



CITY OF BLACK DIAMOND
December 4, 2008 Workstudy Agenda
25510 Lawson St., Black Diamond, Washington

6:00 P.M. – CALL TO ORDER, ROLL CALL

- 1.) Parks Comprehensive Plan
- 2.) Adjournment

Mr. Nix



INTEROFFICE MEMORANDUM

TO: MAYOR AND COUNCIL MEMBERS
FROM: AARON C. NIX, NATURAL RESOURCES/PARKS DIRECTOR
SUBJECT: CITY OF BLACK DIAMOND COMPREHENSIVE PARKS PLAN
DATE: 11/26/2008
CC: GWENDOLYN VOELPEL, CITY ADMINISTRATOR

It's with great pleasure that I bring forward the City of Black Diamond's first comprehensive parks plan. My hope is that we can answer any questions with regard to the plan at our study session and then bring the plan forward for public hearing and adoption at our December 18, 2008 council meeting. I look forward to hearing your comments and having a lively discussion.

CITY OF BLACK DIAMOND WASHINGTON



Jones lake, Black Diamond, WA

PARKS, RECREATION AND OPEN SPACE PLAN

ADOPTED

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Introduction

Black Diamond is in the foothills of the Cascade Range, 30 miles southeast of Seattle. The City of Black Diamond was incorporated in 1959 and consists primarily of single-family dwellings on residential lots varying in size.

Although a Comprehensive Park Plan was created in 1989, park development has been virtually nonexistent due to budget and personnel constraints. At that time, School Park was Black Diamond's only existing active Public Park. In 1998, the boat launch and adjacent park were transferred from King County to the City of Black Diamond when Lake Sawyer was annexed into the city. The 150 acres designated for Lake Sawyer Regional Park were acquired from King County in 2006. With anticipated growth and development predicted in the near future, the City anticipates a need for the development of additional parks and playfields, as well as repair, renovation, and construction at the few properties that already exist in the city.

This Plan is a guide for capital investments in property, facility, and programs for the planning period 2008-2013. It represents an effort to address maintenance, safety, aesthetics, and service standards for existing parks as well as acquisition and development of future parks. It also provides a prioritized list of park and recreation projects and should be used as a guide when developing citywide policy and documents affecting parks and recreation now and into the future.

Growth Projections

The City's population has basically remained relatively stable for decades. The only significant population increase in the past several decades was a result of annexing the Lake Sawyer area. Because of the environmental sensitivity of adjacent land areas and the presence of resource extraction activities (forestry and mining), growth through annexation has been restricted. In 1994, the City annexed 783 acres located near Black Diamond Lake, followed by annexation of an additional 338 acres in the West Annexation Area north and west of the City (2005). The proportion of these areas that is considered "developable" is substantial. In 2005, the City amended its development regulations to establish a Master Planned Development process and criteria for development of these newly annexed areas, along with other large sites within the City, and entered into a number of Pre-Annexation and Development Agreements. Development is expected to take the form of residential, recreational, commercial and mixed-use development with substantial active and passive open space. In addition, the conversion of land currently zoned for Mineral Extraction and Forestry will add new developable land for residential and employment uses in the future.

Figure 1-1 indicates the City's internally generated growth projections and those of the PAA during the 20-year planning period. Of the 2025 projected population of 16,980, 13,075 are anticipated to be living in areas within the 2006 City limits.

Black Diamond Growth Projections

Figure 1-1

Year	Total Population	Total Households
2006	4,085	1,578
2010	4,868	1,901
2015	10,437	3,740
2020	15,770	5,776
2,025	16,980	6,302

Planning Process and Community Involvement

Considerable efforts have been made to encourage public participation during the development of a park plan. The methods used have included meetings with established groups, public meetings and hearings, community-wide surveys, and direct involvement of residents in planning committees and groups. Surveys were conducted in 1988 and in 2008 and there has been ongoing comment by the public on existing and future parks (2008 survey and results are in Appendix A of this document).

Goals, Objectives and Policies

Goal: Develop a system of parks, walking trails, and recreation facilities that are financially sustainable, meet public recreation needs, and incorporate and enhance the natural environment.

Objective 1

Maintain an updated and financially viable plan for meeting park and recreation needs.

Policy 1.1. The Parks Improvement Program contained within this document shall be updated annually and included in the annual budget process.

Policy 1.2. The Parks Improvement Plan shall be incorporated into the City's Comprehensive Plan during the next update process.

Policy 1.3. The City shall establish criteria for the acquisition of new parkland and incorporate those criteria into the next Comprehensive Parks Plan update.

Objective 2

Enhance and maintain existing parks to provide a greater level of public enjoyment.

Policy 2.1. Park design shall be compliant with the Americans with Disabilities Act (ADA) when feasible.

Policy 2.2. Restrooms and other convenience features shall be incorporated into the design and development of "destination parks".

Policy 2.3. The cost of operation and maintenance shall be considered when enhancing parks.

Policy 2.4. Ensure adequate annual funding for general and preventative maintenance of existing parks.

Objective 3

Open undeveloped parks in a safe, timely, and fiscally responsible manner.

Policy 3.1. High priority of available funding shall be accorded to projects that result in the elimination of a safety hazard or the opening of a new park.

Policy 3.2. Operation and maintenance costs associated with the opening of new parks shall be considered during project design and the annual budget process.

Objective 4

Park design shall protect and improve the functions of the natural environment and strike a balance between public use and preservation.

Policy 4.1. Park design shall incorporate features that enhance the existing environment and educate users of the presence and functions of environmental amenities.

Policy 4.2. Development and maintenance of parklands shall utilize eco-friendly methods and products.

Policy 4.3. Park development and management shall, where appropriate, incorporate natural resource conservation, restoration, and preservation.

Policy 4.4. Park design shall maximize retention of vegetation around ball fields for both environmental and aesthetic purposes.

Policy 4.5. Design for new parks will minimize road construction and utilize low-impact engineering techniques to soften the imprint of roads and trails on the land.

Objective 5

Park design shall provide a wide variety of recreation opportunities to serve multiple interests and a broad cross-section of the area population.

Policy 5.1. Park design shall incorporate play areas and sports courts to serve a range of age group interests from young to old.

Policy 5.1. Park design shall accommodate both large groups and small groups or single families by developing play areas and sports courts in different sizes.

Policy 5.2. Park design shall maintain continuity in design and appearance among park features and elements.

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Park, Recreation and Open Space Inventory

The City of Black Diamond has limited park and recreational lands, facilities and programs. The City owns two parks on Lake Sawyer. The 168 acre Lake Sawyer Regional Park (undeveloped), located at the south end of the lake was established by King County in 1999, shortly after Lake Sawyer was annexed by the City of Black Diamond. The County transferred the park to the City in 2005, but retained an easement for a regional trail. A comprehensive Park Plan was developed for the park and is included in Appendix A. The City also owns a public-access boat-launch facility on the northwest shore of Lake Sawyer.

The City maintains an outdoor BMX track next to the Old City Hall. In addition, as a component to the development of the Eagle Creek Plat, the City acquired a basketball court and grassy open space area at the entrance to the plat off of Roberts Road. Several park benches were installed as well as a concrete trail section for walkers.

Two passive "parks" are formed from public right-of-way, both incorporating historical markers and City gateway signature elements -- Coal Car Memorial Park and "Union Stump". The Coal Car Memorial Park at the intersection of SR 169 and the Auburn-Black Diamond Road contains a coal car marker reminiscent of the City's mining history. "Union Stump", which is near Morganville, served as the speaker platform during the union/mining era. Each site is less than .10 acres and do not provide recreation. In-town recreational programs are minimal due to the lack of facilities.

Table 1-1: Parks, Recreation and Open Space Inventory

Facility	Type	Acreage	Features
Union Stump	Passive	0.1	Historical Marker
Eagle Creek Community Park	Active	0.43	Basketball Court and Benches
Coal Car Triangle	Passive	0.1	Historical Marker
Lake Sawyer Regional Park	Undeveloped	168	Undeveloped
BMX Park	Active	3.1	BMX Track, City Maintenance Facility
Lake Sawyer Boat Launch	Active	1.8	Boat Launch
Total Parks		173.5	
Jones Lake Open Space	Passive	14	City acquired portion of Jones Lake Trail and Park
Ginder Creek Open Space site	Passive	27.3	Undeveloped city-acquired park site
Total Open Space		41.3	
Total Parks and Open Space		214.8	

In 1995, the City of Black Diamond acquired 14 acres of land adjacent to Jones Lake. County open space funds were used in the acquisition. A trail around the lake is part of the future construction for this open

space park. The City has also acquired the Webb (Grinder Creek) open space parcel and is planned as a future passive park.

Area (Non-City) Parks, Recreation and Open Space

Washington State Parks

Kanaskat-Palmer State Park

Located 11 miles northeast of Enumclaw, WA.

Kanaskat-Palmer State Park is a 320-acre camping park on a small, low plateau in a natural forest setting. The park has two miles of shorelines on the Green River. Boat and raft launching is by hand only. River rafting and kayaking down the Green River Gorge is for expert-level enthusiasts only. Shoreline activities include nature appreciation, trout fishing and picnicking.

Nolte State Park

Located north of the town of Enumclaw, WA.

Nolte State Park is a 117-acre day-use park with 7,174 feet of freshwater shoreline on Deep Lake in the Green River Gorge. Covered with forests and blessed with water, the land was a resort for many years before it was donated to State Parks.

Flaming Geyser State Park

Located between Auburn, WA, and Black Diamond, WA.

Flaming Geyser State Park is a 480-acre day-use park with more than three miles of freshwater shoreline on the Green River. The park's most unique feature is its "geysers" (methane seeps). Park activities include whitewater rafting, tubing, and model airplane flying.

King County Parks

Black Diamond Natural Area

Maple Valley Black Diamond Rd and 241st Ave SE Black Diamond WA 98010

The Black Diamond Natural Area is 611 acres of undeveloped open space consisting of non-formal trails, in its natural state. Facilities such as bathrooms and parking areas do not currently exist.

Kentlake Athletic Fields

21401 SE 300th Street, Kent

This King County Park facility is located directly next to Kentlake High School. The facility contains 2 baseball diamonds, 1 softball facility and a regulation length soccer field. All fields are lit for night time play.

Overview of LOS Conditions

Applying the LOS standards with the current numbers, Black Diamond has a number of park and recreational facility deficits, which can be seen in Tables 1-5 and Table 1-6. Currently, 52 percent of the households are within 1.5 miles of a community park, well below the 90 percent standard (see Exhibit 2). The City has a fair amount of designated open-space (6%), but still below the 10 percent designated open-space standard, and no existing neighborhood parks or trails. Recreational facility needs include: a second youth baseball or softball field, two soccer fields, a second tennis court, and an adult baseball diamond.

Capital Facilities

Standards present the framework for which local LOS measures may be developed, but ultimately, local LOS measures should be a reflection of the community and the unique characteristics and values that are important to its residents and businesses.

Redefined Park Types

More comprehensive park classification systems, in place of the old ‘active’ and ‘passive’ classifications, will better meet the diversity of user needs in the community. The proposed new park types include:

- **Regional Parks** - large parks, two or more acres in size, capable of accommodating large numbers of people that offer facilities and activities for a wide service area. They include features such as parking areas, waterfront access, large natural areas, gardens, and/or amphitheaters.
- **Community Parks** - large parks, one to five acres in size that provide active recreation facilities for the broader community. They include features such as parking areas, baseball or softball diamonds, soccer fields, aquatic facilities and/or natural areas.
- **Neighborhood Parks** – small pedestrian-oriented parks, one acre or less, that serve residents of the immediate, usually residential, area. They include features such as play areas, basketball courts, community gardens and/or open areas.
- **Pocket Parks** – small pedestrian-oriented areas, one-half acre or less, that provide greenery and open-space in higher-density developed areas. They include features such as play equipment, community gardens, historical/information markers, landscaping, seating and public art.
- **Trails (Non-motorized)** - a network of pedestrian or bicycle-oriented paths for recreational and transportation uses. They can be within an existing park or open area or separate. Ideally, they should create a well connected city or region-wide system. They include features such as parking areas, paved or graveled paths, picnic areas and/or historical/informational markers.
- **Open-Space** - undeveloped areas or areas with limited development intended to preserve natural areas within the City for environmental, health, and/or aesthetic reasons. They include features such as picnic areas, trails, and/or interpretive facilities.

The new LOS standards focus on the percent of population with easy access to park and recreational facilities. Table 1-2 shows the proposed park types and associated LOS standard, while Table 1-3 shows how existing facilities have been reclassified.

New Park LOS Standards

Table 1-2

<u>Park Types</u>	<u>LOS Standard</u>
Regional	Not expected to have one
Community	90% of population within 1.5 miles of community park
Neighborhood	75% of population within 0.5 miles of a neighborhood park
Pocket	None
Trail (Non-motorized)	75% of population within 0.5 of a trail
Open-Space	10% of City's land area

Park Type Reclassification

Table 1-3

<u>Facility</u>	<u>Type</u>	<u>New Type</u>	<u>Features</u>
"School Park"	Active	Community	Basketball court, tennis court and Skate Park (privately owned)
Eagle Creek Park	Active	Community	Basketball Court
Little League ball field	Active	Community	Baseball Diamond (privately owned)
Lake Sawyer Boat Launch	Active	Boat launch	N/A
Union Stump	Passive	Pocket	Historical marker
Coal Car Park	Passive	Pocket	Historical marker
Jones Lake Open Space	Passive	Open-Space	City acquired portion of Jones Lake Trail and Park
Ginder Creek Open Space Site	Passive	Open Space	Undeveloped city-acquired park site
Lake Sawyer Park	Undeveloped	Regional	Undeveloped

Recreational Facility Standards

In addition to new park LOS standards, recreational facility standards are being proposed to ensure specific community recreational needs are met. These are citywide recreational needs that are usually met through the development of new or existing community parks. The combination of the recreational facilities standards and the park LOS standards will serve as a comprehensive guide for park and recreational development for the City of Black Diamond. Table 1-4 shows the proposed recreational facility standards.

Recreational Facility Standards

Table 1-4

<u>Facility Type</u>	<u>Minimum Units per Population</u>
Youth Baseball/Adult Softball Field	1:2,000
Soccer Field	1:2,000
Tennis Court	1:2,000
Basketball Court	1:2,000
Adult Baseball Diamond	1:5,000
Gymnasium	1:5,000
Youth Football Field	1:10,000
Track	1:10,000
Community Center	1:10,000
Swimming Pool	1:20,000

Current LOS Conditions

An analysis of Black Diamond’s current parks inventory based on the new park type classifications and LOS standards indicate the City is lacking community and neighborhood parks; trails and dedicated open-space; and a number of recreational facilities. Currently, 52 percent of the households are within 1.5 miles of a community park, well below the 90 percent standard. Only one park, “School Park,” provides recreational facilities for the community. The Black Diamond Elementary School playfields and the baseball diamond adjacent to the school are being considered part of the “School Park” recreational facilities. However, the property is owned by the Enumclaw School District and not the City of Black Diamond. The City currently has no existing neighborhood parks or trails. The City of Black Diamond has a fair amount of designated open-space, but is still below the 10 percent designated open-space LOS standard. Three parks have been designated open-space: Lake Sawyer Regional Park, the Grinder Creek site, and the Jones Lake site, for a total of 239 acres, or 6 percent of the City’s land area.

Existing Parks LOS

Table 1-5

Type	LOS Standard	Existing LOS
Regional	None	N/A
Community	90% of population within 1.5 miles	52% within 1.5 miles
Neighborhood	75% of population within 0.5 miles	0% within 0.5 miles
Pocket	None	N/A
Trail (Non-motorized)	75% within 0.5 miles	0% within 0.5 miles
Open-space	10% of City land area	6% of City

Existing Recreational Facility Standards

Table 1-6

Facility Type	Minimum Units per Population	Existing Units per Population
Youth Baseball/Adult Softball Field	1:2,000	1:4,120
Soccer Field	1:2,000	0
Tennis Court	1:2,000	1:4,120
Basketball Court	1:2,000	1:2,060
Adult Baseball Diamond	1:5,000	0
Gymnasium	1:5,000	1:4,120
Youth Football Field	1:10,000	0
Track	1:10,000	0
Community Center	1:10,000	0
Swimming Pool/Beach	1:20,000	0

Parks and Recreational Facility Needs

To meet the current LOS deficit, new parks and trails will have to be added in the City, in addition to more extensive development of existing park land. The City’s existing needs are: 157 acres of additional dedicated open-space, one additional community park, at least four more neighborhood parks, and four or five segments of non-motorized trails. Recreational facilities needed include: a second youth baseball or softball field, two soccer fields, a second tennis court, and an adult baseball diamond.

Facility Development and Location

The location of new parks and facilities needs to account for the “geographic deficit” in certain areas of the city. For example, the City needs an additional community park to meet the community park LOS standard of having 90% of the population within 1.5 miles. To meet this standards a new park would have to be located in the northern end of the city where there is a large amount of housing but no community park facilities. Other options include the development of Lake Sawyer Regional Park or the Boat Launch with recreational facilities typical of a community park, such as soccer fields or baseball diamonds. Extensive development of a trail system will be required to bring the City up to the proposed LOS standard. There are a number of proposed and conceptual trails, but even if all these trails were built, only 52% of the current population would be within the 0.5 mile standard. Again, the northern end of the City around Lake Sawyer was the primary area lacking access. The City currently has no neighborhood parks and it will need to assess potential sites for new parks within or near existing neighborhoods. Additional open-space areas also need to be added and/or protected within the City’s boundaries, 157 acres total.

Future Development

In addition to the existing park and recreation needs, the City needs to consider the effects of future development. Notably, Yarrow Bay Communities’ proposed development would add 5,000 new housing units (about 11,800 people) to Black Diamond over an 11 year period starting in 2009. Development of this scale, a possible 200% increase in population, would significantly increase in the number of facilities needed in the city. A development the size of Yarrow Bay Communities’ alone would require the addition of two adult baseball diamonds under the proposed recreational facility standards, in addition to the existing need for a diamond already.

City of Black Diamond Park's Capital Improvement Projects

Current Needs

Data in both 1988 and 2006 surveys indicate that trails and nature paths were of the highest priority. Picnic facilities, ball fields, and playgrounds were also seen as important.

The other major need is for support of existing parks. Restrooms and benches for resting are important for encouraging use and increasing enjoyment.

The following inventory of parklands and facilities describe the facilities and a needs analysis for each park as expressed in public surveys, workshops, and hearings:

Table 1-7. City of Black Diamond Parks, Recreation and Open Space Capital Improvement Program

Facility	Acreage	Current Features	Proposed Improvements	Cost Estimate
Years 2008-2013				
School Park	3.5	Skate Park, tennis/basketball court and baseball field	Facility needs to be made more family friendly with a swing set, benches and picnic tables.	\$25,000
Union Stump Historical Site	0.1	Historical marker, benches	Improved parking facilities, fencing and signage	\$112,000
Coal Car Historical Triangle	0.1	Bare land	N/A	\$0
Eagle Creek Community Park	0.43	Basketball court, benches and grassy open space	Playground equipment	\$25,000
BMX Park	3.1	Off road bicycle course	General expansion and provide use area for street bicycles.	\$260,000
Lake Sawyer Boat Launch	1.8	Boat launch facility, parking, barbeque facilities and benches	Rehabilitate boat launch facility, increase parking area, add restrooms and provide access dock	\$948,000
City-Wide Trail System Development	N/A	N/A	Begin land acquisition and preliminary design work	\$340,000
Lake Sawyer Regional Park (Phase I)	40	Bare land	Trail system, improved access, parking, restrooms and athletic fields	\$4,200,000

Current Needs Project Descriptions

1. School Park

Type, Location and Description

25314 SE 323RD ST 98010



Facility and Equipment

The park maintains a tennis, basketball court, skate park and baseball playfield next to Black Diamond Elementary. Swing sets as well as a picnic table have been provided at the facility.

Principal Recreation Uses

Baseball, basketball, tennis and skate boarding

Need Analysis

Additional park benches and picnic tables needed in order to accommodate increased family use.

Cost Estimate of Improvements

\$25,000

2. Union Stump Historical Site

Type, Location and Description

Small Park located at the corner of Cemetery Road and Roberts Drive.

Site is a historical location where miners voiced their opinions and objections to activities associated with the Black Diamond Coal Mine. Old Douglas fir stump has been encased in concrete to preserve the location where these conversations took place.



Facility and Equipment

Several benches and an informative kiosk tells the history of the site and the events that occurred there.

Principal Recreational Uses

Observation and remembrance

Needs Analysis

The entirety of this small facility continues to be in fairly good shape. Modernization of the existing facility might include installing a low impact parking area, restrooms, better signage, identifying the park as an historical landmark, and replacing the existing split rail fence that is degrading. Sewer as well as water currently exists along the frontage of the existing park.

Cost Estimate of Improvements

Design -	\$50,000
Construction -	
Fencing (500 LF)	\$10,000 (\$20 LF)
Parking (500 LF)	\$50,000 (\$100 SF)
Signage	\$2000

Total Cost **\$112,000**

3. Coal Car Historical Triangle

Type, Location and Description

Located to the south of the intersection between Roberts Drive and State Highway 169



Facility and Equipment

The facility currently maintains a spigot for water use and landscaped area that includes an old coal car as the central theme.

Principal Recreation Uses

Observance and Remembrance

Needs Analysis

The facility currently lacks any parking facilities. Foot traffic is very limited. The site lacks signage or any information pertaining to the significance of the site ingress and egress could be significantly challenging.

Cost Estimate of Improvements

None proposed at this time.

4. Eagle Creek Community Park

Type, Location and Description

Corner of Roberts Drive and Bruckners Way



Facility and Equipment

This facility currently maintains a park bench and basketball court. A concrete trail provides access through the park to the Eagle Creek housing development off of Roberts Drive.

Principal Recreation Uses

Walking, picnicking and playing basketball

Needs Analysis

Parking is very limited at this facility and is limited to the street along Bruckners Way. Addition of play equipment would make park more conducive to younger children.

Cost Estimate of Improvements

\$25,000

5. BMX Park

Type, Location and Description

32802 4th Avenue



Facility and Equipment

Dirt mounds integrated into a round BMX track. Site is fully fenced around the track area.

Principal Recreation Uses

Circuit riding for BMX enthusiasts

Needs Analysis

Currently, the site does not maintain any seating area. Some benches are needed, as well as repair to the existing fencing. Further expansion could include the integration of a street bicycle course.

Cost Estimate of Improvements

Construction

Fencing (300 LF)	\$6,000 (\$20 LF)
2 Park Benches	\$5,000 (\$2,500 Each)

\$11,000.00

6. Boat Launch Park – 296th Avenue

Type, Location and Description

The existing boat launch park is on the west side of Lake Sawyer.



Facility and Equipment

This site has a boat launch, which is in need of repair, paid parking spaces for vehicles with boat trailers, a “sani-can”, picnic tables, and elevated barbecue facilities...

Principal Recreational Uses

Boat launching, fishing, swimming, picnicking.

Needs Analysis:

- Modernize and repair the existing boat launch
- Provide a public pier for boat access and fishing
- Add playground equipment
- Add restrooms
- Reconfigure parking to provide for vehicles without trailers (southwest edge of property)
- Adequate swimming facilities

Cost Estimate of Improvements

Design -	\$80,000
Permitting -	\$100,000
Construction -	
Launch Improvements	\$200,000
Dock (150’x10’)	\$18,000 (\$120 LF)
Restrooms (1,000 SF)	\$200,000 (\$200 SF)
Parking Area (2,000 SF)	\$200,000 (\$100 SF)
Playground Area & Equipment	\$150,000

Total Costs

\$948,000

7. Lake Sawyer Regional Park- South End of Lake Sawyer

Type, Location, and Description

In the late 1990's, King County purchased 165 acres of land on the south shore of Lake Sawyer for the future development of a regional park. The property was purchased from Palmer Coking Coal, who had acquired the property in 1988 from the Black River Quarry. King County paid \$9.3 million for the property. The money was assembled from a variety of grants and county funding sources. The land acquisition was completed in 1999. Shortly thereafter, the county began a master planning process but a final plan was never completed due to funding issues.

In 2001, King County announced that it would be working to transfer ownership of many of its park sites to local cities to address financial shortfalls. The City of Black Diamond and King County entered into negotiations soon thereafter for the transfer of the property, until 2003 when the transfer was included as part of the larger implementation agreement for the Black Diamond urban growth area.

These negotiations resulted in an open space agreement known as the 'Black Diamond Area Open Space Protection Agreement' and allowed for the Lake Sawyer Park site to count toward the Black Diamond urban growth area open space requirements in exchange for additional consideration aimed at furthering the open space and recreation objectives of the City.

The open space agreement was finalized in June, 2005, and included a provision to convey ownership of approximately 150 of the original 165 acres of the Lake Sawyer Park site to Black Diamond. The transfer was completed in April, 2006, at no cost to the City. All 150 acres are located within the city limits. The 15-acre parcel retained by King County was held in County ownership for the future development of a regional trailhead parking area.

It is important to note that King County originally acquired the property utilizing a combination of grants and county funding sources, some of which required legal contractual commitments to develop and/or manage parts of the property in certain ways. These conditions and requirements transferred to the City of Black Diamond with the property and the city is legally bound to comply.

A Development Concept Plan was developed by the Lake Sawyer Park Citizen Advisory Committee with community input, as the first step in fulfilling the terms of the agreement and contains the following information:

- The community vision for developing the park
- The type of use and proposed facilities to develop in different areas of the park
- Maps, illustrations, and graphics
- A description of potential funding sources
- Implementation recommendations

In May, two former members of the Citizen Advisory Committee started a 'Friends of Lake Sawyer Park' group. The intent of this group is to get nonprofit status, which will make it easier to get certain grants, and to solicit funds and expertise from various sources.



Facility and Equipment

Currently the park exists as raw land.

Principal Recreation uses

Hiking and sightseeing

Needs Analysis

Please refer to Lake Sawyer Regional Park Plan in appendix B.

Cost Estimate of Improvements

Design -	\$500,000
Construction	
Restroom facility (2000 SF)	\$600,000 (\$300 SF)
Grass Athletic Fields (5)	\$2,500,000
Trail System (3 Miles)	\$47,520 (\$40 LF)
Roadway (1 Mile)	\$750,000
Parking Facilities (5,000 SF)	\$500,000 (\$100 SF)
<hr/>	
Total	\$4,547,520

Future Projects

Years 2008-2021
Lake Sawyer Regional Park (Phase II & III)
Jones Lake Park
Ginder Creek Open Space and Trail
The Villages
Lawson
Black Diamond Regional Trail System (Planning and property acquisition funded by 2008 CIP in the amount of \$340,000)

Funding Mechanisms to Reach Parks Needs

City of Black Diamond Transfer of Development Rights (TDR) Program

The Transfer of Development Rights (TDR) Program is a program that allows individuals to purchase and sell residential development rights from lands that provide a public benefit. Such lands include farm, forest, open space, regional trails and designated urban separator lands and habitat for threatened or endangered species. Landowners receive financial compensation without developing or selling their land and the public receives permanent preservation of the land. Transferred development rights can be used to build additional houses on other parcels in more appropriate areas.

A permanent conservation easement is placed on the sending site before density may be transferred off to maintain the property in forestry, farming or other uses consistent with the policy goals of the Program. Development rights may be transferred through private party transactions or under limited circumstances they may be purchased by the TDR Bank.

The City of Black Diamond initiated its TDR program in the summer of 2005. To date, there has been limited activity in the program, but the expectations are that this program will grow in order to benefit the public with more park and open space land in the near future. A TDR map that outlines receiving and sending for the program is included in Appendix B of this document.

Local jurisdictions face a growing demand for new recreational opportunities as they serve an increasingly diverse population and a large cohort of aging citizens. Unfortunately, this increased demand is coupled with diminishing tax revenues, federal funds, and other traditional resources.

This section summarizes traditional local funding options, state, and federal funding programs available to Washington cities and counties to fund parks and recreation planning, programs and projects. Several citizen's initiatives and referendums (e.g. I-695, Referendum 47, and Proposition 747) have taken a toll on several of the major traditional funding sources available to local governments since the GMA was first adopted in 1990. As a result, local jurisdictions are turning increasingly to several new funding sources created as a part of the growth management legislation, including impact fees and increased real estate excise taxes. Because of the heightened anti-tax climate, local jurisdictions may encounter resistance to such new forms of taxes. Even so, residents of many communities recognize the contribution that parks and recreation amenities make to the quality of community life. Residents of some communities have supported taxes increases, conservation futures levies, or bond referendums targeted for these purposes. Even in communities supportive of parks and recreation programs, it is clear that local jurisdictions must be alert to cost savings opportunities. They will likely need to supplement limited funds with some creative approaches to park finance. This section also describes public, private, and user group partnerships and cost sharing approaches, cost reduction measures, and other creative funding approaches used by some local jurisdictions to fill the funding gap.

Park Impact Fees

Impact fees are charges assessed by local governments against new development projects that attempt to recover the cost incurred by government in providing the public facilities required to serve the new development. Impact fees are only used to fund facilities, such as roads, schools, and parks, that are

directly associated with the new development. They may be used to pay the proportionate share of the cost of public facilities that benefit the new development; however, impact fees cannot be used to correct existing deficiencies in public facilities. In Washington, impact fees are authorized for those jurisdictions planning under the Growth Management Act (RCW 82.02.050 - .100), as part of “voluntary agreements” under RCW 82.02.020, and as mitigation for impacts under the State Environmental Policy Act (SEPA – Ch. 43.21C RCW). GMA impact fees are only authorized for: public streets and roads; publicly owned parks, open space, and recreation facilities; school facilities; and fire protection facilities in jurisdictions that are not part of a fire district. Setting fee schedules for impact fees is a complex process typically involving rate studies; generally, impact fees do not recover the full cost of a new facility since these fees must be directly and proportionately related to impacts associated with new development.

Traditional Local Funding Sources Authorized by Statutes

Most of these funding sources, such as property tax and sales tax, flow into the general fund and may be used to finance a wide variety of public programs and projects. As a result, funding requests for proposed parks and recreation programs will face stiff competition from other departments seeking to win limited general fund dollars.

User fees (fees charged to users of the park and recreation facilities) are becoming an increasingly important source of funding for park operation and maintenance costs, but are not always popular. Enterprise funds may be created for a park or recreation activity that has a revenue source sufficient to finance all costs. The enterprise revenues, derived from user fees and service charges, are used to pay operating costs, retire capital facility debt, and plan future replacement and expansion projects. Enterprise funds have been used on a limited basis for golf courses, marinas, and similar self-financing operations.

Several Newer Funding Sources Adopted as a Part of GMA Legislation

Recognizing the need for additional revenue sources for the funding local capital facilities, the Legislature included authority for park impact fees and additional real estate excise tax (REET) monies as a part of GMA legislation. The act authorizes counties and cities planning under the GMA to impose impact fees on development activity to finance public facility improvements needed to serve the new development. These facilities must be included in the Capital Facilities Element of a comprehensive land use plan. Impact fees are specifically authorized for publicly owned parks, open space, and recreation facilities in addition to several other types of facilities [RCW 82.02.090(7)].

The state of Washington is authorized to levy a REET on all sales of real estate, measured by the full selling price (including the amount of any liens, mortgages and other debts given to secure the purchase) at a rate of 1.28 percent. These tax revenues may be used to fund certain park and recreation facilities that are included in the local jurisdiction’s capital improvement plan (Capital Facilities Element). However, the rate at which it can be levied and the uses to which it may be put differs by city or county size and whether the city or county is planning under the GMA. A locally imposed REET tax is authorized in addition to the state REET tax. All cities and counties may levy an optional quarter percent tax (described as the first quarter percent of the real estate excise tax or REET 1) – [RCW 82.46.010](#). Cities and counties that are planning under GMA have the authority to levy a second quarter percent tax (REET 2) – [RCW 82.46.035\(2\)](#). Note that this statute specifies that if a county is required to plan under the GMA, or if a city is located in such a county, the tax may be levied by a vote of the legislative body. If, however, the county chooses to plan under GMA, the tax must be approved by a majority of the voters. San Juan County has imposed a 1 percent tax for acquisition and maintenance of conservation areas under

RCW 82.46.070. Limitations on uses, levy rates, and other information related to the optional REET taxes are covered in greater detail at www.mrsc.org/Subjects/Finance/reet/reetweb.aspx.

Interlocal Cooperation

Intergovernmental cooperation may offer one of the most promising opportunities for local governments to do more with less to meet these changing recreational needs. Cooperative efforts and a pooling of resources can eliminate unnecessary duplication of services, reduce overall park and recreation costs, and can more effectively employ limited tax revenues to meet the recreational needs of a region.

DRAFT

Appendix A

DRAFT



CITY OF BLACK DIAMOND

24301 Roberts Drive- PO Box 599

Black Diamond, WA 98010

360-886-2560

www.ci.blackdiamond.wa.us

Please send completed survey to address listed above

The City of Black Diamond is in the process of updating its parks and open space plan. As the City grows, we anticipate the need for additional parks and playfields, as well as the repair, renovation and construction of existing park land. To guide that development and assist the City Council in prioritizing projects, we are seeking citizens' input. Please take a few minutes to fill out and return the following survey to help the City plan park and recreation projects.

1. Which parks and facilities do you or a member of your household use in the City of Black Diamond? Please check all that apply:

- | | |
|---|---|
| <input type="checkbox"/> Union Stump | <input type="checkbox"/> Lake Sawyer Park (South end of Lake Sawyer) |
| <input type="checkbox"/> In-city Forest (Near Jones Lake and Lawson Street) | <input type="checkbox"/> Lake Sawyer Boat Launch |
| <input type="checkbox"/> Tennis Courts | <input type="checkbox"/> Eagle Creek Drive Basketball Park (Near Bruckners Way and Roberts Drive) |
| <input type="checkbox"/> Skate Park | <input type="checkbox"/> BMX Bike Track (Lawson Street next to gym) |
| <input type="checkbox"/> Little League Ball Field (Adjacent to elementary school) | |

2. Which park do you visit most often? Check one:

- | | |
|---|---|
| <input type="checkbox"/> Union Stump | <input type="checkbox"/> Lake Sawyer Park (South end of Lake Sawyer) |
| <input type="checkbox"/> In-city Forest (Near Jones Lake and Lawson Street) | <input type="checkbox"/> Lake Sawyer Boat Launch |
| <input type="checkbox"/> Tennis Courts | <input type="checkbox"/> Eagle Creek Drive Basketball Park (Near Bruckners Way and Roberts Drive) |
| <input type="checkbox"/> Skate Park | <input type="checkbox"/> BMX Bike Track (Lawson Street next to gym) |
| <input type="checkbox"/> Little League Ball Field (Adjacent to elementary school) | |

3. How would you rate the following in the City of Black Diamond?

	Excellent	Good	Fair	Poor	Don't Know
Amount of park land	1	2	3	4	5
Variety of park facilities	1	2	3	4	5
Open spaces/natural areas	1	2	3	4	5
Park maintenance	1	2	3	4	5
Ease of access to parks	1	2	3	4	5
Recreational programming	1	2	3	4	5
Arts and cultural events	1	2	3	4	5

4. How important are the following?

	Very Important	Somewhat Important	Not Important	Don't Know
Amount of park land	1	2	3	4
Variety of park facilities	1	2	3	4
Open spaces/natural areas	1	2	3	4
Park maintenance	1	2	3	4
Ease of access to parks	1	2	3	4
Recreational programming	1	2	3	4
Arts and cultural events	1	2	3	4

5. How would you rate existing parks and recreational offerings for the following ages?

	Excellent	Good	Fair	Poor	Don't Know
Pre-School	1	2	3	4	5
Elementary School	1	2	3	4	5
Middle School	1	2	3	4	5
High School	1	2	3	4	5
Adults (under 55)	1	2	3	4	5
Adults (55 and over)	1	2	3	4	5

6. How important are developing additional parks and recreational offerings for the following ages in Black Diamond?

	Very Important	Somewhat Important	Not Important	Don't Know
Pre-School	1	2	3	4
Elementary School	1	2	3	4
Middle School	1	2	3	4
High School	1	2	3	4
Adults (under 55)	1	2	3	4
Adults (55 and over)	1	2	3	4

7. What facilities, equipment or programs are you interested in seeing more of in Black Diamond? Please check all that apply:

Outdoor Activities:	
<input type="checkbox"/> Bicycling	<input type="checkbox"/> Volleyball
<input type="checkbox"/> Power boating	<input type="checkbox"/> Badminton (outdoor)
<input type="checkbox"/> Water skiing	<input type="checkbox"/> Basketball
<input type="checkbox"/> Scuba diving	<input type="checkbox"/> Motorcycling
<input type="checkbox"/> Canoeing/Kayaking	<input type="checkbox"/> Shuffleboard
<input type="checkbox"/> Sailing	<input type="checkbox"/> Tennis
<input type="checkbox"/> Family camping	<input type="checkbox"/> Soccer
<input type="checkbox"/> Group camping	<input type="checkbox"/> Picnicking
<input type="checkbox"/> Fishing	<input type="checkbox"/> Swimming (outdoor)
<input type="checkbox"/> Trail hiking	<input type="checkbox"/> Golf
<input type="checkbox"/> Nature walking	<input type="checkbox"/> Ice skating
<input type="checkbox"/> Horseback riding	<input type="checkbox"/> Jogging
<input type="checkbox"/> All-terrain vehicle riding	<input type="checkbox"/> Archery
<input type="checkbox"/> Baseball	<input type="checkbox"/> Horseshoes
<input type="checkbox"/> Softball	<input type="checkbox"/> Non-amplified music (outdoor)
Indoor Activities:	
<input type="checkbox"/> Gymnastics	<input type="checkbox"/> Basketball
<input type="checkbox"/> Arts and Crafts	<input type="checkbox"/> Badminton (indoor)
<input type="checkbox"/> Photography	<input type="checkbox"/> Volleyball
<input type="checkbox"/> Drama	<input type="checkbox"/> Handball
<input type="checkbox"/> Library	<input type="checkbox"/> Playing table games
<input type="checkbox"/> Music listening	<input type="checkbox"/> Swimming (indoor)
<input type="checkbox"/> Dancing	<input type="checkbox"/> Gourmet Cooking
<input type="checkbox"/> Bowling	<input type="checkbox"/> Roller skating
<input type="checkbox"/> Pool or Billiards	<input type="checkbox"/> Playing instruments
<input type="checkbox"/> Wrestling	<input type="checkbox"/> Squash

8. Which facilities, equipment or programs are the most important to you? Please check three (3) that apply:

Outdoor Activities:	
<input type="checkbox"/> Bicycling	<input type="checkbox"/> Volleyball
<input type="checkbox"/> Power boating	<input type="checkbox"/> Badminton (outdoor)
<input type="checkbox"/> Water skiing	<input type="checkbox"/> Basketball
<input type="checkbox"/> Scuba diving	<input type="checkbox"/> Motorcycling
<input type="checkbox"/> Canoeing/Kayaking	<input type="checkbox"/> Shuffleboard
<input type="checkbox"/> Sailing	<input type="checkbox"/> Tennis
<input type="checkbox"/> Family camping	<input type="checkbox"/> Soccer
<input type="checkbox"/> Group camping	<input type="checkbox"/> Picnicking
<input type="checkbox"/> Fishing	<input type="checkbox"/> Swimming (outdoor)
<input type="checkbox"/> Trail hiking	<input type="checkbox"/> Golf
<input type="checkbox"/> Nature walking	<input type="checkbox"/> Ice skating
<input type="checkbox"/> Horseback riding	<input type="checkbox"/> Jogging
<input type="checkbox"/> All-terrain vehicle riding	<input type="checkbox"/> Archery
<input type="checkbox"/> Baseball	<input type="checkbox"/> Horseshoes
<input type="checkbox"/> Softball	<input type="checkbox"/> Non-amplified music (outdoor)
Indoor Activities (continued on next page)	

Indoor Activities (cont'd)

- | | |
|--|--|
| <input type="checkbox"/> Gymnastics | <input type="checkbox"/> Basketball |
| <input type="checkbox"/> Arts and Crafts | <input type="checkbox"/> Badminton (indoor) |
| <input type="checkbox"/> Photography | <input type="checkbox"/> Volleyball |
| <input type="checkbox"/> Drama | <input type="checkbox"/> Handball |
| <input type="checkbox"/> Library | <input type="checkbox"/> Playing table games |
| <input type="checkbox"/> Music listening | <input type="checkbox"/> Swimming (indoor) |
| <input type="checkbox"/> Dancing | <input type="checkbox"/> Gourmet Cooking |
| <input type="checkbox"/> Bowling | <input type="checkbox"/> Roller skating |
| <input type="checkbox"/> Pool or Billiards | <input type="checkbox"/> Playing instruments |
| <input type="checkbox"/> Wrestling | <input type="checkbox"/> Squash |

9. Indicate your level of interest in the following amenities for existing and future parks.

	Very Important	Somewhat Important	Not Important	Don't Know/No opinion
Picnic Areas	1	2	3	4
Covered picnic areas for groups	1	2	3	4
Roped-off swimming areas	1	2	3	4
Playgrounds	1	2	3	4
Paved running and walking trails	1	2	3	4
Natural footpaths, nature trails and boardwalks	1	2	3	4
Wildlife viewing areas	1	2	3	4
Dog walking areas	1	2	3	4
Open lawn areas	1	2	3	4
Areas for canoes/kayaks/un-powered boats	1	2	3	4
Fishing docks	1	2	3	4
Youth athletic fields	1	2	3	4
Softball fields	1	2	3	4
Soccer/football fields	1	2	3	4
Regulated lights on fields	1	2	3	4
Activity centers/multiple use buildings	1	2	3	4
Interpretive signs	1	2	3	4
Environmental education centers	1	2	3	4
Concessions stands	1	2	3	4
Other:	1	2	3	4

What is your gender?

