

**Minutes
Pierce County Council Meeting
December 5, 2006**

The Lake Tapps Community Church
17017 Forest Canyon Road East
Sumner, WA, 98390
(Council District No. 1)

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

I. Call to Order

The District No. 1 Council Meeting was called to order at 4:05 p.m. by Chair Bunney.

II. Roll Call

Councilmembers present: Shawn Bunney, Roger Bush, Barbara Gelman, Calvin Goings, Terry Lee, Dick Muri. Councilmember Timothy Farrell was excused at the time of the roll call.

Council Staff present: Paul Bocchi, Budget Legislative Analyst; Brad Chatfield, Communications Legislative Analyst; Patty Face, Deputy Clerk; Anna Graham, Senior Legislative Analyst; Susan Long, Administrator for Legal and Operations; Duane Rivera, Councilmember Assistant; Karen Lease-Smith, Councilmember Assistant; Leslie Swalley, Councilmember Assistant; Michael Transue, Budget Consultant; Thomas Weber, Administrator for Research and Policy.

There were approximately 75 guests 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.

Councilmember introductions were made.

IV. Approval of Agenda

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

Chair Bunney introduced his assistant and Council staff working at the meeting. He also introduced elected officials in attendance, Pete Lewis, Mayor of Auburn; Neil Johnson, Mayor of Bonney Lake; Dan Swatman, Deputy Mayor of Bonney Lake; and Bonney Lake Councilmembers Jim Rackley, Mark Hamilton, Phil DeLeo, Dave Bowen, and Dave King.

V. Consent Agenda

a. Approval of Minutes – none

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

1. Proposal No. 2006-136, An Ordinance of the Pierce County Council Finding that Acquisition of Certain Real Property for the 176TH Street East and 14th Avenue East Infiltration Pond Project of the Pierce County Public Works and Utilities Department, Storm Drainage and Surface Water Management Utility, is a Public Necessity; and Authorizing the Prosecuting Attorney to Commence Condemnation Proceedings to Acquire Real Property for Said Capital Project. (Washington Horsemen Tacoma Unit #1 Parcel)

Sponsored by: Councilmember Roger Bush

Department contact person: Hans Hunger, Public Works and Utilities,
(253) 798-6162

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

For referral to the Economic and Infrastructure Development Committee

c. Action on Resolutions (refer, set date of hearing) - none

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:

City of Edgewood

East Pierce County Fire & Rescue

Pierce County Fire District No. 1

Pierce County Fire District No. 3

Pierce County Fire District No. 8

Pierce County Fire District No. 11

Pierce County Fire District No. 22

Pierce County Fire Protection District No. 14

Port of Tacoma

Town of Carbonado

Lee 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 Ordinance, which was approved and signed on November 21, 2006, was read into the record:

Ordinance No. 2006-113, An Ordinance of the Pierce County Council Dissolving the Inactive Hylebos Flood Control Zone District.

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

Proposal No. R2006-153, A Resolution of the Pierce County Council Confirming the Reappointment of Two Existing Members to the Noxious Weed Control Board. (William Scheer and Joe Albert)

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 acknowledged Mr. Albert in the audience and thanked him for his service on the Weed Board.

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

VIII. Ordinances

Proposal No. 2006-91s3, An Ordinance of the Pierce County Council Amending the Pierce County Code, Chapter 18.25, "Definitions," Title 18A, "Pierce County Development Regulations - Zoning," Title 18B, "Pierce County Development Regulations – Signs," Title 18F, "Pierce County Development Regulations - Land Divisions and Boundary Changes" and Title 18J, "Development Regulations - Design Standards and Guidelines"; Addressing the Prohibition of Electronic Signs in the South Hill and Mid-County Sign Standards, the Relocation of Billboards Associated with Public Right-of-Way Acquisition, Increasing the Size of Religious Assembly Facilities in the Reserve 5 Zone in the Gig Harbor Peninsula Standards, and Other Clarifying and Technical Amendments Affecting Various Use Types, Design Standards, and Definitions; Adopting Findings of Fact; and Setting an Effective Date.

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

Staff Testimony

Graham provided information on the Proposal. She reported the Proposal had been continued from the November 7, 2006, Council meeting, and had received a do pass as substituted recommendation by the Community Development Committee on October 16, 2006. Graham stated the Proposal was an annual clean-up of Development Regulations and noted there were four amendment memorandums.

In response to the Chair's question regarding the continuation of the Proposal, Graham stated an allowance for educational services had been inserted by the Planning Commission in the Employment Center Zone in the Frederickson Community Plan area, at the desire of the Bethel School District to site a skill center in that area. Concerns had been raised during the hearing process by the Economic Development Division, the Economic Development Board, and the Port of Tacoma, about using Employment Center land for this type of use.

