

**Minutes**  
**Pierce County Council Meeting**  
**October 16, 2007**

930 Tacoma Avenue South, Room 1045  
Tacoma, WA 98402

**(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, Calvin Goings, Terry Lee, and Dick Muri. Councilmember Barbara Gelman arrived after roll call.

Council Staff Present: Paul Bocchi, Budget Legislative Analyst; Jeff Cox, Deputy Legal Counsel; Patty Face, Acting Clerk of the Council; Anna Graham, Administrator for Research and Policy; Mike Kruger, Legislative Analyst; Susan Long, Administrator for Legal and Operations; Leslie Swalley, Councilmember Assistant; and Hugh Taylor, Senior Legislative Analyst.

There were approximately 40 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**

**a. Approval of Minutes**

1. The Minutes of the August 14, 2007, District 2 Council Meeting
2. The Minutes of the August 21, 2007, Regular Council Meeting
3. The Minutes of the September 11, 2007, Regular Council Meeting

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

1. Proposal No. 2007-87, An Ordinance of the Pierce County Council Granting a Nonexclusive Franchise to the Rainier Ranch Maintenance Association for Location of Waterlines on Certain County-Owned Rights-of-Way; and Authorizing the County Executive to Execute Said Franchise.

Sponsored by: Councilmember Roger Bush

Department contact person: Jerry West, Public Works and Utilities,  
(253) 798-3687

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

Committee recommendation: Do Pass at Economic and Infrastructure  
Development on October 2, 2007

Suggested date of Council hearing: November 13, 2007

2. Proposal No. 2007-88, An Ordinance of the Pierce County Council Granting a Nonexclusive Franchise to the Town of Eatonville for Location of Waterlines on Certain County-Owned Rights-of-Way; and Authorizing the County Executive to Execute Said Franchise.

Sponsored by: Councilmember Roger Bush

Department contact person: Jerry West, (253) 798-3687

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

Committee recommendation: Do Pass at Economic and Infrastructure  
Development on October 2, 2007

Suggested date of Council hearing: November 13, 2007

3. Proposal No. 2007-91, An Ordinance of the Pierce County Council Creating a Transfer and Purchase of Development Rights Program and Adopting Technical Amendments to Implement the Program; Amending the Pierce County Code by Adopting a New Chapter 18I.25, "Transfer and Purchase of Development Rights", and a New Chapter 2.100, "Transfer of Development Rights Committee"; Amending Chapter 18.25, "Definitions", Chapter 18A.75, "Use Permits", and Chapter 19C.10, "Procedures for Amendments to the Comprehensive Plan"; Setting an Effective Date; and Adopting Findings of Fact.

Sponsored by: Councilmembers Calvin Goings, Shawn Bunney and  
Terry Lee

Department contact person: Brynn Brady, Planning and Land Services,  
(253) 798-3667

Council contact person: Anna Graham, (253) 798-6253

To be heard in the Community Development Committee on  
October 29, 2007

Suggested date of Council hearing: November 27, 2007

4. Proposal No. 2007-107, 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 2008; 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  
Suggested date of Council hearing: November 20, 2007

5. Proposal No. 2007-108, An Ordinance of the Pierce County Council Creating a New Chapter 3.98 of the Pierce County Code, "Domestic Partnership Benefits" and Amending Sections 3.12.030, 3.52.020, 3.56.010, 3.68.020, and 3.76.030 of the Pierce County Code to Provide for the Extension of Employee Benefits to Employees' Domestic Partners; and Setting an Effective Date.

Sponsored by: Councilmember Calvin Goings  
Department contact person: Betsy Sawyers, Human Resources,  
(253) 798-7469  
Council contact person: Susan Long, (253) 798-6068  
For referral to the Rules and Operations Committee  
Suggested date of Council hearing: December 4, 2007

6. Proposal No. 2007-110, An Ordinance of the Pierce County Council Amending Ordinance No. 2006-114s, as Amended by Ordinance Nos. 2007-8s, 2007-12s, 2007-54s, and 2007-81s; and Modifying the County 2007 Budget.

Sponsored by: Councilmember Dick Muri  
Department contact person: Patrick Kenney, Budget and Finance,  
(253) 798-7450  
Council contact persons: Paul Bocchi, (235) 798-7304, and  
Michael Transue, (253) 798-7777  
For referral to the Rules and Operations Committee  
Suggested date of Council hearing: November 27, 2007

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

1. Proposal No. R2007-110, A Resolution of the Pierce County Council Endorsing the Pierce County Sheriff Department's Acceptance of a Grant Award of \$243,940.50 in Bureau of Justice Assistance Grant Funds, for Public Safety and Judicial Services that Address Critical Needs for Pierce County Citizens; and Providing a Public Hearing on the Proposed County's Use of the Money Received.

