



## Pierce County Council

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### Rules and Operations Committee

Douglas G. Richardson, Chair  
Rick Talbert, Vice Chair  
Dan Roach, Executive Pro Tempore  
Jim McCune, Alternate

### MEETING AGENDA

October **9**, 2017 – 10:00 AM

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes: October 2, 2017
5. Approval of the Meeting Schedule for the week of October 16-20, 2017
6. Approval of the Council Agenda for October 17, 2017

7. [Proposal No. R2017-98](#), Revision of the Corporate Boundary of the City of Puyallup

A Resolution of the Pierce County Council Approving the Revision of the Corporate Boundary of the City of Puyallup, Where It Coincides with Certain Portions of the Right-of-Way for Benston Drive East, In Order to Fully Include Said Areas In the Corporate Limits of the City of Puyallup. Pierce County Reserves A Necessary Easement for River Protection in Said Area.

Sponsored by: Councilmember Douglas G. Richardson  
Council contact person: Hugh Taylor, (253) 798-3665  
Department contact persons: Facilities Management – Bret Carlstad,  
(253) 798-6197 and Ann Hibbert, (253) 798-6719  
Date of final Council hearing: October 17, 2017

8. Other Business
9. Adjournment

*Regularly scheduled meetings are broadcast live and replayed on channel 22 (Comcast and Click! Network) and on channel 20 (Rainier Connect).  
Electronic meeting material can be accessed at [www.piercecountywa.org/councilcommittees](http://www.piercecountywa.org/councilcommittees).  
Video archives are available at [www.piercecountytv.org](http://www.piercecountytv.org).*

## Minutes

### Rules and Operations Committee

October 2, 2017

*(Note: These minutes are not verbatim. Video recordings are available at <http://wa-piercecountytv.civicplus.com/index.aspx?NID=100>. Audio recordings are available upon request.)*

**1. Call to Order**

The Rules and Operations Committee was called to order at 10:06 a.m. by Chair Richardson.

**2. Roll Call**

The Clerk called the roll. There were 3 members present and a quorum.

Committee Members present: Dan Roach, Member; Rick Talbert, Vice Chair, and Douglas G. Richardson, Chair.

Staff present: Susan Long, Council Administrator; Tammi Lewis, Councilmember Assistant; Mike Kruger, Senior Legislative Analyst; Erin Babbo, Communications Specialist; Paul Bocchi, Budget Analyst; and Denise Johnson, Clerk of the Council. There were 3 guests present.

**3. Approval of Agenda**

Talbert moved approval of the October 2, 2017, Rules and Operations Committee Agenda was approved without objection.

**4. Approval of Minutes:**

Talbert moved approval of the September 25, 2017 minutes of the Rules and Operations Committee; motion seconded and passed on a voice vote.

**5. Approval of the Meeting Schedule**

Johnson reviewed the Meeting Schedule for the week of October 9-13 2017. Talbert moved approval of the October 9-13, 2017, Meeting Schedule as amended; motion seconded and passed on a voice vote.

**6. Approval of the Council Agenda**

Johnson reviewed the Council Agenda for the October 10, 2017, 6:00 p.m.

Talbert moved the Council Agenda as amended; motion seconded. The question was called; the Council Agenda was approved as amended.

**7. Proposal No. 2017-56, Noxious Weed Assessment**

An Ordinance of the Pierce County Council Levying an Assessment in 2017 for Collection in 2018, Against Land in Pierce County for the Control of Noxious Weeds; and Acknowledging Receipt of the Pierce County Noxious Weed Control Board's 2018 Annual Budget.

The Clerk read the title into the record. Bocchi explained Proposal No. 2017-56. He introduced Chelli Pogue, Office Manager, Noxious Weed Control Board.

At the request of Richardson, Pogue explained what the difference is between noxious weeds and invasive weeds. She also explained the function of the Weed Board.

In response to Young, Pogue explained reasons for hand pulling weeds and praying weeds.

Talbert moved to forward Proposal No. 2017-56 with a Do Pass recommendation to the Full Council.

**8. Proposal No. R2017-104, Board of Equalization – Request to Convene**

A Resolution of the Pierce County Council Approving the Pierce County Board of Equalization's Request to Convene to Act on Timely Filed Taxpayer Petitions Which Exceed the Requirements of Revised Code of Washington 84.48.010.

The Clerk read the title into the record. Long provided an explanation of Proposal No. R2017-104.

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

Talbert moved to forward Proposal No. R2017-104 to the full Council with a Do Pass recommendation.

