

## REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

March 8, 2007

The regular meeting of the Des Moines City Council was called to order by Mayor Sheckler at 7:31 p.m. in the Council Chambers, 21630 11<sup>th</sup> Avenue South.

PLEDGE OF ALLEGIANCE to the Flag was led by Councilmember Sherman.

ROLL CALL - Present: Mayor Bob Sheckler, Mayor Pro Tem Scott Thomasson, Councilmembers Dave Kaplan, Carmen Scott, Dan Sherman and Susan White. Absent: Councilmember Ed Pina. Also in attendance were City Manager Tony Piasecki, Acting City Attorney Richard Brown, Planning, Building & Public Works Director Grant Fredericks, Planning Manager Denise Lathrop and City Clerk Denis Staab.

MOTION was made by Councilmember White, seconded by Councilmember Sherman and passed unanimously, to excuse Councilmember Pina.

### BOARD & COMMITTEE REPORTS and COUNCILMEMBER COMMENTS

#### General Meetings

Councilmember Scott noted that she has just returned from a nine day vacation. However, yesterday she attended a Water District #54 meeting with Mayor Sheckler and listened to their discussion on procedures and issues. Prior to that meeting she attended a meeting at the Highline College Technology Pier where the College was also discussing various issues.

#### Public Safety & Transportation Committee

Councilmember Kaplan advised the Committee met two weeks ago and discussed the work being done on the 16<sup>th</sup> Avenue South Project, the efforts necessary in order to secure funding to repair the Saltwater Bridge, and the coordination of these two projects to mitigate traffic impacts on the public.

#### Correspondence from Water District #54

Councilmember Kaplan expressed appreciation of the letter from the District in the fact that they seemed to take note of Council's comments and have spent some time talking with Highline Water District to address concerns about their water supply regarding safety issues, as well as being able to handle the City's development needs.

#### Somber Anniversary - Police Officer Underwood

Councilmember Kaplan remarked that yesterday was the sixth anniversary since the murder of Officer Steven J. Underwood in Des Moines. He noted this had a great impact on him personally and the community in general. He requested everyone take a moment to reflect on the work all employees do on behalf of the City, but particularly those who work in dangerous conditions to make sure our streets are safe, and to thank them for the work they do.

#### General City Employees & Police Department

Councilmember White expressed agreement with Councilmember Kaplan, stating we have a great Police force and Police Chief. She noted that there is an add in the recent *City Currents* for anyone interested in applying to become a Des Moines Police Officer.

### Suburban Cities Networking Dinner

Councilmember White stated that she attended the recent dinner meeting along with Councilmember Sherman and City Manager Piasecki. She advised that Puget Sound Energy and Seattle City Light gave a debriefing on the December Wind Storm. She felt all agencies, including Des Moines, are working hard on developing good emergency plans and learning from this storm.

### Regional Passenger Ferry Study

Councilmember White announced that she has been asked to serve on the Advisory Committee with the Regional Passenger Ferry Study, which is being conducted with the Puget Sound Regional Counsel. She noted interest is growing in passenger ferry transportation.

### Environment Committee

Mayor Pro Tem Thomasson reported the Committee met earlier this evening and talked a little bit about the Critical Areas Ordinance which is on this evening's agenda. He noted they spent quite a bit time discussing the Shoreline Master Program and how staff and the consultant are working on responses to the Department of Ecology's requirements and expectations. He stated the Committee gave some policy direction on how to deal with a few issues. He advised they will discuss this again in about two weeks, when a presentation may be made to the Council as a whole.

Mayor Sheckler thanked Mayor Pro Tem Thomasson and Councilmember Kaplan for their work on the Environment Committee and felt through their efforts we will produce legislation that will meet the needs of our City.

## PRESIDING OFFICER'S REPORT

### KIRO News Radio

Mayor Sheckler reported that City Manager Piasecki was interviewed on the Dave Ross show yesterday.

