

**MINUTES
PIERCE COUNTY COUNCIL MEETING
NOVEMBER 14, 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, and Jan Shabro; Pat O'Malley arrived after the roll call.

Council Staff Present: Susan Long, Legal Counsel; Carolyn Pendle, Research Analyst; Gerri Rainwater, Administrator/Clerks & Operations; Michael Transue, Budget Consultant; and Tom Weber, Administrator/Research & Policy.

There were approximately 32 visitors present.

IV. APPROVAL OF AGENDA

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

V. CONSENT AGENDA

- a. Approval of Minutes
 - 1. The minutes of the October 24, 2000, regular Council meeting.
 - 2. The minutes of the November 1, 2000, special Council meeting.
- b. Action on Ordinances (refer, set date of hearing)
 - 1. PROPOSAL NO. 2000-102, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RELATING TO UTILITY LOCAL IMPROVEMENT DISTRICT NO. 90-4, DUPONT'S NORTHWEST LANDING; APPROVING AND CONFIRMING THE ASSESSMENT ROLL OF UTILITY LOCAL IMPROVEMENT DISTRICT NO. 90-4; FIXING INTEREST RATES AND PENALTIES ON UNPAID ASSESSMENTS;

AND PROVIDING FOR THE FILING OF THE FINAL ASSESSMENT ROLL WITH THE COUNTY ASSESSOR-TREASURER FOR COLLECTION.

Sponsored by: Councilmember Pat O'Malley

Contact person: Tony Tipton, 798-4250

For referral to the Public Works Committee

To be heard by the Public Works Committee on
December 6, 2000

Suggested date of Council hearing: January 9, 2001

2. PROPOSAL NO. 2000-103, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL PLACING THE ATKINSON FARMSTEAD WHICH IS LOCATED AT 16127 FOREST CANYON ROAD EAST IN SUMNER, WASHINGTON, ON THE PIERCE COUNTY REGISTER OF HISTORIC PLACES; AND ADOPTING FINDINGS OF FACT. (PARCEL NO. 0520074031)

Sponsored by: Councilmember Pat O'Malley

Contact person: Airyang Julia Park, 798-2783

For referral to the Rules Committee

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

1. PROPOSAL NO. R2000-175, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF SUMNER CITY COUNCILMEMBER, DAVID ENSLOW, TO HIS FIRST FULL TERM ON THE SOUND TRANSIT AUTHORITY.

Sponsored by: Councilmember Sarah Casada

Contact person: Giselle Kamieniecki, 798-7477

For referral to the Rules Committee

2. PROPOSAL NO. R2000-177, A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING JANUARY 9, 2001, AS THE HEARING DATE TO CONSIDER PROTESTS TO THE FINAL ASSESSMENT ROLL OF UTILITY LOCAL IMPROVEMENT DISTRICT (ULID) NO. 90-4 (DUPONT'S NORTHWEST LANDING); AND FOR THE ISSUANCE OF THE FINAL ASSESSMENT ROLL, AS SET FORTH IN ORDINANCE NO. 2000-102.

Sponsored by: Councilmember Pat O'Malley

Contact person: Tony Tipton, 798-4250

For referral to the Rules Committee

To be heard by the Rules Committee on November 27,
2000, at 2:00 p.m.

Suggested date of Council hearing: December 5, 2000

d. Other Items

Brown moved adoption 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 Ordinance, which was approved and signed on October 31, 2000, was read into the record:

ORDINANCE NO. 2000-55s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING TITLE 18B OF THE PIERCE COUNTY CODE, THE PIERCE COUNTY SIGN CODE, TO MODIFY SIGN STANDARDS FOR THE KEY PENINSULA, AND TO CLARIFY THE GEOGRAPHICAL AREA COVERED BY THE VARIOUS SIGN DESIGN CHAPTERS IN TITLE 18B; CONSOLIDATING ALL SIGN REGULATIONS INTO TITLE 18B, INCLUDING NECESSARY TECHNICAL CHANGES; RECODIFYING EXISTING SIGN DEFINITIONS FROM TITLE 18A TO TITLE 18B; RECODIFYING SIGN DESIGN STANDARDS FROM TITLE 18J TO TITLE 18B; ELIMINATING REPETITIVE DEFINITIONS AND PERMIT EXEMPTIONS; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

VII. PROCLAMATIONS, AWARDS, AND/OR APPOINTMENTS TO BOARDS AND COMMISSIONS - None

VIII. ORDINANCES

The Chair stated with the consent of the Council Proposal No. 2000-91a would be considered first.

