



CITY OF BLACK DIAMOND
May 18, 2017 Regular Business Meeting Agenda
25510 Lawson St., Black Diamond, Washington

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

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

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. Please limit your comments to 3 minutes. If you desire a formal agenda placement, please contact the City Clerk at 360-886-5700. Thank you for attending.

CONSENT AGENDA:

All consent agenda items are being sponsored by Councilmembers Edelman and Deady

- 1) Claim Checks** – May 18, 2017 - No. 44841 through No. 44893 and EFTs in the amount of \$706,768.75
- 2) Payroll** – April 28, 2017– No. 19315 through No. 19333 (Voids 19324, 19334, 19335, 19336) and ACHs in the amount of \$291,885.71
- 3) Minutes** –Special Joint Meeting of Council and Planning Commission of September 6, 2016
- 4) Minutes** – Special Meeting of April 13, 2017
- 5) Minutes** – Work Session of April 13, 2017
- 6) Minutes** – Council Meeting of April 20, 2017

PUBLIC HEARINGS:

- | | |
|---|---------------|
| 7) AB17-038 – Ordinance Regarding Traffic Concurrency Management | Mr. Dal Santo |
|---|---------------|

UNFINISHED BUSINESS:

NEW BUSINESS:

- | | |
|--|--------------|
| 8) AB17-039 – Resolution Authorizing Agreement with BHC for Comprehensive Plan Update | Mayor Benson |
|--|--------------|

DEPARTMENT REPORTS:

MAYOR'S REPORT:

COUNCIL REPORT:

- Councilmember Deady
- Councilmember Morgan
- Councilmember Edelman

- Councilmember Weber
- Councilmember Pepper

ATTORNEY REPORT:

PUBLIC COMMENTS:

EXECUTIVE SESSION:

ADJOURNMENT:



CERTIFICATION

Date: May 18th, 2017 Council Meeting

Check No.'s/EFT	Batch Name	Check/EFT Date	Amount
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EFTs	April- Apr EFT Batch for 05/18 Council	04/03/17- 04/24/17	\$ 11,035.51
44841-44843	May- Early Release 2 nd May Batch	04/27, 05/02, 05/05	\$ 678.84
44844-44893	May- 2 nd May Batch for 05/18 Council	05/19/17	\$ 695,054.40
		TOTAL	\$ 706,768.75

I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER THE PENALTY OF PERJURY, THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED AND OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF BLACK DIAMOND, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

May Miller

MAY MILLER, FINANCE DIRECTOR

CAROL BENSON, MAYOR

5-10-2017

DATE

DATE

COUNCILMEMBERS

DATE

Register

Fiscal: 2017

Deposit Period: 2017 - May, 2017 - April

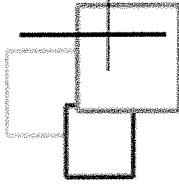
Check Period: 2017 - May - Early Release 2nd May Batch, 2017 - May - 2nd May Batch for 05/18 Council,

2017 - April - Apr EFT Batch for 5/18 Council

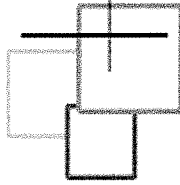
Number	Name	Print Date	Amount
Check			
<u>44841</u>	Cynthia Wheeler	4/27/2017	\$250.00
<u>44842</u>	Squad Room Emblems	5/2/2017	\$413.84
<u>44843</u>	Regional Animal Services of King County	5/5/2017	\$15.00
<u>44844</u>	ADT Security Services (PA)	5/19/2017	\$48.64
<u>44845</u>	AHBL, Inc.	5/19/2017	\$14,970.00
<u>44846</u>	BHC Consultants, LLC	5/19/2017	\$1,680.00
<u>44847</u>	Bill's Locksmith Service Inc.	5/19/2017	\$33.88
<u>44848</u>	Bitco Software LLC	5/19/2017	\$7,927.80
<u>44849</u>	Black Diamond Auto Parts	5/19/2017	\$46.12
<u>44850</u>	Blumenthal Uniforms & Equipment	5/19/2017	\$98.98
<u>44851</u>	Cadman, Inc.	5/19/2017	\$97.54
<u>44852</u>	CDW Government, Inc	5/19/2017	\$5,516.88
<u>44853</u>	CHS/Cenex	5/19/2017	\$2,976.31
<u>44854</u>	City of Black Diamond	5/19/2017	\$1,321.69
<u>44855</u>	City of Lake Forest Park	5/19/2017	\$739.50
<u>44856</u>	Comcast (34744)	5/19/2017	\$231.14
<u>44857</u>	Comcast (PA)	5/19/2017	\$393.88
<u>44858</u>	Department of Commerce	5/19/2017	\$318,895.52
<u>44859</u>	Firestone Complete Auto Care	5/19/2017	\$734.49
<u>44860</u>	Fugate Ford	5/19/2017	\$815.39
<u>44861</u>	GOS Printing	5/19/2017	\$204.67
<u>44862</u>	Granite Telecommunications	5/19/2017	\$46.46
<u>44863</u>	Home Depot Credit Service	5/19/2017	\$1,057.07
<u>44864</u>	Johnsons Home & Garden	5/19/2017	\$219.01
<u>44865</u>	Judicial Dispute Resolutions, LLC	5/19/2017	\$750.00
<u>44866</u>	Keating, Bucklin & McCormack	5/19/2017	\$896.99
<u>44867</u>	KING COUNTY FINANCE	5/19/2017	\$126.09
<u>44868</u>	King County Finance- Wastewater Treat Div.	5/19/2017	\$50,189.70
<u>44869</u>	King County Fire District 44	5/19/2017	\$252,455.18
<u>44870</u>	King County Prosecuting Attorney	5/19/2017	\$90.90
<u>44871</u>	King County Radio Comm Services	5/19/2017	\$1,609.45
<u>44872</u>	Les Schwab Tire Ctr - MV	5/19/2017	\$3.19
<u>44873</u>	Modular Space Corp	5/19/2017	\$5,412.63
<u>44874</u>	National Safety, Inc	5/19/2017	\$304.08
<u>44875</u>	North West Instrument Services	5/19/2017	\$249.78
<u>44876</u>	O'Brien, Barton, & Hopkins, PLLP	5/19/2017	\$2,500.00
<u>44877</u>	Office Products Nationwide	5/19/2017	\$182.38
<u>44878</u>	Orkin Commercial Services	5/19/2017	\$117.55
<u>44879</u>	Pro-Vac, LLC	5/19/2017	\$1,509.54
<u>44880</u>	Puget Sound Energy	5/19/2017	\$4,792.89

<u>44881</u>	Regional Animal Services of King County	5/19/2017	\$105.00
<u>44882</u>	Republic Services, Inc. #176	5/19/2017	\$685.96
<u>44883</u>	RH2 Engineering Inc.	5/19/2017	\$5,177.60
<u>44884</u>	Secure Pacific Corporation	5/19/2017	\$182.55
<u>44885</u>	Severson's Building Maint	5/19/2017	\$1,550.00
<u>44886</u>	Shred-It USA	5/19/2017	\$97.30
<u>44887</u>	Utilities Underground	5/19/2017	\$72.38
<u>44888</u>	Valley Automotive Repair & Electric	5/19/2017	\$836.03
<u>44889</u>	VenTek International	5/19/2017	\$90.00
<u>44890</u>	Voice of The Valley	5/19/2017	\$650.00
<u>44891</u>	Washington Dept of Corrections	5/19/2017	\$90.00
<u>44892</u>	Washington State Treasurer	5/19/2017	\$6,225.26
<u>44893</u>	Water Management Laboratories, Inc.	5/19/2017	\$47.00
<u>EFT Payment 04/03/2017 12:10:42 PM - 1</u>	Merchant Card Services	4/3/2017	\$152.73
<u>EFT Payment 04/03/2017 12:10:42 PM - 2</u>	U.S. Postal Service (Black Diamond)	4/3/2017	\$634.65
<u>EFT Payment 04/06/2017 12:39:03 PM - 1</u>	Dept of Licensing-Firearms Online	4/6/2017	\$93.00
<u>EFT Payment 04/10/2017 12:44:16 PM - 1</u>	Dept of Licensing-Firearms Online	4/10/2017	\$36.00
<u>EFT Payment 04/10/2017 12:44:16 PM - 2</u>	Invoice Cloud	4/10/2017	\$102.90
<u>EFT Payment 04/10/2017 12:44:16 PM - 3</u>	U.S. Postal Service (CMRS-FP)	4/10/2017	\$200.00
<u>EFT Payment 04/13/2017 12:49:31 PM - 1</u>	First Bankcard	4/13/2017	\$3,401.21
<u>EFT Payment 04/17/2017 1:25:42 PM - 1</u>	Columbia Bank	4/17/2017	\$1,008.59
<u>EFT Payment 04/18/2017 1:27:51 PM - 1</u>	Washington State Department of Revenue	4/18/2017	\$3,610.06
<u>EFT Payment 04/20/2017 1:28:10 PM - 1</u>	US Bank Equipment Finance	4/20/2017	\$1,471.37
<u>EFT Payment 04/24/2017 1:28:35 PM - 1</u>	Dept of Licensing-Firearms Online	4/24/2017	\$125.00
<u>EFT Payment 04/24/2017 1:28:35 PM - 2</u>	U.S. Postal Service (CMRS-FP)	4/24/2017	\$200.00
	Total		\$706,768.75

Voucher Directory with Transaction Date



Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number		Name Title	
Cynthia Wheeler					
44841	042717 CW	4/27/2017	2017 - May - Early Release 2nd May Batch		
		Refund of SEPA Appeal Fee			
		001-000-240-345-89-00-09	SEPA Checklist/Plan appeals		\$250.00
	Total 042717 CW				\$250.00
Total 44841					\$250.00
Total Cynthia Wheeler					\$250.00
Regional Animal Services of King County					
44843	042117 RAS 2	4/21/2017	2017 - May - Early Release 2nd May Batch		
		Late Fee missing from check # 44811			
		633-000-000-589-90-00-01	King County Animal License		\$15.00
	Total 042117 RAS 2				\$15.00
Total 44843					\$15.00
Total Regional Animal Services of King County					\$15.00
Squad Room Emblems					
44842	010917 SRE	1/9/2017	2017 - May - Early Release 2nd May Batch		
		First time receiving invoice			
		001-000-210-521-10-31-04	Uniforms		\$413.84
		Shoulder and Badge Patches			\$413.84
	Total 010917 SRE				\$413.84
Total 44842					\$413.84
Total Squad Room Emblems					\$413.84
	Vendor Count	3		Grand Total	\$678.84



