

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
OCTOBER 16, 2001**

930 TACOMA AVENUE SOUTH, ROOM 1045  
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 at 3:15 p.m. by Chair Brown.

**II. PLEDGE OF ALLEGIANCE TO THE FLAG**

The pledge was led by Brown.

**III. ROLL CALL**

Councilmembers Present: Karen S. Biskey, Wendell Brown, Harold Moss, Jan Shabro, and Kevin Wimsett; Pat O'Malley was excused; Calvin Goings arrived after roll call.

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

There were approximately 46 visitors present.

**IV. APPROVAL OF AGENDA**

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

**V. CONSENT AGENDA**

- a. Approval of Minutes
- b. Action on Ordinances (refer, set date of hearing)
  - 1. PROPOSAL NO. 2001-51s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE *UNIFIED SEWER PLAN FOR THE PIERCE COUNTY WASTEWATER UTILITY* AS THE PIERCE COUNTY WASTEWATER UTILITY SEWERAGE GENERAL PLAN; INCORPORATING IT INTO THE PIERCE COUNTY CODE AS CHAPTER 19D.70; REPEALING CHAPTER 19D.80 OF THE PIERCE COUNTY CODE, THE *CHAMBERS CREEK BASIN WATER QUALITY MANAGEMENT PLAN, PIERCE COUNTY, WASHINGTON*; AND ADOPTING FINDINGS OF FACT.  
Sponsored by: Councilmembers Karen Biskey and Harold Moss

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Contact person: Marsha Huebner, 798-4662  
DO PASS AS SUBSTITUTED RECOMMENDATION - PLANNING &  
PUBLIC WORKS COMMITTEE (Karen Biskey, Co-Chair;  
Harold Moss, Co-Chair; Calvin Goings, Vice-Chair;  
Jan Shabro, Member/excused; Kevin Wimsett, Member)  
Suggested date of Council hearing: November 6,  
2001

2. PROPOSAL NO. 2001-79, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 1.26.060 OF THE PIERCE COUNTY CODE REGARDING THE COMPOSITION OF THE PERFORMANCE AUDIT COMMITTEE.

Sponsored by: Councilmember Calvin Goings  
Contact person: Susan Long, 798-6065  
DO PASS RECOMMENDATION - RULES AND OPERATIONS COMMITTEE (Wendell Brown, Chair; Harold Moss, Vice Chair; Pat O'Malley, Member)  
Suggested date of Council hearing: October 30, 2001

3. PROPOSAL NO. 2001-83, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF ELHI HILL COUNTY ROAD RIGHT-OF-WAY, LOCATED IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, IN THE SUMNER AREA.

Sponsored by: Councilmember Harold Moss  
Contact person: Jennifer Andres, 798-2720  
For referral to the Planning & Public Works Committee

4. PROPOSAL NO. 2001-85, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF WALLER ROAD EAST RIGHT-OF-WAY IN THE NORTHEAST AND NORTHWEST QUARTERS OF SECTION 14, TOWNSHIP 20 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, LOCATED IN THE SUMMIT-WALLER AREA.

Sponsored by: Councilmember Harold Moss  
Contact person: Jennifer Andres, 798-2720  
For referral to the Planning & Public Works Committee

5. PROPOSAL NO. 2001-86, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE ANNUAL BUDGET OF PIERCE COUNTY FOR FISCAL YEAR 2002.

Sponsored by: Pierce County Council  
Contact person: Michael Transue, 798-3665  
For referral to the Committee of the Whole  
Suggested date of Council hearing: November 20, 2001

6. PROPOSAL NO. 2001-87, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL SETTING THE 2002 AD VALOREM TAX LEVIES FOR PIERCE COUNTY FOR LEVY IN 2001, AND COLLECTION IN 2002.  
Sponsored by: Pierce County Council  
Contact person: Michael Transue, 798-3665  
For referral to the Committee of the Whole  
Suggested date of Council hearing: November 20, 2001
7. PROPOSAL NO. 2001-88, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL STATING THE DOLLAR AMOUNT AND PERCENTAGE INCREASE IN AUTHORIZED PROPERTY TAX ABOVE LAST YEAR'S LEVY AMOUNT, USING 106%, EXCLUSIVE OF NEW CONSTRUCTION AND STATE ASSESSED VALUATION.  
Sponsored by: Councilmember Wendell Brown  
Contact person: Michael Transue, 798-3665  
For referral to the Committee of the Whole  
Suggested date of Council hearing: November 20, 2001
8. PROPOSAL NO. 2001-89, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 14.20 OF THE PIERCE COUNTY CODE "PARKS AND RECREATION SERVICES FEES" BY AMENDING GOLF COURSE FEE SCHEDULES; AND ESTABLISHING AN EFFECTIVE DATE.  
Sponsored by: Councilmember Wendell Brown  
Contact person: Michael Transue, 798-3665  
For referral to the Committee of the Whole  
Suggested date of Council hearing: November 20, 2001
9. PROPOSAL NO. 2001-90, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING ORDINANCE NO. 99-119s; AND ADOPTING A NEW FARE SCHEDULE FOR THE PIERCE COUNTY FERRY SYSTEM.  
Sponsored by: Councilmember Wendell Brown  
Contact person: Michael Transue, 798-3665  
For referral to the Committee of the Whole  
Suggested date of Council hearing: November 20, 2001
10. PROPOSAL NO. 2001-91, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING WAGE ADJUSTMENTS FOR NON-REPRESENTED EMPLOYEES; AND AMENDING THE PIERCE COUNTY SALARY AND CLASSIFICATION PLAN.  
Sponsored by: Councilmember Wendell Brown  
Contact person: Michael Transue, 798-3665

