

**Minutes
Pierce County Council Meeting
December 11, 2007**

930 Tacoma Avenue South, Room 1045
Tacoma, WA 98402

Voice: (253) 798-7777 – FAX: (253) 798-7509 – Toll-Free: (800) 992-2456 – TDD: (253) 798-4018
www.piercecountywa.org/council

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

I. Call to Order

The Council Meeting was called to order at 3 p.m. by Chair Lee.

II. Roll Call

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

Council Staff Present: Paul Bocchi, Budget Legislative Analyst; Jeff Cox, Deputy Legal Counsel; Brad Chatfield, Communications Legislative Analyst; Patty Face, Acting Clerk of the Council; Anna Graham, Administrator for Research and Policy; Mike Kruger, Legislative Analyst; Susan Long, Administrator for Legal and Operations; Leslie Swalley, Councilmember Assistant; and Hugh Taylor, Senior Legislative Analyst.

There were approximately 50 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.

IV. Approval of Agenda

Goings moved approval; 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. 2007-119, An Ordinance of the Pierce County Council Granting Supplemental Franchise No. 7 to City of Gig Harbor, a Municipal Corporation, State of Washington, for Location of Sanitary Sewer Pipelines on Certain County-Owned Rights of Way.

Sponsored by: Councilmember Terry Lee
Department contact person: Jerry West, Public Works and Utilities,
(253) 798-3687
Council contact person: Jeff Cox, (253) 798-7579
For referral to the Economic and Infrastructure Development Committee

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

1. Proposal No. R2007-151, A Resolution of the Pierce County Council Establishing the Council's Standing and Select Committees; Naming the Committee Memberships; and Setting Meeting Times for Standing and Select Committee Meetings for 2008.

Sponsored by: Pierce County Council
Council contact person: Susan Long, (253) 798-6068
Suggested date of Council hearing: January 15, 2008

2. Proposal No. R2007-152, A Resolution of the Pierce County Council Making Appointments of Councilmembers and Staff to Positions on External Boards, Commissions, Committees, and Other Organizations for the Year 2008.

Sponsored by: Pierce County Council
Council contact person: Susan Long, (253) 798-6068
Suggested date of Council hearing: January 15, 2008

3. Proposal No. R2007-154, A Resolution of the Pierce County Council Supporting the 2008 "Priorities for a Healthy Washington" State Legislative Proposals.

Sponsored by: Councilmember Calvin Goings
Council contact person: Hugh Taylor, (253) 798-3665
Suggested date of Council hearing: January 15, 2008

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, was read into the record:

Anderson Island Park and Recreation District
City of DuPont
City of Edgewood
City of Fife
City of Lakewood
City of Orting
City of Puyallup
City of Sumner
Clover Park School District
Metropolitan Park District of Tacoma
Pierce County Fire District No. 8

Pierce County Fire District No. 13
Pierce County Fire District No. 16
Pierce County Fire District No. 21
Pierce County Fire District No. 26
Town of Ruston
Town of Wilkeson
Valley Regional Fire Authority

Goings moved approval of the Consent Agenda; motion seconded and passed on 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 28, 2007, was read into the record:

Ordinance No. 2007-109s, An Emergency Ordinance of the Pierce County Council Responding to the Final Decision and Order Issued by the Central Puget Sound Growth Management Hearings Board in "James Halmo et al. v. Pierce County, Case No. 07-3-0004c," Regarding the Graham Community Plan and Implementing Regulations, and Technical Amendments to County-Wide Regulations and to Frederickson, Gig Harbor Peninsula, Parkland-Spanaway-Midland, and Upper Nisqually Regulations; Re-Adopting Exhibit A of Ordinance No. 2006-53s to Provide the Notice Required by the Decision; Amending Pierce County Code Section 19A.30.230, "Comprehensive Plan Land Use Designations Map," Chapter 19B.110, "The Graham Community Plan," Chapter 18A.17, "Pierce County (Outside Community Plan Areas) Use and Density/Dimension Tables," Chapter 18A.22, "Frederickson Use and Density/Dimension Tables," Chapter 18A.23, "Gig Harbor Peninsula Use and Density/Dimension Tables," Chapter 18A.28, "Parkland-Spanaway-Midland Use and Density/Dimension Tables," Chapter 18A.31, "Upper Nisqually Use and Density/Dimension Tables," Chapter 18A.33, "Zone Classifications," and the Pierce County Zoning Atlas; Adopting Findings of Fact; Establishing an Effective Date; and Declaring an Emergency.

Ordinance No. 2007-116, An Ordinance of the Pierce County Council Ratifying the Collective Bargaining Agreement Reached with the Pierce County Deputy Sheriffs' Independent Guild, Local No. 1889; and Amending the Pierce County Salary Classification Plan.

2. A message from the Executive transmitting the following Ordinances, which were approved and signed on December 3, 2007, was read into the record.

Ordinance No. 2007-76s2, An Ordinance of the Pierce County Council Relating to Public Records and Miscellaneous Production and Service Fees; and Amending Chapter 2.04 and Adding a New Chapter to Title 4 of the Pierce County Code.

Ordinance No. 2007-95, An Ordinance of the Pierce County Council Establishing New Rates and Charges for the Availability and Furnishing of Sanitary Sewer Service; Amending Section 13.13.085 of the Pierce County Code, "Rates and Charges"; and Setting an Effective Date.