- Male
- Female

What is your age?

- Under 25
- 25-35
- 36-44
- 45-54
- 55-64
- 65 and over

How long have you lived in Black Diamond?

- Under two years
- Two to five years
- Six to 10 years
- 11 to 20 years
- 21 years and over

What is the number of people living in your household?

- 1-5
- 6+

What are the ages of persons living in your household? Check all that apply:

- Under 5 years
- 5-9 years
- 10-14 years
- 65+ years
- 15-19 years
- 20-24 years
- 25-34 years
- 35-44 years
- 45-54 years
- 55-64 years

Add any additional comments below.

**Please return completed survey to the City of Black Diamond at
24301 Roberts Drive or by mail at PO Box 599, Black Diamond, WA 98010.**

Thank you for your participation!



CITY OF BLACK DIAMOND

Interoffice Memorandum

TO: CITIZENS OF BLACK DIAMOND
SUBJECT: PARKS SURVEY RESULTS
DATE: 8/25/08

Dear Residents of Black Diamond,

It's with great excitement that we submit to you the results from the recently completed City-wide park survey. To date, we've had a little over 150 responses to the survey that was mailed out June 1st of this year. You'll find as you go through the results that many people placed emphasis on enhancing our natural paths and hiking trails throughout the City. There is a significant need for more playgrounds as well as picnic amenities at our current facilities.

As discussed with the Park's Committee, we believe that the City has several options when it comes to maintaining our current parks, while planning for future growth. Staff will be bringing to the Council, within the next month or so, a six-year capital improvement program, that is meant to provide guidance to staff on areas of interest and upkeep of existing facilities. Several funding options will be presented to the Council. In addition, staff is nearing completion of the City's Comprehensive Parks Plan that will allow the City to actively engage in parks, recreation and open space grant opportunities. To date, the City has not been able to participate in these grant programs because of the lack of a complete Comprehensive Parks Plan. Also real estate excise tax (REET II) monies will be allowed to be used when the Comprehensive Parks Plan is passed and approved by the Council.

Thank you all for the time you've taken in completing the Parks Survey. The results will serve as useful guide in directing the City's efforts now and into the future.

Frequently Asked Questions and Comments, Survey 08'

General Comments and Questions

1. As a young, growing family we would like to see more family-friendly indoor/outdoor facilities and activities as Black Diamond grows in population.

The Mayor and City Council have made it a priority that as the City of Black Diamond's population grows and development occurs, so will the quantity and the quality of the Parks, Recreation and Open Space provided to the City and its residents. New development will be required to help pay for this.

2. If there are toddler friendly parks near town, I don't know where they are. A map of park facilities or clearly visible signs would be helpful.

The City understands the lack of these types of resources throughout Black Diamond. Financial limitations currently exist within the City's budget, but the City is aggressively pursuing grant opportunities and other funding mechanisms to help improve our Parks, Recreation and Open Space Program. A map is currently being developed that identifies Black Diamond Parks, Recreation and Open Space opportunities. Keep an eye on our website for this.

3. My husband and I are greatly disappointed with the playgrounds in Black Diamond. We regularly drive to Mud Mountain Dam or to Point Defiance Zoo just to find a nice play area for our three children.

Upgrades to existing parks will be included in the City's Comprehensive Parks Plan, currently being developed. The City is actively looking at funding opportunities and will continue to aggressively apply for granting opportunities and other sources of revenue available to us.

Lake Sawyer Park and Boat Launch

4. Lake Sawyer needs a dock at the boat launch.

The City is in the process of letting a contract with Anchor Environmental Consultants in getting a design together for an improved boat launch, docking facility and swimming area. The City is hoping to obtain a Recreation and Conservation Office Grant from the State of Washington in order to construct the facility in the summer of 2010.

5. Where is the dock that was supposed to be built at the Sawyer Boat Launch Park? What are we paying \$5.00 to park for?

Without a consistent funding source, the Parks, Recreation and Open Space program is very limited in what it can utilize the \$5.00 fee for. At this time, a majority of the funds are going towards maintenance and operations of the boat launch.

6. Are these questions related to the Lake Sawyer Master Plan? What has changed from the original plan?

There has been a master plan put together for the South end of Lake Sawyer since 2005. The City has never maintained a Comprehensive Park's Plan that addresses the needs and wants of its citizens for the entire City. Information from this survey will be utilized in putting together a Parks, Recreation and Open Space plan for the first time in the City's history. With this completed, the City will have more flexibility in pursuing grants and other funding opportunities.

Parks, Recreation and Open Space Maintenance

7. I would like to see an expansion of the Public Works Division into another (separate) Parks Maintenance Division along with the expansion of Park Facilities.
8. We need more workers in the City - The three that you have keep up a lot already - some things look shady as far as weeding goes. We have enough to do now.

The City, in coming months, will be pursuing many options as it pertains to maintaining and funding its current park inventory. Your input is essential to this process.

Trails, Open Space and Bicycling

9. One thing that would be important is to be able to safely walk/ride bikes to these recreational facilities. Right now, we don't have wide streets or sidewalks throughout the City.
10. Walking/Bicycle trails foster a real sense of community. You see many of your neighbors out on them and it encourages a healthy activity that is easy to do and convenient.
11. We need off road walking paths suitable for people and dogs on leashes.

The development of a comprehensive Parks and Transportation plan will help us prioritize these needs and apply for funding. The Natural Resources Division is nearing completion of the Parks, Recreation and Open Space Comprehensive Plan and the Public Works Division is beginning hearings on the City's Comprehensive Transportation Plan. The City's goal is have both plans completed and adopted by the end of the year 2008.

Parks, Recreation and Open Space Program Interest

12. This is Black Diamond, stop trying to turn it into Seattle. We don't need all that stuff that progress brings, i.e. crime, congestion, etc.
13. If Black Diamond could become a destination for outdoor activities that would be beyond wonderful. We love the feel of our Small Town and are concerned that there's a good possibility it could be gone forever.
14. Thank you for this survey. Although we do not make use of our local parks and other offerings currently, we did extensively when our children were growing up. We feel that the subjects referenced in this survey are important aspects in the quality of life here in Black Diamond.

Staff truly appreciates any and all comments offered by the citizens of Black Diamond in regard to it Parks, Recreation and Open Space Program. We are committed to providing the very best service we can to all residents of the City. We strongly believe in the quality of life and small town character inherent to Black Diamond and are working strongly to ensure that this continues as the City develops, now and into the future.



CITY OF BLACK DIAMOND

Interoffice Memorandum

TO: MAYOR AND COUNCIL MEMBERS
FROM: AARON C. NIX, NATURAL RESOURCES DIRECTOR
CC: GWEN VOELPEL, CITY ADMINISTRATOR
SUBJECT: PARKS SURVEY RESULTS
DATE: 8/12/09

Honorable Mayor and Council Members,

It's with great excitement that I submit to you the results from our recently completed City-wide park survey. To date, we've had a little over 150 responses to the survey that was mailed out June 1st of this year. You'll find as you go through the results that many people placed emphasis on enhancing our natural paths and hiking trails throughout the City. There is a significant need for more playgrounds as well as picnic amenities at our current facilities.

As discussed with the Park's Committee, I believe that the City has several options when it comes to maintaining the current parks we have, while planning for future growth. Staff will be bringing to the Council, within the next month or so, a six-year capital improvement program, that is meant to provide guidance to staff on areas of interest and upkeep of existing facilities. Several funding options will be presented to the Council. In addition, staff is nearing completion of the City's Comprehensive Parks Plan that will allow the City to actively engage in parks, recreation and open space grant opportunities. To date, the City has not been able to participate in these grant programs because of the lack of a complete Comprehensive Parks Plan. Also real estate excise tax (REET II) monies will be allowed to be used when the Comprehensive Parks Plan is passed and approved by the Council.

I look forward to our discussion on these issues in the near future. I've included a section on comments received on the park's surveys for your review. Thanks for your time in looking it over.

AARON C. NIX

Parks Survey Comments

- 1 If there are toddler friendly parks near town, I don't know where they are. A map of park facilities or clearly visible signs would be helpful.
- 2 Lake Sawyer needs a dock at the boat launch. Soccer field would be good in outfield at Black Diamond Elementary.
- 3 Parks, open space and recreation programming is a wonderful way to improve the quality of life for residents in Black Diamond. I am so pleased to see the City actively seeking the input of its people. Great Survey! I hope the information gathered is put to good use. Don't forget volunteers.
- 4 Looking forward to the development of Parks and Outdoor spaces in Black Diamond. The sooner the better!
- 5 Thanks for the survey. It was great!
- 6 Hope I'm not too late.
- 7 Add model airplane and boats to the approved activities at Lake Sawyer Park. Area modelers can use the water to land and take off their planes and run their model boats. Do not use noise as an excuse.
- 8 Where is the dock that was supposed to be built at the Sawyer Boat Launch Park? What are we paying \$5.00 to park for?
- 9 Is this the Park plan? Has that changed?
- 10 Please keep the hours of fast travel on the lake as it stands today. Those of us who live along the fast travel course take a pretty good beating from wave/wakes. Thank you!
- 11 Need more open space for parks for picnics and kids to play.
- 12 We would love to see more parks, playgrounds and paved walking trails! Thanks!
- 13 Leave the current mountain bike and biking trails as they are. Thank you for providing a garbage can and sign for the lake sawyer park. Provide a map for the Lake Sawyer Park and vicinity.
- 14 A dog park would be nice since dogs are no longer allowed at the cemetery. Sidewalks would be nice around town too!
- 15 One thing that would be important is to be able to safely walk/ride bikes to these recreational facilities. Right now, we don't have wide streets or sidewalks throughout the City.
- 16 Parks and Recreation areas around town would be a wonderful addition to the City, but we need sidewalks to walk on to get us there safely. Walking on the roads is not safe anymore.
- 17 Soccer fields please! Try to get a YMCA in town. This would give you an indoor swimming and multi-use basketball and all other indoor facilities mentioned above.
- 18 Where is park at the coal car at the north entrance to town? Park maintenance is very good considering we only have 2 City workers to handle the City maintenance work.
- 19 We would really want sidewalks especially on Roberts Drive because it's busy and the kids are always walking on the road by the cars. It would make Black Diamond safer.
- 20 You made the tennis court too small. It needs to be another 6 feet at each end.
- 21 My husband and I are greatly disappointed with the playgrounds in Black Diamond. We regularly drive to Mud Mountain Dam or to Point Defiance Zoo just to find a nice play area for our three children.
- 22 We would really like to see something here sooner than later. We were disappointed with the decision to build a skate park here.
- 23 Regarding the South end of Lake Sawyer Park. We use it for many reasons - Observing wildlife, the only true park with wilderness trails. There are plenty of parks in the area with developed ball fields and playgrounds
- 24 This area has been over developed and some areas need to remain natural for people, animals and the environment.
- 25 I would like to see an expansion of the Public Works Division into another (separate) Parks Maintenance Division along with the expansion of Park Facilities.
- 26 It would be really nice to have a park with a playground for pre-schoolers or younger children.
- 27 Roberts Drive Park is not maintained grass is not being mowed enough and plants are dying

- and beds are full of weeds. Does not look nice considering this is the entrance to our neighborhood. Very disappointing.
- 28 We need more open spaces of grass and picnic areas and I would like to see a small child playground. Toddler age.
- 29 There may be more activities or areas I don't know about. A map with areas and activities would be nice.
- 30 We need to preserve as much open natural space as possible. The open areas currently being used for mountain biking, horseback riding, hiking, running and walking accommodate a large %of the people living in the area and draw many others from elsewhere.
- 31 We have only used the library most. The areas you mentioned in the survey, we did not know they were for public use. We will be thrilled to see more trails, horseback riding and community activities.
- 32 We like living in this little town and hope that it stays quaint with a peaceful atmosphere.
- 33 I would like to see the park stay natural - trails for jogging and hiking and dogs. A good swimming area.
- 34 We need more workers in the City - The three that you have keep up a lot already - some things look shady as far as weeding goes. We have enough to do now.
- 35 Where we used to live, the library had an auditorium. It would be nice to have that, with lights and a sound system so that people don't have to go elsewhere.
- 36 Take your time and do it right the first time.
- 37 If you have swimming areas you need a lifeguard. You shouldn't have to pay to launch your boat or pay for parking.
- 38 This is Black Diamond, stop trying to turn it into Seattle. We don't need all that stuff that progress brings, i.e. crime, congestion, etc.
- 39 We are known for our biking areas, yet it's not safe to ride from my neighborhood to the library or the bakery and bookstore. We really need bike paths.
- 40 Hate to see the big city move in and spoil a wonderful small town.
- 41 This survey sounds like you're planning out Lake Sawyer again. I thought that Park's planning has been completed. Follow that plan. The trails at the north end of Black Diamond and South Lake Sawyer should be retained as they are heavily used and are excellent single-track trails.
- 42 If Black Diamond could become a destination for outdoor activities, that would be beyond wonderful. We love the feel of our Small Town and are concerned that there's a good possibility it could be gone forever.
- 43 In a beautiful town like Black Diamond, the emphasis should be on nature trails and green areas to preserve the uniqueness of the town and to keep it from turning into a Covington.
- 44 We would love more parks space for enjoying the outdoors, but only if they are kept litter free and well-maintained.
- 45 Pave Roberts Drive! Some kid on a bike is going to get killed one of these days. We need kid's playground equipment at a park. Everyone I know leaves BD to go to a park.
- 46 Although the biking area at the north of town is not a park, we use it more than any other park in town.
- 47 More parking spaces at the boat launch - The current # makes this almost a private lake - People are parking on the narrow side of the street.
- 48 Parks are critical in making Black Diamond a desirable community for our citizens. A long tern process, we must arrive at an adequate tax base to pay for all the parks and other amenities.
- 49 As a young, growing family we would like to see more family-friendly indoor/outdoor facilities and activities as Black Diamond grows in population.
- 50 Please keep Black Diamond on the edge of wilderness as much as humanely possible. This is our reputation.
- 51 We need to make sure that we have recreation facilities for kids, youth and family
- 52 Boys and Girls Club with both parents working these days, kids need to be kept busy and out of trouble Healthy Body = Healthy Mind
- 53 Leave the majority of the land at the south end of Lake Sawyer - just the way it is - Make access easier. No ball fields, boat ramps or auditoriums - no food facilities. Leave it alone – people us it just as it is now.

- 54 Having kids who grew up in town, we always had to drive to Enumclaw for facilities involving any sports or even to play on a decent sized playground. The City has improved their outdoor amenities considerably.
- 55 There still is a great need for indoor facilities and activities. Thank you for your efforts on our behalf.
- 56 It is very important to keep the boating hours on Lake Sawyer. It is a wonderful place to live.
- 57 Need facilities for the flying of model airplanes.
- 58 Need a place to fly model airplanes.
- 59 Please keep Black Diamond small. We don't need another Issaquah/Kent/Renton More people = Less Safe!
- 60 The boat launch is unsafe with the concrete piling and no dock. Improving this would be a great improvement. Black Diamond needs serious help to become a place we would want to stay for our leisure time.
- 61 We feel the need to leave Black Diamond to find community recreation and it is unfortunate.
- 62 Thank you for this survey. Although we do not make use of our local parks and other offerings currently, we did extensively when our children were growing up. We feel that the subjects referenced in this survey are important aspects in the quality of life here in Black Diamond
- 63 Sand volleyball courts are needed.
- 64 Walking/Bicycle trails foster a real sense of community. You see many of your neighbors out on them and it encourages a healthy activity that is easy to do and convenient.
- 65 It would be great to have one throughout the community that ties into the lake.
- 66 I'd really like to see a walking path (not a bike path) through town and natural areas around new library. I'd love to see sidewalks all through 3rd street. Right now the town looks like a junkyard when you drive in and when you drive out.
Thanks for asking!
- 67 Outdoor music would be nice for the community. Indoor activities are very important because of our weather. Like bowling, roller skating, movie theatre, billiards, basketball, tennis, volleyball, etc.
There are not enough of these activities in our area.
- 68 I do not want an entrance to the park on 312th. There are already too many cars that use it to park, while they are using the park.
- 69 Thank you for doing this survey! We would love a paved bike trail!
- 70 We are very satisfied with the area as it is meeting our needs.
- 71 I would not count the school field as a park. \$5.00 for parking at Lake Sawyer - Shouldn't BD residents park for free? Black Diamond lacks in useable parks, we have to drive to Lake Sammamish to swim. That's pretty sad.
- 72 Please keep the parks as natural as possible so that people, dogs, horses and all wildlife can enjoy the area.
- 73 We would like to see Black Diamond kept as natural as possible with minimal impact to Lake Sawyer.
- 74 Prevent construction of large industrial buildings such as in Enumclaw, in Black Diamond. Keep Lake Sawyer Park Wild!
- 75 We need off road walking paths suitable for people and dogs on leashes. Need evening exercise programs such as yoga, dancing, etc. for adults.
- 76 Buoy placement on Lake Sawyer requires corrections.
- 77 Black Diamond is already an outstanding community.
- 78 I think more items for family and high schoolers. Maybe movie night in the gym or playing pool or weight lifting or High School grill competition with hamburgers seasoned differently.
- 79 A climbing wall and synthetic turf soccer fields are sorely needed. The boat launch needs more obvious signs warning people to remove plants from boats and trailers.
- 80 We need a nice park with lawn and flowers and comfortable benches where the elderly (myself) could sit on a nice afternoon with shade and birds, squirrels, etc.
- 81 Keep the mountain bike trails. They are a huge asset to the area. Update the skate park to allow bikes.

Park Survey (City of Black Diamond)

1. Which parks and facilities do you or a member of your household use in the City of Black Diamond?

<u>PARK</u>	<u>USE</u>
Union Stump	9
Coal Car Park	11
Tennis Courts	25
Skate Park	39
Ball Field	35
Lake Sawyer Park	63
Boat Launch	65
Eagle Crest Park	11
BMX Park	25

2. Which Park do you visit most often?

<u>Park</u>	<u>USE</u>
Union Stump	3
Coal Car	6
Skate Park	21
Ball Field	22
Boat Launch	61
Eagle Crest Park	5
BMX Park	3

3. How would you rate the following parks in the City of Black Diamond?

<u>SPECIFIC PARK ELEMENT</u>	<u>EXCELLENT</u>	<u>GOOD</u>	<u>FAIR</u>	<u>POOR</u>	<u>DON'T KNOW</u>
Amount of Park Land	12	30	48	46	9
Variety of Park Facilities	7	32	59	42	6
Open Spaces/natural areas	24	44	37	31	6
Park Maintenance	14	51	38	18	16
Ease of Access to Parks	15	60	33	34	10
Recreational Programming	5	12	34	46	45
Arts and Cultural Events	4	8	34	56	43

4. How important are the following?

<u>SPECIFIC PARK ELEMENT</u>	<u>VERY IMPORTANT</u>	<u>SOMEWHAT IMPORTANT</u>	<u>NOT IMPORTANT</u>	<u>DON'T KNOW</u>
Amount of Park Land	88	39	7	2
Variety of Park Facilities	79	48	8	3
Open Space/Natural Areas	104	30	1	1
Park Maintenance	79	52	1	2
Ease of Access to Parks	56	71	7	1
Recreational Programming	42	59	29	5
Arts and Cultural Events	37	60	31	7

5. How would you rate existing parks and recreational offerings for the following ages?

<u>AGE GROUPS</u>	<u>EXCELLENT</u>	<u>GOOD</u>	<u>FAIR</u>	<u>POOR</u>	<u>DON'T KNOW</u>
Pre-School	4	13	29	42	36
Elementary School	5	35	42	11	34
Middle School	8	33	35	14	36
High School	8	24	31	26	35
Adults (Under 55)	6	24	36	34	24
Adults (55 and Over)	6	19	20	43	39

6. How important are developing additional parks and recreational offerings for the following ages in Black Diamond?

<u>AGE GROUPS</u>	<u>VERY IMPORTANT</u>	<u>SOMEWHAT IMPORTANT</u>	<u>NOT IMPORTANT</u>	<u>DON'T KNOW</u>
Pre-School	59	29	13	17
Elementary School	68	35	10	17
Middle School	63	33	10	20
High School	61	33	14	22
Adults (Under 55)	56	47	12	17
Adults (55 and Over)	57	39	13	25

7. What facilities, equipment or programs are you interested in seeing more of in Black Diamond? Please check all that apply:

8. Which facilities, equipment or programs are the most important to you? Please check three (3) that apply:

<u>OUTDOOR ACTIVITIES</u>	<u>USE (#7)</u>	<u>USE (#8)</u>
Bicycling	74	51
Power Boating	15	10
Water Skiing	13	5
Scuba Diving	4	1

Canoeing/Kayaking	46	14
Sailing	11	3
Family Camping	33	13
Group Camping	19	3
Fishing	52	27
Trail Hiking	101	59
Nature Walking	110	77
Horseback Riding	23	2
All-Terrain Vehicles	19	9
Baseball	38	15
Softball	43	11
Volleyball	35	9
Badminton	28	1
Basketball	29	6
Motorcycling	10	5
Shuffleboard	7	1
Tennis	41	9
Soccer	41	14
Picnicking	84	23
Swimming (Outdoor)	62	21
Golf	28	13
Ice Skating	14	3
Jogging	49	13
Archery	15	
Horseshoes	24	5
Non-Amplified Music	46	11

INDOOR ACTIVITIES

USE (#7)

USE (#8)

Gymnastics	36	14
Arts and Crafts	50	24
Photography	32	12
Drama	32	16
Library	50	33
Music Listening	31	12
Dancing	43	20
Bowling	44	19
Pool or Billiards	22	5
Wrestling	8	4
Basketball	38	11
Badminton	19	4
Volleyball	34	8
Handball	15	
Playing Table Games	24	2
Swimming (Indoors)	69	40
Gourmet Cooking	36	8
Roller Skating	29	9

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Playing Instruments	23	1
Squash	12	1

9. Indicate your level of interest in the following amenities for existing and future parks:

<u>Park Amenities</u>	<u>VERY IMPORTANT</u>	<u>SOMEWHAT IMPORTANT</u>	<u>NOT IMPORTANT</u>	<u>DON'T KNOW</u>
Picnic Areas	76	41	15	3
Covered Picnic Areas for Groups	57	48	22	5
Roped-off Swimming Areas	47	61	23	5
Playgrounds	66	43	15	4
Paved Running and Walking Trails	65	34	29	1
Natural Footpaths, Nature Trails and Boardwalks	91	32	5	3
Wildlife Viewing Areas	70	51	20	5
Dog Walking Areas	47	36	38	5
Open Lawn Areas	47	58	19	4
Areas for Canoes/Kayaks/Un-Powered Boats	29	52	32	10
Fishing Docks	34	55	29	8
Youth Athletic Fields	47	60	22	7
Softball Fields	43	44	31	6
Soccer/Football Fields	40	45	31	7
Regulated Lights on Fields	34	40	47	8
Activity Centers/Multiple Use Buildings	44	43	33	9
Interpretive Signs	19	38	48	18
Environmental Education Centers	22	46	46	10
Concession Stands	4	20	87	12
Other	18	2	7	12

10. What is your gender?

Male	62
Female	97

11. What is your age?

Under 25	2
25-35	26
36-44	39
45-54	34
55-64	25
65 and Over	28

How long have you lived in Black Diamond?

1-2 years	16
2-5 years	21
5-10 years	30
10-20 years	46
20+	38

What is the number of people living in your household

One to 5	144
6+	7

What are the ages of persons living in your household? Check all that apply:

under 5 years	27
5-9 years	30
10-14 years	28
15-19 years	33
20-24 years	13
25-34 years	30
35-44 years	48
45-54 years	45
55-64 years	34
65+	29

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Appendix B

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CITY OF BLACK DIAMOND
December 4, 2008 Meeting Agenda
25510 Lawson St., Black Diamond, Washington

7:00 P.M. – CALL TO ORDER, FLAG SALUTE, ROLL CALL

PUBLIC COMMENTS: Persons wishing to address the City Council regarding items of new business are encouraged to do so at this time. When recognized by the Mayor, please come to the podium and clearly state your name and address. Please limit your comments to 3 minutes. If you desire a formal agenda placement, please contact the City Clerk at 253-631-0351. Thank you for attending this evening.

PUBLIC HEARINGS:

- | | |
|---|------------|
| 1.) AB08-126 - 2009 Proposed Budget | Ms. Miller |
| 2.) AB08-127 - Granting "Treasured" Status to Cahill Short Plat
(Council action may follow public hearing) | Mr. Nix |

APPOINTMENTS, PRESENTATIONS, ANNOUNCEMENTS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- | | |
|--|-----------------|
| 3.) AB08-128 – Ordinance Adopting Water Rates Increase | Ms. Miller |
| 4.) AB08-129 – Ordinance Adopting Administrative Regulations | Ms. Voelpel |
| 5.) AB08-130 – Ordinance Creating City Administrator Position | Mayor Botts |
| 6.) AB08-131 – Ordinance Adopting New Sign Regulations | Mr. Williamson |
| 7.) AB08-132 – Resolution Adding Temporary Sign Fee to General Fee Schedule | Mr. Williamson |
| 8.) AB08-133 – Resolution Adopting Purchasing Authority for Mayor | Ms. Miller |
| 9.) AB08-134 – Resolution Adopting Financial Policies | Ms. Miller |
| 10.) AB08-135 – Resolution Authorizing the Mayor to Execute King County I-Net Contract | Chief Kiblinger |

DEPARTMENT REPORTS:

MAYOR'S REPORT:

COUNCIL REPORTS:

ATTORNEY REPORT:

PUBLIC COMMENTS:

CONSENT AGENDA:

- 11.) **Claim Checks** – December 4, 2008 No. 32540 through No. 32652 (voided check 32541) in the amount of \$80,810.62
- 12.) **Minutes** – Council Meeting of November 6, 2008, November 13, 2008, November 20, 2008 and Workstudy Notes of November 20, 2008.

EXECUTIVE SESSION:

ADJOURNMENT:

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION			
SUBJECT: Public Hearing: 2009 Proposed Budget	Agenda Date: December 4, 2008		AB08-126
	Department/Committee/Individual	Created	Reviewed
	Mayor Howard Botts		
	City Administrator –Gwen Voelpel		
	City Attorney – Loren D. Combs		
	City Clerk – Brenda L. Streepy		X
	Finance – May Miller	X	
	Public Works – Dan Dal Santo		
	Economic Devel. – Andy Williamson		
	Police –		
Timeline:	Court – Kaaren Woods		
Cost Impact:			
Fund Source:			
Attachments: 2009 Proposed Budget			
SUMMARY STATEMENT: This issue is up for public hearing tonight only. The 2009 Proposed Budget is scheduled for adoption at the December 18, 2008 Council meeting.			
COMMITTEE REVIEW AND RECOMMENDATION:			
RECOMMENDED ACTION: None at this time			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
December 4, 2008			

CITY OF BLACK DIAMOND



2009 PROPOSED BUDGET
JANUARY 1, 2009 - DECEMBER 31, 2009

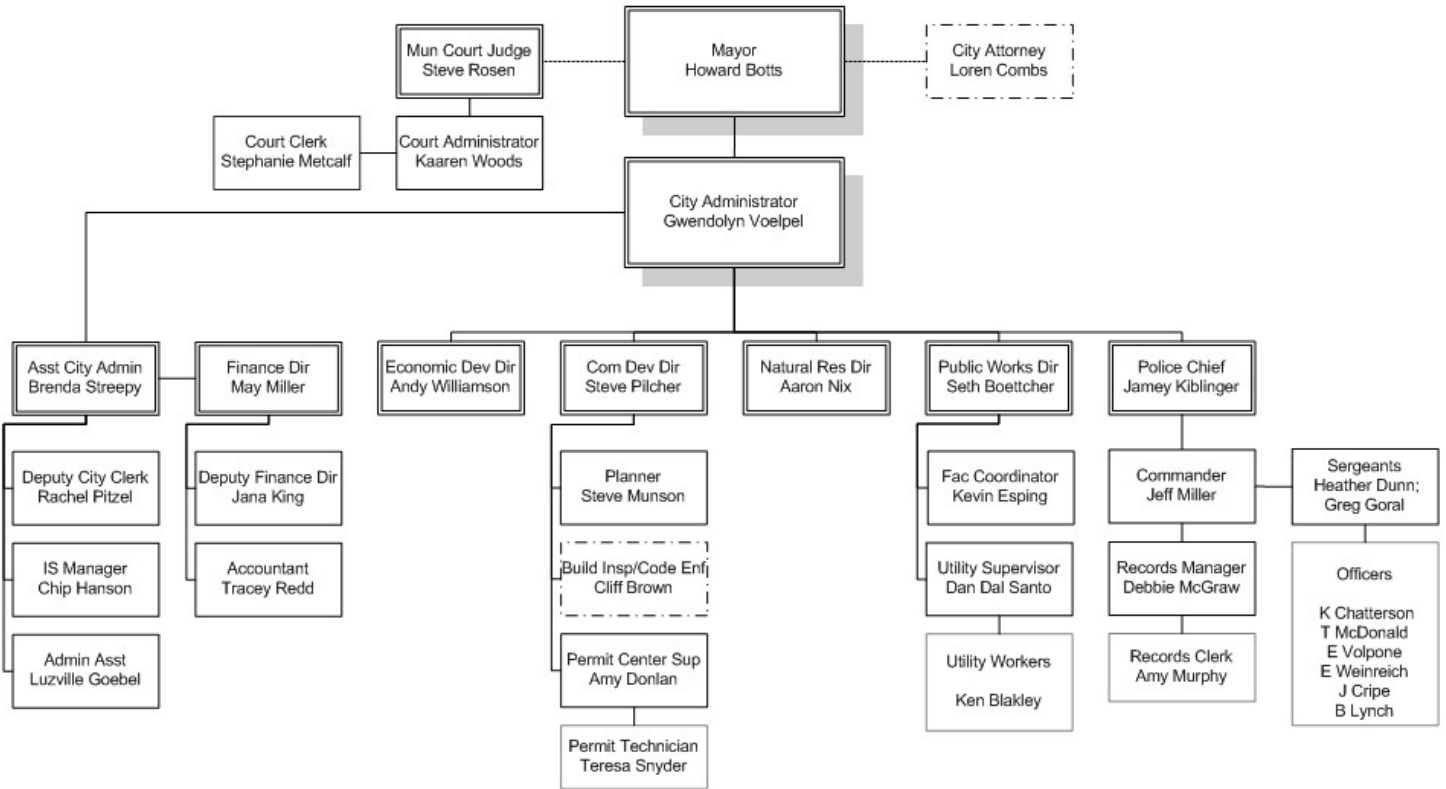
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City of Black Diamond Departmental Organization (Personnel)

Tuesday, September 23, 2008



Note: Black Diamond is served by King County Fire District #44

--- Consultant
 - - - Vacant Position

2009 Employee Allocations by Funding Source

Positions	Full Time Equivalent (FTE)	Funding Agreement	General Fund	Criminal Justice	Street Fund	Water Fund	Wastewtr Fund	Stormwtr Fund
Municipal Court								
Court Administrator	1.0		1.00					
Court Clerk	1.0		1.00					
Total Court	2.0	0.00	2.0	0.0	0.0	0.0	0.0	0.0
Administration								
City Administrator	1.0	0.30	0.50		0.02	0.06	0.06	0.06
Asst City Administrator/City Clerk	1.0	1.00						
Admin Assistant 1	1.0		0.10			0.3	0.3	0.3
Total Administration	3.0	1.30	0.6	0.0	0.0	0.4	0.4	0.4
City Clerk								
Deputy City Clerk	1.0		0.70		0.03	0.09	0.09	0.09
Total City Clerk	1.0	0.00	0.7	0.0	0.0	0.1	0.1	0.1
Finance Department								
Finance Director	1.0	1.00						
Deputy Finance Director	1.0	1.00						
Accountant 1	0.75		0.53		0.022	0.066	0.066	0.066
Total Finance	2.75	2.00	0.53	0.00	0.02	0.07	0.07	0.07
Information Services								
Information Services Manager	1.0	1.00						
Total Information Services	1.0	1.00	0.0	0.0	0.0	0.0	0.0	0.0
Police Department								
Police Chief	1.0		1.00					
Police Commander	1.0		1.00					
Sergeant	2.0		2.00					
Senior Police Officer	6.0		5.00	1.00				
Police Officer	2.0		2.00					
Police Records Coordinator	1.0		1.00					
Police Clerk	0.63		0.63					
Total Police Department	13.63	0.00	12.63	1.00	0.00	0.00	0.00	0.00
Community Development								
Community Development Dir	1.0	1.00						
City Planner	1.0		1.00					
Permit Technician Supervisor	1.0	1.00						
Permit Tech	1.0	1.00						
Total Community Development	4.0	3.00	1.00	0.00	0.00	0.00	0.00	0.00
Economic Development								
Econ Development Director	1.0	1.00						
Total Economic Development	1.0	1.00	0.00	0.00	0.00	0.00	0.00	0.00
Facilities Department								
Facilities Equipment Coordinator	1.0	1.00						
Total Facilities	1.0	1.00	0.00	0.00	0.00	0.00	0.00	0.00
Stewardship								
Stewardship Director	1.0	1.00						
Total Stewardship	1.0	1.00	0.00	0.00	0.00	0.00	0.00	0.00
Public Works								
Public Works Director	1.0	1.00						
Utilities Supervisor	1.0		0.10		0.15	0.25	0.25	0.25
Utility Worker	1.0		0.10		0.15	0.25	0.25	0.25
Utilities Operator	1.0		0.10		0.15	0.25	0.25	0.25
Seasonal Help	0.4		0.04		0.06	0.1	0.1	0.1
Total Public Works	4.4	1.00	0.34	0.00	0.51	0.85	0.85	0.85
Grand Total Budget Positions	34.78	11.30	17.80	1.00	0.58	1.37	1.37	1.37

* The Mayor and City Council are supported by the General Fund

2009 Budget Summary - Operating and Capital Funds

Fund	Beginning Fund Balance	Revenue	Total Sources	Expenses	Ending Fund Balance	Total Uses
General Fund 001	256,397	4,813,064	5,069,461	5,069,461		5,069,461
General Fund Total	256,397	4,813,064	5,069,461	5,069,461	0	5,069,461
* Fire Equipment Reserve Fund 002	55,843	1,000	56,843		56,843	56,843
Fire Equipment Res Total	55,843	1,000	56,843	0	56,843	56,843
Street Fund 101	450,000	135,635	585,635	188,393	397,242	585,635
Street Fund Total	450,000	135,635	585,635	188,393	397,242	585,635
* Street Equipment Reserve Fund 102	122,000	42,500	164,500		164,500	164,500
Street Equipment Res Total	122,000	42,500	164,500	0	164,500	164,500
* REET Fund 1 104	924,792	63,872	988,664	468,200	520,464	988,664
REET Fund 1 Total	924,792	63,872	988,664	468,200	520,464	988,664
* REET Fund 2 105	1,089,595	66,344	1,155,939	662,057	493,882	1,155,939
REET Fund 2 Total	1,089,595	66,344	1,155,939	662,057	493,882	1,155,939
Criminal Justice 122	20,000	110,550	130,550	126,229	4,321	130,550
Criminal Justice Fund Total	20,000	110,550	130,550	126,229	4,321	130,550
* General Government CIP Fund 310		523,200	523,200	523,200		523,200
General Govt CIP Total	0	523,200	523,200	523,200	0	523,200
* Street CIP Fund 320		1,895,000	1,895,000	1,895,000		1,895,000
Street CIP Total	0	1,895,000	1,895,000	1,895,000	0	1,895,000
Water Fund 401	100,000	1,374,455	1,474,455	1,355,495	118,960	1,474,455
Water Fund Total	100,000	1,374,455	1,474,455	1,355,495	118,960	1,474,455
* Water Supply and Facility Fund 402	70,000	1,332,000	1,402,000	1,330,000	72,000	1,402,000
Water Supply and Facility Total	70,000	1,332,000	1,402,000	1,330,000	72,000	1,402,000
* Water Capital Fund 404	675,000	27,000	702,000	205,000	497,000	702,000
Water Capital Fund Total	675,000	27,000	702,000	205,000	497,000	702,000
Wastewater Fund 407	180,000	638,009	818,009	684,663	133,346	818,009
Wastewater Fund Total	180,000	638,009	818,009	684,663	133,346	818,009
* Wastewater Capital Fund 408	1,300,000	365,400	1,665,400	530,000	1,135,400	1,665,400
Wastewater Capital Fund Total	1,300,000	365,400	1,665,400	530,000	1,135,400	1,665,400
Stormwater Fund 410	30,000	371,052	401,052	348,926	52,126	401,052
Stormwater Fund Total	30,000	371,052	401,052	348,926	52,126	401,052
Grand Total All Funds	5,273,627	11,759,081	17,032,708	13,386,624	3,646,084	17,032,708
Grand Total All Funds	5,273,627	11,759,081	17,032,708	13,386,624	3,646,084	17,032,708

* *Additions to this document.*



City of Black Diamond Proposed Budget 2009

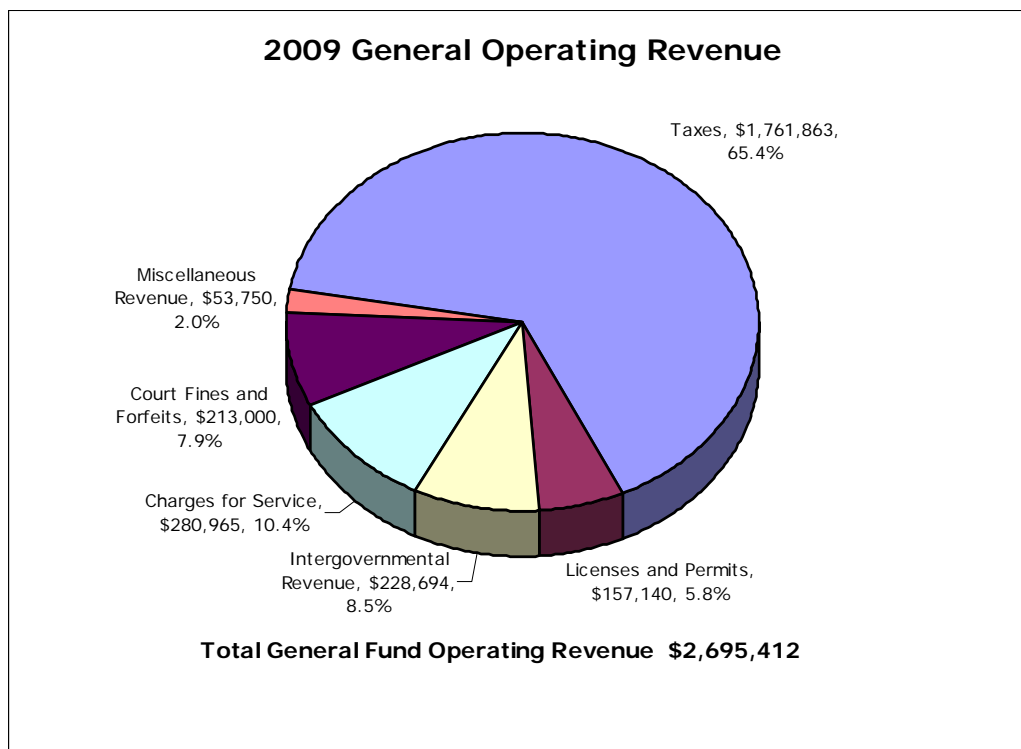
General Fund Total Summary

	2008 Budget	2009 Proposed	Chg \$ 2008- 2009	Change %
REVENUE				
Taxes	1,691,886	1,761,863	69,977	4.1%
Licenses and Permits	153,950	157,140	3,190	2.1%
Intergovernmental Revenue	455,058	228,694	(226,364)	-49.7%
Charges for Service	185,276	280,965	95,689	51.6%
Court Fines and Fees	168,100	213,000	44,900	26.7%
Miscellaneous Revenue	65,100	53,750	(11,350)	-17.4%
Sub-total Operating Revenue	2,719,370	2,695,412	(23,958)	-0.9%
Funding Agreement and Master Plan Dev.	3,171,822	2,117,652	(1,054,170)	-33.2%
Beginning Fund Balance	252,609	256,397	3,788	1.5%
Total General Fund Sources	6,143,801	5,069,461	(1,074,340)	-17.5%
EXPENDITURES				
Executive	14,109	15,072	963	6.8%
Legislative	12,355	12,827	472	3.8%
Administration	321,195	298,530	(22,665)	-7.1%
City Clerk	81,364	84,580	3,216	4.0%
Finance	254,605	300,539	45,934	18.0%
Information Services	143,411	149,314	5,903	4.1%
Legal	112,000	87,000	(25,000)	-22.3%
Municipal Court	277,501	293,839	16,338	5.9%
Police Department	1,641,694	1,699,849	58,155	3.5%
Fire Department	633,173	459,540	(173,633)	-27.4%
Community Development	503,988	527,703	23,715	4.7%
Natural Resources	166,278	168,653	2,375	1.4%
Economic Development	139,458	155,811	16,353	11.7%
Facilities	87,284	99,166	11,882	13.6%
Parks	72,673	58,147	(14,526)	-20.0%
Cemetery	17,320	17,659	339	2.0%
Central Services and Employee Recognition	30,939	41,402	10,463	33.8%
Studies, Funding and Deposits	1,634,454	599,830	(1,034,624)	-63.3%
Total General Fund Expenditures	6,143,801	5,069,461	(1,074,340)	-17.5%

2009 General Fund Revenue Sources

Total General Fund revenue sources are estimated at \$5,069,461 for 2009. The following chart reflects the draft 2009 General Operating Revenue budget of \$2,695,412. This is a decrease of \$23,958 from 2008. A graph on the last page includes all General Fund revenue sources.

