

**MINUTES
PIERCE COUNTY COUNCIL MEETING
OCTOBER 10, 2000**

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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 by Chair Casada at 3:07 p.m.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Casada.

III. ROLL CALL

Councilmembers Present: Karen S. Biskey, Wendell Brown, Sarah Casada, Harold Moss, Pat O'Malley, and Jan Shabro. Ken Madsen was excused at the time of roll call.

Council Staff Present: Sandy Bassett, Deputy Clerk; Shawn Bunney, Research Analyst; Susan Long, Legal Counsel; Carolyn Pendle, Research Analyst; Tom Weber, Administrator for Research & Policy, Michael Transue, Council Budget Consultant, and Victoria Woodards, Councilmember Assistant.

There were approximately 35 visitors present.

IV. APPROVAL OF AGENDA

Brown moved approval of the amended 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. 2000-82, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF BONNEY MILL ROAD WHICH IS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 20 NORTH, RANGE 5 EAST, IN THE SNAG ISLAND AREA.
Sponsored by: Councilmember Harold Moss
Contact person: Jennifer Andres, 798-7250
For referral to the Rules Committee
Suggested date of Council hearing: November 7, 2000
 2. PROPOSAL NO. 2000-83, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING YEAR 2000 AMENDMENTS TO THE CAPITAL

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FACILITIES ELEMENT OF THE PIERCE COUNTY COMPREHENSIVE PLAN; AMENDING TITLE 19E OF THE PIERCE COUNTY CODE, CAPITAL FACILITIES - SIX YEAR FINANCING PLAN; AMENDING CHAPTER 19A.100 OF THE PIERCE COUNTY CODE, CAPITAL FACILITIES ELEMENT; SETTING FORTH AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

Sponsored by: Councilmember Harold Moss

Contact person: Anna Graham, 798-6253

For referral to the Public Works Committee

To be heard by the Public Works Committee on October 18, 2000

Suggested date of Council hearing: November 14, 2000

3. PROPOSAL NO. 2000-84, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE 2001-2006 TRANSPORTATION IMPROVEMENT PROGRAM AND 2001-2014 FOURTEEN-YEAR FERRY PROGRAM, PURSUANT TO REVISED CODE OF WASHINGTON SECTIONS 36.81.121, 36.81.122, 36.81.130, AND 36.54.015, AND WASHINGTON ADMINISTRATIVE CODE 136, CHAPTERS 15 AND 16; FINDING THAT EACH PROJECT CONTAINED IN THE PLAN IS A PUBLIC NECESSITY; AUTHORIZING THE PROSECUTING ATTORNEY TO COMMENCE CONDEMNATION PROCEEDINGS TO ACQUIRE REAL PROPERTY FOR ONLY THOSE CAPITAL IMPROVEMENT PROJECTS CONTAINED IN THE DOCUMENT FOR EXPENDITURE OF FUNDS IN 2001; AND ADOPTING FINDINGS OF FACT. (ANNUAL ROAD PROGRAM, SIX-YEAR ROAD PROGRAM, AND THE FOURTEEN-YEAR FERRY PROGRAM)

Sponsored by: Councilmember Harold Moss

Contact person: Troy Lee, 798-3555

For referral to the Public Works Committee

To be heard by the Public Works Committee on October 18, 2000

Suggested date of Council hearing: November 14, 2000

4. PROPOSAL NO. 2000-85, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTERS 4A. 01 AND 4A.10 OF THE PIERCE COUNTY CODE; ADOPTING A NEW CHAPTER 4A.40 OF THE PIERCE COUNTY CODE, IMPACT FEES - TRAFFIC MITIGATION; AUTHORIZING THE IMPOSITION AND COLLECTION OF IMPACT FEES FOR THE PURPOSE OF MITIGATING TRAFFIC IMPACTS CREATED BY NEW DEVELOPMENT AND CONSTRUCTION IN THE URBAN GROWTH AREAS OF UNINCORPORATED PIERCE COUNTY; SETTING FORTH AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

Sponsored by: Councilmembers Sarah Casada and Jan Shabro

Contact person: Anna Graham, 798-6253

For referral to the Rules Committee

(Note: Items 5 and 6 were moved to Other Business.)

