AGENDA
SPECIAL MEETING DES MOINES CITY COUNCIL
January 13, 2003 - 7:30 p.m.

CALL TO ORDER - Mayor Wasson

PLEDGE OF ALLEGIANCE

ROLL CALL

NEW BUSINESS

1. Draft Ordinance No. 02-264 Adopting Traffic Impact Fees - 1st Reading
   SUMMARY: The purpose of this agenda item is to get input from the full Council regarding the use of traffic impact fees.

2. Draft Resolution No. 02-269 Economic Development Plan
   SUMMARY: At its April 2002 retreat, the City Council selected economic development as one of the highest strategic objectives for 2002-2003. Since that time the Finance and Economic Development Committee has worked with Administration to develop a realistic, achievable strategy to maintain and increase the economic vitality in the City. The draft resolution would adopt an economic development action plan and establish a mission statement, goals and implementation priorities.

3. RCAA Final Payment
   SUMMARY: This item will give Council an opportunity to review the information supplied by the Regional Commission on Airport Affairs (RCAA) regarding the services they have provided in 2002 to satisfy their responsibilities per the agreement between the City of Des Moines and RCAA, and to determine the final payment amount Council will authorize for these services.

4. Airport Defense Fund Contributions
   SUMMARY: The Mayor has requested that if citizens wish to contribute to the Airport Defense Fund their contributions will be accounted for in a separate fund. The City has an existing Airport Defense Fund 105. It is recommended that the Airport Defense Fund 105 be utilized for receipting airport defense contributions. Expenditures that will be funded with the contributions will be brought before Council as an Ordinance for approval and adoption.

5. Potential Reduction of Utility Tax from 6% to 4%
   SUMMARY: The Mayor has requested that the City utility tax rate be reduced from the current tax rate of 6% to 4%. The purpose of this request is to reduce utility taxes that support the airport defense activities.

6. Payment of Legal Fees
   SUMMARY: Mayor Wasson placed this item on the agenda for Council consideration

NEXT MEETING DATE - Regular Meeting January 16, 2003

ADJOURNMENT

NEW BUSINESS
Item #1

AGENDA ITEM

SUBJECT: Traffic Impact Fees

ATTACHMENTS:

1. Draft Ordinance No. 02-264 Adopting the use of traffic impact fees
2. Comparison of traffic impact fees charged by other cities
3. Map of projects
4. Chart of Impact Fee Calculation and Recommended Cost
5. Potential Impact Fees per Unit of Development
6. Pacific Ridge Core Transportation Projects

AGENDA OF: January 13, 2003

DEPT. OF ORIGIN: Public Works

DATE SUBMITTED: December 6, 2002

CLEARANCES:
[X] Finance
[X] Public Works
[X] Legal

APPROVED BY CITY MANAGER FOR SUBMITTAL: CTL for TP

Purpose and Recommendation:

The purpose of this agenda item is get input from the full Council regarding the use of traffic impact fees, and to approve the first reading of Draft Ordinance 02-264. This agenda item will come back for a second reading with adjustments based on the Council's direction.

Suggested Motions

"I move to approve the first reading of Draft Ordinance 02-264 adopting the use of traffic impact fees."

Background:

The analysis of the present and future transportation needs has been studied and is included in the Comprehensive Transportation Plan which was presented to Council for a public hearing and approved at the December 5th meeting. The plan lists around $100 million (in 2001 dollars) in capital projects which should be done between 2001 and 2020. While the City has done relatively well at getting grant funding to cover part of its transportation projects, grants require matches, and some times grants are not available. In order to accomplish the critical projects, an additional source of funding is needed. Existing Arterial Street funding does not even cover keeping up with pavement maintenance on existing streets.

While there are only limited sources of funding available to pay for street projects due to State law, the City of Des Moines is even more limited due to our residential tax base. As the Council Public Safety and Transportation Committee discovered when they evaluated the alternatives to finance transportation needs, there really is only one source at this point in time that has the possibility of raising a significant amount of money, and that is traffic impact fees. But it should be kept in mind that even if the traffic impact fees are at the optimum level, they still will only raise approximately one third of the needed funding. The rest must come from grant funding and, in some cases, lower priority projects will not be constructed.

It also needs to be pointed out that the Washington State Growth Management Act (GMA) requires that Cities have a legitimate plan for building transportation projects needed as a result of growth. GMA allows agencies to implement impact fee programs to help offset the cost of transportation facilities needed to accommodate growth. To meet basic GMA requirements, an impact fee shall be:

- Related to improvements to serve new development, not existing deficiencies.
- Assessed proportionally to the impacts of new development.
- Allocated for new improvements that reasonably benefit new development.
- Spent on facilities identified in the capital facilities plan.

It is important to note that impact fees are not limited to new capital projects. An agency may impose impact fees to cover costs of previous improvements, provided they meet the above criteria. As identified in the above criteria, impact fees can only be used for improvements that are needed due to future growth. Therefore, the costs for non-capital projects such as annual maintenance and operations are not included in an impact fee program. The cost of roadway capacity-added projects can be assessed as impact fees proportional to the relative impact of new development to total growth. In that way the fee is fair to the developers since it is based on a measurement of how much they are expected to affect the road system in the City.

Based on the growth which is projected in the Greater Des Moines Comprehensive Plan which feeds into the Comprehensive Transportation Plan (CTP) travel demand model, total PM peak hour trip generation within the city of Des Moines is expected to increase significantly between 1998 and 2020. The 1998-2020 growth in trip generation accounts for 43.9 percent of the total 2020 traffic generation within the City. Only the basic roadway capacity-added improvement projects are included in the impact fee program (see Attachment 3). To keep an impact fee program relatively simple, the city would base it on a single, city-wide district versus the concept of multiple districts which some other cities use. This decision made by the Public Safety and Transportation Committee reflects an analysis based on a three-district concept that showed all districts to be within 15 percent of the city-wide average. In implementing a traffic impact fee program, the city would use methodologies for computing new PM peak trips based on the most current edition of the Institute of Transportation Engineers Trip Generation Manual or, for businesses not clearly described in this manual, other industry sources or technical studies as approved by the Public Works Director. Examples of how this proposed fee will affect development is shown on Attachment 5.

It does need to be pointed out that the City of Des Moines does have an approved localized traffic impact fee program in the Pacific Ridge area which was instituted last year as a way to provide needed local street improvements in order to serve the development in that specific area. The "core transportation projects" for Pacific Ridge are shown in Attachment 6. According to Ordinance 1298, development within the "Mitigation Boundary" will receive special treatment when and if city-wide impact fees are adopted. The residential developments located east of Pacific Highway South are to pay the highest Pacific Ridge Transportation Mitigation Fee and thus are exempted from the city-wide fee. New development that fronts along the Pacific Highway south Corridor are to pay a reduced Pacific Ridge Transportation Mitigation Fee which is to be credited toward a city-wide fee. As a result of the conditions associated with Ordinance 1298, the overall City transportation fees are estimated be about $6,750,000 less than the total calculated in Attachment 4, or about $30 million.

The analysis used to calculate the city-wide transportation impact fee is a complicated, detailed computation which splits out the projects that are needed as a result of growth within the city of

Des Moines, from those City projects that are due to present deficiencies and do not add capacity, projects related to maintenance, and projects needed because of surrounding regional growth (see Attachment 4). A detailed description of the process used to determine the impact fee is included on pages 70 to 74 of the recently approved Comprehensive Transportation Plan. The reason for the complexity of the fee computation is to ensure that it is fair to the developers and will withstand legal scrutiny. The City's consultant on the Plan, The Transpo Group, is very familiar with those fees and the related calculation as they have worked with a number of Washington cities that have adopted a similar transportation fee plan.

Any adopted impact fee program also would need to meet the following provisions, per the GMA:

- Payments shall be held in a reserve account and may only be expended to fund capital improvements needed to mitigate a development's direct impact;
- Payments shall be expended within six years; and
- Provide refunds, with interest, if funds are not expended within six years.

The impact fee program "shall provide credits for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer, to facilities that are identified by the capital facilities plan and that are required by the county, city, or town as a condition of approving the development activity" (RCW 82.02.060(3)). As an example, a developer constructing required frontage improvements along an arterial street project included in the impact fee calculation would get a credit against the fees.

The impact fee program assumes that a given amount of development in the City will occur by 2020. If development levels assumed in the Comprehensive Transportation Plan take longer to actualize within the City, then the funding from impact fees will not match the Comprehensive Transportation Plan. However, if significant levels of forecast development are not in place by 2020, then several of the impact-fee eligible projects will not be needed because the traffic volumes will be lower.

Discussion:

Traffic impact fees have been discussed by the City of Des Moines City Council for many years and were recommended in the adopted 1993 Comprehensive Transportation Plan. A detailed analysis of needs caused by growth is contained in the "Developer Transportation Impact Fees" section of the recently adopted Comprehensive Transportation Plan (page 70). After a Council Public Safety and Transportation (PS&T) Committee review of the possible methods of financing transportation needs, it became obvious that traffic impact fees are the only way to cover these growth-induced needs at this time. Furthermore, Des Moines needs traffic impact fees as a source for grant matches. To even apply for grants, the City must identify a source of matching funds. Most grants require a match of between 20% and 30%.

The beauty of traffic impact fees is that development pays its own way, thus protecting the existing businesses and citizens from a situation of ever-worsening congestion. New development is assured that the money will go to specific projects that will offset the effects of growth that they themselves are creating. In this way, development is not only helping the City of Des Moines to address growth, but is also investing in its own future. Many cities have had traffic impact fees in effect for ten years and, if anything, it has made their cities the kind of places where a lot of development has taken place (e.g. Redmond, Auburn, Bellevue, and SeaTac).

There are various approaches which different cities have take to funding their transportation projects which are needed to meet the growth in their cities and thus comply with GMA. Much depends on the funding options available to the cities, the size of their staff, and what the Councils are willing to back. Attachment 2 is a list of some of the surrounding cities and other related examples, and what they are doing or plan to do to fund transportation needs and meet GMA. On one end of the scale is Kent which has a large industrial/commercial area which can support large local improvement districts (LID's), a big staff to assemble them, and a Council which is willing to grant approval even when there is loud opposition. Federal Way and Tukwila are in the process of studying transportation impact fees and are expecting to go to their Councils early next year. Burien is following the same path, but is not quite as far along. SeaTac and Auburn have had traffic impact fees for some time; however, they are both supplementing the expansion of their street system using other funding (parking fees at SeaTac and other tax revenues at Auburn). As a result, both these cities have chosen to only charge impact fees at a level of about one half the full rate. On the other hand, there are a number of cities who are successfully charging the full rate. Maple Valley is in a financial position very similar to Des Moines. They do not have alternate funding for transportation. As a result, they are assessing the full rate and have not noticed a change in their pace of development. Their fee is actually higher than what is being proposed by the Des Moines Comprehensive Transportation Plan.

Given the high level of transportation need in Des Moines and given the fact that we do not have an alternate source to fill in the funding void, Maple Valley is probably a better template for what the City of Des Moines should do.

Alternatives:

Cities are mandated to provide revenue to provide the transportation improvements needed to serve future growth under the GMA law. Traffic Impact fees are the best option for providing the revenue required for the City of Des Moines to address the requirements of this law. Council can choose to institute a traffic impact at a lower amount as some other cities have done. The problem with this approach is that the City of Des Moines does not have an alternate source of funds to make up the resultant shortfall.

Financial Impact:

Adopting a traffic impact fees program itself does not incur cost, however, traffic impact fees are the only revenue source at this time that will cover a significant portion of the costs incurred by the need for transportation improvements caused by growth in future City of Des Moines traffic demands. Traffic impact fees will only be charged on new growth, which will add additional trips to the transportation system.

Recommendation/Conclusion:

The PS&T Committee, after evaluating transportation needs and funding options, recommends that Council adopt the use of traffic impact fees.

Concurrence:

Finance and Legal

CITY ATTORNEY'S FIRST DRAFT 11/21/02
CITY ATTORNEY'S SECOND DRAFT 12/12/02

DRAFT ORDINANCE NO. 02-264

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON establishing a transportation impact fee service area, imposing impact fees therein to finance part of the costs of improvements to serve new development, providing for the disposition of such impact fees, and establishing an appeal process.

WHEREAS the City is authorized by RCW 82.02, the Growth Management Act ("the GMA"), and by RCW 39.92, the Local Transportation Act, to require new growth and development within the City of Des Moines to pay a proportionate share of the cost of new facilities to serve such new growth and development through the assessment of impact fees, and

WHEREAS, as part of the Greater Des Moines Comprehensive Plan the City has adopted a Comprehensive Transportation Plan which identifies deficiencies in public transportation facilities and identifies the means by which such deficiencies could be eliminated, and

WHEREAS, the City Council has found and determined that it is in the best interests of the City, in order to insure a fair and predictable method for allocating the share of the cost of such new public facilities, to impose impact fees on the new growth and development activities; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. Definitions.

(1) **Use of words and phrases.** As used in this ordinance, unless the context or subject matter clearly requires otherwise, the words or phrases defined in this section shall have the indicated meanings.

(2) "Building permit" means any written authorization from the City which authorizes the commencement of development activity.

(3) "City" means the City of Des Moines, Washington.

(4) "City Comprehensive Plan" means the Greater Des Moines Comprehensive Plan, adopted pursuant to the GMA.

ATTACHMENT 1

(5) "Development activity" means any construction or expansion of a building or structure that creates additional demand on and/or need for public facilities, but not interior remodeling that does not change the PM Peak trips as categorized in the Comprehensive Transportation Plan to the Greater Des Moines Comprehensive Plan or of the applicable code or regulation of the City.

(6) "GMA" means the Washington State Growth Management Act, codified as RCW 82.02.050 through 82.02.090, as now in existence, or as hereinafter amended.

(7) "Hearing Examiner" means the Hearing Examiner of the City of Des Moines, pursuant to Chapter 18.94 of the Des Moines Municipal Code.

(8) "Impact fee" means a payment of money imposed by the City upon development activity as a condition of issuance of a building permit to pay for public facilities needed to serve new growth and development, and to mitigate the impacts of the development activity on the transportation facilities of the City, but does not include any permit or application fee.

(9) "Owner" means the owner of record of real property. If real property is being purchased under a real estate contract, the purchaser shall be considered the owner of real property if the contract is recorded.

(10) "Public facilities" as used in this section refers to public streets, roads and rights-of-way owned or operated by the City for other governmental entities, including trails, paths, bikeways, other transportation facilities and all attendant improvements.

(11) "Service area" means the development impact fee service area of the City identified in Section 3.

(12) "Transportation facilities" means and refers to streets and roads, but includes all publicly owned streets, roads, alleys and right-of-ways within the City and street services, traffic control devices, curbs, gutters, sidewalks and related facilities and improvements.

Sec. 2. Transportation impact fees established. There is established, subject to the provisions of this chapter, a transportation impact fee program.

Sec. 3. Establishment of service area. The City hereby establishes, as the service area for development impact fees, the City of Des Moines, including all property located within the corporate limits of the City. The scope of the service area is hereby found to be reasonable and established on the basis of sound planning and engineering principles.

Sec. 4. Imposition of impact fee on development activity.

(1) The City hereby authorizes the assessment and collection of impact fees on development activity within the City, at the calendar year 2001 rate of Two Thousand Five Hundred Thirty Nine ($2,539.00) per peak p.m. trip, as computed using methodologies from the most current edition of the Institute of Transportation Engineers Trip Generation Manual or other industry sources approved by the Pubic Works Director. This impact fee shall be adjusted annually based on the construction cost index for the Seattle area as reported in the Engineering News Record periodical. Based upon the above impact fee rate and adjustments, the rate as of January 1, 2003 will be $2,615.00 per peak p.m. trip.

(2) Such impact fees shall:

(a) Only be imposed for system improvements that are reasonably related to new development; and,

(b) Not exceed a proportionate share of the cost of the system improvements, including the costs of previously constructed system improvements, reasonably related to new development; and,

(c) Be used for system improvements that will reasonably benefit new development; and,

(d) Be used for facilities identified in the Comprehensive Transportation Plan as "Intersection and Roadway

Capacity Improvement Projects for the Traffic Impact Fee Program."

(3) Such impact fee schedule is based upon the formula for calculating the proportionate share of the cost of the system improvements, including the costs of previously constructed system improvements, necessitated by new development to be borne by impact fees, which formulas are described in the Comprehensive Transportation Plan element of the Greater Des Moines Comprehensive Plan and incorporated herein by this reference.

(4) The impact fees imposed pursuant to this chapter shall be assessed by the City after the effective date of this ordinance. A final assessment, based upon the actual building permit to be issued, shall be made, and the fee shall be due and payable in full at the time of issuance of the permit.

(5) Failure to pay the impact fees for a given development activity at the time that such impact fees are due and payable shall result in denial of the building permit for which the owner has applied.

(6) The impact fee program shall provide credits for the value of any dedication of land for, improvement to, or new construction of any system improvements provided by the developer, to facilities that are identified in the Comprehensive Transportation Plan as "Intersection and Roadway Capacity Improvement Projects for the Traffic Impact Fee Program." The value for which credit shall be given is the estimated value used for Impact Fee calculation in the Comprehensive Transportation Plan.

Sec. 5. Disposition of impact fee revenues.

(1) The impact fees collected pursuant to the provisions of this chapter shall be deposited into an impact fee fund. Pending application as provided in this chapter, the monies deposited in the impact fee fund shall be invested in any investment authorized for the investment of City funds. All interest and profits derived from the investment of monies in each account in the impact fee fund shall be retained in such account.

(2) The impact fees deposited in each account in the impact fee fund, and the interest and profit received from the investments therefrom shall be expended only for public facilities of the type for which such impact fees were collected, in conformity with the Greater Des Moines Comprehensive Plan and Comprehensive Transportation Plan. and expended or encumbered within six years of receipt by the City, unless written findings by the City Council identify an extra-ordinary and compelling reason for the City to hold the fees for a longer time. The City shall account for annual expenditures and shall comply with this section in successive comprehensive plans, transportation plans and capital facilities plans as appropriate.

(3) The City shall prepare an annual report on the impact fee fund which shows the source and amount of all monies collected, earned or received and the public facilities that were financed in whole or in part by impact fees.