### Councilmember White, Recognition by Suburban Cities Association (SCA)

Mayor Sheckler introduced the President of Suburban Cities, Mayor of Enumclaw John Wise, and Executive Director Karen Goroski. Mr. Wise and Ms. Goroski presented Councilmember White with a clock and flowers in appreciation for her services, and her ability to communicate ideas to help move the Association forward.

Councilmember White voiced the opinion that the Suburban Cities Association is an outstanding organization and demonstrates the importance of working together for regional improvements.

Councilmember Sherman expressed appreciation that SCA came to the Council meeting to honor one of its Councilmembers. He stated that all cities that belong feel that SCA is beneficial in representing cities positions in dealing with the King County Council and works hard for the betterment of our communities.

## ADMINISTRATION REPORTS

### Redondo Square Police Substation

City Manager Piasecki reported that construction has started and it is expected that the substation should be ready in mid-April.

Steven J. Underwood Park

City Manager Piasecki advised that the restroom construction is underway and should be open by mid-April

Police Department On-Line Reporting

City Manager Piasecki advised that the Police Department will have an on-line crime reporting site which should provide citizens help for use in filling insurance claims.

City Hall Front Counter Service

City Manager Piasecki informed Council that counter service staff at Community Development is experiencing difficulty in serving the public during peak business hours by providing information and services, such as business licenses, along with their other duties regarding building permits, various construction issues and answering telephone calls. He is considering hiring a part time employee to have City Hall, Suite A, doors open from 9 a.m. to 1 p.m. to handle routine business license applications and answer phones. He advised that he is thinking about using the \$30,000 in the Finance budget to cover an employee's maternity leave expense. Should this prove beneficial, discussions can be held during the 2008 budget process to determine if this should be continued. He requested Council give him their thoughts on this idea.

King County City Managers Meeting

City Manager Piasecki distributed printed information that was provided by Association of Washington Cities (AWC) at the last King County Manager's meeting, titled *Top AWC Priorities for the 2007 Legislative Session*. The information contains a list of bills which support AWC's Top priorities and other priorities as adopted by their Board on December 1, 2006. He concluded by noting that HB 1762 which would have restricted the use of Dept. of Corrections by local jurisdictions, appears to be dead.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to approve the regular minutes of February 15, 2007.
2. Findings: Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the City Council.

Motion: As of this date the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

Claim checks #108074 through #108222 & electronic fund transfers in the total amount of \$780,937.81

Payroll fund transfers in the total amount of \$302,840.31

3. Draft Ordinance No. 07-043 - Title: An Ordinance of the City of Des Moines, Washington relating to the Lodging Tax Advisory Committee, repealing DMMC 4.52.040 DMMC to remove the sunset provision from Chapter 4.52 DMMC, ratifying and confirming acts consistent with the authority and prior to the effective date of this ordinance, and declaring an emergency.

TWO MOTIONS: First motion is to suspend Council Rule 26(b). Second Motion is to approve Draft Ordinance No. 07-043.

4. Motion is to confirm Mayor Sheckler's appointment of Jane Ipsen and reappointments of: Councilmember Susan White, Dianne Jacobsen, Max Fields, and Tajinder Chahil for terms to the Des Moines Lodging Tax Committee effective March 9, 2007.

Brief discussion ensued regarding items 3 and 4, and it was noted that the approximately \$13,000 to \$18,000 collected for the Lodging Tax is currently dedicated to Seattle South Side, however by law we must have a Committee in place.

**MOTION** was made by Councilmember Sherman, seconded by Councilmember White and passed unanimously, to approve the Consent Calendar as read.

## PUBLIC HEARING

### Draft Ordinance No. 06-142 Environmentally Critical Area Regulations - 1<sup>st</sup> Reading

Mayor Sheckler introduced the subject and read Council's rules of procedure for conducting the Public Hearing.

