

MINUTES
PIERCE COUNTY COUNCIL MEETING
October 14, 2008

930 Tacoma Avenue South, Room 1045
Tacoma, WA 98402

Voice: (253) 798-7777 – FAX: (253) 798-7509 – Toll-Free: (800) 992-2456 – TDD: (253) 798-4018
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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 Lee.

II. Roll Call

Councilmembers Present: Shawn Bunney, Roger Bush, Timothy M. Farrell, Barbara Gelman, Calvin Goings, Terry Lee, and Dick Muri.

Council Staff Present: Brad Chatfield, Communications Legislative Analyst; Anna Graham, Administrator for Research and Policy; Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Clerks; and Carolyn Pendle, Senior Legislative Analyst

There were 20 visitors present.

III. Pledge of Allegiance to the Flag

The pledge was led by Lee, followed by a Moment of Silence in tribute to our men and women in the Military.

IV. Approval of Agenda

Goings moved approval of the agenda; motion seconded and passed on a voice vote.

V. Consent Agenda

No final action on any Ordinance or Resolution was taken under this Section.

a. Approval of Minutes

1. The minutes of the September 23, 2008 regular Council meeting
2. The minutes of the August 26, 2008 regular Council meeting
3. The minutes of the August 5, 2008 regular Council meeting
4. The minutes of the July 8, 2008 regular Council meeting

5. The minutes of the April 1, 2008 regular Council meeting
6. The minutes of the March 25, 2008 regular Council meeting
7. The minutes of the March 18, 2008 regular Council meeting

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

1. Proposal No. 2008-81, An Ordinance of the Pierce County Council Amending Ordinance No. 2004-110, Imposing a \$20.00 Surcharge upon those Superior Court Cases Filed Under Title 26 Revised Code of Washington; and Setting an Effective Date.

Sponsored by: Councilmember Terry Lee

Department contact person: Chuck Gay, Superior Court, (253) 798-7760

Council contact person: Paul Bocchi, (253) 798-7304

Date of final Council hearing: November 25, 2008

2. Proposal No. 2008-82, An Ordinance of the Pierce County Council Amending Sections 4A.20.030, "Impact Fee Schedule," and 4A.30.030, "School Impact Fee Schedule," of the Pierce County Code to Adjust Regional Park and School Impact Fees for 2009; and Setting an Effective Date.

Sponsored by: Councilmember Terry Lee

Council contact person: Carolyn Pendle, (253) 798-3631

For referral to the Committee of the Whole

Date of final Council hearing: November 25, 2008

3. Proposal No. 2008-83, An Ordinance of the Pierce County Council Implementing the 2009 Budget; Amending the Powers, Duties or Responsibilities of Certain Pierce County Departments, Boards or Commissions; Amending Title 2 of the Pierce County Code; and Setting an Effective Date.

Sponsored by: Councilmember Terry Lee

Council contact persons: Paul Bocchi, (253) 798-7304; and
Susan Long, (253) 798-6068

For referral to the Committee of the Whole

Date of final Council hearing: November 25, 2008

4. Proposal No. 2008-84, An Ordinance of the Pierce County Council Implementing the 2009 Budget by Requesting Certain County Departments, Boards and Commissions to Take Certain Actions.

Sponsored by: Councilmember Terry Lee

Council contact persons: Paul Bocchi, (253) 798-7304; and
Susan Long, (253) 798-6068

For referral to the Committee of the Whole

Date of final Council hearing: November 25, 2008

5. Proposal No. 2008-85, An Ordinance of the Pierce County Council Establishing a Public Works and Utilities - Water Utility Fee to Review

Water System Planning Documents; Creating a New Chapter 7.20 of the Pierce County Code, "Pierce County Coordinated Water System Plan Fees"; and Setting an Effective Date.

Sponsored by: Councilmember Terry Lee

Department contact person: Katherine Brooks, Public Works and Utilities,
(253) 798-6169

Council contact person: Paul Bocchi, (253) 798-7304

For referral to the Committee of the Whole

Date of final Council hearing: November 25, 2008

6. Proposal No. 2008-86, An Ordinance of the Pierce County Council Authorizing Wage Adjustments for Non-Represented Employees; Amending the Pierce County Salary Classification Plan; and Setting an Effective Date.