Negotiations have been ongoing to find options to address the needed skill center without hurting the Employment Center land base.

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

Staff Testimony

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

Lee moved Council Amendment No. 2 on celery; motion seconded. A copy of this amendment is included with these minutes as Attachment II.

Staff Testimony

Graham stated the amendment would ensure that Administrative Offices associated with school districts would not be allowed in the Employment Center Zone. The amendment would allow a Skills Center as a Conditional Use on parcel(s) not exceeding 25 acres in size.

Graham briefly explained the Conditional Use Permit process.

Councilmember Comment

Bush expressed appreciation to Councilmembers Goings, Lee and Muri for co-sponsoring the amendment, and stated his commitment to finding 25 acres elsewhere in the next Comprehensive Plan cycle to put into Employment Center zoning if the amendment passed.

Gelman recommended the project be continued for further discussion.

Public Testimony

The following individuals testified to Council Amendment No. 2 on celery:

Tom Seigel, Superintendent of the Bethel School District; Rob VanSlyke, Executive Director of Operations, the Bethel School District; Bruce Kendall, President and Chief Executive Officer of the Economic Development Board for Pierce County; James Hansen, Director of Construction and Planning, the Bethel School District; David Randles, Randles Family and Frederickson land owner; Frank Zawislak, PacWest Brokers, Inc.; Denise Dyer, Pierce County Economic Development Division Manager; David Borofsky, President of Bates Technical College; Michele Johnson, Pierce College; Mike Christensen, Director of Current Technical Education, the Bethel School District; Jenifer Grant, J. Grant Enterprises; Cathie Carlson, the Bethel School District; Julie Collins, the Port of Tacoma; Mike Brophy, the Bethel School District.

Councilmember Comments

Lee commented.

Council Amendment No. 2 on celery passed on a roll call vote of four to three. Councilmembers Bunney, Gelman, Lee, voted no.

Lee moved to withdraw Council Staff Amendment No. 3 on pumpkin; motion seconded and passed on a voice vote. A copy of this amendment is included with these minutes as Attachment III.

Lee moved Council Amendment No. 4 on goldenrod; motion seconded. A copy of this amendment is included with these minutes as Attachment IV.

Staff Testimony

Graham stated the technical amendment would change the effective date of the Ordinance to January 8, 2007.

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

Councilmember Comment

Bush and Muri commented.

Council Amendment No. 4 on goldenrod passed on a voice vote.

The Chair called for public testimony on Proposal No. 2006-91s3 as amended; there was no response. Proposal No. 2006-91s3 passed as amended on a roll call vote of seven to zero.

Proposal No. 2006-127, An Ordinance of the Pierce County Council Related to Differential Pay and Continuation of Health Care Benefits for County Employees Called to Active Federal Service; Removing the Sunset Clause; and Amending Ordinance No. 2004-29s and Pierce County Code Section 3.76.045, "Active Duty Differential Payment," in Connection Therewith.

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

Staff Testimony

Bocchi provided information on the Proposal. He reported the Proposal received a do pass recommendation by the Rules and Operations Committee on December 4, 2006.

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

Councilmember Comment

Bunney and Muri commented. Muri gave credit to former Councilman Kevin Wimsett for establishing the 2004 benefits Ordinance.

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

Without objection, the Chair took a moment and acknowledged Councilmember Timothy Farrell. Farrell introduced himself and stated he represented Council District No. 4 in Tacoma and Ruston.

Proposal No. 2006-128s, An Ordinance of the Pierce County Council Amending Ordinance No. 2005-92s; as Amended by Ordinance Nos. 2006-42s and 2006-90s; and Modifying the County 2006 Budget.

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

Lee moved Council Amendment No. 1 on blue; motion seconded. A copy of this amendment is included with these minutes as Attachment V.

Staff Testimony

Michael Transue, Budget Consultant, provided information on the Proposal and explained the amendment. Transue reported the Proposal received a do pass as substituted recommendation by the Rules and Operations Committee on December 4, 2006.

The Chair called for public testimony on Council Amendment No. 1 on blue; there was no response. Council Amendment No. 1 on blue passed on a voice vote.

The chair called for public testimony on Proposal No. 2006-128s as amended; there was no response. The Proposal passed as amended on a roll call vote of seven to zero.

Councilmember Goings was excused by the Chair for the remainder of meeting.

IX. Resolutions - none

X. Other Business/Announcements

1. Update on City of Bonney Lake – Neil Johnson, Mayor

Mayor Johnson provided the Bonney Lake update.

