

**MINUTES
PIERCE COUNTY COUNCIL MEETING
DECEMBER 2, 2003**

CITY OF SUMNER COUNCIL CHAMBERS
1104 MAPLE STREET
SUMNER, WASHINGTON
(COUNCIL DISTRICT NO. 1)

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5:00 PM

(Note: These minutes are not verbatim. Recorded tapes are available upon request.)

I. CALL TO ORDER

The District No. 1 meeting of the Pierce County Council was called to order at 5:07 p.m. by Chair Moss.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

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

III. ROLL CALL

Councilmembers Present: Shawn Bunney, Barbara Gelman, Calvin Goings, Terry Lee, Harold Moss, Dick Muri, and Kevin Wimsett.

Council Staff Present: Patty Face, Deputy Clerk of the Council; Susan Long, Administrator for Legal and Operations; Tom Weber, Administrator for Research and Policy; Carolyn Pendle, Research Analyst; Steve Gross, Legal Counsel; and Michael Transue, Budget Consultant.

There were approximately 25 visitors present.

Moss handed the gavel to Councilmember Bunney to chair the District No. 1 Council Meeting.

Councilmember introductions were made.

Bunney exercised the Chair's prerogative to move to Section 10. Other Business/Announcements.

X. OTHER BUSINESS/ANNOUNCEMENTS

1. Council District No. 1 Elected Officials' Reports

Bob Young, Mayor of Bonney Lake; Jan Shabro, 31st District State Representative; Barbara Skinner, Mayor of Sumner; Andy Neiditz, Sumner City Manager; and Dave Enslow, Sumner City Councilman, provided Council District No. 1 updates and reports.

IV. APPROVAL OF AGENDA

Moss 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)

1. PROPOSAL NO. 2003-135, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 9.32.020 OF THE PIERCE COUNTY CODE, BY CHANGING THE LIST OF DEVICES THAT MAY NOT BE POSSESSED, MANUFACTURED OR DISPOSED OF WITHIN THE COUNTY.

Sponsored by: Councilmembers Harold Moss, Shawn Bunney, Barbara Gelman, Calvin Goings, Terry Lee, Dick Muri, and Kevin Wimsett

Contact person: Steve Gross, 798-7579

For referral to the Rules & Operations Committee

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

1. PROPOSAL NO. R2003-142, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ACCEPTING THE "SPRINKER RECREATION CENTER MASTER SITE PLAN AND PRE-DESIGN, PHASE II REPORT", DATED JULY 31, 2003; ENDORSING THE ACTION PLAN; ESTABLISHING THE SEQUENCE AND TIMING OF STAGE 1, STAGE 2, FUTURE STAGE IMPROVEMENTS AND RESERVED PROGRAMS; ESTABLISHING OTHER ACTION ITEMS; AND REQUESTING THAT THE COUNTY EXECUTIVE AND PARKS AND RECREATION SERVICES DEPARTMENT EXPLORE ALTERNATIVE FUNDING SOURCES TO IMPLEMENT THE STAGE 1 IMPROVEMENTS PRIOR TO THE 2005 BUDGET CYCLE.

Sponsored by: Councilmembers Kevin Wimsett and Barbara Gelman

Contact person: Joseph Scorcio, 798-4661

For referral to the Planning & Environment Committee

d. Other Items

1. Motion to certify the following Budget Certifications, 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:

- City of Auburn

- City of DuPont (Emergency Medical Service & Cities & Towns)
- City of Fife
- City of Fircrest (Emergency Medical Service & Cities & Towns)
- City of Gig Harbor
- City of Milton
- City of Puyallup (Emergency Medical Service & Cities & Towns)
- City of Roy
- City of Tacoma (Emergency Medical Service & Cities & Towns)
- City of University Place
- Clover Park School District No. 400
- Lakewood Fire Protection District No. 2 (Emergency Medical Service & Fire Protection Districts)
- Pierce County Fire Protection District No. 5 (Emergency Medical Service & Fire Protection Districts)
- Pierce County Fire Protection District No. 12 (Emergency Medical Service & Fire Protection Districts)
- Pierce County Fire Protection District No. 16
- Pierce County Fire Protection District No. 21 (Emergency Medical Service & Fire Protection Districts)
- Port of Tacoma
- Town of Steilacoom (Emergency Medical Service)

Bunney noted consent item, Proposal No. R2003-35 for referral to the Rules & Operations Committee will make Pierce County Code consistent with state law, and federal and state constitutions, regarding the right to keep and bear arms.