Voucher Directory with Transaction Date

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
				Name	
				Title	
Columbia Bank	EFT Payment 04/17/2017 1:25:42 PM - 1	041717 CB	4/17/2017	2017 - April - Apr EFT Batch for 5/18 Council	
		Jan-Mar 2017 Fees			
		001-000-120-512-50-49-11		Court- Bank Analysis Fees	\$74.79
		001-000-180-518-50-49-05		City- Bank Analysis Fees	\$933.80
		Total 041717 CB			\$1,008.59
	Total EFT Payment 04/17/2017 1:25:42 PM - 1				\$1,008.59
Total Columbia Bank					\$1,008.59
Dept of Licensing-Firearms Online	EFT Payment 04/06/2017 12:39:03 PM - 1	040617 DFO	4/6/2017	2017 - April - Apr EFT Batch for 5/18 Council	
		April Charges			
		633-000-000-589-90-00-11		DOL- Firearms EFT Payments	\$93.00
		Concealed Pistol License			
	Total 040617 DFO				\$93.00
	Total EFT Payment 04/06/2017 12:39:03 PM - 1				\$93.00
	EFT Payment 04/10/2017 12:44:16 PM - 1	041017 DFO	4/10/2017	2017 - April - Apr EFT Batch for 5/18 Council	
		April Charges			
		633-000-000-589-90-00-11		DOL- Firearms EFT Payments	\$36.00
		Concealed Pistol License			
	Total 041017 DFO				\$36.00
	Total EFT Payment 04/10/2017 12:44:16 PM - 1				\$36.00
	EFT Payment 04/24/2017 1:28:35 PM - 1	042417 DFO	4/24/2017	2017 - April - Apr EFT Batch for 5/18 Council	
		April Charges			
		633-000-000-589-90-00-11		DOL- Firearms EFT Payments	\$125.00

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Amount
		Account Number		Name	
				Title	

Concealed Pistol License					
Total 042417 DFO					\$125.00
Total EFT Payment 04/24/2017 1:28:35 PM - 1					\$125.00
Total Dept of Licensing-Firearms Online					\$254.00
First Bankcard					
EFT Payment 04/13/2017 12:49:31					
PM - 1		4/13/2017	2017 - April - Apr EFT Batch for 5/18 Council		
Bain 7703 041317					
March MDRT Charges					
001-000-246-558-70-32-00				Fuel	\$57.18
001-000-246-558-70-48-00				Fuel Chevron	
				Carwash Chevron	\$7.21
				Vehicle Repair & Maintenance	\$64.39
Total Bain 7703 041317					
EFT Payment 04/13/2017 12:49:31					
PM - 1		4/13/2017	2017 - April - Apr EFT Batch for 5/18 Council		
Dal Santo 9871 041317					
March PW Charges					
101-000-000-542-90-31-01				Operating Supplies	\$7.72
101-000-000-542-90-43-00				Meals, Mileage & Lodging	\$0.25
401-000-000-534-80-31-01				Operating Supplies	\$7.72
407-000-000-535-80-31-01				Operating Supplies	\$7.72
410-000-000-531-10-31-01				Stormwater Operating Supplies	\$7.73
Total Dal Santo 9871 041317					\$31.14
EFT Payment 04/13/2017 12:49:31					
PM - 1		4/13/2017	2017 - April - Apr EFT Batch for 5/18 Council		
Esping 1117 0413217					
Feb and March Charges Facilities					
001-000-180-518-50-48-02				CH/CD/PW Bldg Maintenance & Repair	\$119.92
001-000-181-518-30-31-04				Air Filters Now - CD	
				Uniforms	\$87.08
001-000-248-518-20-48-00				Vanity Fair - Esping Uniform	
101-000-000-544-90-31-00				MDRT-Bldg/Gen Mtc Costs	\$59.96
				PW Clearing Acct-Supplies	\$19.26
101-000-000-544-90-31-00				Frys - Calculator & Tape	
				PW Clearing Acct-Supplies	\$67.75
				Harbor Freight - Shop Supplies	

Vendor	Transaction Number Transaction Reference	Invoice Date	Fiscal Description Name Title	Void Amount
	Account Number			
	101-000-000-544-90-31-00		PW Clearing Acct-Supplies	\$97.24
	310-000-011-594-18-64-00		Costco - Batteries, towels	\$206.93
	310-000-011-594-18-64-00		Guitar Ctr - Tape Recorder	\$21.89
	310-000-011-594-18-64-00		Frys - SD Card	\$74.51
	310-000-011-594-18-64-00		Amazon - IT Cables	\$50.00
	510-000-200-594-48-31-00		Ebay Fees - Utility Truck	\$14.95
	510-000-200-594-48-31-00		Ebay Fees - Lawn Mower	\$819.49
	Total Esping 1117 0413217			
	EFT Payment 04/13/2017 12:49:31			
	PM - 1			
	Girias 2336 041317	4/13/2017	2017 - April - Apr EFT Batch for 5/18 Council	
	Feb PD Charges			
	001-000-210-521-10-35-00		Firearms Program	\$24.21
	001-000-210-521-10-35-00		Glock 17 Mag	\$200.98
	001-000-210-521-10-35-00		Firearms Program	\$26.40
	001-000-210-521-10-35-00		Sunfire X300 Ultra LED Gun Mounted Light	\$251.59
	001-000-210-521-10-35-00		Firearms Program	
	001-000-210-521-10-35-00		Sunfire Boxed Batteries	
	Total Girias 2336 041317			
	EFT Payment 04/13/2017 12:49:31			
	PM - 1			
	Kiblinger 4329 041317	4/13/2017	2017 - April - Apr EFT Batch for 5/18 Council	
	March PD Charges			
	001-000-210-521-10-43-00		Lodging, Meals & Mileage	\$35.36
	001-000-210-521-10-43-00		Dinner JK - Fillmore	\$6.90
	001-000-210-521-10-43-00		Bkfst JK	\$21.60
	001-000-210-521-10-43-00		Lodging, Meals & Mileage	\$6.90
	001-000-210-521-10-43-00		Dinner JK - JB Hotel	\$21.68
	001-000-210-521-10-43-00		Bkfst JK	\$6.90
	001-000-210-521-10-43-00		Lodging, Meals & Mileage	\$21.68
	001-000-210-521-10-43-00		Fuel JK - Shell	\$6.90
	001-000-210-521-10-43-00		Lunch JK	\$40.25
	001-000-210-521-10-43-00		Dinner JK - Saltys	

Vendor	Transaction Number Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Void Amount
	001-000-215-521-10-49-01	Repl - Boat Education Course	Training VRF	\$42.54
	Total Kiblinger 4329 041317			
	EFT Payment 04/13/2017 12:49:31			
	PM - 1	4/13/2017	2017 - April - Apr EFT Batch for 5/18 Council	\$182.13
	King 0055 041317			
	Feb CH Charges			
	001-000-140-514-23-49-01	King, Miller, ONeill PSFOA Mtg	Workshops and Training	\$75.00
	Total King 0055 041317			
	EFT Payment 04/13/2017 12:49:31			
	PM - 1	4/13/2017	2017 - April - Apr EFT Batch for 5/18 Council	\$75.00
	Lynch 4138 041317			
	Feb PD Charges			
	001-000-210-521-10-35-00	Gunarama - Glock Firearms	Firearms Program	\$191.75
	Total Lynch 4138 041317			
	EFT Payment 04/13/2017 12:49:31			
	PM - 1	4/13/2017	2017 - April - Apr EFT Batch for 5/18 Council	\$191.75
	Martinez Brenda 4360 041317			
	Feb and March CH Charges			
	001-000-137-514-21-43-00	Mamas - Municipal Clerk Assoc Mtg Lunch	Lodging, Meals & Mileage	\$13.03
	001-000-137-514-21-43-00	BD Bakery Tri-city Planning Mtg - Snacks	Lodging, Meals & Mileage	\$9.52
	001-000-137-514-21-49-01	Paypal - WMCA 2017 Conf Registration	Workshops and Training	\$375.00
	001-000-145-518-80-48-00	BD Email address - DNS for three years	Repairs & Maintenance	\$14.64
	310-000-011-594-18-64-00	Bittitan - Mailbox Licenses	General Government Technology	\$585.95
	Total Martinez Brenda 4360 041317			
	EFT Payment 04/13/2017 12:49:31			
	PM - 1	4/13/2017	2017 - April - Apr EFT Batch for 5/18 Council	\$998.14
	Metcalf 4013 041317			
	Feb and March Court Charges			
	001-000-120-512-50-42-00	Accessline - Conf Calls	Telephone/DSL	\$5.02
	001-000-120-512-50-49-02	Amazon - Toner Cartridge	Printing and Binding	\$20.00
	Total Metcalf 4013 041317			
				\$25.02

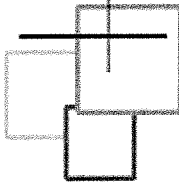
Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number	Name	Title	Amount
	EFT Payment 04/13/2017 12:49:31		2017 - April - Apr EFT Batch for 5/18 Council		
	PM - 1				
	Miller 9913 041317	4/13/2017			
	March Elected Charges				
	001-000-110-511-60-43-00			Lodging, Meals and Mileage	\$45.00
	001-000-110-511-60-43-00			Lodging, Meals and Mileage	\$45.00
	001-000-130-513-10-43-00			Lodging, Meals & Mileage	\$45.00
	Benson, SCA Dinner				\$135.00
	Total Miller 9913 041317				
	EFT Payment 04/13/2017 12:49:31		2017 - April - Apr EFT Batch for 5/18 Council		
	PM - 1				
	Pittam 4402 041317	4/13/2017			
	March PW Charge				
	101-000-000-542-90-31-01			Operating Supplies	\$577.93
	Fab Shop welding-Street				\$577.93
	Total Pittam 4402 041317				
	EFT Payment 04/13/2017 12:49:31		2017 - April - Apr EFT Batch for 5/18 Council		
	PM - 1				
	Redd 5176 041317	4/13/2017			
	March MDRT Charges				
	001-000-246-558-70-49-00			Miscellaneous	\$9.64
	Cash & Carry - MDRT Coffee Cups				\$39.99
	001-000-246-558-70-49-00			Miscellaneous	\$49.63
	Costco - Coffee Weekly MDRT Mtgs				\$3,401.21
	Total Redd 5176 041317				\$3,401.21
	Total EFT Payment 04/13/2017 12:49:31 PM - 1				
	Total First Bankcard				
	Invoice Cloud				
	EFT Payment 04/10/2017 12:44:16		2017 - April - Apr EFT Batch for 5/18 Council		
	PM - 2				
	774-2017_3	4/10/2017			
	March Charges				
	401-000-000-534-80-49-50			Bank Analysis Fees/Merch CC/ Lien Fees	\$47.34
	Water				
	407-000-000-535-80-49-50			Bank Analysis Fees/Merch CC Fees	\$47.33
	Sewer				
	410-000-000-531-10-49-50			Bank Analysis Fees/Merch CC/ Lien Fees	\$8.23