Ordinance No. 2007-98s, An Ordinance of the Pierce County Council Adopting the 2008-2013 Parks Improvement Plan Pursuant to Section 14. of Pierce County Ordinance No. 2006-115s; Providing Information on Funding and Expenditures for the Six-Year Period, 2008-2013; Finding That Each Project Contained in the Plan is a Public Necessity; and Adopting Findings of Fact.

Ordinance No. 2007-99s, An Ordinance of the Pierce County Council Relating to the Surface Water Management Fee Schedule and Funding Methodology; Amending Chapter 11.02 of the Pierce County Code, "Storm Drainage and Surface Water Management"; Authorizing Foreclosure of Liens in the Manner Authorized by Revised Code of Washington 36.94.150 and 36.89.090; Extending the Rate Structure Sunset Clause; and Setting an Effective Date.

Ordinance No. 2007-106, An Ordinance of the Pierce County Council Adopting the 2008 -2013 Sewer Improvement Program (SIP), Pursuant to Pierce County Ordinance 2006 115s, and the Revised Code of Washington (RCW) 36.70A.040, and 36.70.530, Finding that Each Project Contained in the Program is a Public Necessity.

Ordinance No. 2007-107, An Ordinance of the Pierce County Council Amending Sections 4A.20.030, "Impact Fee Schedule" and 4A.30.030, "School Impact Fee Schedule", of the Pierce County Code to Adjust Regional Park and School Impact Fees for 2008; and Setting an Effective Date.

3. A message from the Executive transmitting the following Ordinances, which were approved and signed on December 4, 2007, was read into the record:

Ordinance No. 2007-80s, An Ordinance of the Pierce County Council Repealing Chapter 8.64 of the Pierce County Code, "Alarm Systems", Adopting a New Chapter 8.64 of the Pierce County Code, "Alarm Systems", Relating to Alarm System Permitting, Alarm Business Registration, Alarm Responses, Revocations, and Prescribing Penalties for Violations; and Setting an Effective Date.

Ordinance No. 2007-86s, An Ordinance of the Pierce County Council Adopting the 2007 Amendments to the Pierce County Comprehensive Plan; Amending Title 19A of the Pierce County Code, "Comprehensive Plan"; Chapter 19B.10, "Gig Harbor Peninsula Community Plan," Chapter 19B.30, "The Frederickson Community Plan," Chapter 19B.40, "The Parkland-Spanaway-Midland Communities Plan," Chapter 19B.80, "The Upper Nisqually Valley Community Plan," Chapter 19B.90, "The South Hill Community Plan," Chapter 19B.100, "Mid-County Community Plan," and Chapter 19B.110, "The Graham Community Plan"; Adopting Findings of Fact; and Setting Forth an Effective Date.

Ordinance No. 2007-90s, An Ordinance of the Pierce County Council Adopting the 2008-2013 Transportation Improvement Program and 2008-2021 Fourteen-Year Ferry Program, Pursuant to Revised Code of Washington Sections 36.81.121, 36.81.122, 36.81.130, and 36.54.015, and Washington Administrative Code 136, Chapters 15 and 16; Finding that Each Project Contained in the Plan is a Public Necessity; Authorizing the Prosecuting Attorney to Commence Condemnation Proceedings to Acquire Real Property for only those Capital Improvement Projects Contained in the Document for Expenditure of Funds in 2008; and Adopting Findings of Fact. (Annual Road Program, Six-Year Road Program, and the Fourteen-Year Ferry Program)

Ordinance No. 2007-91s, An Ordinance of the Pierce County Council Creating a Transfer and Purchase of Development Rights Program and Adopting Technical Amendments to Implement the Program; Amending the Pierce County Code by Adopting a New Chapter 18G.10, "Transfer and Purchase of Development Rights," and a New Chapter 2.101, "Transfer of Development Rights Committee"; Amending Chapter 18.25, "Definitions," Chapter 18A.35, "Development Standards," "Use Permits," and Chapter 19C.10, "Procedures for Amendments to the Comprehensive Plan"; Setting an Effective Date; and Adopting Findings of Fact.

Ordinance No. 2007-94s, An Ordinance of the Pierce County Council Adopting a New Ferry Fare Schedule; Amending Chapter 10.38 of the Pierce County Code, "Ferry Fares"; and Setting an Effective Date.

Ordinance No. 2007-96, An Ordinance of the Pierce County Council Authorizing Wage Adjustments for Non-Represented Employees; Amending the Pierce County Salary Classification Plan; and Setting an Effective Date.

Ordinance No. 2007-97, An Ordinance of the Pierce County Council Amending Fee Schedules for Parks and Recreation Activities and Facilities, Including Golf Course Fees, and Adding New Fees for Certain Parks and Recreation Activities and Facilities; Amending Chapter 14.20 of the Pierce County Code, "Parks and Recreation Services Fees"; and Setting an Effective Date.

Ordinance No. 2007-100, An Ordinance of the Pierce County Council Adjusting the Fee Schedule for Planning and Land Services Department Services; Amending Pierce County Code Section 2.05.060, "Environmental Fees," Section 2.05.070, "Land Use Regulations Fees," Section 2.05.090, "Engineering Review Fees," and Section 2.05.110, "Additional Fees"; and Setting an Effective Date.

Ordinance No. 2007-101, An Ordinance of the Pierce County Council Setting the 2008 Ad Valorem Tax Levies for Pierce County for Levy in 2007 and Collection in 2008; and Setting an Effective Date.

Ordinance No. 2007-110, An Ordinance of the Pierce County Council Amending Ordinance No. 2006-114s, as Amended by Ordinance Nos. 2007-8s, 2007-12s, 2007-54s, and 2007-81s; and Modifying the County 2007 Budget.