**9. Other Business:** none

**8. Adjournment:** There being no further business, the meeting was adjourned at 10:27 a.m.

Attest:

\_\_\_\_\_  
Jenifer Schultz, Committee Clerk

Approved:

\_\_\_\_\_  
Douglas G. Richardson, Chair

\_\_\_\_\_  
Date

1 Sponsored by: Councilmember Douglas G. Richardson  
2 Requested by: Executive/Planning and Public Works

3  
4  
5  
6 RESOLUTION NO. R2017-98  
7  
8

9 **A Resolution of the Pierce County Council Approving the Revision of the**  
10 **Corporate Boundary of the City of Puyallup, Where It**  
11 **Coincides with Certain Portions of the Right-of-Way for**  
12 **Benston Drive East, In Order to Fully Include Said Areas In**  
13 **the Corporate Limits of the City of Puyallup. Pierce County**  
14 **Reserves A Necessary Easement for River Protection in Said**  
15 **Area.**  
16

17 **Whereas**, Revised Code of Washington (RCW) 35.21.790 and 35A.21.210  
18 provide that the governing bodies of a county and any city located therein may by  
19 agreement revise any part of the corporate boundary of the city which coincides with the  
20 centerline, edge, or any portion of a public street, road or highway right-of-way by  
21 substituting therefore a right-of-way line of the same public street, road or highway so  
22 as fully to include or fully to exclude that segment of the public street, road or highway  
23 from the corporate limits of the city; and  
24

25 **Whereas**, the revision of a corporate boundary as authorized by RCW 35.21.790  
26 and 35A.21.210 is not subject to review by the Boundary Review Board; and  
27

28 **Whereas**, Pierce County and the City of Puyallup wish to revise the City of  
29 Puyallup boundary so as to expand the corporate boundaries of City of Puyallup to  
30 include said right-of-way; and  
31

32 **Whereas**, Pierce County and the City of Puyallup have mutually determined that  
33 a revision of certain boundaries of the City of Puyallup is beneficial and will aid in  
34 defining responsibilities related to public road maintenance; and  
35

36 **Whereas**, Pierce County and the City of Puyallup agree that for road  
37 maintenance, control, and law enforcement purposes, the entire width of the portions of  
38 the public streets subject to this Ordinance are within the City of Puyallup's corporate  
39 boundaries; and  
40



1           **Whereas**, this clarification and consolidation would modify the City of Puyallup  
2 corporate boundaries; **Now Therefore**,

3  
4           **BE IT RESOLVED by the Council of Pierce County:**

5  
6           Section 1. Boundary Line Revision. The corporate boundary of the City of  
7 Puyallup shall be revised as provided for in Exhibit A and depicted in Exhibit B, both of  
8 which are attached hereto and incorporate herein by this reference.

9  
10          Section 2. River Protection Easement. For and consideration of mutual benefits  
11 and for other good and valuable consideration, Pierce County, a municipal corporation  
12 and political subdivision of the State of Washington, its successors, assigns, agents and  
13 licensees, hereby reserves a perpetual easement within the area encompassed by this  
14 Corporate Boundary Adjustment, for the purpose of constructing, reconstructing,  
15 monitoring, inspecting, maintaining and repairing river bank protection levees,  
16 revetments and/or other flood protection structures, including installing, inspecting and  
17 maintaining all vegetation, environmental restoration measures and all appurtenances  
18 thereto, over, under, across, in and upon the Right Bank of the Puyallup River.

19  
20          Section 3. The Clerk of the Pierce County Council shall mail a copy of this  
21 Resolution to the City of Puyallup.

22  
23          Section 4. The revision of the corporate boundary authorized by this Resolution  
24 shall become effective when approved by this Council, and shall take effect immediately  
25 after its passage.

26  
27          Section 5. The City Council of the City of Puyallup approved the revision of the  
28 corporate boundary on July 18, 2017.

29  
30           **ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.**

31  
32 ATTEST:

33                                   **PIERCE COUNTY COUNCIL**  
34                                   Pierce County, Washington

