

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
OCTOBER 23, 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 3:00 p.m. by Vice Chair Moss.

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

The pledge was led by Moss.

**III. ROLL CALL**

Councilmembers Present: Karen S. Biskey, Calvin Goings, Harold Moss, Pat O'Malley, Jan Shabro, and Kevin Wimsett. Wendell Brown was 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 19 visitors present.

**IV. APPROVAL OF AGENDA**

The Agenda was approved as amended

**V. CONSENT AGENDA**

- a. Approval of Minutes
  - 1. The minutes of the October 2, 2001, District No. 6 Council meeting.
- b. Action on Ordinances (refer, set date of hearing)
  - 1. PROPOSAL NO. 2001-71, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING SUPPLEMENTAL FRANCHISE NO. 1 TO VALLEY WATER DISTRICT TO EXPAND THE AREA FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY.  
Sponsored by: Councilmember Harold Moss  
Contact person: Jerry West, 798-3687

DO PASS RECOMMENDATION - PLANNING & PUBLIC WORKS  
COMMITTEE

(Karen Biskey, Co-Chair; Harold Moss, Co-Chair/excused; Calvin Goings, Vice-Chair/excused; Jan Shabro, Member, Kevin Wimsett, Member)

Suggested date of Council hearing: November 13, 2001

2. PROPOSAL NO. 2001-72, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO KANOOGA BEACH WATER SYSTEM, FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY AND OTHER COUNTY PROPERTY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

Sponsored by: Councilmember Harold Moss

Contact person: Jerry West, 798-3687

DO PASS RECOMMENDATION - PLANNING & PUBLIC WORKS  
COMMITTEE

(Karen Biskey, Co-Chair; Harold Moss, Co-Chair; Calvin Goings, Vice-Chair/excused; Jan Shabro, Member, Kevin Wimsett, Member)

Suggested date of Council hearing: November 13, 2001

3. PROPOSAL NO. 2001-81, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 93-98 TO DELETE THE REQUIREMENT THAT THE COMMISSION ON CHILDREN, YOUTH, AND THEIR FAMILIES AND THE LAW AND JUSTICE COMMISSION MAKE ANNUAL FUNDING RECOMMENDATIONS ON THE USE OF THE COUNTY'S 0.1 PERCENT SALES AND USE TAX FOR CRIMINAL JUSTICE PURPOSES.

Sponsored by: Councilmember Karen S. Biskey

Contact person: Carolyn Pendle, 798-3631

DO PASS AS AMENDED RECOMMENDATION - PUBLIC SERVICE  
AND HUMAN SERVICES COMMITTEE

(Pat O'Malley, Co-Chair; Jan Shabro, Co-Chair; Kevin Wimsett, Vice-Chair/excused; Calvin Goings, Member, Karen Biskey, Member)

Suggested date of Council hearing: November 6, 2001

4. PROPOSAL NO. 2001-82, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ACCEPTING THE JUNE 2001 RECOMMENDATIONS OF THE AD HOC TASK FORCE ON CHILDREN, YOUTH, AND THEIR FAMILIES, AS REQUESTED IN RESOLUTION NO. R2001-30S; IMPLEMENTING ONE TASK FORCE RECOMMENDATION BY CREATING AN ALLOCATION ADVISORY COMMITTEE FOR PREVENTION PROGRAMS, TO RECOMMEND AND MONITOR THE DISTRIBUTION OF THE 25 PERCENT PREVENTION REVENUES OF THE ONE-QUARTER OF

ONE PERCENT CRIMINAL JUSTICE SALES AND USE TAX, AS SPECIFIED IN PIERCE COUNTY CODE 4.28.130; SETTING PRIORITIES FOR FUNDING THESE PREVENTION PROGRAMS; ESTABLISHING THE REQUIREMENT THAT PIERCE COUNTY COMMUNITY SERVICES SHALL STAFF THE ADVISORY COMMITTEE; AND SETTING AN ANNUAL REPORTING DEADLINE FOR COMMITTEE RECOMMENDATIONS.

Sponsored by: Councilmember Karen S. Biskey

Contact person: Carolyn Pendle, 798-3631

DO PASS RECOMMENDATION - PUBLIC SERVICE AND HUMAN SERVICES COMMITTEE

(Pat O'Malley, Co-Chair; Jan Shabro, Co-Chair; Kevin Wimsett, Vice-Chair/excused; Calvin Goings, Member/excused, Karen Biskey, Member)

Suggested date of Council hearing: November 6, 2001

5. ORDINANCE NO. 2001-84, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE 2002-2007 TRANSPORTATION IMPROVEMENT PROGRAM AND 2002-2015 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 2002; 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  
To be heard by the Planning & Public Works Committee on October 24, 2001  
Suggested date of Council hearing: November 13, 2001

6. PROPOSAL NO. 2001-92, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING 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 FORTH AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

Sponsored by: Councilmember Harold Moss

Contact person: Airyang Julia Park, 798-2783

To be heard by the Planning & Public Works  
Committee on October 24 and 31, 2001  
Suggested date of Council hearing: November 13,  
2001

7. PROPOSAL NO. 2000-108s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING A LAND LEASE AGREEMENT BETWEEN PIERCE COUNTY AND PALENT CORPORATION FOR REAL PROPERTY AT PIERCE COUNTY AIRPORT (THUN FIELD).