4. A message from the Executive transmitting the following Ordinances, which were approved and signed on December 6, 2007, was read into the record:

Ordinance No. 2007-92, An Ordinance of the Pierce County Council Vacating a Portion of "A" Street located in the Southwest and Southeast Quarter of Section 33, Township 19 North, Range 3 East of the Willamette Meridian, in the Spanaway Area.

Ordinance No. 2007-108, An Ordinance of the Pierce County Council Creating a New Chapter 3.98 of the Pierce County Code, "Domestic Partnership Benefits" and Amending Sections 3.12.030, 3.52.020, 3.56.010, 3.68.020, and 3.76.030 of the Pierce County Code to Provide for the Extension of Employee Benefits to Employees' Domestic Partners; and Setting an Effective Date.

VII. Proclamations, Awards, and/or Appointments to Boards and Commissions - none

VIII. Ordinances

Proposal No. 2007-25, An Ordinance of the Pierce County Council Repealing Ordinance No. 96-86 Which Prohibited the Discharge of Firearms in the Wilkeson Area; and Creating Two Areas Where the Discharge of Firearms Would be Prohibited in Unincorporated Portions of Sections 22, 26, 27, 28, and 33 of Township 19 North, Range 6 East, in the Wilkeson Area.

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

Staff Testimony

Long briefed the Council and explained the Proposal was originally Postponed Indefinitely at the June 26, 2007, Council Meeting, and had recently been heard in the Rules and Operations Committee on November 26, 2007, and was Forwarded Without Recommendation to the Council.

Bunney recommended the Proposal be Postponed Indefinitely and referred back to the Firearms Advisory Commission for additional community input.

The Chair called for public testimony.

Public Testimony

The following individuals testified: Rebecca Gilbert, Wilkeson Councilmember; Janet Kepka, Wilkeson Mayor; and Robert Sutton.

Staff Testimony

Sean Gaffney, Planning and Land Services, addressed the Council and responded to questions.

Bunney moved to Postpone Indefinitely; motion seconded and passed on a voice vote.

Without objection, the Chair skipped item 2 on the Agenda and moved to item 3, Proposal No. 2007-113s.

Proposal No. 2007-113s, An Ordinance of the Pierce County Council Amending Ordinance No. 2006-114s, as Amended by Ordinance Nos. 2007-8s, 2007-12s, 2007-54s, and 2007-81s; and Modifying the County 2007 Budget.

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

Staff Testimony

Bocchi briefed the Council and reported the Proposal received a Do Pass as Substituted recommendation at the Rules and Operations Committee on November 26, 2007.

Bocchi provided an oral amendment. Goings moved the oral amendment; motion seconded. A copy of this amendment is included with these minutes as Attachment I.

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

Public Testimony

Randy Boss testified.

The Proposal passed as amended on a roll call vote of five to zero. Bunney and Farrell were excused at the time of the roll call vote.

Proposal No. 2007-115, An Ordinance of the Pierce County Council Amending Chapter 3.68 of the Pierce County Code, "Sick Leave," to Reinstate Sick Leave Payoff Provisions, Replacing the "Conversion of Sick Leave to Vacation Leave" Provision with the "Sick Leave Incentive Program" for Non-Represented, Non-Elected Employees; and Setting an Effective Date.

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

Staff Testimony

Long briefed the Council and reported the Proposal received a Do Pass recommendation at the Rules and Operations Committee on November 26, 2007.

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

The Chair returned to the order of Agenda items as listed.

Proposal No. 2007-41s2, An Ordinance of the Pierce County Council Adopting a New Chapter 19B.120 of the Pierce County Code, "The Alderton-McMillin Community Plan"; Amending Pierce County Code Sections 19A.30.060 and 19A.40.060 to Include a New Designation, Rural Industrial Centers; Setting an Effective Date; and Adopting Findings of Fact.

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

Staff Testimony

Graham briefed the Council and reported the Proposal was Forwarded Without Recommendation by the Community Development Committee on November 19, 2007. She stated there were amendments for consideration.

Goings moved Council Amendment No. 1 on Celery; motion seconded. A copy of this Amendment is included with these minutes as Attachment II. Graham provided an overview of the amendment and responded to Council questions.

The Chair called for public testimony on the amendment.

Public Testimony

The following individuals testified: Bud Rehberg; Chip Vincent; Kathy Fewins, Investco; Dave Enslow, Sumner Mayor; Dave Lewis, Miles Sand and Gravel; Maxine Herbert Hill; John Bodepich, Bonney Lake Planning and Community Director; and Wally Costello, Weyerhaeuser.

Staff Testimony

Chip Vincent, Planning and Land Services, addressed the Council and recommended oral amendment language be added to Council Amendment No. 1 on Celery. Graham re-stated the oral amendment language to Council Amendment No. 1 on Celery. Vincent responded to Council questions.

Farrell moved the oral amendment to Council Amendment No. 1 on Celery; motion seconded. A copy of the oral amendment crib sheet is included with these minutes as Attachment III.

The Chair called for public testimony on the oral amendment to Council Amendment No. I on Celery; there was no response. The oral amendment to Council Amendment No. I on Celery passed on a voice vote.

The Chair called for public testimony on Council Amendment No. I on Celery as amended; there was no response.

Council Amendment No. 1 on Celery as amended passed on a voice vote.

Goings moved Council Amendment No. 2 on Lavendar; motion seconded. A copy of this amendment is included with these minutes as Attachment IV. Graham provided an overview of the amendment.