PROPOSAL NO. 2000-91a, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RELATING TO CONTRACTING INDEBTEDNESS; PROVIDING FOR THE ISSUANCE OF \$37,000,000.00 PAR VALUE OF LIMITED TAX GENERAL OBLIGATION BONDS, 2000, OF THE COUNTY, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF CONSTRUCTING A NEW JAIL FACILITY, INCLUDING THE REPAYMENT OF INTERIM FINANCING THEREFOR, AND TO PAY THE COSTS OF ISSUANCE AND SALE OF SUCH BONDS; FIXING THE DATE, FORM,

**MATURITIES, INTEREST RATES, TERMS AND COVENANTS OF THE BONDS;
ESTABLISHING A BOND REDEMPTION FUND; AND APPROVING THE SALE AND
PROVIDING FOR THE DELIVERY OF SUCH BONDS.**

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

Staff Testimony

Pat Kenney, Executive Director, Budget and Finance Department, stated this Ordinance relates to the new jail project, and the indebtedness for the issuance of \$37,000,000.00 par value of limited tax general obligation bonds. He stated the County's rating is at its highest, with a "AA 3" from Moody and "AA-" from Standard & Poors. He stated the debt service was anticipated at 6.5%, but came in 5.0%, resulting in a direct savings of \$273,000.00 per year.

George Mack, Bond Counsel, stated the bond sale occurred this morning through an electronic process. He stated the substitute version of the Ordinance contains information that relates to the bond sale such as the successful bidder, which was US Bancorp, Piper Jeffrey, inserted the bond maturity dates, and interest rates. He stated bids were solicited electronically, and five were received.

Dave Trageser, Financial Advisor to Pierce County, provided the Council with a copy of the competitive bid results. A copy is contained in the meeting file.

The Chair called for public testimony; there was no response. Brown moved adoption of Proposal No. 2000-91a as substituted; motion seconded and passed on a roll call vote of seven to zero.

**PROPOSAL NO. 2000-83s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL
ADOPTING YEAR 2000 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.**

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

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

Staff Testimony

Weber stated the Executive has requested these amendments to add a project to the Capital Facilities Plan for Surface Water Management in 2001. The project has been delayed and needs to be carried over.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

Brown moved adoption of Council Amendment No. 2 as set forth in Attachment II to these minutes; motion seconded.

Staff Testimony

Transue stated this amendment would add capital expenditures for Fort Steilacoom Park with a \$300,000.00 match from the City of Lakewood for construction projects at Fort Steilacoom Park.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

Brown moved adoption of Council Amendment No. 3 as set forth in Attachment III to these minutes; motion seconded.

Staff Testimony

Weber stated the amendment is technical in nature, and inserts dates in blanks that existed in the Ordinance.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

Brown moved Council Amendment No. 4 as set forth in Attachment IV to these minutes; motion seconded.

Staff Testimony

Transue stated the Committee had proposed an amendment to add restroom construction at Thun Field, but as a result of reviewing the expenditures this amendment is being offered to delete that project from the Capital Facilities Expenditures Plan at this time. The issue may be addressed next year.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

Brown moved adoption of Council Amendment No. V as set forth in Attachment V to these minutes; motion seconded.

Biskey stated she sponsored this amendment to include this project that is being funded by the County, the Fire District, and the Schools, and will add a crossing and warning beacon for the school walk route on 40th Street NW.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

The Chair called for testimony on Proposal No. 2000-83s as amended; there was no response. The Proposal passed on a roll call vote of seven to zero.