Sponsored by: Councilmember Terry Lee

Department contact person: Debbie Young, Human Resources, (253) 798-7762

Council contact person: Paul Bocchi, (253) 798-7304

For referral to the Committee of the Whole

Date of final Council hearing: November 25, 2008

7. Proposal No. 2008-89, An Ordinance of the Pierce County Council Amending Pierce County Code (PCC) 13.13.085, "Rates and Charges," by Establishing New Rates and Charges for the Availability and Furnishing of Sanitary Sewer Service; and Setting an Effective Date.

Sponsored by: Councilmember Terry Lee

Department contact person: Sol DiaEze, Public Works and Utilities,
(253) 798-4106

Council contact persons: Paul Bocchi, (253) 798-7304; and
Jeff Cox, (253) 798-7579

For referral to the Committee of the Whole

Date of final Council hearing: November 25, 2008

8. Proposal No. 2008-90, An Ordinance of the Pierce County Council Adopting the 2009-2014 Sewer Improvement Program (SIP), Pursuant to Pierce County Ordinance No. 2006-115s, and the Revised Code of Washington (RCW) 36.70A.040, and 36.70.530; Finding that Each Project Contained in the Program is a Public Necessity; and Setting an Effective Date.

Sponsored by: Councilmember Roger Bush

Department contact person: Steve Kamieniecki, Public Works and Utilities,
(253) 798-3094

Council contact persons: Jeff Cox, (253) 798-7579; and
Hugh Taylor, (253) 798-3665

For referral to the Economic and Infrastructure Development Committee

To be heard in the Economic and Infrastructure Development Committee on
October 27, 2008

Date of final Council hearing: November 25, 2008

9. Proposal No. 2008-91, An Ordinance of the Pierce County Council Deeming Specific Properties to Be for County Purposes, and Authorizing the Prosecuting Attorney to Commence Condemnation Proceedings to Acquire Real Property for County Road Project (CRP) 5656, Entitled Canyon Road East--172nd Street East to 160th Street East, and Providing Notice to Affected Property Owners of Record of the Final Action Specifically Relating to the Following Properties: Tax Parcel Numbers (TIN) 0319255021; 0419303016; 0419302036; 0419306043; 4015417454; and 3971000011.

Sponsored by: Councilmember Terry Lee

Department contact person: Ramiro Chavez, Public Works and Utilities,
(253) 798-7041

Council contact person: Hugh Taylor, (253) 798-3665

For referral to the Economic and Infrastructure Development Committee
To be heard in the Economic and Infrastructure Development Committee
on October 27, 2008

Date of final Council hearing: November 18, 2008

10. Proposal No. 2008-94, An Ordinance of the Pierce County Council Setting the 2009 Ad Valorem Tax Levies for Pierce County for Levy in 2008 and Collection in 2009; and Setting an Effective Date.

Sponsored by: Councilmember Terry Lee

Department contact person: Aaron BeMiller, Budget and Finance, (253)
798-7512

Council contact person: Paul Bocchi, (253) 798-7304

For referral to the Committee of the Whole

Date of final Council hearing: November 25, 2008

11. Proposal No. 2008-95, An Ordinance of the Pierce County Council Adopting the Annual Budget of Pierce County for Fiscal Year 2009.

Sponsored by: Councilmember Terry Lee

Department contact person: Aaron BeMiller, Budget and Finance, (253)
798-7512

Council contact person: Paul Bocchi, (253) 798-7304

For referral to the Committee of the Whole

Date of final Council hearing: November 25, 2008

12. Proposal No. 2008-96, An Ordinance of the Pierce County Council Finding the Proposed Non-Exclusive Cable Television Franchise to Comcast of California/Colorado/Washington I, Inc., for a Cable System in Pierce County to Be in the Public Interest; Setting Forth Terms and Conditions Accompanying the Granting of the Franchise; Providing for the Regulation of Construction, Operation, Maintenance, and Use of the System; Prescribing Remedies for the Violation of the Provisions of the Franchise;

and Authorizing the County Executive to Enter into the Franchise Agreement.