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

The Chair called for public testimony on Ordinance No. 2007-41s2 as amended.

Public Testimony

Dave Enslow, Sumner Mayor; and Maxine Herbert Hill testified.

Staff Testimony

Graham and Vincent summarized Community Development Committee amendments.

Council Comment

Bunney, Farrell, and Lee thanked all who worked on the Community Plan.

Proposal No. 2007-41s2 passed as amended on a roll call vote of seven to zero.

Proposal No. 2007-117s, An Ordinance of the Pierce County Council Repealing Ordinance No. 96-109 which Prohibited the Discharge of Firearms within Portions of Sections 15 and 16, Township 17 North, Range 2 East in the Roy-McKenna Area of Unincorporated Pierce County.

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

Staff Testimony

Long briefed the Council and reported the Proposal received a Do Pass as Substituted recommendation at the Rules and Operations Committee on December 3, 2007.

Long provided an oral amendment. Goings moved the oral amendment; motion seconded. A copy of the oral amendment crib sheet is included with these minutes as Attachment V.

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

The Chair called for public testimony on Proposal No. 2007-117s as amended; there was no response. The Proposal passed as amended on a roll call vote of seven to zero.

Proposal No. 2007-118s, An Ordinance of the Pierce County Council Amending Chapter 3.12 of the Pierce County Code, "Code of Ethics," to Address Lobbyist Registration and Reporting; to Provide for Advisory Opinions; to Expand the Applicability of Financial Disclosure Requirements; to Revise Certain Definitions, Prohibited Practices, Enforcement Procedures and Penalties; and to Make Technical Revisions.

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

Staff Testimony

Long briefed the Council and reported the Proposal received a Do Pass as Substituted recommendation at the Rules and Operations Committee on December 10, 2007. Long stated there were amendments for consideration.

Goings moved Council Amendment No. 1 on Lilac; motion seconded. A copy of the amendment is included with these minutes as Attachment VI. Long explained the amendment. The Chair called for public testimony on the amendment.

Public Testimony

Randy Boss testified.

The amendment passed on a voice vote.

Goings moved Council Amendment No. 2 on Tan; motion seconded. A copy of this amendment is included with these minutes as Attachment VII. Long explained the amendment. The Chair called for public testimony on the amendment.

Public Testimony

Randy Boss testified.

The amendment passed on a voice vote.

Goings moved Council Amendment No. 3 on Blue; motion seconded. A copy of the amendment is included with these minutes as Attachment VIII. Long explained the amendment. The Chair called for public testimony on the amendment.

Public Testimony

The following individuals testified: Bud Rehberg; Van Collins, Associated General Contractors; and Randy Boss.

Council Comment

Bunney, Muri, and Farrell commented.

The amendment failed on a roll call vote of two to five. Bush, Gelman, Muri, Bunney, and Lee voted no.

Goings moved Council Amendment No. 4 on Pink; motion seconded. A copy of this amendment is included with these minutes as Attachment IX. Long explained the amendment. The Chair called for public testimony on the amendment.

Public Testimony

Bud Rehberg, and Randy Boss testified.

Council Comment

Bunney, Bush, and Goings commented.

The amendment passed on a voice vote.

Goings moved Council Amendment No. 5 on Yellow; motion seconded. A copy of this amendment is included with these minutes as Attachment X. Long explained the amendment. The Chair called for public testimony on the amendment.

Public Testimony

Skip Stansbury testified.

Council Comment

Bush and Goings commented.

The amendment passed on a voice vote.

Bush moved oral Council Amendment No. 6; motion seconded. A copy of oral amendment No. 6 crib sheet is included with these minutes as Attachment XI.

The Chair called for public testimony on the oral amendment.

Public Testimony

Skip Stansbury, and Randy Boss testified.

Council Comment

Muri commented.

The amendment passed on a voice vote. Lee and Farrell voted no.

The Chair called for public testimony on Proposal No. 2007-118s as amended.

Public Testimony

The following individuals testified: Randy Boss; Catherine Rudolph, Tacoma-Pierce County Association of Realtors; John Ernest Berry, III; Bud Rehberg; George Wearn; and Van Collins, Associated General Contractors.

Council Comment

Bush, Farrell, and Muri commented.

Muri moved to continue Proposal No. 2008-118s to a date certain of January 29, 2008; motion seconded.

The motion failed on a roll call vote of three to four. Farrell, Gelman, Goings, and Bunney voted no.

The Chair verified the motion the Council had just voted on was to continue Proposal No. 2008-118s to a date certain of January 29, 2008. Discussion followed.

Without objection, the Chair recessed the Council Meeting at 5:50 p.m. The Chair reconvened the Council Meeting at 5:58 p.m. All Councilmembers were present.

Muri moved to roll the amendments into a substitute and continue to a date certain of January 29, 2008; motion seconded.

Council Comment

Gelman and Farrell commented.

Long reiterated that the current motion included rolling the amendments into a substitute.

Council Comment

Bunney, Goings, Bush, Farrell, and Muri commented.

The motion to roll the amendments into a substitute and continue to a date certain of January 29, 2008, passed on a roll call vote of five to two. Farrell and Goings voted no.

IX. Resolutions

Proposal No. R2007-138, A Resolution of the Pierce County Council Ratifying the Exchange of Surplus County-Owned Real Property Located in the Gig Harbor Area (Peacock Hill Property) for Certain Real Property Owned by John Morrison Located in the Key Peninsula Area (Spadoni Brothers Property), and Additional Consideration That Will Be Directed to Fund the Construction of a Future Road Maintenance Facility on the Key Peninsula, Subject to Future Budget Approval by the Council.

