

**MINUTES
PIERCE COUNTY COUNCIL MEETING
OCTOBER 3, 2000**

RAINIER COMMUNICATIONS COMMISSION
CLOVER PARK TECHNICAL COLLEGE CAMPUS, BLDG. 11, STUDIO A
4400 STEILACOOM BLVD. SW
LAKEWOOD, WA

(253) 798-7777 -- FAX: (253) 798-7509 -- TDD: (253) 798-4018

(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 Casada.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Casada.

III. ROLL CALL

Councilmembers Present: Karen S. Biskey, Sarah Casada, Ken Madsen, Pat O'Malley, and Jan Shabro; Wendell Brown and Harold Moss were excused.

Council Staff Present: Shawn Bunney, Research Analyst; Susan Long, Legal Counsel; Gerri Rainwater, Administrator/Clerks & Operations; and Tom Weber, Administrator/Research & Policy.

There were approximately 14 visitors present.

IV. APPROVAL OF AGENDA

Shabro moved approval of the Agenda; motion seconded and passed.

V. CONSENT AGENDA

- a. Approval of Minutes
 - 1. The minutes of the August 15, 2000, regular Council meeting.
 - 2. The minutes of the August 22, 2000, regular Council meeting.
 - 3. The minutes of the September 5, 2000, regular Council meeting.
 - 4. The minutes of the September 12, 2000, District 6 Council meeting.
- b. Action on Ordinances (refer, set date of hearing)

Pierce County Council Meeting
October 3, 2000

1. PROPOSAL NO. 2000-70, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING PORTIONS OF UNDEVELOPED RIGHTS-OF-WAY WITHIN PENROSE STATE PARK, LOCATED IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, DELANO BEACH SUBDIVISION IN THE KEY PENINSULA AREA.
Sponsored by: Councilmember Harold Moss
Contact person: Jennifer Andres, 798-7250
DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE (Harold Moss, Chair; Ken Madsen, Vice Chair; Sarah Casada; Pat O'Malley/excused; Jan Shabro/excused)
Suggested date of Council hearing: October 31, 2000

2. PROPOSAL NO. 2000-74s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 3.85 OF THE PIERCE COUNTY CODE, "VOLUNTEER RESERVE DEPUTY SHERIFF RETIREMENT" BY AMENDING THE SECTION TITLE; ESTABLISHING A PROCESS FOR THE PAYMENT OF MEDICAL BENEFITS FOR RESERVE DEPUTY SHERIFFS INJURED IN THE COURSE OF DUTY; AUTHORIZING THE PAYMENT OF AN ANNUAL FEE TO THE WASHINGTON STATE BOARD FOR VOLUNTEER FIREFIGHTERS AND RESERVE OFFICERS; CREATING A LOCAL COUNTY RESERVE OFFICER BOARD OF TRUSTEES; AND NAMING MEMBERS TO THE BOARD, PURSUANT TO REVISED CODE OF WASHINGTON 41.24.
Sponsored by: Councilmember Wendell Brown
Contact person: Craig Adams, 798-2964
DO PASS AS SUBSTITUTED RECOMMENDATION - RULES COMMITTEE (Sarah Casada, Chair/excused; Wendell Brown, Vice Chair; Karen S. Biskey; Harold Moss/excused; Jan Shabro)
Suggested date of Council hearing: October 17, 2000

3. PROPOSAL NO. 2000-79, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 3.12.070 OF THE PIERCE COUNTY CODE "ETHICS COMMISSION" TO REVISE THE COMPOSITION OF THE COMMISSION; TO REDUCE THE QUORUM REQUIREMENT; AND TO PROVIDE FUNDING FOR STAFF ASSISTANCE.

Sponsored by: Councilmember Sarah Casada
Contact person: Susan Long, 798-6068
For referral to the Rules Committee

