

**MINUTES
PIERCE COUNTY COUNCIL MEETING
NOVEMBER 26, 2002**

930 TACOMA AVENUE SOUTH, ROOM 1045
TACOMA, WASHINGTON 98402
(253) 798-7777 -- FAX: (253) 798-7509 -- TDD: (253) 798-4018
www.co.pierce.wa.us/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 3:15 p.m. by Chair Moss.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Moss.

III. ROLL CALL

Councilmembers Present: Karen S. Biskey, Wendell Brown, Calvin Goings, Harold Moss, Jan Shabro, and Kevin Wimsett; Pat O'Malley arrived after the roll call.

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

There were approximately nine visitors present.

IV. APPROVAL OF AGENDA

Brown 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)
- 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:

- Fire District No. 14 (Emergency Medical Services &
Fire Protection Districts)

Brown moved approval of the Consent Agenda; motion seconded
and passed on a roll call vote of six 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 November 15, 2002, was read into the record:

ORDINANCE NO. 2002-85, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF ALDERTON PUYALLUP ROAD IN THE PUYALLUP AREA IN THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 20 NORTH, RANGE 4 EAST, OF THE WILLAMETTE MERIDIAN; IN THE PUYALLUP AREA.

ORDINANCE NO. 2002-86, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF 94TH AVENUE NORTHWEST LOCATED IN THE NORTHWEST AND THE SOUTHWEST QUARTERS OF SECTION 15, TOWNSHIP 22 NORTH, RANGE 1 EAST, OF THE WILLAMETTE MERIDIAN, IN THE GIG HARBOR AREA.

ORDINANCE NO. 2002-90, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNIMPROVED SPANAWAY LOOP ROAD IN THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 19 NORTH, RANGE 3 EAST, W.M. IN THE SPANAWAY AREA.

ORDINANCE NO. 2002-96, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 2.51.030, 2.53.030, AND 2.69.030 OF THE PIERCE COUNTY CODE REGARDING THE BEGINNING DATES FOR TERMS OF MEMBERSHIP ON THE CHEMICAL DEPENDENCY ADVISORY BOARD, THE DEVELOPMENTAL DISABILITIES ADVISORY BOARD, AND THE MENTAL HEALTH ADVISORY BOARD.

ORDINANCE NO. 2002-100, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING ORDINANCE NOS. 2000-34s AND 2000-35s, AS AMENDED; AMENDING ORDINANCE NO. 99-93s2, WHICH AMENDED TITLE 19A OF THE PIERCE COUNTY CODE, THE PIERCE COUNTY COMPREHENSIVE PLAN, TO DELETE AREA-WIDE MAP AMENDMENT M-8 (CRYSTAL MOUNTAIN RESORT & MEEKS) AND DELETE FINDING OF FACT NO. 18; AMENDING ORDINANCE NO. 2000-17, WHICH AMENDS THE PIERCE COUNTY ZONING ATLAS, TO DELETE THE DESIGNATION OF CRYSTAL MOUNTAIN RESORT AS MASTER PLANNED RESORT; ALL PURSUANT TO THE FINAL DECISION AND ORDER ISSUED BY THE CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD IN DAVID AND MEREDITH KENYON AND GOLD HILL COMMUNITY CLUB V. PIERCE COUNTY AND DANA MEEKS AND ASSOCIATES, INC., CASE NO. 01-3-0001.

ORDINANCE NO. 2002-113s, 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.

ORDINANCE NO. 2002-115, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF MILITARY ROAD SOUTH RIGHT-OF-WAY, LOCATED IN SECTIONS 18 AND 19, TOWNSHIP 19 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN IN THE SPANAWAY AREA.

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

VIII. ORDINANCES

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)

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

Staff Testimony

Weber stated this Proposal had been removed from the Rules and Operations Committee, as the Petitioner had contacted the County saying the franchise with the County is not needed. The franchise should be with the State of Washington. Weber recommended that the County defeat the Ordinance.

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

PROPOSAL NO. 2002-104, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2002-105, BY AUTHORIZING AN INCREASE IN THE FILING FEE FOR MANDATORY ARBITRATION MATTERS; AND SETTING AN EFFECTIVE DATE.

Brown moved adoption; motion seconded. The Clerk read the

title into the record.

Staff Testimony

Transue explained this Ordinance is a companion to the Budget Ordinance. The Ordinance would raise the filing fee for mandatory arbitration from \$120 to \$220, raising \$35,000 per year in revenue to fund the mandatory arbitration program.

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

PROPOSAL NO. 2002-105, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 2.112.010 OF THE PIERCE COUNTY CODE, PIERCE COUNTY AIRPORT FEES, BY AMENDING THE FEE SCHEDULES FOR HANGARS, TIE DOWNS, STORAGE SPACES, AND BUILDING AND LAND RENTAL LEASE RATES; AND SETTING AN EFFECTIVE DATE.

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

Staff Testimony

Transue stated the additional fees would create an additional \$7,500 in new revenue, which would be used for Operations and Maintenance.

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

PROPOSAL NO. 2002-106, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 14.20 OF THE PIERCE COUNTY CODE "PARKS AND RECREATION SERVICES FEES", BY AMENDING FEE SCHEDULES, AND SETTING AN EFFECTIVE DATE.

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

O'Malley entered the meeting.

Staff Testimony

Transue stated the increased fees would raise approximately \$20,000 for the Lake Spanaway Golf Course, and \$6,000 for the Ft. Steilacoom Golf Course.