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

Staff Testimony

Bocchi briefed the Council and stated the Proposal received a Do Pass recommendation at the Rules and Operations Committee on December 3, 2007.

The Chair called for public testimony.

Public Testimony

Ken Paulson, Randy Boss, and William Dixon testified.

Council Comment

Farrell, Bush, and Lee commented.

Brian Ziegler, Director, Public Works and Utilities, addressed the Council and answered questions.

The Proposal was adopted on a roll call vote of six to one. Farrell voted no.

Proposal No. R2007-139, A Resolution of the Pierce County Council Re-establishing the Housing Affordability Task Force to Develop Recommendations for Implementing Its March 2007 Report; Appointing Membership of the Task Force; Providing Guidelines and a Timeline for the Work of the Task Force; Requesting the Planning Commission to Review the Proposal and Make Recommendations for Action by the County Council by a Date Certain; and Providing a Sunset Date for the Task Force.

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

Staff Testimony

Taylor briefed the Council and reported the Proposal received a Do Pass recommendation at the Rules and Operations Committee on December 3, 2007. Taylor provided one amendment.

Goings moved Council amendment No. 1 on Blue; motion seconded. A copy of this amendment is included with these minutes as Attachment No. XII. Taylor explained the amendment.

Council Comment

Bush and Goings commented.

The Chair called for public testimony on the amendment.

Public Testimony

Bud Rehberg testified.

The amendment passed on a voice vote.

Taylor provided an oral amendment. Goings moved the oral amendment; motion seconded. A copy of the oral amendment is included with these minutes as Attachment No. XIII.

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

The Chair called for public testimony on Proposal No. R2007-139 as amended; there was no response. The Proposal was adopted as amended on a roll call vote of seven to zero.

Proposal No. R2007-141, A Resolution of the Pierce County Council Authorizing the Pierce County Executive to Execute the Commute Trip Reduction Implementation Agreement with the Washington State Department of Transportation to Accept Funds to Complete Tasks Associated with the Commute Trip Reduction Efficiency Act, Revised Code of Washington 70.94.524 through Revised Code of Washington 70.94.551.

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

Staff Testimony

Cox briefed the Council and reported the Proposal received a Do Pass recommendation at the Rules and Operations Committee on December 10, 2007. Cox offered to answer questions should they arise for this Proposal and several Commute Trip Reduction Proposals to follow.

The Chair called for public testimony; there was no response. The Proposal was adopted on a roll call vote of six to zero. Bunney was excused at the time of the roll call vote.

Proposal No. R2007-142, A Resolution of the Pierce County Council Authorizing the Pierce County Executive to Execute the Commute Trip Reduction (CTR) Interlocal Agreement with the City of DuPont to Accept the City's Allocation of Washington State Commute Trip Reduction Funds to Complete Tasks Associated with the Commute Trip Reduction Efficiency Act, Revised Code of Washington 70.94.524 through Revised Code of Washington 70.94.551 and the County will Perform These Tasks for Employers Located within the City.

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

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

Proposal No. R2007-143, A Resolution of the Pierce County Council Authorizing the Pierce County Executive to Execute the Commute Trip Reduction (CTR) Interlocal Agreement with the City of Fife to Transfer Washington State Commute Trip Reduction Funds to Complete Tasks Associated with the Commute Trip Reduction Efficiency Act, Revised Code of Washington 70.94.524 through Revised Code of Washington 70.94.551.

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

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

Proposal No. R2007-144, A Resolution of the Pierce County Council Authorizing the Pierce County Executive to Execute the Commute Trip Reduction (CTR) Interlocal Agreement with the City of Lakewood to Accept the City's Allocation of Washington State Commute Trip Reduction Funds to Complete Tasks Associated with the Commute Trip Reduction Efficiency Act, Revised Code of Washington 70.94.524 through Revised Code of Washington 70.94.551 and the County will Perform These Tasks for Employers Located within the City.

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

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

Proposal No. R2007-145, A Resolution of the Pierce County Council Authorizing the Pierce County Executive to Execute the Commute Trip Reduction (CTR) Interlocal Agreement with the Pierce County Public Transportation Benefit Area Corporation (Pierce Transit) to Provide Washington State Commute Trip Reduction Funds to Complete Tasks Associated with the Commute Trip Reduction Efficiency Act, Revised Code of Washington 70.94.524 through Revised Code of Washington 70.94.551.

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

The Chair called for public testimony.

Public Testimony

John Ernest Berry, III testified.

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

Proposal No. R2007-146, A Resolution of the Pierce County Council Authorizing the Pierce County Executive to Execute the Commute Trip Reduction (CTR) Interlocal Agreement with the City of Puyallup to Accept the City's Allocation of Washington State Commute Trip Reduction Funds to Complete Tasks Associated with the Commute Trip Reduction Efficiency Act, Revised Code of Washington 70.94.524 through Revised Code of Washington 70.94.551 and the County will Perform These Tasks for Employers Located within the City.

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

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

Proposal No. R2007-147, A Resolution of the Pierce County Council Authorizing the Pierce County Executive to Execute the Commute Trip Reduction (CTR) Interlocal Agreement with the City of Tacoma to Transfer Washington State Trip Reduction Funds to Complete Tasks Associated with the Commute Trip Reduction Efficiency Act, Revised Code of Washington 70.94.524 through Revised Code of Washington 70.94.551.

