

**CITY OF BLACK DIAMOND CITY COUNCIL  
WORKSTUDY NOTES**

**July 25, 2013**

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

Mayor Olness called the meeting to order at 5:30 p.m.

**PRESENT:** Councilmembers Deady, Edelman, Goodwin, Benson and Taylor.

**ABSENT:** None

Staff present: Andrew Williamson, Executive Director of Engineering Services/Ec. Dev.; Stacey Welsh, Community Development Director; Mark Hoppen, City Administrator; Chris Bacha, City Attorney and Brenda L. Martinez, Asst. City Admin. /City Clerk.

Mayor Olness welcomed everyone and stated the workstudy was at Council's request to discuss with the City Attorney CFDs and the other item on the agenda is picking the top five priorities for the Capital Improvement Plan. The meeting was turned over to Mr. Bacha to provide an overview of CFDs.

**Community Facilities District (CFD)**

City Attorney Bacha noted a CFD is nothing more than a financing mechanism. CFDs are special taxing districts that may be created by Cities and Counties to provide financing for local improvements. A CFD requires 100% of all property owners. The legislation for CFDs was enacted in 2010 and at this time no other Cities have enacted a CFD. Mr. Bacha reviewed with Council the process for a CFD including 1) Filing and transmittal of a petition; 2) Public Hearing; 3) Appointment of Supervisors. He then discussed Council's role in approving the CFD and if approval is in the best interest of the City. He discussed a memo from Jay Reich of Pacifica Law Group regarding liability for the City.

**Questions asked by Council:**

- Percentages of projects
- Homeowner impacts
- Are all projects listed in the MPD and DA
- Talking about construction jobs as opposed to other business
- What obligates YarrowBay follow through with building the satellite Fire Station with funds freed up by the CFD
- Board of Supervisor's and being a public meeting or not
- How is Bond Counsel paid
- Does the Board not report to anyone in the City
- Are they unelected unpaid volunteers running the CFD
- Is there any public input on the board
- What if another CFD happens and another Board of Supervisors is appointed and overlapping

- What kind of liability is there for the Board
- Are permits issued through the City's Public Works Department and the inspections too and what does the City get reimbursed
- Where does the equipment and the personnel come from when the satellite Fire Station is built
- Should the undertaking agreement become part of the DA or do they work together
- Was this legislation written for the MPDs
- What happens if the City Council does not take action within the time frame in the legislation
- Why isn't the CFD covering all of the costs involved with the projects
- What are Mr. Bacha's thoughts on what could go wrong

Questions asked by the public:

- Will the CFD be responsible for the construction of the project and getting them built
- Who pays for the overage of a project
- What is the liability on a Board member
- Is the bonds a condition or trigger for the Fire Station
- Are the Bonds a guarantee

Mayor Olness asked Council if they would like to continue with item number two on the agenda or would they prefer to discuss item two another night?

Council consensus was to discuss item number two (2014-2019 Capital Improvement Plan Top Five Priorities) another night.

### **ADJOURNMENT:**

A **motion** was made by Councilmember Benson and **seconded** by Councilmember Dedy to adjourn the meeting. Motion **passed** with all voting in favor (5-0).

The workstudy ended at 7:55 p.m.

ATTEST:



Rebecca Olness, Mayor



Rachel Pitzel, Deputy City Clerk