Sponsored by: Councilmember Jan Shabro

Contact person: Bob Snyder, 798-7109

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

8. PROPOSAL NO. 2001-76s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING A LAND LEASE AGREEMENT FOR REAL PROPERTY AT PIERCE COUNTY AIRPORT (THUN FIELD) WITH PALENT CORPORATION; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE LEASE.

Sponsored by: Councilmember Harold Moss

Contact person: Bob Snyder, 798-7109

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

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

1. PROPOSAL NO. R2001-168, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ESTABLISHING AN AD HOC TASK FORCE TO DEVELOP AMENDMENTS TO CHAPTERS 2.96 AND 2.97 OF THE PIERCE COUNTY CODE, TO CLARIFY THE DEFINITION OF "OPEN SPACE", AND THE USES OF CONSERVATION FUTURES FUNDS; SETTING FORTH THE RESPONSIBILITIES AND DUTIES OF THE TASK FORCE; APPOINTING MEMBERS TO THE TASK FORCE; SETTING A DATE FOR A REPORT BACK TO THE COUNTY COUNCIL; AND SETTING A SUNSET DATE.

Sponsored by: Councilmembers Karen Biskey and Kevin Wimsett

Contact person: Susan Long, 798-6068

For referral to the Planning & Public Works Committee

2. PROPOSAL NO. R2001-170, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF 15 MEMBERS TO THE NEW AD-HOC ALLOCATION ADVISORY COMMITTEE FOR PREVENTION PROGRAMS (BEVERLY M. ARTIS, JOY BROWNE, SHELLY BUTTERFIELD, JANET V. DETERING, RICKARD GUILD, KAREN HANSON, RUSSELL HUMBARD, JAMES T. MITCHELL, HELEN MYRICK, MICHELE NIELSON, G. KATHLEEN O'CONNOR, SARA OFFICER, WES PRUITT, BEVERLY SWANN AND DIANNE THOMPSON).  
Sponsored by: Councilmember Karen S. Biskey  
Contact person: Carolyn Pendle, 798-3631  
Suggested date of Council hearing: November 6, 2001

d. Other Items

O'Malley 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 - None**

**X. OTHER BUSINESS/ANNOUNCEMENTS**

1. Update on Pierce County Trauma Care, Dr. Lori Morgan, Medical Adult Trauma Service.

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

**PROPOSAL NO. R2001-157, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE PROCLAIMING THE WEEK OF NOVEMBER 12-16, 2001, TO BE "PIERCE COUNTY EMPLOYEE APPRECIATION AND RECOGNITION WEEK" IN PIERCE COUNTY, WASHINGTON.**

O'Malley moved adoption; motion seconded. The Clerk read the Proclamation into the record.

Joe Scorcio, on behalf of the Employee Recognition Committee, accepted the Proclamation and thanked the Council for their recognition and support.

The Proposal passed on a roll call vote of six to zero.

**PROPOSAL NO. R2001-162, A PROCLAMATION OF THE PIERCE COUNTY EXECUTIVE AND COUNCIL DECLARING THE DAY OF OCTOBER 23, 2001, AS A DAY TO RECOGNIZE AND CONGRATULATE THE BUDGET AND FINANCE DEPARTMENT FOR RECEIVING THE DISTINGUISHED BUDGET PRESENTATION.**

O'Malley moved adoption; motion seconded. The Clerk read the Proclamation into the record.

Pat Kenney, Director of Budget & Finance, and Mary Schmidtke, Budget & Finance Department, accepted the Proclamation, thanking the Council and the Executive for their recognition.

The Proposal passed on a roll call vote of six to zero.

**PROPOSAL NO. R2001-166, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF TWO NEW MEMBERS TO THE BOATING ADVISORY COMMISSION. (JONATHAN KAISER AND RUSSELL FINEMAN)**

O'Malley 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 six to zero.

**PROPOSAL NO. R2001-167, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AMENDING RESOLUTION NO. R2001-2, AS AMENDED, BY ADDING ALTERNATES TO THE COUNCIL'S APPOINTMENTS TO THE PIERCE COUNTY RESERVE OFFICERS BOARD OF TRUSTEES; AND REMOVING COUNCILMEMBER CALVIN GOINGS AS A MEMBER OF THE PERFORMANCE AUDIT COMMITTEE.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Weber pointed out that this Proposal would appoint five Councilmembers as alternates to the Pierce County Reserve Officers Board of Trustees to assist staff in identifying a quorum for meetings. The Proposal also removes Councilmember Goings as a member of the Performance Audit Committee, as he has a scheduling conflict with the meeting date.

