

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
OCTOBER 29, 2002**

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**

Chair Moss called the regular meeting of the Pierce County Council to order at 3:05 p.m.

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

Moss led the Pledge of Allegiance.

**III. ROLL CALL**

Councilmembers Present: Calvin Goings, Harold Moss, Pat O'Malley, Jan Shabro, and Kevin Wimsett. Karen S. Biskey, and Wendell Brown were excused.

Council Staff Present: Sandy Bassett, Deputy Clerk; Mardy Fairchild, Operations Clerk; Anna Graham, Research Analyst; Susan Long, Legal Counsel; Carolyn Pendle, Research Analyst; Michael Transue, Budget Consultant; and Tom Weber, Administrator/Research & Policy.

There were approximately 28 visitors present.

**IV. APPROVAL OF AGENDA**

O'Malley moved approval of the amended Agenda; motion seconded and passed.

**V. CONSENT AGENDA**

- a. Approval of Minutes
  1. The minutes of the August 27, 2002, regular Council meeting.
- b. Action on Ordinances (refer, set date of hearing)
  1. PROPOSAL NO. 2002-121, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNIMPROVED 174TH STREET EAST, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 3 EAST,

WILLAMETTE MERIDIAN, IN THE SPANAWAY AREA.  
Sponsored by: Councilmember Pat O'Malley  
Contact person: Les Olsen, 798-3687  
For referral to the Public Works Committee

2. PROPOSAL NO. 2002-122, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL DECLARING CERTAIN COUNTY-OWNED PERSONAL PROPERTY TO BE SURPLUS, AND AUTHORIZING THE SALE THEREOF. (VOTING EQUIPMENT)  
Sponsored by: Councilmember Harold Moss  
Contact person: Michael Clark, 798-7730  
For referral to the Rules & Operations Committee
3. PROPOSAL NO. 2002-123, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NOS. 98-104 AND 99-71s WHICH GRANTED A NON-EXCLUSIVE TELECOMMUNICATIONS RESTRICTED FRANCHISE TO THE CITY OF TACOMA'S PUBLIC UTILITIES LIGHT DIVISION, BY EXTENDING THE FRANCHISE AREA TO INCLUDE CERTAIN ADDITIONAL RIGHTS-OF-WAY. (CLICK!NETWORK)  
Sponsored by: Councilmember Pat O'Malley  
Contact person: Hudson Stansbury, 798-7477  
For referral to the Rules and Operations Committee  
Suggested date of Council hearing: November 26, 2002
4. PROPOSAL NO. 2002-124, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 8.88.460 B. OF THE PIERCE COUNTY CODE, REGARDING WATERCRAFT REGULATIONS FOR LAKE TAPPS.  
Sponsored by: Councilmember Jan Shabro  
Contact person: Thomas Weber, 798-6067  
For referral to the Public Safety and Human Services Committee

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

d. Other Items

1. Motion to certify the following Budget Certification, and instruct the Clerk of the Council to forward the Certification to the Pierce County Assessor-Treasurer's Office, pursuant to Revised Code of Washington 84.52.020:

- Bethel School District No. 403

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

- VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY - None**
- VII. PROCLAMATIONS, AWARDS, AND/OR APPOINTMENTS TO BOARDS AND COMMISSIONS**

Washington State Department of Ecology Environmental Excellence Award: DOE Regional Director Iloba Odum presented the Award to the Puyallup River Watershed Council Chair Mayor Barbara Skinner, City of Sumner; and Vice Chair, Allen Zulauf.

**PROPOSAL NO. R2002-119, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF FIVE NEW MEMBERS, AND THE REAPPOINTMENT OF TWO EXISTING MEMBERS, TO THE CHEMICAL DEPENDENCY ADVISORY BOARD. (JOHN K. MITCHELL, JOSEPH MYRICK, PATTI ROADHOUSE, DANIEL P. VEGA, ELIZABETH WILSON WILLIAMS, DOLORES BEHR, AND YVONNE BARKER)**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was none. Proposal No. R2002-119 passed on a roll call vote of five to zero.

