

**MINUTES
PIERCE COUNTY COUNCIL MEETING
OCTOBER 31, 2000**

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 Chair Casada.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Casada.

III. ROLL CALL

Councilmembers Present: Karen S. Biskey, Wendell Brown, Sarah Casada, Ken Madsen, Harold Moss, Pat O'Malley, and Jan Shabro.

Council Staff Present: Shawn Bunney, Research Analyst; Gerri Rainwater, Administrator/Clerks & Operations; and Tom Weber, Administrator/Research & Policy.

There were approximately 22 visitors present.

IV. APPROVAL OF AGENDA

Brown moved approval of the Agenda as amended; motion seconded and passed.

V. CONSENT AGENDA

a. Approval of Minutes

1. The minutes of the September 19, 2000, regular Council meeting.
2. The minutes of the September 26, 2000, regular Council meeting.
3. The minutes of the October 17, 2000, Special Council Meeting.

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

1. PROPOSAL NO. 2000-94, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 2.04.150 OF THE PIERCE COUNTY CODE, "COUNTY AUDITOR/ELECTION DEPARTMENT FEES" TO CLARIFY THE APPLICATION OF THE PROVISIONS.

Sponsored by: Councilmember Wendell Brown
Contact person: Susan Long, 798-6068

For referral to the Rules Committee

2. PROPOSAL NO. 2000-95, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 2.52 OF THE PIERCE COUNTY CODE, COOPERATIVE EXTENSION CITIZENS' ADVISORY COMMISSION, TO REDUCE THE MEMBERSHIP OF THE COMMISSION FROM 19 MEMBERS TO 11 MEMBERS; TO ADJUST THE QUORUM AND VOTING REQUIREMENTS; AND TO CLARIFY THE FUNCTIONS OF THE COMMISSION.

Sponsored by: Councilmember Sarah Casada

Contact person: Joanne Ross, 798-7180

For referral to the Rules Committee

3. PROPOSAL NO. 2000-96, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNDEVELOPED 94TH AVENUE EAST RIGHT-OF-WAY, ALSO KNOWN AS DWARSKY ROAD, WHICH IS LOCATED IN THE SOUTHWEST AND SOUTHEAST QUARTERS OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, IN THE GRAHAM AREA.

Sponsored by: Councilmember Harold Moss

Contact person: Jennifer Andres, 798-2720

For referral to the Public Works Committee

4. PROPOSAL NO. 2000-97, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL TERMINATING THE CONCOMITANT AGREEMENT WHICH WAS APPROVED BY ORDINANCE NO. 86-92S, AS AMENDED, FOR THE SUNRISE DEVELOPMENT (FORMERLY, RAINIER TERRACE); AND REQUESTING PLANNING AND LAND SERVICES TO ADMINISTER THE PROJECT (AFTER THE PROPONENT SUBMITS AN APPLICATION FOR FINAL APPROVAL OF A PLANNED UNIT DEVELOPMENT AND DEVELOPMENT AGREEMENT FOR THE SUNRISE DEVELOPMENT) PURSUANT TO PCC 18A.75.080 AND IN CONSIDERATION OF THE HEARING EXAMINER'S DECISION OF MAY 20, 1997.

Sponsored by: Councilmember Pat O'Malley

Contact person: Anna Graham, 798-6253

For referral to the Planning Committee

5. PROPOSAL NO. 2000-98, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNDEVELOPED 40TH AVENUE EAST RIGHT-OF-WAY, WHICH IS ALSO KNOWN AS PENNSYLVANIA AVENUE, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 19 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN THE PUYALLUP AREA.
Sponsored by: Councilmember Harold Moss
Contact person: Jennifer Andres, 798-2720
For referral to the Public Works Committee

6. PROPOSAL NO. 2000-61, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL /AUTHORIZING A \$650,000.00 LOAN FROM THE GENERAL FUND TO THE PATHS AND TRAILS FUND; AND INCREASING THE 2000 BUDGET FOR THE PATHS AND TRAILS FUND BY \$650,000.00 FOR THE PURCHASE OF AN ADDITIONAL SECTION OF THE TRAIL. (McMILLIN TO PUYALLUP)
Sponsored by: Councilmember Sarah Casada
Contact person: Patrick Kenney, 798-7450
DO PASS AS AMENDED RECOMMENDATION - RULES COMMITTEE (Sarah Casada, Chair; Wendell Brown, Vice Chair; Karen S. Biskey; Harold Moss/excused; Jan Shabro)
Suggested date of Council hearing: November 28, 2000