Sponsored by: Councilmember Terry Lee  
Department contact person: Julie Williams, Sheriff, (253) 798-3430  
Council contact person: Paul Bocchi, (253) 798-7304  
Committee recommendation: Do Pass at Rules and Operations  
on October 1, 2007  
Suggested date of Council hearing: October 30, 2007

2. Proposal No. R2007-121, A Resolution of the Pierce County Council Authorizing the Pierce County Executive to Execute an Interlocal Agreement with the Town of South Prairie for the Purpose of Completion of the Foothills Trail Through the Town of South Prairie.

Sponsored by: Councilmember Calvin Goings  
Department contact person: Grant Griffin, Parks and Recreations Services, (253) 798-4049  
Council contact person: Jeff Cox, (253) 798-7579  
For referral to the Community Development Committee

3. Proposal No. R2007-122, A Resolution of the Pierce County Council Adopting a New Organization Chart for the Office of the Pierce County Council.

Sponsored by: Councilmember Calvin Goings  
Council contact person: Susan Long, (253) 798-6068  
For referral to the Rules and Operations Committee

4. Proposal No. R2007-123, A Resolution of the Pierce County Council Setting the Date of an Evening Council Meeting in Council District No. 4 for Tuesday, December 4, 2007, at 5:00 p.m., at the South Park Community Center, 4851 South Tacoma Way, Tacoma, Washington.

Sponsored by: Councilmember Timothy M. Farrell  
Council contact person: Patty Face, (253) 798-2687  
Suggested date of Council hearing: October 30, 2007

5. Proposal No. R2007-124, A Resolution of the Pierce County Council Accepting, Approving and Ratifying the Execution of a Real Estate Purchase and Sale Agreement by and between NWC #5, a Washington General Partnership, and Pierce County for the Purchase of Land for Taxiway Construction at Pierce County Airport, Thun Field; and Authorizing the Executive to Enter into Said Agreement.

Sponsored by: Councilmember Roger Bush  
Department contact person: Michael Esher, Public Works and Utilities, (253) 798-7109  
Council contact persons: Paul Bocchi, (253) 798-7304, and Hugh Taylor, (253) 798-3665  
For referral to the Economic and Infrastructure Development Committee

**d. Other Items**

Goings moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of six 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 28, 2007, was read into the record:

Ordinance No. 2007-70, An Ordinance of the Pierce County Council Granting a Nonexclusive Franchise to the Town of Steilacoom, a Municipal Corporation of Pierce County, Washington, for Location of Electric Lines on Certain Rights of Way; and Authorizing the County Executive to Execute Said Franchise.

Ordinance No. 2007-71, An Ordinance of the Pierce County Council Granting a Nonexclusive Franchise to Curran Road Mutual Water Association for Location of Waterlines on Certain County-Owned Rights of Way; and Authorizing the County Executive to Execute Said Franchise.

Ordinance No. 2007-72, An Ordinance of the Pierce County Council Granting a Nonexclusive Franchise to the Crystal River Ranch Association for Location of Waterlines on Certain County-Owned Rights of Way; and Authorizing the County Executive to Execute Said Franchise.

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

- none

**VIII. Ordinances**

**Proposal No. 2007-34s2, An Ordinance of the Pierce County Council Adopting Amendments to Title 20 of the Pierce County Code, "Shoreline Management Use Regulations", Establishing Interim Regulatory Requirements for Geoduck Aquacultural Operations and Other Aquaculture Practices; Modifying Definitions and Permitted Uses; Setting an Effective Date; Providing for the Sunset of the Interim Requirements Upon the Implementation of the Comprehensive Update to the Pierce County Shoreline Master Program; and Adopting Findings of Fact.**

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

Staff Testimony

Taylor briefed the Council. He reported the Proposal received a Do Pass as Substituted recommendation at the Community Development Committee on September 10, 2007.

Taylor referenced a letter received October 16, 2007, from Pacific Coast Shellfish Growers Association.

Taylor explained Council Amendment No. 1 on Celery. A copy of this amendment is included as Attachment I with these minutes. Goings moved Council Amendment No. 1 on Celery; motion seconded. The Chair called for public testimony on the amendment.

#### Public Testimony

Rick Sorrels testified.

#### Staff Testimony

Taylor responded to Sorrels.

Council Amendment No. 1 on Celery passed a voice vote.

The Chair called for public testimony on Proposal No. 2007-34s2 as amended:

#### Public Testimony

Diane Cooper, Jerry Johannes, Michael Murphy, Laura Henderson, Curt Puddicombe, Rick Sorrels, Nancy Pearson, Bertil Johnson, Denise McElney, Peggy Gablehouse, Laurie Brauneis, Bill Trandum, Orrin Souers, Krystal Kyer, Dennis Flann, Catherine Rudolph, Peter Altmann, and Mike Elstan testified.

#### Staff Testimony

Taylor stated for the record, that the Proposal included some modification to Pierce County Code Chapter 20.56, related to piers and docks.

#### Council Comment

Goings, Muri, Bunney, and Lee commented.

Proposal No. 2007-34s2 passed as amended on a roll call vote of seven to zero.