#### **VIII. ORDINANCES**

**PROPOSAL NO. 2002-99s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING THE SPENDING PLAN FOR THE PARKS AND RECREATION PORTION OF THE SECOND REAL ESTATE EXCISE TAX FUND.**

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

Staff testimony:

Jan Wolcott, Director of Parks and Recreation Services, described this Proposal as a win/win situation for the residents of Pierce County. He said it contains some significant projects and said the Department is working on some partnerships.

O'Malley moved Amendment No. 1 (**Attachment I** to these minutes); motion seconded. Michael Transue read the proposed amendment.

Goings noted that the amendment makes no changes to the projects on the list.

The Chair called for public testimony; there was none. Amendment No. 1 passed on a voice vote.

O'Malley moved Amendment No. 2 (**Attachment II** to these minutes); motion seconded.

Susan Long read and explained the proposed amendment. The Chair called for public testimony; there was none. Amendment No. 2 passed on a voice vote.

Long provided testimony regarding legal issues that had been raised during the hearing process. She said what's being proposed is legal.

Public testimony:

John Williams testified in support of using Real Estate Excise Tax (REET) funds for this list of projects.

Tom Seigel, Bethel School District Superintendent, expressed his appreciation for being included in the planning process.

Dennis Townsend, a Bethel School Board member, expressed support for the Art Crate Field project.

Catherine Rudolph, Association of Realtors, said she is pleased to see projects combining resources like the one with the Bethel School District.

Edwina Magrum, Eastside Neighborhood Council, thanked the County for funding projects that will make Pierce County more livable.

Kip Clinton, Key Peninsula Park and Recreation District, thanked the Council for remembering Key Peninsula and Volunteer Park. He said the District plans to present a Comprehensive Park Plan next year.

Karen Marchesini expressed her excitement at the prospect of having an improved Art Crate Field in the community.

John Rosendahl, Tacoma Pierce County Junior Soccer Association, said they want to help benefit kids in Fife that play soccer.

Jan Wolcott noted that neither the Art Crate Field nor the Bethel field are listed on Exhibit "A". He asked for clarification on the process that will establish where the money is to be spent. O'Malley responded saying the Council is looking for joint ventures and self-sufficiency. They will be looking for the community to come forth with business plans. Goings said the County wants to make sure the process is fair.

Proposal No. 2002-99s, as amended, passed on a roll call vote of five to zero.

**PROPOSAL NO. 2002-79s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2001-104s, WHICH EXPANDS THE FRANCHISE BOUNDARY AREA OF THE CITY OF BONNEY LAKE'S SANITARY SEWER FRANCHISE, BY CORRECTING THE LEGAL DESCRIPTION.**

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

Staff testimony:

Brian Stacy, Wastewater Utility Manager, said this Proposal adds area that was inadvertently excluded from the legal description in Ordinance No. 2001-104s. This corrects the description to what was intended in the original transfer agreement with Bonney Lake.

The Chair called for public testimony; there was none. Proposal No. 2002-79s passed on a roll call vote of five to zero.

**PROPOSAL NO. 2002-80, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL DECLARING COUNTY OWNED REAL PROPERTY, LOCATED AT 104TH STREET SOUTHWEST AND 87TH AVENUE SOUTHWEST, IN LAKEWOOD, TO BE SURPLUS AND AUTHORIZING ITS SALE, PURSUANT TO PIERCE COUNTY CODE 2.110.**

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

Staff testimony:

Tom Ballard, County Engineer, said this property was purchased in 1978 for a road establishment. Since that time the route has been abandoned. Other County Departments are not interested in acquiring the property. Therefore the Department would like to sell it. The revenue from the sale will be returned to the Road Fund.

The Chair called for public testimony; there was none. Proposal No. 2002-80 passed on a roll call vote of five to zero.

**PROPOSAL NO. 2002-82s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A SUPPLEMENTAL FRANCHISE NO. 1 TO SPANAWAY WATER COMPANY, FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY.**

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

Staff testimony:

Les Olsen, Public Works and Utilities, said the Department supports this Proposal which adds additional service area to the Spanaway Water Company franchise.

The Chair called for public testimony; there was none. Proposal No. 2002-82 passed on a roll call vote of five to zero.

**PROPOSAL NO. 2002-83s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO THE CITY OF GIG HARBOR, A MUNICIPAL CORPORATION, FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.**

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

Staff testimony:

Les Olsen said this Proposal will replace an expiring franchise. He said the length of the term was changed in the substitute.