7. PROPOSAL NO. 2000-88, AN ORDINANCE OF THE PIERCE COUNTY

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COUNCIL CREATING A NEW CHAPTER 2.49 OF THE PIERCE COUNTY CODE ENTITLED, "PIERCE COUNTY FARM ADVISORY COMMISSION."
Sponsored by: Councilmember Sarah Casada
Contact person: Tom Weber, 798-6067
For referral to the Rules Committee
To be heard by the Rules Committee on October 16, 2000

8. PROPOSAL NO. 2000-89, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING TITLE 9 OF THE PIERCE COUNTY CODE BY ADOPTING A NEW CHAPTER 9.54, "REGULATION OF PURCHASE/SALE OF EPHEDRINE."
Sponsored by: Councilmembers Wendell Brown, Harold Moss, Ken Madsen
Contact person: Susan Long, 798-6068
For referral to the Rules Committee
To be heard by the Rules Committee on October 16, 2000

- c. Action on Resolutions (refer, set date of hearing)
d. Other Items
1. Motion to grant authority to the Prosecuting Attorney and Risk Manager to enter into a settlement agreement as discussed pursuant to RCW 42.30.110(1)(i) in Pierce County Cause No. 98-2-07339-5.

Brown moved approval of the Consent Agenda; motion seconded. O'Malley questioned Items 5 and 6 being referred to the Rules Committee. The Chair responded to his question. The Chair called for public testimony on Proposal Nos. 2000-86 and 2000-87.

Public Testimony:

Dave Morell, South Hill Advisory Commission (SHAK) member, said they are trying to work out a process for traffic mitigation fees in South Hill and Pierce County. He said these Proposals will start a much needed and long overdue process.

O'Malley voted no on the Consent Agenda as proposed. A unanimous vote is required for approval of the Consent Agenda. Brown moved to amend the Consent Agenda by moving Item Nos. 5 and 6, Proposal Nos. 2000-86 and 2000-87 respectively, to Other Business. Brown's motion was seconded and passed on a voice vote. The Consent Agenda, as amended, passed on a roll call of six to zero.

VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY

1. A message from the Executive transmitting the following

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Ordinances, which were approved and signed on September 25, 2000, was read into the record:

ORDINANCE NO. 2000-66, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 2.93 OF THE PIERCE COUNTY CODE, "LODGING TAX ADVISORY COMMITTEE" TO INCREASE THE NUMBER OF MEMBERS FROM TEN TO TWELVE; MAKING ALL MEMBERS VOTING MEMBERS; AND ADJUSTING THE TERM EXPIRATION DATES.

ORDINANCE NO. 2000-69, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL PROHIBITING THE DISCHARGE OF FIREARMS WITHIN THE UNINCORPORATED PORTIONS OF SECTIONS 1 AND 12, TOWNSHIP 20 NORTH, RANGE 4 EAST, IN AN AREA EAST OF THE CITY OF PACIFIC.

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

Special Award from the Washington State Transportation Improvement Board.

John Trent, Director of Public Works and Utilities, was recognized for his contributions to the Washington Transportation Board during the last ten years. Jerry Fay, Executive Director of the Board, surprised Trent with the award. He praised Trent's work on the Transportation Partnership Program that is responsible for \$6 million in transportation funding statewide. Trent accepted the award and said working on the Board has been very satisfying.

O'Malley praised Trent's work on the Board and Casada offered her congratulations.

PROPOSAL NO. R2000-157, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF ONE EXISTING MEMBER, AND THE APPOINTMENT OF ONE NEW MEMBER, TO THE PIERCE COUNTY LANDMARKS COMMISSION. (LITA DAWN STANTON AND GERALD HEDLUND)

Brown moved adoption; motion seconded. The Clerk read the title into the record. There was no public testimony. Proposal No. R2000-157 passed on a roll call vote of six to zero.

PROPOSAL NO. R2000-158, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF THREE EXISTING MEMBERS, AND THE APPOINTMENT OF ONE NEW MEMBER, TO THE MENTAL HEALTH ADVISORY BOARD. (DAN FRUICHANTIE, ANDREA STEPHENSON, LANEVA SWANN, AND HARRISON JOHN FISHER)

Brown moved adoption; motion seconded. The Clerk read the

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title into the record. There was no public testimony.
Proposal No. R2000-158 passed on a roll call vote of six to zero.