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number		Name Title	Amount

	Total 774-2017_3				
Total Invoice Cloud	Total EFT Payment 04/10/2017 12:44:16 PM - 2				\$102.90
Merchant Card Services	EFT Payment 04/03/2017 12:10:42	4/3/2017	2017 - April - Apr EFT Batch for 5/18 Council		\$102.90
	PM - 1				\$102.90
	040317 MCS CH				
	March Charges				
	001-000-180-518-50-49-03			Bank Merch CC Fees	\$59.57
	City Hall 633				
	Total 040317 MCS CH				
	EFT Payment 04/03/2017 12:10:42	4/3/2017	2017 - April - Apr EFT Batch for 5/18 Council		\$59.57
	PM - 1				
	040317 MCS LSP				
	March Charges				
	001-000-270-576-80-49-01			Bank Analysis Fees/Merch CC Fees	\$34.79
	Lake Sawyer Parking 758				
	Total 040317 MCS LSP				
	EFT Payment 04/03/2017 12:10:42	4/3/2017	2017 - April - Apr EFT Batch for 5/18 Council		\$34.79
	PM - 1				
	040317 MCS PD				
	March Charges				
	001-000-210-521-10-49-04			Bank Analysis Fees/Merch CC Fees	\$58.37
	Police 375				
	Total 040317 MCS PD				
	EFT Payment 04/03/2017 12:10:42 PM - 1				\$58.37
Total Merchant Card Services					\$152.73
U.S. Postal Service (Black Diamond)	EFT Payment 04/03/2017 12:10:42	4/3/2017	2017 - April - Apr EFT Batch for 5/18 Council		\$152.73
	PM - 2				
	040317 USPS BD				
	March Utility Billing Postage				
	401-000-000-534-80-42-01			Postage	\$291.94
	407-000-000-535-80-42-01			Postage	\$291.94

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number		Name Title	Amount
	Total 040317 USPS BD	410-000-000-531-10-42-01		Postage	\$50.77
	Total EFT Payment 04/03/2017 12:10:42 PM - 2				\$634.65
	Total U.S. Postal Service (Black Diamond)				\$634.65
					\$634.65
	U.S. Postal Service (CMRS-FP)				
	EFT Payment 04/10/2017 12:44:16				
	PM - 3		4/10/2017	2017 - April - Apr EFT Batch for 5/18 Council	
	041017 USPS CRMS-FP				
	001-000-180-518-50-42-00			Postage	\$200.00
	Total 041017 USPS CRMS-FP				\$200.00
	Total EFT Payment 04/10/2017 12:44:16 PM - 3				\$200.00
	EFT Payment 04/24/2017 1:28:35				
	PM - 2		4/24/2017	2017 - April - Apr EFT Batch for 5/18 Council	
	042417 USPS CRMS-FP				
	001-000-180-518-50-42-00			Postage	\$200.00
	Total 042417 USPS CRMS-FP				\$200.00
	Total EFT Payment 04/24/2017 1:28:35 PM - 2				\$200.00
	Total U.S. Postal Service (CMRS-FP)				\$400.00
	US Bank Equipment Finance				
	EFT Payment 04/20/2017 1:28:10				
	PM - 1		4/20/2017	2017 - April - Apr EFT Batch for 5/18 Council	
	325754968				
	3/20-4/20 Copier Rental				
	001-000-210-521-10-45-00			Lease Payments - US Bank/Copier	\$193.03
	001-000-248-518-20-45-03			MDRT-Copier Costs	\$193.03
	001-000-254-518-20-45-04			Facilities Copier Maint Lease	\$1,085.31
	Total 325754968				\$1,471.37
	Total EFT Payment 04/20/2017 1:28:10 PM - 1				\$1,471.37
	Total US Bank Equipment Finance				\$1,471.37

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number		Name Title	Amount
Washington State Department of Revenue					
EFT Payment 04/18/2017 1:27:51					
PM - 1					
041817 DOR	4/18/2017		2017 - April - Apr EFT Batch for 5/18 Council		
March Excise Taxes					
001-000-120-512-50-49-02				Printing and Binding	\$1.72
001-000-180-518-50-48-02				CH/CD/PW Bldg Maintenance & Repair	\$10.31
001-000-210-521-10-31-04				Uniforms	\$19.55
001-000-248-518-20-48-00				MDRT-Bldg/Gen Mtc Costs	\$5.16
401-000-000-534-80-44-01				State of WA Utility Excise Tax	\$2,592.65
401-000-000-534-80-44-01				State of WA Utility Excise Tax	\$46.96
407-000-000-535-80-44-01				State of WA Excise Tax	\$674.94
410-000-000-531-10-44-01				State of Wa Excise Tax	\$258.77
Total 041817 DOR					\$3,610.06
Total EFT Payment 04/18/2017 1:27:51 PM - 1					\$3,610.06
Total Washington State Department of Revenue					\$3,610.06
Vendor Count 9				Grand Total	\$11,035.51



Voucher Directory with Transaction Date

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
ADT Security Services (PA)					
44844	622631953	05/12/17-06/11/17 Services	4/24/2017	2017 - May - 2nd May Batch for 05/18 Council	
		001-000-248-518-20-49-02		MDRT Bldg Security Costs	\$19.46
		001-000-254-518-20-49-00		Facilities Security	\$29.18
					\$48.64
					\$48.64
					\$48.64
Total 622631953					
Total 44844					
Total ADT Security Services (PA)					
AHBL, Inc.					
44845	102176	Res 17-1152	3/31/2017	2017 - May - 2nd May Batch for 05/18 Council	
		001-000-246-558-70-41-00		MDRT Planning Prof. Services	\$3,395.00
		2/26-3/25 Services			\$3,395.00
Total 102176					
44845	102177	Res 17-1152	3/31/2017	2017 - May - 2nd May Batch for 05/18 Council	
		001-000-240-558-60-41-06		Prof Svs-Gen Gvt Planner	\$10,195.00
		2/26-3/25 Services			\$10,195.00
Total 102177					
44845	102189	Con 122	3/31/2017	2017 - May - 2nd May Batch for 05/18 Council	
		410-000-000-531-10-49-13		Prof Svs-Low Impact Implementation	\$1,380.00
		2/26-3/25 Services			\$1,380.00
					\$1,380.00
					\$14,970.00
					\$14,970.00
Total 102189					
Total 44845					
Total AHBL, Inc.					

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number	Name	Title	Amount
BHC Consultants, LLC					
44846	0008712		4/17/2017	2017 - May - 2nd May Batch for 05/18 Council	
		Planning Svs Res 16-1102			
		001-000-240-558-60-41-06		Prof Svs-Gen Gvt Planner	\$1,680.00
Total 44846		Total 0008712			\$1,680.00
Total BHC Consultants, LLC					\$1,680.00
Bill's Locksmith Service Inc.					
44847	114965		4/27/2017	2017 - May - 2nd May Batch for 05/18 Council	
		Police Bldg/Council Chambers			
		001-000-181-518-30-48-02		Gen Govt Building Maint	\$33.88
Total 44847		Total 114965			\$33.88
Total Bill's Locksmith Service Inc.					\$33.88
Bitco Software LLC					
44848	739		5/1/2017	2017 - May - 2nd May Batch for 05/18 Council	
		Annual Maint Fee			
		001-000-240-558-51-41-05		Permit Software Maintenance	\$7,927.80
Total 44848		Total 739			\$7,927.80
Total Bitco Software LLC					\$7,927.80
Black Diamond Auto Parts					
44849	420788		4/7/2017	2017 - May - 2nd May Batch for 05/18 Council	
		101-000-000-543-33-48-03		Street Share-Vehicle & Eq Mtc Costs	\$46.12
Total 44849		Total 420788			\$46.12
Total Black Diamond Auto Parts					\$46.12

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number		Name Title	Amount
Blumenthal Uniforms & Equipment					
44850	007372639	Police	4/18/2017	2017 - May - 2nd May Batch for 05/18 Council	
		001-000-210-521-10-31-04		Uniforms	\$98.98
Total 44850	Total 007372639				\$98.98
Total Blumenthal Uniforms & Equipment					
Cadman, Inc.					
44851	5439203	Minus Rock	4/25/2017	2017 - May - 2nd May Batch for 05/18 Council	
		001-000-270-576-80-31-03		Operating Supplies	\$97.54
Total 44851	Total 5439203				\$97.54
Total Cadman, Inc.					
CDW Government, Inc					
44852	HMX2417	Technology Upgrade	4/13/2017	2017 - May - 2nd May Batch for 05/18 Council	
		310-000-011-594-18-64-00		General Government Technology	\$1,031.70
		310-000-011-594-21-64-03		Police Technology & Other	\$1,031.70
Total 44852	Total HMX2417				\$2,063.40
44852	HNJ2210	Technology Upgrade	4/15/2017	2017 - May - 2nd May Batch for 05/18 Council	
		310-000-011-594-18-64-00		General Government Technology	\$1,194.60
Total 44852	Total HNJ2210				\$1,194.60
44852	HNH6415	Technology Upgrade	4/18/2017	2017 - May - 2nd May Batch for 05/18 Council	
		310-000-011-594-18-64-00		General Government Technology	\$2,258.88
Total 44852	Total HNH6415				\$2,258.88
Total CDW Government, Inc					
					\$5,516.88

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number		Name	Amount

CHS/Cenex

44853	043017 CH	4/30/2017	2017 - May - 2nd May Batch for 05/18 Council		
	124244 April Fuel - CH				
	001-000-181-518-30-32-00			Fuel	\$149.35
	001-000-246-558-70-32-00			Fuel	\$96.89
	001-000-270-576-80-32-00			Fuel	\$26.58
	001-000-280-536-20-32-00			Fuel	\$13.29
	101-000-000-543-50-32-00			Fuel	\$146.19
	401-000-000-534-80-32-00			Fuel	\$159.47
	407-000-000-535-80-32-00			Fuel	\$159.47
	410-000-000-531-10-32-00			Fuel	\$910.71
	Total 043017 CH				

44853	043017 PD	4/30/2017	2017 - May - 2nd May Batch for 05/18 Council		
	128275 April Fuel - PD				
	001-000-210-521-10-32-00			Fuel	\$2,065.60
	Total 043017 PD				\$2,065.60
Total 44853					\$2,976.31
Total CHS/Cenex					\$2,976.31

City of Black Diamond

44854	042717 COBD	4/27/2017	2017 - May - 2nd May Batch for 05/18 Council		
	April Utility Billing				
	001-000-212-521-50-47-01			Water	\$52.25
	2470.0 Police Water				
	001-000-212-521-50-47-02			Sewer	\$64.73
	2470.0 Police Sewer				
	001-000-212-521-50-47-03			Stormwater	\$80.00
	2470.0 Police Storm				
	001-000-248-518-20-47-01			MDRT BD Wtr, Swr, Storm	\$49.42
	2498.0 City Hall-MDRT (40%)			Facilities-Utilities	\$74.12
	001-000-254-518-20-47-00				
	2498.0 City Hall (60%)			Museum Water/Sewer/Storm	\$32.00
	001-000-270-575-30-47-01				
	1399.5 Museum-Storm			Museum Water/Sewer/Storm	\$101.38
	001-000-270-575-30-47-01				
	2070.0 Museum-Water/Sewer				