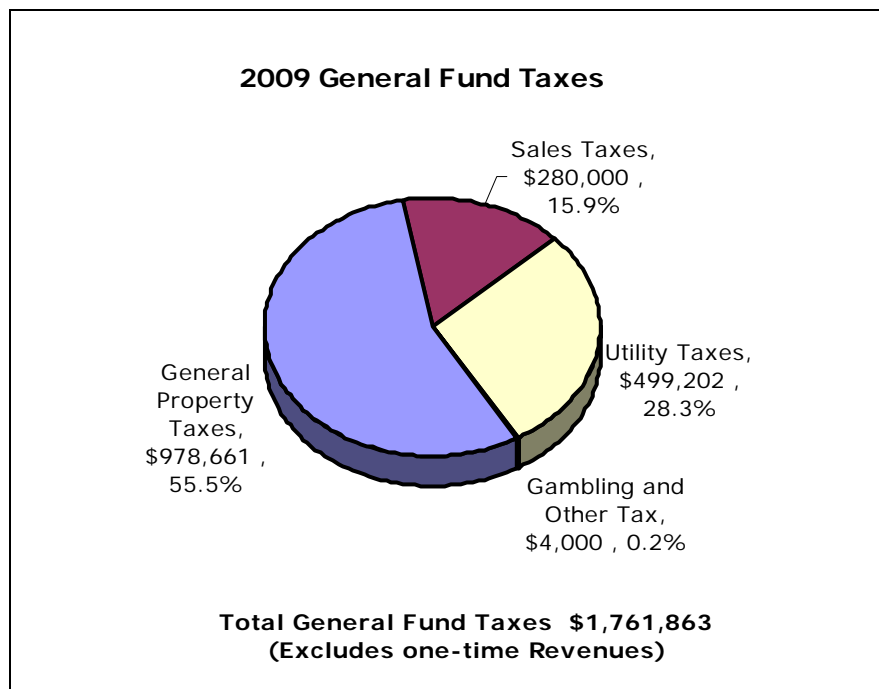
General Fund Sources						
	2007 Budget	2007 Actual	2008 Budget	2009 Proposed	Chg \$ 2008- 2009	Change %
Taxes	1,712,519	1,773,367	1,691,886	1,761,863	69,977	4.1%
Licenses and Permits	116,825	183,646	153,950	157,140	3,190	2.1%
Intergovernmental Revenue	417,696	400,742	455,058	228,694	(226,364)	-49.7%
Charges for Service	179,850	163,094	185,276	280,965	95,689	51.6%
Court Fines and Forfeits	175,000	190,997	168,100	213,000	44,900	26.7%
Miscellaneous Revenue	61,500	80,335	65,100	53,750	(11,350)	-17.4%
Total Operating Revenue	2,663,390	2,792,181	2,719,370	2,695,412	(23,958)	-0.9%
Funding Agreement Large Development Review,	865,000	815,639	1,691,834	1,673,652	(18,182)	-1.1%
Deposits, and One time	524,134	218,851	1,479,988	444,000	(1,035,988)	-70.0%
Total Revenue	4,052,524	3,826,671	5,891,192	2,117,652	(1,054,170)	-17.9%
Beginning Fund Balance	423,050	1,518,973	252,609	256,397	3,788	1.5%
Total General Fund Sources	7,138,964	8,137,826	8,863,171	5,069,461	(1,074,340)	-12.1%



General Fund Taxes

Locally levied taxes represent Black Diamond's largest portion of revenues of \$1,761,863 or 65.4%. Taxes include real and personal property tax, local sales tax, utility taxes on utility services (water, sewer, electric, gas, cable and telephone) and gambling taxes. An overall increase of \$69,977 or 4.1% is anticipated for the 2009 Budget.

General Fund Sources						
	2007 Budget	2007 Actual	2008 Budget	2009 Proposed	Chg \$ 2008- 2009	Change %
Taxes						
General Property Taxes	928,919	940,948	948,226	978,661	30,435	3.2%
Sales Taxes	244,900	305,497	280,000	280,000		
B & O Tax	115,000	82,758	15,000		(15,000)	-100.0%
Utility Taxes						
Solid Waste Tax	21,200	24,749	30,000	29,750	(250)	-0.8%
Cable TV Utility Tax			9,600	10,000	400	4.2%
Telephone Tax	132,000	142,513	140,000	135,000	(5,000)	-3.6%
Gas Utility Tax				5,600	5,600	n/a
Electrical Tax	215,000	203,405	210,000	240,000	30,000	14.3%
Water Utility Tax	19,000	29,098	21,800	23,900	2,100	9.6%
Stormwater Utility Tax				18,452	18,452	n/a
Wastewater Utility Tax	31,000	41,908	33,660	36,500	2,840	8.4%
Sub-Total Utility Taxes	418,200	441,674	445,060	499,202	54,142	12.2%
Gambling and Other Tax	5,500	2,490	3,600	4,000	400	11.1%
TOTAL TAXES	1,712,519	1,773,367	1,691,886	1,761,863	69,977	4.1%



Property Tax

Property taxes are 55.5% of General Fund tax revenue and expected to generate \$978,661 in revenue for the City in 2009. This includes a 1% tax levy increase of \$9,514 and \$20,921 in new construction taxes and other adjustments.

All revenues from property tax go directly to the General Fund in support of services such as police and fire protection. In 2008, 42% of property taxes or \$397,526 comes from a voted public safety levy that will expire in 2010. The levy vote for the City has gone down from 2.0315 per \$1,000 assessed valuation in 2005 to 1.5193 per \$1,000 in 2009. That equals an approximate 25% decrease in four years, due to Referendum 747 limiting the increase in property taxes to 1% above the previous year.

Sales Tax

Sales tax for the 2009 Budget is \$280,000 or 15.9% of tax revenue. For every \$100 spent in Black Diamond, \$8.60 is collected and is shared by various jurisdictions with Black Diamond receiving .85 cents.

Black Diamond's sales tax revenues are dependent on retail sales of products and services sold in Black Diamond as well as new construction. As Black Diamond does not possess a large retail sales tax base, annual revenues fluctuate due to construction activity. Sales tax revenue for 2009 is conservatively estimated as the economic climate going forward is uncertain at best.

Utility Tax

Utility taxes for Black Diamond are \$499,202 or 28.3% of General Fund taxes. Black Diamond levies a 6% tax on all public and private utilities such as electric, natural gas, water, sewer, telephone, and 5% on cable services. The 2009 Budget includes a 6% utility tax on stormwater, and increases in electrical. Adding a stormwater utility tax in 2009 has increased overall revenue projections by almost 12.2% or \$54,162.

Gambling Tax

The City of Black Diamond levies taxes on gambling activities as allowed by the State of Washington. Currently, the City receives gambling taxes on activities such as pull-tabs and amusement devices. Receipts from this tax are anticipated to increase by \$400 in 2009 based on current trend.

Licenses and Permits

Licenses and permits are designed to cover the cost of administration, inspection and other services for those occupations, trades and activities regulated by the City. These revenues include fees related to construction activities such as building, mechanical and plumbing permits, business licenses and franchise agreements with the garbage and cable companies. A 2.1% increase is projected based on development projections over 2008. Licenses and permits are forecasted to bring to the City \$157,140 in receipts in 2009.

	General Fund Sources					
	2007 Budget	2007 Actual	2008 Budget	2009 Proposed	Chg \$ 2008- 2009	Change %
Licenses and Permits						
Business and Occupation Licenses	26,000	16,085	28,000	27,800	(200)	-0.7%
Cable Franchise Fees	40,225	48,229	48,000	49,000	1,000	2.1%
Building and Land Use Permits	50,000	118,405	77,150	78,340	1,190	1.5%
Gun Permits and Fingerprinting	600	927	800	2,000	1,200	150.0%
TOTAL LICENSES AND PERMITS	116,825	183,646	153,950	157,140	3,190	2.1%

Intergovernmental Revenue

Intergovernmental revenue includes grants, entitlements, shared revenues and payments for goods and services provided to the City from the State or other governmental entities. They include per capita distributed revenues such as liquor excise and profit taxes and state and federal grants. This source decreased in 2009 largely due to the merging of Fire District 17 to Fire District 44 in 2008, with a loss of \$185,935 from Fire District 17 reimbursement for 2009 plus a decrease of \$21,896 in King County EMS revenue due to loss of Fire District 17. With the Fire District removed, the actual change in intergovernmental revenue shows a decrease of \$18,533, largely due to a decrease of City assistance from the State and some grant revenue in the Court that is not anticipated in 2009.

The City does receive local government assistance funds approved by the passage of ESSB 6050. This legislation is intended to provide ongoing financial assistance to cities and counties that have a low tax base and are having difficulty providing basic services. These funds are created by diverting small a portion of the real estate excise tax from the Public Works Trust Fund. The 2009 Budget anticipates a cut to 80% of 2008 level due to a decrease in State revenue. Actual revenue may even be as low at 60% of 2008.

General Fund Sources						
	2007 Budget	2007 Actual	2008 Budget	2009 Proposed	Chg \$ 2008- 2009	Change %
Intergovernmental Revenue						
Fire District 17	164,700	158,910	185,935		(185,935)	-100.0%
King County EMS BLS Contract	46,359	50,087	70,413	53,104	(17,309)	-24.6%
Local City Assistance	92,000	98,675	90,000	80,000	(10,000)	-11.1%
Vessel Regis. Boat Safety	43,995	22,495	23,000	24,000	1,000	4.3%
Recycle Grants	18,437	18,436	18,435	18,435		
Liquor Board Tax and Profits	47,835	48,494	50,520	48,000	(2,520)	-5.0%
Other Grants and Intergov.	4,370	3,645	16,755	5,155	(11,600)	-69.2%
TOTAL INTERGOVERNMENTAL REVENUE	417,696	400,742	455,058	228,694	(226,364)	-49.7%

Charges for Service

This category includes charges and fees for various services the City performs such as plan check and zoning fees, traffic and marine schools, records services, copies, maps and publications, as well as charges for the Black Diamond Cemetery and Lake Sawyer parking fees. The \$95,689 increase in this revenue area is primarily due to the expansion of the Police traffic school to a full year. The Central Service allocation includes street, water, sewer and stormwater portion of cost for copier, postage, paper, plotter maintenance, supplies, permitting system maintenance and supplies which increased \$32,059. The 2009 Budget also includes the addition of passport services for \$3,000.

General Fund Sources						
	2007 Budget	2007 Actual	2008 Budget	2009 Proposed	Chg \$ 2008- 2009	Change %
Charges for Service						
Plan Check and Land Use Fees	51,000	70,347	36,100	33,400	(2,700)	-7.5%
Hearing Examiner			6,000	25,000	19,000	316.7%
Lake Sawyer Parking Fees			22,000	22,000		
Cemetery Fees			9,800	10,800	1,000	10.2%
Other Charges for Service	18,850	3,214	20,200	4,030	(16,170)	-80.0%
Police Traffic School	110,000	66,168	45,000	90,000	45,000	100.0%
Comprehensive Plan Amendment				9,000	9,000	
MPD Fees and Lot Charges			7,500		(7,500)	-100.0%
Annexation East				11,000	11,000	
TDR's			8,000	10,000	2,000	25.0%
Central Services Reimbursements		23,365	30,676	62,735	32,059	104.5%
Passport Services				3,000	3,000	
TOTAL CHARGES FOR SERVICE REV	179,850	163,094	185,276	280,965	95,689	51.6%

Court Fines and Forfeitures

This represents the City's portion of fines and forfeits collected on citations and other Municipal Court fees.

This is always a difficult area to budget as these revenues are based on citations issued, court decisions and of course the defendant's ability to pay. Due to anticipated credit card use of collection of fines, an increase in fees and infraction revenue is projected for 2009. Overall, this budget for 2009 increased by \$43,900 or 26%. However, this is only increased by about 10% over the level of 2008 collections.

	General Fund Sources					
	2007 Budget	2007 Actual	2008 Budget	2009 Proposed	Chg \$ 2008- 2009	Change %
Court Fines and Forfeits						
Court Traffic Fees and Infractions	126,200	141,475	109,300	151,500	42,200	38.6%
Court Non Traffic Fees and Infractions	9,100	10,192	12,600	4,800	(7,800)	-61.9%
Court Correction, Admin and Other Fees	39,700	39,331	47,200	56,700	9,500	20.1%
TOTAL COURT FINES AND FORFEITS	175,000	190,997	169,100	213,000	43,900	26.0%

Miscellaneous Revenue

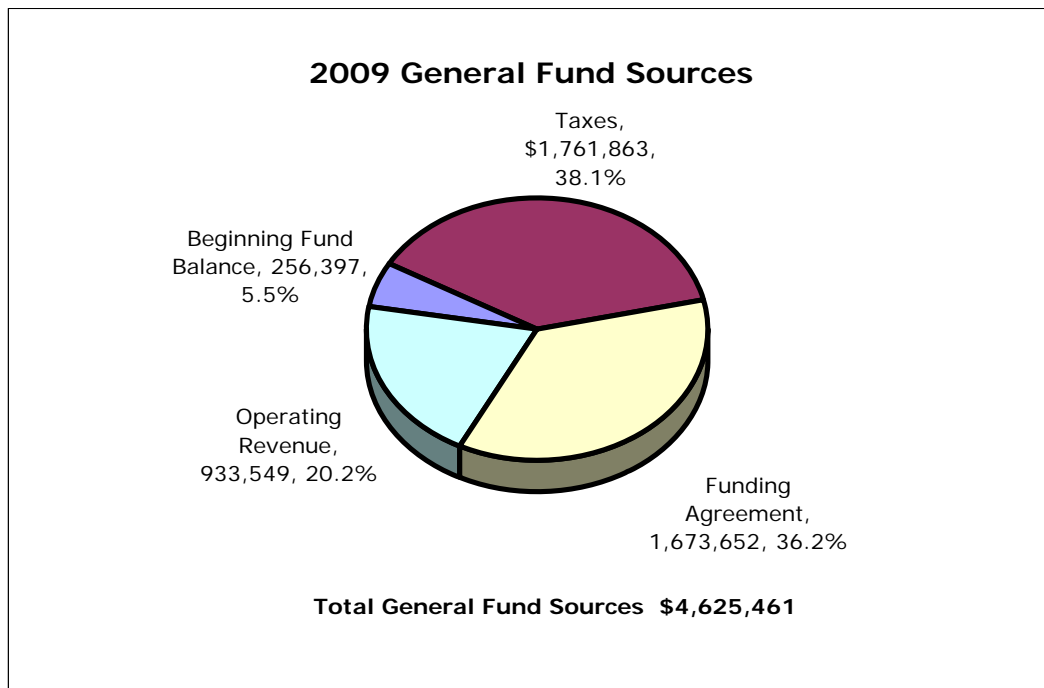
Miscellaneous revenue includes interest on investments and property and sales tax proceeds prior to their distribution. A decrease is projected in interest collected due to anticipated continued reduction in interest rates; also included is a sale of surplus equipment, which were the police boat and police cars.

	General Fund Sources					
	2007 Budget	2007 Actual	2008 Budget	2009 Proposed	Chg \$ 2008- 2009	Change %
Miscellaneous Revenue						
Sale of Surplus Equipment		4,206	21,000	15,000	(6,000)	-28.6%
Interest	61,000	65,508	42,500	36,500	(6,000)	-14.1%
Other Miscellaneous	500	10,621	1,600	2,250	650	40.6%
TOTAL MISCELLANEOUS REVENUE	61,500	80,335	65,100	53,750	(11,350)	-17.4%

The Budget for Funding Agreement of ongoing costs for 2009 is \$1,673,652, which is a slight decrease from 2008 due to budgeting for actual costs. This category also includes the various one-time costs of the furniture, equipment and move of City facilities as well as the many studies and deposits and Master Plan Development fees for Lawson and the Villages.

General Fund Sources						
	2007 Budget	2007 Actual	2008 Budget	2009 Proposed	Chg \$ 2008- 2009	Change %
Funding and Other Revenue						
Building Partner Funding Agreement						
Staff	600,000	576,113	1,336,834	1,308,652	(28,182)	-2.1%
Maintenance and Operations	90,000	90,000	180,000	180,000		
Legal	175,000	149,526	175,000	175,000		
Training and Miscellaneous				10,000	10,000	
Sub-Total Funding Agreement	865,000	815,639	1,691,834	1,673,652	(18,182)	-1.1%
Deposits and Studies	23,639	64,633	509,686	10,000	(499,686)	-98.0%
Facilities Furniture and Moves			341,552		(341,552)	-100.0%
Legal for SEPA			628,750	80,000	(548,750)	-87.3%
Large Development Review, Deposits	500,495	154,218				
Master Planned Development-Lawson				82,500	82,500	
Master Planned Development-The Villages				271,500	271,500	
Sub-Total one-time only Revenue	524,134	218,851	1,479,988	444,000	(1,035,988)	(3)
TOTAL FUNDING AND OTHER REVENUE	1,389,134	1,034,490	3,171,822	2,117,652	(1,054,170)	(3)

The chart below reflects the draft 2009 General Fund Revenue from page one plus the ongoing Funding Agreement revenue for staff, maintenance and operation and legal fees.



General Fund Expenditure Summary

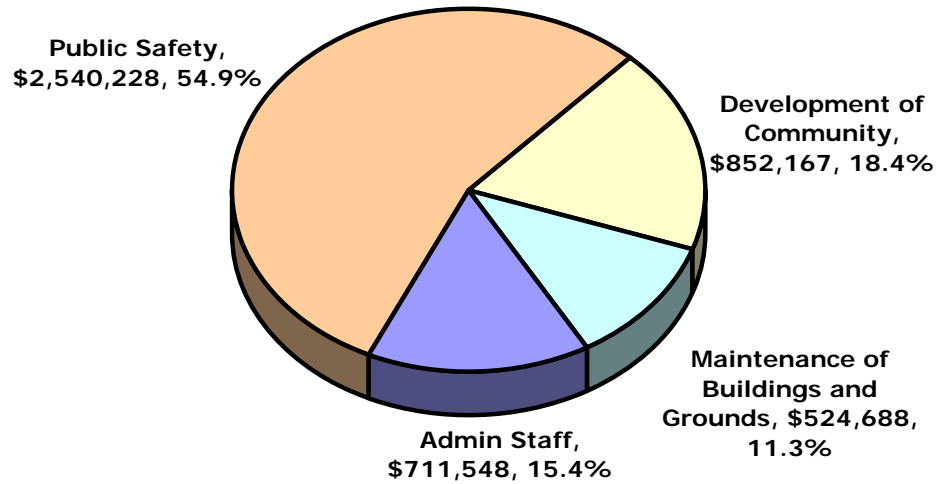
	2007 Budget	2007 Actuals	2008 Budget	2009 Proposed	Chg \$ 2008- 2009	Change %
<i>EXPENDITURES</i>						
<i>Public Safety</i>						
Legal	104,350	122,404	112,000	87,000	-25,000	-22.3%
Municipal Court	194,072	230,245	277,501	293,839	16,338	5.9%
Police Department	1,632,680	1,679,332	1,641,694	1,699,849	58,155	3.5%
Fire Department	631,000	631,630	432,629	459,540	26,911	6.2%
Total Public Safety	2,562,102	2,663,611	2,463,824	2,540,228	76,404	3.1%
<i>Maintenance of Buildings and Grounds</i>						
Information Services	0	0	143,411	149,314	5,903	4.1%
Facilities	39,004	23,171	87,284	99,166	11,882	13.6%
Parks	47,000	47,101	72,673	58,147	-14,526	-20.0%
Cemetery	20,761	17,883	17,320	17,659	339	2.0%
Central Services and Employee Rec	34,150	48,503	30,939	41,402	10,463	33.8%
Facilities M & O			180,000	159,000	-21,000	-11.7%
Total Maintenance of Buildings and Grounds	140,915	136,658	531,627	524,688	(6,939)	-1.3%
<i>Development of Community</i>						
Community Development	385,849	263,789	503,988	527,703	23,715	4.7%
Natural Resources	29,752	59,549	166,278	168,653	2,375	1.4%
Economic Development	55,250	33,638	139,458	155,811	16,353	11.7%
Total Development of Community	470,851	356,976	809,724	852,167	42,443	5.2%
<i>Administrative Staff</i>						
Executive Mayor	13,850	13,552	14,109	15,072	963	6.8%
Legislative Council	11,855	10,875	12,355	12,827	472	3.8%
Administration	96,622	122,369	321,195	298,530	-22,665	-7.1%
City Clerk	0	0	81,364	84,580	3,216	4.0%
Finance	217,319	172,971	254,605	300,539	45,934	18.0%
Total Administrative Staff	339,646	319,767	683,628	711,548	27,920	4.1%
Total Operating General Fund	3,513,514	3,477,012	4,488,803	4,628,631	139,828	3.1%
Studies and Deposits				440,830		
Total General Fund				5,069,461		

General Fund Net Operating Expenditures

	2009 Proposed	Less Funding Agreement	Net Expenses
<i>EXPENDITURES</i>			
<i>Public Safety</i>			
Legal	87,000		87,000
Municipal Court	293,839		293,839
Police Department	1,699,849		1,699,849
Fire Department	459,540		459,540
Total Public Safety	2,540,228		2,540,228
<i>Maintenance of Buildings and Grounds</i>			
Information Services	149,314	135,127	14,187
Facilities	99,166	98,622	544
Parks	58,147	11,312	46,835
Cemetery	17,659	2,829	14,830
Central Services and Emp Recognition	41,402		41,402
Facilities M & O	159,000	159,000	0
Total Maintenance of Buildings and Grounds	524,688	406,890	117,798
<i>Development of Community</i>			
Community Development	527,703	353,514	174,189
Natural Resources	168,653	132,609	36,044
Economic Development	155,811	148,524	7,287
Total Development of Community	852,167	634,647	217,520
<i>Administrative Staff</i>			
Executive Mayor	15,072		15,072
Legislative Council	12,827		12,827
Administration	298,530	200,772	97,758
City Clerk	84,580		84,580
Finance	300,539	251,343	49,196
Total Administrative Staff	711,548	452,115	259,433
Total Operating General Fund	4,628,631	1,493,652	3,134,979
Studies and Deposits	440,830		
Total General Fund	5,069,461		

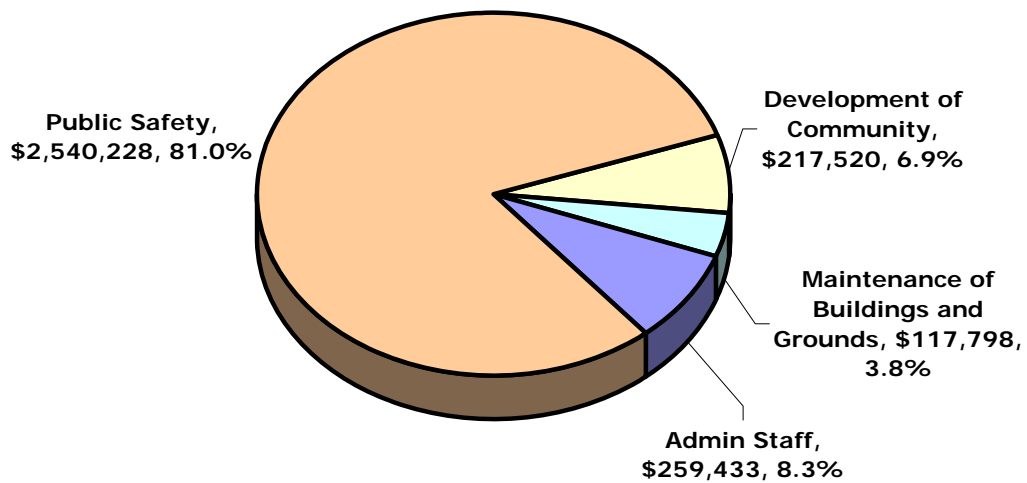
2009 General Fund Operating Expenditures

Total \$4,628,631



2009 General Fund NET Operating Expenditures

Total \$3,134,979





City of Black Diamond Proposed Budget 2009

Legislative Department

This section of the General Fund operating budget provides funding for the legislative branch of the City Government. The department consists of five Councilmembers who are elected to serve four-year terms at large, and represent all Black Diamond residents.

The City Council accomplishes City business during regular meetings and workstudies each month. Councilmembers also serve on Council Committees which meet on an as needed basis. Council duties include setting City policies, approval of the annual budget, authorizing inter-local agreements, contracts, ordinances and resolutions.

Four Councilmembers receive a stipend of \$160 per month, with the Mayor Pro Tem receiving \$200 per month. Additional training and travel budget has been added in 2009 for the City Council.

Legislative Department - City Council					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$11,105	\$10,875	\$11,105	\$10,977	-\$128
Telephone and Postage	150		150	150	0
Meals, Mileage and Lodging	250		350	600	250
Training and Memberships	250		650	1,000	350
Miscellaneous	100		100	100	0
Legislative Total	\$11,855	\$10,875	\$12,355	\$12,827	\$472



City of Black Diamond Proposed Budget 2009

Executive Department

This part of the General Fund holds the Mayor's departmental budget. The Mayor is the Chief Executive Officer of Black Diamond and is directly elected by popular vote by the citizens of Black Diamond for a four-year term. Mayoral duties include overseeing City administration, presiding over all meetings of the Council, signing and enforcing all ordinances, appointing and removing appointed officials, signing contracts entered into by the City, and representing the City in meetings and events held outside of Black Diamond.

The Mayor is paid a stipend of \$1,000 per month. Other costs associated with the Mayor include communications, travel, training and other miscellaneous expenses. The budget increased in 2009 in most of these areas to reflect actual costs under budgeted in 2007 and 2008.

Executive Department - Mayor					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$13,150	\$12,948	\$13,109	\$13,022	-\$87
Telephone and Postage		401	100	500	400
Meals, Mileage and Lodging	500	171	400	750	350
Training and Memberships	150		450	750	300
Miscellaneous	50	32	50	50	0
Executive Total	\$13,850	\$13,552	\$14,109	\$15,072	\$963



City of Black Diamond Proposed Budget 2009

City Administration

Administration is part of the General Fund operating budget and provides funding for the overall management of the City of Black Diamond. This budget holds salary and benefits for 80% of the City Administrator and 100% of the Assistant City Administrator. Additional expenses for training, office supplies, etc., for the Assistant City Administrator are in the City Clerk's budget.

In 2009 the City Administrator is allocated 20% to the utilities, 50% to the General Fund and 30% to the Yarrow Bay funding agreement. The Assistant position is 100% funded through the funding agreement. Additional funding of \$1,000 has been added for meals, mileage and lodging to provide travel for administration training, offset by reductions elsewhere. Because of the City Administrator allocation change, this budget decreased in 2009 by \$22,665.

Administration Department					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$74,322	\$108,394	\$303,995	\$284,083	-\$19,912
Office and Operating Supplies	750	2,748	3,650	650	-3,000
Professional Svcs	1,500	2,655	2,500	500	-2,000
Telephone and Postage	2,700	1,995	2,000	2,000	0
Meals, Mileage and Lodging	500	370	1,000	2,000	1,000
Training and Memberships	500	625	6,600	6,600	0
Miscellaneous	200	83	250	250	0
Insurance	1,150	1,124	1,200	2,447	1,247
Capital Outlay	15,000	4,340			0
Administration Total	\$96,622	\$122,334	\$321,195	\$298,530	-\$22,665



City of Black Diamond Proposed Budget 2009

City Clerk Department

The City Clerk Department is responsible for managing the City's official records, including retention, archival and destruction, and processing all requests for public records; oversight of Council meetings, including agenda development and transcribing the official minutes; providing legal notices to the public regarding City business; coordinating elections; maintaining personnel files, interpretation of personnel policies and procedures, supporting the recruiting process and also maintaining and developing the City's website.

In years prior to 2008, this department was combined with Finance in the form of a Clerk-Treasurer position. This department includes the Assistant City Administrator/City Clerk and the Deputy City Clerk. The Deputy City Clerk is allocated 70% to the General Fund and 30% to Public Works funds. This budget reflects only the General Fund salary and benefits for the Deputy City Clerk, with the Assistant City Administrator/City Clerk salary and benefits being budgeted in Administration. Also reflected in this budget are expenses for training, office supplies, and other expenditures for both positions.

Increases have been included in the election line item to adequately fund a special election in August for the Public Safety Levy. There is additional funding for training, memberships and lodging for both the Assistant City Administrator/City Clerk and Deputy to attend the Washington State Municipal Clerks Association Annual Conference and for memberships to the International Institute of Municipal Clerks (IIMC) and the Washington State Municipal Clerks Association (WMCA). In addition, an increase of \$1,500 is for a semi-annual update to the Municipal Code book, due to the numerous code amendments that will be adopted in preparation for moratorium exit.

City Clerk Department					
Item	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$0	\$0	\$62,014	\$59,004	-\$3,010
Voter Registration & Election Costs			5,000	10,200	5,200
Office and Operating Supplies			2,000	2,000	0
Professional Services			5,000	6,500	1,500
Telephone and Postage			1,200		-1,200
Meals, Mileage and Lodging			750	2,000	1,250
Training and Memberships			1,500	2,300	800
Miscellaneous (incl printing & advertising & repairs/maint)			3,200	2,200	-1,000
Insurance			700	376	-324
City Clerk Total	\$0	\$0	\$81,364	\$84,580	\$3,216



City of Black Diamond Proposed Budget 2009

Finance Department

The Finance Department is responsible for safeguarding the City's assets by insuring maximum utilization of revenues, providing financial support to City departments and recording and reporting accurate and timely financial information to the State, elected officials and to the citizens of Black Diamond.

This Department provides the services of financial planning and reporting, accounting, accounts receivable, accounts payable, utility billing, payroll processing, cost accounting, business licensing, utility tax collections, cash and investment management and debt service. Finance prepares the Annual Budget, the Comprehensive Annual Financial Report, Capital Improvement Program reports and monthly financial updates.

This department has a Finance Director and a Deputy Finance Director supported by the YarrowBay funding agreement and a part time (75%) Journey Accountant position. The ¾ time position is allocated 70% to the General Fund and 30% to Public Works funds. The Finance Department increased by one full time employee in 2008 which allowed for the transfer of the payroll function from the City Clerk's office to Finance. Project management for the YarrowBay funding agreement and Water Systems Facility Funding Agreement has become increasingly complex involving careful financial tracking, regular reconciliation and reporting.

Budget was added in 2009 for the State Auditor, not needed in 2008 as the City is on a two year schedule. The City contracted a sales tax analysis service; Tax Tools in 2008 previously unbudgeted. This service provides important information for the City's financial planning and economic development programs. Additional budget has been requested for training to attend workshops and conferences for the three positions. These classes are located in the Puget Sound area.

Finance Department					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$178,219	\$134,663	\$248,255	\$283,806	\$35,551
Office and Operating Supplies	2,800	3,324	1,000	2,500	1,500
Professional Svcs	1,200	17,310	1,000		-1,000
State Audit Fees	10,000	3,371		5,250	5,250
Tax Tool Services				1,200	1,200
Communications	3,000	2,570	1,200	300	-900
Meals, Mileage and Lodging	500	753	750	1,200	450
Advertising	3,300	1,420	100		-100
Insurance	1,350	1,333	700	2,383	1,683
Miscellaneous	250	111	200	300	100
Workshops and Training	1,200	465	900	3,600	2,700



City of Black Diamond Proposed Budget 2009

Finance Department, Cont.					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Repairs and Maint.-Ext.	1,000				0
Repairs and Maint. -Int.	500				0
Admin. Book Publishing	2,000	843			0
Printing and Binding	2,000		500		-500
Records Grant Exp.		182			0
Election Costs	10,000	5,257			0
Capital Outlay Finance/Comp.		1,368			0
Finance Total	\$217,319	\$172,971	\$254,605	\$300,539	\$45,934



City of Black Diamond Proposed Budget 2009

Information Services

The City of Black Diamond's Information Services Department is responsible for the procurement, administration and maintenance of the informational systems used by all of the City's departments. This department also provides on-line information for the public via the City website and databases.

Infrastructure upgrades were the emphasis in 2008 as the number of computers and servers were doubled to 50. Upgrades included telecommunications, network servers, printers, PCs and all interconnections. 2009 will be a year of expanding Information Services relating to City departments and the public.

This department has one full time regular employee funded through the YarrowBay funding agreement. Budget changes in 2009 include modest increases in repairs, training and allocated insurance offset by some reductions in professional services. Salary and benefits were adjusted to reflect cost of living adjustments.

Information Services Department					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$0	\$0	\$124,011	\$135,127	\$11,116
Office and Operating Supplies			500	250	-250
Small Tools & Minor Equip				1,000	1,000
Professional Svcs			10,000	2,000	-8,000
Professional Svcs. Web, Software, Misc.			5,000	5,000	0
Communications			500		-500
Lodging, Meals and Mileage			1,600	1,600	0
Insurance				1,087	1,087
Repairs and Maintenance				500	500
Miscellaneous			250		-250
Training and Memberships			1,400	2,750	1,350
Printing and Binding			150		-150
Information Services Total	\$0	\$0	\$143,411	\$149,314	\$5,903



City of Black Diamond Proposed Budget 2009

Legal Department

The Legal Department represents the office of the City Attorney. The City Attorney provides Black Diamond with representation on a myriad of issues, including but not limited to providing legal analysis on civil issues, property acquisitions, land use issues, comprehensive plan issues and personnel matters.

The workload of the City Attorney generally includes providing civil legal service, preparing and review of ordinances and other legal documents to which the City is a party, maintaining up-to-date legal research materials including pending and adopted state legislation with municipal impact. This department is currently contracted with Loren D. Combs, VSI Law Group.

The 2009 budget was held at the 2008 level of \$57,500 of this amount \$17,500 was allocated to the Street, Water, Wastewater and Stormwater Funds for legal services provided to these functions. This left a base Legal budget in the General Fund of \$40,000 for 2009. The Legal budget also includes \$39,000 for the Prosecuting Attorney and \$8,000 for legal service on franchise agreements as well as funds for employment matters.

Legal Department					
	2007	2007	2008	2009	Difference
Expense Type	Budgeted	Actual	Budgeted	Request	2008 - 2009
General Services	\$55,000	\$54,241	\$57,500	\$40,000	-\$17,500
Civil & Employment Svc	350	14,158	5,500	5,500	0
Prosecuting Attorney	39,000	47,071	39,000	39,000	0
Legal Other (contracts, etc.)	10,000	6,935	10,000	2,500	-7,500
Total Legal Department	\$104,350	\$122,404	\$112,000	\$87,000	-\$25,000



City of Black Diamond Proposed Budget 2009

Municipal Court

The Black Diamond Municipal Court is a court of limited jurisdiction, managing a caseload of approximately 1,500 to 2,400 cases each year. These cases involve infractions, misdemeanors and gross misdemeanors. Other matters such as felony cases are filed and disposed of in King County Superior Court.

Court is in session, and is open to the public the 2nd, 3rd and 4th Wednesday of each month. The Court office is open Monday through Friday from 8:30 a.m. to 5:00 p.m.

Budget for the Court includes a full time Court Administrator, one full time Court Clerk, and contracted services provided by a Judge, Prosecutor and Public Defender. Budget is also needed for security and other miscellaneous expenses such as interpreters, office supplies, and training and travel costs. Security and public defender budgets have been increased in 2009 to accommodate actual costs.

It is part of the plan in 2009 to advertise an amnesty program allowing old collection accounts to be settled directly to the Court. This will alleviate collection fees added to accounts that have not been paid within the last eight years.

Municipal Court					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$119,822	\$125,187	\$169,616	\$184,943	\$15,327
Office and Operating Supplies	4,000	4,277	4,000	5,000	1,000
Professional Svcs - Judge	33,000	52,690	45,000	45,000	0
Professional Svcs - Protem		1,770	2,400	2,000	-400
State Auditor	4,000	405			0
Court Interpreter		2,211	2,000	2,000	0
Court Conflict Counsel		500			0
Computer Tech Service		463			0
Court - Legal Service		280			0
Temp Help		960			0
Video Conferencing			14,000		-14,000
Telephone and Postage	3,000	3,478	6,300	6,500	200
Meals, Mileage and Lodging			800	800	0
Training and Memberships	1,500	2,279	3,500	3,500	0
Advertising		70	1,000		-1,000
Miscellaneous				500	500



City of Black Diamond Proposed Budget 2009

Municipal Court, Cont.					
Item	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Insurance	1,250	1,213	1,000	2,596	1,596
Jury Fees	1,500	898	1,500	1,500	0
Printing/Binding	3,000	2,531	4,000	5,000	1,000
Shredding Service		150	1,000	1,000	0
Brinks Security			1,000	500	-500
Capital Outlay	8,000	4,959	3,041		-3,041
Police Security/OT		7,821	7,344	18,000	10,656
Public Defender	15,000	18,103	10,000	15,000	5,000
Municipal Court Total	\$194,072	\$230,245	\$277,501	\$293,839	\$16,338



City of Black Diamond Proposed Budget 2009

Police Department

The City of Black Diamond's Police Department provides twenty four hour law enforcement services to the citizens of Black Diamond and its visitors. The department's responsibility is to provide assistance to the public and to gain their cooperation and compliance with established regulations, city ordinances, and Washington State laws. All dispatch services are contracted through Valley Communications. Core services include responding to calls for service, proactive patrol, special operations, traffic enforcement, marine services, records, evidence, crime prevention, narcotics and criminal investigations.

