

**MINUTES
PIERCE COUNTY COUNCIL MEETING
OCTOBER 26, 2004**

930 TACOMA AVENUE SOUTH, ROOM 1045
TACOMA, WASHINGTON 98402
(District No. 4)

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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 p.m. by Chair Moss.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

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

III. ROLL CALL

Councilmembers Present: Shawn Bunney, Barbara Gelman, Calvin Goings, Terry Lee, Harold Moss, Dick Muri, and Kevin Wimsett.

Council Staff Present: Steve Gross, Deputy Legal Counsel; Denise Johnson, Clerk of the Council; Susan Long, Legal Counsel; Leslie Swalley, Councilmember Assistant; Tom Weber, Administrator/Research & Policy.

There were approximately 15 visitors present.

IV. APPROVAL OF AGENDA

Wimsett moved approval of the 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. 2004-71, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING PIERCE COUNTY CODE CHAPTER 12.32, "RIGHT-OF-WAY FRANCHISES FOR PUBLIC AND PRIVATE UTILITIES"; AMENDING CHAPTER 12.34, "TELECOMMUNICATIONS USERS OF PIERCE COUNTY RIGHTS-

OF-WAY", TO ADD A NEW SECTION 12.34.865, "STANDARDS ADOPTED"; AMENDING SECTION 17B.10.060, "STANDARDS ADOPTED"; AND ADOPTING THE "MANUAL ON ACCOMMODATING UTILITIES IN PIERCE COUNTY RIGHT-OF-WAY," 4TH EDITION.

Sponsored by: Councilmember Shawn Bunney

Contact person: Jerry West, 798-3687

DO PASS RECOMMENDATION - ECONOMIC & INFRASTRUCTURE DEVELOPMENT COMMITTEE ON OCTOBER 5, 2004 - (Shawn Bunney, Chair; Terry Lee, Vice Chair; Barbara Gelman, Member; Calvin Goings, Member; Dick Muri, Member)

Suggested date of Council hearing: November 16, 2004

2. PROPOSAL NO. 2004-111, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REGARDING INCREASED VEHICLE TRAFFIC ON 168TH STREET EAST BETWEEN GEM HEIGHTS DRIVE EAST AND A POINT 500' EAST OF 97TH AVENUE COURT EAST; RESTRICTING CERTAIN COMMERCIAL VEHICLE TRAFFIC FOR A PERIOD OF FIVE YEARS; AND DIRECTING THE PUBLIC WORKS AND UTILITIES DEPARTMENT TO MONITOR TRAFFIC FLOW AND PROPOSE TRAFFIC CALMING MEASURES IF APPROPRIATE.

Sponsored by: Councilmember Kevin Wimsett

Contact person: Steve Gross, 798-7579

For referral to the Economic & Infrastructure Development Committee

3. PROPOSAL NO. 2004-112, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING THE PIERCE COUNTY CODE (PCC), CHAPTER 2.97, "CONSERVATION FUTURES FUND ALLOCATION AND SELECTION CRITERIA," CHAPTER 2.114, "CURRENT USE ASSESSMENT ADMINISTRATIVE PROCEDURES," TITLE 19 APPENDIX A "GLOSSARY TERMS," AND CHAPTER 19D.170 "PRIORITIES FOR OPEN SPACE"; AND CHAPTER 19D.170 "PRIORITIES FOR OPEN SPACE"; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

Sponsored by: Councilmember Calvin Goings

Contact person: Anna Graham, 798-6253

For referral to the Community Development Committee
To be heard in the Community Development Committee on November 1, 2004

Suggested date of Council hearing: December 7, 2004

4. PROPOSAL NO. 2004-113, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH WASHINGTON ALLIANCE OF

TECHNOLOGY WORKERS, LOCAL 37083 OF THE NEWSPAPER GUILD, COMMUNICATIONS WORKERS OF AMERICA, AFL-CIO, CLC; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

Sponsored by: Councilmember Harold Moss

Contact person: Joe Carrillo, 798-6690

For referral to the Rules and Operations Committee
Suggested date of Council hearing: November 16, 2004

5. PROPOSAL NO. 2004-114, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 18A.29 OF THE PIERCE COUNTY CODE (PCC), "SOUTH HILL USE AND DENSITY/DIMENSION TABLES," AND CHAPTER 18J.50 PCC "SOUTH HILL COMMUNITY PLAN AREA DESIGN STANDARDS AND GUIDELINES"; REPEALING PCC 18A.33.295; "MIXED USE REQUIREMENTS" TO IMPLEMENT THE RECOMMENDATIONS OF THE "URBAN VILLAGES IMPLEMENTATION STUDY" AND RESOLUTION NO. R2004-80s; AND ADOPTING FINDINGS OF FACT.