Sec. 6. Refunds.

(1) The City shall, in accordance with RCW 82.02.080, refund to the current owners of property on which an impact fee has been paid any impact fees paid with respect to such property that has not been expended or encumbered for public facilities of the type of which such impact fees were collected.

(2) The City shall also refund to the current owner of property of which an impact fee has been paid all impact fees paid with respect to such property if the development activity for which the impact fee was imposed did not occur and no impact has resulted; provided, that if some, but not all, of the development activity for which the impact fee was imposed occurred, the impact will be deemed to have occurred, and no refund shall be available under this section.

(3) Owners seeking a refund of impact fees must submit a written request for a refund of impact fees to the City Manager or designee within one (1) year of the date the right to claim the refund arises, which, for purposes of refund claims authorized pursuant to paragraph 2 of this section only, shall be the date of voluntary or involuntary abandonment of the

building permit, or the date that notice is given as provided in paragraph 1 of this section, which ever occurs later. Refunds of impact fees shall include interest and any profits earned on the impact fees from the date of their receipt to the date of refund, as a percentage of the interest/profits earned by the fund on an annual basis. Any impact fees not expended within the time limitations and for which no application for a refund has been made within the one (1) year claim period, shall be retained by the City and expended on public facilities of the type for which such impact fees were initially collected, without further limitation as to the time of expenditure.

Sec 7. Appeals.

(1) The determination of the City Manager or designee regarding the applicability of the impact fee to a given development activity within the service area shall be final, however an owner may pay an impact fee imposed pursuant to this chapter under protest in order to obtain a building permit and, after such payment, file an appeal regarding the amount of the impact fee to the Hearing Examiner within ten (10) days of the City's final decision under the provisions of the hearing examiner code, DMMC Chapter 18.94.

(2) Appeal regarding the amount of the impact fee imposed on any development activity may only be made by the owner of the property where such development activity shall occur.

Sec. 8. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this ordinance is deemed to control.

NEW SECTION. Sec. 9. Effective date. This ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

PASSED BY the City Council of the City of Des Moines this ____ day of __________, 2002 and signed in authentication thereof this ____ day of ________, 2002.

____
M A Y O R

APPROVED AS TO FORM:

____
City Attorney

ATTEST:

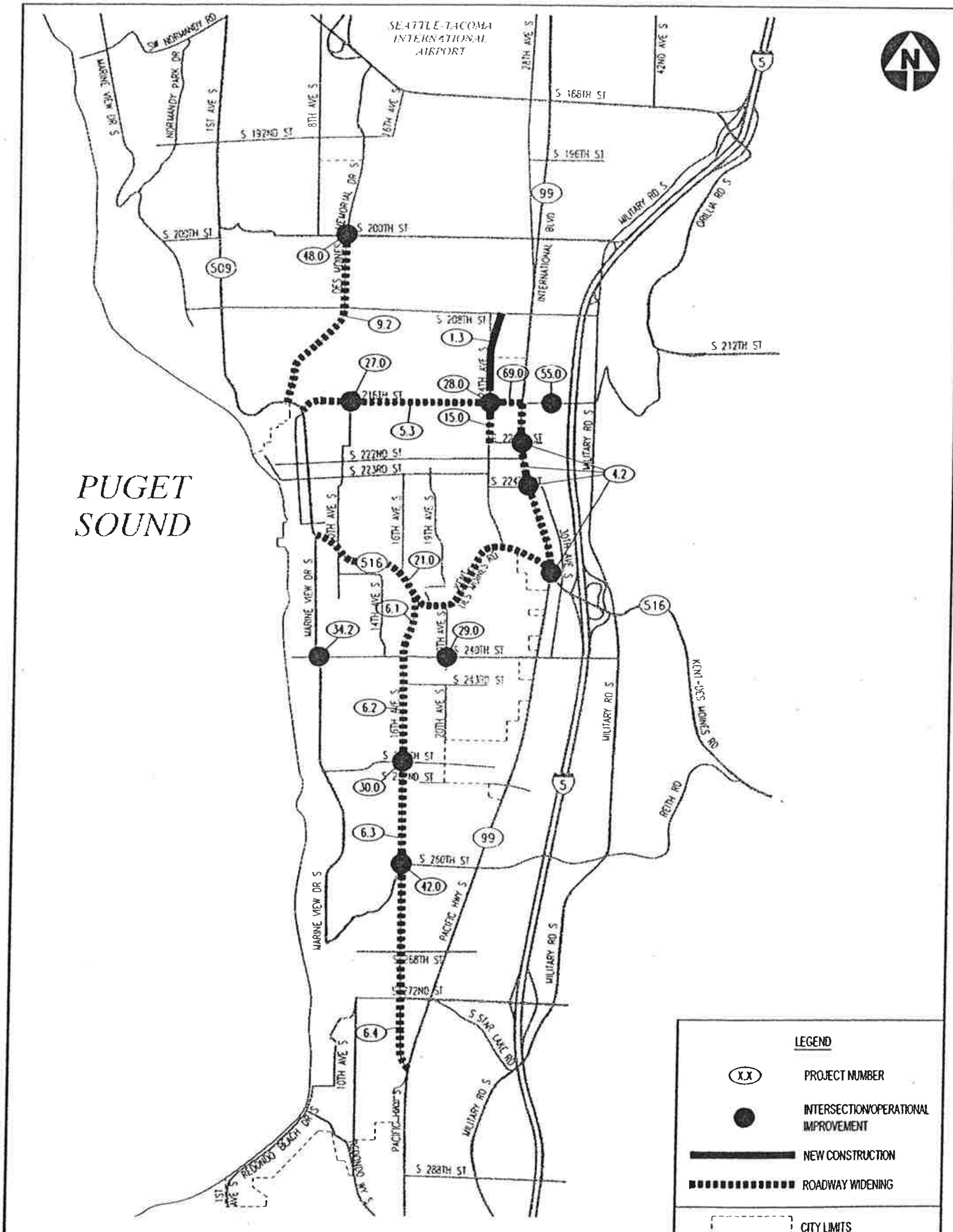
____
City Clerk

Published: __________________

DRAFTORD:02-264

Status of Transportation Impact Fees in Other Cities	
Arlington	$1,038 per pm peak trip
Auburn	Auburn currently charges only a portion of their calculated impact fee need.
Des Moines	$2,539 per pm peak trip proposed
Duvall	$2,682 per pm peak trip
Federal Way	Hopes to implement a program in early 2003.
Kent	Finances most of their needs through the LID process.
Maple Valley	$3,599 per pm peak trip Has had a program since incorporation; Started at $807 per pm peak trip; Raised the fees each year to the current $1,802 and has adopted an increase to $3,599 per pm peak trip for 2003; Discussions with their Engineer indicate that the program has been successful and they continue to see development.
SeaTac	$1,020 per pm peak trip Finances some of their needs through parking fees.
Tukwila	Plans to investigate a program in 2003.

ATTACHMENT 2



The Transpo Group

Figure 17

Potential Intersection and Roadway Capacity Improvement Projects for Traffic Impact Fee Program

City of Des Moines Comprehensive Transportation Plan

ATTACHMENT 3

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IMPACT FEE CALCULATION

		Percent of Total Cost
Total Cost [1] (2001-2020)	$112.763,500	100%
Less-Non Capacity Capital Projects	-$51,470,000	46%
Less-Non Capital (Art.,Main.,NTC,etc.)	-$13,883,500	12%
Capacity-Added Projects	$47,410,000	42%
Capacity-Added Projects	$47,410,000	42%
Less City/Regional Share (through traffic growth)	-$10,429,000	9%
Maximum Potential Impact Fee Funding	**$36,981,000**	**33%**

[1] Estimated total project cost in 2001 dollars. Costs are conceptual and take into consideration, if necessary, ROW acquisition costs but do not include costs associated with mitigating potential environmental impacts.

Basic Roadway Capacity - Added Project (City-Wide)

Maximum Potential Impact Fee Funding [2]	$36,981,000
Total New PM Peak Hour Trips	14,563
Cost per PM Peak Hour Trip	**$2,539**

[2] Estimated total project costs in 2001 dollars. Costs are conceptual and take into consideration, if necessary, ROW acquisition costs, but do not include costs associated with mitigating potential environmental impacts.

ATTACHMENT 4

ATTACHMENT 5

POTENTIAL IMPACT FEES per UNIT OF DEVELOPMENT

Land Use	ITE Land Use Code	Average PM Peak Hour Trip Generation Rate[1]	Pass-By %[2,3]	Net New Trip Rate[4]	City-Wide Average Impact Fee[5]
Office (per 1,000 gsf)	710	1.49	-	1.49	$3.78/sq ft
Business Park (per 1,000 gsf)	770	1.29	-	1.29	$3.28/sq ft
Light Industrial (per 1,000 gsf)	110	0.98	-	0.98	$2.49/sq ft
Retail					
Shopping Center (per 1,000 gsf, for example, 25,000 gsf)	820	10.06	34%	6.64	$16.86/sq ft
Quality Restaurant (per 1,000 gsf)	831	7.49	44%	4.19	$10.65/sq ft
Fast Food Restaurant (per 1,000 gsf)	834	33.48	50%	16.74	$42.50/sq ft
Gas Station w/ Market (per vehicle fueling position)	845	13.38	56%	5.89	$14,948/vfp
Supermarket (per 1,000 gsf)	850	11.51	36%	7.37	$18.70/sq ft
Drive-In Bank (per 1,000 gsf)	912	54.77	47%	29.03	$73.70/sq ft
Single-Family (per dwelling unit)	210	1.01	-	1.01	$2,564/DU
Multi-Family (per dwelling unit)	220	0.62	-	0.62	$1,574/DU

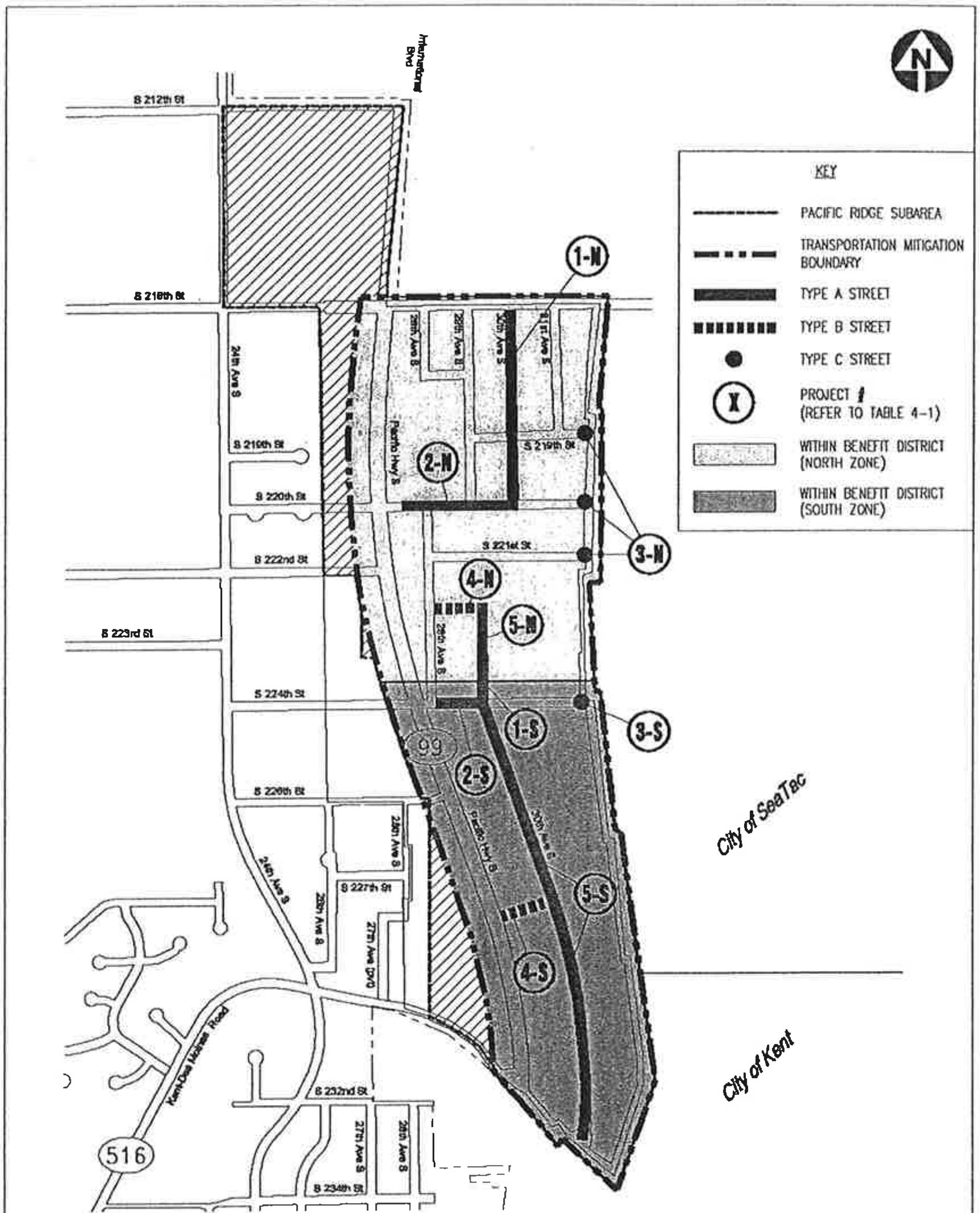
1 Source: *Trip Generation*, Institute of Transportation Engineers (ITE), 1997. Note: City would apply trip rates based on regression equations where appropriate (see *Trip Generation Handbook*, ITE, 1998).

2 A pass-by trip is made as an intermediate stop on the way from an origin to a primary destination. Pass-by trips are attracted from traffic passing on an adjacent street that offers direct access to the development.

3 Pass-by percentages from *Trip Generation Handbook*, ITE, 1998. This publication does not include pass-by percentages for office, business park, light industrial, and single- and multi-family residential. However, it should be noted that King County applies a pass-by percentage to some non-retail land use types, including 15% for office and business park.

4 Average PM peak hour trip generation rate x (100 - pass-by percentage) = net new trip rate

5 Net new trip rate multiplied by $2,539 per trip.



The Transpo Group

Figure 4-2
Core Transportation Mitigation Plan Projects Within North and South Zones

Pacific Ridge Subarea - Planned Action EIS

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ATTACHMENT 6

NEW BUSINESS
Item #2

AGENDA ITEM

SUBJECT:

Draft Resolution No. 02-269
Adoption of an economic development plan

ATTACHMENTS:
1. Economic Development Plan

AGENDA OF: January 13, 2003

DEPT. OF ORIGIN: Community Development

DATE SUBMITTED: December 4, 2002

CLEARANCES:
[X] LEGAL

APPROVED BY THE CITY MANAGER FOR SUBMITTAL

Purpose and Recommendation:

The purpose of this item is to present for City Council consideration the first citywide economic development action plan.

Suggested Motion:

"I move to adopt draft resolution 02-269 establishing an economic development plan for the city."

Background and discussion:

At its April 2002 retreat the City Council selected economic development as one of the highest strategic objectives for 2002-2003. Since that time the Finance and Economic Development Committee has worked with Administration to develop a realistic, achievable strategy to maintain and increase the economic vitality in the city. After many months of work the attached action plan was developed.

Alternatives:

1. Adopt Resolution 02-269
2. Adopt Resolution 02-269 with Council revisions
3. Do not adopt Resolution 02-269

Financial Impact:
There will be financial impacts associated with implementation of the action plan. City Council shall have the opportunity to review and approve these expenditures prior to project implementation.

Recommendation/Conclusion:

Administration recommends adoption of Resolution 02-269.

Concurrence:

None

COMMUNITIY DEVELOPMENT'S FIRST DRAFT 12/02/02
DRAFT RESOLUTION NO. 02-269

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON adopting an economic development action plan and establishing a mission statement, goals and implementation priorities.

WHEREAS, economic development activities broaden and strengthen the local tax bases by providing meaningful employment opportunities and enhancing the quality of life for all residents, and

WHEREAS, successful economic development efforts in other communities have been planned and implemented through partnerships between the City, their local Chambers of Commerce and local businesses, and

WHEREAS, the Growth Management Act encourages establishment of economic development plans, and

WHEREAS, adoption of an economic development plan provides a clear policy basis for project implementation, and

WHEREAS, adoption of a economic development plan clearly articulates to potential developers and employers city priorities and intent, and

WHEREAS, developing a broad base of support including innovative public/private partnerships is critical for the success of any economic development program; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

Sec. 1 Economic development and revitalization shall be a priority for the City of Des Moines. The City shall work diligently to implement this strategic objective in cooperation with the Greater Des Moines Chamber of Commerce, local businesses, interested organizations and residents of Des Moines.

ATTACHMENT 1

Sec. 2 The attached "City of Des Moines Economic Development Action Plan" is hereby adopted as the City's official economic development policy document. This plan shall be a working document used to guide and direct all economic development activities of the City.

The City Manager shall keep the City Council appraised of the progress of the Economic Development Action Plan through periodic briefing at Council meeting and the inclusion of Economic Development activities in the City manager's regular report to Council.

PASSED BY THE City Council of the City of Des Moines this ____ day of ______, 2002 and signed in authentication thereof this ___ day of ____, 2002.

____
M A Y O R

APPROVED AS TO FORM:

____
City Attorney

ATTEST:

____
City Clerk

Published: ___________________

Effective Date: ______________

CITY OF DES MOINES ECONOMIC DEVELOPMENT ACTION PLAN

Introduction

At its April 2002 retreat, the City Council ranked economic development as one of its highest strategic objectives. The Finance and Economic Development Committee was assigned the duty to draft a realistic, achievable strategy to maintain and increase economic vitality in the city. After many months of research and discussions with the Committee this action plan was developed.

In addition to a mission statement and goals that clearly articulate the policy directives, the action plan also includes an implementation/work program matrix that prioritizes the city's actions. The matrix also promotes accountability by including specific due dates and responsible parties.

Whereas the mission statement and goals of the economic development action plan may remain consistent for several years, the matrix is designed to be reviewed and updated on an annual basis. The matrix will serve as the major implementation document of the action plan and will be incorporated into work programs in all affected city departments.

What is economic development?

