

**MINUTES
PIERCE COUNTY COUNCIL MEETING
SEPTEMBER 28, 2004**

930 TACOMA AVENUE SOUTH, ROOM 1045
TACOMA, WASHINGTON 98402
(253) 798-7777 -- FAX: (253) 798-7509 -- TDD: (253) 798-4018
www.co.pierce.wa.us/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 3:00 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 men and women in the Military.

III. ROLL CALL

Councilmembers Present: Shawn Bunney, Calvin Goings, Terry Lee, Harold Moss, and Kevin Wimsett. Councilmembers Barbara Gelman, and Dick Muri 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 five 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

b. Action on Ordinances (refer, set date of hearing)

1. PROPOSAL NO. 2004-76s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2003-107s; AND AMENDING THE 2004 PIERCE COUNTY BUDGET.

Sponsored by: Councilmember Harold Moss

Contact person: Suzanne Hedlund, 798-6880

DO PASS AS SUBSTITUTED RECOMMENDATION - RULES & OPERATIONS COMMITTEE ON SEPTEMBER 13, 2004 - (Harold Moss, Chair/excused; Kevin Wimsett, Vice Chair; Terry Lee, Member)

Suggested date of Council hearing: October 26, 2004

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

Wimsett moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of five 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 September 14, 2004, was read into the record:

ORDINANCE NO. 2004-64, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING ORDINANCE NO. 90-14, "CURBSIDE RECYCLING MINIMUM LEVELS OF SERVICE"; ENACTING A NEW CHAPTER 8.29 OF THE PIERCE COUNTY CODE, "MINIMUM LEVELS OF SERVICE FOR RESIDENTIAL RECYCLING AND YARDWASTE COLLECTION"; NOTIFYING THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION TO CARRY OUT AND IMPLEMENT THE MINIMUM SERVICE LEVELS; RECOMMENDING A PUBLIC INFORMATION PROGRAM; REQUESTING THAT THE PIERCE COUNTY EXECUTIVE COORDINATE WITH THE CITIES AND TOWNS IN IMPLEMENTING SIMILAR MINIMUM LEVELS OF SERVICE; ADOPTING FINDINGS OF FACT; AND SETTING AN EFFECTIVE DATE.

ORDINANCE NO. 2004-69, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF EUSTIS-HUNT ROAD LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, IN THE GRAHAM AREA.

- 2. A message from the Executive transmitting the following Ordinance, which was approved and signed on September 16, 2004, was read into the record:

ORDINANCE NO. 2004-59, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING THE REMOVAL FROM OFFICE PROCEDURE IN SECTION 2.61.060 OF THE PIERCE COUNTY CODE REGARDING THE "ANDERSON ISLAND CITIZENS' ADVISORY BOARD."

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

PROPOSAL NO. R2004-133, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE GRAHAM ADVISORY COMMISSION. (KENNETH R. HUGHES)

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

Moss thanked Hughes for his willingness to serve on the Commission.

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

VIII. ORDINANCES

PROPOSAL NO. 2004-62, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE DISSOLUTION OF DRAINAGE DISTRICT NO. 11, PURSUANT TO REVISED CODE OF WASHINGTON 85.38.225, LOCATED IN A PORTION OF THE CITY OF SUMNER AND UNINCORPORATED PIERCE COUNTY.

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

Staff Testimony

Phil Prettyman, Deputy Prosecuting Attorney, stated the Proposal is a housekeeping measure, and explained the maps contained in the Proposal.

Weber stated the Proposal received a do pass recommendation by the Economic and Infrastructure Committee on August 17, 2004.

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. R2004-134, 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

Weber provided background information on the Proposal, and stated the Proposal was not heard in committee due to time restraints.

Debby Hyde, Special Projects Coordinator, explained the Proposal as it relates to funding for Title II and Title III programs, and explained the timeline table contained in the Proposal. Hyde responded to Council questions regarding the Sheriff's position on the issue, and how the County would benefit by the Title II program.

Mary Schmidtke, Budget and Finance Department, and George Walk, Government Relations Department, explained how the programs affect the County's PILT funds.

After discussion on the percentage amounts allocated to the Title II and Title III programs, Moss stated he would entertain a motion to allocate some token amount.

Wimsett suggested allocating \$5,000 towards Title II and \$210,000 towards Title III.

Goings moved an oral amendment regarding the percentage amounts to Ordinance page 3 of 4 line 12 to change "thirty" to "five" and on line 13 change "seventy" to "ninety-five"; motion seconded.

After discussion on the motion, the Chair called for the question; the motion failed on a roll call vote of four to three (Muri, Gelman, Lee and Moss voted no).

Bunney moved an oral amendment to Ordinance page 3 of 4 line 12 to change "thirty" to "fifteen" and on line 13 change "seventy" to "eighty-five"; motion seconded.

The Chair called for comments on the motion; there was no response. The motion passed on a voice vote.

The Chair called for testimony on Proposal No. R2004-134 as amended; there was no response. The Proposal was adopted as amended on a roll call vote of five to two (Goings and Wimsett voted no).

X. OTHER BUSINESS/ANNOUNCEMENTS - None

The Chair announced the conclusion of the televised portion of the business meeting.

Pierce County Council Meeting
September 28, 2004

XI. GENERAL PUBLIC COMMENTS - None

XII. ADJOURNMENT

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

Attest:

Denise D. Johnson, Clerk of the Council

Approved:

Councilmember Harold Moss, Council Chair

Date Approved

f:\wpfiles\minutes\cou 09-28-04 min.doc