

**CITY OF BLACK DIAMOND
CITY COUNCIL
SPECIAL MEETING MINUTES
February 27, 2014**

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Gordon called the special meeting to order at 6:00 p.m.

ROLL CALL:

PRESENT: Councilmembers Deady, Edelman, Morgan, Benson and Taylor.

ABSENT: None.

Staff present were: Stacey Welsh, Community Development Director; Andrew Williamson, Economic Development Director; Jamey Kiblinger, Police Chief; Christy Todd, City Administrator and Brenda L. Martinez, City Clerk.

Mayor Gordon announced the first part of the agenda is for a presentation by MAKERS regarding the General Government Facilities Mitigation Fee.

PRESENTATIONS:

City Administrator Todd noted meeting with MAKERS two weeks ago to get up to speed with the Scope of Work. She noted this is contemplated in the Development Agreements and will be on the agendas for the March 6 and 20 agendas. The adoption date is April 3 as the deadline is critical for adoption of the plan. In June the fee portion of this project will be coming forward to Council.

Julie Bassuk introduced her team and discussed tonight's agenda:

Government Facilities Mitigation Fee Plan - MAKERS

- Introduction
- Review Work to Date
- Cost Estimate
- Draft Mitigation Fee Calculation
- Next Steps

She introduced Randy Young who will be discussing the proposed plan and fee. He discussed that in the Development Agreements it requires that the plan be adopted within 12 months of the execution date, which is April 5.

Ms. Bassuk stated their project was to develop a plan to provide municipal facilities Black Diamond will need to serve the City into the future. There are three components: 1) Identify needed facilities. 2) Estimated costs to provide these facilities, and 3) Calculate

development impact fees to provide funding. She reviewed with Council the project schedule; she reviewed current staff facilities and adequacy.

Mr. Young reviewed with Council the comparable cities research and noted Bonney Lake is a very good match except for Parks.

Ms. Bassuk reviewed with Council the state-of-the-art facility tours and the lessons learned for City Halls, Police and Public Works facilities; Facility program; functional diagrams for City Hall and Police Department and Public Works Operations and Maintenance; project costs for 10 and 20 year plans.

Mr. Young noted being here to help Council understand the plan and the deadline. He noted they will be presenting to them a very accurate plan tonight and making sure Council gets a good picture of how the feel relates to the plan. He answered the following questions:

1. What is a mitigation fee
2. What is the impact of housing development
3. What is the impact of commercial development
4. What is the impact of all development
5. What is "0.00553 sq. ft."
6. Why isn't the ratio based on new development, and not existing
7. What is the size and cost of government facilities in the plan
8. How much is the mitigation fee
9. Compare mitigation fees
10. What is new development share of the cost
11. How much is new development share of the cost

Ms. Bassuk reminded Council of the immediate next steps and noted they would be back on March 6 to introduce the plan which will be at an executive summary level.

Mayor Gordon thanked them for their presentation and called for a 5 minute recess at 7:02 p.m.

Mayor Gordon called the meeting back to order at 7:12 p.m.

Law Firms regarding providing City Attorney Services

Mayor Gordon announced that all firms not doing presentation to please step out of the Chambers. He noted that Morris Law, Pacifica Law Group and Goldstein will be doing a presentation tonight. He noted receiving many proposals and selected those candidates he would be willing to appoint. He noted that Council would be asking questions and would recess for 5 minutes between each interview.

Firms -

- Morris Law, PC
- Pacifica Law Group
- Goldstein Law Group, LLC

Council asked the following questions to each applicant:

1. This question was not asked.
2. What do you feel the role of a City Attorney is? If selected as the City Attorney for Black Diamond, who do you believe you work for?
3. What about Black Diamond interested you to apply for this position?
4. What makes a good City Attorney?
5. What is your position regarding staff meeting with citizens or developers with private attorney without the City Attorney being in attendance?
6. Does your firm only represent municipalities? If not, what other types of clients do you have and what percentage of your practice is devoted to municipalities?
7. Please tell us about your availability on nights and weekends and in case of emergencies?
8. How would you handle a direct unsolicited contact from a member of the public?
9. What issues do you believe the City of Black Diamond is facing?
10. Please describe your experience with GMA, SEPA, Development regulations and Master Planned Developments.
11. Does your firm provide any training for Council, appointed Boards and Commissions, and Staff on Appearance of Fairness, Open Public Meetings Act, Public Disclosure, etc.? What is your process for updating staff on Legislative issues/changes?
12. How has your firm handled third-party payments in the past?
13. What is your experience with Community Facilities Districts?
14. How soon would you be able to transition?
15. Do you have any questions of us?

EXECUTIVE SESSION:

Mayor Gordon announced an Executive Session at 9:09:16 p.m. pursuant to RCW 42.30.110(1)(i) to evaluate the qualifications of an applicant; possible final action to follow the Executive Session, which was expected to last approximately 23 minutes.

The regular meeting was called back to order at 9:32:44 p.m.

Mayor Gordon asked if there were any comments from Council before proceeding.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Benson to authorize the Mayor to appoint Morris Law Firm for City Attorney Services on March 6th along with the presentation of the services contract.

Each Councilmember thanked the firms for coming and stated it was a very difficult decision to make.

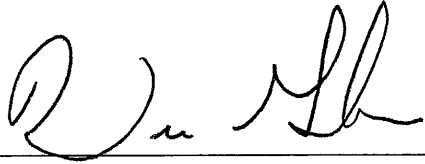
City Attorney DiJulio noted that the Interim City Attorney was present during the Executive Session and the Council did not make a decision or come to a consensus during Executive Session.

Vote: Motion **passed** voting in favor (5-0).


ADJOURNMENT:

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Benson to adjourn the meeting at 9:44:13 p.m. Motion **passed** with all voting in favor (5-0).

ATTEST:



Dave Gordon, Mayor



Rachel Pitzel, Deputy City Clerk