To paraphrase the definition the state legislature used in establishing the Economic Development Tax Authority, economic development broadens and strengthens state and local tax bases by providing meaningful employment opportunities and enhancing the quality of life for all citizens.

The Growth Management Act lists 13 planning goals, one of which is economic development:

> "Encourage economic development throughout the state that is consistent with adopted comprehensive plans; promote economic opportunity for all citizens of the state, especially for unemployed and disadvantaged persons; and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources and local public facilities (RCW 36.70A.020(5)).

How do you make economic development happen?

Only one of three things can happen to a city:

- It can grow
- It can maintain the status quo (at least for a time)
- It can stagnate

Economic development is no one single plan, policy or program. Nor can one single, group whether public or private, can accomplish the task alone. Successful economic development plans involve everyone, from government to the smallest home business in town.

Successful economic development plans generally have three elements:

- Business development/ retention
- Infrastructure development
- Workforce development

Business Development/retention

Business development and retention are the cornerstones of any economic development effort. In this context business development/retention can include business attraction programs, promotion, joint city/ private partnerships, etc.

People will shop, visit, live and work in an area because of available services, not promises or false hype. In this area, critical mass is imperative for success. Having a significant number of commercial, cultural, tourist amenities also helps in attracting new businesses into the community, which in turn creates new jobs for local citizens.

Infrastructure development

Any economic development plan must address the issue of infrastructure support. Without adequate infrastructure support no economic development can occur. In this context infrastructure includes:

- Roads, including gateways
- Utilities (i.e. water, gas, electric, etc)
- Stormwater drainage
- Flood Control

    - Telecommunications
  - Schools

With the passage of the Growth Management Act, cities are required to establish "levels of service" and maintain "concurrency" with adopted standards. Luckily in Des Moines most of our infrastructure systems are adequate for a broad range of economic development activities.

Workforce Development

Workforce development is a statewide system of education and training that prepares people for high-skilled jobs and assures employers of a skilled workforce. A trained workforce is critical in securing family wage employers in our community. A good workforce development program will accomplish the following:

- Increase productivity
- Enhance a city's ability to compete
- Provide higher wage jobs for its citizens
- Reduce illiteracy
- Increase standards of living
- Provide opportunities for people historically denied higher-paying jobs
- Stabilize the population

The action plan matrix provides priorities for implementation in each of these three areas.

Mission and goals

Des Moines has many attractions in its favor; they do not need to be enumerated here. What the city has not done is to capitalize upon its assets. Based on a review of our advantages a draft mission statement and goals were developed. A defined mission statement and goals can provide many benefits, including:

- A policy basis for implementation
- Clearly articulates to residents, businesses and potential residents and businesses what the city represents -- a "declaration of intent"
- Inspires people to take pride in their community
- Frees the community from past failures

A good mission statement will respect a community's past while taking a reasonable view of the future. Likewise, a good mission statement cannot be all things to all people. It must always serve as a direct, focused statement of the community's intent and its future.

The City of Des Moines economic development action plan mission statement

The Des Moines Economic Development Action plan will provide a basis for activities designed to foster a diversified, vibrant, and stable economy while preserving community values. The result of this action plan will be an improved business climate leading to an increased tax base and improvements to the standards of living and quality of life for all citizens of the Waterland City

Goals:
- Attract desirable new employers consistent with the area's quality of life
- Eliminate excessive regulatory restrictions while preserving a high level of health and safety in the community
- Focus initial revitalization efforts to the downtown and Pacific Ridge communities
- Improve the image of the city through a targeted marketing and promotion program
- Develop a broad base of community support for economic development efforts including innovative public/private partnerships
- Maintain and upgrade where necessary roads, utilities and other infrastructure improvements

Implementation
Implementation priorities of the Des Moines action plan are detailed in the attached matrix. Progress on these activities will be included in the City Manager's monthly report. On an annual basis Administration will provide the Council an opportunity to review and revise the matrix. It shall be the responsibility of the Finance and Economic Development Committee to make quarterly reports to the full Council on the implementation of these priorities.

Des Moines Economic Development Action Plan Implementation Matrix

	Action	Time frame			Target Date to Start	Target Date to Complete	Est. Cost/ Matching funds	Affiliated Organizations	Action Item For:
		30-90 days	90-180	180+					
Priority 1									
	1. Work with Chamber and other groups to create a marketing plan and business attraction and retention program for the City of Des Moines • Develop marketing plan in conjunction with SWKC group • Work with Chamber to implement Recommendations • Contact Federal Way and Kent on interest in developing a joint business marketing plan	* *	*		Jan 03	?	TBD	DM Chamber	Consultant

	Action	Time frame 30-90 days	90-180	180+	Target Date to Start	Target Date to Complete	Est. Cost/ Matching funds	Affiliated Organizations	Action Item For:
Priority 1									
	2. Review government regulations; streamline where possible				Dec. 02	Ongoing until code revision is complete			CD/Legal
	• ID problem areas	*							
	• Review process		*						
	• Include at least one public meeting with user groups								
	• Make recommendations to CC on code/process changes and priorities. Include costs and timelines		*						
	• Begin code/process revisions		*						

	Action	Time frame			Target Date to Start	Target Date to Complete	Est. Cost/ Matching funds	Affiliated Organizations	Action Item For:
		30-90 days	90-180	180+					
	3. Develop downtown revitalization strategy		*		Summer 03	Seasonal	TBD/unknown	DM Chamber	Judith/CD/Joe
	• Allow push carts, farmer markets and other seasonal vendors in the city	*							
	• Revise DC code to allow for variances		*						
	• Investigate using CDBG float program for a project								
	• Conduct market study for Downtown			*					

	Action	Time frame			Target Date to Start	Target Date to Complete	Est. Cost/ Matching funds	Affiliated Organizations	Action Item For:
		30-90 days	90-180	180+					
	4. Continue Implementation of PR Neighborhood Plan • Implement incentive plan • Recommend revisions to PR code to CC • Begin publicity campaign on incentive plan	 * * *			Jan 03	Plan implementation ongoing; incentive plan 05			CD/Legal
Priority 2									
	5.Institute neighborhood meetings for businesses • Qtr. By business district		 *		Spring 03	Fall 03	0	DM chamber	City Manager
	6. Prepare a development strategy for "south of KDM" area from KDM to 272nd		*		Jan 03	June 03	$2,500	UW, Kent	CD/Adm

	Action	Time frame			Target Date to Start	Target Date to Complete	Est. Cost/ Matching funds	Affiliated Organizations	Action Item For:
Priority 3		30-90 days	90-180	180+					
	7.Work with POS, KC, and partner cities on sub-regional economic development efforts • Develop SBDC • Marketing study • Import/Export Center			* * * *	Jan 00	Ongoing	$5,000/yes	KC, POS, EDA, state, member cities	CD
	8. Implement the Marina Master Plan • Boat storage (04) • Guest moorage (06) • Commercial buildings (03) • Breakers(03) • Bond sale (complete)	*		* * * *	July 01	07			CD/Marina, Legal, CM

	Action	Time frame			Target Date to Start	Target Date to Complete	Est. Cost/ Matching funds	Affiliated Organizations	Action Item For:
Priority 3 cont		30-90 days	90-180	180+					
	9. Work with cities of Kent and Federal Way on straightening boundaries			*	Jan 03	Dec 03			
Priority 4	10. Promote economic development objectives by including goals, objectives and strategies on the city's webpage		*		June 03	June 03			
	11.Work with POS on creating a development plan for the buyout area, with the goal of beginning development within 36 months of signing, regardless of final outcome of the 3rd runway			*	Ongoing until complete				
	• Complete "NEST" study				Feb 03	Dec 03	$188,000/yes	POS, Seatac, Burien, EDA	
	• Continue encouraging POS to create a development plan			* *					

	Action	Time frame			Target Date to Start	Target Date to Complete	Est. Cost/ Matching funds	Affiliated Organizations	Action Item For:
Priority 5		30-90 days	90-180	180+					
	12. Clearly express to all school districts via a resolution the need to work with the CC, administration and the community of the design of their facilities								
	• Adopt HCC master plan	*			03/03	03/03			
	• Work with HCC,HSD on permitting of new facilities			*	04	07			
	13. Working with other organizations develop better strategies of linking student to jobs in the community			*	Sept 03	Develop program by Sept 04, then ongoing		HCC, HSD, DM chamber	

	Action	Time frame			Target Date to Start	Target Date to Complete	Est. Cost/ Matching funds	Affiliated Organizations	Action Item For:
Priority 5 cont		30-90 days	90-180	180+					
	14. Continue implementation of CIP				*				Eng, CC, CD, utilities
	• Where possible provide through the development process the opportunity for telecommunication expansion								
	• Establish positive gateways at 272nd and 16th Ave				*				
	Explore providing a gateway generally in the KDM/MVD area				*				

NEW BUSINESS
Item #3

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: RCAA Final BIlling

ATTACHMENTS:
Various Letters and Memos regarding RCAA's Agreement with Des Moines and Final Payment

FOR AGENDA OI January 13, 2003

DEPT. OF ORIGIN: City Manager's Office

DATE SUBMITTED: November 27, 2002

CLEARANCES:
[ ] Legal ______________

APPROVED BY CITY MANAGER FOR SUBMITTAL: ______________

Purpose and Recommendation

The purpose of this report is to provide the City Council an opportunity to review the information supplied by the Regional Commission on Airport Affairs (RCAA) regarding the services they provided in 2002 to satisfy their responsibilities per the agreement between the City of Des Moines and RCAA and to determine the final payment amount the Council will authorize for these services.

Suggested Motion:

> "I move to authorize payment of $___________ to the Regional Commission on Airport Affairs as full and final payment for services provided in 2002."

Background

The City of Des Moines contracts with RCAA to provide various services to educate the public concerning the environmental, economic and social effects of the proposed third runway and related expansion of Seattle-Tacoma International Airport. The attached copy of the 2002 agreement provides greater detail. For these services, the City agreed to pay RCAA $28,000 in quarterly installments of $7,000 each.

Discussion

At its September 5, 2002, meeting, the City Council voted to terminate the contract with RCAA. The City Manager notified RCAA of this action in a letter dated September 10, 2002, with an effective date of October 14, 2002. Under paragraph 5 of the contract, RCAA is "entitled to pro rata compensation based on the number of months this contract has remained in effect and the quantity and quality of services performed by RCAA on behalf of the City".

On September 6, 2002, RCAA sent the City an invoice for $7,000 for services rendered in the first quarter of 2002, and an invoice for $7,000 for services rendered in the second quarter of 2002. Attached to these two invoices was a detailed list of RCAA's 2002 expenditures to date. On September 20, 2002, RCAA invoiced the City $7,000 for services rendered in the third quarter. Finally, on October 14, 2002, RCAA sent a final, pro rata invoice totaling $1,065.22 for the first 14 days of the fourth quarter. Attached to this invoice was a letter detailing the services RCAA has rendered on behalf of the City and copies of several years worth of RCAA newsletters. All of this material has been previously given to the City Council and is attached to this report for Council's convenience.

Alternatives

The City Council may elect to pay all, part or none of the billings from RCAA, based upon Council's evaluation of the quantity and quality of services performed by RCAA on behalf of the City.

Financial Impact

The total billings amount to $22,065.22. $28,000 was allocated in the 2002 Budget for the RCAA contract.

Recommendation

None.

AGREEMENT FOR SERVICES
BY AND BETWEEN
THE CITY OF DES MOINES AND
THE REGIONAL COMMISSION ON AIRPORT AFFAIRS ("RCAA")
FOR THE YEAR 2002

The CITY OF DES MOINES ("City"), a municipal corporation, and the **REGIONAL COMMISSION ON AIRPORT AFFAIRS ("RCAA")** agree as follows:

FACTS AND ASSUMPTIONS

THIS AGREEMENT is entered into on the basis of the following facts and assumptions:

RCAA is a corporation, incorporated under the Nonprofit Corporations Act of the State of Washington.

The purpose for which RCAA is organized is to actively oppose the proposed third runway and related expansion of Seattle-Tacoma International Airport (Sea-Tac Airport) and to educate the local public concerning the environmental, economic, and social effects.

The RCAA recognizes that the City, in cooperation with the Airport Communities Coalition (ACC), is or may become engaged in litigation with the Port of Seattle, the Federal Aviation Administration, the Puget Sound Regional Council and others regarding many of the same issues with which the RCAA is concerned.

For these reasons, the City Council of the City of Des Moines has allocated funds to contract with RCAA which will be of assistance to the City in regards to the third runway or expansion of Sea-Tac Airport.

AGREEMENT FOR SERVICES

Accordingly, and in reference to the foregoing, the parties agree as follows:

1. RCAA Responsibilities

(a) RCAA shall provide to the City services which the City may from time to time require in achieving the goals previously described with regard to the third runway or expansion of Sea-Tac Airport. These services shall include the following:

- Information booths at public festivals in Burien, Normandy Park, Des Moines, Federal Way, Tukwila, Beacon Hill, Magnolia and other areas impacted by the expansion of Sea-Tac Airport;
- Schedule monthly citizen involvement activities in Olympia, Seattle, Sea-Tac Airport and the Greater Puget Sound Region, as necessary;

- Host town meetings in the Greater Puget Sound Region to inform and educate the public and elected officials as needed.
- Maintain a web site to provide in-depth and immediate information to the public;
- Publish a quarterly newsletter;
- Recruit new members;
- Expand the mailing list upon request of city councils;
- Send action alerts to all RCAA members as deemed necessary by the RCAA Board of Directors;
- Placement of informational advertisements as deemed necessary by the RCAA Board of Directors;
- Conduct elected official outreach at the state, county, and local levels;
- Provide other activities as deemed necessary by city councils;

(b) RCAA shall ensure that all of its activities on behalf of the City are in compliance with applicable state, federal and local law, including without limitation, any reporting requirements of the Washington Public Disclosure Commission that are applicable, or in the future become applicable, to actions or assignments undertaken by RCAA;

(c) RCAA will at all times maintain accurate and appropriate financial records. At any time during the term of this Agreement, within seven (7) days of a written request from the Des Moines Finance Director, RCAA agrees to make available to the City Finance Director for audit and inspection any and all records maintained by RCAA, including without limitation, receipts for goods, services, payroll, expenditures, and study costs; and

(d) RCAA will regularly seek contributions through its mailings and public activities.

2. Limitations on RCAA Activities

To ensure that RCAA's efforts are consistent with and complement the City's efforts through the ACC, the RCAA shall not use City funds for the following activities, without the prior approval of the City:

- Retaining experts or professionals to assist in developing technical information related to the impacts of Sea-Tac Airport;
- Dissemination of technical reports or other technical information prepared in contemplation of litigation, or in any manner related to the issues raised (or to be raised) in ACC litigation;
- Retain any professional or consultant who has been retained by the ACC (unless approved by the ACC); or

- Publication (including electronic publication) of any attorney/client privileged materials prepared for litigation by the ACC, its counsel, consultants, or staff.

3. RCAA Meeting Requirements

An officer of the RCAA shall meet with a member or members of the City staff on a periodic basis so that the City may provide RCAA with its requirements and RCAA may report on services rendered.

4. City Responsibilities

In consideration of the services performed by RCAA, the City shall compensate RCAA in the amount of twenty-eight thousand dollars ($28,000.00) during the year 2002, payable in four installments, which shall be paid on or before February 15, 2002, May 15, 2002, August 15, 2002, and November 15, 2002, or when otherwise authorized by the City Council..

5. Termination

This contract may be terminated by either party upon thirty (30) days written notice, in which event RCAA will be entitled to pro rata compensation based on the number of months this contract has remained in effect and the quantity and quality of services performed by RCAA on behalf of the City.

6. Independent Contractor, Hold Harmless Agreement

RCAA warrants and understands that in performing services under this agreement, it is an independent contractor and is not an agent, servant, or employee of the City of Des Moines and it will not represent itself as such. RCAA agrees to defend, indemnify, and hold the City, its officers, officials, agents, employees, and volunteers harmless from any claim, damages, suit, action or liability, costs of expenses in law or equity, including attorney fees and expenses in defending against any such claim because of damages to property or personal injury arising out of the services performed under this agreement, which may be occasioned by any willful or negligent act or omission of RCAA, or any of RCAA's agents, servants, employees, or subcontractors, except to the extent such injury is caused by the negligent or willful misconduct of the City, its directors, officers, agents, servants, or employees.

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7. ***Ratification, Confirmation, and Retroactive Application.***

Any acts consistent with the authority and prior to the effective date of this agreement are hereby ratified and confirmed. This agreement is effective as of January 1, 2002.

DATED this 21 day of February, 2002.

APPROVED AS TO FORM:

Gary N. McLean
City Attorney

CITY OF DES MOINES

By

Robert L. Olander
Its City Manager

REGIONAL COMMISSION ON AIRPORT AFFAIRS

By Lawrence Corvari

Its President

CONTRACT:RCAA 2002; 12/07/01

MEMORANDUM

Date: October 30, 2002
To: City Council
From: City Manager TOG
Subject: Information from RCAA Regarding Services Provided in and Billings for 2002
cc: City Attorney

Attached is information that I have received from the RCAA regarding the services that they have provided to the City of Des Moines in 2002. Also attached are copies of their quarterly billing statements for the first three quarters of 2002 and a prorated bill for the first two weeks of October. An item has been placed on the November 14, 2002, City Council meeting agenda to discuss RCAA's billings and to allow the City Council to decide if the services rendered meet the terms of the contract between the City and RCAA.

City of Des Moines

ADMINISTRATION
21630 11TH AVENUE SOUTH, SUITE A
DES MOINES, WASHINGTON 98198-6398
(206) 878-4595 T.D.D.: (206) 824-6024 FAX: (206) 870-6540

October 29, 2002

Lawrence J. Corvari, President
Regional Commission on Airport Affairs
19000 Fourth Avenue S.W.
Normandy Park, WA 98166

Dear Mr. Corvari:

Thank you for your letter of October 14, 2002, providing the requested information concerning RCAA services. The City of Des Moines will determine its 2002 payment to RCAA for all time periods prior to termination of the 2002 contract, including the first two quarters of 2002 that were first billed to the City on September 6, 2002, under the termination provision of the contract. That language specifically states that:

> RCAA will be entitled to pro rata compensation based on the **number of months** this contract has remained in effect and the **quantity and quality of services performed** by RCAA on behalf of the City.