Vendor	Transaction Number Transaction Reference	Invoice Date	Fiscal Description Name	Title	Void Amount
	001-000-270-575-51-47-01	1399.1 Gym-Stormwater		Gym-Stormwater	\$32.00
	001-000-270-575-51-47-02	1399.0 Gym-Sewer		Gym-Sewer	\$64.73
	001-000-270-575-51-47-03	1399.0 Gym-Water		Gym-Water	\$43.59
	001-000-270-576-80-47-01	2306.0 Coal Car-Water		Water	\$35.63
	001-000-270-576-80-47-01	1582.0 Eagle Creek-Water		Water	\$35.63
	001-000-270-576-80-47-01	1045.0 PW Shops-Water		Water	\$3.37
	001-000-270-576-80-47-02	1045.0 PW Shops-Sewer		Sewer	\$5.18
	001-000-270-576-80-47-03	1399.2 Boat Launch-Storm		Stormwater	\$96.00
	001-000-270-576-80-47-03	1045.0 PW Shops-Storm		Stormwater	\$11.52
	001-000-280-536-20-47-01	1045.0 PW Shops-Water		Water	\$0.85
	001-000-280-536-20-47-01	1457.0 Cemetery-Water		Water	\$35.69
	001-000-280-536-20-47-02	1045.0 PW Shops-Sewer		Sewer	\$1.30
	001-000-280-536-20-47-03	1045.0 PW Shops-Storm		Stormwater	\$2.88
	001-000-530-522-10-47-01	2200.0 Fire Dept-Water		Water	\$37.26
	001-000-530-522-10-47-02	2200.0 Fire Dept-Sewer		Sewer	\$64.73
	001-000-530-522-10-47-03	1399.4 Fire Dept.-Storm		Stormwater	\$40.00
	101-000-000-543-31-47-01	2983.0 Railroad Ave Irrig.		Water	\$35.63
	101-000-000-543-31-47-01	1045.0 PW Shops-Water		Water	\$6.33
	101-000-000-543-31-47-02	1045.0 PW Shops-Sewer		Sewer	\$9.71
	101-000-000-543-31-47-03	1045.0 PW Shops-Storm		Stormwater	\$21.60
	401-000-000-534-80-47-01	1045.0 PW Shops-Water		Water	\$10.54

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
		401-000-000-534-80-47-02	Sewer		\$16.18
		1045.0 PW Shops-Sewer			
		401-000-000-534-80-47-03	Stormwater		\$36.00
		1045.0 PW Shops-Storm			
		407-000-000-535-80-47-01	Water		\$10.54
		1045.0 PW Shops-Water			
		407-000-000-535-80-47-02	Sewer		\$16.18
		1045.0 PW Shops-Sewer			
		407-000-000-535-80-47-03	Stormwater		\$96.00
		1399.3 Sewer Lagoon-Storm			
		407-000-000-535-80-47-03	Stormwater		\$36.00
		1045.0 PW Shops-Storm			
		410-000-000-531-10-47-01	Water		\$10.54
		1045.0 PW Shops-Water			
		410-000-000-531-10-47-02	Sewer		\$16.18
		1045.0 PW Shops-Sewer			
		410-000-000-531-10-47-03	Stormwater		\$36.00
		1045.0 PW Shops-Storm			
		Total 042717 COBD			\$1,321.69
		Total 44854			\$1,321.69
		Total City of Black Diamond			\$1,321.69
		City of Lake Forest Park			
	44855	PD-042817	4/28/2017	2017 - May - 2nd May Batch for 05/18 Council	
		Off Duty Traffic Control			
		320-000-020-542-64-18-06	Rbts Dr. Traffic Control-Outside O/Tr		\$739.50
		8.5 Hrs @ \$87.00/hr			
		Total PD-042817			\$739.50
		Total 44855			\$739.50
		Total City of Lake Forest Park			\$739.50
		Comcast (34744)			
	44856	0125628 042617	4/26/2017	2017 - May - 2nd May Batch for 05/18 Council	
		05/05/17-06/04/17 Services			
		001-000-248-518-20-42-00	MDRT Telephone, Fax, Internet costs		\$92.46
		MDRT Internet Act 8498 34 014 0125628			
		001-000-254-518-20-42-00	Facilities-Communication		\$138.68

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	

City Hall Internet Act 8498 34 014 0125628

Total 0125628 042617					
Total 44856					
Total Comcast (34744)					\$231.14
Comcast (PA)					\$231.14
44857	52779676	5/1/2017	2017 - May - 2nd May Batch for 05/18 Council		
	April Services				
	001-000-248-518-20-42-00		MDRT Telephone, Fax, Internet costs		\$55.15
	001-000-254-518-20-42-00		Facilities-Communication		\$236.33
	101-000-000-542-90-42-01		Telephone/DSL/Radios		\$25.60
	401-000-000-534-80-42-00		Telephone/DSL/Radios		\$25.60
	407-000-000-535-80-42-00		Telephone/DSL/Radios		\$25.60
	410-000-000-531-10-42-00		Telephone/DSL/Radios		\$25.60
Total 52779676					\$393.88
Total 44857					\$393.88
Total Comcast (PA)					\$393.88
Department of Commerce					
44858	PWTF-256611	4/28/2017	2017 - May - 2nd May Batch for 05/18 Council		
	PW-02-691-005: Public Works Trust Loan #5				
	401-000-000-591-34-72-03		Principal-PWTF 02 691 005		\$11,250.00
	401-000-000-592-34-83-03		Interest-PWTF 02 691 005		\$337.50
Total PWTF-256611					\$11,587.50
44858	PWTF-258890	4/28/2017	2017 - May - 2nd May Batch for 05/18 Council		
	PW-04-691-006: Public Works Trust Loan #1				
	401-000-000-591-34-72-00		Principal-PWTF 04 691 006		\$295,488.48
	401-000-000-592-34-83-00		Interest-PWTF 04 691 006		\$11,819.54
Total PWTF-258890					\$307,308.02
Total 44858					\$318,895.52
Total Department of Commerce					\$318,895.52

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number		Name	Amount
				Title	

Firestone Complete Auto Care

44859	051619	5/3/2017	2017 - May - 2nd May Batch for 05/18 Council		
		001-000-181-518-30-48-00		Facility-Vehicle Mtc. & Repair	\$734.49
Total 44859	Total 051619				\$734.49
Total Firestone Complete Auto Care					\$734.49

Fugate Ford

44860	410048	5/3/2017	2017 - May - 2nd May Batch for 05/18 Council		
		001-000-180-518-50-48-03		Vehicle Repairs & Maintenance	\$815.39
Total 44860	Total 410048				\$815.39
Total Fugate Ford					\$815.39

GOS Printing

44861	87810	4/28/2017	2017 - May - 2nd May Batch for 05/18 Council		
		Police		Printing	\$204.67
		001-000-210-521-10-49-03			\$204.67
Total 44861	Total 87810				\$204.67
Total GOS Printing					\$204.67

Granite Telecommunications

44862	387247328	5/1/2017	2017 - May - 2nd May Batch for 05/18 Council		
		May Services			
		001-000-248-518-20-42-00		MDRT Telephone, Fax, Internet costs	\$11.61
		001-000-254-518-20-42-00		Facilities-Communication	\$34.85
Total 44862	Total 387247328				\$46.46
Total Granite Telecommunications					\$46.46

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number	Name	Title	Amount
Home Depot Credit Service					
44863	5590742		5/8/2017	2017 - May - 2nd May Batch for 05/18 Council	
		Parks Operating			
		001-000-270-576-80-31-03		Operating Supplies	\$139.49
	Total 5590742				\$139.49
44863	9562029		5/4/2017	2017 - May - 2nd May Batch for 05/18 Council	
		Gym Repairs & Maint			
		001-000-270-575-51-48-00		Gym Facility Repair & Maintenance	\$112.85
	Total 9562029				\$112.85
44863	9562030		5/4/2017	2017 - May - 2nd May Batch for 05/18 Council	
		CD/PW Bldg Maint			
		001-000-181-518-30-48-02		Gen Govt Building Maint	\$48.45
	Total 9562030				\$48.45
44863	W598238737		5/4/2017	2017 - May - 2nd May Batch for 05/18 Council	
		City Campus Imp			
		310-000-002-594-18-62-03		City Campus Improvements	\$756.28
		Ladder			\$756.28
	Total W598238737				\$1,057.07
Total Home Depot Credit Service					
Johnsons Home & Garden					
44864	415334		4/27/2017	2017 - May - 2nd May Batch for 05/18 Council	
				Water System Rep & Mtc-Ext/Int	\$9.22
	Total 415334				\$9.22
44864	415453		5/2/2017	2017 - May - 2nd May Batch for 05/18 Council	
		PW Veh Maint			
		101-000-000-544-90-48-02		PW Clearing- Shared Veh/Equip Maint	\$119.29
	Total 415453				\$119.29

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number	Name	Title	Amount
44864	415558		5/5/2017	2017 - May - 2nd May Batch for 05/18 Council	
		Gym Bldg Maint			
		001-000-270-575-51-48-00		Gym Facility Repair & Maintenance	\$25.38
	Total 415558				\$25.38
44864	415617		5/8/2017	2017 - May - 2nd May Batch for 05/18 Council	
		Parks Operating			
		001-000-270-576-80-31-03		Operating Supplies	\$65.12
	Total 415617				\$65.12
Total Johnsons Home & Garden					\$219.01
Judicial Dispute Resolutions, LLC					\$219.01
44865	6905 33494		4/26/2017	2017 - May - 2nd May Batch for 05/18 Council	
		Arbitration			
		001-000-150-515-30-41-28		Legal Svs-Arbitration/Mitigation	\$750.00
	Total 6905 33494				\$750.00
Total Judicial Dispute Resolutions, LLC					\$750.00
Keating, Bucklin & McCormack					\$750.00
44866	9112 KBM		5/2/2017	2017 - May - 2nd May Batch for 05/18 Council	
		OPMA Lawsuit			
		001-000-150-515-30-41-27		Legal Svs-Lawsuit-City OPMA	\$896.99
		April Charges			
	Total 9112 KBM				\$896.99
Total Keating, Bucklin & McCormack					\$896.99
KING COUNTY FINANCE					\$896.99
44867	83485		3/31/2017	2017 - May - 2nd May Batch for 05/18 Council	
		101-000-000-542-64-48-01		Traffic Signal Maintenance	\$126.09
	Total 83485				\$126.09
Total KING COUNTY FINANCE					\$126.09

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number		Name	Title

King County Finance- Wastewater Treat Div.