Planning Manager Lathrop reminded Council that review and update of the critical area regulations is required by the state Growth Management Act (GMA) which states that cities and counties must include the best available science (BAS) to protect the functions and values of critical areas. She reviewed the process the City followed for citizen input as contained in Council's packets. She proceeded to review the following highlights:

#### *What Are we Proposing to Change?*

- How we classify wetlands & Streams
- Increasing wetland buffers and mitigation ratios
- Increasing stream buffers
- Establishing fish and wildlife habitat conservation areas
- Updating Development Standards for: Wetlands, Streams, Geologically Hazardous Areas, Fish and Wildlife Habitat Conservation Areas & Critical Aquifer Recharge Areas

#### *Wetland Buffers*

- Current wetland buffer widths cannot meet Best Available Science
- Increasing wetland buffers to as high as 300', depending on the category & characteristics of the wetland
- Proposed buffers provide flexibility to increase, decrease & average
- Supported by BAS review, critical areas inventory, & Planning Agency & Environment Committee reviews
- It was noted Des Moines would have no 300' buffers, 150' would be highest
- New ratios provide flexibility to require smaller mitigation ratio where necessary and higher mitigation ratios where appropriate

#### *Fish and Wildlife Habitat Conservation Areas (FWHCAs)*

- Add provisions regarding the alteration of habitat
- Add a section addressing specific habitats
- Create a map of all documented FWHCA in City

#### *Development Standards for Geologically Hazardous Areas*

- Hillside of 15% slope & greater - add standards for drainage & control of site runoff

- Seismic hazard areas - add development standards for liquefaction prone areas
- Landslide hazard areas - establish top & bottom of slope set back limits & criteria for reducing set backs
- Erosion hazard areas - add standards for drainage, temporary erosion & sediment control plans and allowance for dry season grading extension

*Critical Aquifer Recharge Areas (CARA)*

- Revise CARA definition to clarify guidance on identifying CARAs & defining a wellhead protection zones
- Expand CARA development standards to include requirement of a special environmental study & who can perform such a study, and types of development not allowed within CARAs

*How does the new ordinance affect me?*

- What if my house & improvements are located adjacent to a critical area?
  - Your house & improvements are not affected & can be maintained.
  - Any proposed change in use, including clearing of existing vegetation, could be affected by the new regulations.
- What if my entire property is constrained by critical areas & buffers? Can I still build a single-family home on my property?
  - You can still apply for a "reasonable use" exception to allow use of the property.
  - It is possible that a single-family house would be allowed on an existing lot.
  - A minimum necessary footprint may be approved, and mitigation may be required.
- What if I already have my building permit application into the City for review? Am I subject to the new rules?
  - If your application has been deemed complete, it will be reviewed under the regulations in effect when it was accepted by the City.
  - Any new applications will be subject to review under the codes in effect when submitted.

Planning Manager Lathrop concluded her presentation by calling Council's attention to a couple of amendments to the draft ordinance and findings of fact she distributed to Council.

Mayor Sheckler called for any speakers who wish to address Council on this matter.

PUBLIC COMMENTS

Garrett Huffman, 335 116<sup>th</sup> Avenue SE, Bellevue, South King County Manager of Seattle Master Builders

Mr. Huffman addressed Council and informed them that the Growth Management Act does not say that you have to include "best available science". He stated what it does say is 13 items including: you have to balance best available science along with economic development, reduce urban sprawl, and protect private property rights. He told Council he feels the buffers are a little excessive but advised Council has no choice but to adopt them. He noted the Growth Management Board has made a ruling, and the City of Kent along with the Master Builders Association, has gone to the Board and said "You do not have the right to raise the best available science above the goals of the GMA". He advised that this is currently on appeal. He noted that his position is that if best available science has negative impacts in terms of economic

development, then that is wrong. He pointed out that the City of Kent currently has the same setbacks as Des Moines. He noted he expects hearings to be held in June or July, with a decision expected this Fall, and stated he would not be surprised if this issue winds up in the Supreme Court, in terms of whether best available science is more important than the other goals of the Growth Management Act.