Sponsored by: Councilmember Terry Lee

Department contact person: Skip Stansbury, Executive Office, (253) 798-6643

Council contact person: Jeff Cox, (253) 798-7579

For referral to the Rules and Operations Committee

Date of final Council hearing: *December 2, 2008

13. Proposal No. 2008-97, An Ordinance of the Pierce County Council Finding the Proposed Non-Exclusive Cable Television Franchise to Comcast of Tacoma, Inc., for a Cable System in Pierce County to be in the Public Interest; Setting Forth Terms and Conditions Accompanying the Granting of the Franchise; Providing for the Regulation of Construction, Operation, Maintenance, and Use of the System; Prescribing Remedies for the Violation of the Provisions of the Franchise; and Authorizing the County Executive to Enter into the Franchise Agreement.

Sponsored by: Councilmember Terry Lee

Department contact person: Skip Stansbury, Executive Office, (253) 798-6643

Council contact person: Jeff Cox (253) 798-7579

For referral to the Rules and Operations Committee

Date of final Council hearing: *December 2, 2008

14. Proposal No. 2008-98, An Ordinance of the Pierce County Council Finding the Proposed Non-Exclusive Cable Television Franchise to Comcast of Washington IV, Inc., for a Cable System in Pierce County to Be in the Public Interest; Setting Forth Terms and Conditions Accompanying the Granting of the Franchise; Providing for the Regulation of Construction, Operation, Maintenance, and Use of the System; Prescribing Remedies for the Violation of the Provisions of the Franchise; and Authorizing the County Executive to Enter into the Franchise Agreement.

Sponsored by: Councilmember Terry Lee

Department contact person: Skip Stansbury, Executive Office, (253) 798-6643

Council contact person: Jeff Cox, (253) 798-7579

For referral to the Rules and Operations Committee

Date of final Council hearing: *December 2, 2008

15. Proposal No. 2008-99, An Ordinance of the Pierce County Council Finding the Proposed Non-Exclusive Cable Television Franchise to Comcast of Puget Sound, Inc. for a Cable System in Pierce County to Be in the Public Interest; Setting Forth Terms and Conditions Accompanying the Granting of the Franchise; Providing for the Regulation of Construction, Operation, Maintenance, and Use of the System; Prescribing Remedies for the Violation of the Provisions of the Franchise; and Authorizing the County Executive to Enter into the Franchise Agreement.

Sponsored by: Councilmember Terry Lee
Department contact person: Skip Stansbury, Executive Office, (253) 798-6643
Council contact person: Jeff Cox, (253) 798-7579
For referral to the Rules and Operations Committee
Date of final Council hearing: *December 2, 2008

16. Proposal No. 2008-100, An Ordinance of the Pierce County Council Deeming Specific Properties to Be for County Purposes; Authorizing the Prosecuting Attorney to Commence Condemnation Proceedings to Acquire Real Property for County Road Project (CRP) 5537, Entitled 176th Street East-- Waller Road East to 51st Avenue East; and Providing Notice to Affected Property Owners of Record of the Final Action Specifically Relating to the Following Properties: Tax Parcel Numbers (TIN) 7574020100; 7574020090; 0319264047; 0319264044; 0319264045; 0319253015; 2490000180; 0319253009; 0319253004; 0319253010; 0319257018; 0319257022; 0319257020; 0319257700; 0319254053; 0319352054.