4. PROPOSAL NO. 2000-80, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNDEVELOPED 282ND STREET SOUTH AND 81ST AVENUE SOUTH RIGHTS-OF-WAY WHICH IS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 18 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN THE ROY AREA.
Sponsored by: Councilmember Harold Moss
Contact person: Jennifer Andres, 798-7250
For referral to the Public Works Committee
5. PROPOSAL NO. 2000-81, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING ORDINANCE NO. 88-46, WHICH AUTHORIZED THE COUNTY EXECUTIVE TO ENTER INTO A REPAYMENT AGREEMENT FOR THE CONSTRUCTION OF A SURFACE WATER-STORM DRAINAGE SYSTEM IN THE PUYALLUP AREA.
Sponsored by: Councilmember Harold Moss
Contact person: Thomas Weber, 798-6067
For referral to the Public Works Committee
6. PROPOSAL NO. 2000-55, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING TITLE 18B OF THE PIERCE COUNTY CODE, THE PIERCE COUNTY SIGN CODE, TO MODIFY SIGN STANDARDS FOR THE KEY PENINSULA, AND TO CLARIFY THE GEOGRAPHICAL AREA COVERED BY THE VARIOUS SIGN DESIGN CHAPTERS IN TITLE 18B; CONSOLIDATING ALL SIGN REGULATIONS INTO TITLE 18B, INCLUDING NECESSARY TECHNICAL CHANGES; RECODIFYING EXISTING SIGN DEFINITIONS FROM TITLE 18A TO TITLE 18B; RECODIFYING SIGN DESIGN STANDARDS FROM TITLE 18J TO TITLE 18B; ELIMINATING REPETITIVE DEFINITIONS AND PERMIT EXEMPTIONS; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.
Sponsored by: Councilmember Karen S. Biskey
Contact person: Anna Graham, 798-6253
Suggested date of Council hearing: October 24, 2000
7. PROPOSAL NO. 2000-34s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RECONSIDERING THE DESIGNATION OF CERTAIN PROPERTIES IN COMPREHENSIVE PLAN AMENDMENT M-8, WHICH WAS APPROVED IN ORDINANCE NO. 99-93S2; AMENDING ORDINANCE NO. 99-93S2 BY ADDING FINDINGS OF FACT PURSUANT TO THE GROWTH MANAGEMENT ACT, CHAPTER 36.70A REVISED CODE OF WASHINGTON, TO RESOLVE AN APPEAL TO THE CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD, DAVID AND MEREDITH KENYON V. PIERCE

COUNTY AND DANA MEEKS, CASE NO. 99-3-0020; AND
SETTING AN EFFECTIVE DATE.

Sponsored by: Councilmember Pat O'Malley

Contact person: Anna Graham, 798-6253

DO PASS AS SUBSTITUTED AND AMENDED RECOMMENDATION -
PLANNING COMMITTEE (Pat O'Malley, Chair; Karen S.
Biskey, Vice Chair; Wendell Brown; Ken Madsen/
excused; Harold Moss)

Suggested date of Council hearing: November 7, 2000

8. PROPOSAL NO. 2000-35s, AN ORDINANCE OF THE PIERCE
COUNTY COUNCIL AMENDING THE PIERCE COUNTY ZONING ATLAS
TO IMPLEMENT PORTIONS OF MAP AMENDMENT M-8, ADOPTED IN
ORDINANCE NO. 99-93S2 AND CONFIRMED IN ORDINANCE NO.
2000-34; AND SETTING AN EFFECTIVE DATE.

Sponsored by: Councilmember Pat O'Malley

Contact person: Anna Graham, 798-6253

DO PASS AS SUBSTITUTED AND AMENDED RECOMMENDATION -
PLANNING COMMITTEE (Pat O'Malley, Chair; Karen S.
Biskey, Vice Chair; Wendell Brown; Ken Madsen/
excused; Harold Moss/excused)

Suggested date of Council hearing: November 7, 2000

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

1. PROPOSAL NO. R2000-155, A RESOLUTION OF THE PIERCE
COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY
EXECUTIVE TO NEGOTIATE THE PURCHASE OF CONSERVATION
FUTURES PROPERTIES.

Sponsored by: Councilmember Sarah Casada

Contact person: Grant Griffin, 798-4049

For referral to the Rules Committee

2. PROPOSAL NO. R2000-156, A RESOLUTION OF THE PIERCE
COUNTY COUNCIL DECLARING THE INTENT TO VACATE A
PORTION OF 282ND STREET SOUTH AND 81ST AVENUE SOUTH
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 34,
TOWNSHIP 18 NORTH, RANGE 2 EAST, OF THE WILLAMETTE
MERIDIAN, LOCATED IN THE ROY AREA; AND DIRECTING THE
COUNTY ENGINEER TO EXAMINE THE INTENDED VACATION AND
REPORT THE FINDINGS AND CONCLUSIONS THEREOF TO THE
COUNCIL.

Sponsored by: Councilmember Harold Moss

Contact person: Jennifer Andres, 798-7250

For referral to the Public Works Committee

d. Other Items

1. Motion to rescind the prior Council hearing date of
October 10, 2000, for Proposal No. 2000-34s, an
Ordinance of the Pierce County Council Reconsidering
the Designation of Certain Properties in
Comprehensive Plan Amendment M-8, Which was Approved
in Ordinance No. 99-93s2; Amending Ordinance No. 99-

93s2 by Adding Findings of Fact Pursuant to the Growth Management Act, Chapter 36.70a Revised Code Of Washington, to Resolve an Appeal to the Central Puget Sound Growth Management Hearings Board, David And Meredith Kenyon v. Pierce County and Dana Meeks, Case No. 99-3-0020; and Setting an Effective Date.