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

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

Proposal No. R2007-148, A Resolution of the Pierce County Council Authorizing the Pierce County Executive to Execute the Commute Trip Reduction (CTR) Interlocal Agreement with the City of University Place to Accept the City's Allocation of Washington State Commute Trip Reduction Funds to Complete Tasks Associated with the Commute Trip Reduction Efficiency Act, Revised Code of Washington 70.94.524 through Revised Code of Washington 70.94.551 and the County will Perform These Tasks for Employers Located within the City.

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

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

Proposal No. R2007-149, A Resolution of the Pierce County Council Requesting that the Planning and Land Services Department Evaluate the Impacts of Indoor and Outdoor Wedding Facilities and Other Uses Described in the Civic Use Category under the Community and Cultural Services Use Type in Title 18A, "Pierce County Development Regulations – Zoning," to Determine if Opportunities Exist to Consolidate Levels; Requesting that a Recommendation, Including any Required Amendments to Title 18A and Necessary Environmental Documentation be Forwarded to the Planning Commission for Review, and Setting a Date for the Planning Commission to Submit its Report and Recommendation to the Council.

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

Staff Testimony

Kruger briefed the Council. He provided an oral amendment. Goings moved the oral amendment; motion seconded. A copy of the oral amendment is included with these minutes as Attachment XIV.

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

The Chair called for public testimony on Proposal No. R2007-149 as amended.

Public Testimony

Steve Griswold, George Wearn, and Rodger Bricker testified.

Council Comment

Lee commented.

The Proposal was adopted as amended on a roll call vote of seven to zero.

X. Other Business/Announcements - none

XI. Citizens' Forum

1. Ken Paulson addressed the Council.

XII. Adjournment

There being no further business, the meeting was adjourned at 6:03 p.m.

Attest:

Patricia L. Face, Acting Clerk of the Council

Approved:

Terry Lee, Council Chair

Date Approved

Proposal No. 2007-113s

Attachment I

COUNCIL ORAL AMENDMENT SHEET
Council Meeting
December 11, 2007

The following oral amendment to Proposed Ordinance No. 2007-113s passed on a voice vote at the December 11, 2007, Council meeting as follows:

In the Ordinance, on page 1, line 26, after the words Tacoma-Pierce County Health Department, strike ~~+296,862~~, and replace with **+598,490**.

Amendment sponsor: Paul Bocchi, Council Staff

Pierce County

Office of the County Council

930 Tacoma Avenue South, Room 1046
Tacoma, Washington 98402-2176
(253) 798-7777
FAX (253) 798-7509
TDD (253) 798-4018
1-800-992-2456

www.piercecountywa.org/council

December 11, 2007

Attachment II

Council Amendment No. 1
celery

TO: County Council

FROM: Councilmember Bunney

SUBJECT: Proposed Amendment to Proposal No. 2007-41s2, Alderton-McMillin Community Plan – Future Urban Growth Area Expansions

I recommend the following amendments to Proposed Ordinance No. 2007-41s2, the Alderton-McMillin Community Plan, to remove joint planning overlays and include policies for future urban growth expansions:

1. On page 22 of Exhibit B, Table 5, delete the row for “Joint Planning Overlay” in its entirety.
2. On page 24 of Exhibit B, remove the section titled “Joint Planning Overlay (JPO)” in its entirety.
3. On page 32 of Exhibit B, remove Principle 3, Standards 7.3.1 and 7.3.2 and all substandards (Joint Planning Overlay policies) and replace with the new Objective and principle as follows:

“Urban Growth Area Expansions

Objective 7A. Ensure that future urban growth area expansions are consistent with applicable provisions of the Growth Management Act and SEPA.

Principle 1. An urban growth area expansion for an adjacent city may be considered through an annual Comprehensive Plan Amendment process only if the request meets the following criteria:

1. The City files an application meeting all legal requirements for urban growth area amendment applications specified in the Pierce County Code, Chapter 19C.10, “Procedures for Amendments to the Comprehensive Plan,” and Chapter 19A, “Comprehensive Plan”;
2. A transportation plan and funding mechanism that addresses the buildout of the expansion area are in place or are proposed;

3. The expansion is accompanied by proposed implementing regulations that address urban design standards, buffers from rural and resource lands, and protection of viewsheds;
 4. The application is being processed consistent with the provisions of the Transfer and Purchase of Development Rights program;
 5. If proposed, de-designation of ARL properties must be accompanied by a commensurate designation of ARL lands from other rural designations, provided that the new ARL lands meet the criteria of PCC 19A.30.070 B., and further provided that the new ARL lands are placed in a conservation easement that limits further future expansion of the urban growth area. The City must demonstrate that the requirements for de-designation in the Comprehensive Plan and the Growth Management Act have been met. Parcels involved in the ARL de-designation described herein would not be subject to the provisions of the Transfer and Purchase of Development Rights program;
 6. The City provides Findings that show any proposed ARL de-designation is consistent with applicable Pierce County and Washington State criteria including SEPA and is in the public interest.
 7. Chapter 19C.10 of the Pierce County Code, "Procedures for Amendments to the Comprehensive Plan," has been amended to allow annual amendments for this purpose.
4. After page 40 of Exhibit B, modify the Proposed Zoning/Land Use Designations map to remove the Joint Planning Overlay.
 5. On page 4 of Exhibit D, Findings, lines 5 through 11, remove Findings 33. and 34. addressing joint planning.