PROPOSAL NO. 2000-84s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE 2001-2006 TRANSPORTATION IMPROVEMENT PROGRAM AND 2001-2014 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 2001; AND ADOPTING FINDINGS OF FACT. (ANNUAL ROAD PROGRAM, SIX-YEAR ROAD PROGRAM, AND THE FOURTEEN-YEAR FERRY PROGRAM)

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

Brown moved adoption of Council Amendment No. 1 as set forth in Attachment VI to these minutes; motion seconded.

Staff Testimony

Tom Ballard, County Engineer, speaking to the amendment and to the Ordinance, stated this Ordinance represents an update of the Annual Road program, the Six Year Road

program, and the Fourteen Year Ferry program pursuant to requirements of State law. He stated the packet contains a narrative on the programs, a list of projects, and a list of projects that had been reviewed by the Planning Commission and forwarded to the Council with no changes. He stated ferries are considered to be a part of the Road System, and are therefore included in the Transportation Plan. He stated he supports the amendment.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote. The Chair called for testimony on Proposal 2000-84s as amended; there was no response. The Proposal passed on a roll call vote of seven to zero.

PROPOSAL NO. 2000-91, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL SETTING THE 2001 AD VALOREM TAX LEVIES FOR PIERCE COUNTY FOR LEVY IN 2000 AND COLLECTION IN 2001.

Brown 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 one; Madsen voted no.

PROPOSAL NO. 2000-92, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL STATING THE DOLLAR AMOUNT AND PERCENTAGE INCREASE IN AUTHORIZED PROPERTY TAX ABOVE LAST YEAR'S LEVY AMOUNT, USING 105.5%, EXCLUSIVE OF NEW CONSTRUCTION AND STATE ASSESSED VALUATION.

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

Staff Testimony

Transue stated passage of this Ordinance will set the levy at an amount that is less than last year's. In response to Casada's question, he said property taxes on some parcels may go up and some may go down.

Public Testimony

David Till asked the Council if they could raise taxes without a vote of the people. Biskey responded Initiative I-695 was held to be unconditional.

The proposal passed on a roll call vote of six to one; Madsen voted no.

PROPOSAL NO. 2000-93s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE ANNUAL BUDGET OF PIERCE COUNTY FOR THE FISCAL YEAR 2001.

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

Staff Testimony

Transue provided an overview of the packet of amendments that are currently before Council for the 2001 Budget, and asked Council to proceed with their consideration of these amendments prior to considering the Ordinance as a whole.

Brown moved adoption of Council Amendment No. 2 as set forth as Attachment VII to these minutes; motion seconded.

O'Malley stated that with the passage of new sales tax dedicated for Parks and Zoos, this amendment is being proposed to provide \$300,000.00 for improvement projects at Fort Steilacoom Park dependent upon a \$300,000.00 match from the City of Lakewood. He stated with the new tax, the Cities have more discretion with how the funds are used. The fields at Fort Steilacoom Park are in dire need of repair because of extensive use. He stated the money is to be used in 2001.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

Brown moved adoption of Council Amendment No. 3 as set forth in Attachment VIII to these minutes; motion seconded.

Brown stated this amendment would increase the Budget allocation for 2001 for the Alliance Against Domestic Violence from \$5,000.00 to \$25,000.00, restoring the portion taken out by the Executive request, and increase the funding for Centro Latino from \$20,000.00 to \$50,000.00 to make up for a reduction in Federal funds that had been lost.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

Brown moved adoption of Council Amendment No. 4 as set forth in Attachment IX to these minutes.

Biskey explained there had been no provisions in the Executive's budget to increase Sheriff's deputies for the Peninsula area. She stated she has asked constituents to come forward to present their request for additional deputies.

Public Testimony

Ron Chilton stated the Key Center community has been active in programs to deter crime. He stated in his neighborhood there have been two homicides, numerous burglaries, domestic violence instances, and drug trafficking. He stated growth is a factor in the increase of crime, and that level would warrant the addition of two new officers.