35  
36 \_\_\_\_\_  
37 **Denise D. Johnson**  
38 Clerk of the Council

36 \_\_\_\_\_  
37 **Douglas G. Richardson**  
38 Council Chair



# EXHIBIT A

## LEGAL DESCRIPTION RIGHT-OF-WAY ACQUISITION PIERCE COUNTY

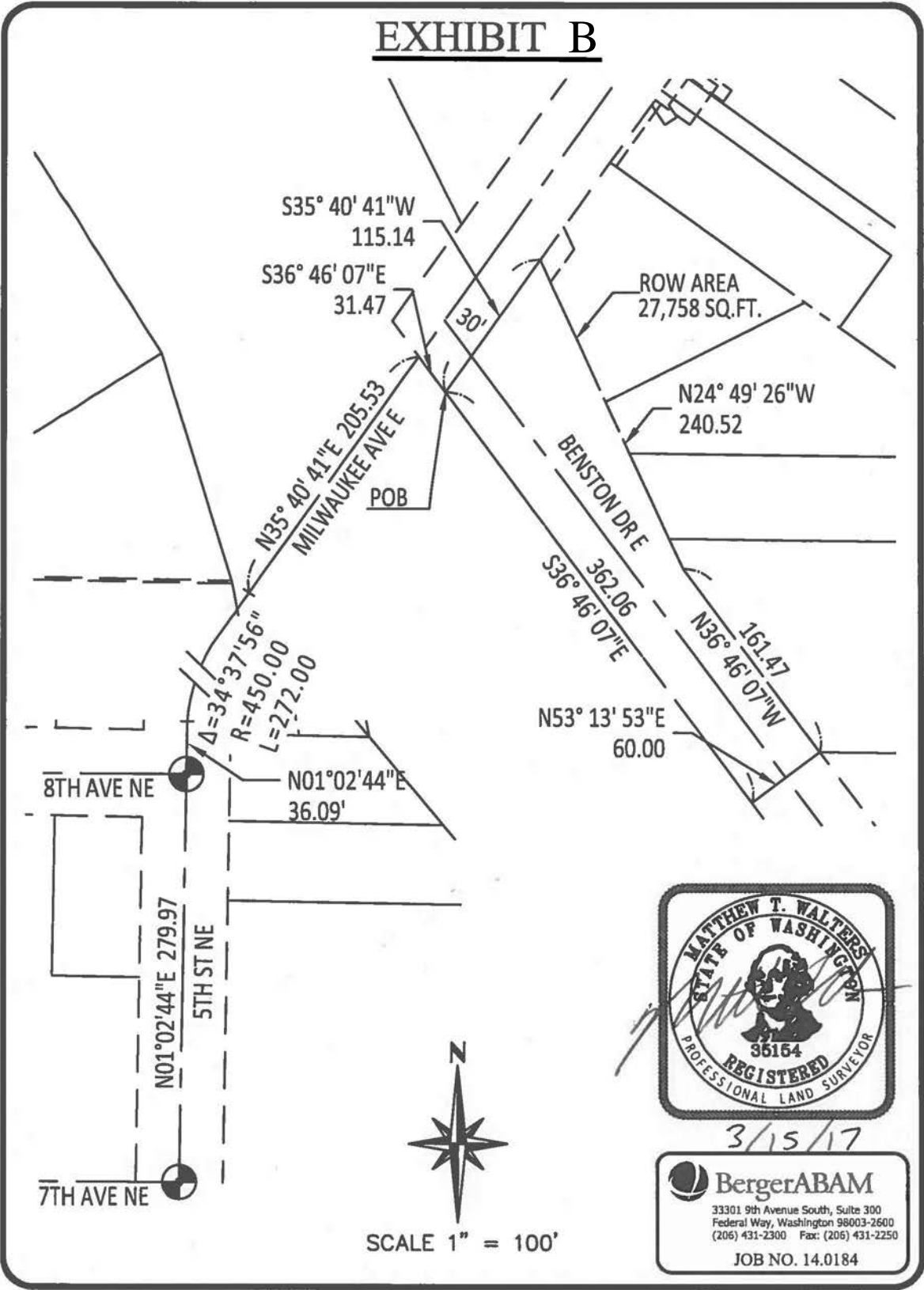
COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF 5<sup>TH</sup> STREET NE AND 7<sup>TH</sup> AVENUE NE, IN THE CITY OF PUYALLUP, WASHINGTON; THENCE NORTH 01°02'44" EAST, ALONG THE CENTERLINE OF SAID 5<sup>TH</sup> STREET NE, A DISTANCE OF 279.97 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF 8<sup>TH</sup> AVENUE NE; THENCE CONTINUING NORTH 01°02'44" EAST 36.09 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 450.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34°37'56", A DISTANCE OF 272.00 FEET; THENCE NORTH 35°40'41" EAST, ALONG THE CENTERLINE OF MILWAUKEE AVENUE EAST, A DISTANCE OF 205.53 FEET TO ITS INTERSECTION WITH THE WESTERLY EXTENSION OF THE SOUTHWESTERLY MARGIN OF BENSTON DRIVE EAST; THENCE SOUTH 36°46'07" EAST, ALONG SAID WESTERLY EXTENSION OF THE SOUTHWESTERLY MARGIN OF BENSTON DRIVE EAST, A DISTANCE OF 31.47 FEET TO THE INTERSECTION OF THE SOUTHWESTERLY EXTENTION OF THE SOUTHEAST MARGIN OF MILWAUKEE AVENUE EAST AND THE SOUTHWESTERLY MARGIN OF SAID BENSTON DRIVE EAST, BEING THE **POINT OF BEGINNING**; THENCE SOUTH 36°46'07" EAST ALONG THE SOUTHWESTERLY MARGIN OF SAID BENSTON DRIVE, A DISTANCE OF 362.06 FEET; THENCE NORTH 53°13'53" EAST A DISTANCE OF 60.00 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL OF LAND CONVEYED TO RICHARD AND JOAN ARNOLD BY STATUTORY WARRANTY DEED RECORDED UNDER AUDITOR'S FEE NUMBER 8410080257, RECORDS OF PIERCE COUNTY, WASHINGTON, BEING A POINT ON THE NORTHEASTERLY MARGIN OF BENSTON DRIVE EAST; THENCE NORTH 36°46'07" WEST ALONG THE NORTHEASTERLY MARGIN OF SAID BENSTON DRIVE, A DISTANCE OF 161.47 FEET TO AN ANGLE POINT OF SAID NORTHEASTERLY MARGIN; THENCE NORTH 24°49'26" WEST, ALONG THE NORTHEASTERLY MARGIN OF BENSTON DRIVE, A DISTANCE OF 240.52 FEET TO ITS INTERSECTION WITH THE SOUTHEASTERLY MARGIN OF MILWAUKEE AVENUE; THENCE SOUTH 35°40'41" WEST ALONG THE SOUTHWESTERLY EXTENTION OF THE SOUTHEAST MARGIN OF MILWAUKEE AVENUE EAST, A DISTANCE OF 115.14 FEET TO THE **POINT OF BEGINNING**.