The Chair recessed the meeting at 4:48 p.m. and reconvened the meeting at 4:53 p.m.

**Proposal No. 2007-75s, An Ordinance of the Pierce County Council Adopting a New Chapter 19B.130 of the Pierce County Code, "The Key Peninsula Community Plan"; Amending Pierce County Code Chapters 19A.30, "Land Use Element", and 19A.40, "Rural Element", to Include a New Designation, Park and Recreation; Setting an Effective Date; and Adopting Findings of Fact.**

Bunney moved adoption; motion seconded. The Clerk read the title into the record. The Chair announced the Proposal would likely be continued for one week.

### Staff Testimony

Kruger provided a brief history. He reported the Proposal received a Do Pass as Substituted recommendation at the Community Development Committee on September 10, 2007.

The Chair reiterated the Proposal would be continued for one week, and he called for public testimony.

### Public Testimony

Rick Sorrels, Kip Clinton, Joseph Moore, and Christopher Gomez testified.

Goings moved to continue Proposal No. 2007-75s to the October 23, 2007, Council Meeting; motion seconded and passed on a voice vote.

## **IX. Resolutions**

**Proposal No. R2007-114, A Resolution of the Pierce County Council Approving Additional Regular Staff Positions in the 2007 Budget; Finding that the Department of Public Works and Utilities has Satisfied the Traffic Impact Fee Fund 2007 Budget Proviso; and Authorizing the Removal of the Expenditure Limitation of \$150,000 Within the Traffic Impact Fee Fund Budget for 2007.**

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

### Staff Testimony

Taylor briefed the Council. He reported the Proposal received a Do Pass recommendation at the September 18, 2007, Economic and Infrastructure Development Committee.

Bunney moved Council Amendment No. 1 on Ivory; motion seconded. A copy of this amendment is included as Attachment II with these minutes.

### Staff Testimony

Taylor explained the amendment. The Chair called for public testimony on the amendment. There was no response. The amendment passed on a voice vote.

Brian Stacy and Gary Predoehl, Public Works and Utilities, addressed the Council and responded to questions.

The Chair called for public testimony on Proposal No. R2007-114 as amended.

### Public Testimony

Tiffany Speir and Rene Jankiewicz testified.

Proposal No. R2007-114s was adopted as amended on a roll call vote of six to one.

**X. Other Business/Announcements - none**

**XI. Citizens' Forum**

Ken Paulson, Kip Clinton, and Robert Hill addressed the Council.

**XII. Adjournment**

There being no further business, the meeting was adjourned at 4:58 p.m.

Attest:

\_\_\_\_\_  
Patricia L. Face, Acting Clerk of the Council

Approved:

\_\_\_\_\_  
Terry Lee, Council Chair

\_\_\_\_\_  
Date Approved



**Pierce County**

Office of the County Council

930 Tacoma Avenue So., Room 1028  
Tacoma, WA 98402-2176  
(253) 798-7777  
FAX (253) 798-7509  
1-800-992-2456

**Attachment I**

October 16, 2007

**COUNCIL AMENDMENT NO. 1**

Celery

A handwritten signature in black ink, appearing to read "Terry Lee".

TO: Councilmembers

FROM: Councilmember Terry Lee, Chair

SUBJECT: Proposal No. 2007-34s2, Technical Amendments

---

I recommend the following technical amendments to Proposal No. 2007-34s2:

1. At page 6 of 13, line 23, of Exhibit A to the Ordinance, modify text within Subsection A. of Section 20.24.030 to improve clarity as follows:
  - \*A. **Urban and Rural-Residential Environments.** Aquaculture operations are limited to fishing, raising, holding, and harvesting of wild and planted stocks for recreation and commercial purposes that do not involve the use of tubes, netting, or other materials placed in intertidal areas. ~~Such~~ Aquaculture operations that do not involve the use of tubes, netting, or other materials placed in intertidal areas will be allowed upon showing the activity will not substantially change the character of the site or adversely affect natural populations and shall be subject to the Standards and Guidelines for Reviewing Substantial Development Permits."



PRINTED BY: [unreadable]

## Pierce County

Office of the County Council

930 Tacoma Avenue So., Room 1046  
Tacoma, WA 98402-2176  
(253) 798-7777  
FAX (253) 798-7509  
1-800-992-2456

Attachment No. II

October 16, 2007

**COUNCIL AMENDMENT NO. 1**  
**Ivory**

TO: Councilmembers

FROM: Councilmember Roger Bush

SUBJECT: Proposal No. R2007-114, Traffic Impact Fee Proviso

---

I recommend an amendment be made to Proposal No. R2007-114 to require reporting on the status of hiring efforts as follows:

1. Beginning at page 3 of 3 of the resolution, line 15, add a new section as follows:

“Section 5. The Department of Public Works and Utilities is requested to report to the Economic and Infrastructure Development Committee of the Council at the end of the first and second quarters of 2008 regarding the status of the hiring of the additional staff described in Section 2.”