Sponsored by: Councilmember Calvin Goings

Contact persons: Hugh Taylor, 798-3665, and Anna Graham, 798-6253

For referral to the Community Development Committee
To be heard in the Community Development Committee on November 1, 2004

Suggested date of Council hearing: November 30, 2004

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

1. PROPOSAL NO. R2004-140, A RESOLUTION OF THE PIERCE COUNTY COUNCIL DECLARING ITS SUPPORT OF THE WATERSHED PLANNING IN WATER RESOURCE INVENTORY AREAS 25 AND 26, WHILE WITHDRAWING FROM WATERSHED PLANNING IN THE GRAYS-ELOCHOMAN AND COWLITZ PLANNING AREA, WATER RESOURCE INVENTORY AREAS 25 AND 26.

Sponsored by: Councilmember Calvin Goings

Contact person: Debby Hyde, 798-7110

For referral to the Community Development Committee
To be heard in the Community Development Committee on November 1, 2004

2. PROPOSAL NO. R2004-148, A RESOLUTION OF THE PIERCE COUNTY COUNCIL TO ADOPT "THE ROAD HOME: ENDING CHRONIC HOMELESSNESS," A TEN YEAR PLAN FOR PIERCE COUNTY.

Sponsored by: Councilmember Harold Moss

Contact person: Elinor Ottey, 798-7381

For referral to the Rules and Operations Committee
To be heard in the Rules and Operations Committee
on November 1, 2004
Suggested date of Council hearing: November 2,
2004

d. Other Items

1. Motion to certify the following Levy
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 (RCW) 84.52.020:
 - Bethel School District
 - Franklin Pierce School District

Wimsett 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

1. A message from the Executive transmitting the following
Ordinances, which were approved and signed on
October 12, 2004, was read into the record:

ORDINANCE NO. 2004-63, AN ORDINANCE OF THE PIERCE
COUNTY COUNCIL CANCELING CERTAIN UNCOLLECTIBLE PERSONAL
PROPERTY TAXES.

ORDINANCE NO. 2004-65, AN ORDINANCE OF THE PIERCE
COUNTY COUNCIL AMENDING SECTION 8.88.040 OF THE PIERCE
COUNTY CODE, "BOATING ADVISORY COMMISSION" REGARDING
THE TERMS OF COMMISSION MEMBERS.

ORDINANCE NO. 2004-67, AN ORDINANCE OF THE PIERCE
COUNTY COUNCIL LEVYING AN ASSESSMENT IN 2004, FOR
COLLECTION IN 2005, AGAINST LAND IN PIERCE COUNTY FOR
THE CONTROL OF NOXIOUS WEEDS.

ORDINANCE NO. 2004-68, AN ORDINANCE OF THE PIERCE
COUNTY COUNCIL ADOPTING A NEW CHAPTER 2.08 OF THE
PIERCE COUNTY CODE, "ELECTRONIC DATA ACCESS AND
SERVICES," AUTHORIZING THE CLERK OF THE SUPERIOR COURT
TO ENTER INTO CONTRACTS FOR PROVIDING SERVICES FOR
ELECTRONIC DATA ACCESS TO COURT RECORDS AND OTHER
SERVICES ON A FEE BASIS; AND SETTING AN EFFECTIVE DATE.

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ORDINANCE NO. 2004-82, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF WRIGHT-BLISS ROAD KPN (CR 648) RIGHT-OF-WAY IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 22 NORTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN THE KEY PENINSULA AREA.

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

PROPOSAL NO. R2004-144, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE RECOGNIZING THE 150TH ANNIVERSARY OF THE FORMATION OF STEILACOOM HISTORICAL SCHOOL DISTRICT NUMBER ONE.

Wimsett moved adoption; motion seconded. The Clerk read the Proclamation into the record.

Public Testimony

Duane Hardesty accepted the Proclamation on behalf of the School Board and the citizens of Steilacoom. He recognized Muri for his working relationship with the Town of Steilacoom, and he explained that the medal he was wearing commemorates the school district's 150th anniversary.

The Proposal was adopted on a roll call vote of seven to zero.