PROPOSAL NO. R2000-159, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW COMMISSIONER TO PIERCE COUNTY ROAD SERVICE DISTRICT NO. 1, PONDEROSA ESTATES. (JANICE HARRISON)

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

Public testimony:

Corinne Davis, of Road Service District No. 1, said they are very proud of their project and thanked the Councilmembers for their help. Davis introduced Janice Harrison.

Janice Harrison said she has served as vice-chair of the Homeowners Association and has attended all of the road service meetings.

Shabro praised the group's work.

Proposal No. R2000-159 passed on a roll call vote of six to zero.

VIII. ORDINANCES

PROPOSAL NO. 2000-72, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, DISTRICT LODGE 160, ON BEHALF OF AUTOMOTIVE MACHINISTS LOCAL NO. 297; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

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

Joe Carrillo, Personnel Department, said contracts for Proposal Nos. 2000-72 and 2000-73 were approved by the bargaining members.

Proposal No. 2000-72 passed on a roll call vote of six to zero.

PROPOSAL NO. 2000-73, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW), AFL-CIO, LOCAL NO. 483 - TRAFFIC SIGNAL; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

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

Tom Weber explained that contracts are negotiated with the unions, the Proposals are heard in committee and then ratified by the full Council.

Proposal No. 2000-73 passed on a roll call vote of six to zero.

PROPOSAL NO. 2000-75s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 99-113, AS AMENDED AND MODIFYING THE 2000 BUDGET TO APPROPRIATE FUNDS FOR THE OPERATING EXPENSES OF THE BEHAVIORAL HEALTH FACILITY (FORMERLY KNOWN AS PUGET SOUND HOSPITAL) FOR THE REMAINDER OF FISCAL YEAR 2000; MODIFYING THE YEAR 2000 BUDGET TO ADD GENERAL FUND REVENUES AND MODIFYING THE 2000 EXPENDITURES FOR MISCELLANEOUS CURRENT EXPENSE; AMENDING SECTION 4.48.020 OF THE PIERCE COUNTY CODE, "SPECIAL REVENUE FUNDS" AND ESTABLISHING A NEW BEHAVIORAL HEALTH FUND.

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

Michael Transue presented the document "Expenditure by Activity" for Council review. See copy in the meeting file.

Shabro questioned the figures for Detox on the Activity sheet Transue presented. The 2000 estimate covers approximately 6 months and the 2001 Budget figure is for the full year.

Fran Lewis, Human Services, suggested it might be due to contracted services. She said she would look into the matter and get back to Shabro.

Biskey moved the amendments contained in the memo from Transue dated October 10, 2000, attached to these minutes and labeled Attachment 1. The motion was seconded. Biskey read the amendments into the record. The amendment passed on a voice vote.

Proposal No. 2000-75s2, as amended, passed on a roll call vote of six to zero.

IX. RESOLUTIONS

PROPOSAL NO. R2000-100, A RESOLUTION OF THE PIERCE COUNTY COUNCIL COMMENDING THE CHAMBERS/CLOVER CREEK WATERSHED MANAGEMENT COMMITTEE AND THE WATERSHED PLANNING STAFF; ACKNOWLEDGING PIERCE COUNTY'S SUPPORT FOR THE IMPLEMENTATION OF THE CHAMBERS/CLOVER

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**CREEK WATERSHED ACTION PLAN; AND RECOGNIZING THAT IMPLEMENTATION
IS CONTINGENT UPON AVAILABLE FUNDING.**

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

Roy Huberd, Pierce County Water Programs, voiced support for the Plan and asked for its approval. He pointed out the watershed area on a large wall map.

Public testimony:

David Swindale, University Place Planning Manager, expressed appreciation for the work put forth on the Plan and said it is consistent with the University Place plan.

Scott Hansen said he supports the Plan, but questioned the statement on in the fourth paragraph on page 15 of the Plan which indicates that Puget Creek provides low value riparian habitat. Hansen said Puget Creek now has a salmon bearing stream classification. Shabro asked if there was documentation of that fact. Hansen said he has a memo and three grants for riparian projects.

Hubert said there is an Interim Watershed Council that will be handling the updating of the Plan.

Shabro asked if the \$2,200.000 million dollar figure in the Executive Summary (page i) was six years old. Huberd answered it is. Huberd noted that currently about half of the Plan has been implemented in one form or another.

Proposal No. 2000-75s2 as amended passed on a roll call vote of six to zero.

