

MINUTES  
PIERCE COUNTY COUNCIL MEETING  
**November 28, 2006**  
**3:00 p.m.**

930 Tacoma Avenue South, Room 1045  
Tacoma, WA 98402

**(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 3:05 p.m. by Chair Bunney.

II. Roll Call

Councilmembers Present: Shawn Bunney, Timothy M. Farrell, Barbara Gelman, Terry Lee, and Dick Muri. Calvin Goings arrived after the roll call, and Roger Bush was excused.

Council Staff Present: Paul Bocchi, Budget Legislative Analyst; Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Clerks; Hugh Taylor, Senior Legislative Analyst; and Tom Weber, Administrator for Research and Policy.

There were approximately 30 visitors present.

III. Pledge of Allegiance to the Flag

The pledge was led by Bunney, followed by a Moment of Silence in tribute to our men and women in the Military.

**Reconsideration of Proposal No. 2006-116s2, An Ordinance of the Pierce County Council Implementing the 2007 Budget; Amending the Powers, Duties or Responsibilities of Certain Pierce County Departments, Boards, or Commissions; Repealing Chapter 2.49, "Pierce County Farm Advisory Commission," and Chapter 2.52, "Cooperative Extension Citizens' Advisory Commission"; Creating a New Chapter 2.81, "Farming Assistance, Revitalization, and Marketing (FARM) Advisory Board"; Amending Section 2.06.010 K. of the Pierce County Code; Amending Pierce County Code Sections 2.114.070, Relating to Current Use Assessment Fees for Open Space, 2.124.050, Relating to the Council Car Allowance, 14.20.040, Relating to Boat Launch Fees, and Section 2.78.030 relating to Planning Commission per diem in Connection Therewith.**

Lee moved reconsideration of Proposal No. 2006-116s2 to insert an effective date; motion seconded.

Lee moved Council Amendment #1 on cherry; motion seconded. A copy of the amendment is included with these minutes identified as Attachment I.

Long explained the Proposal is to be effective on January 1, 2007, and this amendment establishes that date.

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

The question was called; the motion carried.

The Chair called for public testimony on Proposal No. 2006-116s2 as amended: Alton McDonald testified to the amended proposal.

The Proposal passed as amended on a roll call vote of six to zero.

#### IV. Approval of Agenda

Lee moved approval of the agenda; motion seconded and passed on a voice vote.

#### V. Consent Agenda

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

**a. Approval of Minutes**

1. The Minutes of the November 13, 2006, Special Meeting

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

1. Proposal No. 2006-134, An Ordinance of the Pierce County Council Vacating a Portion of 94th Avenue Northwest Located in the Southwest Quarter of Section 15, Township 22 North, Range 1 East, of the Willamette Meridian, in the Gig Harbor Area.

Sponsored by: Councilmember Terry Lee

Department contact person: Jerry West, Public Works and Utilities,  
(253) 798-3687

Council contact person: Thomas Weber, (253) 798-6067

For referral to the Economic and Infrastructure Development Committee

2. Proposal No. 2006-138, An Ordinance of the Pierce County Council Authorizing the Pierce County Superior Court to Hold Sessions in Locations Other Than in Tacoma, the County Seat.

Sponsored by: Councilmember Roger Bush

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

For referral to the Rules and Operations Committee

Suggested date of Council hearing: December 12, 2006

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

**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:

Clover Park School District  
Gig Harbor Fire and Medic One  
Pierce County Rural Library  
Pierce County Fire Protection District No. 5  
South Pierce Fire and Rescue No. 15  
Tacoma School District No. 10

Lee moved approval of the Agenda; motion seconded and passed on a voice vote.

VI. Messages from Executive/Judges/Prosecuting Attorney

1. A message from the Executive transmitting the following Ordinance, which was approved and signed on November 9, 2006, was read into the record:

Ordinance No. 2006-96, An Ordinance of the Pierce County Council Vacating a Portion of 85th Street East Right-of-Way in the Northwest Quarter of Section 31, Township 20 North, Range 4 East of the Willamette Meridian, in the Puyallup Area.

2. A message from the Executive transmitting the following Ordinance, which was approved and signed on November 14, 2006, was read into the record:

Ordinance No. 2006-94s, An Ordinance of the Pierce County Council Adopting the 2006 Amendments to the Pierce County Comprehensive Plan; Amending Title 19A of the Pierce County Code, "Comprehensive Plan"; Setting Forth an Effective Date; and Adopting Findings of Fact.

