

Shawn Bunney
District No. 1

Timothy M. Farrell
District No. 4

Dick Muri, Executive Pro Tempore
District No. 6



Joyce McDonald
District No. 2

Barbara Gelman
District No. 5

Terry Lee, Vice Chair
District No. 7

Roger Bush, Chair
District No. 3

Pierce County Council
MEETING AGENDA
March 16, 2010
3:00 p.m.

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

I. Call to Order

II. Roll Call

III. Pledge of Allegiance to the Flag

To be followed by a Moment of Silence in tribute to our men and women in the Military

IV. Approval of Agenda

PUBLIC PARTICIPATION IN COUNCIL MEETINGS

Anyone may address any ordinance or resolution on the agenda for final consideration. Public comment on any other items on the agenda shall be at the discretion of the Chair. To ensure equal opportunity for the public to comment, the Chair may impose a time limit on each speaker. All comments must be directed to the Chair.

No person shall disrupt the orderly conduct of any Council meeting. Speakers who fail to comply with the Council's rules governing public participation in Council meetings (PCC 1.28.050 C.) shall be subject to forfeiture of his or her opportunity to speak to the Council and/or removal from the Council Chambers or other meeting room at the discretion of the Chair.

Citizens' Forum. The purpose of Section XI., Citizens' Forum, is to afford members of the public an opportunity to address the Council on issues of significance to or affecting Pierce County government and that do not appear otherwise on that particular meeting agenda. There is a three minute time limit, unless changed by the Chair; all comments must be directed to the Chair.

The Council adopts and incorporates herein by reference the provisions of Revised Code of Washington 42.17.130 regarding the use of its facilities for campaigns or ballot propositions.

Council meetings are audio recorded and cablecast from gavel to gavel.
Meetings are broadcast live and replayed beginning the next day on channel 22 (Comcast and Click! Network)
and replayed on channel 78 (Rainier Connect).

Video archives are available at www.piercecountytv.org

Audio equipment is available for the hearing impaired. Please contact the receptionist for assistance.



V. Consent Agenda

No final action on any Ordinance or Resolution will be taken under this Section.

a. Approval of Minutes

1. The minutes of the February 16, 2010, regular Council meeting

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

1. Proposal No. 2010-12, An Ordinance of the Pierce County Council Relating to Contracting Indebtedness; Providing for the Issuance, Specifying the Maturity Dates, Interest Rates, Terms and Covenants and Fixing the Form of \$24,280,000 Par Value Limited Tax General Obligation Bonds, 2010 (Taxable Build America Bonds - Direct Payment), of the County for the Purpose of Providing Funds to Pay the Cost of Transportation Improvements in the County and Pay the Costs of Issuance and Sale of Such Bonds; Establishing a Bond Redemption Fund; Approving the Sale and Providing for the Delivery of the Bonds; and Setting an Effective Date.

Sponsored by: Councilmember Roger Bush

Department contact person: Jack Rusler, Budget and Finance, (253) 798-7551

Council contact person: Paul Bocchi, (253) 798-7304

For referral to the Rules and Operations Committee

To be heard in the Rules and Operations Committee on March 29, 2010

Date of final Council hearing: April 13, 2010

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

1. Proposal No. R2010-30, A Resolution of the Pierce County Council Approving, as Creating Municipality, Resolution No. 2010-01 of the Economic Development Corporation of Pierce County, Adopted March 5, 2010, Authorizing the Issuance of \$5,100,000 of Revenue Bonds by the Economic Development Corporation of Pierce County for Purposes of Financing the Acquisition, Construction and Equipping of a Manufacturing Facility for Frederico Enterprises I, LLC.

Sponsored by: Councilmember Roger Bush

Department contact person: Susan Suess, Economic Development Corporation of Pierce County, (253) 284-5892

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

For referral to the Rules and Operations Committee

To be heard in the Rules and Operations Committee on March 22, 2010

Date of final Council hearing: March 23, 2010

d. Other Items



VI. Messages from Executive/Judges/Prosecuting Attorney

1. A message from the Executive transmitting the following Ordinances, which were approved and signed on February 26, 2010:

Ordinance No. 2009-111, An Ordinance of the Pierce County Council Approving a Land Lease Agreement for Real Property at the Pierce County Airport, Thun Field with Northwest Hanger, LLC; and Authorizing the County Executive to Execute Said Lease.

Ordinance No. 2009-112, An Ordinance of the Pierce County Council Finding the Proposed Non-Exclusive Telecommunications Franchise to Unite Private Networks, 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; Authorizing the County Executive to Enter into the Franchise Agreement.

Ordinance No. 2009-113s, An Ordinance of the Pierce County Council Acknowledging Its Approval of a Proposed Amendment to the Affordable Housing Policies in the Pierce County Countywide Planning Policies as Recommended by the Pierce County Regional Council; Authorizing the Pierce County Executive to Execute an Interlocal Agreement(s) with the Cities and Towns of Pierce County to Ratify the Proposed Amendment; and Adopting Findings of Fact.