Mayor Sheckler called for any additional speakers three times. As there were no additional speakers, he inquired of Administration as to whether there has been any misstatements of fact, or whether there is any material that needs to be introduced, or alter in any regard its initial recommendations.

Planning Manager Lathrop informed Mr. Huffman that in regards to regulating some of the smaller wetlands that staff did add provisions that wetlands less than 1,000 square feet shall be exempt from the regulations.

Mayor Sheckler questioned whether Council had any questions for the speaker or administration.

Councilmember White stated she feels some of the new requirements appear to be excessive, she questioned since the requirements are being challenged, does Des Moines really have to adopt the regulations at this time. She noted she does not want to create hardships for citizens who may wish to expand their homes.

Mr. Hoffman noted that Des Moines is the last City he is aware of that has not adopted. He felt that if Des Moines wanted to wait until the decision from the Court of Appeals, it certainly could. However, he does not expect a decision before October, and grants come up in April and May and it would be detrimental to not adopt new standards before then.

City Manager Piasecki commented these regulations should have been adopted months ago, however we did receive an extended time line, but if we do not meet that deadline the City will be in trouble when it comes time to apply for any grants.

Upon questioning by Councilmember Sherman, Planning Manager Lathrop advised that if someone has a vacant piece of property we have to allow reasonable use of the property. Staff will look at the following: can we avoid impact, and if not, how can we minimize and if you cannot minimize impacts, how do we mitigate it. She stated this means you may not be able to build a 3,000 square foot house, but you may be able to build a house that meets your needs while mitigating impacts. She advised that staff tried to include additional criteria that provides more certainty to developers to know what is going to be required.

In regards to additions to existing homes, Land Use Planner II Sullivan informed Council that staff would first look at what setbacks or other City standards could be modified before conditions or regulations might be applied.

Councilmember Scott noted that there are professionals whose business is geared to help solve issues for citizens in a manner that the building department can agree to. She stated that the public is not being given a dire set of regulations.

Mayor Sheckler CLOSED the public hearing.

**MOTION** was made by Councilmember Kaplan, seconded by Councilmember Sherman, to suspend Council Rule 26(b) in order to consider Draft Ordinance No. 06-142 on a first reading. Motion passed 4 to 2 with Councilmember White and Mayor Pro Tem Thomasson opposed.

8:48 p.m. Mayor Sheckler called for a 10 minute break.

**MOTION** was made by Councilmember Kaplan, seconded by Councilmember Scott, to enact Draft Ordinance No. 06-142, pertaining to the review of the City of Des Moines environmentally critical area regulations and amending Chapters 18.04 and 18.86 of the Des Moines Municipal Code and Ordinances 853, 925, 1130, 1160, 1164, 1237, 1332 and 1378, and finding that Des Moines environmentally critical area regulations meet the statutory requirements of RCW 36.70A.

**MOTION** was made by Councilmember Kaplan, seconded by Mayor Sheckler, to amend Draft Ordinance No. 06-142 as noted in Amendment No. 1. Motion passed unanimously.

**MOTION** was made by Councilmember Kaplan, seconded by Mayor Sheckler to amend the Draft Finding of Facts as noted in Amendment 2. Motion passed unanimously.

Mayor Pro Tem Thomasson noted that the Environment Committee held quite a few meetings and while the members did not agree on all elements, they were able to work out solutions. He felt the draft ordinance contains language that recognizes existing issues in the City. He advised however, that he feels the ordinance falls short in some areas such as:

- Section regarding Wetland Buffer Reductions: Taken from King County and does not apply to Des Moines. Whole section should be stricken.
- Mitigation and Replacement Rules: Tells developer to hire a wetland consultant. Clearly this is in the best interest of the developer.