Proposal No. 2007-41s2

Attachment III

COUNCIL ORAL AMENDMENT SHEET
Council Meeting
December 11, 2007

The following oral amendment, added to Council Amendment No. 1 on Celery, to Proposed Ordinance No. 2007-41s2, passed on a voice vote at the December 11, 2007, Council meeting as follows:

In Exhibit B of Ordinance No. 2007-41s2, on page 33, after the words “would not be subject to the provisions of the Transfer and Purchase of Development Rights program;” strike the semi-colon and insert a period. Insert the following language after the word program. “**If there are not adequate rural lands to convert to ARL, the County may consider additional conservation easements on ARL properties within the Community Plan area.**”

Amendment sponsor: Anna Graham, Council Staff

Pierce County

Office of the County Council

930 Tacoma Avenue So., Room 1046
Tacoma, WA 98402-2176
(253) 798-7777
FAX (253) 798-7509
1-800-992-2456

Attachment IV

December 11, 2007

COUNCIL AMENDMENT NO. 2 Lavender

TO: Councilmembers

FROM: Council Research Staff

SUBJECT: **PROPOSED AMENDMENT TO ORDINANCE NO. 2007-41s2**

We recommend the following technical amendments to Ordinance No. 2007-41s2:

1. On lines 22 and 23 on page 3 of 4 of Ordinance No. 2007-41s2 modify the following
Whereas as shown:

“Whereas, on October 15, 2007, the Community Development Committee voted to forward the proposal made a recommendation of do pass as substituted to the full Council for further consideration without recommendation; and”

2. After line 35 on page 2 of 6 of Exhibit C to Ordinance No. 2007-41s2 insert the following:

“19A.30.230 Comprehensive Plan Land Use Designations Map.

The Comprehensive Plan Land Use Designations Map (on the following page) is a general illustration of the County's future land use pattern. The map identifies the specific areas where land use designations identified in the Comprehensive Plan will apply. The map also provides guidance for the development of future zoning maps and implementation of the Comprehensive Plan. The lines on the Comprehensive Plan Land Use Designations Map are an interpretation of specific property boundaries and physical features (roads, railroads, power lines, etc.) based upon parcel-specific maps.

Modify the Comprehensive Plan Land Use Designations Map to reflect the changes shown on the Community Plan maps.”

3. On page 3 of the Ordinance, line 19, strike “~~and~~” prior to “October 15”; and after “October 15” insert “, and November 15”.
4. On page 1 of Exhibit “A,” line 25, remove the shading from “19B.130 THE KEY PENINSULA COMMUNITY PLAN”.
5. On page 4 of 5 of Exhibit “D”, starting on line 5 delete Findings 33 and 34 and renumber accordingly.

Proposal No. 2007-117s

Attachment V

COUNCIL ORAL AMENDMENT SHEET
Council Meeting
December 11, 2007

The following oral amendment to Proposed Ordinance No. 2007-117s passed on a voice vote at the December 11, 2007, Council meeting as follows:

In the Ordinance, on page2, line 2, after the words Whereas, on insert **December 11**.

Amendment sponsor: Susan Long, Council Staff

Pierce County

Office of the County Council

930 Tacoma Avenue So., Room 1046
Tacoma, WA 98402-2176
(253) 798-7777
FAX (253) 798-7509
1-800-992-2456

Attachment VI

December 11, 2007

COUNCIL AMENDMENT NO. 1 Lilac

TO: Councilmembers

FROM: Councilmember Calvin Goings

SUBJECT: **PROPOSED AMENDMENT TO ORDINANCE NO. 2007-118s**

I recommend the following amendment to Exhibit A of Proposed Ordinance No. 2007-118s:

1. On page 12 of 16, line 21, after the words "shall provide", change the dollar amount to read "\$10,000.00".

lm

c: Patty Face, Acting Clerk of the Council

N:\WPFILES\LMEDLEY\2007-118s cncl amd1 mem.doc

Pierce County

Office of the County Council

930 Tacoma Avenue So., Room 1046
Tacoma, WA 98402-2176
(253) 798-7777
FAX (253) 798-7509
1-800-992-2456

Attachment VII

December 11, 2007

COUNCIL AMENDMENT NO. 2 Tan

TO: Councilmembers

FROM: Councilmember Calvin Goings

SUBJECT: **PROPOSED AMENDMENT TO ORDINANCE NO. 2007-118s**

I recommend the following amendment to Exhibit A of Proposed Ordinance No. 2007-118s:

1. On page 4 of 16, lines 42 and 43, delete subsection R.8. in its entirety.

lm

c: Patty Face, Acting Clerk of the Council

N:\WPFILES\LMEDLEY\2007-118s cncl amd2 mem.doc

Pierce County

Office of the County Council

930 Tacoma Avenue So., Room 1046
Tacoma, WA 98402-2176
(253) 798-7777
FAX (253) 798-7509
1-800-992-2456

Attachment VIII

December 11, 2007

COUNCIL AMENDMENT NO. 3 Blue

TO: Councilmembers

FROM: Councilmember Tim Farrell

SUBJECT: **PROPOSED AMENDMENT TO ORDINANCE NO. 2007-118s**

I recommend the following amendment to Exhibit A of Proposed Ordinance No. 2007-118s:

1. On page 9 of 16, beginning on line 16, insert a new subsection E. to Section 3.12.054 to read as follows:

"E. No person shall lobby or register as a lobbyist sooner than two years after leaving County employment."