We expect that the City Council will consider this issue on November 14, 2002. I invite a representative of RCAA to address the Council during the discussion on this issue. Please advise me who will represent RCAA at the November 14 meeting.

Thank you again for your response to my letter. Please let me know if you have any questions.

Sincerely,

Tony Piasecki
City Manager

TP:sb

City of Des Moines

ADMINISTRATION
21630 11TH AVENUE SOUTH, SUITE A
DES MOINES, WASHINGTON 98198-6398
(206) 878-4595 T.D.D.: (206) 824-6024 FAX: (206) 870-6540

September 10, 2002

Lawrence J. Corvari, President
RCAA
19900 Fourth Avenue SW
Normandy Park, WA 98166

Dear Mr. Corvari:

The City Council of the City of Des Moines, at its September 5, 2002 meeting, directed that the City terminate its contract with RCAA. In accordance with Paragraph 5 of the contract between the City and RCAA, you are hereby notified that the City terminates its contract with RCAA, effective October 14, 2002. This termination date provides you with thirty days written notice of termination, as required by the contract, counted as required by Civil Rule 6.

Under Paragraph 5 of the contract, upon termination of the contract, RCAA is "entitled to pro rata compensation based on the number of months this contract has remained in effect and the quantity and quality of services performed by RCAA on behalf of the City." To permit the City to comply with this provision, please provide the City with a final billing by October 1, 2002, for services provided through October 14, 2002, giving both a pro rata calculation and detailed identification of services provided and dates of services, for January 1, 2002 through October 14, 2002. In order to allow the City to evaluate the "quantity and quality of services," in addition please provide a detailed identification of services provided, and dates of services, under the 2001 contract with the City. The City acknowledges that on September 6, 2002, you provided us with a billing for the first two quarters of 2002. The City requests that you provide us with the additional detailed information requested in this letter for both 2001 and 2002, in order to facilitate our timely final payment under the contract.

Thank you.

Very truly yours,

Tony Piasecki
City Manager

TP/LAM:vs

Cc: Linda A. Marousek, City Attorney

W101:RCAA/02-057

14 October 2002

RCAA
Regional Commission on Airport Affairs

19900 4th Ave SW
Normandy Park, WA 98166
(206) 824-3120
FAX (206) 824-3451

<rcaa@earthlink.net>

www.rcaanews.org

Tony Piasecki
City Manager
City of Des Moines
21630 Eleventh Ave. So., Suite A
Des Moines, Washington 98198-6398

Re: RCAA billings to Des Moines:

Dear Mr Piasecki:

Please find enclosed for staff review & Council action our invoice for services for the fourth quarter, 2002, totaling $1,065.22. The computation leading to this figure is shown on the invoice itself. Given that our services are continuous & ongoing, we believe that the appropriate method for computing the amount due us per contract for the fourth quarter is simply to prorate the quarterly payment of $7,000 between days when the contract was in force (1-14 October), and the balance of the quarter. Your letter of 10 September, terminating the contract, asked for this computation specifically. While your letter terminating the contract asked for this billing by 1 October, our leadership has felt that it was inappropriate to submit a final bill before the terminal date, and our Office Administrator has discussed this with you, to, we believe, mutual agreement.

Your letter also asks for "detailed identification of services provided and dates of services, for January 1, 2002 through October 14, 2002". We trust that RCAA's services for the first three quarters of 2002, for which invoices are outstanding and unpaid, are not in dispute. There has been not the slightest hint of dissatisfaction with those services. Accordingly, we assume that the invoices for the first three quarters are being processed for timely payment, and that the request for a delineation of services during those quarters is only made to permit a basis for comparing prior services with services provided in the period 1–14 October.

* * * * *

It is appropriate to state at the outset that RCAA has provided the same services, in the same way, during the period 1-14 October, as during the period 1 January 2002 to 30 September 2002, and that services provided in the Year 2002 are very similar to those provided in Year 2001.

The services provided by RCAA to Burien, Des Moines, and Normandy

Park under its three separate but virtually identical contracts with those cities are generally of an indirect nature.

By that, I mean that instead of, say, providing material goods for the City's use, or performing consultant services direct to the City (as an engineer might do with respect to a proposed capital improvement), we provide services to the general public and others for the advantage of the City.

Purpose of services. As is said in the contract, RCAA's work is intended to "be of assistance to the City in regards to the proposed third runway and related expansion of Sea-Tac Airport". A list of activities that RCAA can engage in under this rubric is found in Paragraph 1(a) of the basic contract. And, naturally, we engage in other actions & activities in support of the no-third-runway position, though they are not listed per se in the contract. Generally, we have accepted the guidance of the Airport Communities Coalition in many of these day-to-day activities, tailoring our work to dovetail with theirs, and to be supportive of their rôle as the principal opponent of the runway project. Most our services can best be described as public-involvement and public-relations activities, premised on opposition to the third-runway project at Sea-Tac Airport, and other expansion projects there. Opposition to Sea-Tac expansion, and particularly, opposition to the third-runway proposal, has been this organization's focus since its founding, and that was the focus throughout 2002 – which is not just our position but is the position of the City of Des Moines, the other contracting cities, our friends & supporters, our affiliated organizations, and the Airport Communities Coalition.

Continuous services. Some of RCAA's services are provided day & night, week in & week out ("365/24/7"). This is particularly true of our pioneering website, which is the first great airport-concern website run by a citizen group. It is available for use by anyone any time. The website requires the services of a consultant webmaster, supported by information continuously fed to her by members of our Board, interested members of the public, and our Office Administrator. The website contains an ever-growing accumulation of Sea-Tac information that is difficult – perhaps impossible – to obtain elsewhere. Also provided 365/7/24 is our telephone answering service, by which we field public inquiries about Sea-Tac issues – many of them referred to us by staff of the contracting cities.

Work-day services. Some of our services are provided four days a week: Our office is open for regular business hours four days a week, with contract staff on duty to field phone, FAX, e-mail & in-person requests for information from contracting cities, ACC staff & consultants, other agencies, and the general public. In recent years, our office has received many requests for assistance in research and documentation from the ACC's attorneys and consultants, and from leadership, attorneys, and consultants of Citizens Against Sea-Tac Expansion, both of which

. . . / 3 /

have been actively involved in third-runway litigation on behalf of the ACC cities and the general public. We maintain extensive archives of relevant information and a library now occupying two rooms. Access to these resources is available during office hours to the public (but around the clock to our Board members, and as needed at any time by appointment through our contract staff).

After hours. Our Office Administrator reminds me that he handles a good volume of e-mail traffic outside of normal business hours for our Board and our affiliated organizations – this is a seven-day-a-week activity. He is not alone in this – our Board members are in touch with one another & with staff & consultants without regard to formal business hours. Urgent matters are dealt with urgently. The Administrator also reviews several e-mail publications relating to airport issues on a seven-day-a-week basis, & passes along items of interest to Board members, other volunteers, and affiliated organizations, and on occasion to news media.

Periodic services. Some of our services might be said to be provided periodically, although their impact is spread over long time periods. This category includes our (former) print newsletters and our present web letters. We published a quarterly print newsletter, focused on Sea-Tac issues, for several years, mailing to an extensive list. About 6000 Des Moines households received the newsletter regularly. Until we cut off Federal Way mailings, total distribution ran to about 40,000, and thereafter, to about 28,000. These newsletters went to all members of the Legislature, to the Congressional delegation & relevant staff, and to all voting members of the Puget Sound Regional Council, as well as the general public (some sample copies of the print newsletter are enclosed). There is further discussion of newsletters below.

Water-quality consultant. As you will note in reviewing our financial reports for Years 2001 and 2002 (previously furnished), a large item of expense for us in the last couple of years has been the services of our outstanding water-quality consultant. He has been a critical link in the technical arguments on our side of the third-runway administrative proceedings and associated litigation, with respect to environmental issues. His work has been significant in support of both the Airport Communities Coalition and C.A.S.E. (Citizens Against Sea-Tac Expansion) in this complex & highly technical effort. He has kept a watchful eye on how the Airport impacts Des Moines Creek -- rather a direct benefit to the City of DM. (We are not aware of anyone on your staff with these duties and expertise.) He reviews almost every water-quality document that is issued by any party – most importantly in the last few weeks, the drafts of the proposed renewal permit for the Airport under sec. 402 of the Clean Water Act ("NPDES permit"), & the Port's voluminous comments on the drafts. He is a key member of the Technical Committee. He is invaluable to us in preparing for the forthcoming hearing on the renewal. All of these services have been continuous and ongoing.

Web-based Newsletters. As you may be aware, our Board made a decision some months ago to switch to a different form of newsletter. This was not only a cost-cutting measure (postage costs are accelerating) but also the result of a prolonged Board review of the effectiveness, as well as timeliness, of this method of reaching the public with the Sea-Tac runway message. So, we now issue a "webletter", a less formal, and very timely, newsletter that is posted monthly on our website, with an e-mail alert sent to our e-mail lists at the time of posting. The first of these was posted in mid-August, the second, in mid-September, and the editors and the chairman of the Board's Communications Committee are at work on the third, scheduled for issuance on or about 24 October.

Episodic services. Some of our services are episodic, especially "Action Alerts". As occasion requires, we send out mailings to interested people about special events of interest, such as the various public hearings on the JARPA (sec. 401.404) applications, and the efforts of Mr Hopkins to revive the ill-fated Des Moines conveyor-belt proposal. In the last few months, we set aside funds for an Action Alert on the long-expected public hearing for a new sec. 402 ("NPDDES") permit for Sea-Tac Airport, and Board, staff, and consultant time has been expended in preparing for that Alert and for the public hearing.

Services to individuals. Some services are provided to specific persons. These include:

- Dealing with noise & flight-corridor inquiries
- Requests for information and research assistance, primarily from ACC's lawyers and consultants in the last few months, but also from the general public. Here's a comment that came in (unsolicited) the other day from a member of the public:

  > I personally have benefited greatly from RCAA's resources and from Chas' Insights {"chas" refers to our Office Administrator]. The mailed newsletter was extremely helpful to me as a newcomer to this area to understand just what was going on.

  (Maintaining an office with staff has been essential to our mission of building support for the runway position of the ACC cities.)

- Working with beat reporters. RCAA is recognized as a source for information on Sea-Tac related issues, se we receive some independent inquiries from various print media. In addition, we pass along news tips and formal news releases to the local dailies and to the national e-mail airport-interest publications, all in aid of the no-third-runway effort.

* * * * *

With respect to all of these activities, it has not been practical to engage in highly detailed accounting exercises, to allocate each hour of volunteer, staff, or consultant time to a particular category of activity, & then allocate the benefits of that activity as between the City of Des Moines on the one hand, other cities on the other, not to speak of the general public. To date, this has not been a requirement from any of the contracting cities.

We do track expenditures for special projects – like our recent aerial photography of various Sea-Tac construction sites (not available for inspection on the ground). We cannot (without a huge amount of new work) produce an accounting, hour by hour, for all of the time of Board members, other volunteers, contract staff, and other consultants. As is the case in any organization, a good deal of the expenses goes to overhead – phones, publications, contract staff. And there are services that are difficult to categorize – staff attendance at Port Commission meetings; Technical Committee members' meeting with the Army Corps of Engineers or the Department of Ecology; testimony at hearings; formal written comments on a variety of Airport-related issues; staff support to member groups – to mention just a few such activities.

The Board believes that it is not readily feasible to draw a distinction – which would be utterly artificial – between activities & expenditures that benefit the City of Des Moines separate and apart from benefit to the other contracting cities. For example, we made, at their request, a large contribution to the radio advertising campaign that ACC mounted earlier in the year. (This shows up in the accounting report that we sent you a few weeks back.) But how would one allocate the benefit of that expenditure as between the three cities? The cities' representative, the ACC, asked for the help; we provided it as part of the common effort.

I trust that you, your staff, & Council will find this sufficiently responsive to your inquiry. If not, please advise,

Yours sincerely,

Lawrence Corvari

Lawrence J. Corvari
President

Encls: Final invoice; sample print news letters

L02-287-1, -2 (DM)

REGIONAL COMMISSION ON AIRPORT AFFAIRS
19900 4th S.W.
Normandy Park, Washington
98166-4043
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E-mail: rcaa@earthlink.net

STATEMENT

14 October 2002

City of Des Moines
21630 11thAve. So.
Des Moines, Washington 98198-6838

RE: Services, portion, fourth quarter, 2002
As per contract between RCAA and the City of Des Moines

Normal quarterly payment per contract, $7000
Fourth quarter, 92 days
Contract days, 14
Percentage, 15.2
Prorated amount due: 0.152 x 7000 = $1065.22

Amount due: $1065.22

INV02-03-DM

Change in Local Passengers and Yield at Top 100 U.S. Airports

First Quarter 2002 vs. First Quarter 2001

	Airport	O&D Passengers	Passenger % Chg.	Yield % Chg.		Airport	O&D Passengers	Passenger % Chg.	Yield % Chg.
1	Los Angeles	6,101,450	-17.8%	-11.2%	51	Kahului	1,130,700	-6.1%	-9.7%
2	Las Vegas	6,016,710	-8.0%	-9.9%	52	Providence	1,127,830	-3.9%	-11.5%
3	Orlando	5,388,810	-13.3%	-9.1%	53	Albuquerque	1,076,450	-7.6%	-9.7%
4	Atlanta	5,241,730	-14.4%	-18.8%	54	Jacksonville	1,057,960	-12.2%	-14.9%
5	Chicago, O'Hare	5,202,850	-13.8%	-18.1%	55	Charlotte	1,039,070	-15.0%	-14.0%
6	Phoenix	4,890,820	-10.8%	-10.9%	56	Dallas, Love	1,034,120	-25.6%	-3.9%
7	New York, LaGuardia	4,210,120	-14.6%	-15.5%	57	Burbank	1,025,380	-5.7%	-10.4%
8	Dallas/Fort Worth	4,040,050	-12.9%	-18.2%	58	Milwaukee	985,620	-14.7%	-8.3%
9	Fort Lauderdale	3,913,930	-1.8%	-9.6%	59	Reno	982,820	-15.9%	-7.6%
10	New York, Newark	3,892,130	-15.7%	-17.8%	60	Cincinnati	962,240	-16.1%	-14.3%
11	Denver	3,876,850	-9.7%	-14.8%	61	Buffalo	848,820	-8.7%	-14.1%
12	Seattle/Tacoma	3,582,480	-8.6%	-12.1%	62	Tucson	812,320	-6.3%	-10.6%
13	Tampa	3,521,630	-7.7%	-14.1%	63	Memphis	746,430	-14.4%	-12.0%
14	Boston	3,426,960	-21.0%	-15.8%	64	Omaha	743,210	-6.2%	-13.0%
15	Baltimore	3,295,070	-8.8%	-9.9%	65	Manchester	717,710	2.1%	-10.4%
16	San Francisco	3,232,460	-25.5%	-13.6%	66	Louisville	715,060	-12.6%	-13.9%
17	San Diego	2,982,140	-8.7%	-10.8%	67	Norfolk	654,700	14.8%	-28.3%
18	Philadelphia	2,928,770	-6.6%	-17.6%	68	Oklahoma City	619,310	-13.4%	-9.7%
19	Minneapolis/St. Paul	2,927,870	-15.5%	-8.0%	69	Tulsa	591,980	-15.7%	-11.5%
20	Detroit	2,894,910	-16.0%	-12.8%	70	Albany, NY	589,620	-8.9%	-10.6%
21	Honolulu	2,800,720	-3.8%	-5.0%	71	Birmingham	564,250	-13.8%	-12.4%
22	Chicago, Midway	2,403,030	-10.0%	-8.7%	72	Spokane	563,870	-10.7%	-5.3%
23	Oakland	2,385,850	0.3%	-15.4%	73	El Paso	559,670	-10.2%	-7.2%
24	New York, Kennedy	2,361,250	1.6%	-14.3%	74	Anchorage	549,360	3.7%	-8.2%
25	Houston, Bush	2,333,730	-11.6%	-14.0%	75	Lihue	545,250	-9.0%	-2.2%
26	Miami	2,243,670	-9.6%	-13.3%	76	Kona	538,080	-4.9%	-5.2%
27	Salt Lake City	2,220,870	-10.8%	-3.7%	77	Boise	536,850	-12.7%	-6.3%
28	Washington, National	2,168,100	-26.2%	-8.9%	78	Greensboro	483,680	-17.4%	-11.7%
29	San Jose	2,134,390	-15.1%	-21.3%	79	Dayton	460,790	-7.4%	-14.4%
30	Portland, OR	2,044,000	-9.9%	-10.7%	80	Rochester, NY	457,740	-13.6%	-16.5%
31	St. Louis	2,038,350	-17.3%	-17.4%	81	Little Rock	447,160	-14.9%	-7.9%
32	New Orleans	1,967,650	-9.0%	-6.5%	82	Richmond	435,660	-17.6%	-16.2%
33	Kansas City	1,915,190	-12.0%	-12.7%	83	Islip	415,230	-14.0%	-8.0%
34	Sacramento	1,711,410	-0.6%	-12.1%	84	Grand Rapids	413,540	-5.8%	-15.3%
35	Washington, Dulles	1,680,200	-16.0%	-17.4%	85	Colorado Springs	410,890	-5.6%	-13.4%
36	Orange County	1,661,760	-1.9%	-17.1%	86	Syracuse	388,030	-8.0%	-12.7%
37	Raleigh/Durham	1,616,160	-8.9%	-25.0%	87	Palm Springs	344,910	-13.4%	-8.0%
38	West Palm Beach	1,596,340	-9.8%	-6.6%	88	Des Moines	335,490	-7.8%	-18.7%
39	Fort Myers	1,574,880	-5.2%	-6.5%	89	Savannah	331,010	-6.3%	-15.2%
40	Cleveland	1,509,270	-13.9%	-14.2%	90	Sarasota/Bradenton	324,430	-9.9%	-9.1%
41	Indianapolis	1,424,570	-11.9%	-14.6%	91	Hilo	321,990	-10.7%	4.9%
42	Pittsburgh	1,397,100	-12.4%	-17.7%	92	Madison	299,570	-0.9%	-16.0%
43	Nashville	1,373,130	-12.2%	-12.4%	93	Charleston	293,290	-9.9%	-9.3%
44	Hartford	1,372,520	-12.8%	-14.1%	94	Pensacola	277,380	28.1%	-22.0%
45	San Juan	1,363,790	-7.9%	-7.5%	95	St. Thomas	271,030	-0.3%	-18.0%
46	San Antonio	1,352,490	-7.2%	-11.4%	96	Greenville	257,350	-14.8%	-17.6%
47	Ontario	1,346,840	-7.1%	-12.8%	97	Knoxville	256,920	-14.8%	-16.1%
48	Houston, Hobby	1,332,270	-12.9%	-7.0%	98	Jackson	250,820	-14.8%	-11.2%
49	Austin	1,288,650	-14.8%	-19.3%	99	Vail/Eagle	247,780	-2.9%	-16.4%
50	Columbus, OH	1,288,260	-10.3%	-13.7%	100	Harrisburg	240,170	-1.6%	-14.9%

ECLAT consulting

Based on U.S. DOT O&D Survey.