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

**Employer Support of the Military Certificates** – On behalf of the reservists employed by the Pierce County, Sergeant Major Ed Booth presented certificate to Executive John Ladenburg, and John Sample, Deputy Sheriff, presented the certificate to Eric Hendrickson, Human Resources. Ladenburg read the text of the award into the record.

Bush spoke to volunteerism in the Reserve and the National Guard.

Muri thanked Ladenburg for implementing County policy that allows employees the opportunity to participate in the Reserves and National Guard

**Proposal No. R2006-151, A Resolution of the Pierce County Council Confirming the Reappointment of Three Existing Members (Alan Gill, Pat O'Malley and Michel Raymond) to the Developmental Disabilities Advisory Board.**

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

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

The Proposal was adopted on a roll call vote of six to zero

**Proposal No. R2006-152, A Resolution of the Pierce County Council Confirming the Appointment of One New Member to the Pierce County Boundary Review Board (Susie Claus)**

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

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

The Proposal was adopted on a roll call vote of six to zero.

VIII. Ordinances

**Proposal No. 2006-75, An Ordinance of the Pierce County Council Amending Chapter 19D.60 of the Pierce County Code, "Storm Drainage and Surface Water Management Plan"; Adopting the "Hylebos Browns-Dash Point Basin Plan" for the Unincorporated Area of Pierce County as an Area Update to Pierce County's Storm Drainage and Surface Water Management Plan; and Adopting Findings of Fact.**

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

#### Staff Testimony

Weber reported the Proposal received a do pass recommendation by the Economic Development and Infrastructure Committee on October 17, 2006.

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

The Chair spoke to the importance of basis plans, and thanked Staff for their work on the Proposal.

The Proposal passed on a roll call vote of six to zero.

#### **Proposal No. 2006-88, An Ordinance of the Pierce County Council Vacating a Portion of 192nd Street East Right-Of-Way in the Southeast Quarter of Section 33, Township 19 North, Range 4 East of the Willamette Meridian, in the Puyallup Area.**

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

#### Staff Testimony

Taylor provided an overview of the Proposal. Taylor reported the Proposal received a do pass recommendation by the Economic Development and Infrastructure Committee on October 3, 2006.

#### Public Testimony

Robert Armstrong, Barghausen Engineers, testified to the Proposal.

The Chair called for Councilmember comments; there was no response.

The Proposal passed on a roll call vote of five to one (Farrell voted nay).

#### **Proposal No. 2006-103s, An Ordinance of the Pierce County Council Amending Various Titles of Pierce County Code Adopted Through Ordinance Nos. 2004-56s, 2004-57s, and 2004-58s, Commonly Known as the "DIRECTIONS" Legislation, to Correct Technical Errors and Provide Clarification of Regulatory Intent as Needed; Amending Title 18 of the Pierce County Code, "Pierce County Development Regulations - General Provisions"; Amending Title 18E of the Pierce County Code, "Pierce County Development Regulations - Critical Areas"; Amending Title 18H of the Pierce County Code, "Pierce County Development Regulations - Forest Practice and Tree Conservation"; Amending Title 18J of the Pierce County Code, "Pierce County Development Regulations - Design Standards and Guidelines"; Amending Title 17A of the Pierce County Code,**

**“Pierce County Construction and Infrastructure Regulations - Site Development and Stormwater Drainage; Setting an Effective Date; and Adopting Findings of Fact.**

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

Staff Testimony

Weber reported the Proposal received a do pass as substituted recommendation by the Community Development Committee on October 16, 2006.

Taylor provided an overview of the Proposal, and explained the Proposal was heard in Community three times.

Lee moved Council Amendment No. 1 on lime; motion seconded. A copy of the amendment is included with these minutes identified as Attachment II.

Taylor explained the purpose of the amendment.

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

The question was called; the motion carried.

The Chair called for public testimony on Proposal No. 2006-103s as amended; there was no response. The Chair called for final Council comments on Proposal No. 2006-103s as amended; there was no response.

The Proposal passed as amended on a roll call vote of six to zero.