For referral to the Committee of the Whole  
Suggested date of Council hearing: November 20,  
2001

11. PROPOSAL NO. 2001-92, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE YEAR 2001 AMENDMENTS TO THE CAPITAL 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 AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

Sponsored by: Councilmember Harold Moss  
Contact person: Airyang Julia Park, 798-2783  
Refer to the Planning & Public Works Committee

12. PROPOSAL NO. 2001-93, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 4A.20.020, 4A.20.030, 4A.30.020, AND 4A.30.030 OF THE PIERCE COUNTY CODE, PIERCE COUNTY IMPACT FEES, TO PROVIDE FOR AN ANNUAL ADJUSTMENT TO THE SCHOOL AND PARK IMPACT FEE MAXIMUM FEE OBLIGATION, BASED ON THE CONSUMER PRICE INDEX; AND AMENDING SECTIONS 4A.10.050 AND 4A.30.010 OF THE PIERCE COUNTY CODE TO DESCRIBE THE INFORMATION NEEDED IN SCHOOL DISTRICT CAPITAL FACILITY PLANS SUBMITTED TO THE COUNTY.

Sponsored by: Councilmember Jan Shabro  
Contact person: Carolyn Pendle, 798-3631  
Refer to the Planning & Public Works Committee

13. PROPOSAL NO. 2001-94, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF 354<sup>TH</sup> STREET EAST RIGHT-OF-WAY LOCATED IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 17 NORTH, RANGE 3 EAST OF THE WILLAMETTE IN THE EATONVILLE AREA.

Sponsored by: Councilmember Harold Moss  
Contact person: Jennifer Andres, 798-2720  
Refer to the Planning & Public Works Committee

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

Moss moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of five to zero.

With the consent of the Council, the Chair advanced to the seventh order of business: Proclamations, Awards and/or Appointments to Board and Commissions.

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

**PROPOSAL NO. R2001-131, A PROCLAMATION OF THE PIERCE COUNTY EXECUTIVE AND COUNTY COUNCIL RECOGNIZING ERIC PARK'S TAE KWON DO ACADEMY; AND CONGRATULATING THE EIGHT STUDENTS WHO WON FIRST PLACE IN THE FOURTH KOREAN OPEN WORLD TAE KWON DO CHAMPIONSHIPS IN SEOUL, KOREA.**

Moss moved adoption; motion seconded and passed. The Clerk read the Proclamation into the record.

Proclamations were presented to the eight students by Executive Staff Director Lyle Quasim.

Eric Park, Instructor, and the students thanked the Council for their recognition, and spoke of their visit to Seoul, Korea.

The Proposal passed on a roll call vote of six to zero; Goings had entered the meeting.

**VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY**

Presentation of 2002 County Budget -- Executive John Ladenburg. A copy of the Executive Summary of the 2001 Draft Budget is contained in the Clerk's meeting file.

**VIII. ORDINANCES**

**PROPOSAL NO. 2001-63s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE 2001 AMENDMENTS TO THE PIERCE COUNTY COMPREHENSIVE PLAN; AMENDING PIERCE COUNTY CODE TITLE 19A, PIERCE COUNTY COMPREHENSIVE PLAN, TITLE 19, COMPREHENSIVE PLAN - HISTORY AND BACKGROUND, AND TITLE 19D, OTHER COMPREHENSIVE PLANNING DOCUMENTS; SETTING FORTH AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.**

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

Staff Testimony

Graham provided an overview of the Substitute Ordinance, stating the proposed amendments have received extensive review in Committee.

Moss moved adoption of Council Amendment No. 1 as set forth in Attachment I to these minutes; motion seconded. The Clerk read the amendment into the record.

Public Testimony

Bill Phillips, Washington State Department of Corrections, spoke in support of the amendment, and submitted a packet of supporting documentation, which is contained in the Ordinance file. He stated adoption of the amendment is necessary to maintain the safety and security on the Island.

The amendment passed on a voice vote.

Moss moved adoption of Council Amendment No. 2 as set forth in Attachment II to these minutes; motion seconded. The Clerk read the amendment into the record.

Staff Testimony

Graham provided an explanation of the effect of the amendment.