Sponsored by: Councilmember Roger Bush
Department contact person: Ramiro Chavez, Public Works and Utilities, (253) 798-7041
Council contact person: Hugh Taylor, (253) 798-3665
For referral to the Economic and Infrastructure Development Committee
To be heard in the Economic and Infrastructure Development Committee on October 27, 2008
Date of final Council hearing: November 18, 2008

17. Proposal No. 2008-101, An Ordinance of the Pierce County Council Deeming Specific Properties to Be for County Purposes; Authorizing the Prosecuting Attorney to Commence Condemnation Proceedings to Acquire Real Property for County Road Project (CRP) 5471, Entitled 176th Street East-- "B" Street East to 14th Avenue East; and Providing Notice to Affected Property Owners of Record of the Final Action Specifically Relating to the Following Properties: Tax Parcel Numbers (TIN) 5025000051; 5025000053; 5025000054; 5025000061; 5025000062; 8000012422; 8000012580; 8000012590; 0319331075; 0319331076; 0319331077; 0319331078; 8000012752; 8000012760; 8000012970; 8000012980; 0319335027; 0319335028; 8000013170; 0319331063; 8000013180; 0319335009; 8000013570; 8000112723; 0319342024; 0319342029; 0319342034; 0319342035; 8000112901; 8000113024; 8000113186; 8000113187; 8000113520; 8000113540; 8000113747; 8000113748; 8000113952; 8000114305; 8000114474; 8000114541; 5000470010; 0319273072; 0319277020; and 0319277021.

Sponsored by: Councilmember Roger Bush
Department contact person: Ramiro Chavez, Public Works and Utilities, (253) 798-7041
Council contact person: Hugh Taylor, (253) 798-3665
For referral to the Economic and Infrastructure Development Committee

To be heard in the Economic and Infrastructure Development Committee
on October 27, 2008
Date of final Council hearing: November 18, 2008

18. Proposal No. 2008-102, An Ordinance of the Pierce County Council Deeming Specific Properties to Be for County Purposes; Authorizing the Prosecuting Attorney to Commence Condemnation Proceedings to Acquire Real Property for County Road Project (CRP) 5536, Entitled 176th Street East--14th Avenue East to Waller Road East; and Providing Notice to Affected Property Owners of Record of the Final Action Specifically Relating to the Following Properties: Tax Parcel Numbers (TIN) 8000114782; 0319278007; 5003662620; 0319278010; 0319274110; 7996000010; 7996000150; 5002350020; 5002350010; 5002350220; 5002350210; 0319274092; 0319278034; 0319274106; 0319274097; 0319274152; 5002420030; 5002420020; 5002420010; 0319356013; 5003010010; 0319267003; 0319352020; 5003010880; 0319263020; 5003010720; 0319273074; 0319352075; 0319352076; 0319263023; 5003940110; 0319352137; 5001900540; 0319352005; 5001900530; 0319352004; 0319267021; 0319267020; 0319267010; 0319267008; 0319267007; 0319267009; 5003010890; 5002350230; Lots 4-6 and Lots 12-18 of Park Lane Court Planned Manufactured Home Community.

Sponsored by: Councilmember Roger Bush

Department contact person: Ramiro Chavez, Public Works and Utilities,
(253) 798-7041

Council contact person: Hugh Taylor, (253) 798-3665

For referral to the Economic and Infrastructure Development Committee
To be heard in the Economic and Infrastructure Development Committee
on October 27, 2008

Date of final Council hearing: November 18, 2008

19. Proposal No. 2008-103, An Ordinance of the Pierce County Council Deeming Specific Properties to Be for County Purposes; Authorizing the Prosecuting Attorney to Commence Condemnation Proceedings to Acquire Real Property for County Road Project (CRP) 5534, Entitled 112th Street East - Woodland Avenue East to 86th Avenue East; and Providing Notice to Affected Property Owners of Record of the Final Action Specifically Relating to the Following Properties: Tax Parcel Numbers (TIN) 7560015962, 7560016083, 7560016085, 7560016084, 7560015010, 7560015013, 7560016170, 6020150010, 6020150020, 6020150030, 2325000150, 2325000140, 2325000130, 2325000120, 4005000137, 4005000143, 4005000133, 4005000435, 3150000010, 3150000020, 3150000030, 6022600010, 5325000404, 5325000271, 5325000276, 5325000342, 5325000314, 5325000313, 5325000312, 5325000113, 5325000101, 7953000060, 7953000050, 7953000040, 7953000030, 7953000020, 7953000010, 0419085027, 0419086007, 0419086006, 0419086005, 0419082036, 0419082053, 0419082016, 0419082030, 0419082027.