He felt the Council needs to be a steward of the land and environment. He advised that he gets upset that we write extraordinary rules on the land use side, while we still allow harvesting of fish. He also is concerned that the lists are not so directive, but leaves staff with great discretion depending on whether they support building and development versus saving the environment. While he acknowledges that the City is under the gun with the Department of Ecology, he feels this ordinance is not tailored around Des Moines and is not complete, concise or consistent as it should be. He felt that members of Council do not fully comprehend every aspect of the ordinance. He stated he cannot support adoption of the ordinance tonight. He challenged other Councilmembers that unless they fully understand the ordinance and know it is going to do Des Moines citizens, it is not ready to be adopted.

Councilmember White expressed agreement with Mayor Pro Tem Thomasson. She also expressed concern that citizens may have to hire expensive help in order to understand the complex issues. She further expressed concern over the City's inability to apply for grants if we do not pass this ordinance tonight and questioned what can the Department of Ecology do if we do not.

Planning Manager Lathrop noted that DOE could invalidate the City's critical area regulations and impose their own or even take us to Court.

City Manager Piasecki also noted that the Growth Management Act states we must review are development regulations. He advised that DOE has been given the task of setting the standards

and requirements of where we have no flexibility and where we have some flexibility. He noted we are required to meet all of their standards and if we do not, they can declare Des Moines out of compliance with GMA and that makes us ineligible for a variety of grants, public works trust funds loans, etc. He informed Council that Des Moines needs to work with our leaders in Olympia and try to get some of these inflexible requirements off of the cities and give the decision making back to the local level.

Councilmember Kaplan stated there are a lot of issues involved in balancing the requirements that the State would otherwise impose. He noted that some of the requirements contained in the draft ordinance are a little more than we currently have, but not that much more. He felt that we balance things out by making sure that the impacts on existing property owners will be mitigated to the extent that we are cable of doing. He stated it has been frustrating working with the DOE as they are trying to mandate State requirements. But given the nature of Des Moines, he believes the draft ordinance is the best work product, given the restraints and threats by the State, and encouraged adoption.

Mayor Sheckler, as a member of the Environment Committee, expressed frustration with the rules as established by DOE. However, he feels that the Committee worked hard to keep the interests of Des Moines citizens in mind, and feels this is something we can live with. He expressed concern about the city's ability to obtain grants if we do not enact this ordinance.

Councilmember Sherman voiced the opinion that to a certain extent we have our hands tied. He noted this is a very complex ordinance addressing ways to conserve our environment. He expressed confidence that Mayor Pro Tem Thomasson's input was significant during the process and was helpful in its molding.

Mayor Pro Tem Thomasson noted once these new rules go into effect all new applications will be subject to these regulations, if they apply. He advised that he could support adoption of the ordinance if there was a reporting mechanism to Council that would show how it is being dealt with by staff and alerts Council to 'tweaks' that may need to be taken based on what staff learns.

City Manager Piasecki advised that he could include this in his monthly report to Council.

Councilmember Scott voiced the opinion that Council has reached as good of a product as we can within a reasonable amount of time.

VOTE ON MAIN MOTION: Motion passed unanimously.

**MOTION** was made by Mayor Pro Tem Thomasson, seconded by Councilmember Kaplan, that the City Manager create a reporting mechanism to Council to detail how staff uses the ordinance involving mitigation and payments for wetlands, stream buffers and other relevant outcomes.

City Manager Piasecki advised that he will start putting the information in his monthly report, and if Council feels there is a need for a public report to be made, the Mayor can schedule it.

VOTE ON MOTION: Motion passed unanimously.

Mayor Sheckler read the adopted ordinance by title into the record.

Councilmember Kaplan requested Council be furnished with a map showing the current development activity in the City.

Mayor Pro Tem Thomasson expressed appreciation for the efforts of staff in preparation of the new regulations.