**Proposal No. 2006-105, An Ordinance of the Pierce County Council Approving a Land Lease Agreement for Real Property at the Pierce County Airport Thun Field with Thun Field Condominium Association; and Authorizing the County Executive to Execute Said Lease.**

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

Staff Testimony

Bocchi provide an overview of the Proposal and the Lease Agreement. Bocchi reported the Proposal received a do pass recommendation by the Rules and Operations Committee on October 23, 2006.

In response to Lee's question, Mike Esher, Public Works and Utilities - Airport, explained that the lease agreement does not come back to the Council for renewal.

### Public Testimony

The following individuals provided testimony on the Proposal: Max Freebelt, Chairman - Thun Field Condominium Association; and Alton McDonald.

Goings asked Esher if people are paying the County to use the County's airport space; Esher concurred.

Muri spoke in support of the Proposal, and thanked Esher for his work on the Proposal.

The Proposal passed on a roll call vote of six to zero.

**Proposal No. 2006-124, An Ordinance of the Pierce County Council Authorizing the Approval of an Application for Open Space Classification under Current Use Assessment on Certain Properties Located within the Unincorporated Boundaries of Pierce County; and Adopting Findings of Fact. (Application No. OS82-05, Charles and Carla Vincent – Lakebay Area; Application No. OS89-05, D. Rusty and Janet L. Hersey – Mid-County Area; Application No. OS98-05, Anne McCrea Chase – Fox Island Area; Application No. OS100-05, Jemstone, LLC – Spanaway Area)**

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

### Staff Testimony

Weber reported the Proposal received a do pass recommendation by the Rules and Operations Committee on November 13, 2006.

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

The Proposal passed on a roll call vote of six to zero.

**Proposal No. 2006-126, An Ordinance of the Pierce County Council Authorizing the Approval of Applications for Timber Land Classification Under Current Use Assessment on Certain Properties Located within the Unincorporated Boundaries of Pierce County; and Adopting Findings of Fact. (Application No. OST12-05, Pascal H. and Ann Calis – Forest Glen Area; Application No. OST75-05, Danny Lloyd – Forest Glen Area; Application No. OST99-05, William V. Sehmel – Gig Harbor Area)**

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

#### Staff Testimony

Weber reported the Proposal received a do pass recommendation by the Rules and Operations Committee on November 20, 2006.

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

The Proposal passed on a roll call vote of six to zero.

#### IX. Resolutions

**Proposal No. R2006-131, A Resolution of the Pierce County Council Requesting the Department of Public Works and Utilities to Report and Provide Recommendations Regarding the Management of Flood Hazard Areas; Requesting the Assessor-Treasurer's Office to Investigate Reductions in Property Tax Assessments as Appropriate to Reflect the Presence of Flood Hazard Areas; and Stating the Council's Intent to Conduct a Public Hearing on the Same by a Date Certain.**

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

#### Staff Testimony

Taylor provided information on the Proposal.

Goings explained the pros and cons of the Proposal.

#### Public Testimony

The following individuals provided testimony on the Proposal: Sheri Coughlin, Norm Hinkler, Holly Foster, Loren Paschich, Jack Wingerter, and Alton McDonald.

Councilmembers Farrell, Goings and Gelman provide closing comments on the Proposal.

At the Chair's request, Taylor informed the audience how they can become part of the interested parties list on the issue. The individuals are to provide their names and addresses to Taylor after the meeting.

Bunney spoke to the site visit in the area.

The Proposal was adopted on a roll call vote of six to zero.

**Proposal No. R2006-146s, A Resolution of the Pierce County Council Requesting the Departments of Public Works and Utilities and Planning and Land Services to Collaboratively Develop Administrative and Regulatory Tools to Aid in the Acquisition of Public Right-of-Way; and Requesting that Amendments to Pierce County Code to Implement these Tools be Forwarded to the Planning Commission by a Date Certain.**

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

#### Staff Testimony

Taylor provided information on the Proposal and reported the Proposal received a do pass as substituted recommendation by the Rules and Operations Committee on November 20, 2006.

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

The Proposal was adopted on a roll call vote of six to zero.

**Proposal No. R2006-147s, A Resolution of the Pierce County Council Setting the Date of an Evening Council Meeting in Council District No. 1 for Tuesday, December 5, 2006, at 4:00 p.m., at the Lake Tapps Community Church, 17017 Forest Canyon Road East, Sumner, Washington.**

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

#### Public Testimony

Ken Paulson testified to the Proposal.

The Chair responded to Paulson's comments regarding the time and location of the December 5 Council meeting.