Ordinance No. 2009-115, An Ordinance of the Pierce County Council Finding the Proposed Non-Exclusive Telecommunications Franchise to Clearwire Legacy LLC, 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. 2010-1s, An Ordinance of the Pierce County Council Amending Chapter 2.97 of the Pierce County Code, "Conservation Futures Fund Allocation and Selection Criteria," to Amend Sections which Create Barriers to Property Acquisition Opportunities.

Ordinance No. 2010-2, An Ordinance of the Pierce County Council Authorizing the Approval of Applications for Open Space Classification under Current Use Assessment on Certain Properties Located within the Unincorporated Boundaries of Pierce County; and Adopting Findings of Fact. (Application Nos. OS36-08, OS56-08, OS72-08, OS73-08, OS74-08, OS75-08, OS76-08, OS77-08, OS78-08, OS80-08, OS81-08, OS82-08, OS86-08, OS87-08, OS88-08, OS90-08, OS91-08, OS95-08, and OS96-08)



Ordinance No. 2010-4, An Ordinance of the Pierce County Council Ratifying the Collective Bargaining Agreement Reached with Council 2, Washington Council of County and City Employees, American Federation of State, County, and Municipal Employees (AFSCME), AFL-CIO, Local 120 - General Unit, Addendum VIII - Wastewater Treatment Plant Operations; and Amending the Pierce County Salary Classification Plan.

Ordinance No. 2010-5, An Ordinance of the Pierce County Council Ratifying the Collective Bargaining Agreement Reached with the Pierce County Prosecuting Attorneys' Association; and Amending the Pierce County Salary Classification Plan.

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

1. **Proposal No. R2010-28**, A Resolution of the Pierce County Council Confirming the Appointment of One New Member (Allen Stakset) to the Pierce County Conservation Futures Citizens' Advisory Board.

Sponsored by: Councilmember Barbara Gelman
Department contact person: Paula Felkins, Parks and Recreation Services,
(253) 798-4017

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

For final consideration

VIII. Ordinances

1. **Proposal No. 2010-6**, An Ordinance of the Pierce County Council Vacating a Portion of 48th Street East Right-of-Way in the Southwest Quarter of Section 14, Township 20 North, Range 3 East, and 30th Avenue East Right-of-Way in the Southeast Quarter of Section 14, Township 20 North, Range 3 East, in the Mid-County Area.

Sponsored by: Councilmember Joyce McDonald
Department contact person: Jerry West, Public Works and Utilities, (253) 798-3687
Council contact person: Hugh Taylor, (253) 798-3665
Committee recommendation: Do Pass at Economic and Infrastructure Development
on March 9, 2010

For final consideration

IX. Resolutions

1. **Proposal No. R2010-18**, A Resolution of the Pierce County Council Setting the Date of an Evening Council Meeting in Council District No. 6 for Tuesday, June 1, 2010, at 6:00 p.m., at Lakewood City Hall - Council Chambers, 6000 Main Street SW, Lakewood, Washington.

Sponsored by: Councilmember Dick Muri
Council contact person: Susan Long, (253) 798-6068

For final consideration



X. Other Business/Announcements

XI. Citizens' Forum (3 minute time limit – see page 1 of this Agenda)

XII. Adjournment

Note: If for any reason this meeting is canceled, all Agenda items shall be continued to the next regular meeting of the Council.

1 Sponsored by: Councilmember Barbara Gelman
2 Requested by: County Executive/Parks and Recreation Services
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6 **RESOLUTION NO. R2010-28**
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9 **A Resolution of the Pierce County Council Confirming the Appointment of**
10 **One New Member (Allen Stakset) to the Pierce County**
11 **Conservation Futures Citizens' Advisory Board.**
12

13 **Whereas** _____, Chapter 2.96 of the Pierce County Code established the Conservation
14 Futures Program for Pierce County, and created the Conservation Futures Citizens'
15 Advisory Board to make annual recommendations to the Council for proposals to be
16 funded as a part of the Conservation Futures Program; and;
17

18 **Whereas**, a vacancy exists on the Pierce County Conservation Futures Citizens'
19 Advisory Board due to the term expiration of Roxy Giddings representing Council
20 District No. 5; and
21

22 **Whereas**, the Pierce County Charter, Section 3.30, states a term of office for any
23 board or commission shall not be longer than four years; and
24

25 **Whereas**, the Executive has appointed Allen Stakset to represent Council District
26 No. 5; and
27

28 **Whereas**, the Pierce County Charter provides that appointments to boards and
29 commissions shall be made by the Executive, subject to confirmation by a majority of
30 the Council, and the Council has completed its confirmation review; **Now Therefore**,

31
32 **BE IT RESOLVED by the Council of Pierce County:**
33

34 Section _____ 1. The Pierce County Council hereby confirms the appointment of the
35 following individual to the Pierce County Conservation Futures Program Citizens'
36 Advisory Board to complete an unexpired term as stated below:
37

38 Allen	Stakset	Representing Council District No. 5
39 First Term		Term Expires: March 31, 2014
40		
41		



1 Section _____ 2. The Clerk of the Council shall provide a copy of this Resolution to the
2 member confirmed, to the Parks and Recreation Services Department, and to the
3 County Executive.