The Black Diamond Police Department employs 13.63 full time employees; a Chief, Commander, two Patrol Sergeants, eight Officers, a Police Records Coordinator and a part time Police Clerk. In addition to normal patrol duties and assignments, we currently provide extended marine patrol, teach traffic safety education classes, court security, home and business security checks, and numerous other community safety programs such as block watch, national night out and D.A.R.E.

The 2009 budget has incorporated a couple of changes that include a firearms program and jail funds. Historically, the Black Diamond Police Department never had a firearms program. This is one area that is critical that the City provide to ensure not only the safety of the officers, but the citizens and the City.

In 2009 the department will purchase three additional rifles. Historically, the Chief was the only administrator that carried a patrol rifle; however, every police officer should carry one. Most active shooter situations occur during the day, when administrators are going to be the first to respond. Some of these additional costs are off-set through the Capital Improvement Program.

The jail budget is extremely difficult to predict, however, based on current numbers 2009 costs have been estimated at \$40,000, an increase from the 2008 budget of \$32,841. We recently signed an agreement with Okanogan County for a daily rate of \$47, which we will use for long term commitments.

Training is also a very important part of the 2009 Police budget. The State requires a minimum of 24 hours per officer/per year. We also have state mandates on supervisors who have to complete certification processes. Dispatch fees through Valley Communications have increased approximately \$1.00 per call, which accounts for an increase in communications. The K-9 team has been extremely successful both on and off the street. They have had over 3,200 finds since they started in 2007 and recently seized \$3,000.

The K-9 Officer and dog play a huge role in educating the young. They often visit schools to give presentations on safety issues. This officer and dog team recently received the 'Civil Servant of the Year' award, which they are very deserving. The K-9 fund consists of overtime, training costs, association membership and care of the dog. This program has been self supporting. The program has received over four different grants from local businesses and rotary clubs around the area totaling over \$6,000 in 2008.



City of Black Diamond Proposed Budget 2009

Police Department Total Summary					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Police Marine (see below)	\$70,954	\$31,110	\$145,373	\$112,488	-\$32,885
Police Operating (see below)	1,472,985	1,526,998	1,277,519	1,413,988	136,469
Police Communications	17,000	74,483	83,500	108,573	25,073
Police Capital Projects	41,741	17,042	76,711	500	-76,211
Prisoners and Detention	22,000	28,988	33,091	40,000	6,909
Police Building Costs	8,000	710	25,500	24,300	-1,200
Law Enforcement Total	\$1,632,680	\$1,679,332	\$1,641,694	\$1,699,849	\$58,155

Police Marine

This part of the Police Department covers costs associated with patrolling Lake Sawyer. In an effort to provide the maximum amount of coverage to the lake residents, 2008 was the first year that all marine shifts were overtime shifts. The City provided 457 hours to marine patrol through summer and handled 125 marine details. Other than overtime, expenditures in this category should remain relatively consistent with years past. Costs in this area include operating supplies (buoys, rope, vests etc), fuel, small equipment, meals and mileage (associated w/marine training with 3 new officers to train), advertising, repairs and maintenance. It is important to note that we are one of only three cities in King County that receive grant monies from the Washington State Parks Office.

Police Department - Police Marine					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$44,817	\$25,735	\$88,912	\$102,223	\$13,311
Operating Supplies	1,500	548	800	300	-500
Fuel	350	2,130	350	4,080	3,730
Marine Small Equipment	200		200	2,260	2,060
Lodging, Meals and Mileage	500	892	1,000	1,725	725
Marine Advertising				400	400
Repairs and Maintenance	650	1,163	800	1,200	400
Training	442	240	200	300	100
Boat Vessel Exp.	22,495				0
Boat Launch Improvements		403			0
Police Marine, Boat			53,111		-53,111
Police Marine Total	\$70,954	\$31,110	\$145,373	\$112,488	\$20,226



City of Black Diamond Proposed Budget 2009

Law Enforcement- Police General Operating Expenses					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$1,237,210	\$1,311,368	\$1,126,579	\$1,264,146	\$137,567
Overtime	20,000	52,822	30,000	12,000	-18,000
Uniforms	6,700	13,390	7,000	9,000	2,000
Operating Supplies	4,000	11,652	8,000	13,959	5,959
Fuel	28,000	32,528	30,000	51,000	21,000
Fuel Marine-Alloc.		-1,959			0
Firearms Program	2,000	5,891	15,840	5,000	-10,840
Traffic Safety Equip.-Radar & FS		196	2,500		-2,500
2006-WASPC Traffic Safety Eq.	1,645				0
Professional Services	65,000	33,580	9,500	6,000	-3,500
State Examiner- Audit Fees	1,000	2,023			0
Civil Service Testing Costs	5,000			600	600
Officer Contracts	20,000				0
Firearms Outside Overtime			5,000		-5,000
Civil Service Testing Fees			8,000		-8,000
Lodging, Meals and Mileage	2,500	1,044	2,500	4,000	1,500
Advertising			300	400	100
Lease Payments	46,380				0
Insurance	20,500	18,130	19,600	23,783	4,183
Repairs and Maint.-Auto	8,000	25,053	8,000	10,000	2,000
Repairs and Maint.-Radios		4,403			0
Repairs and Maint.-Copier				300	300
Miscellaneous	2,250	10,357	500	1,000	500
Training and Memberships	2,300	3,722	3,700	11,800	8,100
Printing	500	2,797	500	1,000	500
Police Total Operating Expenses	\$1,472,985	\$1,526,997	\$1,277,519	\$1,413,988	\$136,469



City of Black Diamond Proposed Budget 2009

Fire Department

The City of Black Diamond contracts with Mountain View/Black Diamond Fire Department, King County Fire District No. 44, for fire services. The department's responsibilities include providing staff 24 hours a day, seven days a week in Black Diamond and providing rescue, firefighting, fire prevention, emergency medical services, disaster services and public education activities to citizens.

In past years Black Diamond provided fire service for Fire District 17 (in Lake Sawyer area). In the spring of 2008 Fire District 17 citizens voted to join Fire District 44 effective January 1, 2009. This reduced both revenue and expenditure in the 2009 Budget.

The Fire Department budget covers the contract with Fire District 44 less approximately \$200,000 that covered Fire District 17 costs in 2008. The contract increases annually by an agreed upon COLA, currently proposed at June Consumer Priced Index-West (CPI-W). Black Diamond also has a contract with Fire District 44 to provide Fire Investigation Services. The net effect is an increase of 6.2% in 2009.

Expense Type	Fire Department				
	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Fire contract	\$608,400	\$606,506	\$631,373	\$457,540	-\$173,833
Fire Marshal		1,753	1,800	2,000	200
Insurance	22,600	22,525			0
Miscellaneous		846			0
Total Fire Department	\$631,000	\$631,630	\$633,173	\$459,540	-\$173,633



City of Black Diamond Proposed Budget 2009

Community Development Department

The Community Development section of the operating budget provides funding for the City's long-range planning and land use and building permitting functions. The Department also provides staffing to the City Planning Commission and performs code enforcement activities to address nuisances, code violations, and other issues. This section currently includes four full time employees; a Director, City Planner, Permit Supervisor and Permit Technician, and one contract employee serving as the Building Official/Code Enforcement Officer.

Currently, all salaries and benefits are being paid by the funding agreement with YarrowBay, except for building plan review and inspection services, funded through application fees, and 100% of the City Planner position which is paid out of the General Fund. Code enforcement activities of approximately two days per week are funded through the YarrowBay funding agreement. The remainder of expenses such as training, memberships, office supplies, and allocated costs are General Fund expenditures.

The Department grew in 2008 with the filling of the Permit Supervisor and Director's positions in March and April, respectively. In addition, an existing employee was promoted to the position of Permit Technician, which also resulted in increased salary and benefit costs. Since the Building Official position is a contract position and the amount of time spent in building plan review and permit inspection activities varies with construction activity, those costs tend to vary from year to year. Once the development moratorium has been lifted, a permanent Building Official position may be necessary by 2010.

The Department's budget includes funding for the Hearing Examiner, estimated to be approximately \$25,000 in 2009. These will all be pass-through funds, as the adopted fee schedule provides for full cost recuperation.

Other new or increased General Fund expenditures include:

- \$6,500 for the annual maintenance contract for the recently purchased permitting software
- Funding to allow for the purchase of public notice boards for use in land use actions (the cost of these will be charged to applicants)
- Increased budget for advertising notice of land use actions (this is consistent with Council's direction as part of its review of the new Zoning Code)
- Funds to cover the expense of printing copies of the new Comprehensive Plan, Zoning Code and Design Standards (copies for Council, Commission, staff and for sale to the public)
- Funding for Planning Commissioners' membership in the American Planning Association
- Increases in professional development for memberships, training, conferences (reflective of larger staff)



City of Black Diamond Proposed Budget 2009

Community Development Summary					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
CD Administration			\$117,492	\$137,370	\$19,878
CD Planning			94,942	102,626	7,684
CD Permitting	\$174,445	\$109,127	235,554	236,457	903
Code Enforcement			50,000	25,600	-24,400
Hearing Examiner			6,000	25,000	19,000
Planning Commission				650	650
Comm. Development Total	\$174,445	\$109,127	\$503,988	\$527,703	\$23,715

Community Development - Administration					
Expense type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$0	\$0	\$114,032	\$131,904	\$17,872
Operating Supplies, Books and Periodicals			1,250	1,250	0
Fuel			200	600	400
Professional Services			0	2,000	2,000
Telephone and Postage			500	0	-500
Meals, Mileage and Lodging			250	250	0
Training and Memberships			700	450	-250
Miscellaneous			100	100	0
Insurance & Pass-Thru			460	816	356
Administration Total	\$0	\$0	\$117,492	\$137,370	\$19,878



City of Black Diamond Proposed Budget 2009

Community Development - Planning					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$89,345	\$47,682	\$85,682	\$89,227	\$3,545
Operating Supplies, Books and Periodicals	1,350	4,217	1,250	2,530	1,280
Fuel	250		200		-200
Advertising	1,500	761	500	600	100
Professional Services	15,000	13,777	4,500	2,000	-2,500
Telephone and Postage	15,000	2,048	500	1,200	700
Meals, Mileage and Lodging	250	0	750	1,200	450
Training and Memberships	500	549	1,000	2,825	1,825
Miscellaneous	500	0	100		-100
Printing				2,500	2,500
Insurance & Pass-Thru	3,050	820	460	544	84
Planning Total	\$126,745	\$69,854	\$94,942	\$102,626	\$7,684

Community Development - Permitting					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$139,045	\$43,478	\$162,594	\$178,810	\$16,216
Operating Supplies and Periodicals	800	3,446		2,700	2,700
Fuel					0
Permit Software Maintenance		538		6,500	6,500
Inspections & Plan Check	30,000	52,711	72,000	40,000	-32,000
Communication - Public Notice		249		2,400	2,400
Advertising				2,400	2,400
Meals, Mileage and Lodging	1,250	28	250	1,000	750
Repairs and Maintenance		2,476			
Training and Memberships	1,900	170	250	1,080	830
Miscellaneous		21			0
Insurance & Pass-Thru	1,450	6,010	460	1,567	1,107
Permitting Total	\$174,445	\$109,127	\$235,554	\$236,457	\$903



City of Black Diamond Proposed Budget 2009

Natural Resources Department

The City of Black Diamond's Natural Resources Department manages the purchase, restoration and maintenance of the City's natural resources and providing guidance in balancing the protection of the environment and a strong, vibrant economy. Inherent to the Natural Resources Department is significant overlap with the City of Black Diamond's Parks, Recreation and Open Space Program. The Natural Resources Department has and will continue to provide back-up in the development of the City's Comprehensive Parks, Recreation and Open Space Plan as components to this program fall under the responsibilities of this Department.

Natural Resource Department responsibilities involve management of the City's Transfer of Development Rights (TDR's) Program and to help ensure the quality of life that residents of Black Diamond have come to expect. Environmental sensitivity is also part of the City's vision for the future. The Natural Resources Director is the single full time employee in this department, and is supported by the funding agreement with YarrowBay.

No significant increases or decreases are proposed for the Natural Resources Department. A small amount will be allocated towards the development of the City's Invasive Species Removal Program, none of which will be utilized for staff, but as seed money for other grant opportunities to make a dent in this city-wide problem, with impacts to both public and private land ownership.

Natural Resources Department					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits			\$121,168	\$132,609	\$11,441
Office Supplies				500	500
Plotter Supplies			500	1,500	1,000
PSE/School Recycle	\$500	\$499			0
In Concert w/Enviro. Education			500	500	0
Professional Services			750		-750
Communications			500		-500
Lodging, Meals and Mileage			1,200	1,285	85
Insurance			460	1,087	627
Maintenance and Repair-Plotter				2,800	2,800
Miscellaneous			250		-250
Training and Memberships			1,450	1,450	0
Printing and Binding			500	500	0
Stewardship/Water Quality	5,215	5,553	5,300		-5,300
K/C Wtr. Qual-Lk. Sawyer		5,971			0



City of Black Diamond Proposed Budget 2009

Natural Resources Department, Cont.					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
WIRA 9 Membership	3,700	4,066	3,700	3,735	35
PS Clean Air Assmt.	1,900	1,824	2,000	2,187	187
Env. Prot. Rev- MKT Gravel Op		24,200	10,000		-10,000
Recycling Program Grant	18,437	17,436	18,000	18,000	0
Invasive Plant Removal				2,500	2,500
Natural Resources Total	\$29,752	\$59,549	\$166,278	\$168,653	\$2,375



City of Black Diamond Proposed Budget 2009

Economic Development Department

The City of Black Diamond's Economic Development Department provides a bridge between private and public sectors to assist with the economic growth of the community in areas of job creation and retention through recruitment and expansion of businesses and developments.

Economic Development Department responsibilities involve implementing strategies that will aid in business attraction. The goal is to increase the job base while maintaining the current jobs in Black Diamond, and to develop and maintain economic development related data and databases necessary for business recruitment.

Economic Development also has the primary responsibility to develop and enhance partnerships with agencies, utilities, transportation, and other economic development allies. This department also manages land acquisitions and project planning for City owned development projects.

The Economic Development Director is the single full time employee in this department and is supported by the YarrowBay funding agreement.

Economic Development Department					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$55,250	\$32,116	\$132,248	\$144,524	\$12,276
Office and Operating Supplies		88	1,000	1,350	350
Professional Svcs			2,000	2,000	0
Telephone and Postage		223	500	1,000	500
Meals, Mileage and Lodging		477	1,350	2,000	650
Training and Memberships		735	1,450	3,450	2,000
Miscellaneous			450	400	-50
Insurance			460	1,087	627
Economic Development Total	\$55,250	\$33,639	\$139,458	\$155,811	\$16,353



City of Black Diamond Proposed Budget 2009

Capital Facilities Department

The City of Black Diamond's Capital Facilities Department is responsible for the long term planning of the City's building and equipment needs and to handle the daily needs of all departments in repair, replacement and installation of fixtures, furniture and equipment.

The Capital Facilities Department has one full time regular employee supported by the YarrowBay funding agreement. New items requested for this department include a uniform allowance and additional tools and budget for equipment rental. Some training has been added so that the department is current on best practices in repair, planning and maintenance.

Capital Facilities Department					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$0	\$0	\$87,284	\$93,822	\$6,538
Uniforms				200	200
Fuel				2,400	2,400
Small Tools and Equipment				500	500
Insurance				544	544
Rentals				1,200	1,200
Training				500	500
Capital Facilities Total	\$0	\$0	\$87,284	\$99,166	\$11,882



City of Black Diamond Proposed Budget 2009

Parks and Recreation Department

The City of Black Diamond's Park Department provides maintenance of the three active parks including the Eagle Creek Park that provides a basketball court and benches, a BMX track, a boat launch facility on Lake Sawyer and the downtown park that provides tennis courts, picnicking, and a skate board facility. In addition to the active parks the City has two passive parks including the Union Stump historical marker and the Coal Car Triangle historical marker. The City also has a 168 acre undeveloped park at the south end of Lake Sawyer. The Parks Department has 35.2% of a full time employee dedicated to the maintenance of the City parks and supported by the General Fund. In total the City has 173.5 acres of park property.

Parks and Recreation					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$10,594	\$11,475	\$45,273	\$36,231	-\$9,042
Historical Electric	\$3,000	\$3,986	3,200	5,000	1,800
Portable Restroom Facility	1,350	1,262	2,500	2,500	0
Operating Supplies	1,500	1,905	2,500	2,500	0
Park Signage			500	450	-50
50th Anniversary Supplies			2,000		-2,000
Fuel				1,000	1,000
Professional Services	1,000	1,395	1,000	1,000	0
Prof. Svs.-50th Anniversary			3,000		-3,000
Communications				600	600
Rental of Equipment				600	600
Insurance Allocation	4,000	5,283	5,600	5,266	-334
Utilities		118	100	1,000	900
Repairs and Maintenance Ext.	350	951	1,000		-1,000
Repairs and Maintenance Int.	500	186	1,000	1,000	0
Miscellaneous	1,706	591		500	500
Park Improvements	23,000	19,948	3,500		-3,500
Parks Equipment			1,500	500	-1,000
Parks and Recreation Total	\$47,000	\$47,100	\$72,673	\$58,147	-\$14,526



City of Black Diamond Proposed Budget 2009

Cemetery Department

The City of Black Diamond's Cemetery Department provides operations and maintenance of the cemetery. This involves coordinating burials, sale of cemetery plots, providing physical burial services and maintaining the cemetery grounds. The burial fees cover the costs associated with the burial.

The Cemetery Department has 18.8% of a full time employee dedicated to the cemetery functions. The cemetery is supported by the General Fund. The City mows and trims the cemetery once a week during the heavy grass growing months and once every two weeks for the drier months during the growing season.

Cemetery					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Salaries and Benefits	\$13,901	\$14,587	\$13,100	\$14,121	\$1,021
Operating Supplies	500	114	500	500	0
Vaults and Liners	3,400	330	500	500	0
Fuel	500	\$490	350	500	150
Insurance	1,600	1,569	1,700	838	-862
Repairs and Maintenance Ext.	500	52	500	500	0
Repairs and Maintenance Int.	250	76	500	500	0
Miscellaneous	50	11	50		-50
Cemetery Sales Excise Tax	\$60	\$148	\$120	\$200	\$80
Cemetery Improvements		\$537			
Cemetery Total	\$20,761	\$17,913	\$17,320	\$17,659	\$339



City of Black Diamond Proposed Budget 2009

Central Services and Employee Benefits

Central Services and Employee Benefits budget captures shared costs for various departments, including office and operating supplies, copier costs, postage, utilities, custodial services and building insurance.

Costs that benefit a variety of departments are paid from Central Services and then allocated through cost allocations. Employee Benefit budget includes employee and elected official recognition, awards and an annual banquet.

Central Services and Employee Benefits					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Central Services					
Office and Operating Supplies	4,000	5,124	250	4,500	4,250
Communications (Tele/Post)		3,362		7,320	7,320
Utilities	8,000	11,217		1,300	1,300
Copier Maintenance	2,200	2,283		4,000	4,000
Prof Services	\$10,000	\$12,003	\$15,000	\$4,500	-10,500
Custodian	\$5,700	\$7,200			0
Insurance			\$4,500	\$6,332	1,832
Miscellaneous, Printing & Memberships	\$1,250	\$3,081	\$8,189	\$8,450	261
Employee Benefits					
Recognition and Awards	\$500	\$4,233	\$500	\$3,500	\$3,000
Travel and Training - Retreat	2,500		2,500	1,500	-1,000
Central Svcs and Emp Ben. Total	\$34,150	\$48,503	\$30,939	\$41,402	\$10,463



City of Black Diamond Proposed Budget 2009

Funding Agreement, Studies, Deposits and Interfund Transfers

This area of the General Fund budget includes one time only cost, transfers, deposits, studies, maintenance and legal costs and the Funding Agreement.

The 2009 budget includes \$80,000 for legal service for SEPA, as well as professional service and legal for the Lawson and Village Master Plan Development. Also included for 2009 is legal service of \$175,000 for the YarrowBay funding agreement and the allowed funding agreement allocations for facility leases and costs.

Interfund Transfers, Studies, Deposits and Funding					
Expense Type	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008 - 2009
Professional Services	\$11,700	\$4,313			\$0
Capital Outlay		13,434	25,000		-\$25,000
Transfers	37,961	27,332	29,000		-\$29,000
Studies & SEPA	281,590	131,427	751,230	80,000	-\$671,230
Deposits	200,000	153,165	10,000		-\$10,000
Master Plan Development				185,830	\$185,830
Funding Agreement (Legal and Maintenance)	424,074	243,560	819,224	334,000	-\$485,224
Total Misc, Funding, Etc.	\$955,325	\$573,231	\$1,634,454	\$599,830	-\$1,034,624



City of Black Diamond Proposed Budget 2009

Fire Equipment Reserve Fund 002

The Fire Equipment Reserve Fund was established when Black Diamond had a Fire Department. Black Diamond currently contracts with Fire District 44 for fire service. Under that contract Fire District 44 is responsible for equipment replacement. Black Diamond is however responsible for engines, one aid car, one brush truck and two support vehicles. This reserve fund can be used to offset future fire vehicle replacements.

Fire Equipment Reserve Fund 002 - Revenue					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
REVENUE					
Investment Interest		\$1,003		1,000	1,000
Subtotal Revenue	\$0	\$1,003	\$0	\$1,000	\$1,000
Beginning Cash and Investments		\$53,512		\$55,843	
Total Fire Equipment Fund Revenue	\$0	\$54,515	\$0	\$56,843	\$1,000

Fire Equipment Reserve Fund 002 - Expenditures					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
EXPENSES					
Ending Cash and Investments Unreserved		54,515		56,843	56,843
Ending Cash and Investments Reserved					0
Total Fire Equipment Fund Expenses	\$0	\$54,515	\$0	\$56,843	\$56,843



City of Black Diamond Proposed Budget 2009

Street Department

The Street Department is responsible for maintaining and upgrading public streets and sidewalks, street lighting, traffic control signs, signals and pavement markings to provide the public with a convenient and safe street system in Black Diamond.

Street Fund Revenue

Revenue has been projected down slightly in 2009 to \$23.41 per capita of 4,155 citizens, due to high gasoline prices and consequential downward effect on miles driven. A decrease in interest collected on investments is also forecast for 2009. The funding reimbursement is less due to allocation of staff to the Stormwater utility.

Street Department - Operating Revenue					
	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008-2009
Operating Revenue					
Street Gas Tax	\$101,921	\$98,981	\$104,318	\$101,424	-\$2,894
Licenses and Permits	8,500	6,875	8,500	4,000	-4,500
Total Street Operating Revenue	\$110,421	\$105,856	\$112,818	\$105,424	-\$7,394

Street Department - Other Revenue					
	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008-2009
Other Street Revenue					
Interest	\$9,400	\$19,331	\$15,000	\$9,000	-\$6,000
Grants	37,550	37,550			
Funding Reimbursement			35,874	21,211	-14,663
Beginning Cash and Investments		544,968		450,000	450,000
Subtotal Other Street Sources	46,950	601,849	50,874	480,211	429,337
Total Street Fund Sources	\$157,371	\$707,705	\$163,692	\$585,635	\$421,943



City of Black Diamond Proposed Budget 2009

Street Operating Expenses

No increase in level of service is proposed. The Street Department accounts for about 15% of the Public Works staff costs. The distribution of uniforms, supplies, fuel and training and central service allocations were redistributed for a more equitable share of costs between the Street Department and utility funds.

Street Department - Operating Expenses					
	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008-2009
EXPENSES					
Operating Expenses					
Salary and Benefits	\$61,589	\$60,558	\$74,782	\$75,324	\$542
Uniforms and Office Supplies	750	433	750	300	-450
Operating Supplies	4,550	5,174	12,000	8,500	-3,500
Fuel	2,500	3,209	2,500	4,000	1,500
Street Lighting	27,000	23,769	24,500	24,500	0
Street Signs	1,000	1,100	1,000	2,000	1,000
Street Striping	4,500	3,252	4,500	4,500	0
Traffic Signal Maintenance	2,500	2,554	3,500	3,500	0
Repairs and Maintenance	5,750	3,431	3,500	4,500	1,000
Professional Services	17,777	3,922	8,500	6,880	-1,620
FEMA Reimb	19,505	19,505			0
Utilities	650	1,073	2,600	3,750	1,150
Miscellaneous, Training, Meals	500	295	2,000	1,700	-300
Insurance	1,300	2,257	1,600	2,664	1,064
Central Service Allocation				6,275	6,275
Total Street Operating Expenses	\$149,871	\$130,532	\$141,732	\$148,393	\$6,661

Street Other Expenses

These funds are proposed to be transferred to the Equipment Reserve Fund and to street capital projects.

Street Department - Other Expenses					
	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008-2009
Other Expenses					
Transfer to Capital Street Preser.				\$30,000	\$30,000
Transfer to Street Equip Cap Res.	\$7,500	\$7,500	\$7,500	10,000	2,500
Transfer to TIB Grant Matching	107,500		107,500		-107,500
Ending Cash and Investments		569,673		397,242	
Subtotal Other Uses	115,000	577,173	115,000	437,242	-75,000
Total Street Fund Uses	\$264,871	\$707,705	\$256,732	\$585,635	-\$68,339



City of Black Diamond Proposed Budget 2009

Street Equipment Reserve Fund 102

The Street Equipment Reserve Fund was established to collect funds from Street, Water, Wastewater and Stormwater for future shared equipment replacement. Some examples are vehicles and slope mower replacements.

Street Equipment Reserve Fund 102 - Revenue					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
REVENUE					
Transfer In - Water Capital		\$38,750	\$7,500	\$10,000	\$2,500
Transfer In - Wastewater Capital		38,750	7,500	10,000	2,500
Transfer In - Stormwater Capital				10,000	10,000
Transfer In - Street Fund		7,500	7,500	10,000	2,500
Investment Interest		492		2,500	2,500
Subtotal Revenue	0	85,492	22,500	42,500	20,000
Beginning Cash and Investments		12,637		122,000	
Total Street Equipment Fund Revenue	\$0	\$98,129	\$22,500	\$164,500	\$20,000

Street Equipment Reserve Fund 102 - Expenditures					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
EXPENSES					
Ending Cash and Investments Unreserved		\$98,129	\$22,500	\$164,500	\$142,000
Ending Cash and Investments Reserved					
Total Street Equipment Fund Expenses	\$0	\$98,129	\$22,500	\$164,500	\$142,000



City of Black Diamond Proposed Budget 2009

Real Estate Excise Tax 1 (REET 1) - 104 Fund

The Real Estate Excise Tax is authorized by RCW 8245.010 and can be used for capital projects. Cities must use these funds as long as they are identified in a capital improvement plan.

Specifically, one quarter percent of the real estate excise tax is collected then transferred to Fund 310 to be used for general government capital projects. These projects were adopted November 6, 2008 in a 2008 – 2013 Capital Improvement Plan.

Real Estate Excise Tax 1 (REET 1) Fund 104 - Revenue					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
REVENUE					
Real Estate Excise Tax 1	\$80,600	\$111,744	\$80,000	\$50,000	-\$30,000
Investment Interest	\$12,000	\$35,229	32,000	13,872	-18,128
Subtotal Revenue	\$92,600	\$146,973	\$112,000	\$63,872	-\$48,128
Beginning Cash and Investments	\$56,850	\$842,406	\$988,292	\$924,792	
Total REET 1 Revenue	\$149,450	\$989,379	\$1,100,292	\$988,664	-\$48,128

Real Estate Excise Tax 1 (REET 1) Fund 104 - Expenditures					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
EXPENSES					
Transfer out to General Govt Capital Fund 310	\$56,850	\$1,088		\$468,200	\$468,200
Ending Cash and Investments Unreserved	92,600	988,291	1,100,292	270,464	-829,828
Ending Cash and Investments Reserved				250,000	250,000
Total REET 1 Operating Expenses	\$149,450	\$989,379	\$1,100,292	\$988,664	-\$111,628



City of Black Diamond Proposed Budget 2009

Real Estate Excise Tax 2 (REET 2) - 105 Fund

The Real Estate Excise Tax is authorized by RCW 8245.010 and can be used for capital projects. This part of the real estate excise tax may only be levied by cities that plan under the Growth Management Act.

Specifically, one quarter percent of the real estate excise tax is to be used for public works projects for planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvement of streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, bridges, domestic water systems, storm and sanitary sewer systems, planning, construction, reconstruction, repair, rehabilitation, or improvement of parks. REET 2 monies in Black Diamond are transferred to Fund 320 for Street and Public Works capital projects.

Real Estate Excise Tax 2 (REET 2) Fund 105 - Revenue					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
REVENUE					
Real Estate Excise Tax 2	\$80,600	\$111,744	\$80,000	\$50,000	-\$30,000
Investment Interest	\$12,200	\$35,491	35,000	16,344	-18,656
Subtotal Revenue	\$92,800	\$147,235	\$115,000	\$66,344	-\$48,656
Beginning Cash and Investments		\$867,630	\$1,014,596	\$1,089,595	
Total REET 2 Revenue	\$92,800	\$1,014,865	\$1,129,596	\$1,155,939	-\$48,656

Real Estate Excise Tax 2 (REET 2) Fund 105 - Expenditures					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
EXPENSES					
Transfer out to Street Capital Fund 320		\$270		\$662,057	\$662,057
Ending Cash and Investments Unreserved	82,150	1,014,595	1,129,596	243,882	-885,714
Ending Cash and Investments Reserved				250,000	250,000
Total REET 2 Operating Expenses	\$82,150	\$1,014,865	\$1,129,596	\$1,155,939	\$26,343



City of Black Diamond Proposed Budget 2009

Criminal Justice Fund

The Criminal Justice Fund was established to account for the financial resources to be used for programs relating to Criminal Justice activity. Financial resources primarily come from the State through RCW 82.14.330 that is based on per capita data and the crime rates. Monies are to be used for Criminal Justice activities through innovative law enforcement programs.

Criminal Justice revenue includes criminal justice tax money, state shared revenue (former Community Trade and Economic Development or CTED funds), criminal justice population revenue, revenue from the sale of seized property from non-drug felony cases and small grants. These monies are determined by the State each year. The Criminal Justice Fund primarily supports one full time officer assigned to Criminal Justice. Additional funds are used for special training, the Police K9 (dog) program, our policy and procedure manual, training and some communication costs.

Criminal Justice - Revenue					
	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008-2009
Revenue					
Beginning Cash and Investments		\$47,055	\$17,000	\$20,000	\$3,000
Local Criminal Justice Funds	\$89,870	100,315	101,000	103,000	2,000
Criminal Justice Population	1,000	1,944	1,000	1,000	0
Special Programs	3,104	3,147	3,200	3,800	600
Grants and Donations	1,000	100	100	250	150
Confiscated and Forfeited		2,562	2,000	1,500	-500
Interest	1,950	3,527	1,118	1,000	-118
Criminal Justice Operating Sources	\$96,924	\$158,650	\$125,418	\$130,550	\$5,132

Criminal Justice - Expenses					
	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008-2009
Expenditures					
Salaries and Benefits	\$58,053		\$78,105	\$102,223	\$24,118
Operating Supplies	500	\$580	1,750	1,000	-750
Investigations	6,500	3,263	1,773		-1,773
Communications	8,000	7,662	8,000	3,300	-4,700
Lodging, Meals, Mileage	500		500		-500
Training & Training Bldg Rent	5,000	8,186	5,000	9,434	4,434
K9 Program	1,500		1,000	3,507	2,507
Capital Outlay (includes vehicles)		65,172	21,340		-21,340
Lexipol			7,950	5,950	-2,000
Insurance				815	815
Ending Cash and Investments		73,787		4,321	
Total Criminal Justice Uses	\$80,053	\$158,650	\$125,418	\$130,550	\$811



City of Black Diamond Proposed Budget 2009

General Government Capital Fund 310

Black Diamond adopted the first 2008 – 2013 Capital Improvement Plan November 6, 2008. The 2008 and 2009 projects that were approved as part of the General Government portion of the plan are listed here with the source of funding.

General Government Capital Fund 310 - Revenue					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
REVENUE					
Real Estate Excise Tax Transfer In			\$138,500	\$468,200	\$329,700
Investment Interest					0
Grants	167,150	167,150	50,000	55,000	5,000
Police Records Loan			212,003		-212,003
Private Contribution	50,000				0
Miscellaneous Revenue			38,350		-38,350
Subtotal Revenue	\$217,150	\$167,150	\$438,853	\$523,200	\$84,347
Beginning Cash and Investments					
Total Government Capital Sources	\$217,150	\$167,150	\$438,853	\$523,200	\$84,347

General Government Capital Fund 310 - Expenses					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
EXPENSES					
Metal Building Upgrades			\$30,000	\$20,000	-\$10,000
City Hall and Court Remodel			60,000	70,000	10,000
City Technology Upgrades			3,500	15,000	11,500
Police Technology Upgrades			45,000	56,000	11,000
Patrol Car Replacement Program				80,000	80,000
Police Firearms Equipment				30,000	30,000
Police Records System			212,003	49,000	-163,003
Skate Park Improvements				25,000	25,000
Union Stump Memorial Park Improvements				15,000	15,000
Grant Matching Funds				50,000	50,000
Trail System Development			9,350	20,000	10,650
BMX Park Course				20,000	20,000
Park and Cemetery Mowers and Equipment				8,200	8,200
Eagle Creek Park Improvements				25,000	25,000
Lake Sawyer Boat Launch Improvements				40,000	40,000
Past Projects	217,150	167,150	79,000		-79,000
Total Government Capital Uses	\$217,150	\$167,150	\$438,853	\$523,200	\$84,347



City of Black Diamond Proposed Budget 2009

Street Capital Projects Fund 320

Black Diamond adopted the first 2008 – 2013 Capital Improvement Plan November 6, 2008. The 2008 and 2009 projects that were approved as part of the Street Capital part of the plan are listed here with the source of funding.

Streets Capital Fund 320 - Revenue					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
REVENUE					
Real Estate Excise Tax Transfer In				\$662,057	\$662,057
Investment Interest					0
Grants	967,943	271	190,000	1,202,943	1,012,943
Street Fund Transfer In	107,500		40,000	30,000	-10,000
Subtotal Revenue	\$1,075,443	\$271	\$230,000	\$1,895,000	\$1,665,000
Beginning Cash and Investments					
Total Street Capital Sources	\$1,075,443	\$271	\$230,000	\$1,895,000	\$1,665,000

Streets Capital Fund 320 - Expenses					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
EXPENSES					
Street Maintenance - Chip, Seal and Patch			\$30,000	30,000	\$0
Railroad Avenue Reconstruction			100,000	1,505,000	1,405,000
Street Impact Fee Study				80,000	80,000
233rd Ave SE Repair				35,000	35,000
Lake Sawyer Overlay Project			100,000		-100,000
Lawson & Newcastle Intersection Repair				25,000	25,000
Morgan Street Sidewalk Extension Phase 2				120,000	120,000
Auburn Black Diamond Overlay				100,000	100,000
Past Projects	10,650	271			0
Total Street Capital Uses	\$10,650	\$271	\$230,000	\$1,895,000	\$1,665,000



City of Black Diamond Proposed Budget 2009

Water Department

The Water Department provides clean, safe and reliable drinking water to the residents of Black Diamond. This Department is responsible to efficiently plan, design, construct and maintain the water system to ensure and provide a safe and dependable water supply for our water customers and for the Fire Department.

Operating Revenue

Monthly billing for the water utility is used to pay for the monitoring, testing, pumping, maintenance and replacement of the existing water system. Revenue has increased very little even with growth because of lower per household water consumption due to a wet and cool summer, and from old meters that are suspect of running slower with age. A rate increase will be considered by the City Council along with the budget.

Water Department - Operating Revenue					
	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008-2009
Operating Revenue					
User Charges	\$343,200	\$348,758	\$351,600	\$346,000	-\$5,600
Rate Increase 15%				51,750	51,750
Water Operating Revenue	\$343,200	\$348,758	\$351,600	\$397,750	\$46,150

Other Revenue

New service fees and capital facility charges cover the cost of expanding the water system to meet the needs of new customers and are used for capacity projects. This revenue has been moved to the Water Capital Fund. Because of the slow economy and the troubled housing market, meter installation charges are estimated at a conservatively low level in 2009.

Water Department - Other Revenue					
	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008-2009
Other Revenue					
YarrowBay PW Reimb			37,415	35,352	-2,063
Late Charges/name changes	11,950	10,553	8,000	9,500	1,500
Meters-Installations chg	22,500	20,750	1,000	200	-800
Investment Interest	22,500	29,426	8,000	1,100	-6,900
Connection Charges	163,250	200,209	12,000		-12,000
Developer Debt Contribution	910,851	910,850	853,114	805,553	-47,561
Transfer Water Capital Debt Svcs			253,900	125,000	-128,900
Subtotal Other Revenue	\$1,131,051	\$1,171,788	\$1,173,429	\$976,705	-\$196,724
Beginning Cash and Investments		\$658,032		\$100,000	\$100,000
Total Water Sources	\$1,474,251	\$2,178,578	\$1,525,029	\$1,474,455	-\$50,574



City of Black Diamond Proposed Budget 2009

Water Department Operating Expenses

Although some of the traditional staff allocation shifted over to the new Stormwater Fund there is an addition of general fund administration for a more equitable cost share of administrative support resulting in minimal change in salary expense. Insurance, supplies/fuel and training were reduced primarily because of establishing a set distribution of costs between the various public works funds. The cost allocation was increased to cover an equitable share of office and city hall costs. The utility tax increased to reflect the proposed water rate increase.

Water Department - Operating Expenses					
	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008-2009
EXPENSES					
Operating Expenses					
Salary and Benefits-Direct	\$197,824	\$183,855	\$146,126	\$150,593	\$4,467
Supplies/fuel	24,850	29,845	5,750	4,800	-950
Caustic	10,000	6,731	10,000	8,800	-1,200
New Hook up meters	20,000	0	10,000	2,000	-8,000
Insurance	26,000	25,778	28,000	21,972	-6,028
Professional Services	5,000	13,352	5,000	5,248	248
Water Testing	3,000	3,119	3,000	3,300	300
Health Dept Permit				1,600	1,600
Repairs & Miscellaneous	20,283	6,091	8,750	1,750	-7,000
Travel, memberships, training	3,250	42	2,750	2,000	-750
Utilities	27,500	32,874	22,140	30,000	7,860
Legal Services				4,140	4,140
Audit	4,000	4,315		5,000	5,000
Central Service Cost Allocation	0	12,894	1,500	18,820	17,320
Taxes - City Utility 6%	36,000	47,032	23,500	29,400	5,900
Taxes - State Utility 3.5%			21,500	17,150	-4,350
Total Water Operating Expenses	\$377,707	\$365,929	\$288,016	\$306,573	\$18,557



City of Black Diamond Proposed Budget 2009

Water Department Other Expenses

The debt service was reallocated between water operating and the water capital fund. The Meter Replacement Program has been shifted to the capital fund.

Water Department - Other Expenses					
	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008-2009
Other Expenses					
Transfer for Equipment-CIP	80,000	38,750	7,500		-7,500
Transfer to Water Reserves		300,000			0
Debt Services Water Portion	250,851	250,851	254,197	243,369	-10,828
Debt Services Developer Portion	910,851	910,850	853,114	805,553	-47,561
Debt Services-Pay off Rev Bond			32,000		-32,000
Meter Replacement Program			5,000		-5,000
Water Rights			20,000		-20,000
Subtotal Other Expenditures	\$1,241,702	\$1,500,451	\$1,171,811	\$1,048,922	-\$122,889
Ending Fund Balance		\$312,198		\$118,960	\$118,960
Total Water Uses	\$1,619,409	\$2,178,578	\$1,459,827	\$1,474,455	\$14,628



City of Black Diamond Proposed Budget 2009

Water Facility and Supply Fund 402

Black Diamond adopted the first 2008 – 2013 Capital Improvement Plan November 6, 2008. Part of the plan includes water related projects. The Springs Project will be funded by developer contributions and will prepare capacity and transmission in preparation for City growth. The Capital Improvement Plan includes more detail on this project.

