

MINUTES
PIERCE COUNTY COUNCIL MEETING
November 4, 2008

930 Tacoma Avenue South, Room 1045
Tacoma, WA 98402

Voice: (253) 798-7777 – FAX: (253) 798-7509 – Toll-Free: (800) 992-2456 – TDD: (253) 798-4018
www.piercecountywa.org/council

(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, Barbara Gelman, Calvin Goings, Terry Lee, and Dick Muri.

Council Staff Present: Brad Chatfield, Communication Legislative Analyst; Jeff Cox, Deputy Legal Counsel; Denise Johnson, Clerk of the Council; Mike Kruger, Legislative Analyst; Susan Long, Administrator for Legal and Clerks; and Duane Riveria, Councilmember Assistant.

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

No final action on any Ordinance or Resolution was taken under this Section.

a. Approval of Minutes

1. The minutes of the October 21, 2008, regular Council meeting
2. The minutes of the October 14, 2008, regular Council meeting

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

1. Proposal No. 2008-78, An Ordinance of the Pierce County Council Granting the City of Orting a Nonexclusive Franchise to Construct, Operate, and Maintain a Sanitary Sewer Pipeline System, in, along, and under Certain Public Roads, Highways and Other County Property in Pierce County, Washington.

Sponsored by: Councilmember Terry Lee

Department contact person: Jerry West, Public Works and Utilities,
(235) 798-3687

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

Committee recommendation: Do Pass at Economic and Infrastructure
Development on October 27, 2008

Date of final Council hearing: December 9, 2008

2. Proposal No. 2008-109, An Ordinance of the Pierce County Council Amending Section 13.13.085 of the Pierce County Code, "Rates and Charges," to Establish a Separate Sewer Rate Structure for Customers Within the Cascadia Sewer Service Area; and Setting an Effective Date.

Sponsored by: Councilmember Terry Lee

Department contact person: Kip Julin, Public Works and Utilities,
(253) 798-4145, and Cindy McClelland, Public Works and Utilities,
(253) 798-4683

Council contact persons: Jeff Cox, (253) 798-7579, and
Paul Bocchi (253) 798-7304

For referral to the Rules and Operations Committee

Date of final Council hearing: December 9, 2008

3. Proposal No. 2008-110, An Ordinance of the Pierce County Council Ratifying the Collective Bargaining Agreement Reached with the Pierce County Prosecuting Attorneys' Association, and Amending the Pierce County Salary Classification Plan.

Sponsored by: Councilmember Terry Lee

Department contact person: Debbie Young, Human Resources,
(253) 798-7762

Council contact person: Paul Bocchi, (253) 798-7304

For referral to the Rules and Operations Committee

Date of final Council hearing: December 2, 2008

4. Proposal No. 2008-111, An Ordinance of the Pierce County Council Adopting a Moratorium on Conversions of Mobile Home Parks to Other Land Uses and Setting a Sunset Date; Requesting the Housing Affordability Task Force Consider Prohibitions to Mobile Home Park Conversions in Its Work Program and Provide a Recommendation; Requesting the Planning and Land Services Department to Prepare Text Amendments and Map Amendments to the Pierce County Comprehensive Plan and Community Plans for Consideration in the 2009 Plan Amendment Cycle That Would

Authorize New Mobile Home Parks in All Urban Zone Classifications;
Adopting Findings of Fact; and Providing an Effective Date.

Sponsored by: Councilmembers Timothy M. Farrell, and Calvin Goings
Council contact person: Mike Kruger, (253) 798-6067
For referral to the Rules and Operations Committee
Date of final Council hearing: December 9, 2008

5. Proposal No. 2008-112, An Ordinance of the Pierce County Council Amending Ordinance No. 2007-102s; as Amended by Ordinance No. 2008-9s2, Ordinance No. 2008-22s, Ordinance No. 2008-35s and Ordinance No. 2008-75s; and Modifying the County 2008 Budget.

Sponsored by: Councilmember Terry Lee
Department contact person: Aaron BeMiller, Budget and Finance,
(253) 798-7512
Council contact person: Paul Bocchi, (253) 798-7304
For referral to the Rules and Operations Committee
To be heard in the Rules and Operations Committee on December 1, 2008
Date of final Council hearing: December 9, 2008

6. Proposal No. 2008-113, An Ordinance of the Pierce County Council Proposing Amendments to Sections 4.80 and 4.90 of the Pierce County Charter to Move the Elections of Certain County Elective Offices to Odd-Numbered Years and to Set the Limit on Terms for Councilmembers and Executive to Three Consecutive 4-Year Terms; Requesting the Auditor to Submit these Amendments to the Voters at the November 2009 General Election; and Requesting the Prosecuting Attorney to Draft an Appropriate Ballot Title.