## NEW BUSINESS

### Regional Commission on Airport Affairs (RCAA) Contract

City Manager Piasecki noted this is an agreement for a variety of services that RCAA has provided in the past. He pointed out that the \$20,000 figure for special projects should say \$10,000. He introduced Larry Corvari, President of RCCA.

Mr. Corvari informed Council on the following items of current concern:

- National Pollution Discharge Elimination System Permit for the Airport is coming up again. Every five years it is due for a re-write. He noted five years ago, along with Citizens Against Airport Expansion, they won a significant number of points. Keep track to ensure Port is meeting these obligations.
- Wildlife Attractance Taskforce
- Letters to every part of the State where airport growth would be a positive factor, under Senator Keiser's proposal for another regional airport.
- Sponsored workshop on the air cargo study

Upon questioning about the use of Boeing Field as a supplemental airport, Mr. Corvari advised the big problem is overlapping air space, which was made worse by the 3<sup>rd</sup> runway being used for both take offs and landings. The other concern was the discovery of significant PCB's in the calking of the runway at Boeing Field.

**MOTION** was made by Councilmember Sherman, seconded by Councilmember Kaplan, to enter into an agreement for services with the Regional Commission on Airport Affairs for services and authorize the City Manager to sign the agreement substantially in the form as submitted.

Upon questioning regarding special projects, City Manager Piasecki informed Council that in 2006, RCAA would provide a suggested special project, and sometimes they were approved, sometimes he called to discuss them in more detail, and there was one project that he said no to. He stated that he is comfortable doing this, however if Council would prefer, the special projects could be placed on a Consent Calendar for Council's approval. He noted those special projects are listed in Council's packets and ranged in cost from a few hundred dollars, to fifteen hundred dollars. He reminded Council that the fee for special projects is the same as last year, but the fee for regular services has doubled to \$20,000.

**MOTION** was made by Councilmember Kaplan, seconded by Councilmember Scott, to amend the amount of total compensation for general services from \$20,000 to \$10,000.

Mayor Pro Tem Thomasson questioned why the general services fee has doubled this year.

Mr. Corvari informed Council that they really wanted to charge \$20,000 last year, but were trying to be sensitive to the City's financial circumstances and RCAA had some carry-over funds

from the previous year. He pointed out that it costs RCAA about \$24,000-\$27,000 a year just to have the "doors open". He advised there is no carry over left, so more funding is needed. He noted that Normandy Park is contributing \$20,000 and they believe Burien will re-join this year for the same amount. He also pointed out that more money may be needed this year to stay on top of the Port's NPDE Permit renewal.

Mayor Pro Tem Thomasson noted that the NPDE Permit tracking alone may be worth the extra funding for this year.

VOTE ON AMENDING MOTION: Motion failed 5 to 1 with Councilmember Kaplan voting in favor.

VOTE ON MAIN MOTION: Motion passed unanimously.

#### Regional Transportation Investment District (RTID) - Fall Ballot Proposal

Planning, Building & Public Works Director Fredericks noted this item is to inform Council where we are with the Regional Transportation Investment District and Sound Transit II Plan and its effect on the Plans being finalized over the next couple of months for voters in King, Snohomish and Pierce Counties to consider in November. He noted the goal tonight is for Council to direct staff on what, if anything, to do in the next few weeks as the Plans begin to take final form. He noted there is an opportunity for input at a public meeting on March 20<sup>th</sup> at Highline Community College for any position that Council may wish to take.

