

BLACK DIAMOND CITY COUNCIL MINUTES
December 18, 2014
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Benson called the regular meeting to order at 7:01:18 p.m. and lead us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Morgan, Edelman and Taylor.

ABSENT: None.

Staff present were: Andrew Williamson, MDRT/Economic Development Director; Aaron Nix, Community Development/Natural Resources Director; Seth Boettcher, Public Works Director; Mayene Miller, Finance Director; Jamey Kiblinger, Police Chief and Brenda L. Martinez, City Clerk/HR Manager.

PUBLIC COMMENTS:

Craig Goodwin, Black Diamond – thanked Mr. Keith Watson for his many years of dedication to the Community.

Mira Hoke, Black Diamond – commented on the success of the Hometown Christmas celebration last Saturday.

PRESENTATION AND APPOINTMENTS:

Recognition of Planning Commission Chair – Mayor Benson

Mayor Benson awarded a meritorious award of recognition to Keith Watson for his service on the city's Planning Commission.

Mayor Benson called for a 5 minute recess at 7:05:22 p.m.

Mayor Benson called the meeting back to order at 7:10:35 p.m.

NEW BUSINESS:

Ordinance No. 14-1043, amending 2015 Salary Schedule

Finance Director Miller reported the ordinance before Council is to amend the 2015 salary schedule that was previously adopted. Finance Committee has reviewed and recommends adoption.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to adopt Ordinance No. 14-1043, amending 2015 Salary Schedule. Motion **passed** with all voting in favor (4-0).

Ordinance No. 14-1039, relating to adjustments to sewer charges; amending section 13.24.010 of the Black Diamond Municipal Code to increase the sewer rate commensurate with the increase imposed by King County Metro on its customers; and establishing an effective date of the new rate increase on sewer customers

Finance Director Miller reported this was before Council for a public hearing on November 20 and also before the Finance Committee. This is a pass-through rate increase which will add \$2.24 per month on utility bills.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Edelman to adopt Ordinance No. 14-1039, relating to adjustments to sewer charges; amending section 13.24.010 of the Black Diamond Municipal Code to increase the sewer rate commensurate with the increase imposed by King County Metro on its customers; and establishing an effective date of the new rate increase on sewer customers. Motion **passed** with all voting in favor (4-0).

Resolution No. 14-997, accepting grant funds from the Washington Transportation Improvement Board (TIB) for the Roberts Drive, Rock Creek Bridge to Lynch Lane project

Public Works Director Boettcher reported staff is very pleased to bring this before Council as staff was successful in obtaining grant funds in addition to what was originally applied for. The total amount awarded to the City for this combined project is \$1,266,300.00.

A **motion** was made by Councilmember Taylor and **seconded** by Councilmember Deady to adopt Resolution No. 14-997, accepting grant funds from the Washington Transportation Improvement Board (TIB) for the Roberts Drive, Rock Creek Bridge to Lynch Lane project. Motion **passed** with all voting in favor (4-0).

Resolution No. 14-998, authorizing the Mayor to execute a Consultant Services contract with AHBL, Inc. for part-time, Interim Planner Services to be provided to the Community Development Department

Community Development/Natural Resources Director Nix reported earlier this year the City contracted out City Planner Services with AHBL. The City has been very happy with the services provided and is recommending extending their contract for the first three months of 2015.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Edelman to adopt Resolution No. 14-998, authorizing the Mayor to execute a Consultant Services contract with AHBL, Inc. for part-time, Interim Planner Services to be provided to the Community Development Department. Motion **passed** with all voting in favor (4-0).