Sponsored by: Councilmember Dick Muri
Council contact person: Susan Long, (253) 798-6068
For referral to the Rules and Operations Committee
To be heard in the Rules and Operations Committee on
November 24, 2008
Date of final Council hearing: December 2, 2008

7. Proposal No. 2008-115, An Ordinance of the Pierce County Council Temporarily Allowing (Until July 1, 2009) Extensions of the Expiration Date of Certain Development Related Applications and Approvals as Set Forth in 18.60.030, 18A.85, 18F.40.070, and 18F.50.050 of the Pierce County Code in Response to the Economic Downturn in the Construction Industry; Adopting Interim Procedures for Extending the Expiration Date of Certain Development Applications; Adopting Interim Procedures for Extending the Expiration Date of Certain Permit Approvals for Preliminary Plats, Preliminary Short Plats, and Preliminary Large Lot Divisions; Adopting Interim Regulations through a New Section 18.160.065 Allowing for the One-Time Extension of Vested Rights for Certain Approved and Recorded Final Plats, Short Plats, Large Lots, Binding Site Plans, and Use Permits;

Setting Forth an Effective Date; Establishing a Sunset Date; Requesting Planning Commission Review; and Adopting Findings of Fact.

Sponsored by: Councilmembers Shawn Bunney and Calvin Goings

Council contact person: Hugh Taylor, (253) 798-3665

For referral to the Rules and Operations Committee

To be heard in the Rules and Operations Committee on
November 24, 2008

Date of final Council hearing: December 2, 2008

8. Proposal No. 2008-116, An Ordinance of the Pierce County Council Amending Chapter 2.122 of the Pierce County Code, "Surety Bonds for County Employees."

Sponsored by: Councilmember Terry Lee

Council contact person: Susan Long, (253) 798-6068

For referral to the Rules and Operations Committee

To be heard in the Rules and Operations Committee on December 1, 2008

Date of final Council hearing: December 9, 2008

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

1. Proposal No. R2008-163, A Resolution of the Pierce County Council Committing to Secure \$100,000 Matching Funds in 2009 and \$650,000 Matching Funds in 2010 to Match a \$750,000 Grant From the Washington Recreation and Conservation Office (RCO) for Phase 2 of the North Dock Overpass Project at the Chambers Creek Properties.

Sponsored by: Councilmember Terry Lee

Department contact persons: Joe Scorcio, Public Works and Utilities,
(253) 798-4050, and Bob Vogel, Public Works and Utilities,
(253) 798-3551

Council contact person: Paul Bocchi, (253) 798-7304

For referral to the Rules and Operations Committee

Date of final Council hearing: November 25, 2008

2. Proposal No. R2008-166, A Resolution of the Pierce County Council Setting the Date of an Evening Council Meeting in Council District No. 1 for Tuesday, December 2, 2008, at 5:30 p.m., in the Sumner City Hall Council Chambers, 1104 Maple Street, Sumner, Washington.

Sponsored by: Councilmember Shawn Bunney

Council contact person: Patty Face, (253) 798-2687

Date of final Council hearing: November 18, 2008

d. Other Items

1. Motion 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 the Revised Code of Washington (RCW) 84.52.020:

Pierce County Fire District 18
Town of Steilacoom

2. Motion to rescind Council action of October 21, 2008, setting the hearing date for the following:

Proposal No. 2008-87, An Ordinance of the Pierce County Council Declaring County-Owned Real Property as Surplus, Tax Parcel Number 0219111029, Approximately 2.88 Acres Located on the Southeast Corner of 122nd Street Southwest and Loch Lea Drive Southwest, Lakewood, Washington; and Authorizing the County Executive to Pursue Disposal of the Property, Pursuant to Pierce County Code 2.110.

Goings 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 - None

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

Proposal No. R2008-164, A Resolution of the Pierce County Council and Executive Proclaiming November 2008 as American Diabetes Month in Pierce County, Washington.

Goings moved adoption; motion seconded.

The Clerk read the title into the record. The Chair read the Proclamation into the record in its entirety. Scott Heinze, American Diabetes Association, spoke regarding the proclamation.

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

Gelman spoke regarding the Proposal.

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

The question was called; Proposal No. R2008-164 was adopted on a roll call vote of seven to zero.

Proposal No. R2008-165, A Resolution of the Pierce County Council and Executive Proclaiming the Week of November 10-14, 2008, as "Homeless Awareness Week" in Pierce County, Washington.

Goings moved adoption; motion seconded.