The Chair called for public testimony; there was none. Proposal No. 2002-83s passed on a roll call vote of five to zero.

**PROPOSAL NO. 2002-91, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNIMPROVED 50TH AVENUE EAST LOCATED IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 18 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, IN THE FREDERICKSON AREA.**

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

Staff testimony:

Les Olsen described the road vacation and noted that the administrative costs are to be covered by a property exchange for additional right-of-way for 200<sup>th</sup> Street East.

The Chair called for public testimony; there was none. Proposal No. 2002-91 passed on a roll call vote of five to zero.

**PROPOSAL NO. 2002-92, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 8.92 OF THE PIERCE COUNTY CODE, "DISPOSITION OF THE REMAINS OF INDIGENT DECEDENTS", ALLOWING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH UNIFORM RATES FOR SERVICES.**

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

Staff testimony:

Tom Weber reported that the County is responsible for paying some of the costs for indigent burials. Mortuary owners are requesting a rate increase. This Proposal will allow the Department to set uniform rates administratively.

The Chair called for public testimony; there was none. Proposal No. 2002-92 passed on a roll call vote of five to zero.

**PROPOSAL NO. 2002-113, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL IMPLEMENTING THE GIG HARBOR PENINSULA COMMUNITY PLAN; MAKING TECHNICAL CORRECTIONS TO TITLES 18 AND 18A OF THE PIERCE COUNTY CODE (PCC); MAKING MINOR CHANGES TO COUNTY-WIDE REGULATIONS REGARDING SIGNS (TITLE 18B PCC) AND DESIGN STANDARDS (TITLE 18J PCC); AMENDING TITLE 18 "PIERCE COUNTY DEVELOPMENT REGULATIONS - GENERAL PROVISIONS"; AMENDING TITLE 18A "DEVELOPMENT REGULATIONS - ZONING"; AMENDING TITLE 18B "DEVELOPMENT REGULATIONS - SIGNS"; AMENDING TITLE 18J "DEVELOPMENT REGULATIONS - DESIGN STANDARDS AND GUIDELINES; AMENDING THE PIERCE COUNTY ZONING ATLAS; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.**

O'Malley moved to continue Proposal No. 2002-113 to November 12, 2002; motion seconded. The Chair called for public testimony; there was none. The motion to continue passed on a voice vote.

#### **IX. RESOLUTIONS**

**PROPOSAL NO. R2002-109, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ADOPTING THE "PIERCE COUNTY COUNCIL STRATEGIC INFORMATION TECHNOLOGY PLAN"; AND REQUIRING AN UPDATE OF THE PLAN EVERY TWO YEARS.**

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

Staff testimony:

Mardy Fairchild highlighted some of the Plan's goals, including getting all Council staff on Word software, putting the text of Ordinances and Resolutions on the Web, and expanding availability of City Views software. She noted that all proposed equipment goals for 2003 are included in the 2003 Budget. Fairchild responded to questions from Councilmembers.

The Chair called for public testimony; there was none. Proposal No. R2002-109 passed on a roll call vote of five to zero.

**PROPOSAL NO. R2002-114, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AMENDING RESOLUTION NO. 2001-39s, WHICH INITIATED THE SUMMIT-WALLER, NORTH CLOVER CREEK COLLINS, SUMMIT VIEW COMMUNITIES PLAN, TO INDICATE THAT THE RURAL SEPARATOR LAND USE DESIGNATION SHOULD BE RETAINED FOR ALL PROPERTIES CURRENTLY HOLDING THAT DESIGNATION; AND TO INCREASE COMMUNITY PLANNING BOARD REPRESENTATION FROM THE SUMMIT-WALLER COMMUNITY TO SEVEN MEMBERS.**

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

O'Malley moved Amendment No. 1 (**Attachment III** to the minutes); motion seconded. The amendment was read into the record.

Shabro said most groups prefer an uneven number of members.

Staff testimony:

Chip Vincent, Planning and Land Services, said the even number is not really an issue for a community planning board.

Anna Graham called attention to an additional number that needed changing on page 4, line 6.

O'Malley moved to amend his original amendment to include the following:

On Page 4 of 5, line 6, delete "17" and replace it with "18". The motion was seconded. The motion passed on a voice vote.