Public Testimony

Tim Trohimovich, 1001 Friends of Washington, spoke in support of Amendments 2 and 4, citing health and environmental concerns.

Staff Testimony

Graham pointed out that this amendment changes the effective date to April 1, 2002.

The amendment passed on a voice vote.

Moss moved adoption of Council Amendment No. 3 as set forth in Attachment III to these minutes; motion seconded. The Clerk read the amendment into the record.

Staff Testimony

Graham stated the amendment is technical in nature, inserts dates, and makes other technical language corrections.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

Moss moved adoption of Council Amendment No. 4 as set forth in Attachment IV to these minutes; motion seconded. The Clerk read the amendment into the record.

Staff Testimony

Graham explained passage of this amendment would add Findings to support Text Amendment T-19 and Urban Growth Area Amendment U-12. The amendment would make other minor and editorial changes to Findings set forth in Exhibit "B."

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

Moss moved adoption of Council Amendment No. 6 as set forth in Attachment V to these minutes; motion seconded. The Clerk read the amendment into the record.

Wimsett stated this amendment was offered as a result of a request from citizens in the Roy area, and asked that the Council adopt the amendment.

Public Testimony

Larry Anderson spoke in support of the amendment and submitted letters supporting the request. Copies are contained in the Ordinance file with a petition bearing eleven additional signatures supporting the amendment.

The amendment passed on a voice vote.

Moss moved adoption of Council Amendment No. 7 as set forth in Attachment VI to these minutes; motion seconded. The Clerk read the amendment into the record.

Public Testimony

Kirk Kirkland, Tacoma Audubon Society, spoke in support of the amendment, and the important aspects of tiering.

Tim Trohimovich, 1001 Friends of Washington, spoke in support of the amendment to retain the tiering language in the Comprehensive Plan.

Goings pointed out that Amendments 8A and 8B provide a better way to handle the tiering issue, as it is currently not effective. He asked the Council to vote against this amendment.

The amendment passed on a voice vote.

Moss moved adoption of Council Amendment No. 8A as set forth in Attachment VII to these minutes; motion seconded. The Clerk read the amendment into the record.

Goings spoke in support of the amendment to ensure that infrastructure projects inside the Comprehensive Urban Growth Area are given more weight when prioritizing projects for funding in the Capital Facilities Plan and the annual Budget.

Shabro thanked Goings for being sensitive to grant leveraging programs in the County.

The amendment passed on a voice vote.

Moss moved adoption of Council Amendment No. 9 as set forth in Attachment VIII to these minutes; motion seconded. The Clerk read the amendment into the record.

#### Public Testimony

Tiffany Spear, Master Builders Association, stated she had opposed Amendment T-16, but with this amendment finds it more acceptable.

William Giddings stated he supports the language pertaining to the entire community planning area.

#### Staff Testimony

Chip Vincent, Planning and Lands Services Department, responded to Shabro's question regarding Item 2 of the amendment: "density transfers from environmentally constrained lands to on- or off-site buildable lands shall be permitted through a density transfer program." Vincent explained the process for using the program and how it works.

Biskey spoke in support of the amendment, stating she feels it provides clarification and can result in farm lands being saved, as has happened in King County through this program.

The amendment passed on a voice vote.

#### Public Testimony on 2001-63s2 as Amended

Doc Hanson thanked the Council for Findings that were added to clarify Appendix D regarding the Scholz and Spooner farms.

Allan Scholz submitted a copy of petitions that had been signed supporting the Scholz' request to rezone to Rural Neighborhood Center. He stated they wish to expand their garden center and fruit stand to operate a County general store, as there are no facilities in close proximity. A copy of the petition is contained in the Ordinance file with a statement from Mayor Colorossi regarding the proximity of the Scholz farm to the City limits.

Grace Yuan, Pierce County School Coalition, spoke in support of the Ordinance, and asked that the changes set forth be implemented.

Biskey thanked the Council and the Planning staff for their work on the Plan Amendment process.

Brown thanked Biskey and Moss for chairing the Planning and Public Works Committee in bringing a document to the Council that had gone through a thorough public hearing process.

The Proposal passed as substituted and amended on a roll call vote of seven to zero.

**IX. RESOLUTIONS**

**X. OTHER BUSINESS/ANNOUNCEMENTS**

1. Moss moved to certify the following budget certifications, and instruct the Clerk of the Council to forward the Certifications to the Pierce County Assessor-Treasurer's Office, pursuant to Revised Code of Washington 84.52.020:

a. Peninsula School District #401

The motion was seconded and passed.

**XI. GENERAL PUBLIC COMMENTS**

Pat O'Malley urged that the County Prosecuting Attorney move to prosecute in the case of the death Anna Marie Harris, who was killed in Lakewood, Washington. He stated this action must take place within 10 days before the statutes run out.

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**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned  
at 5:20 p.m.

Attest:

Gerri Rainwater  
Clerk of the Council

Approved:

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Wendell B. Brown  
Council Chair

Date Approved

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