Truth in Aviation

The Newsletter of the Regional Commission on Airport Affairs

Vol. 7, No. 2 Fall 2001

WHAT NOW?

Two weeks after the attacks on the World Trade Center & the Pentagon, Congress was forced to bail out the airlines to the tune of $15 billion. Some industry-watchers claim business will rebound quickly once people relax a little. Others, however, point out that the airlines were in big financial trouble *before* the Trade Center disaster because of a persistent drop in business travellers. This part of the problem, they argue, is likely to persist for a very long time, even if the public regains its confidence. The airlines themselves and Boeing seem to fall in to the latter camp, laying off tens of thousands.

Additional security needs will have a huge impact on airports. Some may never re-open. All of this affects airport expansion projects planned across the country, which are dependant on industry profits and customer demand. Sea-Tac's expansion is one of the most expensive in the country and will likely take some major cuts.

At many airports across the U.S., expansion projects are in serious jeopardy, as the money streams dry up. The immediate impacts are two-fold: first, fewer travellers means less money collected from passenger facility charges (PFCs), & second, insolvent airlines cannot meet their lease payments to airports. Third, revenues from the federal tax on aviation fuel & other taxes on air travel will start to fall. FAA's grants for airport construction come from these taxes.

Here's what is happening at some representative airports.

Twin Cities (Minneapolis - St. Paul, Minnesota). The St. Paul *Pioneer Press* reported on 22 September that the balance of a $2.7 billion expansion project at the Minneapolis-St. Paul Airport was at risk. To balance its budget the airport is likely to cut capital costs. Of the $2.7 billion expansion project, between $1.75 billion and $2 billion already has been spent or committed.

San Francisco. According to the *San Mateo Daily Journal* (20 September), the terrorist attacks may impact the decision whether or not to proceed with expansion at San Francisco. (The airport wants to fill in a big piece of the San Francisco Bay to make new land for the runway.)

Continued on page 3

ACC Blasts DOE Process, Appeals to State Pollution Board

On August 10 the state Department of Ecology (DOE) issued a Section 401 water quality certification for the third runway project. This is the third attempt by the Port to get its 401 approval. This process has been watched with concern by people in the airport communities ever since DOE reassigned the lead analyst, Tom Luster, to "more pressing projects", hired Port consultants as "independent" technical reviewers, and "negotiated" the certificate in meetings chaired by a mediator paid for by the Port. (See *TIA* Summer 2001, p.5.) The Airport Communities Coalition (ACC) has appealed the decision and asked for a stay. The hearing on the stay is scheduled for mid-October 2001, but no schedule for the main appeal has been set.

The 401 decision is a one-time opportunity for the State to determine whether the third runway meets applicable state aquatic resource regulations. These regulations cover areas such as fill, stormwater discharges, decreased streamflow, groundwater, water quality in the streams, and wetland health. By law, the Port must demonstrate that there is "reasonable assurance" that construction and the third runway itself will not violate State water quality standards.

Affidavits from experts in support of ACC's appeal point out that the Port did not even provide the information necessary to decide if applicable water quality standards *could* be met, much less reasonable assurance that they *would* be met. For example, instead of requiring a plan showing that the Port can prevent transport of contaminated groundwater through old utility corridors under the airport, DOE will allow the Port to submit the plan 60 days *after* the issuance of the certification. This, despite the fact that the Port has had years to come up with a plan, but has failed. ACC's lawyers point out that this gerrymandering of the requirements also destroys the public's legal right to comment on the plan.

In some instances, the Port provided conflicting information. For example, different Port reports claim that water behind the 150-foot high retaining wall, the "Great Wall of Sea-Tac", will transport through the wall, be diverted under the wall, or be collected behind the wall for later dis-

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IN BRIEF

Election Coverage:

Port of Seattle: Runway Foes Chosen To Challenge Incumbents

The third runway is emerging as an issue in Port Commission elections.

In the primary election on 18 September, two announced opponents of third-runway construction at Sea-Tac Airport were selected by voters to oppose incumbent Port Commissioners in the general election.

For Position 3, Richard Pope received 42,317 votes, and will face incumbent Paige Miller (with 87,662 votes). Two other challengers received a total of 30,716 votes. Mr Pope attributed a good part of Ms Miller's support to endorsements by Democratic Party groups.

In the Position 4 race, incumbent Pat Davis received fewer votes than the combined opposition. Christopher R. Cain will oppose her in the 6 November election. Ms Davis received 67,844 votes, Mr Cain, 39,488, Jake Jacobovitch, 29,187, and Al Yuen, 20,055. The *Post-Intelligencer's* election coverage erroneously reported that Mr Cain was not an active candidate, and did not even mention that he would be on the November ballot. Ms Davis' share of the vote (less than 44 percent) shows that the long-time incumbent is in serious difficulty.

Only two candidates filed for the seat now held by Jack Block—Mr Block and Lawrence Malloy. Their names will appear on the general-election ballot. Mr Malloy is a very keen supporter of the third runway. Mr Block has been known to express an occasional doubt.

Highline Area Races

In the Highline area, all candidates for City Council posts in Normandy Park and Burien are opposed to the Sea-Tac third-runway project, & the runway is not an issue at this time in the city of SeaTac.

In Des Moines, there are clear differences between the finalists on this issue. At present, all members of the Des Moines Council oppose the runway project & are supporters of the

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Highline School Bonds

Story on page 2.

Truth in Aviation

The Newsletter of the Regional Commission on Airport Affairs

Vol. 7, No. 2 Summer 2001

IN BRIEF

Highline Schools, Port Agree to Noise Pact

Settlement may have been reached in the long-running dispute between the Highline School District and the Port of Seattle about mitigation of jet-plane noise in classrooms, a development welcomed by the Regional Commission on Airport Affairs (RCAA).

In a "memorandum of understanding" between the District, the Port, Gov. Gary Locke, and U.S. Rep. Adam Smith (D–9), sources for up to $200 million in noise-mitigation money were identified, & the parties agreed to enter into a more-detailed agreement by 31 December.

Port Doubles Its Offer

In a breakthrough, the Port agreed to contribute up to $50 million of its own money. Previously, the Port had only offered $40 or $50 million that it might receive from the Federal Aviation Administration for noise mitigation. Highline School District will put up $50 million, to

Continued on page 6

IG To Audit Runway Costs

The Office of the Inspector General of the U.S. Department of Transportation and U.S. Rep. Adam Smith (D–9) have announced that the staff of the Inspector General will analyze the current estimated costs and sources of funding for the third-runway project at Sea–Tac. The audit will also cover 13 other major runway projects in the U.S. that are scheduled for completion by 2007.

Rep. Smith seeks a broader review of the third runway. He is pressing the Inspector General to report on the violation of a major condition in the Governor's certificate to the U.S. DOT that runway construction would not violate water-quality standards. He also has suggested that the Port of Seattle is not in compliance with fiscal standards for federally-assisted projects because it does not have a budget for the third runway—no current cost estimates & no complete financing plan.

Critics of the runway project wonder if the Inspector General can obtain from the Port what no-one else has been able to get: a complete, current cost estimate, and a description of a realistic financing plan.

Port Announces New $3 Billion Terminal for Sea–Tac Airport

On 8 May, the Port of Seattle Commission approved final design and funding for a $94 million upgrade of the main terminal at Sea–Tac Airport. Construction work on the project is to begin in a year. The renovated terminal is scheduled for a grand re-opening in September 2004.

The airport also has pending a project for expansion of its south terminal, at a cost of $375 million.

On 26 June, Port staff presented the Port Commission with its preliminary plans for a new north terminal, to be located about 1300 yards north of the existing main terminal. The cost estimate for this project is $3 billion. Planners told the Commission that a detailed cost analysis would be available in about two years.

Bells, Whistles, and Gold–Plating

Included in this project would be expansion of the existing northern satellite terminal, one new 'people mover', two new parking garages, and three new concourses, with a light–rail station as an option as well. The cost includes removal and relocation of two freeways, and relocation of several cargo operations. According to the Port's planners, this third terminal is needed in order to accommodate a predicted increase in passenger traffic. The present main terminal was planned for 25 million travellers a year, and the new terminal is needed for the additional 11 million increase expected by the year 2010. Staff expects construction to start in the year 2004 and to be complete in 2014.

No firm sources of funding were identified by staff. One major component of funding for airport capital projects is revenue from tenant airlines. The Port has been in private negotiations with major airline tenants for a new master lease agreement since spring 2000. The present leases expire at the end of this year, and the Port wants hefty increases in rent from the airlines. The airlines are being asked to give up their present powers to control use of their lease payments.

Runway Safety Worries Mount

Veteran Pilot Says Wall Too Close, Incursions Dangerous

Airline pilot Sven Holm, who recently retired as chief pilot for Northwest Airlines, raised a series of concerns about the safety of the proposed third runway at Sea–Tac Airport in a letter to the *Seattle Post–Intelligencer* published on 20 June. He warned that careful pilots may refuse to use the runway.

Among the safety hazards, Capt. Holm pointed out the much higher risk of a "runway incursion" (on–the–ground collision of aircraft) with the proposed configuration of three parallel runways. The environmental impact statement for the runway project estimated that this risk would increase by 21 percent, though others have put the risk higher.

Another concern was the closeness of the runway to the edge of the embankment which drops 170 feet. To gain a 2500–foot separation between the new runway and the existing main runway, the Port must lay down 19.84 million cubic yards of fill, to extend the present level ground westward. The new runway would, according to Capt. Holm, be perilously close to the edge that embankment.

Continued on page 6

Inspector General Says U.S. Incursion Problems Too Risky

"Further actions are needed to reduce runway incursions", Congress was told on 26 June by Kenneth M. Mead, Inspector General of the U.S. Department of Transportation. Runway incursions are incidents on the runway that create a collision hazard. The number of these incidents in the U.S. grew by 48 percent from 1997 to 2000, with a 25 percent spurt between 1999 and 2000, according to a study released by the Federal Aviation Administration just a few days before Mr Mead's testimony.

While many of the incidents pose only slight risk of a collision, Mr Mead noted that there is a significant number of close calls. Of these, 63 percent involved at least one commercial aircraft where the potential loss of life is high.

FAA Rapped

Primary responsibility for reducing incursions rests on the FAA. Inspector General Mead said "it is apparent that FAA's efforts, along with those of the aviation industry and airports are not sufficient. The number of runway incursions continues to go in the wrong direction." He called for "strong

Continued on page 6

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Vol. 6, No. 2 *Summer 2000*

FAA, Port Sued Over Violations of Federal Endangered Species Act

The federal courts have been asked to order a halt to all Sea-Tac Airport construction projects until the Federal Aviation Administration has completed formal "consultations" with federal fish and wildlife agencies, as required by the Endangered Species Act (ESA). If endangered species exist in or near an area where a federal agency is sponsoring or funding a project, the sponsoring agency must complete a "consultation" with federal wildlife agencies as to the need for special protections before allowing work to begin (or to continue).

The endangered sea bird, the marbled murrelet, has been recently sighted within two two miles of the Airport by Audobon Society observers. Endangered chinook salmon are known to spawn in the Green River, which receives Airport run-off water via Gilliam Creek, a tributary of the Green; juvenile chinook have been observed in the upper reaches of Gilliam by a City of Tukwila fish biologist. Whether chinook could spawn in Miller Creek is disputed. There is no dispute that bull trout, also listed, and coho, cut-throat, and other salmonid fish occur in local streams.

When advised of these concerns by the Airport Communities Coalition (ACC), the FAA sought to brush off the legal requirements. Correspondence and negotiations have not persuaded the FAA that it, too, is bound by federal law, and

Continued on page 6

Photo credit: Chris Gower

Photo of "clean fill" taken Wednesday, August 9, 2000 on S. 192nd Street, near the entrance to the Tyee Golf Course. See story, p. 4

Agencies Talk Tough As Deadlines Loom Over Sea-Tac Third Runway Project

As this issue of *Truth in Aviation* heads toward the printer, major deadlines loom over the Sea-Tac third-runway project. By 28 September, the U.S. Army Corps of Engineers is to rule on the application of the Port of Seattle to fill in wetlands (a "section 404" permit). The Engineers are waiting for a ruling by the Department of Ecology as to whether the Port's project will meet water-quality standards ("section 401 certificate"). Ecology has given the Port till 5 September to file all complete, accurate documents in support of its plan. Ecology has pledged to issue its ruling by Friday, 8 September.

Ecology has repeatedly told the Port and its major water-quality consultant, Parametrix, Inc., about grave deficiencies in the supporting technical studies. On 11 August, the Corps of Engineers sent a 3-page letter covering a 19-page memorandum, pointing out in detail a long list of errors, inaccuracies, and so on in the paperwork filed with the Corps, and demanding that everything be tidied up as soon as possible.

The Engineers are plainly dissatisfied with the documents already submitted, and they are, in essence, demanding a major re-write. They politely say that the final document "will require some rethinking and the provision of a rationale and much added detail". They "look forward to receiving a comprehensive, better-organized and

Continued on page 6

IN BRIEF

Top Environmental Specialist Leaves Port, Joins ACC Staff

On 5 July, Barbara Hinkle, Senior Environmental Manager at Sea-Tac Airport, responsible for environmental oversight on all Airport expansion plans (including the third runway) left that job to join the staff of the Airport Communities Coalition, which is leading the legal fight against Sea-Tac expansion.

Ms. Hinkle became disenchanted with the mindset within the Airport staff toward the environmental rules that airport construction. She was quoted as saying that the Port does not follow through on its own environmental studies. Pressure from above to "get the job done", regardless of environmental consequences and applicable laws, was cited as a major factor in Ms Hinkle's leaving the Port. She said, "the pressure to put aside environmental concerns is growing, and with the number of projects coming on-line over the next several years, I can be more effective at the ACC, for the environment, that I ever could be at the Port of Seattle".

Announcing her employment change to the U.S. Environmental Protection Agency, she commented that she "could no longer work within a system that continually turned a deaf ear toward its obligation of public stewardship."

No interchange on SR 509 for third-runway fill trucks this year

Port of Seattle plans to build its own private interchange on SR 509 at So. 174th, for the exclusive use of trucks hauling fill, have been stopped, at least for this year, by actions of the Department of Ecology, as the result of strong pressure from the Airport Communities Coalition (ACC).

In a sternly-worded letter, Ecology told the Port that the project requires a "major modification" of a critical environmental permit – a detail that the Port conveniently overlooked in its planning. In addition, the project requires a hydraulic permit from the Department of Fish & Wildlife. Ecology also advised the Port that no action should be taken until the U.S. Army Corps of Engineers has decided whether the project falls under the federal Clean Water Act (which it does). Construction was to have begun on 1 June, according a mailing from the Port had written to the handful of folks still living in what is called the "Westside acquisition area".

IN BRIEF

What Killed The Fish?

Starting on October 31, and continuing into December, dozens of seemingly-healthy adult Coho salmon have died in Miller Creek, before spawning. Stream-side residents have watched (and filmed) Coho struggling to breathe. Preliminary laboratory exams have not revealed any obvious causes of death, although suspicion naturally falls on pollutants that might come from a sewage-treatment plant nearby or from Sea-Tac Airport, at the headwaters of the creek. Shortly before the first kills, the Airport experienced an overflow from its settling ponds upstream. Locals strongly suspect Airport-related pollution as the cause of the unusual fish kill.

This winter's run of returning salmon was one of the strongest in recent memory (bearing out the contention that Miller Creek is indeed an historic salmon stream).

No Floatplanes for Seattle Waterfront

Seattle's downtown waterfront is no long threatened by increased noise from a proposed floatplane base near Pier 54 (Ivar's). Faced with strong opposition, floatplane operator Kenmore Air has withdrawn its application for a City-issued shorelines permit. The Seattle City Council has put a moratorium on applications while it looks at the whole issue.

Kenmore had planned as many as 16,000 sightseeing flight operations during the summer tourist season. Two downtown Seattle residential associations, and the Washington State ferry system, were concerned with impacts of the proposal, and appealed the City-granted permit to the Shorelines Management Hearings Board. Kenmore and Ivar's then withdrew the application, not wishing to "go out and fight the public," as Robert Munro, owner of Kenmore, put it.

Truth in Aviation

The Newsletter of the Regional Commission on Airport Affairs

Vol. 6, No. 1 Winter 2000

CROWD PACKS SEA-TAC WETLANDS HEARING

On November 3, a crowd of more than 500 people overflowed the auditorium at Foster High School in Tukwila for a hearing on the revised application of the Port of Seattle for permission to destroy 18-plus acres of wetlands as part of its third-runway project.

Both the Department of Ecology and the U.S. Army Corps of Engineers must determine that there will be no needless, unmitigated impacts on wetlands and wildlife before they can give permission for the Port to begin construction of the third runway in the headwaters of Miller and Des Moines Creek, west of the existing airport. The hearing was sponsored by the two agencies. The Corps is responsible for clearing the so-called "404" permit, which is needed to fill any wetland. Ecology is responsible for issuing a "401" certificate, which concerns the water quality in State waters, wildlife issues, and impacts on the coastal zone.