Ordinance No. 14-1044, relating to Land Use and Zoning, amending the Black Diamond Municipal code provisions relating to adoption of Comprehensive Plan and Development Regulation Amendments, eliminating all of the City's existing code

provisions on the subject, and adopting new procedures which describe the different types of Development Regulation and Comprehensive Plan Amendments, identify who may submit such amendments, when they may be submitted, list the requirements for a complete application for an amendment, identify the requirements for notice of public hearings, describe the procedure for processing amendments, the criteria for approval, the procedure for issuance of a Final Decision, and describes the Planning Commission's responsibilities with regard to making recommendations for amendments, holding public hearings and making recommendations, repealing Black Diamond Municipal Code Sections 16.10.005, 16.10.010, 16.20.010, 16.30.010, 16.30.020, 16.30.030, 16.30.040, 16.30.050, 16.30.060, 16.30.070, 16.30.080, 16.30.090, 16.30.100, 16.30.110, 16.30.120 And 16.30.130; adopting a new Chapter 16.10 to the Black Diamond Municipal Code and adding an effective date

Community Development/Natural Resources Director Nix reported this work started before he assumed this position, he discussed the first part was the public participation plan which has been before the Planning Commission. He noted the Planning Commission's recommendation is for Council to approve.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Morgan to adopt Ordinance No. 14-1044, relating to Land Use and Zoning, amending the Black Diamond Municipal code provisions relating to adoption of Comprehensive Plan and Development Regulation Amendments, eliminating all of the City's existing code provisions on the subject, and adopting new procedures which describe the different types of Development Regulation and Comprehensive Plan Amendments, identify who may submit such amendments, when they may be submitted, list the requirements for a complete application for an amendment, identify the requirements for notice of public hearings, describe the procedure for processing amendments, the criteria for approval, the procedure for issuance of a Final Decision, and describes the Planning Commission's responsibilities with regard to making recommendations for amendments, holding public hearings and making recommendations, repealing Black Diamond Municipal Code Sections 16.10.005, 16.10.010, 16.20.010, 16.30.010, 16.30.020, 16.30.030, 16.30.040, 16.30.050, 16.30.060, 16.30.070, 16.30.080, 16.30.090, 16.30.100, 16.30.110, 16.30.120 And 16.30.130; adopting a new Chapter 16.10 to the Black Diamond Municipal Code and adding an effective date. Motion **passed** with all voting in favor (4-0).

Resolution No. 14-994, authorizing the Mayor to execute the Second Addendum to the Interlocal agreement between the City of Auburn and the City of Black Diamond for IT Services

City Clerk/HR Manager Martinez reported the Second Addendum to the Interlocal Agreement between the City and City of Auburn for IT services extends the agreement for three (3) years, and Exhibit B identifies the CPI increase for 2014-2015 that is built into the contract. The base agreement remains in effect as previously approved, but is amended by this addendum including Exhibit B as attached to the addendum.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Taylor to adopt Resolution No. 14-994, authorizing the Mayor to execute the Second Addendum to the Interlocal agreement between the City of Auburn and the City of Black Diamond for IT Services. Motion **passed** with all voting in favor (4-0).

Ordinance No. 14-1045, relating to Indigent Defense Standards, adding a new Chapter 9.09 to the Black Diamond Municipal Code, setting standards for the Delivery Of Public Defender Services as required by RCW 10.101.030, which standards shall include Compensation of Counsel, duties and responsibilities of Counsel, case load limits and types of cases, responsibility for expert witness fees and other costs, reports of Attorney activity and vouchers, training, supervision, monitoring and evaluation of Attorneys, and a number of other standards, setting an effective date

City Attorney Morris reported that RCW 10.101.030 requires the city of adopt Public Defense standards whether the services are provided by the contract, assigned Counsel or Public Defender office. The Washington State Supreme Court adopted new standards for Indigent Defense that includes misdemeanor case load limits and certification of compliance, effective January 1, 2015. This ordinance will establish Chapter 9.09 Public Defense Services in the BDMC in compliance with State Law and Washington Supreme Court standards.