Water Facility and Supply Fund 402 - Revenue					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
REVENUE					
Developer/Private Contributions			\$548,150	\$1,330,000	\$781,850
Investment Interest		39,695	16,000	2,000	-14,000
Subtotal Revenue	0	39,695	564,150	1,332,000	767,850
Beginning Cash and Investments	\$3,044,282	3,105,927		70,000	\$70,000
Total Water Facility and Supply Sources	\$3,044,282	\$3,145,622	\$564,150	\$1,402,000	\$837,850

Water Facility and Supply Fund 402 - Expenses					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
EXPENSES					
Springs Project				\$1,330,000	\$1,330,000
Prior Projects	3,044,282	3,009,920	548,150		-\$548,150
Ending Cash and Investments		135,702	16,000	72,000	\$56,000
Total Water Facility and Supply Uses	\$3,044,282	\$3,145,622	\$564,150	\$1,402,000	\$837,850



City of Black Diamond Proposed Budget 2009

Water Capital Fund 404

Black Diamond adopted the first 2008 – 2013 Capital Improvement Plan November 6, 2008. Part of the plan includes water related projects. In 2009 monies from this fund will be used to pay water debt service, a meter replacement project and to fund equipment reserves for the shared use of purchased equipment.

Water Capital Fund 404 - Revenue					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
REVENUE					
Public Works Trust Fund Loan	\$168,109				\$0
Investment Interest	\$18,600	27,587	16,000	27,000	11,000
Water Connection Fees					0
Transfer in from Water Fund		300,000			0
Subtotal Revenue	186,709	327,587	16,000	27,000	11,000
Beginning Cash and Investments		545,193	253,900	675,000	421,100
Total Water Capital Sources	\$186,709	\$872,780	\$269,900	\$702,000	\$432,100

Water Capital Fund 404 - Expenses					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
EXPENSES					
Principal on Loan	168,109			\$125,000	\$125,000
Transfer to Equipment Reserve				10,000	10,000
Meter Replacement Project				70,000	70,000
Transfer out to Water			253,900		-253,900
Ending Cash and Investments	18,600	872,780	16,000	497,000	481,000
Total Water Capital Uses	\$186,709	\$872,780	\$269,900	\$702,000	\$432,100



City of Black Diamond Proposed Budget 2009

Wastewater Department

The Wastewater Department provides for the maintenance and replacement of the sewer collection system, customer billing and payment collection. Also this Department provides contract administration for Soos Creek Water and Sewer and King County for transmission and treatment of sewage from Black Diamond.

Operating Revenue

The increase in revenue is due to a pass through of a King County Sewer rate from \$27.95 to \$31.90 per month and a Soos Creek rate increase of \$0.14 a month. There is no local rate increase proposed for sewer.

Wastewater Department - Operating Revenue					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
Operating Revenue					
Pass-Through Metro Charges				\$377,332	\$377,332
Pass-Through Soos Creek Charges				42,043	\$42,043
City Charges	\$540,000	\$554,752	\$589,360	179,682	-\$409,678
Reimbursement Hook-Up Charges	3,700	4,370	2,100		-2,100
Wastewater Operating Revenue	\$543,700	\$559,122	\$591,460	\$599,057	\$7,597

Other Revenue

Connection Charges are now accounted for in the Wastewater Capital Fund. Investment interest is down due to anticipated lower interest rates on City investments next year.

Wastewater Department - Other Revenue					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
Other Revenue					
YarrowBay PW Reimbursement			\$74,830	\$35,352	-\$39,478
Investment Interest	43,000	64,366	16,000	3,600	-12,400
Connection Charges	16,000	52,000	12,600		-12,600
Metro Reimbursement		78,251			0
Subtotal Other Rev	\$59,000	\$194,617	\$103,430	\$38,952	-\$64,478
Beginning Cash and Investments		\$926,727		\$180,000	\$180,000
Total Wastewater Sources	\$602,700	\$1,680,466	\$694,890	\$818,009	\$123,119



City of Black Diamond Proposed Budget 2009

Wastewater Department Operating Expenses

Twenty five percent of the Public Works staff is allocated to the Wastewater Fund after this year's transfer of 25 percent of Public Works staff to the Stormwater Fund. An equitable share of administration and office support was also allocated to the Wastewater Fund which increased salary and benefit expenses. The allocation of uniforms, fuel, tools, insurance and training were reduced and redistributed fairly to the Water, Wastewater, Street and Stormwater Departments. The reduction in repairs and maintenance is due to the manhole sealing and infiltration and inflow reduction programs being shifted to the capital project fund.

Wastewater Department - Operating Expenses					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
EXPENSES					
Operating Expenses					
Salary and Benefits	\$117,879	\$83,982	\$137,169	\$150,590	\$13,421
Operating Supplies	3,250	538	3,250	2,300	-950
Safety Supplies and Uniforms	1,000	303	2,500	2,300	-200
Fuel	2,500	3,209	2,500	2,000	-500
Tools	1,500	1,120	2,000	1,000	-1,000
Insurance	8,000	8,837	8,900	7,791	-1,109
Professional Services	23,500	9,155	6,000	2,000	-4,000
Repairs and Miscellaneous	7,000	4,434	43,140	6,000	-37,140
Travel, memberships, training	850	341	450	1,500	1,050
Utilities	5,600	4,040	3,400	3,600	200
Legal Services	29,536	26,898	20,000	4,140	-15,860
Audit	4,000	3,237		5,000	5,000
Cost Allocation		9,671	5,000	18,820	13,820
Taxes Utility	32,000	37,003	33,500	36,447	2,947
Taxes B&O and Excise	2,800	12,207	13,000	3,800	-9,200
Subtotal City Operating Expenses	239,415	204,975	280,809	247,288	-33,521
Metro	365,000	364,328	372,000	377,332	5,332
Soos Creek	48,000	42,750	45,672	42,043	-3,629
Total Operating Expenditures	\$652,415	\$612,053	\$698,481	\$666,663	-\$31,818



City of Black Diamond Proposed Budget 2009

Wastewater Department Other Expenses

The amount of \$18,000 in 2009 has been allocated for Capital improvements to the Wastewater Treatment Plant site and also for manhole rehabilitation work.

Wastewater Department - Other Expenses					
	2007 Budgeted	2007 Actual	2008 Budgeted	2009 Request	Difference 2008-2009
Other Expenses					
Trans to Capital Fund	\$816,000	\$800,000	\$7,500		-\$7,500
Trans to Capital for Wastewater Treatment Plant				\$15,000	15,000
Trans to Capital for Manhole Repl.				3,000	3,000
Trans to Equip. CIP	38,750	38,750			0
Subtotal Other Expenditures	\$854,750	\$838,750	\$7,500	\$18,000	\$10,500
Ending Fund Balance		\$229,663		\$133,346	
Total Wastewater Uses	\$1,507,165	\$1,680,466	\$705,981	\$818,009	\$112,028



City of Black Diamond Proposed Budget 2009

Wastewater Capital Fund 408

Black Diamond adopted the first 2008 – 2013 Capital Improvement Plan November 6, 2008. Part of the plan includes Wastewater related projects. This fund contains these Wastewater Capital projects planned for 2009.

Wastewater Capital Fund 408 - Revenue					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
REVENUE					
Stormwater loan repayment				\$20,400	\$20,400
Investment Interest	\$23,000	\$24,262	50,000	15,000	-35,000
Developer Contribution				300,000	300,000
Wastewater Connection Fees				12,000	12,000
Transfer in from Wastewater Operating	800,000	800,000		18,000	18,000
Subtotal Revenue	823,000	824,262	50,000	365,400	315,400
Beginning Cash and Investments		549,593	230,564	1,300,000	1,069,436
Total Wastewater Capital Sources	\$823,000	\$1,373,855	\$280,564	\$1,665,400	\$1,384,836

Wastewater Capital Fund 408 - Expenses					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
EXPENSES					
Loan to Stormwater Fund			\$100,000		-\$100,000
Transfer to Wastewater Operating			130,564		-130,564
West BD Lift Station				300,000	300,000
Infiltration and Inflow Reduction Program				50,000	50,000
Preserve Wastewater Treatment Plant				30,000	30,000
Replace Lawson Lift Station				50,000	50,000
Wastewater Comprehensive Plan				80,000	80,000
Manhole Rehabilitation				10,000	10,000
Transfer out to Equipment Reserve				10,000	10,000
Ending Cash and Investments	823,000	1,373,855	50,000	1,135,400	1,085,400
Total Wastewater Capital Uses	\$823,000	\$1,373,855	\$280,564	\$1,665,400	\$1,384,836



City of Black Diamond Proposed Budget 2009

Stormwater Department

The Stormwater Department protects the natural environment from the impacts of stormwater run off by properly maintaining the City stormwater system and implementing the City's Stormwater Management Plan.

Revenue

Revenues are proposed to cover the cost of operating the Stormwater utility and these costs spread to all the citizens and commercial properties within the City.

Stormwater Department - Operating Revenue					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
Operating Revenue					
User Charges @\$13.00x11 months				\$335,500	\$335,500
Operating Revenue	\$0	\$0	\$0	\$335,500	\$335,500

Stormwater Department - Other Revenue					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
Other Revenue					
YarrowBay PW Reimbursement				35,352	35,352
Interest				200	200
Subtotal Other Revenue	\$0	\$0	\$0	\$35,552	\$35,552
Beginning Cash and Investments				\$30,000	\$30,000
Total Stormwater Sources	\$0	\$0	\$0	\$401,052	\$401,052



City of Black Diamond Proposed Budget 2009

Stormwater Department Operating Expenses

Twenty five percent of the Public Works staff expenses will now be covered by the Stormwater utility. The fuel, tools, professional services, training, and general service cost allocation were distributed equitably between the Public Works funds. The King County Water Quality expenditure is for monitoring and testing as required by the Department of Ecology for Lake Sawyer. Included in the expenditures is a proposed 6% utility which is the same rate as the water utility.

Stormwater Department - Operating Expenses					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
EXPENSES			<u>Wastewater Fund</u>		
Operating Expenses					
Salary and Benefits			\$143,421	\$150,402	\$6,981
Operating Supplies				1,000	1,000
KC Water Quality				6,000	6,000
Fuel				2,000	2,000
Tools				500	500
Insurance				2,647	2,647
Professional Services			2,000	3,765	1,765
Repairs and Miscellaneous			1,050	2,000	950
Travel, memberships, training				1,500	1,500
Utilities				2,300	2,300
Legal Services				4,140	4,140
Audit				5,000	5,000
Central Service Cost Allocation				18,820	18,820
Taxes - City Utility				18,452	18,452
Operating Expenses	\$0	\$0	\$146,471	\$218,526	\$72,055



City of Black Diamond Proposed Budget 2009

Stormwater Department Other Expenses

The amount of \$100,000 is for implementation of NPDES Phase II as required by State mandate. \$10,000 has been reserved for future capital. The debt repayment is to cover the \$100,000 loan from the Wastewater Fund.

Stormwater Department - Other Expenses					
	2007	2007	2008	2009	Difference
	Budgeted	Actual	Budgeted	Request	2008-2009
Other Expenses					
NPDES Phase II				\$100,000	\$100,000
Trans to Strmwtr Cap Equip Fund				10,000	10,000
Debt Payment to repay Wastewater				20,400	20,400
Subtotal Other Expenditures	\$0	\$0	0	130,400	130,400
Ending Fund Balance				52,126	52,126
Total Stormwater Uses	\$0	\$0	\$146,471	\$401,052	\$254,581

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION			
SUBJECT: Public Hearing Granting “treasured” status to Russell Cahill Short Plat	Agenda Date: December 4, 2008		AB08-127
	Department/Committee/Individual	Created	Reviewed
	Mayor Howard Botts		
	City Administrator –Gwen Voelpel		
	City Attorney – Loren D. Combs		
	City Clerk – Brenda L. Streepy		X
	Finance – May Miller		
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Jamey Kiblinger		
Cost Impact: N/A	Court – Kaaren Woods		
Fund Source: N/A	Natural Resources/Parks – Aaron Nix	X	
Timeline: N/A	Attachments: October 28 Planning Commission Minutes, Cahill Application		
SUMMARY STATEMENT: <p>This issue has been brought forward to the Council at a previous meeting. The Council, at that time, asked staff to move this issue through the process and come back with a recommendation from the Planning Commission whether or not to grant “treasured” status for this project. The Planning Commission offered to grant “treasured” status to this parcel, with the condition that an easement be granted across the buffer behind lots 1, 2 and 3 in order to maintain access through the parcel for the regional trail system. This issue is up for public hearing this evening. Staff is looking for Council guidance in moving this forward.</p>			
COMMITTEE REVIEW AND RECOMMENDATION: Adopt with conditions.			
RECOMMENDED ACTION: None at this time.			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
December 4, 2008			

**BLACK DIAMOND
PLANNING COMMISSION
MINUTES OF OCTOBER 28, 2008 MEETING**

CALL TO ORDER

Chairman Bob Kaye called the meeting to order at 7:02 pm with the introduction of the role and duties of the Planning Commission.

ROLL CALL

Present: Commissioners Bob Kaye, Keith Watson, Greg Thesenvitz, Ron Taylor, Darryl Buss
Absent: Commissioners Pam O'Brien, Craig Goodwin
Also Present: Community Development Director Steve Pilcher; Public Works Director Seth Boettcher; Natural Resources Director Aaron Nix

APPROVAL OF MINUTES

Moved by Commissioner Watson, seconded by Commissioner Thesenvitz, to approve the minutes of the October 7, 2008 meeting as written. Motion passed (5-0).

STUDY SESSION – Transportation Plan

Community Development Director Steve Pilcher noted that the Transportation Plan is one element of the Comprehensive Plan required by the State Growth Management Act. The Commission has yet to formally act on this element (Chapter 7 of the Comprehensive Plan), but during the summer, did discuss an appropriate level of service standard (LOS) for the City. The City Council subsequently agreed with the Commission's recommendation of LOS "C," after which the transportation consultant (Mirai) conducted additional modeling. (The initial modeling was based upon an assumed LOS "D"). In addition, new Public Works Director Seth Boettcher had recommended several additional arterial roadways and/or extensions that will result in a more complete "grid" network within the city in the future. Those changes also required additional traffic modeling. The modeling work has now been completed and the draft Transportation Plan has been revised.

Mr. Boettcher then highlighted the numerous changes to the draft Transportation Plan. He noted that, with the planned improvements contained within the document, the LOS "C" standard for both intersections and arterial road segments (measured in volume/capacity) will be maintained. He also noted that for all intersections that may require a traffic signal, the first option will be to explore the potential of a roundabout.

Mr. Boettcher also reviewed the proposed policies with the Commission. Policies that were included in the initial draft are still included, but have been augmented with additional policies to address street continuity, the maximum number of dwellings that can be served through a single road, and recognizing that many of the older portions of the city feature streets that do not (and cannot easily) meet the design standards that

would be desirable to put into effect in new developments. He also added that staff may be making a few technical adjustments to the document prior to the Commission seeing in again.

Mr. Pilcher noted that the next step will be for the Commission to conduct a public hearing and make a recommendation to Council on the proposal. This is anticipated to occur at the 2nd meeting in November.

Cahill Transfer of Development Rights issue

Natural Resource Director Aaron Nix introduced this issue to the Commission. He noted that Mr. Cahill has preliminary approval of a 4 lot short plat on the east side of Abrams Rd. A large wetland and associated buffers traverses the property, north to south. These portions of the property are designated as TDR "sending areas" per the TDR program. Mr. Cahill is requesting "Treasured Places" status for Lot 4 of the short plat, which includes all of the wetland, some sections of buffer and a 2,000 square foot upland area that could be developed into a small park and/or trailhead. The "Treasured Places" designation would allow the number of TDRs attributed to this area to be tripled, thereby making it economically viable for Mr. Cahill to donate this lot to the City. He would still retain 3 building lots.

Mr. Nix noted that some of the intents of the TDR program are to protect sensitive areas such as wetlands and also to provide for the development of a system of trails through the "core" wetland buffer areas. Staff believes this would be an important addition to the parks system, not only to serve the immediate neighborhood, but also to potentially serve as a trailhead for a future trail system.

Per the TDR code, the Commission needs to make a recommendation to the City Council on the request. The Council will then take final action to grant or deny the request.

The Commission discussed the issue at length. A concern was expressed about granting the TDR "bonus" for lands that are basically undevelopable, plus the precedent it would set for other properties along this corridor. There was also a question of whether a trail system would actually be viable in this area. Other members expressed support for the request of granting Treasured Places status

Moved by Taylor, to recommend approval of the requested Treasured Places status to the City Council.

Discussion ensued regarding a number of concerns, including:

- Whether or not the City should attempt to secure all of Cahill's property
- Whether the amount of land being given was equal to financial gain the applicant could potentially gain from the extra TDRs (i.e., was Cahill being allowed to use the system more to his advantage than the benefits accruing to the City)
- Whether this is a good location for a trailhead or park

Some Commission members noted that a trail system would need to begin somewhere and that this provides a good opportunity. There was also discussion that if a trailhead

begins here, then an easement for a future trail should be required over the Lots 1-3 of the proposed short plat.

Commissioner Taylor modified his previous motion to include a condition of approval that Mr. Cahill be required to grant a minimum 10 ft. wide trail easement as part of the conservation easement required for Lots 1-3 of the proposed short plat. Seconded by Commissioner Watson. Passed 4-1.

Chairman Kaye noted there were two other issues to consider: (1) whether all or only a portion of Lot 4 should be granted Treasured Places status and (2) the amount of TDR bonus to be granted.

By a 3 to 2 consensus, it was agreed that Treasured Places status should be granted to all of Lot 4 and the TDR bonus should be triple (3x) the underlying TDR allotment, resulting in 30 TDRs being recommended for this property.

ADJOURNMENT

The meeting was adjourned at 9:25 p.m.

Next meeting of the Planning Commission will be on Monday, November 10, 2008 at 7:00 p.m., due to the Veterans' Day holiday.

ATTEST:

Bob Kaye, Chairman

Planning Commission Secretary

PLN 08-0112

COMMUNITY DEVELOP.

SEP 16 2008

RECEIVED

CITY OF BLACK DIAMOND
DEVELOPMENT RIGHT CERTIFICATE APPLICATION
INFORMATION SHEET

This information sheet is to provide you with the information you need in order to provide the City the information it needs to process an application for the issuance of a Development Right Certificate (DRC). If you own property in the City of Black Diamond and you have received a Final Letter of Notification from the City, then you are eligible to apply for a Development Right Certificate.

A Development Right Certificate certifies the number of development rights that are available for you to sell to the owner of an eligible Receiving Site property. The issuance of the Development Right Certificate does not obligate you to sell any of your development rights. The Certificate is merely the document that gives official notice that you have development rights to sell. The Certificate is valid for 5 years from the date of issuance.

To process your application you need to provide the following:

1. All information on the attached application must be provided, and the application must be signed by ALL of the property owners. If you own more than one tax parcel, a separate application must be completed and the application fee paid for each parcel.

2. The application fee of \$ 250.00 per tax parcel, and \$ 50.00 per development right shown on the Final Letter of Notification must be paid at the time the application is submitted to the City.

3. If there is a mortgage, deed of trust, or other similar lien on the property, then you must provide with your application a subordination agreement, in recordable form, from your lender/lienholder consenting to the potential transfer of the development rights and the placement of a conservation easement on your property at the time the development rights are sold.

4. A title certificate issued by a title insurance company within 30 days from the date you submit your application which shows the names of the owners of record and

(2100 59A)
△

the names of all lienholders must be submitted with your application. An update to the title certificate will be required at the time the Development Right Certificate is issued.

5. The property legal description and a copy of the recorded deed that conveyed the property to you must be included with the application. Separate documents are not required if these are included with the title certificate.

Some property owners may be entitled to receive more development rights than are set forth in their Final Letter of Notification. The reason is because there are bonus densities that are provided if a person is willing to allow public access for trail and/or park purposes on their property. The bonus can be as much as 3 times the number of development rights set forth in the Final Letter of Notification. The City Council has yet to determine the desired location for the trails and parks. If you are willing to consider allowing a trail or park to be located on a portion of your property, please make sure you check the appropriate box on the application form. This does not obligate you to anything. It merely assists the City in determining the final locations for the trail and park system.

Please make sure you provide all of the requested information and have all the property owners sign the application. If the application is incomplete and/or all required documents are not attached to the application, then your application cannot be processed.

BY19880\TDR\DOCS\DRCAPPIINFOSHEET.DOC

Tax Parcel Number: 1421069021 / will change when short plat final. Lot 4's address 32756 Abrams Ave

**City of Black Diamond
Application for Development Right Certificate**

Owner(s) name(s), mailing addresses and phone numbers:

Russell Cahill = 23313 208th Ave SE Maple Valley
425-432-1977 or 206-793-9277

1. Number of Development Rights you wish to certify for possible transfer (maximum number is the number listed in the Final Letter of Notification): 4th & 18th (See Attached)

2. Describe any changes made to the property (development, dredging, clearing, etc.) since the Final Letter of Notification was issued.

Sub-division

3. Initial the following acknowledgements (A and D must be initialed or your application will not be processed).

RL A. I/we acknowledge my/our intent, at the time we sell or otherwise transfer the development rights for which a Development Right Certificate (DRC) is issued, to grant to the City of Black Diamond a conservation easement permanently restricting development uses on the above parcel to those allowed by the remaining development rights attached to the parcel, if any, and preserving the parcel's environmental/resource value.

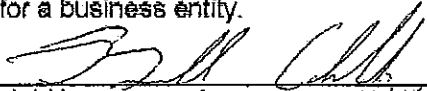
RL B. I/we request that the City consider issuing bonus density rights for the placement of a trail or park on the above parcel. (Do not initial this paragraph unless you want the City to consider granting bonus density rights.)

RL C. If bonus development rights are requested to allow public access, I/we intend to grant to the City of Black Diamond a fee simple deed to the parcel for a public trail easement. (If you initial paragraph B, then you must also initial this paragraph to be considered for bonus density.)

RL D. I/we acknowledge that upon issuance of the DRC a notice will be recorded that indicates that the DRC has been issued and sets forth the number of development rights that have been certified for transfer.

RL E. I/we acknowledge that all information in this application will become public record and will be accessible to the public for inspection and copying.

All owners of record must sign below and print their name, including their title if signing as a guardian, trustee, or authorized signator for a business entity.


Print Name: ROSSIE CARRELL
Title: OWNER

Print Name: _____
Title: _____

Print Name: _____
Title: _____

Print Name: _____
Title: _____

Print Name: _____
Title: _____

For internal use only
Title certificate received
Copy of deed received
Title Certificate received
Legal Description received
Application fee paid
Letter of receipt sent
Application certified as complete
Field verification

Application for development right certificates.

My property presently has 14 TDR's. I am going through the process of doing a short plat on the land. (Maps/ plans available).

Due to this the amount of credits I wish to enter into Treasured/ bonus credits program will be affected.

The entire piece of land will be broken into 4 Lots as such-

Lot 1= 9,658 Sq. Ft.
Lot 2= 12,336 Sq. Ft.
Lot 3= 16,470 Sq. Ft.
Lot 4= 105,643 Sq Ft.

Lots 1-3 I intend to keep for personal use, therefore the amount of each lots square footage will have to be deducted in the application for Bonus/ Treasured status. The combined Square footage of Lots1-3 totals 38,464 Square feet. As understood there is one TDR/Credit per ¼ acre, because of deduction of this square footage the total amount of square footage left available for Treasured status is all in Lot 4 equaling 105,643 square feet. Therefore upon City's definition 9.7 credits/ TDR's. I would like to apply Lot 4 for the consideration of Bonus Density Rights requesting or asking for 3 times the amount of 9.7 therefore totaling 29 TDR's.

I believe that Lot 4's location is excellent for the opportunity of the City to preserve the natural wetland surroundings. It is located in a wetland corridor that has been identified by the City of Black Diamond as one of the most desired areas to maintain current existence. Lot 4 can also effectively be used for parks and recreational use including a designated area outside the wetland buffer for parking and any other impervious surface that may be required (2035 square feet of build able land) . It was also determined by Oliver Altman and Associates that Lot 4 is in a category 3 wetland according to City of Black Diamond standards which is the most complex and protected wetland rating available once again emphasizing its importance to the City to obtain. The location of the lot is in a small tranquil neighborhood abundant with trees, streams, ponds, etc, which are all of the qualities of a park setting.

Rainier Title

2722 Colby Avenue, Suite 125, Everett, WA 98201
(425) 252-1222 Toll Free from Seattle (888) 828-0018

Russell Cahill
23313 208th Avenue Southeast
Maple Valley Wa 98038

September 16, 2008

File No.: 432860

RE: 328xx Abrams Avenue
Black Diamond, Washington 98010

In connection with the above captioned transaction, enclosed please find the following:

Policy of Title Insurance.

We trust the above is satisfactory to you. If you should have any questions, please do not hesitate to contact our office.

COMMUNITY DEVELOP.

SEP 16 2008

RECEIVED

HOMEOWNER'S POLICY OF TITLE INSURANCE ONE-TO-FOUR FAMILY RESIDENCE

Issued by **Lawyers Title Insurance Corporation**



Lawyers Title Insurance Corporation is a member of the LandAmerica family of title insurance underwriters.

POLICY NUMBER:
432860

OWNER'S INFORMATION SHEET

Your Title Insurance Policy is a legal contract between You and Us.

It applies only to a one-to-four family residence and only if each insured named in Schedule A is a Natural Person. If the Land described in Schedule A of the Policy is not an improved residential lot on which there is located a one-to-four family residence, or if each insured named in Schedule A is not a Natural Person, contact Us immediately.

The Policy insures You against actual loss resulting from certain Covered Risks. These Covered Risks are listed beginning on page 2 of the Policy. The Policy is limited by:

- * Provisions of Schedule A
- * Exceptions in Schedule B
- * Our Duty To Defend Against Legal Actions on page 2
- * Exclusions on page 3
- * Conditions on pages 3 and 4.

You should keep the Policy even if You transfer Your Title to the Land.

If You want to make a claim, see paragraph 3 under Conditions on page 3.

You do not owe any more premiums for the Policy.

This sheet is not Your Insurance Policy. It is only a brief outline of some of the important Policy features. The Policy explains in detail Your rights and obligations and Our rights and obligations. Since the Policy -- and not this sheet -- is the legal document,

YOU SHOULD READ THE POLICY VERY CAREFULLY.

If You have any questions about Your Policy, contact:

Consumer Affairs Department
Lawyers Title Insurance Corporation
P.O. Box 27567
Richmond, Virginia 23261-7567

TABLE OF CONTENTS

OWNER'S COVERAGE STATEMENT	Page	2
COVERED RISKS		2
OUR DUTY TO DEFEND AGAINST LEGAL ACTIONS		2
SCHEDULE A	Insert	
Policy Number, Premium, Date and Amount		
Deductible Amounts and Maximum Dollar Limits of Liability		
Street Address of the Land		
1. Name of Insured		
2. Interest in Land Covered		
3. Description of the Land		
SCHEDULE B -- EXCEPTIONS	Insert	
EXCLUSIONS		3
CONDITIONS		3
1. Definitions		3
2. Continuation of Coverage		3
3. How to Make a Claim		3
4. Our choices When We Learn of a Claim		3
5. Handling a Claim or Legal Action		4
6. Limitation of Our Liability		4
7. Transfer of Your Rights to Us		4
8. Entire Contract		4
9. Increased Policy Amount		4
10. Severability		4
11. Arbitration		4

LAWYERS TITLE INSURANCE CORPORATION

By:

President

Attest:

Secretary



COMMUNITY DEVELOP.

SEP 16 2008

RECEIVED

OWNER'S COVERAGE STATEMENT

This Policy insures You against actual loss, including any costs, attorneys' fees and expenses provided under this Policy, resulting from the Covered Risks set forth below, if the Land is an improved residential lot on which there is located a one-to-four family residence and each insured named in Schedule A is a Natural Person.

Your insurance is effective on the Policy Date. This Policy covers Your actual loss from any risk described under Covered Risks if the event creating the risk exists on the Policy Date or, to the extent expressly stated, after the Policy Date.

Your insurance is limited by all of the following:

- The Policy Amount shown in Schedule A
- For Covered Risk 14, 15, 16, and 18, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A
- Exceptions in Schedule B
- Our Duty To Defend Against Legal Actions
- Exclusions on page 3
- Conditions on pages 3 and 4.

COVERED RISKS

The Covered Risks are:

1. Someone else owns an interest in Your Title.
2. Someone else has rights affecting Your Title arising out of leases, contracts, or options.
3. Someone else claims to have rights affecting Your Title arising out of forgery or impersonation.
4. Someone else has an easement on the Land.
5. Someone else has a right to limit Your use of the Land.
6. Your Title is defective.
7. Any of Covered Risks 1 through 6 occurring after the Policy Date.
8. Someone else has a lien on Your Title, including a:
 - a. Mortgage;
 - b. judgment, state or federal tax lien, or special assessment;
 - c. charge by a homeowner's or condominium association; or
 - d. lien, occurring before or after the Policy Date, for labor and material furnished before the Policy Date.
9. Someone else has an encumbrance on Your Title.
10. Someone else claims to have rights affecting Your Title arising out of fraud, duress, incompetency or incapacity.
11. You do not have both actual vehicular and pedestrian access to and from the Land, based upon a legal right.
12. You are forced to correct or remove an existing violation of any covenant, condition or restriction affecting the Land, even if the covenant, condition or restriction is excepted in Schedule B. However, You are not covered for any violation that relates to any obligation to perform maintenance or repair on the Land, or relates to environmental protection of any kind or nature, including hazardous or toxic conditions or substances, unless notice of the violation is recorded in the Public Records.
13. Your Title is lost or taken because of a violation of any covenant, condition or restriction, which occurred before You acquired Your Title, even if the covenant, condition or restriction is excepted in Schedule B.
14. Because of an existing violation of a subdivision law or regulation affecting the Land:
 - a. You are unable to obtain a building permit;
 - b. You are forced to correct or remove the violation; or
 - c. Someone else has a legal right to, and does, refuse to perform a contract to purchase the Land, lease it or make a Mortgage loan on it.

The amount of Your insurance for this Covered Risk is subject to Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.
15. You are forced to remove or remedy Your existing structures, or any part of them – other than boundary walls or fences – because any portion was built without obtaining a building permit from the proper government office. The amount of Your insurance for this Covered Risk is subject to Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.
16. You are forced to remove or remedy Your existing structures, or any part of them, because they violate an existing zoning law or zoning regulation. If You are required to remedy any portion of Your existing structures, the amount of Your insurance for this Covered Risk is subject to Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.
17. You cannot use the Land because use as a single-family residence violates an existing zoning law or zoning regulation.
18. You are forced to remove Your existing structures because they encroach onto Your neighbor's Land. If the encroaching structures are boundary walls or fences, the amount of Your insurance for this Covered Risk is subject to Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.
19. Someone else has a legal right to, and does, refuse to perform a contract to purchase the Land, lease it or make a Mortgage loan on it because Your neighbor's existing structures encroach onto the Land.
20. You are forced to remove Your existing structures because they encroach onto an easement or over a building set-back line, even if the easement or building set-back line is excepted in Schedule B.
21. Your existing structures are damaged because of the exercise of a right to maintain or use any easement affecting the Land, even if the easement is excepted in Schedule B.
22. Your existing improvements (or a replacement or modification made to them after the Policy Date), including lawns, shrubbery or trees, are damaged because of the future exercise of a right to use the surface of the Land for the extraction or development of minerals, water or any other substance, even if those rights are excepted or reserved from the description of the Land or excepted in Schedule B.
23. Someone else tries to enforce a discriminatory covenant, condition or restriction that they claim affects Your Title which is based upon race, color, religion, sex, handicap, familial status, or national origin.
24. A taxing authority assesses supplemental real estate taxes not previously assessed against the Land for any period before the Policy Date because of construction or a change of ownership or use that occurred before the Policy Date.
25. Your neighbor builds any structures after the Policy Date – other than boundary walls or fences – which encroach onto the Land.
26. Your Title is unmarketable, which allows someone else to refuse to perform a contract to purchase the Land, lease it or make a Mortgage loan on it.
27. A document upon which Your Title is based is invalid because it was not properly signed, sealed, acknowledged, delivered or recorded.
28. The residence with the address shown in Schedule A is not located on the Land at the Policy Date.
29. The map, if any, attached to this Policy does not show the correct location of the Land according to the Public Records.

Our Duty To Defend Against Legal Actions

We will defend Your Title in any legal action only as to that part of the action which is based on a Covered Risk and which is not excepted or excluded from coverage in this Policy. We will pay the costs, attorneys' fees, and expenses We incur in that defense.

We will not pay for any part of the legal action which is not based on a Covered Risk or which is excepted or excluded from coverage in this Policy.

We can end Our duty to defend Your Title under paragraph 4 of the Conditions.

This Policy is not complete without Schedules A and B.

EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes ordinances, laws and regulations concerning:
 - a. building
 - b. zoning
 - c. Land use
 - d. Improvements on the Land
 - e. Land division
 - f. environmental protectionThis Exclusion does not apply to violations or the enforcement of these matters if notice of the violation or enforcement appears in the Public Records at the Policy Date.
This Exclusion does not limit the coverage described in Covered Risk 14, 15, 16, 17 or 24.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at the Policy Date.

3. The right to take the Land by condemning it, unless:
 - a. a notice of exercising the right appears in the Public Records at the Policy Date; or
 - b. the taking happened before the Policy Date and is binding on You if You bought the Land without Knowing of the taking.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they appear in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they appeared in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.d, 22, 23, 24 or 25.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any Land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.
This Exclusion does not limit the coverage described in Covered Risk 11 or 18.

CONDITIONS

1. DEFINITIONS.
 - a. Easement - the right of someone else to use the Land for a special purpose.
 - b. Known - things about which You have actual knowledge. The words "Know" and "Knowing" have the same meaning as Known.
 - c. Land - the Land or condominium unit described in paragraph 3 of Schedule A and any improvements on the Land which are real property.
 - d. Mortgage - a mortgage, deed of trust, trust deed or other security instrument.
 - e. Natural Person - a human being, not a commercial or legal organization or entity. Natural Person includes a trustee of a Trust even if the trustee is not a human being.
 - f. Policy Date - the date and time shown in Schedule A. If the insured named in Schedule A first acquires the interest shown in Schedule A by an instrument recorded in the Public Records later than the date and time shown in Schedule A, the Policy Date is the date and time the instrument is recorded.
 - g. Public Records - records that give constructive notice of matters affecting Your Title, according to the state statutes where the Land is located.
 - h. Title - the ownership of Your interest in the Land, as shown in Schedule A.
 - i. Trust - a living trust established by a human being for estate planning.
 - j. We/Our/Us - Lawyers Title Insurance Corporation.
 - k. You/Your - the insured named in Schedule A and also those identified in paragraph 2.b. of these Conditions.
2. CONTINUATION OF COVERAGE.
 - a. This Policy insures You forever, even after You no longer have Your Title. You cannot assign this Policy to anyone else.
 - b. This Policy also insures:
 - (1) anyone who inherits Your Title because of Your death;
 - (2) Your spouse who receives Your Title because of dissolution of Your marriage;
 - (3) the trustee or successor trustee of a Trust to whom You transfer Your Title after the Policy Date; or
 - (4) the beneficiaries of Your Trust upon Your death.
 - c. We may assert against the insureds identified in paragraph 2.b. any rights and defenses that We have against any previous insured under this Policy.
3. HOW TO MAKE A CLAIM.
 - a. Prompt Notice Of Your Claim
 - (1) As soon as You know of anything that might be covered by this Policy, You must notify Us promptly in writing.
 - (2) Send Your notice to Lawyers Title Insurance Corporation, 101 Gateway Centre Parkway, Gateway One, Richmond, Virginia 23235-5153, Attention: Claims Department. Please include the Policy number shown in Schedule A, and the county and state where the Land is located. Please enclose a copy of Your Policy, if available.
 - (3) If You do not give Us prompt notice, Your coverage will be reduced or ended, but only to the extent Your failure affects Our ability to resolve the claim or defend You.
 - b. Proof Of Your Loss
 - (1) We may require You to give Us a written statement signed by You describing Your loss which includes:
 - (a) the basis of Your claim;
 - (b) the Covered Risks which resulted in Your loss;
 - (c) the dollar amount of Your loss; and
 - (d) the method You used to compute the amount of Your loss.
 - (2) We may require You to make available to Us records, checks, letters, contracts, insurance policies and other papers which relate to Your claim. We may make copies of these papers.
 - (3) We may require You to answer questions about Your claim under oath.
 - (4) If You fail or refuse to give Us a statement of loss, answer Our questions under oath, or make available to Us the papers We request, Your coverage will be reduced or ended, but only to the extent Your failure or refusal affects Our ability to resolve the claim or defend You.
4. OUR CHOICES WHEN WE LEARN OF A CLAIM.
 - a. After We receive Your notice, or otherwise learn, of a claim that is covered by this Policy, Our choices include one or more of the following:
 - (1) Pay the claim.
 - (2) Negotiate a settlement.
 - (3) Bring or defend a legal action related to the claim.
 - (4) Pay You the amount required by this Policy.
 - (5) End the coverage of this Policy for the claim by paying You Your actual loss resulting from the Covered Risk, and those costs, attorneys' fees and expenses incurred up to that time which We are obligated to pay.
 - (6) End the coverage described in Covered Risk 14, 15, 16 or 18 by paying You the amount of Your Insurance then in force for the particular Covered Risk, and those costs, attorneys' fees and expenses incurred up to that time which We are obligated to pay.
 - (7) End all coverage of this Policy by paying You the Policy Amount then in force, and all those costs, attorneys' fees and expenses incurred up to that time which We are obligated to pay.
 - (8) Take other appropriate action.
 - b. When We choose the options in paragraphs 4.a. (5), (6) or (7), all Our obligations for the claim end, including Our obligation to defend, or continue to defend, any legal action.
 - c. Even if We do not think that the Policy covers the claim, We may choose one or more of the options above. By doing so, We do not give up any rights.
5. HANDLING A CLAIM OR LEGAL ACTION.
 - a. You must cooperate with Us in handling any claim or legal action and give Us all relevant information.
 - b. If You fail or refuse to cooperate with Us, Your coverage will be reduced or ended, but only to the extent Your failure or refusal affects Our ability to resolve the claim or defend You.
 - c. We are required to repay You only for those settlement costs, attorneys' fees and expenses that We approve in advance.