The Clerk read the title into the record. The Chair read the Proclamation into the record in its entirety. Troy Christensen, Community Services, spoke regarding the Proclamation.

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

Bunney and Gelman provided comments on the Proposal.

The question was called; Proposal R2008-165 was adopted on a roll call vote of seven to zero.

VIII. Ordinances

Proposal No. 2008-61, An Ordinance of the Pierce County Council Repealing Chapter 8.08 of the Pierce County Code, "Public Nuisances," and Enacting a New Chapter 8.08 of the Pierce County Code, "Public Nuisances"; Amending Section 1.22.080 of the Pierce County Code to Grant the Hearing Examiner the Authority to Hear Contested Notices of Violation and Abatement; and Setting an Effective Date.

Goings moved adoption; motion seconded.

The Clerk read the title into the record. Long explained the Proposal.

Goings moved approval of Council Amendment No. 1, blue; motion seconded. A copy of the amendment is attached to these minutes and identified as Amendment I. Long explained the amendment.

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

The question was called; Council Amendment No. 1 passed on a voice vote.

Goings moved approval of Council Amendment No. 2, yellow; motion seconded. A copy of the amendment is attached to these minutes and identified as Attachment II. Long explained the amendment.

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

The question was called; Council Amendment No. 2 passed on a voice vote.

The Chair called for public testimony on Proposal No. 2008-61 as amended.

Public Testimony:

Charles Pollino and Joan Pollino testified regarding Proposal No. 2008-61.

Diana Raines, Planning and Land Services Department, responded to questions of Councilmembers.

The question was called; Proposal No. 2008-61 passed as amended on a roll call vote of seven to zero.

Proposal No. 2008-67, An Ordinance of the Pierce County Council Establishing a Prohibition on the Use of Compression Brakes along Certain Segments of Spanaway Loop Road South and 116th Street South; Directing the County Engineer to Post Signage as Appropriate; Providing for Monitoring and Evaluation of the Effectiveness of the Prohibition; and Specifying a Sunset Date.

Goings moved adoption; motion seconded.

The Clerk read the title into the record. Cox explained the Proposal.

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

Gelman spoke to the Proposal.

The question was called; Proposal No. 2008-67 passed on a roll call vote of seven to zero.

IX. Resolutions

Proposal No. R2008-147, A Resolution of the Pierce County Council Requesting the Pierce County Executive to Identify County-Owned Properties Which Could be Used for Temporary Storage of Mobile Homes That are Displaced Due to Mobile Home Park Closure; to Establish a Process and Standards for Allowing Such Storage; and to Provide a Report on the Same to the Council by a Date Certain.

Goings moved adoption; motion seconded.

The Clerk read the title into the record. Kruger explained the Proposal.

Goings moved approval of Council Amendment No. 1, white; motion seconded. A copy of the amendment is attached to these minutes and identified as Attachment III. Kruger explained Amendment No. 1.

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

The question was called; Council Amendment No. 1 passed on a voice vote.

The Chair called for public testimony on Proposal No. R2008-147 as amended.

Public Testimony:

Dean Webber and Rick Sorrels testified regarding Proposal No. R2008-147.

Farrell and Bush provided closing comments.

The question was called; Proposal No. R2008-147 passed as amended on a roll call vote of seven to zero.

Proposal No. R2008-157, A Resolution of the Pierce County Council Setting the Date of an Evening Council Meeting in Council District No. 4 for Tuesday, December 9, 2008, at 5:30 p.m., in the Council Chambers, 930 Tacoma Avenue South - Room 1045, Tacoma, Washington.

Goings moved adoption; motion seconded.

The Clerk read the title into the record. Long explained the Proposal.

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

Farrell provided comments.

The question was called; Proposal No. R2008-157 was adopted on a roll call vote of seven to zero.

Proposal No. R2008-159, A Resolution of the Pierce County Council Declaring Its Intended Distribution of National Forest Related Safety-Net Payments Between Title I, Title II and Title III, of the Secure Schools and Community Self-Determination Act of 2000.

Goings moved adoption; motion seconded.

The Clerk read the title into the record. Bocchi explained the Proposal. Debby Hyde, Special Projects Coordinator, spoke to the Proposal and responded to questions of the Councilmembers.

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

The question was called; Proposal No. R2008-159 was adopted on a roll call vote of seven to zero.

Proposal No. R2008-162, A Resolution of the Pierce County Council Adopting the Mission of Healthy Communities for Pierce County and Encouraging Citizens, Government Agencies, Healthcare Providers, and the Education and Business Communities to Help Promote a Healthy Pierce County.

Goings moved adoption; motion seconded.

The Clerk read the title into the record. The Chair called for public testimony.