The auditorium was too small for the crowd, so the fire marshal turned away many latecomers. Only 59 of those who signed up to speak were called to the podium. Local elected public officials led off the testimony with vigorous complaints about the over-all project, the details of the wetlands damage, and the inadequate process. Aside from some Port-paid "experts", almost all of the speakers pointed out serious deficiencies in the Port's revised application.

RCAA President Larry Corvari said after the hearing, "This huge turn-out shows that opposition to the third runway and its unacceptable

Continued on page 5

Leschi News

Concerned Highline Residents Sue Water District To Void Backroom Deal with Airport

Citizens Against Sea-Tac Expansion (C.A.S.E.), a citizens' group based in the Highline area, has sued the Highline Water District and the Port of Seattle in King County Superior Court, asking for a declaration voiding the District's attempt to transfer water rights to the Port of Seattle.

According to the complaint, the Water District and the Port of Seattle have secretly made an agreement to transfer one of the District's wells (Well #1) and associated water rights to the Port. The agreement was never discussed by the District Commissioners in open session, only in closed-door meetings. And the agreement's terms were kept secret until after the Commis-

Continued on page 6

Truth in Aviation

The Newsletter of the Regional Commission on Airport Affairs

Vol. 6, No. 3 *Fall 2000*

IN BRIEF

KIK Organizes Students

Maria Wardian, eighth-grade student at Sylvester Middle School, in the Highline School District, has started a no-third-runway group for students, "KIK" (short for "Kids Involving Kids"). The group's goal is to get "more kids informed about what the Port of Seattle is doing to us and our future", in terms of water pollution, air pollution, and impacts on schools.

Ms Wardian and fellow students recently attended a meeting of C.A.S.E., and came away incensed by video recordings of fish dying in Miller Creek (one of the area streams hard hit by pollution from Sea-Tac Airport). She points out that the same water that flows down the creek also finds its way into local drinking-water aquifers.

Demonstration Planned

Maria is working via e–mail to bring together hundreds of kids later this winter for a demonstration "against the violence of the Port on our environment and health". She is looking for volunteers to act as representatives at every area school. Volunteers are also needed to hang posters, to make phone calls, and to spread the word, as well as telling their own stories on how the Port is affecting their own lives.

How Sea-Tac Hurts Kids

Jet noise disrupts classrooms in many schools in the Highline School District, and also in South-East Seattle. The proposed third runway at Sea-Tac would bring flight corridors closer to several Highline schools. There would also be flights directly over elementary schools in South Park and Georgetown, and over Cleveland High School on Beacon Hill. Recent studies demonstrate that airport noise elevates blood pressure in children living near the airports.

Around big airports everywhere, health data show that more kids have asthma than kids who live in other areas. Two recent studies show that airport noise raises persistent blood pressure levels in children living near airport. Jet exhausts contain compounds that are known to cause cancer. Cancer takes a long time to develop, but every child living near a major airport —like Sea-Tac—is at risk for life-threatening cancer later in life.

- - - - -

Contact Maria by e-mail at **kiktherunway@hotmail.com** or by phone at 206.244.4888.

Port Resubmits Permit, Demands Fast-tracking

As most readers know, on 28 September the Port of Seattle formally withdrew its second application to the Department of Ecology and to the U.S. Army Corps of Engineers for official approval to destroy wetlands west of the present Airport, and to relocate part of Miller Creek, for its third-runway project at Sea-Tac Airport.

Under the federal Clean Water Act, the Department of Ecology is charged with determining whether an applicant's plan to build in wetlands provides "reasonable assurance" that State water-quality criteria will not be violated. The Corps of Engineers then determines whether the harm to wetlands is "in the public interest" and otherwise in compliance with the Clean Water Act. Without approval from the two agencies, the Port cannot legally proceed with its third-runway construction work in the wetlands.

The best way to understand what has happened is to review the chronology.

29 September 1999. The Port submitted its second application to the Corps and Ecology, after having to withdraw its 1997 application because of gross under-statement of the amount of wetlands involved. Ecology had 365 days to pass on the application. The Engineers had previously announced that they would not decide till after Ecology had finished its work.

Spring & Summer 2000. Port of Seattle submitted voluminous revised documents, attempting to justify the plan, some as late as late August. Ecology, Engineers, and King County stormwater experts, as well as experts retained by Airport Communities Coalition, RCAA, and C.A.S.E., raised a host of questions, many of which remain unresolved (even in late November).

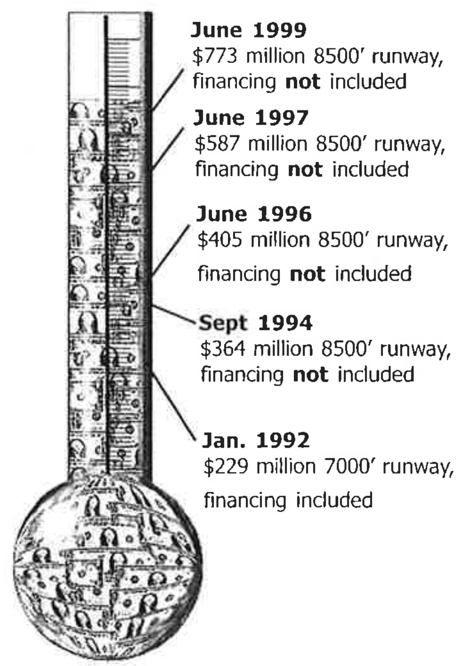
28 September 2000. A meeting—not publicly announced—was held at the office of M.R. ("Mic") Dinsmore, Executive Director of the Port of Seattle. Those present included: Joe Dear, the Governor's Chief of Staff; Mr Dinsmore; Tom Fitzsimmons, the head of the Department of Ecology; Ray Hellwig, head of the regional office of Ecology; and others. Mr Dinsmore was a major fund-raiser for Gov. Gary Locke in the last general election. The Governor and Ecology have denied that there is any political pressure in this affair, though Ecology has been officially warned that there is interest in this project "at the highest levels" of State government.

The Ecology folks brought with them their draft letter of decision on the sec. 401 application, dated that day, and shared it with the others. The letter flatly denied the application, because of multiple shortcomings. "At this time, Ecology does not have reasonable assurance the proposed project will comply with the applicable federal and state water quality requirements . . . ." The letter referred questions to Ecology staffer Tom Luster. The letter acknowledged that the Port intended to resubmit, and pledged to "work with" the Port, and to "provide guidance to the applicant to help develop documents with the necessary level of detail and information for our review."

What else happened next at that meeting is not known.

However on that same day (28 September), the Port announced that it was withdrawing its applications under sec. 401 and sec. 404 of the federal Clean Water Act. In a letter dated that day

Continued on page 2



Late this summer, the Port of Seattle began publicly using the figure of $5.6 billion for the Sea-Tac Expansion, without mentioning that the entire new Denver Airport cost their taxpayers around $4.2 billion. See our editorial on page 5.

IN BRIEF

Runway Safety Challenged

Pilots and aviation experts raised eyebrows at the public hearings commenting on difficult safety problems caused by almost-vertical walls along the west side and by the need to cross two active runways to reach the terminal. See Page 4.

A Highline student speaks:

Hi, I'm Maria W.

I represent KIK, the kids at the Highline School District. When I go to my school and can't hear my teacher, when I walk outside my door and smell jet fuel, I think, we need to move away from this stupid airport. But I love my school. I can't move.

When I swing by Miller Creek and see the dying salmon, when I watch the big dump trucks filling in the headwaters of my creek, I think, we need to move away from this stupid airport. But I love my friends. I can't move.

When I know cancer rates are much higher and I visit my Grandpa in Burien dying of cancer I think, we need to move away from this stupid airport. But I love my family here. I can't move.

Then my Mom says the Port guys are going to build another runway. They're go-

Continued on page 6

Port Out Of Money?? Audit Ordered

On 25 May 1999, the Department of Ecology issued an agreed order under the Model Toxics Control Act, requiring the Port of Seattle to complete a "Phase I" groundwater study and to issue a report on results by 22 December 1999. According to Greg Wingard, Director of Waste Action Project (and consultant to RCAA), the Port has not only has failed to complete the study but has stopped all work on it because they claim there is no more money in the budget (a large part of which was a grant from Ecology). An audit is underway to determine if the Port mis-spent the funds for the study.

Observers wonder if this is the way the Port plans to keep mitigation promises made to DOE and the Corps of Engineers in order to get wetlands permits.

Truth in Aviation

The Newsletter of the Regional Commission on Airport Affairs

Vol. 6, No. 4 *Spring 2001*

Third Wetlands Hearings Highlight Runway Problems

Not once, not twice, but three times, the Port of Seattle, owner-operator of Sea-Tac Airport, has sought official permission to destroy wetlands with its third-runway construction project west of the existing airport. And three times the community has turned out in great strength to tell the regulating agencies that this is a bad idea—bad for the environment, bad for people—and wasteful. Each of the first two applications had to be withdrawn, re-written, and resubmitted, because of fatal flaws.

On 26 and 27 January, the Army Corps of Engineers and the Department of Ecology held hearings on the latest proposal submitted by the Port. Hundreds of residents in attendance heard nearly one hundred speakers tell the agencies about their concerns with the proposal. Most of the 117 speakers were in opposition, citing numerous issues—airport safety, damage to local streams, concerns with the environmental mitigation plans, lack of community mitigation, and, over and over again, the problems posed by the four vertical embankment walls.

—Against—

In their five-minute comments, a stream of residents and local elected officials carried a few basic messages to the two regulatory agencies.

* The environmental planning is questionable and incomplete in many details, especially as to

Continued on page 2

EXHIBIT 2

Aircraft Adjacent to 179 Drop From Third Runway

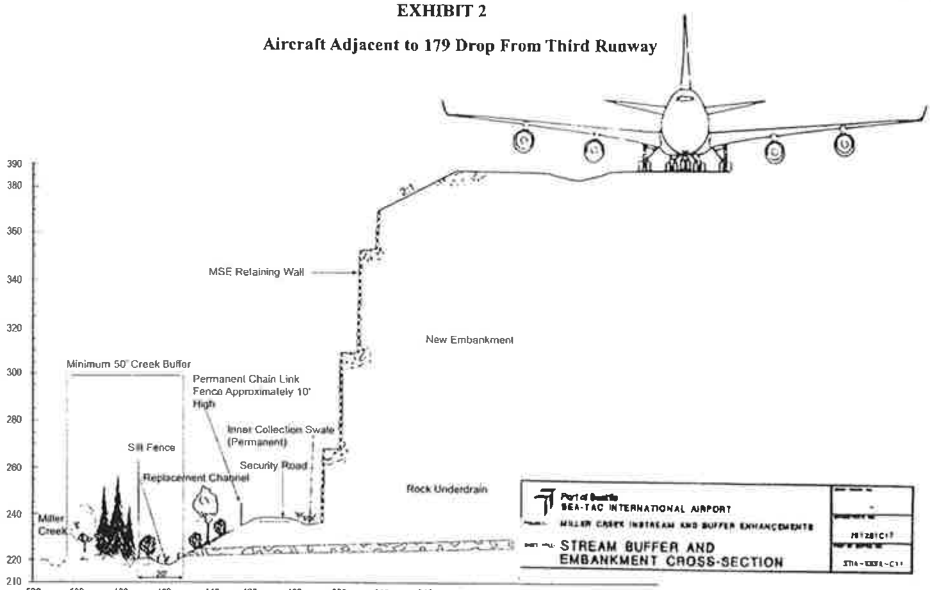


Illustration prepared from from written testimony of Dr. Stephen Hockaday for Airport Communities Coaltion showing a large body jet at the edge of the third runway runway safety area, 100 ft. from the 153 ft. high "mechanically stabilized wall" over Miller Creek.

Earthquake Raises Airport Seismic Safety Issues

Planners at Seattle-Tacoma International Airport have a grand vision: nearly 30 million tons of third-runway fill placed on 18 acres of wetlands, and held in place by gravity, compaction, wire mesh, and an array of concrete blocks.

People downstream from Sea-Tac Airport have another vision: nearly 30 million tons of fill—and a great amount of runway concrete—cascading toward Puget Sound when the next big near-surface earthquake strikes the Puget Sound Region. The Seattle Fault is runs just North of the Airport.

Western Washington's most recent earthquake, on 28 February, showed dramatically that airport planning and construction techniques are not adequate to withstand the known seismic hazards in the Puget Sound. Boeing Field's main runway (built on fill) broke up in places, so that the airport had to be closed. Sea-Tac Airport's control tower was knocked out of operation by damage. Yet, the quake was the least damaging of the three types of quakes: surface, tectonic-plate movements, and deep "slab" quakes.

Continued on page 3

Truth in Aviation

The Newsletter of the Regional Commission on Airport Affairs

Vol. 5, No. 3 *Winter 1999*

IN BRIEF

The Decade In Review

It's been over ten years since the Port first decided to try to expand Sea-Tac, including a third runway. What's the outlook for this huge project?

See article on page 2

Seattle Neighborhood Sues King County

The Georgetown neighborhood in Seattle has sued the County over failure to write an EIS for King County Airport expansion.

See article on page 4

Floatplane Hearing Set

On Wednesday, February 24, at 5:30 p.m. in the City Council Chambers (Municipal Building 4th & Cherry, 9th floor) a Seattle City Council Committee will hold a public hearing on the temporary moratorium on seaplane operations or facilities on the downtown Seattle waterfront. The proposal forbids issuance of permits for seaplane operations on the Downtown harborfront, pending further study. The application of Kenmore Air is unaffected.

CASE Election

The following are the newly elected officers of C.A.S.E. for 1999:

Larry and Candy Corvari—Co-presidents
Arlene Brown and Claudio Parazzoli—Co-Vice Presidents
Wally Meyers—Treasurer.

The post of Secretary remains to be filled. Board Members include: Audrey Richter, Pat Pompeo, Helen Kludt, Peg Springer, Minnie Brasher, Debi Wagner, Rod Blalock, Jim Bartlemay, and Dan Caldwell (a new member).

Conveyor Belt Issue Stirs Crowd

On January 14, an overflow crowd attended the Des Moines City Council meeting to express continued opposition to a proposal to construct a five-mile conveyor belt over the Des Moines beach, up through Beach Park to Sea-Tac Airport. The purpose of the conveyor belt would be to haul 18 million cubic yards (27 million tons) of fill for the third runway from Maury Island to the Airport. The proposal was thought a dead issue when the Port's own poll last year showed that Des Moines residents opposed it by nearly two to one.

The idea apparently revived when one Port commissioner opined that the Des Moines City Council could be bought off. In December, the Port put out "feelers" to ACC about discussions of a possible settlement, in hopes that the Port could cut a deal to make a large cash payment to Des Moines or ACC in return for approval of the conveyor and dropping all lawsuits.

Although Des Moines is a member of ACC, the ACC cannot commit the city to any deal nor can it bind citizens groups involved in the runway fight. At the

(Continued on page 6)

Hearing to be Held

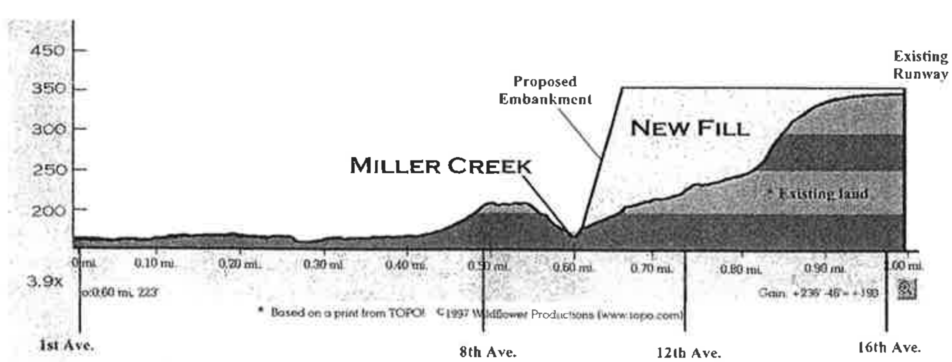
The public hearing on the conveyor belt E.I.S. may be held as early as mid-March. Check the RCAA website (www.rcaanews.org) or with the RCAA office by phone (824-3120) for time, date, & place.

Third Runway Still "No Go" As Wetlands Stall Project

Sea-Tac's third-runway project remains at a total standstill, while the Port of Seattle attempts to solve legal problems related to wetlands permits, with no end in sight. As we reported in our Fall issue, the Port of Seattle announced in September that it needs to fill at least 8 more acres of wetlands for the third runway, a significant increase from the 11.42 acres mentioned in filings with the Department of Ecology and the Army Corps of Engineers. The Port has released no figures since its initial report, but wetlands continue to be found by Port consultants surveying land in the acquisition area west of the airport. Unofficial reports put the present total at 25 to 30 acres. The Port has told Jonathan Freedman of the Corps that it expects to complete the survey in February 1999. This seems optimistic, considering the present pace, in part because some homeowners refuse to let the Port on their properties until acquisition is settled.

The property acquisition project is behind schedule as well, although recent increases in Port offers have speeded it up lately. According to the Westside

(Continued on page 6)



Horizontal scale diminished

Truth in Aviation

The Newsletter of the Regional Commission on Airport Affairs

Vol.5, No. 4 Summer 1999

IN BRIEF

Seattle Okays Downtown Float Planes

On 17 June, two Downtown condominium associations and the State ferry system filed appeals against a permit granted on 27 May by the City to Kenmore Air for a float plan base at Pier 54 (Ivar's) on the Downtown Seattle waterfront.

Operations are limited to flights by certain non-piston aircraft, with a temporary ban on sight-seeing flights. Only on Sunday is there a night-time curfew. Day-time take-offs must occur at least 2000 feet off-shore. Evening take-offs must occur 3000 feet off shore. No float planes may land closer than 1000 feet. The ferry system is concerned about safety hazards, and the condo-owners, about noise.

Boeing Field Choppers

Although it has yet to present its Master Plan to the King County Council, KCIA management proposed in June to sign a 29-year lease with Classic Helicopters to expand their facilities at Boeing Field. "They are doing this backwards," protested Seattle Commission on Airport Affairs President Mike Rees. "They are signing the long-term leases, then making the plan, and finally studying the noise and pollution. This effectively cuts citizen participation out of the planning process." Nevertheless, the lease was pushed through the King County Council's Commerce, Trade and Economic Development Committee by its chair Dwight Pelz and later adopted by the full council. Classic Helicopters is owned by Karen Walling, who also serves on the KCIA Roundtable, an advisory body to airport management. After approval of the lease, Councilman Pelz proposed a reformed process for all subsequent leases.