Jeff Harris, speaking on behalf of the Key Peninsula Business Association, spoke in support of the amendment, stating also that a Sheriff station would be desirable on the Peninsula area.

Jerry Davis, Citizens Against Crime, spoke in support of the amendment, but stated that two deputies would not be enough.

Chuck Cunningham, speaking on behalf of the Anderson Island Homeowners Association, spoke in support of the request. A copy of a handout he provided to Council is contained in the Ordinance file.

Marsha Harris, representing the Peninsula School District, stated it would provide a better response time for the Sheriff responding the school incidents.

Hugh McMillian stated he has been involved with Citizens Against Crime since 1988 to assist the Pierce County Sheriff, but encouraged the adoption of this amendment to provide the presence of two deputies, which is needed in the community.

Roland Nease, Citizens Against Crime, stated he supports prevention programs.

Brown stated there are needs for additional deputies throughout the County, and at this time the Performance Audit Committee is conducting an audit of the Sheriff's Department. This audit should be completed in two months, and at that time based on the recommendations of the audit it may be appropriate to assign these deputies.

The amendment failed on a voice vote.

Brown moved adoption of Council Amendment No. 5 as set forth in Attachment X to these minutes; motion seconded.

Biskey stated passage of this amendment would provide a person to monitor the shellfish and watershed protection areas.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

Brown moved adoption of Council Amendment No. 6 as set forth in Attachment XI to these minutes; motion seconded.

Biskey stated the amendment would appropriate \$25,000.00 to be dedicated to the Peninsula School District for custodial and maintenance costs incurred through the interlocal agreement with Pierce County Parks and Recreation.

Public Testimony

Marsha Harris, representing Peninsula School Districts, spoke in support of the amendment. She submitted a letter from Jim Coolican, Superintendent. A copy is contained in the Ordinance file.

The amendment passed on a voice vote.

Brown moved adoption of Council Amendment No. 7 as set forth in Attachment XII to these minutes; motion seconded.

Biskey stated this amendment is being offered to expand partnership with schools in providing park needs. She

stated there is a proviso to report back to the Council in March with recommendations with an expanded interlocal agreement.

Staff Testimony

Jan Wolcott, Pierce County Parks and Recreations Services Department, stated he supports the amendment, and stated that the County currently does partner with other schools to provide expanded park services.

Public Testimony

Marsha Harris stated she supports the amendment as an experimental project to make better use of existing fields, bleachers, and other facilities.

O'Malley spoke in favor of the amendment, stating it is a good opportunity to work with schools.

Brown stated he supports the concept, and asked that the program be monitored.

Jeff Harris spoke in support of the amendment as a creative partnership that can be a model for other activities.

The amendment passed on a voice vote.

Brown moved adoption of Council Amendment No. 8 as set forth in Attachment XIII to these minutes; motion seconded.

Staff Testimony

Transue stated that because a sponsor for the proposed Parks Fee Ordinance was not obtained, and because Parks had anticipated the revenue, this amendment is necessary to correct the 2001 Budget balance. He stated the Parks Department will most likely be back before the Council with another Fee Ordinance in the future.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

Brown moved adoption of Council Amendment No. 9 as set forth in Attachment XIV to these minutes; motion seconded.

Staff Testimony

Weber stated this amendment is required to bring the Budget consistent with changes made to the Transportation

Improvement Program and the Capital Facilities Plan.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote

Brown moved adoption of Council Amendment No. 10 as set forth in Attachment XV to these minutes; motion seconded.

O'Malley stated he is requesting this amendment to assist in the Juvenile Court Aggression Replacement Training Program, which would assist approximately 60 children.

Public Testimony

Dan Erker, Director, Juvenile Court Services Department, stated implementing this program will save costs down the line with these young people, if the anger is brought in check prior to more complicated situations. He stated the Department is currently trying to increase the capacity for this program.

Tom Larkin, Superior Court Judge, spoke in support of the amendment as a good diversion program to assist the youth of the community.

The amendment passed on a voice vote.

