

MINUTES
PIERCE COUNTY COUNCIL MEETING
DECEMBER 6, 2005

WALLER ROAD ELEMENTARY SCHOOL
6312 WALLER ROAD EAST
TACOMA, WASHINGTON
(COUNCIL DISTRICT NO. 2)

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

I. CALL TO ORDER

The District No. 2 meeting of the Pierce County Council was called to order at 5:04 p.m. by Vice Chair Lee.

II. ROLL CALL

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

Council Staff Present: Patty Face, Deputy Clerk; Anna Graham, Senior Legislative Analyst; Steve Gross, Deputy Legal Counsel; Janet Maillard, Council Receptionist; Jenifer Schultz, Committee Clerk; Hugh Taylor, Senior Legislative Analyst; Thomas Weber, Administrator for Research and Policy; and Christine Wilson, Councilmember Assistant.

There were approximately sixty-five visitors present.

III. PLEDGE OF ALLEGIANCE TO THE FLAG

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

Lee passed the gavel to Goings to Chair the District No. 2 meeting. Councilmember introductions were made.

IV. APPROVAL OF AGENDA

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

V. CONSENT AGENDA

- a. Approval of Minutes - None
- b. Action on Ordinances (refer, set date of hearing)
 1. PROPOSAL NO. 2005-101, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RELATED TO ALARM SYSTEMS; MAKING TECHNICAL CORRECTIONS TO ORDINANCE NO. 2005-6s; AND AMENDING PIERCE COUNTY CODE CHAPTER 8.64 IN CONNECTION THEREWITH.
Sponsored by: Councilmember Barbara Gelman
Council contact person: Steve Gross, 798-7579
DO PASS RECOMMENDATION - PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE ON NOVEMBER 29, 2005
Suggested date of Council hearing: December 13, 2005
 2. PROPOSAL NO. 2005-102, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CHANGING THE NAME OF THE PIERCE COUNTY INFORMATION SERVICES DEPARTMENT TO PIERCE COUNTY INFORMATION TECHNOLOGY DEPARTMENT; AND AMENDING SECTIONS 2.06.010, 2.07.100 AND 2.98.030 OF THE PIERCE COUNTY CODE.
Sponsored by: Councilmember Shawn Bunney
Department contact person: Lew Sellers, 798-3618
Council contact person: Susan Long, 798-6068
DO PASS RECOMMENDATION - RULES AND OPERATIONS COMMITTEE ON
NOVEMBER 21, 2005
Suggested date of Council hearing: January 17, 2006
 3. PROPOSAL NO. 2005-112, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CREATING SCHOOL SPEED ZONES AND MAXIMUM SPEED LIMITS AT ARTONDALE AND EVERGREEN ELEMENTARY SCHOOLS, PURSUANT TO REVISED CODE OF WASHINGTON 46.61.440(2).
Sponsored by: Councilmember Terry Lee
Council contact person: Thomas Weber, 798-6067
For referral to the Economic and Infrastructure Development Committee
 4. PROPOSAL NO. 2005-113, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING SUPPLEMENTAL FRANCHISE NO. 1 TO NORTHWEST PIPELINE, FOR LOCATION OF NATURAL GAS PIPELINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO THE FRANCHISE AGREEMENT.

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Sponsored by: Councilmember Terry Lee
Council contact person: Thomas Weber, 798-6067
For referral to the Economic and Infrastructure
Development Committee