Third Runway Costs Jump Another 31%

On 22 June, the Seattle Port Commission voted, 3-0, to accept a staff plan to add another $186 million to its budget for construction of the third runway proposed at Sea-Tac Airport. This 31% increase brings the official estimated construction cost to $773 million — for the runway alone. Port Commissioners blamed environmental laws and regulations for the increase in costs. However, no new laws or regulations affecting the project have come into force since the last increase in cost estimates, in 1997.

In the public-comment period just before the vote, RCAA President Al Furney, Len Oebser (speaking for C.A.S.E.), and members of the public urged the Commission to abandon the hugely over-budget project. Members of the Commission responded that the project was necessary to increase capacity at the Airport. Previously, the Port, FAA, and Puget Sound Regional Council have consistently stated that the new runway would NOT increase capacity, and that the sole purpose of the runway is to reduce bad-weather delay for arrival of passenger jets.

What About Interest?

Mr. Furney pointed out to the Commissioners that the staff proposal failed to make any allowance for the cost of borrowed money. Most Sea-Tac expansion projects must be paid for with borrowed money, and the Port has already incurred an obligation of an additional $255 million for interest on one third-runway bond issue. No estimate of interest charges was provided to the Commissioners, even after Mr. Furney's remarks. The Port has in hand only $293 million in grants and bond proceeds. Under the latest estimate, the shortfall is $479 million. Port staff attending the Commission meeting suggested that this sum would be made up from revenue, grants, and borrowing, but did not provide any estimate of how much would be forthcoming from any source. Nor did they identify any source that had actually committed to provide an additional funding. No report on negotiations with airlines for higher lease payments was presented.

"Our Clueless Port Commission"

—An editorial view page 5

Higher Lease Payments? Passengers Pay

One possible source would be an increase in the amounts paid to the Port by the airlines for lease of facilities. The existing leases will expire 31 December 2001, and the Port hopes to impose much higher lease payments in the next agreement. If the airlines agree to higher lease

Cont'd p. 6

Truth in Aviation

The Newsletter of the Regional Commission on Airport Affairs

Vol. 5, No. 2 ***Fall 1998***

IN BRIEF

Port Can't Fund Runway

Port has only part of money to build runway. Airlines balk at funding the expansion. Cost of borrowing money likely to drive actual price tag over $1.5 billion.

See article on page 3

Dirt Trucks Roll, But Not to Runway Site

The Port sent out press releases announcing the start of third runway construction and set the trucks a-rolling, but they aren't rolling to the third runway construction site. What's going on?

See article on page 4

Port to Settle with C.A.S.E. On Discharge Permit

Contaminated water from Sea-Tac Airport will be treated in a new $20 million facility, according to sources involved in negotiations between the state Department of Ecology, C.A.S.E., and the Airport. Both C.A.S.E. and the Airport appealed the terms of a waste-water discharge permit issued earlier this year by the Ecology. C.A.S.E. has held out for much more stringent conditions, including a new facility to treat all waste- water. Settlement documents will be signed in early September, with the Port conceding most of what C.A.S.E. demanded. Good news for the people, fish, and birds along Miller and Des Moines Creeks.

Floatplanes May Fly From Seattle Waterfront

Kenmore Air spokesperson Tim Brooks said in late August that in the next few weeks the firm will probably re-activate its application to run 72 floatplane flights per day from Seattle's central waterfront. Brooks expects speedy approval from Seattle's Department of Construction and Land Use.

New Wetlands Discovery Voids DOE OK

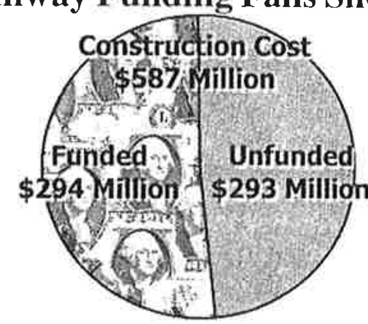
Army Corps of Engineers Delays Permit Decision

Sea-Tac third-runway construction schedules have been set back again, this time because of problems with permits for construction in wetlands in the headwaters of Miller Creek. The Airport's application now pending with the U.S. Army Corps of Engineers must be rewritten and re-submitted, owing to serious underestimates of the amount of wetlands to be filled. At least 8 and possibly more acres have been found, with more studies to do. A prior approval issued by the Department of Ecology has been rescinded.

As Sea-Tac expansion plans come under increasingly professional scrutiny, more and more problems emerge. Securing approval to fill in wetlands and to alter the headwaters of local creeks requires the Port of Seattle to obey tightly crafted regulations and specific plans, increasingly difficult to comply with, endangering success of the project.

To grant certification of the Port's compliance with sec. 401 of the federal Clean Water Act, the Department of Ecology has imposed what one observer calls the most stringent rules ever imposed on the Port, with tables of automatic penalties ranging up to $1000 per day for relatively minor water-quality violations, accompanied by continuing requirements for a host of reports and follow-up plans. To the distress of local conservationists, however, Ecology also gave the Port approval for destruction of 11.42 acres of wetlands in the Miller Creek watershed on the promise of replacement wetlands in Auburn, in the watershed of the Green River. This action was rescinded because of the newly discovered wetlands. The Corps has a strong preference for not allowing wetlands to be filled at all and has told the Port to rework its plan so as to locate any replacements in the same drainage system.

Runway Funding Falls Short



See Story Pg. 3

Cancer Rates Higher Near Airport

Unusually high incidences of cancers, including rare brain cancers, have been reported in areas within three miles of Sea-Tac Airport. Area residents Rose Clark and Audrey Richter have been collecting cancer and other health data for years. Their work, summarized in an area map, shows higher than expected levels of cancers among past and present residents in the area, a finding confirmed in early Summer by preliminary work of the State Department of Health as to all cancers and as to the rare brain cancer, glioblastoma.

In a series of meetings chaired by Sen. Julia Patterson (D., 33), the State and County health departments have agreed on a work program for further studies of health concerns around Sea-Tac Airport. The first step will be to analyze data in the state cancer registry, to learn what types of cancers are most prevalent around the Airport, with a report to be issued in November 1998. An effort will be made to locate all cases of glioblastoma in the Sea-Tac area, by using cancer registries, community records, and all available medical records, including the resources of Fred Hutchison Cancer Research Center. Then, discovered glioblastoma cases will be mapped, to determine spatial relationships to the Airport.

Truth in Aviation

The Newsletter of the Regional Commission on Airport Affairs

Vol. 5, No. 1 Spring 1998

AIRPORT EXPANSION PROGRAM TOO BIG FOR PORT STAFF TO HANDLE

Ambitious expansion projects at Sea-Tac Airport are starting to unravel, thanks to massive underestimates of costs and ever-growing scheduling problems. Trouble came to light on January 13, when a revised cost estimate for the new parking gargage was released to the Port Commission, showing a 24 percent increase from a $52.8 million estimate published only 11 months earlier. Undaunted, the Commission voted, 3-1, Jack Block dissenting, to plunge forward. Commissioner Gary Grant was asked, how much more will the price tag for other expansion projects increase in the next eight years? Grant replied, "That's a legitimate question, and one we'll be asking as well".

On January 23, a memorandum to the Commission reported that the complexity of managing all the 100-plus airport expansion projects was beyond the capability of Port staff. Gina Marie Lindsey, Director of the Aviation Division, and Michael Feldman (who now holds the title of Director of Aviation Professional & Technical Services) suggested a slow-down of projects, new controls over capital outlays, and hiring more consultants to do such work as detailed engineering scheduling, design review, and contract administration. Lindsey and Feldman reported that the Port does not even have enough office space for all the needed staff.

In response, the Commission voted on February 24 to accept the staff proposal to seek consultants for a multi-year contract for program and construction management services for the expansion projects, at a cost of $10.5 million for 1998 alone. During discussion, Mr Feldman commented that the present schedule for completion on various projects would require a tripling or quadrupling of the Port's normal rates of capital expenditure. He added, " ... while there is urgency, certainly, to get on with the improvement program, we want to do it right, we are not interested in doing it fast." His conclusion: "Our current resources, and our delivery system, really are not adequate to deliver a program of this magnitude."

Continued on page 6

Port Changes Course, Supports Highline Schools Noise Study

Abandoning hope of favorable outcome in negotiations with the Port of Seattle, on February 12 the Highline School District announced an independent study of airport-related noise pollution in the District's schools, and the costs of solving classroom learning interference. The Highline school board has committed $330,000 to the project, half of which comes from a grant by Governor Locke from his discretionary funds.

Announcement of the study was first belittled by the Port, but on March 4, Aviation Director Gina Marie Lindsey announced, "There is no cap at $50 million" on the Port's potential contribution to noise remedies in the Highline Schools. She also retreated from the Port's refusal to consider paying for air conditioning in schools. Highline School Superintendent Joe McGeehan warmly welcomed Lindsey's change of position.

In Spring 1997, the District had proposed to the Port that the two agencies jointly sponsor pilot studies of the noise problem. The negotiations failed: The Port would not commit to any assistance to the District unless the District accepted the third runway without further mitigation. While the Port public-relations machine claimed that the Port had offered $50 million to deal with the problem, in fact, as of February 12, the Port had never made any written offer of cash assistance, in any amount, according to Highline board member Shay Shual-Berke, M.D., and the District's attorney, David Hokit.

The district plan has several steps. First, an opinion survey of residents in the district, followed by direct communication with the residents in public meetings (two were held on March 4 and

Continued on page 5

IN BRIEF

April 9th Hearing On Wetlands

After a flood of adverse public comments, the U.S. Army Corps of Engineers has announced a public hearing on April 9 on the Port of Seattle's request for Federal permission to destroy wetlands in the site of the proposed third runway. The Port offers to create new wetlands in Auburn, in an unrelated watershed, as compensation. The hearing will be begin at 7 p.m. at the Performing Arts Center, Foster High School, 4242 So. 144th, Tukwila. Please phone the RCAA office (206) 824-3120 to reserve seats on the bus.

See article on page 3

Federal Way, Tacoma Seek FAA OK For Flight Changes

Revised flight tracks, to lessen noise over Tacoma and Federal Way, will be discussed in a meeting on April 16 between a citizens' task force from the two cities and FAA. U.S. Rep. Adam Smith is spear-heading efforts to lessen impacts from the four-post plan (implemented in 1990.)

KCIA Management Wants Longer Runway

Plans for an 800-foot extension of King County International Airport's runway, to 10,000 feet, bringing jet traffic even closer to Georgetown's residential area, were unexpectedly announced to the public on February 18 by KCIA Management.

See article on page 2

Fuel Dumping?

Report suspected fuel dumping and unusual jet exhaust fumes to the Puget Sound Air Pollution Control Agency (PSAPCA), at (206) 343-8800 or 1 (800) 552-3565.

RCAA
Regional Commission on Airport Affairs

19900 4th Ave SW
Normandy Park, WA 98166
(206) 824-3120
FAX (206) 824-3451

<rcaa@earthlink.net>
www.rcaanews.org

20 September 2002

Tony Piasecki
City Manager, City of Des Moines
21630 11th Ave.So
Des Moines, Washington
WA 98198-6838

Re: RCAA invoice to City of Des Moines, third-quarter, 2002

Dear Mr Piasecki:

Please find enclosed for staff & council review & action our invoice for services for the third quarter, 2002, per our contract with the City.

I note that no presentation to Council has been requested of us so far this year, though it has been the practice in the past to have such presentations on a quarterly basis.

Also, newspaper accounts of a recent Council meeting quote Mr Wasson as complaining that requests from the City for financial data have not been honored by RCAA. If that is what Mr Wasson said, he was in error. We have had no requests from the City this year until your letter terminating the contract between the City and RCAA. We did receive requests from an individual Councilmember but not from the City: it is our Board's understanding that requests for information (like all other communications) come to RCAA through the Administration. Further, our office has in fact furnished a complete record of RCAA's expenditures and income for all of 2001, mailed to each Councilmember (but never acknowledged) and, more recently, for 2002 through early September, to yourself.

Yours very truly,

Chas. H.W. Talbot
Office Administrator

encl

L02-263-DM

REGIONAL COMMISSION ON AIRPORT AFFAIRS
19900 4th S.W.
Normandy Park, Washington
98166-4043
Telephone: 206.824.3120
FAX: 206.824.3451
E-mail: rcaa@earthlink.net

STATEMENT

20 September 2002

City of Des Moines
21630 11th Ave. So.
Des Moines, Washington 98198-6838

RE: Services, third quarter, 2002
As per contract between RCAA and the City of Des Moines

Amount due: $7,000

INV02-03-DM

file

RCAA
Regional Commission on Airport Affairs

19900 4th Ave SW
Normandy Park, WA 98166
(206) 824-3120
FAX (206) 824-3451

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6 September 2002

Tony Piasecki
City Manager, City of Des Moines
21630 11th Ave.So
Des Moines, Washington
WA 98198-6838

Re: RCAA invoice to City of Des Moines, first & second-quarters, 2002

Dear Mr Piasecki:

Please find enclosed for staff & council review & action our invoices for services for the first and second quarters, 2002, per our contract with the City.

The general practice in years past has been for an RCAA representative to be scheduled to make a short presentation to Council from time to time (usually quarterly), at Council's request. We have not received such a request this year, but a presentation can be arranged easily enough; let me know the date.

Also, I am instructed to send you our standard year-to-date report on income & expenditures, which gives some idea of what our activities have been this year. It is current through today.

And may I call your attention to our new electronic newsletter? The first issue was posted on 12 August, focussing in a preliminary way the order of the PCHB on the sec. 401 case. We're rather pleased with it, & see this as replacing the print newsletter of the past. Find the first in the section for newsletter on our website, www.rcaanews.org, In future, there will be a special "button" for the current webletter. We'll have a new one up in a few days.

Yours very truly,

Chas. H.W. Talbot
Office Administrator

encls

L02-249-DM

REGIONAL COMMISSION ON AIRPORT AFFAIRS
19900 4th S.W.
Normandy Park, Washington
98166-4043
Telephone: 206.824.3120
FAX: 206.824.3451
E-mail: rcaa@earthlink.net

STATEMENT

6 September 2002

City of Des Moines
21630 11th Ave. So.
Des Moines, Washington 98198-6838

RE: Services, first quarter, 2002
As per contract between RCAA and the City of Des Moines

Amount due: $7,000.00

INV02-01-DM

REGIONAL COMMISSION ON AIRPORT AFFAIRS
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Normandy Park, Washington
98166-4043
Telephone: 206.824.3120
FAX: 206.824.3451
E-mail: rcaa@earthlink.net

STATEMENT

6 September 2002

City of Des Moines
21630 11th Ave. So.
Des Moines, Washington 98198-6838

RE: Services, second quarter, 2002
As per contract between RCAA and the City of Des Moines

Amount due: $7,000.00

INV02-02-DM

Itemized Categories Report

1/1/02 Through 9/6/02

Cat/Sub	Date	Acct	Num	Description	Memo	Clr	Amount
INCOME							
0001 - Petty cash							
	8/1/02	RCAA2000	2685	Cash			-75.00
TOTAL 0001 - Petty cash							**-75.00**
6000 - i...							
6002 - Burien							
	1/9/02	Savings	DE...	Burien Qr 01-IV, Public	Qr O1-IV		7,000.00
	6/6/02	Savings	DE...	N Pk, Burien, Qr. 02-01			7,000.00
	8/9/02	Savings	DEP	Burien Qr. 02-I	Dep. 085		7,000.00
TOTAL 6002 - Burien							**21,000.00**
6003 - Des Moines							
	1/3/02	Savings	DEP	DM Qr 01-IV	078		7,000.00
TOTAL 6003 - Des Moines							**7,000.00**
6005 - Normandy Park							
	2/15/02	RCAA2000	DEP	Normandy Park Qr 01-IV	Dep 081		8,000.00
	6/6/02	Savings	DE...	N Pk, Burien, Qr. 02-01			8,000.00
TOTAL 6005 - Normandy Park							**16,000.00**
TOTAL 6000 - income contracts w cities							**44,000.00**
6700 - ...							
6701 - public - gen'l							
	1/9/02	Savings	DE...	Burien Qr 01-IV, Public	public contributions		65.00
TOTAL 6701 - public - gen'l							**65.00**
TOTAL 6700 - Contribs rec'd							**65.00**
6800 - interest income							
	1/7/02	Savings	DEP	Interest Earned	Dec 2001		1.95
	2/6/02	Savings	DEP	Interest Earned	Jan 2002		11.72
	3/6/02	Savings	DEP	Interest Earned	Feb 2002		6.97
	4/4/02	Savings	DEP	Interest Earned	March 02		6.61
	5/6/02	Savings	DEP	Interest Earned	Apr 02		4.09
	6/6/02	Savings	DEP	Interest Earned	May 02		2.69
	7/5/02	Savings	DEP	Interest Earned	Jun 02		9.97
TOTAL 6800 - interest income							**44.00**
TOTAL INCOME							**44,034.00**
EXPENSES							
7050 - ...							
7052 - water quality consultant							
	2/14/02	RCAA2000	2614	Greg Wingard	refresh depost, inv rec'd 23 ...		-632.00
	4/4/02	RCAA2000	2644	Greg Wingard	refresh depost, inv rec'd 23 ...		-993.88
	5/10/02	RCAA2000	2659	King County Dept Natural Re...	docs req'd by Greg Wingard		-35.00
	5/22/02	RCAA2000	2661	Greg Wingard	April special billing		-688.00
	7/12/02	RCAA2000	2672	Greg Wingard	Third-qr retainer		-2,560.00
	9/6/02	RCAA2000	2711	Greg Wingard	August arsenic work		-996.00
TOTAL 7052 - water quality consultant							**-5,904.88**
7055 - video, photo services							
	4/4/02	RCAA2000	2645	Brett Fish	PCHB hearing video-taping		-1,500.00