2. Motion to rescind the prior Council hearing date of October 10, 2000, for Proposal No. 2000-35s, an Ordinance of the Pierce County Council Amending the Pierce County Zoning Atlas to Implement Portions of Map Amendment M-8, Adopted in Ordinance No. 99-93s2 and Confirmed in Ordinance No. 2000-34; and Setting an Effective Date.

Shabro moved adoption of the Consent Agenda as amended; motion seconded and passed on a roll call vote of five to zero.

EXECUTIVE SESSION: At 3:05 p.m. the Chair announced the Council would be convening in Executive Session to discuss pending litigation, and would be in session for approximately 10 minutes. (recess)

The Council reconvened in regular session at 3:15 p.m.

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

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

PROPOSAL NO. R2000-161, A RESOLUTION OF THE PIERCE COUNTY COUNCIL RECOGNIZING AND COMMENDING THE ACCOMPLISHMENTS AND CONTRIBUTIONS OF PIERCE COUNTY ATTORNEY AND REPUBLICAN ACTIVIST, BEN BETTRIDGE.

Shabro moved adoption; motion seconded. The Clerk read the Proclamation into the record. The Proposal passed on a roll call vote of five to zero.

O'Malley stated Bettridge has been ill, and he wanted to have this Proclamation before the Council so it could be delivered to him. Councilmembers spoke to the many achievements and contributions of Bettridge to his community and profession.

VIII. ORDINANCES

The Chair announced that with no objections the Council would address Item 3 as the first order of business under Ordinances.

PROPOSAL NO. 2000-67, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF FOREST CANYON ROAD AND SUMNER-TAPPS HIGHWAY EAST RIGHT-OF-WAY, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 20 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, IN THE LAKE TAPPS AREA.

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

Staff Testimony

Jennifer Andres, Public Works and Utilities Department, stated this proposed road vacation represents a portion of right-of-way that had been realigned, and there is no longer a need for this piece of right-of-way in the road system.

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

PROPOSAL NO. 2000-51s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 11.02.050 OF THE PIERCE COUNTY CODE "METHOD OF CALCULATING SERVICE CHARGES" (STORM DRAINAGE AND SURFACE WATER MANAGEMENT) TO REVISE THE METHOD BY WHICH CREDITS TO SURFACE WATER MANAGEMENT SERVICE CHARGES ARE CALCULATED.

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

Staff Testimony

Bunney stated this Proposal had been referred back to Committee to address concerns regarding the degree of certainty provided to participants in the program.

Shabro stated Agricultural lands were left out of the benefit program, and this Substitute Ordinance will include them. She stated the credit program will be revisited in 2001 to address changing standards.

Public Testimony

Arthur Solar stated he was in favor of the language, and urged Council's adoption.

The Proposal passed as substituted on a roll call vote of five to zero.

PROPOSAL NO. 2000-64s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL

AMENDING SECTION 2.114.060 OF THE PIERCE COUNTY CODE, "CURRENT USE ASSESSMENT ADMINISTRATIVE PROCEDURES" TO INCLUDE A MINIMUM SIZE REQUIREMENT FOR OPEN SPACE APPLICATIONS IN THE RURAL AREA.

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

Following Council discussion and public testimony, Biskey moved that the Proposal be re-referred to the Planning Committee for further study; motion seconded and passed.

IX. RESOLUTIONS

PROPOSAL NO. R2000-160, A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING THE DATE OF AN EVENING COUNCIL MEETING IN COUNCIL DISTRICT NO. 4 FOR TUESDAY, OCTOBER 17, 2000, IN THE TACOMA SCHOOL DISTRICT NO. 10 ADMINISTRATION BUILDING, 4TH FLOOR AUDITORIUM, LOCATED AT 601 SOUTH 8TH STREET, TACOMA WASHINGTON.

Shabro moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of five to zero.

X. OTHER BUSINESS/ANNOUNCEMENTS

1. Shabro moved to approve the Council Agenda for October 10, 2000; motion seconded and passed.
2. Shabro moved to approve the Meeting Schedule for the week of October 9-13, 2000; motion seconded and passed.
3. Maintenance Shop Location Discussion -- O'Malley stated this discussion would be deferred to a later Council meeting.

XI. GENERAL PUBLIC COMMENTS

Alton McDonald addressed the Council regarding racial discrimination in the County.

Casada pointed out that the Councilmembers and staff had discussed this issue with McDonald. Biskey asked for a written response to be drafted by Council staff.

XI. ADJOURNMENT

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

Attest:

Clerk of the Council

Approved:

Council Chair

Date Approved

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