PROPOSAL NO. R2004-141, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPOINTING HUGH PATTON TO THE BOARD OF COMMISSIONERS OF PIERCE COUNTY DRAINAGE DISTRICT NO. 21.

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

Staff Testimony

Weber provided information on the vacancy.

Moss thanked the appointee for his service.

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

PROPOSAL NO. R2004-142, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE PIERCE COUNTY HOUSING AUTHORITY. (MELANIE MORGAN)

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

Staff Testimony

Weber provided information on the vacancy.

Moss thanked the appointee for her service.

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

VIII. ORDINANCES

PROPOSAL NO. 2004-74, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO SPANAWAY WATER COMPANY, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

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

Staff Testimony

Weber stated the Proposal received a do pass recommendation by the Economic & Infrastructure Development Committee on September 7, 2004.

Bruce Duncan, Public Works & Utilities Department, stated that Proposal replaces an expiring franchise for a term of 15 years.

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

PROPOSAL NO. 2004-75, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO RAINIER VIEW WATER COMPANY, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

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

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Staff Testimony

Weber stated the Proposal received a do pass recommendation by the Economic & Infrastructure Development Committee on September 7, 2004.

Duncan explained the Proposal grants a County-wide franchise to keep the company from coming back each year to acquire a supplement.

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

PROPOSAL NO. 2004-76s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2003-107s; AND AMENDING THE 2004 PIERCE COUNTY BUDGET.

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

Staff Testimony

Weber stated the Proposal involves the purchase of a building and includes an additional \$20,000 to the Council's budget for advertising expenses. On September 13, 2004, the Proposal received a do pass recommendation by the Rules & Operations Committee. Weber recommended that the Proposal be held over one week to allow time for the Tacoma Pierce-County Health Department to provide its supplemental budget information to the Council for inclusion in this supplemental budget.

Wimsett moved to continue the Proposal to the November 2, 2004, Council meeting; motion seconded and passed.

PROPOSAL NO. 2004-80, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO ASHFORD WATER DISTRICT, A MUNICIPAL CORPORATION, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

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

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Staff Testimony

Weber stated the Proposal received a do pass recommendation by the Economic & Infrastructure Development Committee on September 7, 2004.

Duncan stated the Proposal replaces an expiring water franchise for a term of 15 years.

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

IX. RESOLUTIONS

PROPOSAL NO. R2004-104, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ADOPTING A NATURAL HAZARD MITIGATION PLAN FOR PIERCE COUNTY.

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

Staff Testimony

Gross provided information on the Proposal, stating the federal emergency agency required local governments to prepare a natural hazard mitigation plan, as a result the Disaster Mitigation Act of 2000. The Proposal received a do pass recommendation by the Economic & Infrastructure Development Committee on October 12, 2004.

Wimsett moved the adoption of Council Amendment No. 1 on salmon; motion seconded. A copy of the amendment is identified as Attachment I to these minutes.

Gross provided an explanation of the amendment.

The Chair called for public testimony on the amendment; there was no response. The amendment passed.

Staff Testimony

Steve Bailey, Director of Emergency Management, provided information on the Proposal and stated that November 1, 2004, has been established as the deadline date. He thanked the Council staff for their assistance on the Proposal. In response to Muri's question, Bailey spoke to other jurisdictions adopting a plan.

Bunney thanked Bailey and his staff for their hard work on the Proposal and for making citizens safety a priority.

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Bailey introduced Luke Meyers and Ben Pearson; they were acknowledged for their work on the Plan.

Gelman complimented Meyers and Pearson for introducing the Council to the Plan and congratulated Bailey on the Plan.

In response to Gelman's question, Bailey reiterated the cutoff date and stated that all jurisdictions are to adopt a plan.

In response to the Chair's request, Bailey provided an update of the new building location for the Emergency Management Department.

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

X. OTHER BUSINESS/ANNOUNCEMENTS - None

The Chair announced the conclusion of the televised portion of the business meeting.

XI. GENERAL PUBLIC COMMENTS

1. Amara Abbott, Emerald Ridge High School student, stated the meeting was interesting and she thanked Moss for inviting her to the Council meeting.
2. Melanie Morgan thanked the Council for her appointment to the Pierce County Housing Authority Board, and spoke to the importance of emergency housing.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:34 p.m.

Attest:

Denise D. Johnson, Clerk of the Council

Approved:

Harold Moss, Council Chair

Date Approved