Itemized Categories Report

1/1/02 Through 9/6/02

Cat/Sub	Date	Acct	Num	Description	Memo	Clr	Amount
	8/1/02	RCAA2000	2680	Brett Fish	DM HE hearing; copy, video...		-43.52
	8/2/02	RCAA2000	2687	Brett Fish	aerial photo proj - 2002		-750.00
	9/6/02	RCAA2000	2704	Brett Fish	aerial photo proj - 2002 - ov...		-120.59
TOTAL 7055 - video, photo services							**-2,414.11**
7059 - office staffing							
	1/4/02	RCAA2000	2606	Chas. H.W. Talbot	office clerk sevices, inv 01-1...		-350.00
	1/4/02	RCAA2000	2607	Chas H.W. Talbot	Dec. off adm services; GL ...		-1,120.00
	2/14/02	RCAA2000	2618	Chas H.W. Talbot	Inv. 02-01-T; GL 7050-7059		-1,120.00
	2/14/02	RCAA2000	2619	Chas. H.W. Talbot	office clerk sevices, inv 02-0...		-360.00
	3/7/02	RCAA2000	2626	Chas. H.W. Talbot	office clerk sevices, inv 02-0...		-510.00
	3/7/02	RCAA2000	2627	Chas Talbot	Jan-Feb. office admr servic...		-1,400.00
	4/4/02	RCAA2000	2640	Chas H.W. Talbot	Mar. off adm services; GL ...		-1,120.00
	4/4/02	RCAA2000	2641	Chas. H.W. Talbot	office clerk sevices, inv 02-0...		-275.00
	5/2/02	RCAA2000	2655	Chas H.W. Talbot	Inv 02-04-T		-1,120.00
	5/2/02	RCAA2000	2656	Chas. H.W. Talbot	office clerk sevices, inv 02-0...		-315.00
	6/6/02	RCAA2000	2667	Chas H.W. Talbot	Inv 02-05-T		-1,400.00
	6/6/02	RCAA2000	2668	Chas H.W. Talbot	Inv 02-04-1-H, 05-H		-586.50
	7/12/02	RCAA2000	2673	Chas. H.W. Talbot	office clerk sevices, inv 02-0...		-190.00
	7/12/02	RCAA2000	2674	Chas Talbot	Jan-Feb. office admr servic...		-1,120.00
	7/12/02	RCAA2000	2676	Chas. H.W. Talbot	office clerk sevices, inv 02-0...		-150.00
	8/1/02	RCAA2000	2678	Chas. H.W. Talbot	office clerk sevices, inv 02-0...		-190.00
	8/1/02	RCAA2000	2683	Chas. H.W. Talbot	office clerk sevices, inv 02-0...		-190.00
	8/1/02	RCAA2000	2684	Chas Talbot	June Jly office admr service...		-1,400.00
	9/6/02	RCAA2000	2706	Chas. H.W. Talbot	office clerk sevices, inv 02-1...		-110.00
	9/6/02	RCAA2000	2710	Chas Talbot	Aug office admr services, In...		-1,120.00
	9/6/02	RCAA2000	2714	Chas. H.W. Talbot	office clerk sevices, inv 02-1...		-190.00
TOTAL 7059 - office staffing							**-14,336.50**
TOTAL 7050 - consultants							**-22,655.49**
7120 - ...							
7122 - webmaster							
	9/6/02	RCAA2000	2712	Means Talbot Associates	website maint, June - Aug; ...		-312.50
TOTAL 7122 - webmaster							**-312.50**
TOTAL 7120 - Website maint.							**-312.50**
8150 - Books, publs, subs							
	1/4/02	RCAA2000	2599	South County Journal	13-week sub., acct 6109634...		-35.00
	3/7/02	RCAA2000	2623	South County Journal	13-week sub., acct 6109634...		-35.00
	3/7/02	RCAA2000	2632	Des Moines News	inv dtd 6 March 2002, half-y...		-13.00
	4/18/02	RCAA2000	2647	Aviation Week Newsletters	Aviation & Aerospace Alma...		-106.00
	5/2/02	RCAA2000	2651	Federal Way News	half-year sub		-13.00
	6/6/02	RCAA2000	2664	South County Journal	13-week sub., acct 6109634...		-35.00
	6/6/02	RCAA2000	2670	West Seattle Herald	half-year sub.; GL 8150; in...		-21.00
	9/6/02	RCAA2000	2708	South County Journal	13-week sub., acct 6109634...		-35.00
TOTAL 8150 - Books, publs, subs							**-293.00**
8280 - ...							
8281 copier repairs, maint.							
	2/14/02	RCAA2000	2612	Seattle Photocopy Co.	inv. 32189		-195.24
	4/4/02	RCAA2000	2643	Sea/Tac Copy Systems	inv. 30107; dtd 3 iv 02		-441.72
	9/6/02	RCAA2000	2707	Seattle Photocopy Co.	inv. 32513 dtd 15 viii 02		-375.36
TOTAL 8281 copier repairs, maint.							**-1,012.32**
TOTAL 8280 - Copier expenses							**-1,012.32**
8600 - ...							
8601 - misc.							

Itemized Categories Report

1/1/02 Through 9/6/02

Cat/Sub	Date	Acct	Num	Description	Memo	Clr	Amount
	3/7/02	RCAA2000	2624	Vilma Signs	inv. dtd 21 Fb 02		-565.76
	3/7/02	RCAA2000	2625	**VOID**Labels & Lists, Inc.	inv. 34127-8, dtd 21 ii 02	R	0.00
	3/7/02	RCAA2000	2628	J. Beth Means	inv 2002-01 -- flier design		-261.25
	3/7/02	RCAA2000	2630	The Copy Company	inv. 39981: #rd RW flier		-576.56
	3/7/02	RCAA2000	2631	The Copy Company	DM insert		-592.58
	3/19/02	RCAA2000	2634	**VOID**Labels & Lists, Inc.	inv. 34373-8, dtd 15 iii 02	R	0.00
	3/21/02	RCAA2000	2635	**VOID**U. S. Postal Service	refresh bulk-mail acc 01875	R	0.00
	4/4/02	RCAA2000	2637	The Copy Company	DM insert		-921.68
	6/6/02	RCAA2000	2665	Labels & Lists, Inc.	inv. 34127-8, replacement ck		-251.80
	6/6/02	RCAA2000	2666	Labels & Lists, Inc.	373		-387.68
	9/6/02	RCAA2000	2703	JR Mailing Services, Inc.	"Let's Be Clear", DM mailing		-1,476.02
TOTAL 8601 - misc.							**-5,033.33**
8604 - outreach - media adv.							
	1/29/02	RCAA2000	2609	Entertainment Communicatio...		c	-10,000.00
TOTAL 8604 - outreach - media adv.							**-10,000.00**
TOTAL 8600 - Outreach							**-15,033.33**
9350 - Office supplies							
	1/4/02	RCAA2000	2602	Office Depot	acct 6011-5666-0001-7572;...		-221.63
	2/14/02	RCAA2000	2613	Office Depot	acct 6011-5666-0001-7572;...		-142.92
	2/14/02	RCAA2000	2615	xpedx -- Stores Division	Acct # 003-2000081; inv dtd...		-74.09
	3/7/02	RCAA2000	2629	Office Depot	acct 6011-5666-0001-7572;...		-58.71
	4/4/02	RCAA2000	2638	Office Depot	acct 6011-5666-0001-7572;...		-84.75
	5/2/02	RCAA2000	2654	Office Depot	acct 6011-5666-0001-7572;...		-136.99
	7/12/02	RCAA2000	2677	xpedx -- Stores Division	Acct # 003-2000081; inv dtd...		-33.83
	8/1/02	RCAA2000	2679	xpedx -- Stores Division	Acct # 003-2000081; purch ...		-53.81
	8/1/02	RCAA2000	2681	Jim Bartlemay	office supplies		-21.69
	9/6/02	RCAA2000	2713	xpedx -- Stores Division	Acct # 003-2000081; inv. dt...		-58.64
TOTAL 9350 - Office supplies							**-887.06**
9425 - printing, copying ex hous							
	2/14/02	RCAA2000	2611	Port Of Seattle	inv.1148, dtd 10 i 02; cust n...		-8.40
	2/14/02	RCAA2000	2617	Kinko's Inc.	acct 0000130082 inv dtd 3...		-135.68
	2/14/02	RCAA2000	2622	Port Of Seattle	inv.1152, dtd 12 ii 02; cust n...		-1.05
	4/18/02	RCAA2000	2646	Port Of Seattle	3000 pp., 3rd RW project		-450.00
	4/18/02	RCAA2000	2648	Department of Ecology	v.2 Sea-Tac Recv'g Report	R	-126.89
	4/18/02	RCAA2000	2649	Phil Emerson	A/L lease docs		-47.70
	5/10/02	RCAA2000	2658	Port Of Seattle	fiscal documents		-14.25
	5/10/02	RCAA2000	2660	Port Of Seattle	fiscal documents		-51.90
	8/1/02	RCAA2000	2682	Chas H.W. Talbot	DM Creek Plan docs		-39.75
	8/29/02	RCAA2000	2689	Department of Ecology	GW RDPR 6 viii 02		-37.80
TOTAL 9425 - printing, copying ex hous							**-913.42**
9440 - ...							
9441 - NL - editorial services							
	9/6/02	RCAA2000	2705	Means Talbot Associates	design new webltr; inv dtd 1...		-231.25
	9/6/02	RCAA2000	2709	Means Talbot Associates	editorial & web work, webltr ...		-637.50
TOTAL 9441 - NL - editorial services							**-868.75**
9443 - NL -- postage							
	6/6/02	RCAA2000	2671	U. S. Postmaster	Permit 01875; std mail; imp...		-125.00
TOTAL 9443 - NL -- postage							**-125.00**
TOTAL 9440 - Newsletter							**-993.75**
9450 - Professional fees							
	1/4/02	RCAA2000	2603	Smith & Lowney, PLLC	inv. 10968, dtd 28 xii 2001 (...		-50.00
TOTAL 9450 - Professional fees							**-50.00**

Itemized Categories Report

1/1/02 Through 9/6/02

Cat/Sub	Date	Acct	Num	Description	Memo	Clr	Amount
9480 - ...							
9483 - AA&M -- postage							
	5/2/02	RCAA2000	265...	JR Mailing Services, Inc.	pstage		-1,440.19
TOTAL 9483 - AA&M -- postage							-1,440.19
TOTAL 9480 - Action Alerts &c							-1,440.19
9484 AAM Mailing Services							
	5/2/02	RCAA2000	265...	JR Mailing Services, Inc.			-638.16
TOTAL 9484 AAM Mailing Services							-638.16
9700 - Telcom							
	1/4/02	RCAA2000	2600	Qwest	acct 206-824-3120 173-37		-154.12
	1/4/02	RCAA2000	2601	Verio, Inc. - 15	Acct 10041778, inv. 563 08...		-60.00
	1/4/02	RCAA2000	2604	Zone Telcom, Inc.	acct #24880; inv dtd 28 Dec...		-25.07
	2/14/02	RCAA2000	2616	Qwest Dex	inv. 000005410535, dtd 27 i...		-29.59
	2/14/02	RCAA2000	2620	Zone Telcom, Inc.	acct #24880; inv dtd 31 Jan ...		-23.98
	2/14/02	RCAA2000	2621	Qwest	acct 206-824-3120 173-37; i...		-151.74
	3/7/02	RCAA2000	2633	Qwest	acct 206-824-3120 173-37; ...		-165.00
	4/4/02	RCAA2000	2636	Qwest	acct 206-824-3120 173-37; ...		-165.00
	4/4/02	RCAA2000	2639	Zone Telcom, Inc.	acct #24880; inv dtd 31 Jan ...		-18.17
	4/4/02	RCAA2000	2642	Earthlink, Inc.	acct 0000-000004457265; ...		-65.85
	5/2/02	RCAA2000	2653	Qwest	acct 206-824-3120 173-37; ...		-147.63
	6/6/02	RCAA2000	2662	Zone Telcom, Inc.	inv rec'd 7 May		-11.57
	6/6/02	RCAA2000	2663	Qwest	acct 206-824-3120 173-37; ...		-149.40
	6/6/02	RCAA2000	2669	Earthlink, Inc.	acct 0000-000004457265; ...		-65.85
	7/12/02	RCAA2000	2675	Qwest	acct 206-824-3120 173-37; ...		-176.92
	8/1/02	RCAA2000	2686	Qwest	acct 206-824-3120 173-37; ...		-165.00
	9/6/02	RCAA2000	2715	Qwest	acct 206-824-3120 173-37; ...		-165.00
TOTAL 9700 - Telcom							-1,739.89
9755 - business taxes & licenses							
	1/30/02	RCAA2000	2610	Department of Revenue	Qr. 01-IV B&O		-465.36
	5/3/02	RCAA2000	2657	Department of Revenue	Qr. 02-01 B&O / 601 413 657		-346.82
	8/6/02	RCAA2000	2688	Department of Revenue	Qr. 02-02 B&O		-236.46
TOTAL 9755 - business taxes & licenses							-1,048.64
9999 - US income tax							
	1/4/02	RCAA2000	2605	U.S. Internal Revenue Service	advance pay't		-2,500.00
	4/8/02	Savings	DEP	US IRS	Yr 99 tax refund?		2,000.00
	7/11/02	Savings	DEP	USIRS	Dep 084 Yr 00 refund?		500.00
TOTAL 9999 - US income tax							0.00
Uncategorized Expenses							
	1/29/02	RCAA2000	2608	**VOID**		R	0.00
TOTAL Uncategorized Expenses							0.00
TOTAL EXPENSES							-47,017.75
TOTAL INCOME - EXPENSES							-2,983.75
TRANSFERS							
RCAA2...							
	1/9/02	Savings	TXFR	From Savings To Checking	#02-01		-2,000.00
	1/30/02	Savings	TXFR	From Savings To Checking	#02-02		-10,000.00

Itemized Categories Report

1/1/02 Through 9/6/02

Cat/Sub	Date	Acct	Num	Description	Memo	Clr	Amount
	3/21/02	Savings	TXFR	From Savings To Checking	#02-03		-2,000.00
	4/8/02	Savings	TXFR	From Savings To Checking	#02-04		-6,000.00
	5/3/02	Savings	TXFR	From Savings To Checking	#02-05		-1,700.00
	5/28/02	Savings	TXFR	From Savings To Checking	#02-06		-700.00
	6/17/02	Savings	TXFR	From Savings To Checking	#02-07		-2,700.00
	7/17/02	Savings	TXFR	From Savings To Checking	#02-08		-4,000.00
	8/5/02	Savings	TXFR	From Savings To Checking	#02-09		-3,000.00
TOTAL TO RCAA2000							**-32,100.00**
Savings							
	1/9/02	RCAA2000	TXFR	From Savings To Checking	#02-01		2,000.00
	1/30/02	RCAA2000	TXFR	From Savings To Checking	#02-02		10,000.00
	3/21/02	RCAA2000	TXFR	From Savings To Checking	#02-03		2,000.00
	4/8/02	RCAA2000	TXFR	From Savings To Checking	#02-04		6,000.00
	5/3/02	RCAA2000	TXFR	From Savings To Checking	#02-05		1,700.00
	5/28/02	RCAA2000	TXFR	From Savings To Checking	#02-06		700.00
	6/17/02	RCAA2000	TXFR	From Savings To Checking	#02-07		2,700.00
	7/17/02	RCAA2000	TXFR	From Savings To Checking	#02-08		4,000.00
	8/5/02	RCAA2000	TXFR	From Savings To Checking	#02-09		3,000.00
TOTAL FROM Savings							**32,100.00**
TOTAL TRANSFERS							**0.00**
OVERALL TOTAL							**-2,983.75**

NEW BUSINESS
Item #5

AGENDA ITEM

BUSINESS OF THE CITY COUNCIL
City of Des Moines, WA

SUBJECT: Reduce Utility Tax Rate from 6% to 4%	FOR AGENDA OF: January 13, 2003
	DEPT. OF ORIGIN: Finance
ATTACHMENTS:	DATE SUBMITTED: January 10, 2003
	CLEARANCES: [ ] pl
	APPROVED BY CITY MANAGER FOR SUBMITTAL: AT

Purpose and Recommendation
The Mayor has requested that the City utility tax rate be reduced from the current tax rate of 6% to 4%. The purpose of this request is to reduce utility taxes that support the airport defense activities.

Background
Ordinance No. 1023 adopted March 25, 1993 raised the utility tax rate from 4% to 5%. Ordinance No. 1249 raised the utility tax rate from 5% to 6% in response to the budget shortfall for 2000 as a result of Initiative 695.

For the 2003 budget, a total of $2,284,000 was estimated for utility tax revenues. Of that amount, $154,000, or 6.7% of the total, was initially allocated to the Airport Defense Fund.

A 2% reduction in utility taxes equates to approximately $761,334.

Discussion
If utility taxes were reduced by $761,334, the General Fund would need to utilize additional fund balance to maintain a balanced budget or, alternatively Council could decide to reduce service levels. The 2003 budget was balanced utilizing reserves, fund balance, and one-time revenues. The further use of fund balance and reserves greatly impacts our ability to fund current services and programs for the year 2004 budget.

If Council so chooses to reduce the utility tax rate from 6% to 4% and amend the 2003 budget, two Ordinances will be brought forward for their approval and adoption. The process to amend the budget requires a Council majority plus one.

Alternatives

None.

Recommendation

Staff does not recommend Council take action to reduce the utility tax rate from 6% to 4% without identifying another funding source, reducing service levels, or authorizing use of fund balance to equal the reduction in utility taxes of $761,334.

Concurrence

None.

NEW BUSINESS
Item #6

AGENDA ITEM

SUBJECT: Payment of Legal Fees

ATTACHMENTS:

AGENDA OF: January 13, 2003

DEPT. OF ORIGIN: Administration

DATE SUBMITTED: January 10, 2002

CLEARANCES:
[ ] ____________

APPROVED BY CITY MANAGER
FOR SUBMITTAL: ____________

Purpose and Recommendation:

Mayor Wasson placed this item on the agenda for Council consideration.

Suggested Motion:

I move to direct administration to pay Short Cressman and Burgess the full invoiced amount for all legal expenses spent for the legal defense of Council members Donald F. Wasson, Richard A Benjamin, and Maggie Steenrod who were sued by the "Citizens for Des Moines". The total amount is $41,787.59.