7. PROPOSAL NO. 2000-62, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL TO ENTER INTO AN AGREEMENT FOR THE PURCHASE AND SALE OF REAL PROPERTY BETWEEN BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY, THE SELLER, AND PIERCE COUNTY, THE PURCHASER.
Sponsored by: Councilmember Sarah Casada
Contact person: Lloyd Fetterly, 798-6732
DO PASS AS AMENDED RECOMMENDATION - RULES COMMITTEE (Sarah Casada, Chair; Wendell Brown, Vice Chair; Karen S. Biskey; Harold Moss/excused; Jan Shabro)
Suggested date of Council hearing: November 28, 2000

8. PROPOSAL NO. 2000-63, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL DECLARING THE INTENTION OF PIERCE COUNTY TO EMBRACE THAT CERTAIN RAILROAD RIGHT-OF-WAY CORRIDOR LOCATED BETWEEN PUYALLUP AND McMILLIN, WASHINGTON (BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY) FOR THE PURPOSE OF A PUBLIC HIGHWAY FOR A NON-MOTORIZED PATH AND TRAIL.
Sponsored by: Councilmember Sarah Casada
Contact person: Lloyd Fetterly, 798-6732
DO PASS RECOMMENDATION - RULES COMMITTEE (Sarah Casada, Chair; Wendell Brown, Vice Chair; Karen S.

Biskey; Harold Moss/excused; Jan Shabro)
Suggested date of Council hearing: November 28, 2000

- c. Action on Resolutions (refer, set date of hearing)
 - 1. PROPOSAL NO. R2000-169, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF EIGHT NEW MEMBERS TO THE COOPERATIVE EXTENSION CITIZENS' ADVISORY COMMISSION. (MARINA BECKER, ABEL CORPUS, WILLIAM HAVENS, MAGGIE KELLY, LIZ LATHROP, JAN PIERCY, DAVE VAN HULLE, AND MEL NEIGHBORS)
Sponsored by: Councilmember Sarah Casada
Contact person: Joanne Ross, 798-7180
For referral to the Rules Committee

d. Other Items

Brown 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 18, 2000, was read into the record:

ORDINANCE NO. 2000-72, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, DISTRICT LODGE 160, ON BEHALF OF AUTOMOTIVE MACHINISTS LOCAL NO. 297; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

ORDINANCE NO. 2000-73, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW), AFL-CIO, LOCAL NO. 483 - TRAFFIC SIGNAL; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

ORDINANCE NO. 2000-74s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 3.85 OF THE PIERCE COUNTY CODE, "VOLUNTEER RESERVE DEPUTY SHERIFF RETIREMENT" BY AMENDING THE SECTION TITLE; ESTABLISHING A PROCESS FOR THE PAYMENT OF MEDICAL BENEFITS FOR RESERVE DEPUTY SHERIFFS INJURED IN THE COURSE OF DUTY; AUTHORIZING THE PAYMENT OF AN ANNUAL FEE TO THE WASHINGTON STATE BOARD FOR VOLUNTEER FIREFIGHTERS AND RESERVE OFFICERS; CREATING A LOCAL COUNTY RESERVE OFFICER BOARD OF TRUSTEES; AND NAMING MEMBERS TO THE BOARD, PURSUANT TO REVISED CODE OF WASHINGTON 41.24.

ORDINANCE NO. 2000-75s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 99-113, AS AMENDED AND MODIFYING THE 2000 BUDGET TO APPROPRIATE FUNDS FOR THE OPERATING EXPENSES OF THE BEHAVIORAL HEALTH FACILITY (FORMERLY KNOWN AS PUGET SOUND HOSPITAL) FOR THE REMAINDER OF FISCAL YEAR 2000; MODIFYING THE YEAR 2000 BUDGET TO ADD GENERAL FUND REVENUES AND MODIFYING THE 2000 EXPENDITURES FOR MISCELLANEOUS CURRENT EXPENSE; AMENDING SECTION 4.48.020 OF THE PIERCE COUNTY CODE, "SPECIAL REVENUE FUNDS" AND ESTABLISHING A NEW BEHAVIORAL HEALTH FUND.