Public Testimony:

Frank Ruffo, Healthy Communities of Pierce County; Dr. Jean Moore, Healthy Communities of Pierce County; Dr. Joseph Lamb; Pat Hogan, Pierce County Medical Society; Kirsten Frandsen, Tacoma-Pierce Health Department; and Rick Sorrels.

Bunney and Lee spoke to the Proposal.

The question was called; Proposal No. R2008-162 was adopted on a roll call vote of six to zero (Goings was excused at the time of vote).

X. Other Business/Announcements

Goings moved to amend the Meeting Schedule for the week of November 17-21, 2008 as follows:

THURSDAY, NOVEMBER 20, 2008

• 1:30 p.m.

COMMITTEE OF THE WHOLE

5. Reserved Tacoma-Pierce County Health Department-Dr. Anthony L-T Chen, MD, MPH, Director of Health and Laurie Jenkins, Deputy Director
 - 2009 Budget

The motion was seconded and passed on a voice vote.

XI. Citizens' Forum

The following addressed the Council: Dean Webber and Robert Matney.

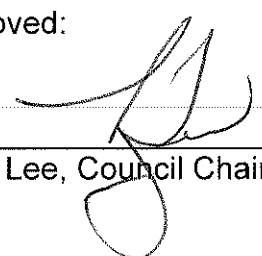
XII. Adjournment

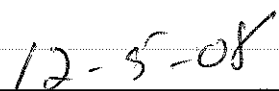
There being no further business, the meeting was adjourned at 4:12 p.m.

Attest:


Denise D. Johnson, Clerk of the Council

Approved:


Terry Lee, Council Chair


Date Approved



Pierce County Council

930 Tacoma Ave S, Rm 1046
Tacoma, WA 98402-2176
(253) 798-7777
FAX (253) 798-7509
Toll-Free (800) 992-2456
www.piercecountywa.org/council

ATTACHMENT I

Council Amendment No. 1
Proposed Ordinance No. 2008-61
Blue

November 26, 2008

To: County Council
From: Susan Long, Legal Counsel
Hearing Date: November 4, 2008
Attachments: None
Subject: Proposed Amendments to Proposal No. 2008-61, Public Nuisances

-
1. On page 2 of 2 of the Ordinance, line 21, insert "January 1, 2009" into the blank and strike "2008".
 2. On page 6 of 7 of Exhibit A, line 24, correct the Code citation "~~1.22.040~~" to read "~~1.22.140~~".

F:\WPFILES\Council Documents\Amendment Memos\2008-61 CouAmd1.doc



Pierce County Council

930 Tacoma Ave S, Rm 1046
Tacoma, WA 98402-2176
(253) 798-7777
FAX (253) 798-7509
Toll-Free (800) 992-2456
www.piercecountywa.org/council

ATTACHMENT II

Council Amendment No. 2
Proposed Ordinance No. 2008-61
Yellow

November 26, 2008

To: County Council

From: Susan Long, Legal Counsel

Hearing Date: November 4, 2008

Attachments: None

Subject: Proposed Amendments to Proposal No. 2008-61, Public Nuisances

I recommend the following amendments to Exhibit A of Proposed Ordinance No. 2008-61:

1. On page 6 of 7, beginning on line 43, amend subsection 8.08.140 C.1. as follows:
 - Following "including", insert "all";
 - Following "investigation", insert a ";" and strike "and"
 - Following "documentation", insert "and abatement".

With these amendments, subsection C.1. will read as follows:

- "C. For purposes of this Section "costs" shall include but are not limited to:
1. Personnel costs, both direct and indirect, including all attorney's fees and costs incurred in the investigation, and documentation, and abatement of the nuisance;
 2. Repair, demolition, hauling, clean up, storage, disposal, and environmental mitigation expenses;
 3. Actual expenses and costs of the County in preparing notices, specifications, and contracts, and the costs of any required printing or mailing;
 4. Actual expenses and costs of the County in accomplishing, contracting, or inspecting the abatement work."



Pierce County Council

930 Tacoma Ave S, Rm 1046
Tacoma, WA 98402-2176
(253) 798-7777
FAX (253) 798-7509
Toll-Free (800) 992-2456
www.piercecountywa.org/council

ATTACHMENT III

Council Amendment No.1
Proposal No. R2008-147
White

November 4, 2008

To: Councilmembers

From: Council Staff

Hearing Date: November 4, 2008

Subject: Amendments to Proposal R2008-147

Staff recommends that the required response date be modified to ensure that the Executive has sufficient time to evaluate the mobile home storage issue as follows:

1. Beginning at page 2 of 3 of the resolution, line 26, replace the date "November 17, 2008" with a new date of "December 22, 2008".