SAID RIGHT-OF-WAY ACQUISITION CONTAINING 27,758 SQUARE FEET, MORE OR LESS.



3/15/17

# EXHIBIT B



**RCW 35.21.790**

**Revision of corporate boundary within street, road, or highway right-of-way by substituting right-of-way line—Not subject to review.**

(1) The governing bodies of a county and any city or town located therein may by agreement revise any part of the corporate boundary of the city or town which coincides with the centerline, edge, or any portion of a public street, road or highway right-of-way by substituting therefor a right-of-way line of the same public street, road or highway so as fully to include or fully to exclude that segment of the public street, road or highway from the corporate limits of the city or town.

(2) The revision of a corporate boundary as authorized by this section shall become effective when approved by ordinance of the city or town council or commission and by ordinance or resolution of the county legislative authority. Such a boundary revision is not subject to potential review by a boundary review board.

[ 1989 c 84 § 10; 1975 1st ex.s. c 220 § 17.]

**NOTES:**

**Legislative finding, intent—1975 1st ex.s. c 220:** See note following RCW 35.02.170.

*Boundary line adjustment: RCW 35.13.300 through 35.13.330.*

*Use of right-of-way line as corporate boundary in incorporation proceeding—When right-of-way may be included in territory to be incorporated: RCW 35.02.170.*

*When right-of-way may be included in territory to be incorporated—Use of right-of-way line as corporate boundary in annexation: RCW 35.13.290.*



**RCW 35A.21.210**

**Revision of corporate boundary within street, road, or highway right-of-way by substituting right-of-way line—Not subject to review.**

(1) The governing bodies of a county and any code city located therein may by agreement revise any part of the corporate boundary of the city which coincides with the centerline, edge, or any portion of a public street, road or highway right-of-way by substituting therefor a right-of-way line of the same public street, road or highway so as fully to include or fully to exclude that segment of the public street, road or highway from the corporate limits of the city.

★ (2) The revision of a corporate boundary as authorized by this section shall become effective when approved by ordinance of the city council and by ordinance or resolution of the county legislative authority. Such a boundary revision is not subject to potential review by a boundary review board. ★

[ 1989 c 84 § 11; 1975 1st ex.s. c 220 § 18.]

**NOTES:**

**Legislative finding, intent—1975 1st ex.s. c 220:** See note following RCW 35.02.170.

*Boundary line adjustment: RCW 35.13.300 through 35.13.330.*

*Use of right-of-way line as corporate boundary in incorporation proceeding—When right-of-way may be included in territory to be incorporated: RCW 35.02.170.*

*When right-of-way may be included in territory to be annexed—Use of right-of-way line as corporate boundary in annexation: RCW 35A.14.410.*

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This Proposal has No or De minimis Fiscal Impact

**SUMMARY**