED THEREIN.

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

Staff Testimony

Weber explained the Proposal corrects a technical error, and he reported the Proposal received a do pass recommendation by the Economic and Infrastructure Committee on August 16, 2005.

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

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

IX. RESOLUTIONS

PROPOSAL NO. R2005-129, A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING THE DATE OF AN EVENING COUNCIL MEETING IN COUNCIL DISTRICT NO. 2 FOR TUESDAY, DECEMBER 6, 2005, AT 5:00 P.M., AT THE WALLER ROAD ELEMENTARY SCHOOL, 6312 WALLER ROAD EAST, TACOMA, WASHINGTON.

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

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

Lee stated he looks forward to the district meeting.

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

PROPOSAL NO. R2005-130, A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING THE DATE OF AN EVENING COUNCIL MEETING IN COUNCIL DISTRICT NO. 4 FOR TUESDAY, DECEMBER 13, 2005, AT 5:00 P.M., AT THE WHEELLOCK LIBRARY, 3722 NORTH 26TH, TACOMA, WASHINGTON.

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

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

Lee spoke to the importance of district Council meetings.

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

PROPOSAL NO. R2005-131, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AMENDING RESOLUTION NO. R2004-91 TO EXTEND THE SUNSET DATE FOR THE LAKE TAPPS BOAT MANAGEMENT PLAN TEAM TO DECEMBER 31, 2005.

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

Bunney explained the Proposal is technical in nature to allow time for the Plan Team to finish up its 2005 boat management issues.

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

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

X. OTHER BUSINESS/ANNOUNCEMENTS

1. EXECUTIVE SESSION:

Discussion of pending litigation pursuant to Revised Code of Washington (RCW) 42.30.110(1)(i), to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

The Executive Session was cancelled.

XI. CITIZENS' FORUM - None

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:10 p.m.

Attest:

Denise D. Johnson, Clerk of the Council

Approved:

Shawn Bunney, Council Chair

Date Approved

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