- d. We have the right to choose the attorney when We bring or defend a legal action on Your behalf. We can appeal any decision to the highest level. We do not have to pay Your claim until the legal action is finally decided.
- e. Whether or not We agree there is coverage, We can bring or defend a legal action, or take other appropriate action under this Policy. By doing so, We do not give up any rights.
- 6. LIMITATION OF OUR LIABILITY.**
- a. After subtracting Your Deductible Amount if it applies, We will pay no more than the least of:
- (1) Your actual loss;
 - (2) Our Maximum Dollar Limit of Liability then in force for the particular Covered Risk, for claims covered only under Covered Risk 14, 15, 16 or 18; or
 - (3) the Policy Amount then in force; and any costs, attorneys' fees and expenses which We are obligated to pay under this Policy.
- b. (1) If We remove the cause of the claim with reasonable diligence after receiving notice of it, all Our obligations for the claim end, including any obligation for loss You had while We were removing the cause of the claim.
- (2) Regardless of 6.b. (1) above, if You cannot use the Land because of a claim covered by this Policy:
- (a) You may rent a reasonably equivalent substitute residence and We will repay You for the actual rent You pay, until the earlier of:
 - (1) the cause of the claim is removed; or
 - (2) We pay You the amount required by this Policy. If Your claim is covered only under Covered Risk 14, 15, 16 or 18, that payment is the amount of Your Insurance then in force for the particular Covered Risk.
 - (b) We will pay reasonable costs You pay to relocate any personal property You have the right to remove from the Land, including transportation of that personal property for up to twenty-five (25) miles from the Land, and repair of any damage to that personal property because of the relocation. The amount We will pay You under this paragraph is limited to the value of the personal property before You relocate it.
- c. All payments We make under this Policy reduce the Policy Amount, except for costs, attorneys' fees and expenses. All payments we make for claims which are covered only under Covered Risk 14, 15, 16 or 18 also reduce Our Maximum Dollar Limit of Liability for the particular Covered Risk, except for costs, attorneys' fees and expenses.
- d. If We issue, or have issued, a Policy to the owner of a Mortgage on Your Title and We have not given You any coverage against the Mortgage, then:
- (1) We have the right to pay any amount due You under this Policy to the owner of the Mortgage to reduce the amount of the Mortgage, and any amount paid shall be treated as a payment to You under this Policy, including under paragraph 4.a. of these Conditions;
 - (2) Any amount paid to the owner of the Mortgage shall be subtracted from the Policy Amount of this Policy; and
 - (3) If Your claim is covered only under Covered Risk 14, 15, 16 or 18, any amount paid to the owner of the Mortgage shall also be subtracted from Our Maximum Dollar Limit of Liability for the particular Covered Risk.
- e. If You do anything to affect any right of recovery You may have against someone else, We can subtract from Our liability the amount by which You reduced the value of that right.
- 7. TRANSFER OF YOUR RIGHTS TO US.**
- a. When We settle Your claim, We have all the rights You have against any person or property related to the claim. You must transfer these rights to Us when We ask, and You must not do anything to affect these rights. You must let Us use Your name in enforcing these rights.
- b. We will not be liable to You if We do not pursue these rights or if We do not recover any amount that might be recoverable.
- c. We will pay any money We collect from enforcing these rights in the following order:
- (1) to You for Your loss that You have not already collected;
 - (2) to Us for the costs, attorneys' fees and expenses We paid to enforce these rights;
 - (3) to Us for any money We paid out under this Policy on account of Your claim; and
 - (4) to You whatever is left.
- d. If You have rights under contracts (such as Indemnities, guaranties, bonds or other policies of insurance) to recover all or part of Your loss, then We have all of those rights, even if those contracts provide that those obligated have all of Your rights under this Policy.
- 8. ENTIRE CONTRACT.**
This Policy, with any endorsements, is the entire contract between You and Us. To determine the meaning of any part of this Policy, You must read the entire Policy. Any changes to this Policy must be agreed to in writing by Us. Any claim You make against Us must be made under this Policy and is subject to its terms.
- 9. INCREASED POLICY AMOUNT.**
The Policy Amount will increase by ten percent (10%) of the Policy Amount shown in Schedule A each year for the first five years following the Policy Date shown in Schedule A, up to one hundred fifty percent (150%) of the Policy Amount shown in Schedule A. The increase each year will happen on the anniversary of the Policy Date shown in Schedule A.
- 10. SEVERABILITY.**
If any part of this Policy is held to be legally unenforceable, both You and We can still enforce the rest of this Policy.
- 11. ARBITRATION.**
- a. If permitted in the state where the Land is located You or We may demand arbitration.
 - b. The arbitration shall be binding on both You and Us. The arbitration shall decide any matter in dispute between You and Us.
 - c. The arbitration award may be entered as a judgment in the proper court.
 - d. The arbitration shall be under the Title Insurance Arbitration Rules of the American Arbitration Association. You may choose current Rules or Rules in existence on Policy Date.
 - e. The law used in the arbitration is the law of the place where the Land is located.
 - f. You can get a copy of the Rules from Us.

THANK YOU.

Title insurance provides for the protection of your real estate investment. We suggest you keep this policy in a safe place where it can be readily available for future reference.

If you have questions about title insurance or the coverage provided by this policy, contact the office that issued this policy, or you may call or write:

Lawyers Title Insurance Corporation
Consumer Affairs
P.O. Box 27567
Richmond, Virginia 23261-7567
telephone, toll free: 800-446-7086
web: www.landam.com

We thank you for choosing to do business with Lawyers Title Insurance Corporation, and look forward to meeting your future title insurance needs.

Lawyers Title Insurance Corporation
is a member of the LandAmerica family of title insurance underwriters.



SCHEDULE A

Policy No.: B67 - 432860

Premium: \$810.00

Policy Amount: \$175,000.00

Policy Date: October 29, 2007 at 11:58 AM

Deductible Amounts and Maximum Dollar Limits of Liability For Covered Risk 14, 15, 16 and 18

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 14:	<u>1 % of Policy Amount</u> Or <u>\$2500.00</u> (whichever is less)	<u>\$ 15,000.00</u>
Covered Risk 15:	<u>1 % of Policy Amount</u> Or <u>\$2500.00</u> (whichever is less)	<u>\$15,000.00</u>
Covered Risk 16:	<u>1 % of Policy Amount</u> Or <u>\$2500.00</u> (whichever is less)	<u>\$25,000.00</u>
Covered Risk 18:	<u>1 % of Policy Amount</u> Or <u>\$2500.00</u> (whichever is less)	<u>\$25,000.00</u>

Street Address of the Land: 328xx Abrams Avenue
Black Diamond, WA 98010

COMMUNITY DEVELOP.

1. Name of Insured: Russell Cahill, a single person
2. Your Interest in the Land covered by this Policy is: Fee Simple
3. The Land referred to in this Policy is described as:

SEP 16 2008

RECEIVED

All that portion of Section 14, Township 21 North, Range 6 East of the Willamette Meridian, in King County, Washington, described as follows:

Beginning at a point 2,764.64 feet South and 865.57 feet West of the North quarter corner of said Section 14, said point being the Southwest corner of that certain tract of land conveyed to Steve Vernarelli by Deed recorded under Recording No 2985820;

Thence North 65°40' West 355.30 feet, more or less, to a point 20 feet East of the center line of the Old County Road;

Thence Northerly along a line parallel with and 40 feet distant from the East of that certain tract of land conveyed to Anton Malecki, by deed recorded under recording no. 1412460, 430 feet more or less to the Southwest corner of that certain tract of land conveyed to Cornell Manowski, by deed recorded under Recording No. 1491821,

Thence North 82°48' East 222 feet, more or less, to the Northwest corner of said tract of land conveyed to Steve Vernarelli by deed recorded under Recording No. 2985820;

Thence South 23°45'50" East 399.05 feet;

Thence South 00°53' West 235.31 feet to the Point of Beginning.

POLICY OF TITLE INSURANCE

SCHEDULE A

Amount of Insurance: \$175,000.00

Policy Number: B67 - 432860

Premium: \$810.00

Order Number: 432860

Date of Policy: October 29, 2007 at 11:58 AM

1. Name of Insured:

Russell Cahill, a single person

2. The estate or interest in the land which is covered by this policy is: **Fee Simple**, and is at Date of Policy vested in:

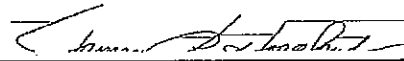
The Named Insured

3. The land referred to in this policy is situated in the County of King, State of Washington, and is identified as follows:

See attached Exhibit A

Rainier Title, Agent for Lawyers Title Insurance Corporation

Countersigned: _____



Authorized Officer of Agent

COMMUNITY DEVELOP.

SEP 16 2008

RECEIVED

EXHIBIT A

All that portion of Section 14, Township 21 North, Range 6 East of the Willamette Meridian, in King County, Washington, described as follows:

Beginning at a point 2,764.64 feet South and 865.57 feet West of the North quarter corner of said Section 14, said point being the Southwest corner of that certain tract of land conveyed to Steve Vernarelli by Deed recorded under Recording No 2985820;

Thence North 65°40' West 355.30 feet, more or less, to a point 20 feet East of the center line of the Old County Road;

Thence Northerly along a line parallel with and 40 feet distant from the East of that certain tract of land conveyed to Anton Malecki, by deed recorded under recording no. 1412460, 430 feet more or less to the Southwest corner of that certain tract of land conveyed to Cornell Manowski, by deed recorded under Recording No. 1491821,

Thence North 82°48' East 222 feet, more or less, to the Northwest corner of said tract of land conveyed to Steve Vernarelli by deed recorded under Recording No. 2985820;

Thence South 23°45'50" East 399.05 feet;

Thence South 00°53' West 235.31 feet to the Point of Beginning.

END OF SCHEDULE A

SCHEDULE B

SPECIAL EXCEPTIONS

1. Exceptions and reservations contained in deed from Pacific Coast Coal Company recorded August 13, 1920, under Recording No. 1442591, whereby the first party expressly saves, excepts and reserves out of the grant hereby made unto itself, its successors and assigns forever, all ores and minerals of any nature whatsoever in or upon said lands, including coal, oil and gas, together with the right to enter upon said lands for the purpose of exploring the same for such ores and minerals, and for the purpose of drilling, opening, developing and working mines and wells hereon, and taking out and removing therefrom all such ores and minerals, and to occupy and make use of so much of the surface of said land as may be reasonably necessary for said purpose; provided that the second party, their heirs, representatives, successors or assigns shall be paid just and reasonable compensation for any injury or damage to the surface of said land, to the crops or to the improvements thereon by the exercise of any rights herein reserved; but provided further that the exercise of such right by the first party shall not be postponed or delayed pending reasonable efforts to agree upon or have determined such just and reasonable compensation.

2. Covenants, conditions and restrictions but omitting restrictions, if any, based upon race, color, creed or national origin, imposed by instrument recorded on August 13, 1920, under Recording No. 1442591, including but not limited to rights or benefits which may be disclosed affecting land outside the boundary described in Schedule A.

END OF SCHEDULE B

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION			
SUBJECT Ordinance No. 08-879, amending section 13.04.280 for the Black Diamond Municipal Code relating to water service rates	Agenda Date: December 4, 2008		AB08-128
	Department/Committee/Individual	Created	Reviewed
	Mayor Howard Botts		
	City Administrator –Gwen Voelpel		
	City Attorney – Loren D. Combs		
	City Clerk – Brenda L. Streepy		X
	Finance – May Miller	X	
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Jamey Kiblinger		
Fund Source: Water Fund	Court – Kaaren Woods		
Timeline: 2009	Community Devel. – Steve Pilcher		
	Natural Resources – Aaron Nix		
Attachments: Ordinance 08-879 and red line version, Attachment A			
<p>Black Diamond’s Water service rates were last increased February 19, 1998. Since that time costs have increased and the rates are no longer providing the revenues needed to pay the Water Fund’s maintenance, operating and debt service costs. Pac West Engineers were retained to complete an extensive rate study analysis. The results have been presented to council at committee meeting, work study sessions, and at a public hearing November 20, 2008.</p> <p>Although a 27% rate increase to keep up with inflation is warranted, a more moderate, smoothed approach is recommended. By using some cash from the Water Reserves, and deferring projects, the rates are recommended to be increase by 15%, with an additional consumption increase to encourage conservation. This will cost the average customer with use of 470 cubic fees s month an increase from the current bill of \$23.17 to the new rate of \$26.60 per month. This amounts to a \$3.43 monthly increase. A schedule showing other consumption rates and other jurisdictions comparable rates is included.</p> <p>Over 50 percent of our customers use an average of 470 cubic feet of water per month. Using that consumption, a customer will see an increase of \$3.43 per month, from the current bill of \$23.17 per month to the new rate of \$26.60 per month. Exhibit A is included showing the impact of other consumption amounts as well as a schedule of comparable rates of other jurisdictions. The rates for connection charges and other water charges will be reviewed by PacWest and presented at a later time in a separate ordinance.</p> <p>The increase to water service rates will be effective on the first billing cycle after January 1, 2009. This should reach customers around the end of January, 2009.</p>			
COMMITTEE REVIEW AND RECOMMENDATION.Council Study session recommended the Pac West Engineering Alternative C at 15% with consumption increases to encourage conservations.			
RECOMMENDED ACTION: MOTION to adopt Ordinance No. 08-879, amending section 13.04.280 of the Black Diamond Municipal code relating to water service rates.			
RECORD OF COUNCIL ACTION			
Meeting Date	Action	Vote	
December 4, 2008			

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ORDINANCE NO. 08-879

**AN ORDINANCE OF THE CITY OF BLACK
DIAMOND, KING COUNTY, WASHINGTON,
AMENDING SECTION 13.04.280 OF THE BLACK
DIAMOND MUNICIPAL CODE RELATING TO
WATER SERVICE RATES.**

WHEREAS, the City finds it necessary to raise the rates charged to customers of its water utility in order to meet the obligations of maintenance, repair, and expansion of the City's water system;

Now, therefore, the City Council of the City of Black Diamond, King County, Washington do ordain as follows:

Section 1. Section 13.04.280(A) of the Black Diamond Municipal Code is hereby amended to read as follows:

13.04.040 Rates – Consumption and meter installation.

- A. 1. The water service rates for customers of the City's water utility shall be as set forth in section 2 through 8 below, plus \$1.82 per one hundred cubic feet of water used, for water consumption ranging between 0 to 600 cubic feet of water, per month, plus \$2.09 per one hundred cubic feet of water used, for water consumption ranging between 601 to 1,200 cubic feet of water per month, plus \$2.40 per one hundred cubic feet of water used, for consumption greater than 1,200 cubic feet of water per month.
2. All 5/8" and 3/4" meters shall be charged a minimum fee of \$17.88 per month. Each additional dwelling/business served from the above described meter shall be charged \$14.95 for each additional unit for each month inside the City limits and \$29.90 for each additional unit for each month outside the City limits.
3. All 1" meters shall be charged \$22.60 per month plus the additional amount per unit served by such meter as established in subsection A(2) above.
4. All 1 1/2" meters shall be charged \$24.38 per month plus the additional amount per unit served as established in subsection A(2) above.
5. All 2" meters shall be charged \$42.55 per month plus the additional amount per unit served as established in subsection A(2) above.

6. All 3" meters shall be charged a minimum of \$51.61 per month plus the additional amount per unit served as established in subsection A(2) above.

7. All 4" meters shall be charged a minimum of \$96.95 per month. For additional dwellings, apartments, or units, there shall be a minimum charge of \$14.95 per month for each additional dwelling, apartment or unit, and \$14.95 for each additional commercial use.

8. All 6" meters shall be charged a minimum of \$250.70 per month. For additional dwellings, apartments, or units, there shall be a minimum charge of \$14.95 per month for each additional dwelling, apartment, or unit, and \$14.95 for each additional commercial use.

Section 2. This Ordinance shall be in full force and effect for the first billing cycle occurring after January 1, 2009, after its passage, approval, posting and publication as provided by law. A summary of this Ordinance may be published in lieu of publishing the ordinance in its entirety.

Section 3. If any provision of this ordinance, or ordinance modified by it is determined to be invalid or unenforceable for any reason, the remaining provision of this ordinance and ordinances and/or resolutions modified by it shall remain in force and effect.

Mayor Howard Botts

Attested:

Brenda L. Streepy
City Clerk

APPROVED AS TO FORM:

Loren Combs
City Attorney

Published: _____
Posted: _____
Effective Date: _____

ORDINANCE NO. 08-879

AN ORDINANCE OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, AMENDING SECTION 13.04.280 OF THE BLACK DIAMOND MUNICIPAL CODE RELATING TO WATER SERVICE RATES.

WHEREAS , the City finds it necessary to raise the rates charged to customers of its water utility in order to meet the obligations of maintenance, repair, and expansion of the City's water system;

Now, therefore, the City Council of the City of Black Diamond, King County, Washington do ordain as follows:

Section 1. Section 13.04.280(A) of the Black Diamond Municipal Code is hereby amended to read as follows:

13.04.040 Rates – Consumption and meter installation.

- A. 1. The water service rates for customers of the City's water utility shall be as set forth in section 2 through 8 below, plus ~~\$1.82~~ per one hundred cubic feet of water used, for water consumption ranging between 0 to 600 cubic feet of water, per month, plus ~~\$2.09~~ per one hundred cubic feet of water used, for water consumption ranging between 601 to 1,200 cubic feet of water per month, plus ~~\$2.40~~ per one hundred cubic feet of water used, for consumption greater than 1,200 cubic feet of water per month.
2. All 5/8" and 3/4" meters shall be charged a minimum fee of ~~\$17.88~~ per month. Each additional dwelling/business served from the above described meter shall be charged ~~\$14.95~~ for each additional unit for each month inside the City limits and ~~\$29.90~~ for each additional unit for each month outside the City limits.
3. All 1" meters shall be charged ~~\$22.60~~ per month plus the additional amount per unit served by such meter as established in subsection A(2) above.
4. All 1 1/2" meters shall be charged ~~\$24.38~~ per month plus the additional amount per unit served as established in subsection A(2) above.

Deleted: \$1.58 per one hundred cubic feet of water used, per month

Deleted: \$13.25

Deleted: \$13.00

Deleted: \$26.00

Deleted: \$17.35

Deleted: \$18.90

5. All 2" meters shall be charged ~~\$42.55~~ per month plus the additional amount per unit served as established in subsection A(2) above.

Deleted: \$34.70

Deleted: 1

6. All 3" meters shall be charged a minimum of ~~\$51.61~~ per month plus the additional amount per unit served as established in subsection A(2) above.

Deleted: \$42.58

7. All 4" meters shall be charged a minimum of ~~\$96.95~~ per month. For additional dwellings, apartments, or units, there shall be a minimum charge of ~~\$14.95~~ per month for each additional dwelling, apartment or unit, and ~~\$14.95~~ for each additional commercial use.

Deleted: \$82.00

Deleted: \$13.00

Deleted: \$13.00

8. All 6" meters shall be charged a minimum of ~~\$250.70~~ per month. For additional dwellings, apartments, or units, there shall be a minimum charge of ~~\$14.95~~ per month for each additional dwelling, apartment, or unit, and ~~\$14.95~~ for each additional commercial use.

Section 2. This Ordinance shall be in full force and effect, ~~for the first billing cycle occurring after January 1, 2009,~~ after its passage, approval, posting and publication as provided by law. A summary of this Ordinance may be published in lieu of publishing the ordinance in its entirety.

Deleted: five days

Section 3. If any provision of this ordinance, or ordinance modified by it is determined to be invalid or unenforceable for any reason, the remaining provision of this ordinance and ordinances and/or resolutions modified by it shall remain in force and effect.

Mayor Howard Botts

INTRODUCED: _____

PASSED: _____

APPROVED: _____

PUBLISHED: _____

Attested:

Brenda Streepy
City Clerk

APPROVED AS TO FORM:

Loren Combs
City Attorney

Ordinance No.:
Draft No.: 1
Draft Date: November 18, 2008
Ordinance Requested by:
Page 3

Sample Monthly Utility Bills

Current Rates vs. Proposed Rates

These sample bills assume that all customers are residential users with a single meter unless otherwise noted. These sample bills are based on consumption data for July 2008.

WATER USE	Number of Customers	Total Monthly Consumption	Average Consumption
0-1,000 CF	496	237,338	479
1,001-1,500 CF	150	182,512	1,217
1,500+ CF	199	529,795	2,662

WATER	Monthly Bill with Current Rates	Monthly Bill with Proposed Rates	Increase
Average Low Consumer (479 CF)	\$23.17	\$26.60	\$3.43
Average Medium Consumer (1,217 CF)	\$34.78	\$41.75	\$6.97
Average High Consumer (2,662 CF)	\$57.61	\$76.43	\$18.82

JURISDICTIONAL COMPARISON OF USER RATES

The water user rates that have been recommended for the City of Black Diamond are consistent with rates that have been adopted by nearby jurisdictions of similar size. The City of Black Diamond is in the middle of the range for low consumption users for both the current user rates and the recommended user rates. With the current rates, the City of Black Diamond is at the bottom of the range for high users. With the recommended rates, the City will be in the middle of the range for high users, while still significantly below Covington Water District and Soos Creek Water and Sewer District. The following table provides a comparison of monthly water user rates between a typical single family residential user for various levels of consumption.

JURISDICTIONAL COMPARISON (SFR USER)					
	City of Black Diamond (Current Rates)	City of Black Diamond (Rec. Rates)	Covington Water (Summer Rates)	Soos Creek (Summer Rates)	City of Auburn
Adopted / Recommended Rates					
Meter Base Rate	\$15.55	\$17.88	\$25.00	\$8.85	\$9.08
Consump. Rate for 500 CF	\$1.58	\$1.82	\$2.15	\$1.58	\$1.80
Consump. Rate for 1,000 CF	\$1.58	\$2.09	\$3.15	\$3.56	\$2.21
Consump. Rate for 1,500 CF	\$1.58	\$2.40	\$3.15	\$4.46	\$2.21
Consump. Rate for 2,000 CF	\$1.58	\$2.40	\$5.45	\$5.10	\$2.50
Typical Monthly Bill					
500 CF	\$23.45	\$26.98	\$35.75	\$16.75	\$18.08
1,000 CF	\$31.35	\$37.16	\$48.50	\$34.55	\$28.31
1,500 CF	\$39.25	\$48.54	\$64.25	\$56.85	\$39.36
2,000 CF	\$47.15	\$60.54	\$89.20	\$82.35	\$51.86

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION			
SUBJECT: Ordinance No. 08-880, authorizing the Mayor to adopt administrative regulations	Agenda Date: December 4, 2008		AB08-129
	Department/Committee/Individual	Created	Reviewed
	Mayor Howard Botts		X
	City Administrator –Gwen Voelpel		
	City Attorney – Loren D. Combs	X	
	City Clerk – Brenda L. Streepy		
	Finance – May Miller		
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Jamey Kiblinger		
	Court – Kaaren Woods		
Community Devel. – Steve Pilcher			
	Natural Resources – Aaron Nix		
Cost Impact: None			
Fund Source: N/A			
Timeline:			
Attachments: Ordinance No. 08-880			
<p>Ordinances and resolutions are often very general in nature and provided limited guidance to administrative staff. Official policies and procedures can help clarify how to implement legislative directives and also provide a basis for training new staff and providing consistency in processes for current staff.</p>			
COMMITTEE REVIEW AND RECOMMENDATION:			
RECOMMENDED ACTION: MOTION to adopt Ordinance No. 08-880 authorizing the Mayor to adopt administrative regulations.			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
December 4, 2008			

ORDINANCE NO. 08-880

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY WASHINGTON ADDING NEW CHAPTER 1.06 TO THE BLACK DIAMOND MUNICIPAL CODE, AUTHORIZING THE CITY TO ADOPT ADMINISTRATIVE REGULATIONS.

WHEREAS, by necessity, many ordinances, statutes, resolutions, and other directives adopted by the City of Black Diamond often state their goals in very general terms; and

WHEREAS, policies and procedures are often needed to provide city employees with specific direction on how a particular ordinance, statute, resolution or other directive should be implemented within city government; and

WHEREAS, adopting official, written administrative regulations that provide direction to city employees on how a given ordinance, statute, resolution or other directive should be implemented greatly enhances the City's ability to ensure that the City's laws and policies are implemented in a way that achieves the desired goals; and

WHEREAS, adopting official, written administrative regulations will also improve the quality of the services the City is able to provide to members of our community by ensuring a consistent approach by city staff in implementing and enforcing laws and policies; and

WHEREAS, adopting official, written administrative regulations will also improve consistency and fairness in determining whether a particular action should be deemed acceptable or unacceptable to the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, ORDAINS AS FOLLOWS:

SECTION 1. A new chapter 1.06 is hereby added to the Black Diamond Municipal Code and it shall read as follows:

Chapter 1.06 City Administrative Regulations

Sections:

1.06.010 Administrative Regulations Authorized

SECTION 2. A new section 1.06.010 is hereby added to the Black Diamond Municipal Code and it

shall read as follows:

The City of Black Diamond is hereby authorized to adopt and implement a set of administrative regulations for the purpose of ensuring that the ordinances, resolutions, and policies passed by the mayor and the city council are effectively implemented within city government, as well as any other applicable state or federal laws or regulations. The regulations may also contain other rules or procedures necessary for the efficient functioning of city government. These administrative regulations shall be drafted by the mayor or the mayor's designee, or by the city administrator under the direction of the mayor as provided in BDMC 2.10.020, and shall be revised and updated as needed from time to time.

SECTION 3. This Ordinance shall be in full force and effect five days after its passage, approval, posting and publication as provided by law. A summary of this Ordinance may be published in lieu of publishing the Ordinance in its entirety.

SECTION 4. If any provision of this Ordinance is determined to be invalid or unenforceable for any reason, the remaining provisions of this Ordinance shall remain in force and effect.

Introduced the 4th day of December, 2008.

Passed by a majority of the City Council at a meeting held on the 4th day of December, 2008.

Mayor Howard Botts

Attest:

Brenda L. Streepy, City Clerk

APPROVED AS TO FORM:

Loren D. Combs, City Attorney

Published: _____

Posted: _____

Effective Date: _____

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION			
SUBJECT: Ordinance No. 08-881, establishing the duties and authority of the position of City Administrator	Agenda Date: December 4, 2008		AB08-130
	Department/Committee/Individual	Created	Reviewed
	Mayor Howard Botts		X
	City Administrator –Gwen Voelpel		
	City Attorney – Loren D. Combs	X	
	City Clerk – Brenda L. Streepy		
	Finance – May Miller		
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Jamey Kiblinger		
	Court – Kaaren Woods		
Community Devel. – Steve Pilcher			
	Natural Resources – Aaron Nix		
Attachments: Ordinance 08-881			
SUMMARY STATEMENT: The position of City Administrator has existed and been utilized in Black Diamond for many years and is authorized in the Council’s adoption of the annual budget. However, the position has never been adopted in the Municipal Code. This ordinance makes no changes to the duties, authority or compensation for the position but only formally creates the City Administrator function in code. This action will assist the current administrator in applying for national credentialing through the International City-County Management Association.			
COMMITTEE REVIEW AND RECOMMENDATION: 			
RECOMMENDED ACTION: MOTION to adopt Ordinance No. 08-881, establishing the duties and authority of the position of City Administrator.			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
December 4, 2008			

ORDINANCE NO. 08-881

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY WASHINGTON ADDING NEW CHAPTER 2.10 TO THE BLACK DIAMOND MUNICIPAL CODE, ESTABLISHING THE DUTIES AND POWERS OF THE POSITION OF CITY ADMINISTRATOR, AND INCLUDING NEW SECTIONS 2.10.010; 2.10.020; 2.10.030; AND 2.10.040.

WHEREAS, the continued growth of the City of Black Diamond has increased the complexity of the day-to-day operations of the city government; and

WHEREAS, maximizing the efficient use of the city's resources is an important goal of the elected officials of the City; and

WHEREAS, the City has found that utilizing a professional City Administrator has significantly enhanced the efficient use of city resources by having a person in City government who is a specialist in keeping daily track of the financial and operational needs of the government; and

WHEREAS, the Mayor and City Council have found that having a professional City Administrator has also enhanced the ability of the City to smoothly implement the policies and strategic goals enunciated by the Mayor and the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, ORDAINS AS FOLLOWS:

SECTION 1 New Chapter. A new chapter 2.10 is hereby added to the Black Diamond Municipal Code and it shall read as follows:

Chapter 2.10 City Administrator

Sections:

- 2.10.010 Office created**
- 2.10.020 Duties**
- 2.10.030 Appointment—Removal**
- 2.10.040 Salary**

SECTION 2. A new section 2.10.010 is hereby added to the Black Diamond Municipal Code

and it shall read as follows:

2.10.010 Office created.

The city hereby creates the office of city administrator of the City of Black Diamond.

SECTION 3 (“Duties”). A new section 2.10.020 is hereby added to the Black Diamond Municipal Code and it shall read as follows:

2.10.020 Duties.

The city administrator, under the direction and control of the mayor, shall be the individual responsible for administration of city personnel, and for the implementation, administration and enforcement of city ordinances and resolutions, and the policies and directives of the city council, which shall remain the legislative and policy-making body of the city. The city administrator, under the direction of the mayor, shall have the authority to draft, revise and enforce by whatever actions are necessary and lawful a set of administrative rules and procedures that will ensure the efficient and proper operation of city government and will carry out the ordinances and policies established by the city council. The city administrator shall also perform all duties and obligations of a city administrator as required by law, and such other duties as are set forth in city code, or as assigned from time to time by the mayor. The city administrator shall attend all special and regular meetings of the city council, unless excused, and such other meetings as requested by the mayor.

SECTION 4. A new section 2.10.030 is hereby added to the Black Diamond Municipal Code to read as follows:

2.10.030 Appointment--Removal

The city administrator shall be an at-will employee appointed by the mayor, subject to council confirmation, and terminable at will, subject to the provisions of any employment agreement regarding severance compensation. The position of city administrator shall not be required to be filled and may remain vacant at the discretion of the mayor. During periods of vacancy all duties generally performed by the city administrator shall be performed by the mayor.

SECTION 5. A new section 2.10.040 is hereby added to the Black Diamond Municipal Code to read as follows:

2.10.040 Salary

The salary for the position of city administrator shall be set at the rate provided for in the annual budget of the city adopted by the city council. The city council may approve an employment agreement with the city administrator.

SECTION 5. This Ordinance shall be in full force and effect five days after its passage, approval, posting and publication as provided by law. A summary of this Ordinance may be published in lieu of publishing the Ordinance in its entirety.

SECTION 6. If any provision of this Ordinance is determined to be invalid or unenforceable for any reason, the remaining provisions of this Ordinance shall remain in force and effect.

Introduced the 4th day of December, 2008.

Passed by a majority of the City Council at a meeting held on the 4th day of December, 2008.

Mayor Howard Botts

Attest:

Brenda L. Streepy, City Clerk

APPROVED AS TO FORM:

Loren D. Combs, City Attorney

Published: _____

Posted: _____

Effective Date: _____

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION			
SUBJECT: Ordinance No. 08-882, to allow Commercial signs in public rights of way during extended street closures	Agenda Date: December 4, 2008		AB08-131
	Department/Committee/Individual	Created	Reviewed
	Mayor Howard Botts		
	City Administrator –Gwen Voelpel		X
	City Attorney – Loren D. Combs		X
	City Clerk – Brenda L. Streepy		
	Finance – May Miller		
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson	X	
	Police – Jamey Kiblinger		
Court – Kaaren Woods			
Cost Impact:			
Fund Source:			
Timeline:			
Attachments: Ordinance No. 08-882 and red line version			
<p>City business owners have a need for additional signage outside the normal permitted area due to the closure and re-routing of state highway 169. Adoption of this ordinance allows affected businesses to post a sign that meets City standards, with the sign being installed by City workers.</p>			
COMMITTEE REVIEW AND RECOMMENDATION:			
RECOMMENDED ACTION: MOTION to adopt Ordinance No. 08-882, to allow commercial signs in public rights of way during extended street closures.			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
December 4, 2008			

ORDINANCE NO. 08- 882

**AN EMERGENCY ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF BLACK DIAMOND, KING COUNTY,
WASHINGTON, AMENDING BDMC 18.92.070 TO ALLOW
COMMERCIAL SIGNS IN PUBLIC RIGHTS OF WAY
DURING CLOSURE OF, OR RESTRICTION OF VEHICLE
TRAFFIC ON, SECTIONS OF STREETS OR HIGHWAYS
FOR MORE THAN FIVE CONSECUTIVE DAYS AND TO
EXEMPT SIGNS WITH A GOVERNMENTAL PURPOSE
FROM THE CITY'S PERMIT REQUIREMENTS**

WHEREAS, the Washington Department of Transportation has closed sections of state route 169 just south of the City of Black Diamond to effect emergency repairs to the Green River bridge; and

WHEREAS, this closure is expected to remain in place for a minimum of ninety days but could exceed 180 days; and

WHEREAS, this closure could have a devastating economic impact on businesses within the historic retail core of the City should the travelling public not be made aware that these retail establishments remain open for business; and

WHEREAS, immediate action is needed to avoid significant loss of sales by these businesses and accompanying loss of tax revenues for the City, thereby jeopardizing the ability of the City to properly fund police and other services necessary for the protection of public health and safety and the protection of public property and maintaining the peace.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 18.92.070 of the Black Diamond Municipal Code is hereby amended to read as follows:

18.92.070 Additional standards for specific signs.

- A. Business opening signs: Maximum duration shall be one month. Maximum area, per site, shall be twenty square feet.
- B. Sale signs: Maximum duration shall be one month.

C. Quitting business, fire sale and similar signs: Maximum duration shall be not more than two months.

D. Real estate (on- and off-premises signs):

1. Residential “For Sale” and “Sold” Signs. Such signs shall be limited to one sign per street frontage not to exceed six square feet in sign area per side, placed wholly on the property for sale, and not to exceed a height of six feet. Off-premises signs shall not exceed six square feet and are restricted to one per street.

2. Residential Directional Open House Sandwich Board Signs. Such signs shall be sandwich board signs only and shall be limited to one sign per street frontage on the premises for sale and three off-premises signs. However, if a broker/agent has more than one house open for inspection in a single development or subdivision, he is limited to four off-premises open house signs in the entire development or subdivision. Such signs are permitted only during daylight hours and when the broker/agent or seller or an agent is in attendance at the property for sale. No such sign shall exceed five square feet in sign area per side. The sign may be placed along the periphery of a public right-of-way, provided it does not interfere with traffic safety, but it may not be attached to a utility pole or traffic safety device. The use of any sign other than a sandwich board sign for residential directional open house purposes is prohibited.

3. Undeveloped Commercial and Industrial Property “For Sale or Rent” Signs. One sign per street frontage advertising undeveloped commercial property for sale or for rent is permitted while the building is actually for rent or sale. The sign shall not exceed thirty-two square feet in sign area per side and six feet in height.

4. Developed Commercial and Industrial Property “For Sale or Rent” Signs. One sign per street frontage advertising a commercial or industrial building for rent or sale is permitted while the building is actually for rent or sale. If one face of the building is less than ten feet from the building line, the sign shall be placed on the building or in a window. If freestanding, the sign shall not exceed six feet in height; it shall be located more than fifteen feet from any abutting property line and a public right-of-way line; and shall not exceed thirty-two square feet in sign area per side. For rental space in multioccupancy buildings, one sign, four square feet in area, is allowed per window.

E. Construction Signs. Sign copy shall be limited to information about a building under construction or being remodeled. Maximum duration shall be until construction is completed or one year, whichever is shorter. Maximum area shall be thirty-two square feet.

F. Campaign/Political Signs. Sign copy shall be limited to information about a candidate, political party or public issue involved in a current election campaign. Campaign/political signs are permissible on the edge of public rights-of-way (provided they are not hazardous to pedestrian or vehicular traffic) for a period not to exceed thirty days prior to and/or five days after the applicable election. It shall be the responsibility of the candidate to have his or her campaign/political signs removed within five days after the election, or the city will remove such signs at the candidate's expense. Campaign/political signs may not otherwise be placed on public property and rights-of-way. Maximum sign area shall be twelve square feet.

G. Seasonal Decoration Signs and Signs Advertising a Public Event. Maximum duration shall be from one month before the event to five days after the event. Signs shall be removed by the promoters of the event, or the city will remove such signs at the promoters' expense.

H. Emergency "Open for Business" Signs. Whenever a public entity shall close sections of a road or highway or otherwise redirect or restrict vehicle access for a period of time greater than five consecutive days to perform repairs or construction, an affected business owner or group of owners may apply for a permit to install temporary signs at designated locations within city right of way that inform the public that businesses remain open. Such signs shall meet design standards established by the city and shall be installed and removed only by designated city staff. Such signs shall be allowed to remain in place only as long as the road or highway is closed or the restrictions on vehicular traffic occasioned by the construction or repair work are in effect. A fee to offset the cost to the city of materials and labor shall be imposed pursuant to the city's fee schedule.

I. Signs for Governmental Purpose. Signs that are authorized by the City or a county, state, or federal highway agency and are installed for a governmental purpose shall be exempt from the permit requirements of this chapter, provided, such signs shall meet any standards set by the city or otherwise required by state or federal law. For the purposes of this section, a "sign for a governmental purpose" shall mean an authorized sign that (1) provides directions, warnings, or identifies roads, streets or highways; or (2) provides official notice as authorized by a court, public body, or public safety official; or (3) indicates scenic or historic points of interest. The city administrator, or his or her

designee, is authorized to establish and impose a fee to cover labor and materials for signs erected by the city to identify scenic or historic points of interest.

Section 2. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof, provided the intent of this Ordinance can still be furthered without the invalid provision.

Section 3. This Ordinance is hereby designated as a Public Emergency Ordinance necessary for the protection of public health, safety, public property or the public peace and shall be effective upon adoption. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced on the 4th day of December, 2008.

Passed by the City Council on the 4th day of December, 2008.

Mayor Howard Botts

ATTEST:

Brenda L. Streepy, City Clerk

APPROVED AS TO FORM:

Loren D. Combs, City Attorney

Published: _____

Effective Date: _____

ORDINANCE NO. 08- 08-882

**AN EMERGENCY ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF BLACK DIAMOND, KING COUNTY,
WASHINGTON, AMENDING BDMC 18.92.070 TO ALLOW
COMMERCIAL SIGNS IN PUBLIC RIGHTS OF WAY
DURING CLOSURE OF, OR RESTRICTION OF VEHICLE
TRAFFIC ON, SECTIONS OF STREETS OR HIGHWAYS
FOR MORE THAN FIVE CONSECUTIVE DAYS AND TO
EXEMPT SIGNS WITH A GOVERNMENTAL PURPOSE
FROM THE CITY'S PERMIT REQUIREMENTS**

WHEREAS, the Washington Department of Transportation has closed sections of state route 169 just south of the City of Black Diamond to effect emergency repairs to the Green River bridge; and

WHEREAS, this closure is expected to remain in place for a minimum of ninety days but could exceed 180 days; and

WHEREAS, this closure could have a devastating economic impact on businesses within the historic retail core of the City should the travelling public not be made aware that these retail establishments remain open for business; and

WHEREAS, immediate action is needed to avoid significant loss of sales by these businesses and accompanying loss of tax revenues for the City, thereby jeopardizing the ability of the City to properly fund police and other services necessary for the protection of public health and safety and the protection of public property and maintaining the peace.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 18.92.070 of the Black Diamond Municipal Code is hereby amended to read as follows:

18.92.070 Additional standards for specific signs.

- A. Business opening signs: Maximum duration shall be one month. Maximum area, per site, shall be twenty square feet.
- B. Sale signs: Maximum duration shall be one month.

C. Quitting business, fire sale and similar signs: Maximum duration shall be not more than two months.

D. Real estate (on- and off-premises signs):

1. Residential "For Sale" and "Sold" Signs. Such signs shall be limited to one sign per street frontage not to exceed six square feet in sign area per side, placed wholly on the property for sale, and not to exceed a height of six feet. Off-premises signs shall not exceed six square feet and are restricted to one per street.

2. Residential Directional Open House Sandwich Board Signs. Such signs shall be sandwich board signs only and shall be limited to one sign per street frontage on the premises for sale and three off-premises signs. However, if a broker/agent has more than one house open for inspection in a single development or subdivision, he is limited to four off-premises open house signs in the entire development or subdivision. Such signs are permitted only during daylight hours and when the broker/agent or seller or an agent is in attendance at the property for sale. No such sign shall exceed five square feet in sign area per side. The sign may be placed along the periphery of a public right-of-way, provided it does not interfere with traffic safety, but it may not be attached to a utility pole or traffic safety device. The use of any sign other than a sandwich board sign for residential directional open house purposes is prohibited.

3. Undeveloped Commercial and Industrial Property "For Sale or Rent" Signs. One sign per street frontage advertising undeveloped commercial property for sale or for rent is permitted while the building is actually for rent or sale. The sign shall not exceed thirty-two square feet in sign area per side and six feet in height.

4. Developed Commercial and Industrial Property "For Sale or Rent" Signs. One sign per street frontage advertising a commercial or industrial building for rent or sale is permitted while the building is actually for rent or sale. If one face of the building is less than ten feet from the building line, the sign shall be placed on the building or in a window. If freestanding, the sign shall not exceed six feet in height; it shall be located more than fifteen feet from any abutting property line and a public right-of-way line; and shall not exceed thirty-two square feet in sign area per side. For rental space in multioccupancy buildings, one sign, four square feet in area, is allowed per window.

E. Construction Signs. Sign copy shall be limited to information about a building under construction or being remodeled. Maximum duration shall be until construction is completed or one year, whichever is shorter. Maximum area shall be thirty-two square feet.

F. Campaign/Political Signs. Sign copy shall be limited to information about a candidate, political party or public issue involved in a current election campaign. Campaign/political signs are permissible on the edge of public rights-of-way (provided they are not hazardous to pedestrian or vehicular traffic) for a period not to exceed thirty days prior to and/or five days after the applicable election. It shall be the responsibility of the candidate to have his or her campaign/political signs removed within five days after the election, or the city will remove such signs at the candidate's expense. Campaign/political signs may not otherwise be placed on public property and rights-of-way. Maximum sign area shall be twelve square feet.

G. Seasonal Decoration Signs and Signs Advertising a Public Event. Maximum duration shall be from one month before the event to five days after the event. Signs shall be removed by the promoters of the event, or the city will remove such signs at the promoters' expense.