lm

c: Patty Face, Acting Clerk of the Council

N:\WPFILES\LMEDLEY\2007-118s cncl amd3 mem.doc

Pierce County

Office of the County Council

930 Tacoma Avenue So., Room 1046
Tacoma, WA 98402-2176
(253) 798-7777
FAX (253) 798-7509
1-800-992-2456

Attachment IX

December 11, 2007

COUNCIL AMENDMENT NO. 4 Pink

TO: Councilmembers

FROM: Councilmembers Roger Bush and Shawn Bunney

SUBJECT: **PROPOSED AMENDMENT TO ORDINANCE NO. 2007-118s**

We recommend the following amendment to Exhibit A of Proposed Ordinance No. 2007-118s:

1. On page 8 of 16, line 30, subsection C., before the words "**The Executive's Chief of Staff**" insert "**Council Administrators**".

lm

c: Patty Face, Acting Clerk of the Council

N:\WPFILES\LMEDLEY\2007-118s cncl amd4 mem.doc

Pierce County

Office of the County Council

930 Tacoma Avenue So., Room 1046
Tacoma, WA 98402-2176
(253) 798-7777
FAX (253) 798-7509
1-800-992-2456

Attachment X

December 11, 2007

COUNCIL AMENDMENT NO. 5 Yellow

TO: Councilmembers

FROM: Susan Long, Legal Counsel

SUBJECT: **PROPOSED AMENDMENTS TO ORDINANCE NO. 2007-118s**

I recommend the following amendments to Exhibit A of Proposed Ordinance No. 2007-118s:

1. On page 2 of 16, beginning on line 8, remove the strike out from ", but shall not include the Following:", then insert items 1.-12. from the definition of "gift" on pages 3 and 4.
2. Beginning on page 3, line 19, strike subsection M. in its entirety.
3. On page 6 of 16, line 44, following "anything of value," strike "~~as a gift, gratuity, or favor~~".

lm

c: Patty Face, Acting Clerk of the Council

N:\WPFILES\LMEDLEY\2007-118s cncl amd5 mem.doc

Proposal No. 2007-118s

Attachment XI

**COUNCIL ORAL AMENDMENT #6
CRIB SHEET
Council Meeting
December 11, 2007**

The following oral amendment to Proposed Ordinance No. 2007-118s passed on a voice vote at the December 11, 2007, Council meeting as follows:

In Exhibit A of Proposed Ordinance No. 2007-118s on page 8 of 16, line 30, subsection C., after the words Council Administrators, insert the words **the District Court Administrator, the Superior Court Administrator,**

Amendment sponsor: Roger Bush, Councilmember

Acting Council Clerk's Note: The Council amendments for Proposal No. 2007-118s, that were passed by the Council at the December, 11, 2007, Council Meeting, were rolled into a second substitute, Proposal No. 2007-118s2, and was continued to the January 29, 2008, Council Meeting.

Pierce County

Office of the County Council

930 Tacoma Avenue So., Room 1046
Tacoma, WA 98402-2176
(253) 798-7777
FAX (253) 798-7509
1-800-992-2456

Attachment XII

December 11, 2007

COUNCIL AMENDMENT 1
Blue

TO: Councilmembers

FROM: Councilmember Calvin Goings

SUBJECT: Proposal No. R2007-139, Housing Affordability Task Force

I recommend that the resolution be amended to indicate that the recommendations of the task force also be transmitted to Pierce County's Land Use Advisory Commissions (LUACs) for review prior to action by the Planning Commission as follows:

1. Beginning at page 3 of 3, line 12, of the proposed resolution, insert a new Section 4. as follows:

" Section 4. The recommendations of the House Affordability Task Force shall be provided to each of the active Land Use Advisory Commissions (LUACs) for review. The LUACs are requested to complete their review with 30 days of the receipt transmittal from the Task Force. The LUAC written recommendation, if any, is requested to be provided to the Planning Commission and the Pierce County Council for consideration within 45 days of the receipt of the transmittal from the Task Force."

2. Beginning at page 3 of 3, line 1, of the proposed resolution, renumber Section 4. and modify the date of Planning Commission review as follows:

" Section 4.5. The Housing Affordability Task Force is requested to develop its recommendations for transmittal to the Planning Commission by October 1, 2008. Staff from both the Community Services Department's Housing Program and Planning and Land Services Advance Planning Division is requested to provide additional staff support to the Housing Affordability Task Force, provide appropriate notice of Task Force meetings, and make necessary presentations for review by the Planning Commission. The Planning and Land Services Department will conduct all necessary environmental review. The Planning Commission is requested to provide its recommendation to the Pierce County Council within ~~45~~ 60 days after the receipt of the transmittal from the Task Force."

Proposal No. R2007-139

Attachment XIII

COUNCIL ORAL AMENDMENT SHEET

**Council Meeting
December 11, 2007**

The following oral amendment to Proposed Resolution No. R2007-139 passed on a voice vote at the December 11, 2007, Council meeting as follows:

In the Resolution, on page 2 of 3, line 32, at the end of Section 1. insert **Each appointed member/organization may designate one alternate.**

Amendment sponsor: Hugh Taylor, Council Staff

Proposal No. R2007-149

Attachment XIV

COUNCIL ORAL AMENDMENT SHEET
Council Meeting
December 11, 2007

The following oral amendment to Proposed Resolution No. R2007-149 passed on a voice vote at the December 11, 2007, Council meeting as follows:

In the Resolution, on page 2, line 27, after the words recommendation back to the Council by insert **March 15, 2008**.

Amendment sponsor: Mike Kruger, Council Staff