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

PROPOSAL NO. R2000-165, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND THE COUNTY EXECUTIVE COMMENDING THE CITY OF TACOMA FOR ITS ACCOMPLISHMENTS IN THE AREA OF ECONOMIC DEVELOPMENT.

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

Staff Testimony

Denise Dyer, Community Services Department, stated the Mayor of Tacoma will be attending the meeting at a later time to accept the Proclamation.

The Proclamation passed on a roll call vote of seven to zero. The Chair announced it would be presented when the Mayor was present.

PROPOSAL NO. R2000-170, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF NINE NEW MEMBERS, AND THE REAPPOINTMENT OF TWO EXISTING MEMBERS, TO THE PIERCE COUNTY COMMUNITY SERVICES CITIZENS' ADVISORY BOARD. (DARRELL BARSTOW, JEAN BROOKS, RHONDA BROWN, DALE COLIN, ROSE HILL, LARRY JOHNS, STEVE KONO, HANS KUECK, RALPH SCHOWALTER, BILL HAYASHI, AND TRACY VANDEWALL)

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

Brown moved Council Amendment No. 1 as set forth in Attachment I to these minutes. The Chair called for public testimony; there was no response. The Proposal passed as amended on a roll call vote of seven to zero.

PROPOSAL NO. R2000-171, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE LIBRARY DISTRICT BOARD OF TRUSTEES. (VERA ANN NORTHINGTON)

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

Casada stated this Library Board has played an important role in the success of the library system. She thanked volunteers who are willing to serve.

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

VIII. ORDINANCES

PROPOSAL NO. 2000-70, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING PORTIONS OF UNDEVELOPED RIGHTS-OF-WAY WITHIN PENROSE STATE PARK, LOCATED IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, DELANO BEACH SUBDIVISION IN THE KEY PENINSULA AREA.

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

Staff Testimony

Jennifer Andres, Public Works and Utilities Department, stated this right-of-way was dedicated to the County in 1907. In 1954, the Washington State Parks Department acquired abutting property. Their plats were combined to make one parcel. This right-of-way is, therefore, not needed in the County road system, and the County Engineer supports the recommendation to vacate. In response to Madsen's question, Andres stated the State has paid all applicable fees.

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. R2000-172, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THAT THE COUNTY EXECUTIVE IMPLEMENT THE RECOMMENDATIONS OF THE COUNTY'S COURTHOUSE SECURITY STANDING COMMITTEE, AS ADOPTED AT THE COMMITTEE'S SEPTEMBER 28, 2000, MEETING.

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

Brown stated Pierce County has maintained a good level of security at the Courthouse, and thanked the Courthouse Security Standing Committee for their past work and recommendations. He stated the Committee has identified areas that could be improved, and that it is important that the Council pass this Proposal and submit it to the County Executive for action. Brown thanked the Committee Members for their dedication and diligence.

Staff Testimony

Mike Panagiotu, Chair of the Courthouse Security Standing Committee, stated he has been Chair of this Committee since its inception in the mid 1980's. The Committee is represented by occupants of the building, including County and Municipal Courts, the Sheriff, and many other Departments and Agencies. He stated there are currently breaches in the security system that have been identified, and it is the Committee's recommendation that the changes set forth in Exhibit "A" of this Resolution be implemented right away. Panagiotu asked all Committee members who were attending the meeting to stand and identify themselves.

Moss pointed out that there have been problems with

security in the new covered parking lot on Yakima Avenue.

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

X. OTHER BUSINESS/ANNOUNCEMENTS

1. Brown 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; the motion passed:

a. Peninsula School District No. 401

2. Surface Water Management Program update -- Tim Ramsaur, Water Program Manager (handout contained in the Clerk's meeting file).

XI. GENERAL PUBLIC COMMENTS - None

XI. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:10 p.m.

Attest:

/s/
Clerk of the Council

Approved:

/s/
Council Chair

12/5/2000
Date Approved