Councilmember Kaplan, Chairman of the Council's Public Safety & Transportation Committee, noted that the Committee has discussed the Sound Transit proposal, but not the RTID proposal. He noted the politics surrounding the issues are "squirrely" at best. As the Legislature adopted this, there are 2 separate votes one on Sound Transit and one on RTID, but they both must pass in order for either project to be funded. He advised there are proposals in Olympia to try to merge them into one vote to eliminate some of the confusion. He noted the challenge is when the State Department of Transportation came out with cost estimates last Fall, there was a significant increase, in excess of 35%, on all projects, so the projects either had to be slimmed or decisions made between various projects. He pointed out that relative to SR 509, the funding amount remained the same but they reduced the number of lanes and eliminated the collector/distributor lanes that would have been built along I-5, specific to 509, which would have extended south of Kent-Des Moines Road. He stated as it stands today there is adequate funding to do the South Access as well as the two lane configuration north, and two lane configuration south for SR 509. The question is: is there support for the RTID proposal or not. He questioned Council on whether there is consensus on lending support towards the RTID proposal.

Councilmember Sherman stated he feels the problem with the SR 509 project as funded, is that it actually will increase traffic on I-5 making it more difficult for Des Moines residents to use. He noted that he does not have a problem with a reduction of the lanes on SR 509. He suggested a potential positive statement might be that the City of Des Moines could support the RTID proposal if it included the collector/distributor lanes for the SR 509 project, north and south, to South 320<sup>th</sup> in Federal Way. He suggested they might find some of the needed funds if they do not put the Kent connection in at South 228th. He stated the original connection from Kent for trucks, was to get them on to Military Road and then slowly merge into I-5.

Councilmember White expressed agreement with Councilmember Sherman's suggestion.

Planning, Building & Public Works Director Fredericks informed Council that the Federal Government will not permit any SR 509 work that affects in a negative way the traffic flow on north or south bound I-5. He stated this would be a pre-condition for any Federal support of the SR 509 project. Modeling has been commissioned to determine if there are negative effects and if there is what would need to be done to improving the connection which would start at the Kent-Des Moines Road and transition into the SR 509 project.

Mayor Pro Tem Thomasson questioned how, as a voter, he would pay for Sound Transit and how that fits into this.

Planning, Building & Public Works Director Fredericks advised that the Sound Transit would increase the sales tax by a half of a cent, which would raise \$11 billion. He noted the options would be vote for both or one, but if both measures do not exceed a simple majority, then both measures fail. The Legislature is considering combing the two measure to make it simpler for the voters to either support or vote against.

Councilmember Kaplan advised that the public is being asked to pay for roads, and asked to pay for transit, and the public is more inclined to pay for transit, because the road proposal does not necessarily complete or meet the needs of most of the people. He felt that is why a proposal to merge both votes into one is being considered.

Planning, Building & Public Works Director Fredericks advised Council that we have a few weeks to communicate with the RTID Board before they lock down the draft plan. There will be other opportunities to comment on the final draft plan later.

10:29 p.m. **MOTION** was made by Councilmember Kaplan, seconded by Councilmember Scott, to extend the meeting two minutes. Motion passed 5 to 1 with Councilmember White opposed.

Councilmember Scott questioned why the distributor/collector lanes had been dropped from the plans, and can Des Moines influence them to be brought back. She advised she can support Councilmember Sherman's position, but without the distributor/collector lanes she would not be happy.

Planning, Building & Public Works Director Fredericks remarked it was all about funding as they came up \$350 million short in funds and it was the Board's choice to make that cut.

**MOTION** was made by Mayor Pro Tem Thomasson, seconded by Councilmember Kaplan, to have Mayor Sheckler convey to the RTID Board to express Des Moines' support as long as there is a collector/distributor component of the project. Motion passed unanimously.

#### **NEXT MEETING DATE**

Mayor Sheckler announced that the next regular meeting will be March 22, 2007.

#### **ADJOURNMENT**

At 10:31 meeting was adjourned.

Respectfully submitted,

Denis Staab  
City Clerk

**ACTION ITEMS FROM 3/8/07 MEETING**

- City Manager to create a reporting mechanism to Council to detail how staff uses the critical areas ordinance that involves mitigation and payments for wetlands, stream buffers and other relevant outcomes.
- Staff to distribute a map of current development activity in the City.