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ADOPTED this _____ day of _____, 2010.

ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

Denise D. Johnson
Clerk of the Council

Roger Bush
Council Chair

1 Sponsored by: Councilmember Joyce McDonald
2 Requested by: County Executive/Public Works and Utilities

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4
5 **ORDINANCE NO. 2010-6**
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7
8 **An Ordinance of the Pierce County Council Vacating a Portion of 48th**
9 **Street East Right-of-Way in the Southwest Quarter of**
10 **Section 14, Township 20 North, Range 3 East, and 30th**
11 **Avenue East Right-of-Way in the Southeast Quarter of**
12 **Section 14, Township 20 North, Range 3 East, in the Mid-**
13 **County Area.**
14

15 **Whereas**, 48th Street East right-of-way was conveyed to Pierce County by
16 Waiver, recorded under AFN 1868173, and 30th Avenue East right-of-way was
17 dedicated to Pierce County by Treasurer's Deed 2033480; and
18

19 **Whereas**, the Council finds that the right-of-way described below is not useful as
20 part of the County road system, and the public will be benefited by vacation of the
21 County's interest; and
22

23 **Whereas**, all steps and proceedings required by law and by Resolution of the
24 Council to vacate the portion of the right-of-way hereinafter described having been duly
25 taken and performed; **Now Therefore**,

26
27 **BE IT ORDAINED by the Council of Pierce County:**
28

29 Section 1. The following described property is hereby vacated:
30

31 48th Street East: The south 30 feet of the southeast quarter of the
32 southwest quarter of Section 14, Township 20 North, Range 3 East, W.M.
33

34 30th Avenue East: All that portion of 30th Avenue East dedicated to
35 Pierce County in Treasurer's Deed 2033480.
36

37 Section 2. Pursuant to the provisions in Revised Code of Washington (RCW),
38 Chapter 36.87.140, Pierce County reserves and retains a perpetual easement under,
39 on, or over the above-described vacated land for the construction, repair, and
40 maintenance of public utilities and services that at the time of passage of this Ordinance
41



1 are authorized or are physically located on the land or a portion of the land being
2 vacated. A permit or franchise is required for use of the above-described property by
3 any public utility as defined in RCW 36.87.140.
4

5 Section 3. Credible evidence exists supporting the conclusion that public monies
6 were expended for the acquisition, improvement, or maintenance of Upland Terrace NE;
7 therefore, the right-of-way is designated as Type "E" requiring payment of the appraised
8 value of \$28,000.00 as determined by Trueman Appraisal Company. The \$28,000.00
9 shall be due 10 days prior to the public hearing.
10

11 Section 4. This Ordinance shall not become effective and shall not be recorded
12 in the Office of the County Auditor until the additional administrative costs of this
13 vacation have been paid by the applicant.
14

15 **PASSED this _____ day of _____, 2010.**

16
17 ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

18
19
20
21 _____
22 **Denise D. Johnson**
23 Clerk of the Council

Roger Bush
Council Chair

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27 _____
28 **Pat McCarthy**
29 Pierce County Executive
30 Approved _____ Vetoed _____, this
31 _____ day of _____,
32 2010.

33 Date of Publication of
34 Notice of Public Hearing: _____

35
36 Effective Date of Ordinance: _____



1 Sponsored by: Councilmember Dick Muri

2 Requested by: Pierce County Council

3
4
5 **RESOLUTION NO. R2010-18**
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7 **A Resolution of the Pierce County Council Setting the Date of an**
8 **Evening Council Meeting in Council District No. 6**
9 **for Tuesday, June 1, 2010, at 6:00 p.m., at Lakewood**
10 **City Hall - Council Chambers, 6000 Main Street SW,**
11 **Lakewood, Washington.**

12
13 **Whereas**, Section 1.28.040 of the Rules of Procedure of the Pierce County
14 Council provides in part that the County Council shall conduct regularly scheduled
15 meetings at 3:00 p.m. on Tuesdays in the Council Chambers in the County-City
16 Building, unless otherwise ordered by the Council; and

17
18 **Whereas**, in addition to, or in place of the regularly scheduled meetings, the
19 Council shall conduct at least one evening meeting each year in each Council District,
20 the specific time, place, and date to be set by the Council and announced; and

21
22 **Whereas**, it is the desire of the Council to establish the date, time, and place for
23 the 2010 evening meeting to be held in Council District No. 6; **Now Therefore**,

24
25 **BE IT RESOLVED by the Council of Pierce County:**

26
27 Section 1. The year 2010 evening meeting in Council District No. 6 will be held
28 at 6:00 p.m. on Tuesday, June 1, 2010, at Lakewood City Hall - Council Chambers,
29 6000 Main Street SW, Lakewood, Washington.

30
31 Section 2. The June 1, 2010, evening meeting shall be held in lieu of the regular
32 3:00 p.m. Tuesday meeting.