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

PROPOSAL NO. 2002-107s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL

AMENDING PIERCE COUNTY CODE SECTIONS 17C.60.034 "PERMIT REQUIRED"; 17C.60.035 "PERMIT FEES"; 17C.60.095 "INSPECTION FEES"; AND 17C.10.070 "FEES"; REVISING FIRE PREVENTION BUREAU FEES FOR SERVICES; AND SETTING AN EFFECTIVE DATE.

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

Staff Testimony

Transue stated the substitute forwarded by the Committee contained an amendment that school-sponsored events at public/private elementary and middle schools will be exempt from the after-hour inspection fee, and removed some discretion that was proposed in the original Ordinance for the Fire Marshal. He stated the fees would create \$40,000 in new revenue, and the spending proposal is outlined in the fiscal note; a copy is contained in the Ordinance file.

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

PROPOSAL NO. 2002-108s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 2.05.040, 2.05.060, 2.05.070, 2.05.080, 2.05.090, 2.05.100, 2.05.110, 2.05.120, 2.05.130 OF THE PIERCE COUNTY CODE, PLANNING AND LAND SERVICES DEPARTMENT FEES; AND SETTING AN EFFECTIVE DATE.

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

Staff Testimony

Transue stated passage of this Ordinance would amend many of the fees charged by the Planning and Land Services Department, creating \$600,000 per year in additional revenue. This money will be used to fund new positions and computer purchases for the Department.

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

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**PROPOSAL NO. 2002-109, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL
AUTHORIZING WAGE ADJUSTMENTS FOR NON-REPRESENTED EMPLOYEES; AND
AMENDING THE PIERCE COUNTY SALARY AND CLASSIFICATION PLAN.**

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

Staff Testimony

Transue stated passage of this Ordinance would implement 1.53% cost-of-living increase for non-represented employees. He stated the cost to the County is \$1.063 million.

Biskey stated she would be voting no, stating that any additions should be based on performance audit, and the Council should be responding to the message that the voters have been telling the County, and that is no increases.

The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of five to one (O'Malley was excused at the time of vote; Biskey voted no).

**PROPOSAL NO. 2002-111, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL
SETTING THE 2003 AD VALOREM TAX LEVIES FOR PIERCE COUNTY FOR LEVY
IN 2002 AND COLLECTION IN 2003.**

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

Staff Testimony

Transue stated passage of this Ordinance would set the Ad Valorem Tax for budget revenues for the General Fund, Veterans' Relief, Social Services, Road Districts, and Law Enforcement, for levy in 2002 and collection in 2003.

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

**PROPOSAL NO. 2002-112s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL
ADOPTING THE ANNUAL BUDGET OF PIERCE COUNTY FOR THE FISCAL YEAR
2003.**

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

At 3:35 p.m., the Chair announced a recess; at 3:40 p.m. the meeting reconvened.

Staff Testimony

Transue provided an overview of the Budget and a summary of all amendments that had been adopted by the Committee of the Whole that were incorporated into the Substitute version.

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

Transue stated the amendment is technical in nature, and corrects an omission that occurred during the creation of the Substitute version.

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

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

Staff Testimony

Transue explained this amendment includes a proviso instructing Centro Latino and the Small Business Incubator to direct the money toward grant writing to seek long-term funding. Transue suggested an amendment to include the word "funding" following the word "long-term". O'Malley moved that amendment; motion seconded and passed on a voice vote.

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

O'Malley moved adoption of Council Amendment No. 3 as set forth in Attachment III to these minutes; motion seconded. Following discussion with Fran Lewis, Director, Human Services Department, and Staff, O'Malley withdrew the amendment; the second withdrew.

O'Malley moved adoption of Council Amendment No. 4 as set forth in Attachment IV to these minutes; motion seconded. O'Malley said he had sponsored the amendment to send a clear message to all non-County agencies that financing from the County in the future will be marginal, and that there is a strong likelihood that this funding will not be available in the future.

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

O'Malley moved adoption of Council Amendment No. 6A as set forth in Attachment V to these minutes; motion seconded.

At 4:05 p.m., the Chair announced a recess; at 4:12 p.m., the meeting reconvened.

O'Malley stated he would withdraw the motion on 6A; the second withdrew.

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

Brown and O'Malley expressed concern about the operations of Puget Sound Behavioral Health. Council entered into a discussion with Lewis regarding budget procedures, and how money is being spent.

Biskey stated she is opposed to the amendment, stating that it is cumbersome to the Department to require quarterly reports.

Moss stated he hopes that the Executive will involve and inform the Council when new contracts are negotiated.

The Chair called for public testimony; there was no response. The amendment passed on a roll call vote of four to three (Shabro, Biskey, and O'Malley voted no).

O'Malley moved adoption of Council Amendment No. 6A as set forth in Attachment V to these minutes; motion seconded.

Staff Testimony

Transue explained adoption of this amendment would delete Amendment No. 6.

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

The Proposal passed as amended and substituted on a roll call vote of four to three (Biskey, Shabro, and Wimsett voted no).

IX. RESOLUTIONS - None

X. OTHER BUSINESS/ANNOUNCEMENTS

1. O'Malley moved to approve the Meeting Schedule for the week of December 2-6, 2002; motion seconded and passed on a voice vote.
2. O'Malley moved to approve the Council Meeting Agenda for December 3, 2002; motion seconded and passed on a voice vote.

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XI. GENERAL PUBLIC COMMENTS - None

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at
5:30 p.m.

Attest:

Gerri Johnson, Clerk of the Council

Approved:

Councilmember Harold Moss, Council Chair

Date Approved

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