44868	30017857	5/1/2017	2017 - May - 2nd May Batch for 05/18 Council		
		May Services			
		407-000-000-535-80-41-04		Metro Sewer Charges	\$50,189.70
	Total 30017857				\$50,189.70
Total 44868					\$50,189.70

Total King County Finance- Wastewater Treat Div.

King County Fire District 44

44869	17-148	5/1/2017	2017 - May - 2nd May Batch for 05/18 Council		
		Fire Protection Services Contract Jan-June 2017			
		001-000-530-522-10-41-00		Fire Dist 44 Prof Serv	\$252,455.18
	Total 17-148				\$252,455.18
Total 44869					\$252,455.18

Total King County Fire District 44

King County Prosecuting Attorney

44870	043017 KCPA	4/30/2017	2017 - May - 2nd May Batch for 05/18 Council		
		April Remittance-Crime Victims			
		633-000-000-589-90-00-05		Due to Agency-Treasurers Trust Court	\$90.90
	Total 043017 KCPA				\$90.90
Total 44870					\$90.90

Total King County Prosecuting Attorney

King County Radio Comm Services

44871	12143	4/26/2017	2017 - May - 2nd May Batch for 05/18 Council		
		April Services			
		001-000-214-521-20-48-03		K/C Radio Maint. & Repair	\$1,609.45
	Total 12143				\$1,609.45
Total 44871					\$1,609.45

Total King County Radio Comm Services

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number		Name Title	

Les Schwab Tire Ctr - MV

44872	39800248014	4/12/2017	2017 - May - 2nd May Batch for 05/18 Council		
		101-000-000-544-90-48-02	PW Clearing- Shared Veh/Equip Maint		\$3.19
Total 44872	Total 39800248014				\$3.19

Total Les Schwab Tire Ctr - MV

Modular Space Corp

44873	502001063	4/26/2017	2017 - May - 2nd May Batch for 05/18 Council		
	May Rent				
	001-000-248-518-20-45-01		MDRT-Bldg Rental-Modspace		\$1,958.06
Total 44873	Total 502001063				\$1,958.06

44873

	502001071	4/26/2017	2017 - May - 2nd May Batch for 05/18 Council		
	May Rent				
	001-000-254-518-20-45-01		Facilities-Bldg Rental/Modspace		\$3,454.57
Total 44873	Total 502001071				\$3,454.57

Total Modular Space Corp

National Safety, Inc

44874	0469017-IN	5/4/2017	2017 - May - 2nd May Batch for 05/18 Council		
	Gas Detector Adj				
	407-000-000-535-80-35-00		Small Tools & Safety Equipment		\$65.16
Total 44874	Total 0469017-IN				\$65.16

44874

	0469018-IN	5/4/2017	2017 - May - 2nd May Batch for 05/18 Council		
	Confine Space Gas for Gas Detector				
	407-000-000-535-80-35-00		Small Tools & Safety Equipment		\$238.92
Total 44874	Total 0469018-IN				\$238.92

Total National Safety, Inc

					\$304.08
					\$304.08

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number		Name Title	Amount
North West Instrument Services					
	44875	13369	5/2/2017	2017 - May - 2nd May Batch for 05/18 Council	
			May Services		
			001-000-210-521-10-31-00	Operating Supplies	\$249.78
				Police Equipment Calibration	\$249.78
					\$249.78
			Total 13369		
			Total 44875		
Total North West Instrument Services					
O'Brien, Barton, & Hopkins, PLLP					
	44876	54483	5/1/2017	2017 - May - 2nd May Batch for 05/18 Council	
			April Services		
			001-000-151-515-91-41-00	Court Legal-Public Defender	\$2,500.00
					\$2,500.00
					\$2,500.00
			Total 54483		
			Total 44876		
Total O'Brien, Barton, & Hopkins, PLLP					
Office Products Nationwide					
	44877	906115-0	4/28/2017	2017 - May - 2nd May Batch for 05/18 Council	
			MDRT Supplies		
			001-000-246-558-70-31-00	Office Supplies	\$29.66
					\$29.66
			Total 906115-0		
	44877	906665-0	5/2/2017	2017 - May - 2nd May Batch for 05/18 Council	
			CH Supplies		
			001-000-180-518-50-31-00	Office Supplies City Hall	\$78.56
					\$78.56
			Total 906665-0		
	44877	906666-0	5/2/2017	2017 - May - 2nd May Batch for 05/18 Council	
			CH/CD/PW Supplies		
			001-000-254-518-20-31-00	Facilities Operating Supplies	\$74.16
					\$74.16
			Total 906666-0		\$182.38
			Total 44877		\$182.38
Total Office Products Nationwide					

Vendor	Transaction Number Transaction Reference	Invoice Date	Fiscal Description Name	Void Amount
	Account Number	Title		
	001-000-270-576-80-47-00	Electric/Gas		\$0.00
	200017719507-PW Shop-Parks			
	001-000-280-536-20-47-00	Electric/Gas		\$0.00
	200017719507PW Shop-Cemetery			
	101-000-000-542-63-47-01	Street Lighting		\$42.48
	200008062644-Cov Sawyer & 216th			
	101-000-000-542-63-47-01	Street Lighting		\$23.93
	200024810877-Roberts Drive Ped Lighting			
	101-000-000-542-63-47-01	Street Lighting		\$0.00
	300000003735-Street Lights			
	101-000-000-542-63-47-01	Street Lighting		\$209.43
	220011761198-Kent Lake Traffic Signal			
	101-000-000-542-63-47-01	Street Lighting		\$13.92
	200015449073-Baker St Crosswalk			
	101-000-000-543-31-47-00	Electric/Gas		\$0.00
	200017719507-PW Shop-Street			
	401-000-000-534-80-47-00	Electric/Gas		\$2,168.76
	200002538847-Booster Station			
	401-000-000-534-80-47-00	Electric/Gas		\$556.93
	200008062404-4.3 Mil Gal Resv			
	401-000-000-534-80-47-00	Electric/Gas		\$17.29
	200008062180-.5 Mil Gal Resv			
	401-000-000-534-80-47-00	Electric/Gas		\$0.00
	200017719507-PW Shop-Water			
	407-000-000-535-80-47-00	Electric/Gas		\$12.20
	200016310662-Sewer Pump			
	407-000-000-535-80-47-00	Electric/Gas		\$31.71
	200019391925-Dia Glen Sewer			
	407-000-000-535-80-47-00	Electric/Gas		\$79.86
	200001558101-Morganville Lift Strn			
	407-000-000-535-80-47-00	Electric/Gas		\$0.00
	200017719507-PW Shop-Sewer			
	410-000-000-531-10-47-00	Electric/Gas		\$0.00
	200017719507-PW Shop-Drainage			
	Total 052317 PSE			\$4,792.89
	Total 44880			\$4,792.89
	Total Puget Sound Energy			\$4,792.89

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number		Name Title	
Regional Animal Services of King County					
44881	050517 RAS		5/5/2017	2017 - May - 2nd May Batch for 05/18 Council	
		May Licenses			
		633-000-000-589-90-00-01		King County Animal License	\$105.00
	Total 44881	Total 050517 RAS			\$105.00
Total Regional Animal Services of King County					
Republic Services, Inc. #176					
44882	0091940		4/30/2017	2017 - May - 2nd May Batch for 05/18 Council	
		April Services			
		001-000-248-518-20-47-03		MDRT-Waste Disposal Costs	\$83.27
		MDRT			
		001-000-254-518-20-47-01		Facilities-Waste Disposal	\$124.90
		City Hall			
	Total 0091940				\$208.17
44882	0805992		4/30/2017	2017 - May - 2nd May Batch for 05/18 Council	
		April Services			
		001-000-270-576-80-47-04		Waste Disposal	\$10.78
		PW-Parks			
		001-000-280-536-20-47-04		Waste Disposal	\$5.39
		PW-Cemetery			
		101-000-000-543-31-47-04		Waste Disposal	\$59.32
		PW-Street			
		401-000-000-534-80-47-04		Waste Disposal	\$64.71
		PW-Water			
		407-000-000-535-80-47-04		Waste Disposal	\$64.71
		PW-Sewer			
		410-000-000-531-10-47-04		Waste Disposal	\$64.71
		PW-Drainage			
	Total 0805992				\$269.62
44882	0808164		4/30/2017	2017 - May - 2nd May Batch for 05/18 Council	
		April Services			
		001-000-212-521-50-47-04		Waste Disposal	\$208.17

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number		Name Title	

Total 0808164
 Total 44882
 Total Republic Services, Inc. #176
 RH2 Engineering Inc.

44883 67697 5/4/2017 2017 - May - 2nd May Batch for 05/18 Council
 Res 15-1011
 404-000-011-534-80-41-00 Water Comp Plan
 Services through 4/23

Total 67697 \$2,250.60
 \$2,250.60

44883 67698 5/4/2017 2017 - May - 2nd May Batch for 05/18 Council
 Res 14-986
 402-000-003-594-34-63-06 Springs Water Project
 Services through 4/23

Total 67698 \$2,927.00
 Total 44883 \$2,927.00
 Total RH2 Engineering Inc. \$5,177.60
 Secure Pacific Corporation \$5,177.60

44884 121693 5/1/2017 2017 - May - 2nd May Batch for 05/18 Council
 05/01-07/31 Services
 001-000-120-512-50-49-05 Security
 Court Security
 001-000-212-521-50-49-05 Security
 Police Security

Total 121693 \$60.85
 Total 44884 \$121.70
 Total Secure Pacific Corporation \$182.55
 \$182.55
 \$182.55

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number	Name	Title	Amount

Severson's Building Maint

44885	715537	4/30/2017	2017 - May - 2nd May Batch for 05/18 Council		
	April Services				
	001-000-270-575-51-48-00		Gym Facility Repair & Maintenance		\$150.00
			Gym Janitorial Services		\$150.00
	Total 715537				
44885	715538	4/30/2017	2017 - May - 2nd May Batch for 05/18 Council		
	April Services				
	001-000-212-521-50-41-03		Police Custodial Cost		\$500.00
			Police/Court Janitorial Services		\$500.00
	Total 715538				
44885	715539	4/30/2017	2017 - May - 2nd May Batch for 05/18 Council		
	April Services				
	001-000-248-518-20-49-01		MDRT Bldg Custodial Costs		\$360.00
			MDRT Janitorial Services		\$540.00
	001-000-254-518-20-49-01		Facilities Building Custodial		\$900.00
			City Hall/Com Dev Janitorial Services		\$1,550.00
	Total 715539				
Total 44885					
Total Severson's Building Maint					
Shred-It USA					
44886	8122196712	4/22/2017	2017 - May - 2nd May Batch for 05/18 Council		
	March & April Services				
	001-000-120-512-50-49-04		Shredding Services		\$32.44
	001-000-180-518-50-49-04		Shredding Services		\$32.43
	001-000-210-521-10-49-05		Shredding Services		\$32.43
	Total 8122196712				\$97.30
Total 44886					\$97.30
Total Shred-It USA					\$97.30