The Chair called for final Council comments; there was no response.

The Proposal was adopted on a roll call vote of six to zero.

**Proposal No. R2006-149, A Resolution of the Pierce County Council Approving, as Creating Municipality, Resolution No. 2006-05 of the Economic Development Corporation of Pierce County, Adopted November 3, 2006, Authorizing the Issuance of \$2,225,000 of Revenue Bonds by the Economic Development**

**Corporation of Pierce County for Purposes of Financing a Portion of the Costs of a Manufacturing Facility for Sumner Leasing LLC.**

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

Staff Testimony

Weber explained the Proposal was not heard in committee.

Susan Suess, Economic Development Corporation of Pierce County, explained the Proposal is the final step in the releasing of the non-recourse revenue bonds. The bonds are to be paid by the revenue of the project.

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

The Proposal was adopted on a roll call vote of six to zero.

**Proposal No. R2006-150**, A Resolution of the Pierce County Council Approving, as Creating Municipality, Resolution No. 2006-06 of the Economic Development Corporation of Pierce County, Adopted November 3, 2006, Authorizing the Issuance of \$2,300,000 of Revenue Bonds by the Economic Development Corporation of Pierce County for Purposes of Financing a Portion of the Costs of a Manufacturing Facility for PNW Commercial LLC.

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

Staff Testimony

Susan Suess, Economic Development Corporation of Pierce County, explained the Proposal is the second and final step in the issuance of the bonds.

Public Testimony

Alton McDonald spoke to the Proposal.

Suess responded to McDonald's comments.

Councilmembers Bunney and Gelman provided closing comments on the Proposal.

The Proposal was adopted on a roll call vote of six to zero.

X. Other Business/Announcements

1. Lee moved approval of the December 5, 2006, Council Agenda, and the December 4-8, 2006, Meeting Schedule and removed and forwarded Proposal No. 2006-111 to the first Economic Infrastructure and Development Committee in January 2007; motion seconded.
2. The scheduled Executive Session was canceled.

XI. Citizens' Forum

1. Alton McDonald spoke to the Crystal Judson Family Justice Center.
2. Ken Paulson expressed his concerns regarding the raining day funding discussed at the November 21, 2006, Council meeting. Paulson spoke to the bond funding of the Chambers Bay Golf Course.

Farrell responded to McDonald's comments, and Goings responded to Paulson's comments.

XII. Adjournment

There being no further business, the meeting was adjourned at 4:35 p.m.

Attest:

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Denise D. Johnson, Clerk of the Council

Approved:

\_\_\_\_\_  
Terry Lee, Council Chair

\_\_\_\_\_  
Date Approved

## Pierce County

Office of the County Council

930 Tacoma Avenue So., Room 104  
Tacoma, WA 98402-2176  
(253) 798-7777  
FAX (253) 798-7509  
1-800-992-2456

## Attachment I

November 28, 2006

### COUNCIL AMENDMENT NO. 1 Cherry

TO: Councilmembers

FROM: Susan Long, Legal Counsel

**SUBJECT: PROPOSED AMENDMENT TO ORDINANCE NO. 2006-116s2**

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I recommend the following amendment to Proposed Ordinance No. 2006-116s2:

1. On page 8 of 8, beginning on line 5, insert a new Section 11 to read as follows:

**"Section 11. This Ordinance shall become effective on January 1, 2007."**

## Pierce County

Office of the County Council

930 Tacoma Avenue So., Room 104  
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1-800-992-2456

## Attachment II

November 28, 2006

Council Amendment No. 1

TO: Councilmembers

FROM: Hugh Taylor, Sr. Legislative Analyst

SUBJECT: Technical Amendments to Proposal No. 2006-103s, Directions Cleanups

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I recommend that the following technical amendment to Proposal No. 2006-103s be made:

1. Starting at page 3 of 5 of the Ordinance, line 41, insert hearing number, dates, and similar information into the blanks within the "Whereas" statements as follows:

**"Whereas**, the Community Development Committee held **3** public hearings on **September 18, October 2, and October 16, 2006**; and

**Whereas**, the Community Development Committee made a recommendation of **"Do Pass"**, to the full Council for further consideration; and

**Whereas**, the County Council held **1** public hearings on **November 28, 2006**; and"

2. At page 5 of 5, line 1, insert an effective date of March 1, 2007.