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

1. PROPOSAL NO. R2005-158, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ACKNOWLEDGING RECEIPT OF THE REVISED PIERCE COUNTY TRAFFIC IMPACT FEE RATE STUDY; REFERRING THIS STUDY TO THE PIERCE COUNTY PLANNING COMMISSION FOR REVIEW; AND REQUESTING THE PLANNING COMMISSION PROVIDE RECOMMENDATIONS REGARDING THE STUDY TO THE PIERCE COUNTY COUNCIL BY MARCH 31, 2006.
Sponsored by: Councilmember Terry Lee
Council contact person: Hugh Taylor, 798-3665
For referral to the Rules and Operations Committee
To be heard in the Rules and Operations Committee on December 12, 2005
Suggested date of Council hearing: December 13, 2005
2. PROPOSAL NO. R2005-159, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AFFIRMING THAT THE SCOPE OF THE CHAMBERS BAY GOLF COURSE PROJECT BONDED THROUGH ORDINANCE NO. 2005-50s INCLUDES THE CONSTRUCTION OF THE ENTRY DRIVE ROAD AND SITE INFRASTRUCTURE PROJECTS AND AFFIRMING THAT THE ENTRY DRIVE AND SITE INFRASTRUCTURE PROJECTS ARE TO BE FINANCED FROM THE BOND FUNDS; AUTHORIZING THE USE OF SEWER FUND BALANCE UP TO THE AMOUNTS IDENTIFIED IN THE 2006 PIERCE COUNTY BUDGET AS A SHORT-TERM FUNDING SOURCE TO FINANCE THESE PROJECTS IN THE EVENT THAT THE FUNDS GENERATED BY THE ISSUANCE OF BONDS PURSUANT TO ORDINANCE NO. 2005-50s ARE INSUFFICIENT TO FULLY FINANCE THE PROJECTS; REQUIRING THAT ANY SHORT-TERM FUNDING PROVIDED BY THE SEWER FUND FOR THESE PROJECTS BE REPAYED WITHIN FIVE YEARS OF THE OPENING OF THE CHAMBERS BAY GOLF COURSE; APPROVING A STRATEGY FOR THE SALE AND/OR LEASE OF EXCESS LAND WITHIN THE CHAMBERS CREEK PROPERTIES AS A MEANS OF GENERATING ADDITIONAL REVENUE FOR REPAYMENT OF DEBT RELATED TO THE CHAMBERS BAY GOLF COURSE PROJECT; SETTING FORTH A TIMELINE AND PROCESS FOR CONSIDERATION OF OTHER CAPITAL IMPROVEMENTS WITHIN THE CHAMBERS CREEK

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PROPERTIES AS IDENTIFIED IN THE 2006 PIERCE COUNTY BUDGET; AND REAFFIRMING COUNCIL DIRECTIVES RELATED TO THE CHAMBERS BAY GOLF COURSE SET FORTH IN RESOLUTION NO. R2004-68s AND ORDINANCE NO. 2005-63. Sponsored by: Councilmembers Shawn Bunney, Calvin Goings and Terry Lee

Council contact person: Hugh Taylor, 798-3665

For referral to the Rules and Operations Committee

To be heard in the Rules and Operations Committee on December 12, 2005

Suggested date of Council hearing: December 13, 2005

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 Orting
- City of University Place
- Peninsula Metropolitan Park District
- Pierce County Fire Protection District 1
- Pierce County Fire Protection District 3
- Pierce County Fire Protection District 12
- Pierce County Fire Protection District 14
- Pierce County Fire Protection District 20
- Pierce County Fire Protection District 22
- Puget Sound Education Service District
- 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 Ordinances, which were approved and signed on November 17, 2005, was read into the record:

ORDINANCE NO. 2005-71, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THE PROPOSED NON-EXCLUSIVE

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TELECOMMUNICATIONS FRANCHISE TO MCI WORLDCOM NETWORK SERVICES INC., FOR A TELECOMMUNICATIONS NETWORK IN PIERCE COUNTY TO BE IN THE PUBLIC INTEREST; SETTING FORTH TERMS AND CONDITIONS ACCOMPANYING THE GRANTING OF THE TELECOMMUNICATIONS FRANCHISE; PROVIDING FOR THE REGULATION OF CONSTRUCTION, OPERATION, MAINTENANCE, AND USE OF THE NETWORK; PRESCRIBING REMEDIES FOR THE VIOLATION OF THE PROVISIONS OF THE FRANCHISE; AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO THE FRANCHISE AGREEMENT.

ORDINANCE NO. 2005-74, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO JOPP WATER COMPANY, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

ORDINANCE NO. 2005-77, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO THE CITY OF FIFE, A MUNICIPAL CORPORATION OF PIERCE COUNTY, WASHINGTON, FOR LOCATION OF WATERLINES ON CERTAIN COUNTY OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SAID FRANCHISE.

ORDINANCE NO. 2005-78, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 2.92.040 OF THE PIERCE COUNTY CODE TO EXTEND UNTIL MARCH 30 THE TERM OF OFFICE FOR SOLID WASTE ADVISORY COMMITTEE MEMBERS.