**PROPOSAL NO. R2000-101, A RESOLUTION OF THE PIERCE COUNTY COUNCIL
COMMENDING THE KEY PENINSULA/GIG HARBOR/ISLANDS (KGI) WATERSHED
MANAGEMENT COMMITTEE AND THE WATERSHED PLANNING STAFF;
ACKNOWLEDGING PIERCE COUNTY'S SUPPORT FOR THE IMPLEMENTATION OF
THE KGI WATERSHED ACTION PLAN; AND RECOGNIZING THAT IMPLEMENTATION
IS CONTINGENT UPON AVAILABLE FUNDING.**

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

Huberd recommended approval of the Plan.

Public testimony:

Roy Lampson, Key Peninsula property owner, spoke in support

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of implementation of the Plan. He said Pierce County has been able to build a \$300,000 bridge on Rocky Creek for \$80,000, with the help of the federal government. Lampson said there are trails in place so people can watch salmon spawning.

Mark Mauren, Chair of the KGI Watershed Committee, urged passage of the Plan.

Jerry Yamashita, Western Oyster Company, said he is in favor of the Plan and spoke to the importance of tending to our watersheds. He noted that the Burley Lagoon has been closed for over 14 years. He thanked the Committee resident volunteers for their work on the Plan.

Harold Wicksten, owner of Minterbrook Oyster Company, agreed with Mr. Yamashita.

Liz Lathrop, Co-chair of the Watershed Committee, said the Plan contains some very creative solutions and she urged its passage.

Proposal No. R2000-101 passed on a roll call vote of six to zero.

PROPOSAL NO. R2000-102, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ESTABLISHING THE UPPER PUYALLUP WATERSHED COMMITTEE AS A SUBCOMMITTEE OF THE PUYALLUP RIVER WATERSHED COUNCIL; SETTING FORTH THE COMMITTEE'S PURPOSE; ESTABLISHING MEMBERSHIP AND OPERATING PROCEDURES FOR THE COMMITTEE; ESTABLISHING THE TERMINATION DATE OF THE COMMITTEE TO COINCIDE WITH THE COMPLETION OF THE UPPER PUYALLUP WATERSHED ACTION PLAN; AND CONFIRMING THE APPOINTMENT OF MEMBERS TO THE COMMITTEE.

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

Councilmember Madsen joined the meeting.

Shabro moved the Committee amendment as contained on Attachment 2 to these minutes. The motion was seconded. There was no public testimony. The amendment passed on a voice vote.

Proposal No. R2000-102, as amended, passed on a roll call vote of seven to zero.

PROPOSAL NO. R2000-153, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CREATING THE PIERCE COUNTY TASK FORCE ON PUGET SOUND HOSPITAL PROPERTY OVERSIGHT TO OVERSEE THE HOSPITAL PROPERTY AND

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UTILIZATION; ESTABLISHING MEMBERSHIP OF THE TASK FORCE; AND DIRECTING THE TASK FORCE TO MAKE REPORTS AND RECOMMENDATIONS TO THE COUNTY EXECUTIVE AND COUNTY COUNCIL ON THE SHORT- AND LONG-TERM STRATEGIES FOR ADMINISTRATION AND USE OF THE HOSPITAL PROPERTY AND FACILITY.

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

Biskey said purchase of the hospital represents a major change for the County and a major policy shift.

Brown and O'Malley voiced their support for the Proposal.

Madsen said Western State Hospital is operating at capacity and he is concerned the State will send patients to us.

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

Proposal No. R2000-153 passed on a roll call vote of seven to zero.

PROPOSAL NO. R2000-162, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPROVING THE TWENTY-FIRST SUPERIOR COURT JUDGESHIP IN PIERCE COUNTY; AGREEING TO PAY EXPENSES RELATED TO A TWENTY-FIRST SUPERIOR COURT JUDGESHIP WITH COUNTY FUNDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

Shabro moved adoption of the Committee amendment to set a start date for this position (see Attachment 3 to these minutes). The motion was seconded and passed on a voice vote.

Public testimony:

Judge Tom Larkin, representing Superior Court, said he understands the Council's concern regarding the Performance Audit and said Superior Court is committed to working with District Court, but has no control over that court. Larkin said there is an increase in criminal filings and the judge is needed.