The Chair called for public testimony on the amended amendment; there was none. The amended amendment passed on a voice vote.

The Chair called for public testimony on the amended Proposal; there was none. Proposal No. R2002-114, as amended, passed on a roll call vote of five to zero.

**X. OTHER BUSINESS/ANNOUNCEMENTS**

1. Report on Annual Solid Waste Tipping Fee Increases -- Steve Wamback, Solid Waste Administrator. (Paperwork regarding Wamback's report is contained in the Clerk's meeting file.)
2. Wimsett moved to amend the Council Agenda of November 5, 2002, by changing the suggested date of Council hearing for Proposal No. R2002-121 from November 26, 2002, to December 3, 2002, (District 2 Evening Meeting - see details below).

Proposal title: PROPOSAL NO. R2002-121, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO EXECUTE THE JOINT RECREATION AGREEMENT BETWEEN PIERCE COUNTY AND PUYALLUP SCHOOL DISTRICT NO. 3 FOR DEVELOPMENT AND JOINT USE OF PUBLIC PARK AND ATHLETIC TEACHING STATIONS.

The motion was seconded. The Chair called for public testimony; there was none. The motion passed on a voice vote.

**XI. GENERAL PUBLIC COMMENTS - None.**

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:46 p.m.

Attest:

Sandy Bassett, Deputy Clerk of the Council

Approved:

\_\_\_\_\_  
Harold Moss, Council Chair

Date Approved

**ATTACHMENT I**

**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

December 21, 2006

**COUNCIL AMENDMENT NO. 1**

**Yellow**

TO: Councilmembers

FROM: Michael Transue, Budget Consultant

SUBJECT: **PROPOSED AMENDMENT TO ORDINANCE NO. 2002-99s**

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I recommend the following technical amendment to Proposed Ordinance No. 2002-99s:

- On page 2 of 3 of the Ordinance, in Section 1 on line 17, after "and" insert "authorization is hereby given to expend", and on line 18, delete "is hereby modified to reflect the expenses" and replace with "for the projects and planning".

Section 1 will now read as follows:

"Section 1. The spending plan for the Parks and Recreation portion of the Second REET is hereby approved, and authorization is hereby given to expend the 2002 Budget for the projects and planning set forth in attached Exhibit "A".

The amendment would clarify that the ordinance does not "modify" the Second REET Fund but, rather, "authorizes" the expenditure of \$304,822 in fiscal year 2002.

Recall the 2002 Budget appropriated a little over \$4 million in the Second REET Fund. However, authorization to expend any money from the Fund was conditioned on the Council's approval of a spending plan.

CMJT/lm

c: Sandy Bassett, Deputy Clerk

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ATTACHMENT II

**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

December 21, 2006

**COUNCIL AMENDMENT NO. 2**  
**Pink**

TO: Councilmembers

FROM: Councilmembers Karen S. Biskey and Jan Shabro

SUBJECT: **PROPOSED AMENDMENT TO ORDINANCE NO. 2002-99s**

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We recommend the following amendment to Proposed Ordinance No. 2002-99s to clarify the footnote in Exhibit "A":

- On page 1 of Exhibit "A", line 27, after "or other entities", insert "per the requirement of PCC 4.24.015 D.1."

lm

c: Sandy Bassett, Deputy Clerk

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ATTACHMENT III

**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

December 21, 2006

**COUNCIL AMENDMENT NO. 1**  
**Blue**

Councilmembers

FROM: Staff

SUBJECT: **PROPOSED AMENDMENTS TO RESOLUTION NO. R2002-114**

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Based on a recommendation from the County Executive's Office, we propose the Council approve the following amendments to Resolution No. R2002-114:

1. On page 1 of 5 of the Resolution, line 14 of the Title, delete the word "**SEVEN**" and replace with the word "**EIGHT**".
2. On page 3 of 5 of the Resolution, line 18, delete the word "~~seven~~" and replace with the word "**eight**".
3. On page 4 of 5 of the Resolution, line 9, delete "7" and replace with "**8**".

Oral amendment:

On page 4 of 5, line 6, delete "17" and replace with "18."

lm

c: Sandy Bassett, Deputy Clerk

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