2. Update on Rhodes Lake Road – Brian Ziegler, Director of Public Works and Utilities

Ziegler provided the Rhodes Lake Road update.

3. Update on East Pierce County Parks and Briefing on Plateau Regional Park and Other East Pierce County Parks Projects – Kathy Kravit-Smith, Director of Parks and Recreation Services

Kravit-Smith provided the East Pierce County Parks update.

4. Fennel Creek Master Plan Update – Chip Vincent, Senior Planner, Planning and Land Services

Vincent provided the Fennel Creek Master Plan update.

XI. Citizens' Forum

The following individuals addressed the Council during the Citizens' Forum:

Winona Jacobsen, Rob VanSlyke, Marian Betzer, Carol Cooper, Chris Moore, Jerry Betzer, Nancy Lenihan, Jill Cartwright, Laurie Carter, Fred Jacobsen, Melvain Donyes, Ken Love, Tim Corliss, Maxine Hubert-Hill, James McClimans.

XII. Adjournment

There being no further business, the meeting was adjourned at 6:45 p.m.

Attest:

Patricia L. Face, Deputy Clerk

Approved:

Terry Lee, Council Chair

Date Approved

Attachments

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Pierce County

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Attachment I.

Council Amendment No. 1
lime green

TO: Councilmembers

FROM: Research and Legal Staff

SUBJECT: **Technical Amendment to Proposed Ordinance No. 2006-91s3
(Development Regulations)**

We recommend the following technical amendments to Proposed Ordinance No. 2006-91s3:

1. On page 2 of the Ordinance, line 21, after "August 21" insert "and October 16".
2. On page 19 of Exhibit B, Table 18A.23.030 B.2.-1, in the row for Minimum Lot Size, remove the proposed "10,890" and replace with "7,200".

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Attachment II.

Council Amendment No. 2 Celery

TO: Councilmembers
 FROM: Councilmembers Roger Bush, Calvin Goings, Terry Lee and Dick Muri
 SUBJECT: **Amendment to Proposed Ordinance No. 2006-91s3 (Development Regulations)**

The following amendments are intended to permit vocational skill centers of a certain size operated by public school districts to occur within the Employment Center and to prohibit public school administrative offices. Traditional public schools (primary and secondary schools) are already prohibited within the zone. The following amendments are proposed:

- Beginning at page 12 of 71 of Exhibit B, modify the Urban Zone Classifications Table (18A.22.010) to amend the "Administrative Government Services", "Administrative and Professional Offices", and "Education Services" use type rows within the table as follows:

18A.22.010 Urban Zone Classifications.

Use Categories And Use Types	FREDERICKSON						
	Urban Zone Classifications - (18A.22.010)						
	Urban Districts			Urban Employment Centers			
	MUD: Mixed Use District	ROC: Residential / Office-Civic	[Reserved]	EC: Employment Center	CE: Community Employment	ES: Employment Service	[Reserved]
MUD	ROC		EC	CE	ES		
CIVIC USE CATEGORY							
Administrative Government Svcs.	P	P		P (2)	P	P	
OFFICE/BUSINESS USE CATEGORY							
Administrative and Professional Offices	P	P1;C2		P (2)	P	P	
Educational Services	P	P		P1,2 C4	P	P	

2. Beginning at page 12 of 71 of Exhibit B, the footnote table that accompanies Table 18A.22.010 as follows:

OTHER URBAN ZONE CLASSIFICATIONS		NOTES	
EBPC	Employment Based Planned Community, see 18A.33.100 E.	P	Permitted.
MPC	Master Planned Community, see 18A.33.100 E.	C	Requires Conditional Use Permit.
AIR	Airport Overlay, see 18A.33.160 C. and 18A.33.180	A	Requires administrative review.
MRO	Mineral Resource Overlay, see 18A.33.160 D.	Number	Refers to level of Use Type allowed, see Sections 18A.33.200 to 18A.33.280. When no number is present, all levels of the Use Type are allowed.
		PFP	If provided by a governmental entity to serve a specific public need as identified in the adopted facility plan, a Public Facilities Permit is required. Otherwise, the use is allowed according to the applicable symbol.
		PL	Priority Location Criteria, see Section 18A.35.140 D.
		(1)	Pursuant to 18A.33.285.
		(2)	Public school district administrative offices are not permitted, see Section 18A.33.295.

3. Amend 18A.33.250, Office/Business Use Category, to further categorize the "Educational Services" use type as follows:

18A.33.250 Office/Business Use Category - Description of Use Categories.