H. Emergency "Open for Business" Signs. Whenever a public entity shall close sections of a road or highway or otherwise redirect or restrict vehicle access for a period of time greater than five consecutive days to perform repairs or construction, an affected business owner or group of owners may apply for a permit to install temporary signs at designated locations within city right of way that inform the public that businesses remain open. Such signs shall meet design standards established by the city and shall be installed and removed only by designated city staff. Such signs shall be allowed to remain in place only as long as the road or highway is closed or the restrictions on vehicular traffic occasioned by the construction or repair work are in effect. A fee to offset the cost to the city of materials and labor shall be imposed pursuant to the city's fee schedule.

I. Signs for Governmental Purpose. Signs that are authorized by the City or a county, state, or federal highway agency and are installed for a governmental purpose shall be exempt from the permit requirements of this chapter, provided, such signs shall meet any standards set by the city or otherwise required by state or federal law. For the purposes of this section, a "sign for a governmental purpose" shall mean an authorized sign that (1) provides directions, warnings, or identifies roads, streets or highways; or (2) provides official notice as authorized by a court, public body, or public safety official; or (3) indicates scenic or historic points of interest. The city administrator, or his or her designee, is authorized to establish and impose a fee to cover labor and materials for signs erected by

the city to identify scenic or historic points of interest.

Section 2. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof, provided the intent of this Ordinance can still be furthered without the invalid provision.

Section 3. This Ordinance is hereby designated as a Public Emergency Ordinance necessary for the protection of public health, safety, public property or the public peace and shall be effective upon adoption. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced on the ____ day of December, 2008.

Passed by the City Council on the ____ day of _____, 2008.

Mayor Howard Botts

ATTEST:

City Clerk

APPROVED AS TO FORM:

Loren D. Combs, City Attorney

Published: _____

Effective Date: _____

V:\SnapDocs\Black Diamond - General (18256)\ORDIN\SignEmergencyOrd

Ordinance No. _____

Page 4 of 4

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION			
SUBJECT: Resolution No. 08-558, adding a temporary sign fee to the general fee schedule	Agenda Date: December 4, 2008		AB08-132
	Department/Committee/Individual	Created	Reviewed
	Mayor Howard Botts		
	City Administrator –Gwen Voelpel		X
	City Attorney – Loren D. Combs		X
	City Clerk – Brenda L. Streepy		
	Finance – May Miller		
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson	X	
	Police – Jamey Kiblinger		
Court – Kaaren Woods			
Cost Impact:			
Fund Source:			
Timeline: ASAP			
Attachments: Resolution No. 08-558			
SUMMARY STATEMENT: The City has decided to allow signage in the City right-of-ways, should an emergency situation exist. This resolution will set the installation fee at \$5.00, with signs being installed by the City’s Public Works Department.			
COMMITTEE REVIEW AND RECOMMENDATION:			
RECOMMENDED ACTION: MOTION to adopt Resolution No. 08-558, authorizing adding to the City fee schedule a fee for the installation of temporary open for business signs.			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
December 4, 2008			

RESOLUTION NO. 08-558

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON AUTHORIZING ADDING TO THE CITY FEE SCHEDULE A FEE TO OFFSET THE COSTS TO THE CITY OF INSTALLING TEMPORARY "OPEN FOR BUSINESS" SIGNS DURING PERIODS WHEN A CITY ROAD OR HIGHWAY IS CLOSED OR TRAFFIC IS REDIRECTED OR RESTRICTED

WHEREAS, pursuant to Section 2.62.010 of the City of Black Diamond Municipal Code, the City has created by resolution a consolidated list of fees to be charged for various City services; and

WHEREAS, pursuant to Section 2.62.010 of the City of Black Diamond Municipal Code, this list of fees may be amended from time to time by resolution, and

WHEREAS, the City has an urgent need to begin allowing placement of temporary business signs in city right of way in response to an emergency closure of sections of State Route 169; and

WHEREAS, the City therefore needs to establish a fee to offset the costs in materials and labor of installing such temporary signs. Now, therefore,

BE IT RESOLVED that the Community Development Director is hereby authorized to add to the City's official schedule of fees a five dollar (\$5) charge for each temporary sign created and installed pursuant to BDMC 18.92.070(H), such fee to be assessed against the business or other entity requesting installation of such sign.

ADOPTED by the City Council at an open public meeting held on the 4th day of December, 2008.

Howard Botts, Mayor

Attest:

Brenda L. Streepy, City Clerk

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION			
SUBJECT: Resolution No. 08-559, authorizing the Mayor to enter into contracts for the purchase of goods or services where the amount is \$7,500 or less or greater than \$7,500 if it is a line item in the City budget	Agenda Date: December 4, 2008		AB08-133
	Department/Committee/Individual	Created	Reviewed
	Mayor Howard Botts		X
	City Administrator –Gwen Voelpel		
	City Attorney – Loren D. Combs		
	City Clerk – Brenda L. Streepy		X
	Finance – May Miller	X	
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Jamey Kiblinger		
	Court – Kaaren Woods		
Community Devel. – Steve Pilcher			
	Natural Resources – Aaron Nix		
Attachments: Resolution No. 08-559			
SUMMARY STATEMENT: Adoption of this resolution establishes purchasing authority for the Mayor to enter into contracts for the purchase of goods or services where the amount is \$7,500 or less or greater than \$7,500 if it is a line item in the City Budget. This will help to streamline the purchasing process for the City and be more cost efficient. This will also save Council time for those minor purchases that can be handled more timely by the Mayor and staff.			
COMMITTEE REVIEW AND RECOMMENDATION: The Finance Committee reviewed this resolution at their November 20, 2008 Council meeting and recommended approval.			
RECOMMENDED ACTION: MOTION to adopt Resolution No. 08-559, authorizing the Mayor to enter into contracts for goods or services where the amount is \$7,500 or less or greater if it is a line item in the City Budget.			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
December 4, 2008			

Resolution No. 08-559

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO ENTER INTO CONTRACTS FOR THE PURCHASE OF GOODS OR SERVICES WHERE THE CONTRACT AMOUNT IS \$7,500 OR LESS AND THERE IS MONEY TO COVER THE PURCHASE IN THE CITY BUDGET, OR GREATER THAN \$7,500 WHERE THE PURCHASE IS FOR A GOOD OR SERVICE SPECIFICALLY INCLUDED AS A LINE ITEM IN THE CITY BUDGET.

WHEREAS, the City Council reviews and approves the budget of the City of Black Diamond, thereby authorizing how City funds should be utilized; and

WHEREAS, allowing the Mayor to enter into certain contracts for goods or services that already have been approved in the budget by the City Council is simply implementing the City Council's intent; and

WHEREAS, the City often faces the need to quickly purchase small amounts of goods or services that were previously unanticipated but which are necessary to the efficient operation of the City; and

WHEREAS, allowing the Mayor to enter into such contracts will streamline the purchasing process and be more cost efficient, thereby enabling the best use of the City's limited resources; and

WHEREAS, the ability of the Mayor to enter into contracts under this proposed resolution will be limited to amounts of \$7,500 or less and such money exists in the City's budget, or where the contract is for a particular good or service that has been specifically authorized as a line item in the City's budget for the same amount.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND HEREBY RESOLVES AS FOLLOWS:

Section 1. Authority of Mayor to Execute Contracts. The Mayor is hereby authorized to execute contracts for goods or services on behalf of the City of Black Diamond without the need of further approval from the City Council in either of the following limited circumstances:

- A. Where the total cost of the contract does not exceed \$7,500 and the money to pay for the goods or services is available in the existing City budget previously approved by the City Council; or
- B. Where the particular goods or services to be purchased appears as a specific line item in the existing City budget that was previously approved by the City Council, and the contract entered into by the Mayor does not exceed the amount approved for that line item in the City budget; *provided*, this subsection shall not apply to executing contracts for any goods or services where the contract to be executed is required by state or federal law to be determined through a public works competitive bidding process.

RESOLVED this 4th day of December, 2008.

CITY OF BLACK DIAMOND

Mayor Howard Botts

ATTESTED BY:

Brenda L. Streepy, City Clerk

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION			
SUBJECT: Resolution No. 08-560, adopting Financial Policies for the City of Black Diamond	Agenda Date: December 4, 2008		AB08-134
	Department/Committee/Individual	Created	Reviewed
	Mayor Howard Botts		X
	City Administrator –Gwen Voelpel		X
	City Attorney – Loren D. Combs		
	City Clerk – Brenda L. Streepy		X
	Finance – May Miller	X	
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Jamey Kiblinger		
	Court – Kaaren Woods		
Community Devel. – Steve Pilcher			
	Natural Resources – Aaron Nix		
Attachments: Resolution No. 08-560, Exhibit A – Financial Policies			
<p>SUMMARY STATEMENT:</p> <p>This resolution provides written financial guidelines for Black Diamond. Financial policies contribute to sound decision-making that safeguards core services and helps the City withstand economic fluctuations, maintain focus on the entire financial picture and adjust to the changing needs of the community. These guidelines will also assist City staff and elected officials in evaluating whether individual budget decisions accurately reflect overall goals of the City Council and community at large.</p> <p>The stewardship of public funds is one on the greatest responsibilities given to City officials and managers, therefore the establishment and maintenance of wise fiscal policies contributes to the on-going protection of City assets and helps ensure public trust.</p> <p>These guidelines in no way restrict Council’s budgetary decision-making authority.</p>			
<p>COMMITTEE REVIEW AND RECOMMENDATION: The Finance Committee reviewed the Financial Management Policies at their November 20, 2008 meeting and recommended approval.</p>			
<p>RECOMMENDED ACTION: MOTION to adopt Resolution No. 08-560 adopting Fiscal Management Policies for the City of Black Diamond.</p>			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
December 4, 2008			

RESOLUTION NO. 08-560

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
ADOPTING A SET OF FISCAL MANAGEMENT POLICIES FOR
2009 TO ENSURE THE MOST EFFICIENT USE OF
RESOURCES AND TO MEET ACCOUNTING AND AUDITING
RULES

WHEREAS, written financial guidelines contribute to sound decision-making that safeguards core services and helps the City withstand economic fluctuations, maintain focus on the entire financial picture, and adjust to the changing needs of the community; and

WHEREAS, the 2009 Financial Management Policies define practices that will be used by the City to meet its obligations and operate in a financially prudent manner; and

WHEREAS, adoption of these Guidelines will assist City staff and elected officials in evaluating whether individual budget decisions accurately reflect overall goals of the City Council and the community at large. Now, therefore,

BE IT RESOLVED that the City of Black Diamond hereby adopts the 2009 Fiscal Management Policies, a copy of which is adopted by reference to this Resolution.

ADOPTED by the City Council at an open public meeting held on the 4th day of December, 2008.

Howard Botts, Mayor

Attest:

Brenda L. Streepy, City Clerk



City of Black Diamond Financial Management Policies 2009

Background and Purpose

Financial policies provide guidelines for City of Black Diamond's leaders to ensure sound decision-making that safeguards core services while moving the community forward to achieve its vision. Good financial management ensures the City is able to withstand economic fluctuations, maintain focus on the entire financial picture, and adjust to the changing service needs of the community of Black Diamond.

This policy incorporates past financial practices in defining the current policies to be used by the City to meet its obligations and operate in a financially prudent manner. These policies have been established to provide general fiscal guidelines and are intended to provide sound direction in the management of the City's financial affairs.

Operating Budget Policies

General budget policies ensure service levels are reasonable and attainable and that budget documents detailing revenues and expenditures accurately reflect Council and community goals. The City of Black Diamond budget procedures are in compliance with the Revised Code of Washington, Chapter 35A.33. The City budgets annually on the calendar year beginning January 1st and Ending December 31st. The City Council shall adopt the budget by Ordinance at the fund level. Amendments to the budget that change fund totals will be adopted by the Council through an Ordinance, which is usually done mid-year and year-end.

Citizen Involvement

Citizen involvement shall be encouraged in the budget decision-making process through public hearings and study sessions.

Service Level Determinations

The City Council will establish municipal service levels and priorities for the upcoming year to guide staff in developing goals, objectives and budget proposals.

Conservative Budgeting

The City will use a conservative budgeting approach and accepted analytical techniques including trending, per capita estimates of intergovernmental revenue and sales and property tax estimates based on prior year revenues adjusted for reasonable known growth factors. All positions will be budgeted for a full year.

Maintenance of Facilities and Equipment

Adequate maintenance and replacement of the City's facilities, equipment and technology will be provided for in either the operating or capital budget. As practicable, these expenses will be forecasted in an equipment replacement fund in the operating budget.

Sustainable Revenue Sources

Ongoing operating program costs will not exceed the amount of ongoing revenue to finance those costs. The ongoing revenue will be identified along with new program costs. Cash balances in excess of the amount required to maintain strategic reserves will be used to fund one-time or non-recurring costs. In the event a fund has an emergency or economic downturn, resources from reserves may be used provided that they are replaced within the next five years.

Cost Recovery

All taxpayers should not pay for a service that benefits only certain individuals. Therefore, fees will be established where possible to recover costs of such services or programs. Fees for services will be reviewed and adjusted as necessary and at least once a year. Based on Council direction, general taxpayer revenues may be used to subsidize all or a portion of the cost of services.

Fund Balance Reserve Policies

Adequate fund balance and reserve levels help mitigate short-term emergencies and the effect of fluctuations in the economy, as well as assist in the financial strength of the City's bond ratings.

Operating Fund Balance Reserves

The City's goal is to achieve a 10% reserve of anticipated expenditures in the General Fund Balance over the next five years or more. The reserve will be used to meet seasonal cash flow demands, provide a financial cushion in an economic downturn and meet emergency needs. In the event that the fund balance falls below that amount, the City will work to restore the balance with cost reductions, rate increases and other measures within five fiscal years.

Contingency Reserve Fund

A Contingency Reserve Fund may also be maintained in accordance with state law (RCW 35.A.33.145) to meet any municipal extent that could have not been reasonably known at the time of adopting the annual budget. The target balance may be consistent with state law at \$.375 per \$1,000 of assessed valuation, or approximately \$220,000 for Black Diamond as of 2008.

Utility Operating Policies

City utilities are enterprise funds and therefore need to maintain a revenue and expense structure that allows them to be self-supporting with adequate revenue that pays for maintenance, operations, debt service and capital costs. Adequate reserves, rate analyses and budgetary policies steer the utilities toward ongoing self-sufficiency.

Utility Rates and Fees

As enterprise funds, all utilities will be self-supporting through rates, connection charges and other fees. As practical, smaller utility increases will be considered more frequently, to avoid large jump in rate payer bills. Revenue will pay maintenance, operation, debt service and provide funds for capital repairs and improvements. Rates and fees will be reviewed at least biennially and adjusted to adequately reflect the cost of services. Every five years a detailed rate analysis will take place to ensure financial solvency of the utilities.

Utility Fund Reserves

All utilities will be operated in a manner to ensure an ending annual reserved fund balance in an amount equal to 90 days of annual operational appropriations. In the event that the fund balance falls below that amount or a new utility is formed, the City will work to restore the balance to that level with cost reductions, rate increases and other measures within five fiscal years. The City may use reserves to “smooth” rate increases over a period of years and avoid large jumps in ratepayer bills.

Debt Management Policies

The City will maintain adequate available debt capacity to ensure funding for major, high priority projects.

The City of Black Diamond is an infrequent issuer of debt. Debt is primarily used to finance large capital investments. Various state laws limit the City’s debt capacity. General obligation debt, backed by the full faith and credit of the City, is limited to 2.5% of the value of all taxable property within the City. That percentage includes councilmanic or non-voted debt (1.5% of property values) and Local Option Capital Asset Lending – a financing contract with the Office of the State Treasurer (39.94 RCW). Revenue bonds rely on a funding source, such as utility revenues, for debt repayment.

Interfund Loans

The City will use interfund borrowing when such borrowing is cost effective, thereby eliminating the administrative cost of borrowing when adequate funds are available internally within the City's own resources. The City will not charge interest for such interfund loans that are repaid within six months. For loans beyond six months, the City will set a reasonable timeline for repayment of between one and five years and use the State's Local Government Investment Pool (LGIP) rate.

Interfund loans are permitted to cover cash flow for capital projects, where federal or state grants are approved, but there is a timing issue between city expenditures and the actual reimbursement by the granting agencies. Interfund loans shall be approved by Council with a resolution.

Bond Rating

The City will strive to obtain the best bond rating possible to produce the lowest possible interest rate on each bond sale.

Cash Management and Investment Policies
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At any one time the City may have several million dollars in various funds that are not needed until some point in the future for operations, capital purchases or the repayment of debt. By placing these revenues in State's Local Government Investment Pool (LGIP) until the funds are needed, the City is able to earn interest that in turn serves as a revenue source to reduce costs to the community. Cash and investment policies reduce the City's investment risk.

Cash Sufficiency

The City will at all times maintain sufficient cash on hand to meet reasonably expected expenditures for the operating period.

Investment Goals

The City's idle cash will be invested on a continuous basis to maximize income. Priority will be given to legality of investment practices, the safety of the asset, followed by liquidity in case a need arises where the City needs access to the funds, followed by yield or return.

Allocation of Investment Income

Where permitted, the City will pool its cash resources for investment purposes. Investment income will be re-allocated to the participating funds as much as practical.

Alternative Financing Schemes and Derivative Products

The City of Black Diamond shall not utilize alternative financing schemes or derivative products to avoid restrictions imposed by law or to utilize tax loop holes.

Capital Projects and Planning Policies

The City of Black Diamond owns considerable assets in roads, a sewer system, water system, storm water system, parks, buildings, equipment and other capital. The preservation, maintenance and future improvement of these facilities are a primary responsibility of the City. Capital items are defined as those projects and purchases costing more than \$5,000 and lasting three or more years.

Capital Improvement Plan

A Capital Improvement Program (CIP) is a flexible multi-year plan containing the city's planned capital improvement projects and the recommended financing methods for funding projects. All funds and departments are brought together in a single consolidated plan for an overall view of the City's capital improvement needs. The plan includes the capital facilities element of the City of Black Diamond Comprehensive Plan required by the Growth Management Act and other capital projects that may not fit into the capital facilities category.

Capital Projects typically apply to: 1) one-time costs for acquisition, construction, improvement, replacement or renovation of land, structures and major equipment; 2) expenditures which take place over two or more years; 3) funding with debt because of significant costs to be shared by current and future beneficiaries; and 4) systematic acquisition or repair and maintenance over an extended period of time.

Capital Improvement Plan (CIP) Participation

Citizen participation in the Capital Improvement Program is a priority for the City. Among the activities which shall be conducted to address the need are the following:

- a) The Capital Improvement Plan shall be provided to the City Council in a timely manner to allow time for the Council members to review the proposal with constituents before it is considered for adoption
- b) Council study sessions on the Capital Improvement Plan will occur during the budget deliberations and shall be open to the public and advertised sufficiently in advance of the meetings to allow for the attendance of interested citizens.
- c) Prior to the adoption of the budget and Capital Improvement Plan, the City Council shall hold noticed public hearings to provide opportunities for citizens to express their opinions on the proposed plan.

All projects included in the Capital Improvement Plan shall be consistent with the City's Comprehensive Plan.

Internal Consistency

The CIP will be consistent with the Capital Facilities Element of the Comprehensive Plan covering transportation, water, sewer, storm water, parks, recreation and general government facilities.

Funding Sources

City staff will analyze funding sources for all proposed capital improvement projects, including grant opportunities. Under Washington law, the City can only expend revenues from the Real Estate Excise Tax (REET) for capital items. Real estate excise tax of one-quarter of one percent on the sale of real property is currently dedicated to general government capital improvements and a second one-quarter of one percent is allocated to public works projects. Both allocations may be changed by the Council. These designated revenues are collected in the Special Revenue Funds and then transferred to the appropriate funds for expenditures of debt service or capital projects as budgeted. Each REET fund has established a targeted reserve of \$200,000 to \$250,000 to cover an emergency or economic downturn.

Relationship Between Operating Budget and Capital Improvement Plan

The Capital Improvement Plan, as distinguished from the Operating Budget, is a multi-year financial plan for the acquisition, expansion, or rehabilitation of infrastructure, capital assets, or productive capacity of City services. Only those projects scheduled during the first year of the plan are adopted as part of the City's annual budget. Additionally, projects to be funded by bonds or "alternative funding" are budgeted when the funding is secured.

Accounting, Financial Reporting and Auditing Policies

The City was incorporated in 1959, and operates under the laws of the State of Washington applicable to a Non-Charter code City classification adopted in 1990 with a Mayor-Council form of government. The City is a general-purpose governmental entity that provides general government services including law enforcement, fire, street improvement, parks and general administrative services. In addition the City owns and operates a water, sewer and drainage system.

Accounting and Budgeting System

The City of Black Diamond will establish and maintain a high standard of accounting practices. Accounting and budgeting systems will at all times conform to the State of Washington Budgeting Accounting Reporting System (BARS) and federal and state regulations. Cities with populations under 25,000 are classified as category 2 cities and use the allowed accounting. The accounting is single-entry, cash basis accounting, which is a departure from generally accepted accounting principles (GAAP). The city uses the revenue and expenditure classifications contained in the Budgeting, Accounting and Reporting System(BARS) manual. The manual is prescribed by the State Auditor's Office under the authority of Washington State Law, Chapter 43.09 RCW.

Financial Reporting

Reporting frequency –Monthly budget and actual reports will go to all departments. Quarterly reports, as a minimum frequency, will be presented to the City Council.

Annual Report-Will be completed by April 30th and will be distributed to the City Council, departments and the State Auditor's Office.

Reporting Improvements-The City will strive to continue to make improvements in its financial reporting so that information available to the public, the City's governing bodies and other city departments is clear and the best available for sound financial decisions.

Accounting System-A comprehensive accounting system will be maintained to provide all financial information necessary to effectively operate the City.

Full Disclosure-All public reports will contain full and complete disclosure of all material matters.

Audit Policy

The City will assist the State Auditor's Office in whatever way possible in conjunction with the preparation of the audit every two years and will implement modifications identified by the State Auditor to improve the City's internal controls and financial practices.

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION			
SUBJECT: Resolution No. 08-561, King County I-Net Contract renewal	Agenda Date: December 4, 2008		AB08-135
	Department/Committee/Individual	Created	Reviewed
	Mayor Howard Botts		
	City Administrator –Gwen Voelpel		X
	City Attorney – Loren D. Combs		X
	City Clerk – Brenda L. Streepy		
	Finance – May Miller		
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Jamey Kiblinger	X	
Timeline:	Court – Kaaren Woods		
Cost Impact: \$375.00 month			
Fund Source: General Fund			
Attachments: Resolution No. 08-561, King County Contract No. 01COBD09			
SUMMARY STATEMENT: This resolution authorizes the Mayor to execute the contract renewal with King County to provide network services. These services are necessary for the Police Department to communicate with ACCESS.			
COMMITTEE REVIEW AND RECOMMENDATION: Recommend Council adoption.			
RECOMMENDED ACTION: MOTION to adopt Resolution No. 08-561, authorizing the Mayor to execute Contract No. 01COBD09 with King County for institutional network services.			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
December 4, 2008			

RESOLUTION NO. 08-561

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH KING COUNTY FOR INSTITUTIONAL
NETWORK SERVICES AND LIMITED BASIC SERVICE**

WHEREAS, the County offers I-Net services to municipal, county, school, library and other governmental and non-profit agencies; and

WHEREAS, the City wants to purchase I-Net services from the County; and

WHEREAS, the purpose of this contract is to re-establish the contractual service and support responsibilities between the City and the County; now, therefore

BE IT RESOLVED that the Mayor is hereby authorized to execute a contract for Institutional Network Services and Limited Basic Service between King County and the City of Black Diamond, substantially in the form attached hereto as Exhibit A.

ADOPTED by the City Council at an open public meeting held on the 4th day of December, 2008.

Howard Botts, Mayor

Attest:

Brenda L. Streepy, City Clerk

Contract Between
King County, Washington
and
City of Black Diamond
For Institutional Network Services
CONTRACT NO. 01COBD09

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This Contract, made this _____ by and between King County, Washington (hereinafter "County") and City of Black Diamond, with its principal place of business at 25510 Lawson, Black Diamond, WA 98010 (hereinafter "Customer"), collectively the "Parties".

1. Preface

This Contract includes these terms and conditions and the following attachments:

Attachment A	Site locations covered by this Contract and Site Access Contact for each Site through December 2010
Attachment B	Connectivity Change Request Form
Attachment C	Appropriate Use Policy
Attachment D	Definitions
Attachment E	Key Persons
Attachment F	Termination
Attachment G	Service List
Attachment H	Service Levels
Attachment I	IP Address Space
Attachment J	Evidence of Insurance Coverage

2. Recitals

WHEREAS, County has deployed the Institutional Network (hereinafter "I-Net"); and

WHEREAS, the County offers I-Net services to municipal, county, school, library and other governmental and non-profit agencies; and

WHEREAS, Customer wants to purchase I-Net services as defined below; and

WHEREAS, the Customer agrees that it will use I-Net facilities and services solely for educational, public television channel access, County and government communication purposes, and not for any for-profit commercial purposes by itself or third parties; and

WHEREAS, the purpose of this Contract is to establish the Contractual, service and support responsibilities between the County and the Customer.

NOW, THEREFORE, in consideration of payments, covenants, and Contracts hereinafter mentioned, to be made and performed by the County and Customer (hereinafter "Parties"), the Parties covenant and do mutually agree as follows:

3. Definitions

Words and terms Shall be given their ordinary and usual meanings. Where used in the Contract documents, the words and terms Contained in *Attachment D - Definitions* Shall have the meanings indicated therein. The meanings Shall be applicable to the singular, plural, masculine, feminine and neuter of the words and terms.

4. Use of the I-Net

The I-Net services provided under this Contract are for the exclusive use of the Customer at the authorized Sites. Use of I-Net services by organizations other than those listed in *Attachment A-Site locations covered by this Contract and Site Access Contract for each Site* must be approved in advance in writing by the County. Allowing any other Site or agency to connect to or use I-Net services is a material breach of this Contract and may be cause to terminate service in whole or in part.

Customers may use the I-Net solely for educational, public television channel access and County and government communication purposes and not for any for-profit commercial purposes. Contrary use could result in the County losing the right to use most of the fibers that make up the I-Net. Customer covenants that it will comply with this requirement, and will monitor and regulate the traffic content it transports on the network to ensure its compliance with this requirement. This requirement does not prevent the Customer from collecting fees to pay the direct costs of providing non-commercial services, such as fees for video class instruction or charges to recover the cost of special use equipment. *See also, Attachment C – Appropriate Use Policy.*

Customer agrees that it Shall not resell any of the services provided under this Contract without the County's prior written permission, and Shall comply with *Attachment C – Appropriate Use Policy.*

5. Term of Contract

This Contract is effective upon execution by both Parties and Shall remain in effect for the remainder of the calendar year in which it is signed. Thereafter, this Contract Shall renew automatically from year to year for a term of three (3) years, subject to the terms and conditions of applicable franchise agreements as amended or the lease agreement, as amended, or as set forth in the termination provisions herein.

6. Notices

Whenever this Contract provides for notice to be provided by one Party to another, such notice Shall be in writing and sent certified or registered mail, return receipt requested. Any time within which a Party must take some action Shall be computed from the date that said Party receives the written notice

6.1 Notices to the County for Service Matters

Report I-Net Problems to:

I-Net Network Operations Center (County)
Voice: 206.263-7000

King County I-Net Operations Center
401 5th Ave., 7th Floor
Seattle, WA 98104
E-mail: inet.operations@kingcounty.gov

6.2 Key Persons

County and Customer have identified the persons listed in *Attachment E – Key Persons* as essential to the successful completion of the tasks identified in this Contract. The roles and authority for each of these people shall be as defined in *Attachment E – Key Persons*.

7. Charges and Payment Procedures

7.1 Invoiced Charges

A service cost summary applicable to Contract is provided in *Attachment A-Site locations covered by this Contract and Site Access Contact for each Site*. I-Net charges will begin thirty (30) Days after this Contract is signed by both Parties.

7.2 Installation and Monthly Fees

A table indicating Customer Sites, service levels and costs as provided by this Contract is shown in *Attachment A-Site locations covered by this Contract and Site Access Contact for each Site*.

7.3 Invoicing and Payment

Charges will be invoiced Monthly (12 invoice periods per year).

Payment is due within forty-five (45) Days of receipt of invoice. Thereafter, interest will be charged as allowable by law but in no event more than 1.5% per Month on the balance due.

7.4 New Site Costs

Additional Sites may be added during the term of this Contract, upon execution of an amendment to this Contract. Upon request, the County will prepare a written estimate of the costs necessary to engineer, prepare, install and connect the new Site to the I-Net, and the service rate. See *Attachment H – Service Levels* for further information. All requests for new Site connectivity must come from the Primary Contact for the Customer.

7.5 Circuits: Types and Approvals

Circuits will not be activated until appropriate approvals have been received, as defined below.

7.5.1 INTRA-AGENCY CIRCUITS

There are two potential types of inter-agency circuits:

7.5.1.1 I-Net Site to I-Net Site

Inter-agency connection requests require the approval of the Primary Contact of each customer involved in the circuit connection.

7.5.1.2 I-Net Site to External Agency

Connection requests between the customer and an external service provider or organization must originate with the customer. The County will facilitate the connection between the two via the I-Net NAP or as worked out with the customer and its provider.

7.5.2 CIRCUIT CHANGES

All requests for circuit additions or changes shall be in writing from the Customer. A work order will be generated based on this request. A Connectivity Change Request Form is provided in **Attachment B**. The change request will be evaluated to assess engineering issues and to determine whether the change is a no-cost change or is an additional cost item. If it is an additional cost item, it must be approved in writing by the Customer and the cost will be added to Customer's invoice in the next billing cycle. The County will typically provision new ATM circuits within ten (10) days of receipt of a signed change request order and I-Net engineering approval of the change.

7.5.3 NETWORK ACCESS POINT (NAP) POLICY

I-Net has a Network Access Point (NAP) that is the interconnection point between I-Net customers, the connection point with our Internet Service Providers, and is a peering point for local transit peering agreements in which we participate. Due to the criticality of the NAP, a limited group of specially trained technical staff has the privileges to make changes to these systems.

8. Reporting

The I-Net Network Operations Center will actively monitor the state of the network (e.g., alarms and errors, bandwidth utilization, and trending). Reports on the Customer's Circuits will be used as part of the annual Contract review.

9. Sub-Contracting

The County may sub-contract for some or all of the services covered by this Contract.

10. Insurance

During the term of the Contract both Parties Shall maintain Commercial General Liability insurance with limits of not less than \$1 million combined single limit per occurrence, \$2 million aggregate. The above policies Shall cover or be endorsed to cover the other Party, its officers, officials, employees and agents as an additional insured. If either Party is a municipal corporation

or an agency of the state of Washington and is self-insured or a member of the Washington Cities Insurance Corporation for any of the above insurance requirements, a certificate of self-insurance or a letter of coverage Shall be attached hereto as Attachment J – Evidence of Insurance Coverage and be incorporated by reference and Shall constitute compliance with this section. By requiring such minimum insurance, neither Party Shall be deemed or construed to have assessed the risks that may be applicable to the other Party under this Contract. Each Party Shall assess its own risks and, if it deems appropriate and/or prudent, maintain greater limits and/or broader coverage.

11. Indemnification

Each Party Shall protect, defend, indemnify, and save harmless the other Party, its officers, employees, and agents from any and all costs, claims, judgments, and/or awards of damages, for injuries to persons and/or damage to tangible property, arising out of or in any way resulting from each Party's own negligent acts or omissions associated with the I-Net services provided by the Contract to the extent each Party is liable for such acts or omissions. In the event the indemnified party incurs any costs including attorney fees to enforce the provisions of this paragraph, all such costs and fees Shall be recoverable from the Indemnitor.

11.1 Limitation of Liability

Neither Party will be liable for any indirect, incidental, special or consequential damages, including but not limited to lost data or profits, however arising, even if it has been advised of the possibility of such damages.

11.2 Risk of Loss

I-Net Users Shall be responsible for loss of or damage to I-Net equipment provided to Customer under the terms of this Contract however caused.

11.3 Survival

The provisions of this Section Shall survive the expiration or termination of this Contract with respect to any event occurring prior to expiration or termination.

12. Change Orders

Either Party may request changes to this Contract. Proposed changes which are mutually agreed upon Shall be incorporated by written amendment to this Contract. If any Change Order causes an increase or decrease in the price (fees) for, or the time required for, performance of any part of the Work under this Contract, the Parties Shall agree to an equitable adjustment in the Contract Price, the delivery schedule, or both. The County Shall be responsible for preparing all County-required documents associated with modifying the Contract to include the agreed upon Change Order. No written request, oral order, or conduct by the County will constitute a binding Change Order unless confirmed in writing by the Parties.

CUSTOMER SHALL PROVIDE A MINIMUM OF SIXTY (60) DAYS WRITTEN NOTIFICATION TO THE COUNTY OF PROPOSED DESIGN OR ARCHITECTURAL CHANGES TO ALLOW THE COUNTY SUFFICIENT TIME TO REVIEW FOR COMPATIBILITY WITH I-NET EQUIPMENT AND SERVICES. IF THE CHANGE IS COMPLEX IN NATURE, THE COUNTY MAY REQUEST ADDITIONAL TIME TO PERFORM ITS REVIEW.

13. Force Majeure

The term "force majeure" Shall include, without limitation by the following enumeration: acts of nature, acts of civil or military authorities, terrorism, fire, accidents, shutdowns for purpose of emergency repairs, strikes and any other industrial, civil or public disturbances, causing the inability to perform the requirements of this Contract. If any Party is rendered unable, wholly or in part, by Act of Nature or any other cause not within such Party's reasonable control, to perform or comply with any obligation or condition of this Contract, upon giving notice and full particulars to the other Party, such obligation or condition Shall be suspended but only for the time and to the extent necessary to restore normal operations.

14. Severability

Whenever possible, each provision of this Contract will be interpreted to be effective and valid under applicable law. If any provision is found to be invalid, illegal or unenforceable, then such provision or portion thereof Will be modified to the extent necessary to render it legal, valid and enforceable and have the intent and economic effect as close as possible to the invalid, illegal and unenforceable provision. If it is not possible to modify the provision to render it legal, valid and enforceable, then the provision will be severed from the rest of this Contract and ignored. The invalidity, illegality or unenforceability of any provision will not affect the validity, legality or enforceability of any other provision of this Contract, which will remain valid and binding.

15 Nondiscrimination

15.1 No Discrimination.

15.1.1 The Customer must comply with all applicable local, state and federal laws and regulations prohibiting discrimination, including without limitation, laws and regulations prohibiting discrimination in the provision of services or employment under this Contract. These laws include, but are not limited to, Titles VI and VII of the Civil Rights Act of 1964, as amended, Chapter 49.60 of the Revised Code of Washington, as amended, and Chapters 12.16 and 12.18 of the King County Code, as amended. If Customer engages in unfair employment practices as defined in King County Code Chapter 12.18, as amended, the remedies set forth in that Chapter, as amended Shall apply.

15.1.2 The Customer is specifically prohibited from discriminating or taking any retaliatory action against a person because of that person's exercise of any right s\he may have under federal, state, or local law, nor may the Customer require a person to waive such rights as a condition of receiving service.

15.1.3 The Customer is specifically prohibited from denying access or levying different rates and charges on any individual or group because of the income of the residents of the local area in which such group resides.

15.1.4 To the extent the County may enforce such a requirement; the Customer is specifically prohibited from discriminating in its rates or charges or from granting undue preferences to any individual or group.

15.1.5 During the performance of this Contract, neither Customer nor any party subcontracting under the authority of this Contract Shall discriminate on the basis of age, ancestry, creed, color, marital status, national origin, race, religion, sex, sexual orientation, or presence of any mental, physical or sensory handicap against any employee or applicant for employment, unless based on a bona fide occupational qualification, or in the administration or delivery of services or any other benefit under this Contract.

15.1.6 During the term of this Contract, the Customer Shall not create barriers to open

and fair opportunities to participate in the use of these services and Shall not discriminate against any person on the basis of race, color, creed, religion, sex, age, nationality, marital status, sexual orientation or the presence of any mental or physical disability in an otherwise qualified disabled person.

15.1.7 Any violation of the mandatory requirements of the provisions of this section Shall be a material breach of Contract for which the Customer may be subject to damages and sanctions provided for by Contract and by applicable law.

16. Termination

This Contract may be terminated only in accordance with the provisions of *Attachment F – Termination*.

17. Applicable Law and Forum

Except as hereinafter specifically provided, this Contract Shall be governed by and construed according to the laws of the State of Washington. Any suit arising here from Shall be brought in King County Superior Court, which Shall have sole and exclusive jurisdiction and venue. The Parties Shall comply with all local, state and federal laws and regulations applicable to this Contract.

17.1 Dispute Resolution and Mediation

17.1.1. The Parties to this Contract may seek to resolve disputes pursuant to mediation as set forth herein, but are not required to do so. Nothing in this Subsection precludes any Party from seeking relief from the King County Superior Court.

17.1.2. Disputes. In the event that a dispute arises between the Parties which cannot be resolved in the normal course, the following dispute resolution procedures Shall be followed:

17.1.2.1 If a dispute arises, then (i) within ten (10) business days of a written request by either Party, County's Project Manager and Customer's Site Manager Shall meet and resolve the issue; if these Parties cannot resolve the issue within ten (10) business days of the meeting, then (ii) the issue Shall be submitted to each Party's designated information systems manager; if these Parties cannot resolve the issue within fifteen (15) business days of submission to them, then (iii) the issue Shall be submitted for resolution to the King County Director of Information and Administrative Services and Customer's business contact.

17.2 Mediation and Arbitration

17.2.1 Nothing in this subsection precludes any party from seeking relief at any time from King County Superior Court in Seattle, Washington. If a dispute arises out of or relates to this Contract, or the breach thereof, and if said dispute cannot be settled through direct discussions, the parties agree to first endeavor to settle the dispute in an amicable manner by mediation. Thereafter, any unresolved controversy or claim arising out of or relating to this Contract, or breach thereof, may be resolved by arbitration but is not required to be resolved by arbitration, and judgment upon the award rendered by the arbitrator may be entered in King County Superior Court in Seattle, Washington.

18. Services to be Provided by I-Net

The specific services applicable to this Contract are listed in Attachment A-Site locations covered by this Contract and Site Access Contact for each Site. The Parties Shall conduct an annual joint review to determine if the services provided meet the Customer's needs, and whether modifications or changes in service levels should be made. The services Shall be selected from the Service List contained in *Attachment G – Service List*.

18.1 Demarcation Points

The Demarcation Points for each of the Customer's Site subject to this Contract are defined and listed in *Attachment A-Site locations covered by this Contract and Site Access Contact for each Site*.

18.2 Network Infrastructure Upgrade and Migration

Network Infrastructure Upgrade and Migration refers to projects that provide for the upgrade of I-Net network equipment to take advantage of new technologies or architecture that is not the result of an emergency or standard maintenance upgrade. Network Infrastructure Upgrade and Migration activities may occur outside of the regularly scheduled maintenance.

Planned Network Infrastructure Upgrade and Migration notice will be given to the Customer when such changes affect the Customer. If notification is applicable, the County will notify the Customer in accordance with Attachment E, at least thirty (30) business days in advance. The County will endeavor to notify the Customer of the: project scope; new network deployment and architecture; benefits; migration plans; and provide County contacts that are not already identified in Attachment E, if applicable.

The County will provide equipment specifications required for connectivity including equipment that meets the County's requirements. Installing specified equipment helps ensure ease of maintenance and customer support. Equipment chosen by the Customer that meets the provided specifications may be acceptable.

The County may, at its option, set a migration schedule and require Customer migration by a specified date. The County will work jointly with the Customer to set mutually agreeable migration dates based on the migration schedule.

19. Service Levels

Service levels and corresponding prices Shall be provided in accordance with *Attachment A- Site locations covered by this Contract and Site Access Contract for each Site and Attachment H – Service Levels*. Procedures for reporting and handling problems are also contained in this Attachment H.

20. Services Not Provided by I-Net

The following services are not covered by this Contract:

- Applications development or support.
- Customer LAN or desktop support services.
- Telephone support for Users not named in this Contract.
- Other non-transport Customer network design or support on the Customer side of the I-Net Demarcation Point.

21. Service Requirements

The Customer agrees it will complete the items listed below throughout the Contract at no cost to the County. Failure to do so Shall be grounds for and may result in the termination of I-Net service or delay in the County's installation.