Moss 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 Ordinances, which were approved and signed on November 14, 2003, was read into the record:

ORDINANCE NO. 2002-131s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO CITY OF TACOMA, A MUNICIPAL CORPORATION, FOR LOCATION OF

RAILROAD TRACKS ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY, AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

ORDINANCE NO. 2003-74, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING THE CITY OF AUBURN, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON, A NONEXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE, AND MAINTAIN A SANITARY SEWER PIPELINE SYSTEM OVER, IN, ALONG, AND UNDER CERTAIN PUBLIC ROADS AND HIGHWAYS IN PIERCE COUNTY, WASHINGTON; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

ORDINANCE NO. 2003-97s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL LEVYING A SYSTEM OF SPECIAL ASSESSMENTS FOR THE PIERCE CONSERVATION DISTRICT OF \$5.00 PER PARCEL ON ALL BENEFITTING PROPERTIES IN THOSE PORTIONS OF THE PIERCE CONSERVATION DISTRICT LOCATED IN UNINCORPORATED PIERCE COUNTY AND THE MUNICIPALITIES OF FIRCREST, LAKEWOOD, MILTON, PUYALLUP, STEILACOOM, SUMNER, TACOMA, AND UNIVERSITY PLACE, FOR COLLECTION IN 2004 THROUGH 2006, PURSUANT TO REVISED CODE OF WASHINGTON 89.08.400; AUTHORIZING THE EXECUTIVE TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CONSERVATION DISTRICT; ADDRESSING THE APPOINTMENT OF COUNTY REPRESENTATION ON THE CONSERVATION DISTRICT'S OVERSIGHT PANEL; INCLUDING A SUNSET DATE; AND ADOPTING FINDINGS OF FACT.

ORDINANCE NO. 2003-99, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE CHAMBERS CREEK PROPERTIES STANDARDS AND GUIDELINES, APRIL 2003; ESTABLISHING STANDARDS AND GUIDELINES BY WHICH DEVELOPMENT OF THE CHAMBERS CREEK PROPERTIES SHALL BE SUBJECT IN ACCORDANCE WITH SECTION 6 OF THE CHAMBERS CREEK PROPERTIES JOINT PROCEDURAL AGREEMENT.

ORDINANCE NO. 2003-101, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RESPONDING TO THE SEPTEMBER 4, 2003, FINAL DECISION AND ORDER OF THE CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD REGARDING CASE NO. 02-3-0010; AMENDING CHAPTER 19B.40 OF THE PIERCE COUNTY CODE, PARKLAND-SPANAWAY-MIDLAND COMMUNITIES PLAN; AMENDING CHAPTER 18A.25, ZONE CLASSIFICATIONS AND USE TABLES, TO MODIFY THE ZONING ATLAS; AND ADOPTING FINDINGS OF FACT.

ORDINANCE NO. 2003-102, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH INTERNATIONAL ASSOCIATION OF MACHINISTS AN

AEROSPACE WORKERS, DISTRICT LODGE 160 ON BEHALF OF
AUTOMOTIVE MACHINISTS LOCAL NO. 297; AND AMENDING THE
PIERCE COUNTY SALARY CLASSIFICATION PLAN.