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Edelman to adopt Ordinance No. 14-1045, relating to Indigent Defense Standards, adding a new Chapter 9.09 to the Black Diamond Municipal Code, setting standards for the delivery of Public Defender Services as required by RCW 10.101.030, which standards shall include Compensation of Counsel, duties and responsibilities of Counsel, case load limits and types of cases, responsibility for expert witness fees and other costs, reports of Attorney activity and vouchers, training, supervision, monitoring and evaluation of Attorneys, and a number of other standards, setting an effective date. Motion **passed** with all voting in favor (4-0).

Resolution No. 14-999, authorizing the Mayor to execute an agreement with the Accelerant Group for the continued support and maintenance of the Tiburon to Spillman Interface

Chief Kiblinger reported in 2012 the City combined with the Federal Way, Des Moines and Auburn to establish an interface to facilitate the automated retrieval of incident data from CAD systems into their Spillman system (records management). Data Pros installed the interface and has since changed their name to the Accelerant Group and the attached resolution covers the continued support and maintenance of this interface.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to postpone Resolution No. 14-999, authorizing the Mayor to execute an agreement with the Accelerant Group for the continued support and maintenance of the Tiburon to Spillman Interface until the January 8, 2015 Special Council meeting. Motion **passed** with all voting in favor (4-0).

DEPARTMENT REPORTS: None

MAYOR'S REPORT:

Mayor Benson announced she had meetings with staff members individually for a meet and greet. Attended SCA dinner; 12/5 Public Works committee meeting; 12/9 Leadership training with staff; 12/11 Finance Committee; 12/12 Rotary meeting; 12/16 SCATBd meeting; 12/17 Chamber luncheon; 12/18 Volunteer luncheon at Black Diamond

Community Center. Mayor Benson announced the vacant Council seat applications are due January 8, 2015 to anyone who is interested in applying.

COUNCIL REPORTS:

Councilmember Edelman: reported she attended the SCA dinner on 12/3; 12/10 PIC meeting; 12/11 Finance Committee; 12/16 SCATBd; 12/117 South County caucus; 12/18 Volunteer luncheon at Black Diamond Community Center. She thanked Patty Weston and the Black Diamond Police Department regarding the perpetrators who were arrested in the recent burglaries; she also wished everyone Merry Christmas and Happy Holidays.

Councilmember Deady: reported attending the Parks and Cemetery Committee meeting on 12/18.

Councilmember Taylor: reported attended the Public Safety Committee meeting on 12/19; noted the Ad Hoc Committee is wrapping up to get the recommendation in final form; Public Works is investigating option on Abrams Avenue and the beavers and the damage they are causing; update on Storm Pond that will be near the commercial district.

Councilmember Morgan: reported passing the mandatory training on the Attorney General website.

ATTORNEY REPORT:

City Attorney Morris discussed the Bainbridge Island case regarding public disclosure.

PUBLIC COMMENTS:

Kristine Hanson, Black Diamond – commented how nice the Council Chambers look; she also commented on the price for a parking ticket at the boat launch and feels the \$100 fee is excessive. Also noted she is looking forward to moving forward and wished Council the best of luck

Brock Deady, Black Diamond – thanked the Black Diamond Antiques for the money they collected and donated to the Community Center.

CONSENT AGENDA:

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Taylor to adopt the Consent Agenda. Motion **passed** with all voting in favor (4-0). The Consent Agenda was approved as follows:

Claim Checks – December 18, 2014, No. 41679 through No. 41736 in the amount of \$335,299.65

Payroll Checks – November 30, 2014 No. 18456 through No. 18474 (void No. 18463 and ACH Pay in the amount of \$246,8181.39


Minutes – Special Council Meeting of December 1, 2014 and Council Meeting of December 4, 2014

EXECUTIVE SESSION: None


ADJOURNMENT:

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Taylor to adjourn the meeting. Motion **passed** with all voting in favor (4-0).

ATTEST:



Carol Benson, Mayor



Rachel Pitzel, Deputy City Clerk