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
Utilities Underground					
44887	7040110		4/30/2017	2017 - May - 2nd May Batch for 05/18 Council	
		April Services			
		401-000-000-534-80-41-08		Locating Service	\$72.38
Total 44887	Total 7040110				\$72.38
Total Utilities Underground					
Valley Automotive Repair & Electric					
44888	0025763		4/28/2017	2017 - May - 2nd May Batch for 05/18 Council	
		Police			
		001-000-210-521-10-48-01		Vehicle Maintenance & Repair	\$148.65
Total 44888	Total 0025763				\$148.65
44888	0025896		4/28/2017	2017 - May - 2nd May Batch for 05/18 Council	
		Police			
		001-000-210-521-10-48-01		Vehicle Maintenance & Repair	\$687.38
Total 44888	Total 0025896				\$687.38
Total Valley Automotive Repair & Electric					
VenTek International					
44889	105575		5/1/2017	2017 - May - 2nd May Batch for 05/18 Council	
		May Services			
		001-000-270-576-80-41-02		Venue Pay Station	\$90.00
Total 44889	Total 105575				\$90.00
Total VenTek International					
Voice of The Valley					
44890	19509		4/25/2017	2017 - May - 2nd May Batch for 05/18 Council	
		001-000-240-558-60-41-75		Advertising	\$228.00
		320-000-020-595-30-63-00		Roberts Dr Rehab-Roadway Const	\$236.00
Total 44890	Total 19509				\$464.00

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number	Name	Title	Amount
44890	19522	5/2/2017	2017 - May - 2nd May Batch for 05/18 Council		
		101-000-000-542-90-44-00	Advertising		\$186.00
Total 44890	Total 19522				\$186.00
Total Voice of The Valley					\$650.00
Washington Dept of Corrections					\$650.00
44891	0417.1-17-KCWC-HQ	4/30/2017	2017 - May - 2nd May Batch for 05/18 Council		
	April Services				
	001-000-211-523-60-49-04		Work Crew Costs-State Exp		\$90.00
Total 44891	Total 0417.1-17-KCWC-HQ				\$90.00
Total Washington Dept of Corrections					\$90.00
Washington State Treasurer					\$90.00
44892	043017 WST	4/30/2017	2017 - May - 2nd May Batch for 05/18 Council		
	April Remittance				
	633-000-000-589-90-00-05		Due to Agency-Treasurers Trust Court		\$6,225.26
Total 44892	Total 043017 WST				\$6,225.26
Total Washington State Treasurer					\$6,225.26
Water Management Laboratories, Inc.					\$6,225.26
44893	157952	4/24/2017	2017 - May - 2nd May Batch for 05/18 Council		
		401-000-000-534-80-41-02	Water Testing and Sampling		\$47.00
Total 44893	Total 157952				\$47.00
Total Water Management Laboratories, Inc.					\$47.00
Vendor Count 50				Grand Total	\$695,054.40

Payroll Register April 2017

Checks 19315 - 19336 (Void Checks 19324, 19334, 19335,19336)

Number	Name	Fiscal Description	Amount
<u>19315</u>	Paper Paycheck	2017 - April - Month End	\$692.00
<u>19316</u>	Paper Paycheck	2017 - April - Month End	\$3,640.00
<u>19317</u>	Paper Paycheck	2017 - April - Month End	\$5,427.87
<u>19318</u>	Paper Paycheck	2017 - April - Month End	\$1,013.84
<u>19319</u>	Paper Paycheck	2017 - April - Month End	\$3,474.78
<u>19320</u>	Paper Paycheck	2017 - April - Month End	\$49.79
<u>19321</u>	Paper Paycheck	2017 - April - Month End	\$7,604.04
<u>19322</u>	Paper Paycheck	2017 - April - Month End	\$1,783.94
<u>19323</u>	Paper Paycheck	2017 - April - Month End	\$9,818.61
<u>19324</u>	VOID	2017 - April - Month End	\$0.00
<u>19325</u>	Paper Paycheck	2017 - April - Month End	\$90.98
<u>19326</u>	AWC Sup Life	2017 - April - Month End	\$21.40
<u>19327</u>	BD Police Officers Association	2017 - April - Month End	\$600.00
<u>19328</u>	City of Black Diamond Flex	2017 - April - Month End	\$117.00
<u>19329</u>	Dept of Labor and Industries	2017 - April - Month End	\$2,567.52
<u>19330</u>	Employment Security Dept	2017 - April - Month End	\$416.84
<u>19331</u>	Joseph Kaufman Leoff 1	2017 - April - Month End	\$115.40
<u>19332</u>	Teamsters Local 117	2017 - April - Month End	\$973.71
<u>19333</u>	Trusted Plans Service CP LTD	2017 - April - Month End	\$737.60
<u>19334</u>	VOID		\$0.00
<u>19335</u>	VOID		\$0.00
<u>19336</u>	VOID		\$0.00
<u>ACH Def Comp Apr 2017</u>	Washington State Treasurer	2017 - April - Month End	\$3,250.00
<u>ACH Aflac April 2017</u>	Aflac	2017 - April - Month End	\$128.44
<u>ACH AWC Apr 2017</u>	AWC Employee Benefit Trust	2017 - April - Month End	\$43,412.18
<u>ACH Retirement Apr 2017</u>	Dept of Retirement Systems	2017 - April - Month End	\$31,377.97
<u>ACH Taxes Apr 2017</u>	City of Black Diamond Taxes	2017 - April - Month End	\$60,289.41
<u>April 2017 Draw</u>	Payroll Vendor	2017 - April - Month End	\$28,845.00
<u>April 2017 Payroll</u>	Payroll Vendor	2017 - April - Month End	\$85,437.39
			\$291,885.71

I hereby certify that payroll and benefits have been processed and delivered as required under contract or legal obligation.	
Finance Director	<u>Maylene Miller</u>
Date	<u>5-1-2017</u>

**BLACK DIAMOND SPECIAL JOINT
CITY COUNCIL/PLANNING COMMISSION MEETING MINUTES
September 6, 2016**

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Benson called the Special Joint meeting of the Council and Planning Commission to order at 6:10 p.m. and led us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Edelman, Morgan, Weber and Pepper.
Planning Commissioners McCain, Ambur (Commissioner Ambur was not present during roll call and entered the meeting at 6:12 p.m.), Ekberg, LaConte, and Senecal.

ABSENT: Commissioner Ammons

Staff present: Barbara Kincaid, BHC Consultant and Brenda L. Martinez, City Clerk.

WORK SESSION:

City's Comprehensive Plan Update – Continuation of Parks, Recreation, Trails and Open Space

Mayor Benson welcomed everyone and announced that this meeting is a continuation of the element that was reviewed at the last meeting.

BHC Consultant Kincaid noted this will be a short meeting as tonight is a review of what the revised element would look like. She recapped the housekeeping changes that were made from the last meeting on the appendix and noted there was a discussion on the 38 plus acres on the Lake Sawyer Regional Park and whether the City was obligated on the specific encumbrances based on the deed. Ms. Kincaid reported that after looking through all the information she was given it was unclear and her next step would be to look at the application that was approved by RCO. The parks will have passive and open conservation and areas for active recreation, all the land should be used for public recreation space. The maps are missing and are not part of the King County record. A five- page agreement was given to Kincaid, but no background or proposal of actual application was not given.

Ms. Kincaid is still doing some research on the application as to what the project was that they had with King County and noted that she will report back next month on her findings.

There was Council discussion around the missing maps.

INTRODUCTION (Page 1)

Ms. Kincaid-Page one ties to the Vision Goals. Every chapter needs to tie back to the overall vision goals. Then the document goes into the introductory paragraph about why parks, trails and open paths are important to Black Diamond.

Councilmember Edelman had a question around third paragraph, second sentence, in the introduction- states "in addition, there are private open spaces such as pocket parks and yards that define residential neighborhoods and support the community's high quality of life".

Her question is being they are private in that they are owned by a Homeowners Association? Can we tighten this up, for example as defined by CCR's?

Ms. Kincaid is trying to do this conceptually, to define the City and the Future Land Use and Development that is broken by open space, green space, trails, private city yards and that dispersion of open space where you are not going to develop so densely in the City.

Key point of discussion around does Black Diamond want yard space, green space, trails, citizen yards (private) and the dispersion.

Ms. Kincaid noted this could be struck, she noted trying to lay the foundation for the reader that in the City, the open space is the pocket parks, even though they may be a part of a sub-division intended for public private use. Also, some small town rural character that we have been defining and talking about would imply that you would have single family homes or multifamily homes, you would have sufficient lot sizes so that you wouldn't have tight density built into the City.

Commissioner Senecal asked if we could reword the last part of the sentence where it says 'pocket parks and yards that define residential neighborhoods', is there a better way to convey that idea.

Councilmember Pepper wondered if they could use the word 'enhance'. She said the word 'define' has harder edges.

Commissioner McCain spoke about the new trend for new communities is that new homebuyers do not want to be burdened with taking care of the yard and like the concept of Community Parks and open spaces. This frees them up from chores and they can use those Community Center areas for social needs.

Mayor Benson stated there are a lot of statistics that support this new trend.

PARKS, RECREATION, TRAILS, AND OPEN SPACE (Page 1)

Economic Development Goal 1: Encourage job creation by making the community a better place to live, work, and do business.

Mayor Benson would like to add under Economic Development-first section: *live, work, play and do business. Add the word 'play'.*

Ms. Kincaid said she will make sure that the vision goal matches.

Councilmember Deady on the trends of housing, will the trend flip in ten years where people may want a yard and more space. She was curious as to when did this trend start.

Commissioner McCain stated this changed about fifteen years ago, changes in technologies and the way everyone receives information. They entertain themselves at home with a smart phone and don't have to go outside. Families now get up, go to work, go home, stay sheltered. Houses with small lots have sold better than expected. She stated the new trend is less is best.

Ms. Kincaid talked about the idea of having that green space interspersed to an acceptable ratio that fits this community and that is what we are trying to figure out.

Councilmember Deady talked about appearance of the City do we want it to look pretty or have houses crammed in. Do we want tiny yards or do we want something else?

Commissioner Ambur suggested a mix.

Councilmember Weber agrees with Councilmember Deady and Commissioner Ambur, we should have a mix of both because you don't want to pigeon hole a community based on a trend. We will grow and develop, but that doesn't mean people will need to be on top of each other.

Councilmember Pepper stated research shows that people do better in communities when there are outside opportunities for them. Healthy communities thrive on opportunities for people to be outside.

Councilmember Edelman stated we have a development agreement with OakPointe. Most of this has already been contracted. We are talking about everything here except the MPD's. Currently the MPD's are locked up.