Judge John McCarthy, representing the Pierce County Superior Court Judges Association, presented graphs showing a comparison of budgets and staffing for Superior Court, the Department of Assigned Counsel (DAC), the Prosecutor's Office and the Sheriff for the last ten years. He likened Pierce

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County's judicial system to an hourglass with Superior Court at the center; any delay there is devastating. He asked the Council's support for the 21st Judge.

John Ladenburg, Prosecuting Attorney, presented a letter from his office and a letter from the DAC in support of this Proposal. Copies of the letters are included in the Proposal file.

Dan Albertson, Bar Association, said the private bar strongly supports the legislation. Albertson responded to a question from Moss regarding the use of pro-tem judges and dispute resolution.

Moss expressed his frustration that Superior and District Courts did not work together to reduce the caseload in Superior Court. He said the Council was given assurances that cooperation would occur.

O'Malley agreed with Moss. He said the Council needs the help, wisdom and cooperation of the judicial branch to work out the problems.

Brown said the 21st judge is needed. However, he said the Council deserves to have information on the court operations.

O'Malley said the courts and the Council need to communicate and work collectively.

Proposal No. R2000-162, as amended, passed on a roll call vote of seven to zero.

X. OTHER BUSINESS/ANNOUNCEMENTS

Brown moved items 1 and 2, be referred to the Rules Committee; motion seconded and passed on a voice vote.

1. PROPOSAL NO. 2000-86, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A PILOT PROGRAM WHICH USES NEW GUIDELINES FOR ASSESSING APPROPRIATE TRAFFIC MITIGATION UNDER THE STATE ENVIRONMENTAL POLICY ACT (SEPA) FOR COUNCIL DISTRICT 2; INITIATING A STUDY TO DEVELOP A TRAFFIC MITIGATION IMPACT FEE PROGRAM WHICH WILL REPLACE THE NEW GUIDELINES; ESTABLISHING A SCHEDULE FOR ITS COMPLETION; AND ESTABLISHING AN EFFECTIVE DATE AND SUNSET DATE.

Sponsored by: Councilmember Sarah Casada

Contact person: Karen Goon, 798-4108

For referral to the Rules Committee

To be heard by the Rules Committee on October 16, 2000

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2. PROPOSAL NO. 2000-87, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING NEW GUIDELINES FOR ASSESSING APPROPRIATE TRAFFIC MITIGATION UNDER THE STATE ENVIRONMENTAL POLICY ACT (SEPA); INITIATING A STUDY TO DEVELOP A TRAFFIC MITIGATION IMPACT FEE PROGRAM WHICH WILL REPLACE THE NEW GUIDELINES; ESTABLISHING A SCHEDULE FOR ITS COMPLETION; AND ESTABLISHING AN EFFECTIVE DATE AND SUNSET DATE.
Sponsored by: Councilmember Sarah Casada
Contact person: Karen Goon, 798-4108
For referral to the Rules Committee
To be heard by the Rules Committee on October 16, 2000

At 5:05 p.m., the Chair called for a short recess. The Chair reconvened the meeting at 5:11 p.m. Councilmembers present: Wendell Brown, Sarah Casada, Ken Madsen, Pat O'Malley and Jan Shabro.

3. Presentation on the Summer Food Service Program

Mike Dobb, Parks and Recreation Services, explained that the program is funded by a federal grant and serves between 8 to 21 sites during the summer.

Cara Cross, Program Administrator, said the program can be brought into schools where 50% of the students are eligible for the reduced lunch program. When school is out, these students still have need of a meal. This program addresses that need by providing lunch. Members were provided a handout in the Clerk's Meeting file showing a list of the sites and the number of meals served. Cross responded to questions from Councilmembers.

4. Update from the Pierce County Housing Authority: Arnold Wright

Arnold Wright, Executive Director, said the group provides low-income housing and manages over 2000 housing units. The Authority is not a part of Pierce County government. Wright said their vacancy rate has improved, they have rent collections of over \$1 million per month, have most of their bills paid within 90 days, and have a healthy cash flow. They were recently audited by the State Auditor and received no fines. Wright responded to questions from Councilmembers.

Starla Warren, Housing Authority staff member, spoke about the their property at 96th and Hosmer Streets. She said they are working to improve the situation regarding crime and related issues at that site.

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XI. GENERAL PUBLIC COMMENTS

XI. ADJOURNMENT

There being no further business, the meeting was adjourned at
5:38 p.m.

Attest:

Clerk of the Council

Approved:

Council Chair

Date Approved

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