Brown moved adoption of Council Amendment No. 11 as set forth in Attachment XVI to these minutes.

O'Malley asked for a friendly amendment to Section 3, proceeding the word "communities" insert the word "Lakewood." Brown accepted the friendly amendment. O'Malley stated this program is for at-risk children, and contains an educational and recreation component. He stated it is a United Way program that has been successful.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

Brown moved adoption of Council Amendment No. 12 as set forth in Attachment XVII to these minutes.

Staff Testimony

Transue stated this amendment would transfer \$50,000.00 from Corrections to the Sheriff's Department to assist in funding an enforcement officer dealing with incarceration alternatives as recommended by the Criminal Justice Task Force.

Moss stated a concern that the Officer should be a non-uniformed officer.

Chuck Robbins, Director, Public Safety Department, stated that the Enforcement Officer would be dealing with individuals who had violated the terms of their alternatives to incarceration, and at that point an arrest would be necessary. Therefore, it is imperative that a uniform officer with arresting jurisdiction fill this role.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

Brown moved adoption of Council Amendment No. 13 as set forth in Attachment XVIII to these minutes; motion seconded.

Shabro stated this amendment was requested to finance the necessary staff work on the Graham Community Plan, stating if the number of amendments to the annual Comprehensive Plan is lower than anticipated, this use of fund balance may not be necessary.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

At 5:00 p.m. the Chair announced a recess; at 5:35 p.m. the meeting reconvened.

Brown moved adoption of Council Amendment No. 1 as set forth in the Attachment XIX to these minutes; motion seconded.

Staff Testimony

In response to Kenney's remarks, Transue moved an amendment to the amendment in the fourth line of the new Section 10 to delete the word "amount" and insert the word "reductions." Brown moved the amendment to the amendment; motion seconded.

At 5:40 p.m. the Chair announced a recess; at 6:00 p.m. the meeting reconvened.

Brown moved to withdraw Council Amendment No. 1 identified as Attachment XIX to these minutes; motion seconded.

Brown moved adoption of Council Amendment No. 1 as set forth in Attachment XX to these minutes, incorporating the

suggested amendment and corrections in the total; motion seconded.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

Brown moved Council Amendment No. 16 as set forth in Attachment XXI to these minutes; motion seconded.

Moss pointed out a typographical error in the narrative, changing "Ethnic" to "Ethics."

Staff Testimony

Transue stated passage of this amendment would correct an error in addition on the Miscellaneous Current Expense fund line item.

The Chair called for public testimony; there was no response. The amendment passed on a voice vote.

Brown moved that the amendments of Proposal No. 2000-93 be wrapped into a substitute; motion seconded.

The Chair called for testimony on Proposal No. 2000-93s as amended; there was no response.

Transue thanked the Council and Budget and Finance staff for their assistance in developing the Budget.

Councilmembers thanked Transue for a smooth process in developing this Budget, and thanked Casada for her leadership.

The Proposal passed as substituted on a roll call vote of six to one; Madsen voted no.

IX. RESOLUTIONS

PROPOSAL NO. R2000-178, A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING THE DATE OF AN EVENING COUNCIL MEETING IN COUNCIL DISTRICT NO. 5, FOR TUESDAY, DECEMBER 12, 2000, IN THE FERN HILL LIBRARY, WHICH IS LOCATED AT 765 SOUTH 84TH STREET, IN TACOMA, WASHINGTON.

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

Brown stated passage of this Resolution would set the date for his District Council meeting, and urged Councilmembers to attend.

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 instructed 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; motion seconded:
 - a. Pierce County Fire District No. 8 (Fire Protection District & Emergency Medical Service)
 - b. Puyallup School District
 - c. City of Roy
 - d. Steilacoom Historical School District
 - e. Yelm Community Schools

XI. GENERAL PUBLIC COMMENTS - None

XII. ADJOURNMENT

Pierce County Council Meeting
November 14, 2000

There being no further business, the meeting was adjourned
at 6:15 p.m.

Attest:

Clerk of the Council

Approved:

Council Chair

Date Approved

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