Ms. Kincaid discussed the Development Agreement has the guidelines for the percent of open space. There is still room to look at the configuration in the layout as the planner is looking at the upcoming plats. There is still room in this policy to have some guidance and influence on how those next plats look.

Commissioner Senecal asked about zoning-he thought most of this stuff took care of itself by the density and zoning for certain areas.

Ms. Kincaid said this is correct, zoning and regulations are set up by these policies and then we look at the zoning maps and zoning districts and lot sizes and make sure they are consistent with these policies. We may make changes to those and the design standards in those zones.

Commissioner Senecal stated "want to be sustainable with a mixture of zoning so that something can appeal to anybody."

Ms. Kincaid agreed, how does that mixture look? The next page, the concept of park rec trails and open space is the accessibility-everyone should have access. How do we spatially define Black Diamond? With the mix, there should be some cohesiveness in terms of providing access and providing a good network. We need to make that mix balance.

There was Council discussion around this.

Page 2-3

Councilmember Edelman-third paragraph, third line reads-

Adherence to adopted Levels of Service (LOS) standards assures that the City is serious about meeting its citywide parks and recreational needs. As will an ongoing dialog with city staff and legislators regarding system wide capital improvements and funding levels. LOS standards will guide the type and location of the new parks and facilities needed and enable the City to require new development to pay its 'fair share' of such facilities. (She suggested adding a semi-colon after the words recreational needs.)

Councilmember Weber-third paragraph, last line reads- ...the City to require new development to pay its "fair-share" of such facilities. Is 'fair share' a good word to use? He suggested to replace with the word 'proportionate'.

Ms. Kincaid said she could use that word. But then we would need to come up with what is proportionate. We would have to come up with a formula or equation to use this word.

Councilmember Deady- page two- first paragraph, last sentence change the word 'The City will mostly' to 'most'. Also, discussed replacing the four words with this verbiage: "The City may face challenges."

The City will mostly likely always face the challenges of meeting the needs of a diverse range of age groups and interests, but it will work to strategically and creatively deal with these demands.

Commissioner Ambur suggested to use verbiage such as "the City will continue to face challenges."

After Council discussion Ms. Kincaid, will change verbiage to- "The City will continue facing challenges."

PRTO-4-page 6-Councilmember Edelman- the word 'new' should be removed from the sentence 'the new park site at Lake Sawyer'. **This park is not new.**

Policy PRTO-4: Continue development of a trail system which shall connect the City's historic district, neighborhoods, Jones Lake, and Morganville with an integrated King County regional trail system, the new park site at Lake Sawyer, and a state trail system along the Green River.

Ms. Kincaid will make it plural to state-park sites.

PRTO-1-page 5-Councilmember Weber-second line 'that accessible to all residents'. Add the word 'are' after that.

Policy PRTO-1: Include a variety of active, passive, developed, and natural parks, trails and open spaces that are accessible to all residents.

PRTO-2-page 6-Councilmember Weber-he suggested if you are going to use the words, parks, trails recreation and open space, to (standardize the language) and make the words in standard consistently through each policy.

Policy PRTO-2: Black Diamond's natural beauty and ecology shall be represented in the parks, recreation, trails and open space system.

PRTO-5-page 6-Councilmembers discussed that the word 'top' be removed.

Policy PRTO-5: Budgeting for repair and maintenance of existing park and recreational facilities shall be a top priority.

ADJOURNMENT:

Councilmember Weber motioned and a seconded by Councilmember Deady to adjourn the meeting. Motion **passed** with all voting in favor. 5-0

The meeting was adjourned at 7:28 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk

BLACK DIAMOND CITY COUNCIL MINUTES

April 13, 2017 Special Meeting

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Benson called the special meeting to order at 1:00 p.m. and led us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Edelman, and Pepper.

ABSENT: Councilmembers Morgan and Weber

Staff present: Jamey Kiblinger, Police Chief; May Miller, Finance Director; Jana King, Deputy Finance Director; and Brenda L. Martinez, City Clerk.

State Auditor Exit Conference:

Mayor Benson welcomed everyone and asked for introductions of attendees. Attendees from the State Auditor's office were Kelly Colling, Wendy Choy, Saundra Groshong, and Megan McCallum.

Wendy Choy thanked May Miller and her staff for being very responsive during the audit period. She also noted the City being very responsive to their recommendations.

It was noted the audit scope was an Accountability audit for 2013 through 2014 with limited procedures performed for 2015. Ms. Choy discussed the areas that were examined during the audit period which were:

- Disbursements and accounts payable system (through December 2015) – it was noted there were some recommendations in this area in the form of a management letter which is used to formally communicate those recommendations to the entity. Ms. Choy discussed the management letter items which is attached to the minutes. Finance Director Miller reviewed the City's responses to the management letter items which is also attached to the minutes. There was discussion on the Vision system meeting the needs of the City and training opportunities from the vendor.
- Cash receipting: Court and Police Departments - no recommendations
- Credit cards – it was noted the 2013-2014 credit card transactions were reviewed and tested and there were no recommendations.

- Procurement 9bidding/prevailing wage) – it was noted two projects were tested and some housekeeping items that were discussed with management.
- Financial condition – no recommendations
- Budget compliance – no recommendations

Ms. Choy also discussed that audit costs were estimated at \$45,000 and were higher due to the 2015 disbursement review.

Ms. Sandra Groshong discussed the next scheduled audit on accountability and financials being for the years 2015-2016. She stated she anticipated starting this audit in late 2017 and the lead for the audit will be Megan McCallum. Also discussed were the estimated audit cost being \$46,000 plus travel expenses (based on current rates), and efficiencies being made with the auditor's office and Department of Transportation regarding the annual street report.

Finance Director Miller discussed working with the State's Local Government Performance Center to help further improve accounts payable processes and procedures.

Ms. Choy distributed and discussed the accountability document which is attached to the minutes.

In closing, Councilmembers, Mayor and attendees thanked everyone for this exit conference and it was noted again that Ms. Miller was very responsive and having things fixed before the auditor walked out the door.

ADJOURNMENT:

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Dedy to adjourn the meeting. Motion **passed** with all voting in favor (3-0).

The meeting ended at 1:45 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk

City of Black Diamond
January 1, 2013 through December 31, 2014
Exit Items

ACCOUNTABILITY

1. Procurement

We reviewed the City's compliance with procurement requirements for the Lawson Street Sidewalk Project in the amount of \$213,724 and the 5th Avenue Watermain Replacement Project in the amount of \$158,147.

We noted the City released retainage prior to receiving the Certificate of Release from Liability for Industrial Insurance premiums from the Department of Labor and Industries as follows:

- Lawson Street Sidewalk Project: retainage was released three days prior to the L&I release
- 5th Avenue Watermain Replacement Project: retainage was released 15 days prior to the L&I release

We also noted the City did not maintain evidence that the contractor for the 5th Avenue Watermain Replacement Project was not disqualified from bidding on public works projects as required by state law.

We recommend the City establish procedures to ensure retainage is not released until the appropriate documents are received. We further recommend the City maintain evidence it verified contractors were not disqualified from bidding on public works projects.

2. Police Department: Cash Receipting

Total revenue collected at the Police Department was \$11,800 and \$13,018 in 2013 and 2014, respectively. We noted the Police Department does not reconcile its deposit before it is picked up by the Finance Department and that there is no sign-off when the money leaves the Police Department. We also noted the money is kept in an unsealed folder rather than in a tamper proof bag.

We recommend the Police Department reconciles money collected before it is picked up by the Finance Department. We further recommend funds are placed in a tamper proof bag and that processes are put in place to ensure assigned responsibility.

3. City Property and Cash Receipting Locations

During the audit, we determined the City has a cash receipting location at the Lake Sawyer Boat Launch. The City collects parking fees for boat launches and total revenues were \$15,186 and \$21,536 in 2013 and 2014, respectively.

City of Black Diamond
January 1, 2013 through December 31, 2014
Exit Items

Further, in 2015 the City determined it owned the Gym building when it previously believed the Black Diamond Community Center owned the building. The Gym collected approximately \$600 in revenues.

We recommend the City reassess properties within the City limit to determine whether there are additional facilities the City should own but is not aware of. We further recommend the City identifies all cash receipting locations and ensure there are adequate controls in place to ensure all money owed is deposited intact and timely.

Management Letter
City of Black Diamond
January 1, 2013 through December 31, 2015

Accounts Payable System

The City's total operating expenditures from 2013 through 2015 were \$6.1 million, \$6.5 million and \$6.3 million, respectively. The City is responsible for designing and following internal controls that provide reasonable assurance of compliance with state laws and City policies, and the safeguarding of public resources. This includes establishing internal controls to ensure payments have adequate support and proper approval. Local governments can issue payments before board approval if the appropriate policies and procedures are in place (BARS Manual 3.8.5.50).

During our audit, we noted City employees entered information into the accounts payable accounting software (the system) that did not agree to the supporting documentation. We also determined the City's review of system reports was not adequate to ensure that information entered into the system was reasonable or accurate when compared to supporting documentation.

We tested 26 transactions, totaling \$196,186, that were paid during the audit period. We compared the invoices and checks issued for payment to the information entered in the City's accounts payable system. We identified 16 transactions, totaling \$112,237, for which the information entered into the system was inconsistent when compared to the checks and invoices. We noted:

- Three invoices were received in late 2014. However, the City did not process the payments until March 2015. There was no documentation explaining why the payment was late.
- Three invoices had dates that did not agree to what was entered into the system. One invoice paid in 2015 had 2017 listed as the transaction date in the system. One invoice paid in 2014 had 2015 listed as the transaction date. One electronic fund transfer (EFT) had a check print date in the system, but checks are not issued for EFT transactions.
- Two instances in which the Finance Director prepared the early release form, but it was not approved by another individual.
- Fifteen invoices did not have the dates the City received them.

Although we did not identify any unallowable expenditures, the inconsistent entries into the system increase the likelihood that errors or misappropriation could occur and not be detected in a timely manner, if at all.

During the audit, the City updated its financial policy to include the risks discussed above. We will follow up on the updated policy during the next audit.

We recommend the City:

- Ensure employees have an appropriate understanding of the accounts payable software system.
- Ensure management has a clear understanding of what each system field represents and communicates this to staff.
- Review system reports to monitor information entered into the system for accuracy and reasonableness when compared to supporting documents.
- Ensure disbursements are properly authorized and there are explanations to support unusual transactions.

4/11/17

City of Black Diamond 2013-2015 Accountability Audit Response

The audit covered data entered into the Accounts Payable software system from four years ago (2013) through two years ago (2015). The City acknowledges that "transaction dates" which are really "invoice dates" did not always agree to the invoice dates that were entered into the Accounts Payable software system. Our Audit reports didn't include transaction dates in our printouts, however they did appear in the data dump the auditors used for the audit.