Sponsored by: Councilmember Roger Bush

Department contact person: Ramiro Chavez, Public Works and Utilities,
(253) 798-7041

Council contact person: Hugh Taylor, (253) 798-3665

For referral to the Economic and Infrastructure Development Committee
To be heard in the Economic and Infrastructure Development Committee
on October 27, 2008

Date of final Council hearing: November 18, 2008

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

1. Proposal No. R2008-152, A Resolution of the Pierce County Council Implementing the 2009 Budget; Declaring Certain County Policy; and Requesting Information from Agencies of County Government.

Sponsored by: Councilmember Terry Lee

Council contact persons: Paul Bocchi, (253) 798-7304; and
Susan Long, (253) 798-6068

For referral to the Committee of the Whole

Date of final Council hearing: November 25, 2008

2. Proposal No. R2008-156, A Resolution of the Pierce County Council Related to the Storm Drainage and Surface Water Management Utility; Finding that the Public Works and Utilities Department has Complied with Provisions of the 2008 Budget; and Authorizing Acquisition of Certain Flood Damaged Properties Located along the Carbon and Puyallup Rivers, Pursuant to the November 2006 Flood Event; and Authorizing Acquisition of Certain Floodprone Properties Located along the Puyallup and White Rivers to Complete Setback Levees at the South Fork Site of the Puyallup River and the Countyline Site of the White River Setback Levee.

Sponsored by: Councilmember Terry Lee

Department contact person: Harold Smelt, Public Works and Utilities,
(253) 798-2952

Council contact person: Jeff Cox, (253) 798-7579

For referral to the Economic and Infrastructure Development Committee
To be heard in the Economic and Infrastructure Development Committee
on October 27, 2008

Date of final Council hearing: November 18, 2008

d. Other Items

Goings 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 - None

VII. Proclamations, Awards, and/or Appointments to Boards and Commissions

Proposal No. R2008-153, A Resolution of the Pierce County Council and Executive Proclaiming October 2008, as Domestic Violence Awareness Month in Pierce County, Washington.

Goings moved adoption; motion seconded. The Clerk read the title into the record. The Chair read the Proclamation into the record in its entirety.

Susan Adams, Crystal Judson Family Justice Center, spoke to the Proclamation, and thanked the Council for their support and leadership.

Ann Eft, Pierce County Commission Against Domestic Violence, spoke to the Proclamation.

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

Bunney expressed his appreciation to the Center's staff and to community agencies for providing safe places for families.

Gelman recognized Craig Roberts, Susan Adams, Anne Eft, and service providers for their work with domestic violence issues.

The question was called; the Proposal was adopted on a roll call vote of seven to zero.

Proposal No. R2008-151, A Resolution of the Pierce County Council Confirming the Reappointments of Two Existing Members (Michael Hays and Barbara Rowland) to the Key Peninsula Advisory Commission.

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

Long explained the Proposal.

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

VIII. Ordinances - None

IX. Resolutions - None

X. Other Business/Announcements - None

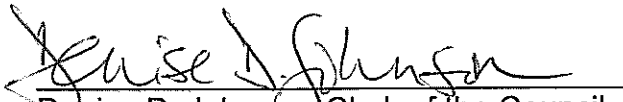
XI. Citizens' Forum

The following addressed the Council: Ken Paulson; Bruce Minker, Pierce County Corrections; Mark Schooley; Jesse Hill; Judy Spiers, Country Aire Mobile Home Park; and Dean Webber, Country Aire Mobile Home Park.

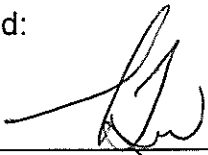
XII. Adjournment

There being no further business, the meeting was adjourned at 3:32 p.m.

Attest:


Denise D. Johnson, Clerk of the Council

Approved:


Terry Lee, Council Chair

11-4-08
Date Approved