Provide the County with any contact person changes within five (5) Days of the change. Failure to keep the Contact information current may result in delays in processing of service requests.

Provide County with access to the Sites.

Provide, at no cost to the County, sufficient rack or wall space, sufficient cooling to maintain a temperature no greater than 80 degrees Fahrenheit and one 20-amp isolated ground electrical circuit.

Keep the area around the I-Net equipment locked, dry, clean, and free of obstructions to facilitate airflow and protect the equipment investment.

Notify County of any damage or other apparent problems with the equipment or fibers.

Keep the I-Net equipment in the place where the County has installed it, and do not move, alter or use the equipment in any way without the written permission of the County.

22. Security

The Customer Shall ensure that all I-Net equipment is located inside secure, limited access facilities, providing a high level of physical security. The Circuit-oriented nature of an ATM network inherently provides a high level of data integrity. Physical security of the I-Net racks and cabinets and fibers located at the Customer's Sites will be the responsibility of the Customer. The

Customer is responsible for securing its computer resources attached to the I-Net against all unauthorized access or usage.

The County requires the installation of security measures as a condition of starting or continuing to receive I-Net Service and may change those requirements from time to time

23. Entire Agreement

This Contract contains all of the agreements of the Parties with respect to any matter covered or mentioned in this Contract. Failure of either Party to declare any breach or default immediately upon the occurrence thereof, or delay in taking any action in connection with, shall not waive such breach or default.

IN WITNESS, THEREOF, the Parties have executed this Contract.

KING COUNTY	CITY OF BLACK DIAMOND
X	x
King County Executive	Title:
Print Name:	Print Name:
Date:	Date:
Approved as to form only by: _____ King County Deputy Prosecuting Date: _____	

**Attachment A-Thru 12/31/2010 - Site Locations Covered by this
Contract & Site Access Contact for Each Site**

All Site and contact data will be kept in a database maintained by I-Net Operations. Customer agencies Shall report changes in contact personnel or location data to the I-Net Operations Center. The table below Site ID (number), name, address, city, contact, Hub, Demarcation Point, equipment owner, package, tier and cost for each Site covered under this Contract. See Attachment G for details of the service offerings identified on the following page.

**		Contract No. **
Provision Fees	Per Site	
Hardware Installation Cost(s), Excluding Bandwidth Only Product & Bandwidth Only Service		
Additional Site Provisioning Cost(s) (if needed) Excluding Bandwidth Only Product & Bandwidth Only Service		
Other Additional Services	Describe when applicable	Variable
Bandwidth Only Service Provisioning Cost		\$200
Additional service - site visit	\$150 per hour	Per hr
Total Non-Recurring Charges		
I-Net reserves the right to use spare I-Net fiber that runs to customer sites for future I-Net uses.		

SERVICE OFFERING ABBREVIATIONS

See Attachment G for descriptions of the service offerings below:

Basic Service	B1	Limited Basic Services	L1
Bandwidth Only Service (King County)	BOSKC	Local Ethernet	LE
Regional Video Conferencing Service	RVCN	Transparent LAN Service	TLS
8X5 Support	24x7	KC/IGN	IGN
T1	T1	Additional Internet Bandwidth	AIB
Professional Support Services	PSS	Additional IP Addresses	AIP
Other Services	OS		

Site ID	Site Name	Hub Name	Street/City	Site Access Contact	Demarcation Point Equipment	Equipment Owner	Specify Service Offering	Specify Tier 1 or Tier 2	Monthly Cost
2005	City of Black Diamond	25510 Lawson, Black Diamond, WA	Cedar Downs	Debbie McGraw	Switch room	KC I-Net	L1	Tier 1	\$ 375
Monthly Total:									\$ 375

Attachment B – I-Net Connectivity Change Request Form

As specified in Section 7. Charges and Payment Procedures.

E-mail this form to inet.operations@KingCounty.gov.

Information Required	Column to Provide Information
Date of Request:	
Customer Agency:	
Requestor's Name:	
Please indicate if you are the Primary or Backup Contact for this Agency:	
Primary Contact	
Backup Contact	
Please provide a brief description of the request:	
Sites involved in change (please include site name and address and I-Net site number if known):	
Duration of Change: Is change permanent ? (check one)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Duration of Change: Is change temporary ? If yes , specify the duration of the temporary change.	<input type="checkbox"/> Yes <input type="checkbox"/> No Duration of Temporary Change: _____
All change requests must be submitted and signed by either the Customer Agency's Primary or the Backup Contact and will be implemented per the terms of Customer's I-Net Contract.	
X _____ Signature Name: _____ Title: _____ Dated: _____ ❖	

Attachment C - Appropriate Use Policy

- ❖ **IMPORTANT: The County's agreements with Comcast Corporation prohibits the County from building or running a cable television network or any commercial for-profit endeavor over the fiber optic cable. The restrictions in the franchises flow down and apply to the Customer.**

The County has formulated this Acceptable Use Policy (Policy) for the purposes of furthering the responsible use of the I-Net and to enabling Users to receive reliable, high quality services.

In General.

I-Net must be used solely for lawful and intended purposes. No one Shall Use or aid anyone else in Using it to transmit, distribute or store material: (1) in violation of any applicable law or regulation, including export or encryption laws or regulations, or this Policy; or (2) that may expose the County to criminal or civil liability. Customers and Users are further prohibited from assisting any other person in violating any part of this Policy. Any Customer or User the County determines has violated any element of this Policy may be subject to a temporary or permanent suspension of service, including, if the County deems it necessary, immediate suspension or termination of such Customer's or User's service without notice. The County may temporarily suspend the Customer or User without notice if the County deems such action is required for the County to comply with its franchise, lease or applicable laws. The County may take such further action as it deems appropriate under the circumstances to eliminate or preclude repeat violations. The Customer will protect, defend and indemnify the County from any liability whatsoever arising out of any violation of the Appropriate Use of the I-Net and the County Shall not be liable for any damages of any nature suffered by any Customer, User, or any third party.

Responsibility for Content.

The County takes no responsibility for any material created or accessible on or through the I-Net. No User or Customer should hold an expectation of privacy with respect to any matter transmitted over or by the I-Net. By entering into this Contract with King County, Customer acknowledges and accepts the absence of privacy in transmitting or using the I-Net. The County may monitor the I-Net traffic for maintenance or repair or to determine usage of the I-Net. The County does not plan to exercise any editorial control over material transmitted over or by the I-Net, but reserves the right to do so consistent with applicable laws. If the County becomes aware that any material may violate this Policy, the County reserves the right to block access to such material and to suspend or terminate any User or Customer creating, storing or disseminating such material. The County further reserves the right to cooperate with cable system representatives, legal authorities and third parties in the investigation of alleged wrongdoing, including disclosing the identity of any User or Customer.

Impermissible Content.

Customers and Users Shall not Use I-Net to transmit or distribute material not permitted under the County's franchise Contracts, permits, or other Contracts with or grants to cable television or communications companies. Customers and Users Shall not Use I-Net to transmit or distribute unlawful material or information containing fraudulent material, or to make any offer containing unlawful, false, deceptive, or misleading statements, claims, or representations. In addition, Customers and Users are prohibited from submitting any unlawful, false or inaccurate information regarding I-Net's use to the County or any other Person.

Customers and Users Shall not Use I-Net to transmit, distribute or store material that is unlawful,

including but not limited to material that is indecent, obscene, pornographic defamatory, libelous, or not Constitutionally protected. The Parties agree that law enforcement may intentionally receive and store information or materials that may be indecent, obscene, pornographic, defamatory or libelous. Such use by law enforcement, as part of its law enforcement activities Shall not be considered a violation of this Appropriate Use Policy. Customers and Users Shall not use material in any unlawful manner that would infringe, violate, dilute or misappropriate any Person's protection under privacy, publicity, or other personal rights or intellectual property rights, including but not limited to, copyrights and laws protecting patents, trademarks, trade secrets or other proprietary information. The use of a domain name in connection with any of the I-Net services Shall not violate the trademark, service mark, or similar rights of any third party.

Customers and Users Shall not Use I-Net to transmit, distribute or store material that contains a virus, worm, Trojan horse, or other component harmful to the I-Net, to any other network or equipment, or to other Customers or Users.

Third Party Rules; Usenet.

Customers and Users may have access through I-Net to search engines, subscription Web services, chat areas, bulletin boards, Web pages, USENET, or other services that promulgate rules, guidelines or Contracts to govern their use. Users must adhere to any such rules, guidelines, or Contracts. Users who post messages to Usenet news groups are responsible for becoming familiar with any written charter or FAQ governing use of such news groups and complying therewith.

System and Network Security.

Customers and Users Shall not Use I-Net to violate or attempt to violate the security of any Person or network, including, without limitation, (a) accessing data not intended for such Customer or User or logging into a server or account which such Customer or User is not authorized to access, (b) impersonating County personnel, (c) attempting to probe, scan or test the vulnerability of a system or network or to breach security or authentication measures without proper authorization, (d) attempting to interfere with, disrupt or disable service to any User, host or network, including, without limitation, via means of overloading, "flooding", "mailbombing", "denial of service" attacks or "crashing", (e) forging any TCP/IP packet header or any part of the header information in any e-mail or news group posting, (f) taking any action in order to obtain services to which such User is not entitled, or (g) attempting to utilize another Customer's or User's account name or persona without that Person's authorization. Customers and Users are also prohibited from attempting any action designed to circumvent or alter any method of measuring or billing for I-Net services. Security violations may result in civil or criminal liability. The County will investigate occurrences which may include such violations and may involve, and cooperate with, law enforcement authorities in prosecuting Customers and Users who are involved in such violations.

Modification.

The County reserves the right to modify this Acceptable Use Policy in its discretion at any time. Such modifications will be effective when the Customer receives notice from the County.

Attachment D - Definitions

ASP or Application Service Provider

A business that allows another organization to use, lease, or license a Web-based service or application which is hosted and/or managed by the business at an outside facility rather than at the organization's facility.

ATM

Asynchronous Transfer Mode: A very high-speed transmission technology. ATM is a high bandwidth, low-delay Connection-oriented packet-like switching and multiplexing technique. Usable capacity is segmented into 53-byte fixed-size cells, consisting of header and information fields, allocated to services on demand.

AUP

Acceptable Use Policy:

The rules for running on the network.

Broadband

A WAN term. A transmission facility providing bandwidth greater than 45 Mbps (T3). Broadband systems generally are fiber optic in nature.

Bandwidth Only Product

Bandwidth Only Product provides a Transparent LAN Service (TLS), or Asynchronous Transfer Mode (ATM) technology. Maintenance can be included at an additional monthly fee based on the number of Customer sites, and the hours of service required by the Customer.

Bandwidth Only Service

Bandwidth Only Service provides a Transparent LAN Service (TLS), or Asynchronous Transfer Mode (ATM) technology.

Call

A Call is an association between two or more Users or between a User and a network entity that is established by the use of network capabilities. This association may have zero or more Connections.

Circuit

A point-to-point (Site-to-Site) ATM link with defined operational characteristics. It may include various virtual Circuit types including T-1, TLS, or PVC.

CLR or Cell Loss Ratio

A negotiated QoS parameter wherein acceptable values are network specific. The objective is to minimize CLR provided the end-system adapts the traffic to the changing ATM layer transfer characteristics. The Cell Loss Ratio is defined for a Connection as: Lost Cells/Total Transmitted Cells. The CLR parameter is the value of CLR that the network agrees to offer as an objective over the lifetime of the Connection. It is expressed as an order of magnitude, having a range of 10⁻¹ to 10⁻¹⁵ and unspecified.

Connection

An ATM Connection consists of concatenation of ATM Layer links in order to provide an end-to-end information transfer capability to access points. In switched virtual Connection (SVC) environments the LAN Emulation Management entities set up Connections between each other using UNI signaling.

Connectionless

Refers to ability of existing LANs to send data without previously establishing Connections.

CTD

Cell Transfer Delay: This is defined as the elapsed time between a cell exit event at the measurement point 1 (e.g., at the source UNI) and the corresponding cell entry event at measurement point 2 (e.g., the destination UNI) for a particular Connection. The cell transfer delay between two measurement points is the sum of the total inter-ATM node transmission delay and the total ATM node processing delay.

Customer or Customer Agency

A municipality, school district, college or other governmental or non-profit agency that is a participant in the King County Institutional Network. *See Attachment A-Site locations covered by this Contract and Site Access Contact for each Site* for the specific Site locations included in this Contract.

Day

Calendar Day unless otherwise specified.

Demarcation Point

The point of interconnection between the County's I-Net fibers or Hardware and the Customer's fibers or Hardware.

DNS or Domain Name Services

Services which convert domain names into IP addresses.

DS-0

Digital Signal, Level 0: The 64 kbps rate that is the basic building block for both the North American and European digital hierarchies; a worldwide standard.

DS-1

Digital Signal, Level 1: The North American Digital Hierarchy signaling standard for transmission at 1.544 Mbps. This standard supports 24 simultaneous DS-0 signals. The term is often used interchangeably with T1 carrier although DS-1 signals may be exchanged over other transmission systems.

External Agency

An organization or ASP that is not a member of the Institutional Network, but that an I-Net Customer has requested Connection to via the I-Net NAP.

Fee Basis

A service is provided on a Fee Basis if there is a charge, whether in money, in-kind service, or otherwise, to those using the service or application. Customers using I-Net transport to charge other agencies will be charged a fee.

Demarcation Point

The point in the Site where the ownership or control of the fibers or Equipment changes from the Site owner or Customer to the I-Net.

Hardware

The actual physical computing machinery, including the Firmware which is combination Hardware/Software that is "burned into" a Programmable Read Only Memory chip or chips as opposed to Software. An Integrated Access Device is an example of Hardware.

Hub

A switching location on Comcast's primary ring or one of its secondary rings.

I-Net

The King County Institutional Network, a fiber optic based transport network shared by municipal, county, school, library and other governmental and non-profit agencies in for the purpose of supporting voice, video and data communication among the participants.

Integrated Access Device or IAD

A physical device which is capable of forwarding packets between legacy interworking interfaces (e.g., Ethernet, Token Ring, T-1, etc.) and ATM interfaces based on data-link and network layer information but which does not participate in the running of any network layer routing protocol. An Integrated Access Device obtains forwarding descriptions using the route distribution protocol.

IP

Internet Protocol: Part of the TCP/IP family of protocols describing Software that tracks the Internet address of nodes, routes outgoing messages, and recognizes incoming messages.

ISP

Internet Service Provider.

King County

King County, Washington. A political subdivision of the State of Washington.

LAN

Local Area Network: A network designed to move data between stations within a campus.

Local Ethernet

Local Ethernet provides a means of extending a customer's LAN between its facilities, but only within the area served by the local service Hub and is subject to fiber availability. It provides service at higher speeds of up to 1 Gbps.

Limited Basic Service

The Limited Basic Service (L1) provides a 1.5 Mbps connection served from an Ethernet port and eight (8) IP addresses. A one (1) year contract term is available for this service, and no additional options can be added without upgrading to "Basic" services.

MAN

Metropolitan Area Network: A network designed to carry data over an area larger than a campus such as an entire city and its outlying area.

Mbps

Million bits per second.

MMF

Multimode Fiber optic Cable: Fiber optic cable in which the signal or light propagates in multiple modes or paths. Since these paths may have varying lengths, a transmitted pulse of light may be received at different times and smeared to the point that pulses may interfere with surrounding pulses. This may cause the signal to be difficult or impossible to receive. This pulse dispersion sometimes limits the distance over which a MMF link can operate.

Month

The period commencing on the first calendar Day of a calendar Month and ending on and including the last Day of that calendar Month.

Multicasting

The transmit operation of a single PDU by a source interface where the PDU reaches a group of one or more destinations.

Multipoint-to-Multipoint Connection

A Multipoint-to-Multipoint Connection is a collection of associated ATM VC or VP links, and their associated nodes, with the following properties:

All Nodes in the Connection, called endpoints, serve as a Root Node in a Point-to-Multipoint Connection to all of the (N-1) remaining endpoints.

Each of the endpoints on the Connection can send information directly to any other endpoint, but the receiving endpoint cannot distinguish which of the endpoints is sending information without additional (e.g., higher layer) information.

NAP

Network Access Point. The County's NAP is in the Westin Building in Downtown Seattle.

NMS or Network Management System

A system of Hardware and Software that is used to monitor, control and manage the County's INET Network. A NMS may manage one or more other Network Management Systems.

NOC or Network Operations Center

The administrative group within King County charged with the Day-to-Day operation of the I-Net.

OIRM or Office of Information Resource Management

An Office of the King County Executive Office within King County government.

OSI

Open Systems Interconnect. A network model developed by the International Standards Organization.

PBX

Private Branch eXchange: PBX is the term given to a device which provides private local voice switching and voice-related services within the private network. A PBX could have an ATM API to utilize ATM services, for example Circuit Emulation Service.

Point-to-Point Connection

A Connection with only two endpoints.

PRI

Primary Rate Interface: An ISDN standard for provisioning of 1.544 Mbit/s (DS1 - North America, Japan, et al) or 2.048 Mbit/s (E1 - Europe) ISDN services. DS1 is 23 "B" channels of 64 kbit/s each and one signaling "D" channel of 64 kbit/s/ E1 is 30 "B" channels of 64 kbit/s each and one signaling "D" channel of 64 kbit/s.

Provider

King County Institutional Network (I-Net), as managed and operated by King County Office of Information Resource Management I-Net Operations.

PVC or Permanent Virtual Circuit

A link with a static route defined in advance, usually by manual setup.

QoS

Quality of Service: Quality of Service is defined on an end-to-end basis in terms of the following attributes of the end-to-end ATM Connection:

- Cell Loss Ratio
- Cell Transfer Delay
- Cell Delay Variation

Rate Card

The list of rates and charges for the provision of I-Net services.

Router

A physical device that is capable of forwarding packets based on network layer information and that also participates in running one or more network layer routing protocols.

Shall or Will

Whenever used to stipulate anything, Shall or Will means that the action or inaction is mandatory by either the Customer or the County, as applicable, and means that the Customer or the County, as applicable, has thereby entered into a covenant with the other Party to do or perform the same.

Site

A single building or location. Each Site is counted as a unit for purposes of the Customer's Use Charge.

SM or Single Mode Fiber

Fiber optic cable in which the signal or light propagates in a Single Mode or path. Since all light follows the same path or travels the same distance, a transmitted pulse is not dispersed and does not interfere with adjacent pulses. SM fibers can support longer distances and are limited mainly by the amount of attenuation. Refer to MMF.

Software

All or any portion of the binary computer programs and enhancements thereto, including source code, localized versions of the binary computer programs and enhancements thereto, including source code and documentation residing on County-owned Hardware. Software is the list of instructions to operate the Hardware.

SVC

Switched Virtual Circuit: A Connection established via signaling. The User defines the endpoints when the Call is initiated.

T-1

A dedicated phone Connection supporting data rates of 1.544Mbits per second. A T-1 line actually consists of 24 individual or DS0's, each of which supports 64Kbits per second. Each 64Kbit/second channel can be configured to carry voice or data traffic. Most telephone companies allow you to buy just some of these individual channels, known as *fractional T-1* access. T-1 lines are sometimes referred to as *DS1* lines.

Testing

The process of ensuring the equipment and fiber provides the services to the Customer's site as described in this Contract.

Transparent LAN Service (TLS)

Transparent LAN Service is a LAN extension service. It uses reserved fiber and is available to establish connections spanning the entire I-Net service area, if needed. TLS is typically delivered as Ethernet over a 10/100BaseT connection. However, it may be delivered using either a fiber optic pair running Ethernet or ATM, depending on other requirements of the Customer. The speed is adjustable from 15 Mbps to 100 Mbps. This is a bridged LAN connection that conforms to RFC 1483, also known as Multi-protocol Encapsulation over ATM Adaptation Layer 5.

UNI

User-Network Interface: Specifications for the procedures and protocols between User equipment and either an ATM or Frame Relay network. The UNI is the physical, electrical and functional Demarcation Point between the User and the public network service Provider.

Use Charge

The amount the Customer owes for receipt of I-Net services. A Use Charge may include both Monthly and non-Monthly costs.

User

An employee, client, or other person accessing the network or using I-Net services at a facility controlled by a Customer.

WAN

Wide Area Network: This is a network which spans a large geographic area relative to office and campus environment of LAN (Local Area Network). WAN is characterized by having much greater transfer delays due to laws of physics.

Attachment E - Key Persons

The Primary Contact and the Backup Contact listed below Shall have authority, on behalf of the Customer to request and approve all network Connections to other I-Net agencies or external agencies and to add, delete or modify services and Sites, including both cost and no-cost changes.

The Backup Contact is granted complete authority in the absence of the Primary Contact. All change requests must come from and be signed by either the Primary Contact or the Backup Contact listed below, and no changes can be made to the Customer's Circuit configuration without a prior written request approval. The Customer Shall provide updated written information to the County within five (5) business days should this contact change.

The Technical Contact will be the lead on all technical and troubleshooting issues regarding I-Net transport services. The Customer Shall provide updated information to the County within five (5) business days should this contact change.

The Site Access Contact will provide physical access to the I-Net equipment at an individual Site. These contacts are listed in *Attachment A-Site locations covered by this Contract and Site Access Contact for each Site*. The Customer Shall provide updated information to the County within five (5) business days should this contact information change.

COUNTY	CITY BLACK DIAMOND
Primary Contact Name: Ayele Dagne, Network , Systems & Operations Manager 401 5th Avenue, Seattle, WA 98104, 7th Fl Phone: 206-263-7848 E-mail: ayele.dagne@kingcounty.gov	Primary Contact: Chief Jamey Kiblinger 25510 Lawson St/PO Box 309 Black Diamond WA 98010 Phone: (253) 631-1012 E-mail: jkiblinger@police.ci.blackdiamond.wa.us
Back up Contact Name: Darryl Hunt 401 5th Avenue, Seattle, WA 98104, 7th Fl Phone: 206-263-7890 E-mail: darryl.hunt@kingcounty.gov	Back up Contact: Cmdr Jamey Kiblinger 25510 Lawson St/PO Box 309 Black Diamond, WA 98010 Phone: (253)631-1012 E-mail: jkiblinger@police.ci.blackdiamond.wa.us
Technical Contact Name: Lori Dickneite Network , Systems & Operations Manager 401 5th Avenue, Seattle, WA 98104, 7th Fl Phone: 206-263-7848 E-mail: lori.dickneite@kingcounty.gov	Technical Contact: Chip Hanson Title: IT Manager Black Diamond Police Dept 25510 Lawson St/PO Box 309 Black Diamond WA 98010 Phone: (360) 886-2560 E-mail: chanson@ci.blackdiamond.wa.us
Invoicing/Payments: Junko Keesecker Business and Finance Officer 401 5th Avenue, Seattle, WA 98104, 6th Fl Phone: 206-263-7897 E-mail: Junko.Keesecker@kingcounty.gov	Site Access Contact: Debbie McGraw Title: 25510 Lawson St/PO Box 309 Black Diamond WA 98010 Phone: (253)631-1012 E-mail: dmcgraw@cityofblackdiamond.com

Attachment F - Termination

1. This Contract may be terminated by either Party without cause, in whole or in part, upon providing the other Party one hundred eighty (180) Days advance written notice of the termination.

If the Contract is terminated pursuant to this *paragraph 1*: (1) the Customer will be liable only for payment in accordance with the terms of this Contract for services rendered prior to the effective date of termination; and (2) the County Shall be released from any obligation to provide further services pursuant to the Contract.

2. Either Party may terminate this Contract, in whole or in part, upon thirty (30) Days advance written notice in the event: (1) a corrective action plan has not been accepted by the non-breaching Party within thirty (30) Days; (2) the other Party materially breaches any duty, obligation, or services required pursuant to this Contract which can not be cured; (3) the duties, obligations, or services required herein become impossible, illegal, or not feasible or (4) the Parties have agreed to a corrective action plan and the breaching Party has not commanded or completed corrective action as specified in the plan.

If the termination results from acts or omissions of the Customer, including but not limited to, damage to fiber optic lines or to County-owned equipment, or the failure to pay amounts due, the Customer Shall return to the County immediately any County-owned equipment and pay all amounts due to the County, including replacement, e.g. costs for fiber and equipment damaged as a result of the breach.

3. If expected or actual Customer or County funding is withdrawn, reduced or limited in any way prior to the termination date set forth above or in any amendment hereto, the Party without funding may, upon written notice to the other Party, terminate this Contract, in whole or in part, as of the time funding will not be available. Either Party Shall provide the other Party at least ninety (90) days notice of termination for non-appropriation.

If the Contract is terminated pursuant to this Section, paragraph 3: (1) the Customer will be liable only for payment in accordance with the terms of this Contract for services rendered prior to the effective date of termination; and (2) the County Shall be released from any obligation to provide further services pursuant to the Contract.

County funding under this Contract beyond the current appropriation year is conditional upon appropriation by the County Council of sufficient funds to support the activities described in this Contract. Should such an appropriation not be approved, this Contract will terminate at the close of the current appropriation year which ends on December 31st.

4. Nothing herein Shall limit, waive, or extinguish any right or remedy provided by this Contract or law that either Party may have in the event that the obligations, terms and conditions set forth in this Contract are breached by the other Party.

Attachment G - Service Offerings List through 12/31/2010

The following abbreviations have been assigned to the service offerings to represent the offerings below:

SERVICE OFFERING ABBREVIATIONS

See Attachment G & Attachment H for descriptions of the service offerings below:

Basic Service	B1	Limited Basic Services	L1
Bandwidth Only Service (King County)	BOSKC	Local Ethernet	LE
Regional Video Conferencing Service	RVCN	Transparent LAN Service	TLS
8X5 Support	24x7	KC/IGN	IGN
T1	T1	Additional Internet Bandwidth	AIB
Professional Support Services	PSS	Additional IP Addresses	AIP
Other Services	OS		

1-A. Basic Service (B1):

The Basic Service (B1) provides 6Mbps with surge to 20Mbps Transparent LAN Service (TLS) connection that bridges a Customer's Ethernet LANs. The service also includes two T-1 circuits capable of interconnecting two PBX's, two routers and/or video conferencing equipment equipped with a T-1 interface card and 16 IP addresses. It also includes a 1.5Mbps with surge to 20Mbps connection to the Internet Network Access Point (INAP) and 1.5Mbps with 8Mbps surge connectivity to the Internet.

2-A. Limited Basic Service (L1):

The Limited Basic Service (L1) provides a 1.5 Mbps connection served from an Ethernet port and eight IP addresses. A one year contract term is available for this service, and no additional options can be added without upgrading to "Basic" services.

3-A. I-Net Bandwidth Only Service (BOSKC):

The Bandwidth Only Service (BOSKC) provides a Transparent LAN Service (TLS), or Asynchronous Transfer Mode (ATM) technology. Bandwidth levels available for purchase are; 15, 30, 50 and 100Mbps. An option to purchase a separate maintenance service is available. The monthly maintenance charge is calculated based on the number of Customer sites, and a desired service hour duration.

4-A. Local Ethernet Service (LE):

This is a local area network (LAN) extension service. A Customer's sites must use the same (local) I-Net service hub. Sites are served based on the availability of spare fiber optic cable. There must be an Ethernet switch installed in the service hub for which the Customer pays a provisioning fee. Bandwidth use is not metered. Local Ethernet service is offered at 100 Mbps and 1 Gbps.

All fiber optic site cable runs back to an I-Net hub. Each site has a total of six strands of cable running to an I-Net Hub.

Customer must purchase either I-Net Basic Service for at least one site to be eligible for Local Ethernet Service to the other sites fed out of that same

The County ensures that Ethernet frames are being forwarded without error. If a service engineer is dispatched to solve an incident and the incident is determined to be that of the Customer, a service call charge will be invoiced.

5-A. Regional Video Conference Network Services (RVCN):

I-Net currently offers a Regional Video Conference Network Services (, typically through a deployment of Marconi "Virtual Presence" (ViPr) equipment. This is high quality video and audio communications currently offered over a secure private fiber network. The service includes network transport (ATM) and gateway service permitting conferencing with video terminals on other networks via IP, using SIP and H.323 protocols, or Integrated Services Digital Network (ISDN), using H.320 protocol. Conferences supporting up to 100 simultaneous terminals are possible with this service.

The Customer is required to purchase their videoconferencing terminal. The preferred and only officially supported terminals for this service are Ericsson ViPr. A range of conferencing units are available from individual desktop systems to larger group conferencing systems.

Video Hardware Maintenance: Agencies of King County may purchase hardware maintenance at cost for specific models of video terminals.

6-A. Transparent LAN Service (TLS):

This is a LAN extension service. It provides wide area connectivity. Unlike Local Ethernet Service, TLS uses reserved fiber and is available to establish connections spanning the entire I-Net service area, if needed. TLS is typically delivered as Ethernet over a 10/100BaseT connection. However, it may be delivered using either a fiber optic pair running Ethernet or ATM, depending on other requirements of the Customer. The speed is adjustable from 15 Mbps to 100 Mbps. This is a bridged LAN connection that conforms to RFC 1483, also known as Multi-protocol Encapsulation over ATM Adaptation Layer 5.

7-A. Additional Internet Bandwidth (AIB):

I-Net offers additional Internet bandwidth upon Customer's request increments of 1.5 Mbps. Separate monthly charge applies.

8-A 8X5, Regular business hours support service:

Support is provided Monday through Friday during regular daytime hours except on legal holidays. The targeted initial response time will be 30 minutes. Problem resolution begins no more than two (2) hours after the initial report. Work on problems will continue within these regular business hours. It will only continue beyond these hours if escalated by the Customer and with approval of I-Net service management. 8X5, Regular business hours support service is included with video conferencing service and not available for any of I-Net's other services.

8-B 24X7, Regular business hours support service:

Support is provided 24 hours a day, 7 days a week, every day of the year. The targeted initial response time will be 30 minutes. Problem resolution begins no more than two (2) hours after the initial report. Problem resolution work will continue until resolved. 24X7, Regular business hours support service is included with I-Net's Basic and Limited Basic services; optional with Bandwidth only and local Ethernet services; and not available for video conferencing services.

9-A KC/IGN Connection:

The KC/IGN is the common data network used to connect to state agencies, counties, and cities with known end points, managed gateways, and applications. I-Net provides network transport to gain access to this network. Municipalities, public health agencies, and law enforcement agencies are able to access applications and share data with other state and local government agencies statewide. Customers connecting to the IGN must adhere to security guidelines published by Washington State Department of Information Systems (DIS) that pertain to this network. This service is bundled with both I-Net Basic and Limited Basic Services. The existing KC/IGN is maintained by King County Network Services and is connected to the Washington State Department of Information Systems (DIS) state-wide Inter-Governmental Network (IGN).

10-A Additional T1 Connection:

A dedicated connection supporting legacy data and voice applications at a fixed rate of 1.544 Mbps. This offering is usually for multiple-site agencies that have legacy T1 line ports between their facilities used to serve voice applications such as PBXs. T1 line ports can also be provided that connect between two participating agencies. Fractional T1 service is also available where individual channels may be directed to different sites. The interface is an RJ-48X connector from the I-Net edge equipment.

11-A. Additional IP Addresses Option (AIP):

Customers have the option of purchasing additional blocks of non-portable IP addresses from King County's Class B address space 146.129.x.x. The blocks come in quantities of 16.

12-A Professional Support Services (PSS):

Professional Services is meant to be a range of specialized services oriented toward helping Customers make the best use of I-Net. The scope, duration, and rates, will vary as will the skill sets of professionals involved. Here are some examples:

1. **Network Engineering Service:** This is work developing specialized network solutions to fit the Customer's needs related to I-Net services. Rates will vary depending upon the duration of the work, hourly or per job. The typical rate for in-house staff is \$80/hr. Outside resources will normally demand a higher rate up to \$150/hr. This service is subject to staff availability.
2. **Solution Architecture:** This architecture work is to aid in adapting and scaling applications to operate optimally in an I-Net enabled network environment. The hourly consultation is at the market rate. This may entail using in-house staff or may require outsourcing to obtain the resources with the correct skill set.
3. **Project Management Service:** This service will provide overall management of work performed by multiple third parties for a Customer that may be needed prior to installation of I-Net services. This service has traditionally focused on managing construction tasks necessary to deliver fiber optic media. Other related project management tasks may be considered. Charges for the service will be a fixed percentage of the estimated total project cost.

County engineers will work with the Customer's Technical Contact to design the Circuits and provisioning for the Customer's Sites. Typically the device installed at a Site will be an Integrated Access Device providing a 10/100 Mbps Ethernet Connection; T-1 interfaces will be available on the same Integrated Access Device. All installed Equipment remains the sole property of the County.

The County provides initial configuration and installation of County equipment and service, including customization of Circuits. All County-installed equipment whether at a Customer's Site or not, remains the sole property of the County.

I-Net will only provide transport from suburban cities to KC/IGN and will not be involved with application incidents and issues.

If a service engineer is dispatched to solve an incident and the incident is determined to be that of the Customer, a service call charge will be invoiced.

Attachment H - Service Levels

1. Network Latency

The end-to-end network latency will not be greater than an average of nine (9) milliseconds.

2. System Availability

Customer circuits will be up and operating satisfactorily at least **99.9%** of the time, as measured over each billing period. Scheduled maintenance time is not included in this calculation.

3. Maintenance Window

Regularly scheduled maintenance refers to upgrades and non-emergency repairs that are not the result of an emergency. Scheduled maintenance procedures may be performed on Sunday mornings between 06:00 and 09:00.

Notice will be given to the Customer of planned network outages when such an outage will affect Customer. An I-Net Outage Notification list, comprised of the Customer's designated Technical Contact, will be maintained for this purpose. The County will notify customer of scheduled outages at least seventy-two (72) hours in advance. The County will endeavor to notify Customer of emergency outages as soon as possible.

4. Reliability

The I-Net network core is a redundant, failover network. Recovery due to a network break in the primary ring should not be greater than three (3) seconds under worst case conditions, with detection and rerouting typically occurring in approximately one (1) second. I-Net has connections at sites for redundant connections to the border environment that connects with the internet.

5. Problem Reporting and Escalation Procedure

End users will initially report problems to their agency's Information Technology (IT) organizations per their existing internal policies.

- The Customer's IT personnel shall troubleshoot the problem to eliminate application, user platform, or other potential problem sources within its internal network.
- If the Customer then believes it is an I-Net circuit problem, the Customer's designated Technical Contact(s) shall contact the OIRM Network Operations Center.
- A work order (trouble ticket) will be created based on the trouble call and the I-Net troubleshooting process and time clock will begin.
- OIRM Operations will provide a Problem Reporting and Escalation Procedure to the Customer and provide the Customer with progress and status information on trouble calls. The Customer should receive an initial callback regarding the status of the problem within thirty (30) minutes of the initial trouble report.

6. Problem Escalation

I-Net Operations will attempt to begin resolution of most problems within two (2) hours of the problem report initially being logged and a trouble ticket being generated. The NOC will notify the Customer regarding the status of the reported problem and the estimated time to repair completion. The estimated time to repair will depend on the determination of whether or not the issue is outside the control of OIRM, such as a fiber or power outage, or within the control of OIRM.

- If, after two (2) additional hours, the problem resolution has not been resolved (within the parameters of the support window and problem severity), the Customer may contact the OIRM Operations Manager to escalate the problem priority. At this point, the Operations Manager will assess the internal or external situation, escalate the trouble ticket's priority as necessary, and provide a best estimate of time to repair completion.

7. Support Services

Levels of support vary when purchasing bundled services. The section on offerings, or service bundles, shows the levels of support available for each. Here is more general information on the support levels.

8 x 5 Support: This is the default level of support provided for all services unless otherwise specified. Support is provided Monday through Friday during regular daytime hours except on legal holidays. The targeted initial response time will be 30 minutes. Problem resolution begins no more than two (2) hours after the initial report. Work on problems will continue within these regular business hours. It will only continue beyond these hours if escalated by the Customer and with approval of I-Net service management

24 x 7 x 365 Support: Support is provided 24 hours a day, 7 days a week, every day of the year. The targeted initial response time will be 30 minutes. Problem resolution begins no more than two (2) hours after the initial report. Problem resolution work will continue until resolved.

Support Surcharge: This is a fee charged when a trouble call results in the dispatch of support staff to a Customer site and the cause of trouble is found to be the responsibility of the Customer. The charge is hourly with a one hour minimum.

Professional Services: Professional Services is meant to be a range of specialized services oriented toward helping Customers make the best use of I-Net. The scope, duration, and rates, will vary as will the skill sets of professionals involved. Here are some examples:

- **Network Engineering Service:** This is work developing specialized network solutions to fit the Customer's needs related to I-Net services. Rates will vary depending upon the duration of the work, hourly or per job. The typical rate for in-house staff is \$80/hr. Outside resources will normally demand a higher rate up to \$150/hr. This service is subject to staff availability.
- **Solution Architecture:** This architecture work is to aid in adapting and scaling applications to operate optimally in an I-Net enabled network environment. The hourly consultation is at the market rate. This may entail using in-house staff or may require outsourcing to obtain the resources with the correct skill set.
- **Project Management Service:** This service will provide overall management of work performed by multiple third parties for a Customer that may be needed prior to installation

of I-Net services. This service has traditionally focused on managing construction tasks necessary to deliver fiber optic media. Other related project management tasks may be considered. Charges for the service will be a fixed percentage of the estimated total project cost.

If an I-Net technician is required to visit a Site to repair or troubleshoot a problem, Customer may be charged for this service. There will be no charge if the problem necessitating the visit is due to a failure with the County's equipment or network that was not the result of Customer activity, or is caused by the County. In all other situations, Customer will be charged for the visit. The charge for this service will be \$150 per hour, including travel time, with a minimum 2-hour charge. This charge will be added to Customer's Monthly invoice.

8. New Service Requests

The workflow and timing for service requests varies depending on the nature of the service being requested and constraints imposed by the Customer's status as an existing or new customer.

- For sites already receiving I-Net service, I-Net will add new services requiring only a software change within ten (10) business days from the receipt of a written request for the additional service from the Customer and I-Net engineering approval of the change. Services requiring hardware changes will be scheduled with the Customer. Upon receiving I-Net engineering and the Customer's approval, I-Net will complete a work order and obtain written approval from the Customer. This approved work order will be processed by the County for Customer billing.
- For new I-Net service, I-Net's ability to provide requested service will be dependent upon the availability of existing fiber provisioning and integration with the Customer's other existing sites on I-Net. This design will require the participation of both Parties.
- The County will generally add service to a new site, where minimal facilities engineering and provisioning tasks are required, within sixty (60) business days from receipt of a written request for the service from the Customer's Primary Contact. The County requires a minimum of ninety (90) business days to construct a typical installation when new fiber installation is required. When more than minimal facilities engineering and provisioning tasks are required, the installation of service will be negotiated with the Customer. All new services require a signed amendment and will be activated as mutually agreed upon.

For all services provided to Customer that requires engineering, design, or installation services by the County, an hourly fee will be charged as specified in Attachment A.

Service cannot be activated without a fully executed Contract in place. OIRM Contract Administration is responsible for managing the contract development process with the active support of OIRM marketing and NSO management staff as required.

9. Tier 1 and 2 Support

Tier 1 Support: I-Net Customer will be the first level support responsible for; managing, monitoring, maintaining, and supporting equipment and maintenance agreements which have been transferred to County ownership. Customers with tier responsibility will have write changes to the switch.

Tier 2 Support: I-Net will have access to switches with privilege access to enable and disable (control) ports on the switch. Once Tier 1 identifies and escalates the issue, I-Net will verify the Customer issue; fix the switch or if the fiber appears down, I-Net engineer will schedule a time and date with Comcast dispatch for repair.

Attachment I – IP Address Space

IMPORTANT: IP ADDRESS SPACE IS OWNED BY THE COUNTY AND REMAINS THE PROPERTY OF KING COUNTY. THE CUSTOMER HAS THE USE OF THIS ADDRESS SPACE ONLY WHILE THIS CONTRACT IS IN PLACE. THE COUNTY CAN NOT GUARANTEE CONTIGUOUS IP ADDRESSES WHEN CUSTOMER IS PURCHASING ADDITIONAL IP ADDRESSES, UNLESS AGREED TO IN WRITING BY THE COUNTY.

**Attachment J – Evidence of Insurance Coverage Attachment J –
Evidence of Insurance Coverage**