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

VIII. ORDINANCES

**PROPOSAL NO. 2003-115s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL
ADOPTING A STANDARD RIGHT OF ENTRY AGREEMENT FORM TO BE USED BY THE
PLANNING AND LAND SERVICES DEPARTMENT, CURRENT PLANNING SECTION.**

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

Staff Testimony

Long explained the Proposal as it relates to property rights
and answered questions of Councilmembers.

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

**PROPOSAL NO. 2003-124, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL
REPEALING CHAPTER 5.34 OF THE PIERCE COUNTY CODE, "FUMIGATORS,
SPRAYERS AND EXTERMINATORS."**

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

Staff Testimony

Pendle explained the legislation will delete a redundant
layer of regulation.

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

**PROPOSAL NO. 2003-125s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL
AMENDING ORDINANCE NO. 2002-112s, AS AMENDED, INCREASING THE 2003
BUDGET FOR THE TACOMA-PIERCE COUNTY HEALTH DEPARTMENT.**

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

Staff Testimony

Transue explained the Proposal's intent and answered Goings' monetary question.

Public Testimony

Bob Henkel testified in opposition to the Proposal.

Lee noted the upcoming December 3, 3 p.m. public meeting of the Tacoma-Pierce County Health Board and its Agenda.

The Ordinance passed on a roll call vote five to two.

PROPOSAL NO. 2003-126s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING PIERCE COUNTY CODE SECTIONS 4A.20.030 AND 4A.30.030, REGIONAL PARK AND SCHOOL IMPACT FEE SCHEDULES; INCREASING THE MAXIMUM FEE OBLIGATIONS FOR REGIONAL PARK AND SCHOOL IMPACT FEES BY THE ANNUAL COST-OF-LIVING ADJUSTMENT, AS PROVIDED IN TITLE 4A; UPDATING THE SCHOOL DISTRICT FEE CALCULATIONS CONSISTENT WITH 2003 AMENDMENTS TO THE PIERCE COUNTY CAPITAL FACILITIES PLAN; AND SETTING AN EFFECTIVE DATE.

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

Staff Testimony

Pendle described the Proposal and explained it would raise the regional park and school impact fee maximum fee obligation according to the cost of living based upon consumer price index, and implement what is in current County Code.

Pendle provided technical amendment No. 1, as printed on the blue; motion seconded. Pendle explained the amendment provides last-minute changes from Franklin Pierce and Bethel School Districts. A copy of the amendment is included with these minutes as Attachment I.

The Chair called for public testimony on the amendment; motion seconded. There was no response. The amendment passed on a voice vote.

The Chair called for public testimony on Proposal No. 2003-126s as amended; motion seconded.

Public Testimony

Marian Berejikian testified that school impact fees are too low and requested that they be re-evaluated.

Racheal Villa testified that school impact fees should be increased to provide additional revenues to schools.

Susan Lanser testified in support of higher impact fees to support educational needs.

Nell Batker, testified that there is a need for higher impact fees to support schools.

Mike Newman, Auburn School District Associate Superintendent, testified that higher school impact fees are needed to keep pace with growth and necessary to reduce the cost to build new schools.

Wayne Cook testified in support of higher school impact fees to build schools.

Tyler Newman, Puyallup High School student, testified in support of the Proposal.

Ken Batker, testified in support of higher school impact fees to support schools.

Councilmembers responded regarding the future of impact fees.

The Ordinance passed as amended on a roll call vote of seven to zero.

IX. RESOLUTIONS - None

XI. GENERAL PUBLIC COMMENTS

Bob Henkel expressed his concerns regarding the County Budget.

Dale Washam expressed his concerns regarding public participation at Council meetings.

Ken Batker expressed his support for impact fees and school bond measures.

Dennis Wilcox expressed support for the right-of-entry agreement.

Pierce County Council Meeting
December 2, 2003

XII. ADJOURNMENT

There being no further business, the meeting was adjourned
at 7:07 p.m.

Attest:

Patricia L. Face, Deputy Clerk of the Council

Approved:

Councilmember Harold Moss, Council Chair

Date Approved

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