Goings acknowledged Council and Department staff present.

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

VIII. ORDINANCES

PROPOSAL NO. 2005-93s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A NEW CHAPTER 19B.100 OF THE PIERCE COUNTY CODE, "THE MID-COUNTY COMMUNITY PLAN"; REPEALING CHAPTER 19B.50, "SUMMIT-WALLER COMMUNITY PLAN"; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

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

Graham provided an overview of the Proposal.

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Brynn Brady, Planning and Land Services, provided an historical overview and explained the five elements of the Plan.

Goings read several documents into the record and announced meeting protocol.

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

Graham provided an overview of the technical changes contained in the amendment.

Public Testimony

Terry Wise testified.

The amendment passed on a voice vote.

Public Testimony on Proposal No. 2005-93s as Amended

Jim Akers, Larry Volland, Tracy Hansen, Audrey Chase, Bill Matson, Bob Matson, Donald Leske, Mark Wigman, John Merriman, Dave Hudson, Lionel Lopez, Ray Copeland, and Anne Mackie testified.

Goings responded to the speakers.

Bush complimented the citizens for their work on the Plan. He stated that less than one percent of the rural separator will be impacted by the Plan.

Gelman thanked Land Use Advisory Commission Members, the Planning Commission, Planning and Land Services, Council staff, and fellow Councilmembers for their work to solve competing interests. She stated the Plan is a living, changing document which will represent a living community, and expressed her hope that the Plan is appreciated and embraced by the community.

Lee thanked citizens and staff for their community planning efforts, calling the Plan dynamic and subject to change when needed.

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Goings stated the Plan preserves as much of the rural separator as it can, despite conflicting viewpoints. He explained the Plan provides a no-net loss policy to the rural separator lands, meaning the total acreage in rural separator which exists today will exist into the future. He emphasized the Plan provides for lower densities and residential units than the Plan recommended by the Community Planning Board, the Land Use Advisory Commission, and the Planning Commission. He stated the Plan also contains stringent design standards.

Chip Vincent, Environmental Official Designee, Planning and Land Services Department, verified that the final Environmental Impact Statement comment period had officially expired at 4:30 p.m. on December 6, 2005, and that no appeals were filed.

The Proposal passed as amended on a roll call vote of five to one. Timothy M. Farrell voted no.

PROPOSAL NO. 2005-94s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL IMPLEMENTING THE MID-COUNTY COMMUNITY PLAN; AMENDING TITLE 18A OF THE PIERCE COUNTY CODE, "PIERCE COUNTY DEVELOPMENT REGULATIONS - ZONING"; ADOPTING A NEW CHAPTER 18A.27, "MID-COUNTY USES AND DENSITY AND DIMENSION TABLES"; AMENDING THE PIERCE COUNTY ZONING ATLAS; ADOPTING A NEW CHAPTER 18B.160, "SIGN DESIGN - MID-COUNTY"; ADOPTING A NEW CHAPTER 18J.70, "MID-COUNTY COMMUNITY PLAN AREA DESIGN STANDARDS AND GUIDELINES"; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

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

Graham provided an overview of the Proposal, which is a companion to Proposal No. 2005-63s.

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

Graham provided an overview of the amendment, stating it is technical in nature, to synchronize with the County-wide Plan. She reiterated there are no substantive changes and stated the effective date of the Proposal would be March 1, 2006.

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Public Testimony

Carl Halsan testified.

Goings responded.

The amendment passed on a voice vote.

Public Testimony on Proposal No. 2005-94s2 as Amended

Jim Akers and Dan Stoehr testified.

Goings responded.

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

IX. RESOLUTIONS - None

X. OTHER BUSINESS/ANNOUNCEMENTS - None

XI. CITIZENS' FORUM

Stacie Emerson, Tracy Hansen, Cindy Beckett, Bob Matson, Jim Akers, Donald Leske, Larry Volland, Dave Hudson, and John Merriman commented.

Councilmembers responded.

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XII. ADJOURNMENT

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

Attest:

Patricia L. Face, Deputy Clerk

Approved:

Shawn Bunney, Council Chair

Date Approved

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