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

**VIII. ORDINANCES**

**PROPOSAL NO. 2001-67, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SUBSECTIONS 18A.25.250 B. AND 18A.25.150 E. OF THE PIERCE COUNTY CODE, TO ESTABLISH LEVELS FOR EDUCATION SERVICES; TO PERMIT LEVEL 1 EDUCATIONAL SERVICES IN THE RURAL SEPARATOR ZONE.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Sean Gaffney, Planning and Land Services Department, stated the Proposal would establish new levels of educational services, and permit Level 1 educational services in the Rural Separator Zone classification. He stated that educational services recognize recreational and trade schools, music and drama conservatories, and barber and cosmetology schools. The Proposal also creates two new levels of educational services.

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

**PROPOSAL NO. 2001-78, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THE PROPOSED NON-EXCLUSIVE FRANCHISE AND LEASE AGREEMENT WITH AT&T WIRELESS SERVICES OF WASHINGTON, LLC, FOR WIRELESS TELECOMMUNICATIONS ANTENNAE AND EQUIPMENT TO BE PLACED ON PROPERTY OWNED BY PIERCE COUNTY LOCATED AT 215 SOUTH 36TH STREET, TACOMA, WASHINGTON, TO BE IN THE PUBLIC INTEREST; SETTING FORTH TERMS AND CONDITIONS ACCOMPANYING THE GRANTING OF THE FRANCHISE; PROVIDING FOR THE STANDARDS, CONDITIONS, RENTAL AMOUNT, AND OTHER TERMS OF SUCH OCCUPANCY; PRESCRIBING REMEDIES FOR THE VIOLATION OF THE PROVISIONS THEREOF; AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO THE FRANCHISE AND LEASE AGREEMENT.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Bunney provided an explanation stating that passage of the Ordinance would grant AT&T Wireless Services a lease and franchise to place a telecommunications antenna on Pierce County-owned property at 215 South 36<sup>th</sup> Street in Tacoma.

Skip Stansbury, Executive's Office, stated that the antenna was in place on the Puget Sound Hospital at the time the County acquired the property, and this lease agreement would allow them to continue that use. He stated the lease and franchise agreement language is patterned after that used in King County. This type of lease is new in Pierce County.

O'Malley moved adoption of Council Amendment No. 1 as set forth in Attachment I attached to these minutes; motion seconded.

Pierce County Council Meeting  
October 23, 2001

Bunney explained that this amendment deals with complying with Pierce County Charter requirements.

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

The amendment was adopted on a voice vote.

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

**PROPOSAL NO. 2001-80, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 2.60 OF THE PIERCE COUNTY CODE, BY ADDING A SIXTH POSITION TO THE BOARD OF COMMISSIONERS OF THE PIERCE COUNTY HOUSING AUTHORITY.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Stansbury stated passage of this Ordinance would authorize a sixth position on the Board of Commissioners of the Pierce County Housing Authority, in response to a recent State law which requires that one of the positions be filled from the resident community. He stated that an appointment to this position would be made in the near future.

In response to Goings' concerns that an even number of Board members could create voting problems, Stansbury stated that the sixth position is based on the assumption that the voting would somehow work out.

Public Testimony

Karen Hall stated that the Department of Housing and Urban Development has recently imposed the residency representation requirement, and stated if voting becomes a problem, that perhaps another position would be requested to provide an uneven number of Board members voting.

The Proposal passed on a roll call vote of six to zero.

**IX. RESOLUTIONS**

**PROPOSAL NO. R2001-163, A RESOLUTION OF THE PIERCE COUNTY COUNCIL, RATIFYING AMENDMENT NO. THREE TO THE PURCHASE AND SALES AGREEMENT, WHICH WAS RATIFIED BY RESOLUTION NO. R2000-87,**

**RELATIVE TO THE SURPLUS COUNTY-OWNED REAL PROPERTY LOCATED AT  
1304 PACIFIC AVENUE IN TACOMA, WASHINGTON, REFERRED TO AS THE  
PACIFIC BLOCK PROPERTY.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Dan Cagle, Facilities Management Department, stated the County is still in negotiations with Opus Corporation on the sale of the Pacific Block property. He stated this is the third extension requested of the Council in allowing additional time to negotiate. He stated the market for office space has diminished, and Opus Northwest is considering a hotel for the site.

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

**PROPOSAL NO. R2001-165, A RESOLUTION OF THE PIERCE COUNTY COUNCIL  
SETTING THE DATE OF AN EVENING COUNCIL MEETING IN COUNCIL  
DISTRICT NO. 2, FOR TUESDAY, DECEMBER 4, 2001, AT EMERALD RIDGE  
HIGH SCHOOL, 12405 - 184TH STREET EAST, SOUTH HILL, WASHINGTON.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Moss pointed out that there is a Charter requirement that each Council District conduct a Council district meeting once each year. This meeting will fulfill the Charter requirement for District No. 2.

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

**X. OTHER BUSINESS/ANNOUNCEMENTS - None**

**XI. GENERAL PUBLIC COMMENTS**

Alton McDonald expressed a concern that citizens do not know who is in charge when they have a problem with government.

Pierce County Council Meeting  
October 23, 2001

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned  
at 4:07 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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