B. Educational Services. Educational Services Use Type refers to educational services provided by public or private organizations or individuals with the primary purpose of preparing students for jobs in a trade or a profession. Typical uses include commercial/ vocational schools, beauty and barber schools, business schools, aircraft training schools, and conservatories of art, music, or drama. For truck/tractor and trailer driving schools, refer to Section 18A.33.270 M., Motor Vehicle and Related Equipment Sales/Rentals and Repair Services, Level 4.

Level 1: Total floor area up to 5,000 square feet, located on a parcel or combination parcels not exceeding 2 acres in size and abutting a State Highway that is not designated as a limited access highway.

Level 2: All other Educational Services except educational extension facilities and services (see Level 3) and certain vocational skill centers operated by public school districts (see Level 4).

Level 3: Educational extension facilities and services such as the Washington State University Puyallup Research and Extension Center.

Level 4: Vocational skill centers operated by a public school district which are located on a parcel or combination of parcels not exceeding 25 acres in size. Vocational skill centers which do not meet these criteria shall be classified as Level 2.

4. Amend Chapter 18A.33, Zone Classifications, to include a new section 18A.33.295 which limits public school district facilities within the Employment Center as follows:

18A.33.295 Public School District Facilities – Employment Center.

Public schools district facilities allowed within the Employment Center zone classification shall be limited to vocational skills centers which do not exceed a maximum size of 25 acres. Public school district administrative offices shall not be permitted.

5. Modify the table of contents for Chapter 18A.33 to reference the newly created section 18A.33.295.

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Attachment III.

Council Amendment No. 3 pumpkin

TO: Councilmembers

FROM: Research and Legal Staff

SUBJECT: **Amendment to Proposed Ordinance No. 2006-91s3 (Development Regulations)**

While there is support for the concept of an Educational Skill Center, there is also a need to ensure that the proposed use is sited appropriately. Considerable testimony has been received to date regarding the issue of location and no clear consensus has been developed. Accordingly, this amendment proposes to remove the provision allowing for an Educational Skill Center to be located within the Employment Center (EC) zone until additional study regarding the siting of the use has occurred. Should this additional study indicate that the use is appropriate within the Employment Center; a separate ordinance could be introduced early next year which would amend Title 18A to allow the proposed use accordingly. In the interim, we recommend that following amendment:

1. On page 12 of Exhibit B, Table 18A.22.010, remove the following 4 rows entirely from the exhibit, removing all changes proposed therein:

ESSENTIAL PUBLIC FACILITIES USE CATEGORY [Reserved]							
OFFICE/BUSINESS USE CATEGORY							
Administrative and Professional Offices	P	P1;C2		P	P	P	
Educational Services	P	P		P1,2	P	P	

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Attachment IV.

Council Amendment No. 4 goldenrod

TO: Councilmembers

FROM: Councilmember Roger Bush

SUBJECT: **Amendment to Proposed Ordinance No. 2006-91s3 (Development Regulations) – Effective Date**

I recommend the following amendment to Proposed Ordinance No. 2006-91s3 to change the effective date to January 8, 2007:

1. On page 3 of the Ordinance, line 12, remove “March 1” and replace with “January 8”.

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Attachment V.

December 5, 2006

COUNCIL AMENDMENT NO. 1
Blue

TO: Councilmembers
FROM: Michael Transue, Budget Consultant
SUBJECT: **Proposed Amendments to Ordinance No. 2006-128s**

The amendment below would provide for the carrying over in fiscal year 2007 of any unexpended 2006 appropriation in the Auditor's Maintenance and Operations Fund for the Assessor-Treasurer's electronic document management system project.

- On page 4 of 9, line 29 ½ (Auditor's Maintenance and Operations), insert the following:

“PROVIDED, any unexpended allocation for the Assessor-Treasurer's electronic document management system project may be carried over into fiscal year 2007 solely for the purposes of completing the project; PROVIDED FURTHER, the Executive shall communicate to the Council the carry over amount, if any, as soon as is practicable after December 31, 2006.”

The next amendments would repeal Committee Amendment No. 1 (Tan) and provide that Council District 5 carry overs for the projects noted be allocated towards Dawson Park (Pierce County Parks) playground equipment.

- Committee Amendment No. 1 (Tan) is hereby amended to replace the reference to “Midland Community Center” to “Portland Avenue Improvements.”
- Page 3 of 9, line 23 (Miscellaneous Current Expense), insert “PROVIDED, any unexpended allocation for the Dawson Park playground equipment may be carried over into fiscal year 2007 solely for those purposes; PROVIDED FURTHER, the Executive shall communicate to the Council the carry over amount, if any, as soon as is practicable after December 31, 2006.”