Our software voucher audit report has been in use since 2009, and did list: vendor name, invoice number, date of service, description (including business purpose, department and contract number) account number and dollar amount. But because the report did not list "transaction dates" (invoice date), some invoice date keypunch errors occurred during 2013-2015 that were not detected due to the report deficiency.

As soon as this was detected the City contacted our software vendor and purchased a custom update to add the missing field to the voucher audit report. This invoice date field is now audited along with all the other voucher input data. The Finance Department also now date stamps all invoices as they are received by our department.

The City also acknowledges that as technology and need for transparency continues to grow, updating and incorporating these changes into the City's financial processes and policies are crucial. In that effort, the City has incorporated a Government Finance Officers Association Best Practice recommendation to utilize Electronic Payments. This was recommended by them as an efficient effort that can reduce security risk, payment fraud and improved tracing. To that effort the City began including routine monthly EFT'S (Electronic Fund Transfers) to the Council Voucher reports.

However, our software system was not designed to included scheduled EFT transactions for items such as State Excise Tax reporting, and has only one field for "Check Issue Date" which we used as the date the funds were withdrawn from our bank account each month. This caused the system to show a check print date when checks were not issued at all. Our software vendor will be doing an update to their Financial and Payroll software during 2017 and the City will be working with them to clarify these EFT transactions on reports.

The City acknowledges that we did not note on the vouchers why three invoices from 2014 were not paid until March 2015. Research showed that the vendor had emailed the invoices to an employee who had resigned and who didn't notify the City about them. We set up a new Accounts Payable email site in late 2015, before this Audit, to best insure late payments like those wouldn't happen again. Additionally, we now note on documents any unusual

circumstances for irregular payment dates or amounts. The City also initiated a new Early Release Check Form in early 2015 and makes certain staff are trained to understand when the form is needed and that the required number of authorized signatures are secured.

The Auditors did not identify any unallowable expenditures or misappropriations, but noted that some other improvements be made. We have incorporated all their suggestions and truly appreciate their expertise. Some other improvements we have made include:

- Annual updates of our Financial Internal Control Policy with continued improvements.
- Training staff on the various system fields and name variations. Including, staff utilizing the Software Vendor's On-line System Training that began in 2016.
- Contacted, met with, set a time frame for the State's Local Government Performance Center to come to the City of Black Diamond to further improve Accounts Payable processes and procedures in this technologically changing and transparency environment.
- Volunteered to be on the lead software team for our vendor's 2017 Financial and Payroll Software improvement.

The City of Black Diamond appreciates and wishes to thank the State Auditor's Office for the staff's continued professionalism, courtesy and helpful attitudes during this and every other audit. We continually learn and make process improvements every time you come!



Office of the Washington State Auditor

Pat McCarthy

Accountability Audit Report
City of Black Diamond
King County

For the period January 1, 2013 through December 31, 2014

Published

Report No. 1018946





**Office of the Washington State Auditor
Pat McCarthy**

Issue Date – (Issued by OS)

Mayor and City Council
City of Black Diamond
Black Diamond, Washington

Report on Accountability

Thank you for the opportunity to work with you to promote accountability, integrity and openness in government. The State Auditor's Office takes seriously our role of providing state and local governments with assurance and accountability as the independent auditor of public accounts. In this way, we strive to help government work better, cost less, deliver higher value and earn greater public trust.

Independent audits provide essential accountability and transparency for City operations. This information is valuable to management, the governing body and public stakeholders when assessing the government's stewardship of public resources.

The attached comprises our report on the City's compliance and safeguarding of public resources. Our independent audit report describes the overall results and conclusions for areas we examined. We appreciate the opportunity to work with your staff and we value your cooperation during the audit.

Sincerely,

Pat McCarthy
State Auditor
Olympia, WA

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AUDIT SUMMARY

Results in brief

In most areas we audited, City operations complied with applicable requirements and provided adequate safeguarding of public resources. The City also complied with state laws and regulations and its own policies and procedures in the areas we examined.

However, we noted certain matters that we communicated to City management in a letter dated April 13, 2017, related to the City's accounts payable system. We appreciate the City's commitment to resolving those matters.

About the audit

This report contains the results of our independent accountability audit of the City of Black Diamond from January 1, 2013 through December 31, 2014. We also performed limited procedures related to the City's disbursements and accounts payable system for the fiscal year ended December 31, 2015.

Management is responsible for ensuring compliance and adequate safeguarding of public resources from fraud, loss or abuse. This includes the design, implementation and maintenance of internal controls relevant to these objectives.

Our audit involved performing procedures to obtain evidence about the City's uses of public resources, compliance with state laws and regulations and its own policies and procedures, and internal controls over such matters.

In keeping with general auditing practices, we do not examine every transaction, activity or area. Instead, the areas examined were those representing the highest risk of fraud, loss, abuse, or noncompliance. The following areas were examined during this audit period:

- Disbursements and accounts payable system (through December 2015)
- Cash receipting:
 - Courts
 - Police Department
- Credit cards
- Procurement (bidding/prevaling wage)
- Financial condition
- Budget compliance

RELATED REPORTS

Financial

Our opinion on the City's financial statements is provided in a separate report, which includes the City's financial statements. That report is available on our website, <http://portal.sao.wa.gov/ReportSearch>.

INFORMATION ABOUT THE CITY

The City of Black Diamond, incorporated in 1959, is classified as a non-charter code City located in King County. The City provides its approximately 4,200 residents with police, fire, water, sewer, stormwater, streets, public works, community development, park, cemetery and Municipal Court services. The City of Black Diamond is a strong (elected) Mayor code city. The Mayor shall be the chief executive (RCW 35A.12.100) and administrative officer of the city, in charge of all departments and its 28 employees.

The elected five member City Council is the legislative arm of the government and makes policy in the form of passing ordinances or resolutions. For fiscal years 2013 and 2014, the City reported expenditures of \$8.3 million for both years.

Contact information related to this report	
Address:	City of Black Diamond P.O. Box 599 Black Diamond, WA 98010
Contact:	May Miller, Finance Director
Telephone:	(360) 886-5707
Website:	www.ci.blackdiamond.wa.us

Information current as of report publish date.

Audit history

You can find current and past audit reports for the City of Black Diamond at <http://portal.sao.wa.gov/ReportSearch>.

ABOUT THE STATE AUDITOR'S OFFICE

The State Auditor's Office is established in the state's Constitution and is part of the executive branch of state government. The State Auditor is elected by the citizens of Washington and serves four-year terms.

We work with our audit clients and citizens to achieve our vision of government that works for citizens, by helping governments work better, cost less, deliver higher value, and earn greater public trust.

In fulfilling our mission to hold state and local governments accountable for the use of public resources, we also hold ourselves accountable by continually improving our audit quality and operational efficiency and developing highly engaged and committed employees.

As an elected agency, the State Auditor's Office has the independence necessary to objectively perform audits and investigations. Our audits are designed to comply with professional standards as well as to satisfy the requirements of federal, state, and local laws.

Our audits look at financial information and compliance with state, federal and local laws on the part of all local governments, including schools, and all state agencies, including institutions of higher education. In addition, we conduct performance audits of state agencies and local governments as well as fraud, state whistleblower and citizen hotline investigations.

The results of our work are widely distributed through a variety of reports, which are available on our website and through our free, electronic subscription service.

We take our role as partners in accountability seriously, and provide training and technical assistance to governments, and have an extensive quality assurance program.

Contact information for the State Auditor's Office	
Public Records requests	PublicRecords@sao.wa.gov
Main telephone	(360) 902-0370
Toll-free Citizen Hotline	(866) 902-3900
Website	www.sao.wa.gov



Office of the Washington State Auditor

Pat McCarthy

Pat McCarthy
State Auditor

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Exit Conference: City of Black Diamond

About our Office

The Washington State Auditor's Office's vision is government that works for citizens. Our goal is for government that works better, costs less and earns greater public trust.

The purpose of this meeting is to share our audit results and draft reporting. We value and appreciate your participation.

Audit Highlights

- We would like to thank May Miller, Finance Director and City staff for their cooperation and timely response to our requests during the audit.
- We noted the City is responsive to our recommendations and has a proactive attitude over accountability and internal controls.
- We thank the City for its ongoing commitment to build our relationship.

Audit Scope

We performed the following audit for the City of Black Diamond:

- **Accountability audit for 2013 through 2014 with limited procedures performed for 2015.** See draft report.

Recommendations not included in the Audit Reports

Management Letters

Management letters communicate control deficiencies, non-compliance or abuse with a less-than-material effect on the financial statements or other items significant to our audit objectives. Management letters are referenced, but not included, in the audit report. We noted certain matters that we are communicating in a letter to management related to the accounts payable system.

Exit Items

We have provided exit recommendations for management's consideration. Exit items address control deficiencies or non-compliance with laws or regulation that have an insignificant or immaterial effect on the entity, or errors with an immaterial effect on the financial statements. Exit items are not referenced in the audit report.

Concluding Comments

Report Publication

Audit reports are published on our website and distributed via e-mail in an electronic .pdf file. We also offer a subscription service that allows you to be notified by email when audit reports are released or posted to our website. You can sign up for this convenient service at: <https://portal.sao.wa.gov/saoportal/Login.aspx>

Audit Cost

At the entrance conference, we estimated the cost of the audit to be \$45,122, plus travel expenses which was for fiscal year 2013 to 2014. Actual audit costs will be approximately \$49,500 to include fiscal year 2015 into the accountability audit scope.

Audit Survey

When your report is released you will receive an audit survey from us. We value your opinions on our audit services and hope you provide feedback.

Your Next Scheduled Audit

Your next audit is scheduled to be conducted in late 2017, and will cover the following general areas:

- Accountability for Public Resources – fiscal year 2015 and 2016
- Financial Statement – fiscal year 2015 and 2016

The estimated cost for the next audit based on current rates is \$46,000, plus travel expenses. This preliminary estimate is provided as a budgeting tool and not a guarantee of final cost. For instance, the wage increase for state employees currently being considered by the state Legislature would make an audit billing rate increase necessary in the coming biennium.

Anticipated areas of focus for the accountability audit are:

- Disbursements
- Contracts and agreements
- Payroll
- Utilities
- Third party cash receipting

If expenditures of federal awards are \$750,000 or more in any fiscal year, notify our Office so we can schedule your audit to meet federal single audit requirements. Federal awards can include grants, loans, and non-cash assistance such as equipment and supplies.

Emerging Issues

Some of the emerging issues affecting local governments are the following:

2017 BARS Manual Update – Cash Basis:

Every year, guidance in the Budgeting, Accounting and Reporting (BARS) manual is updated to ensure it remains a current and valuable resource for local governments. The current BARS manual contains

updates applicable to 2016 annual reports. These updates include minor improvements to account coding, accounting guidance, and the financial statement report template as follows:

- Account code clarifications to emphasize correct reporting of leasehold and timber taxes (as intergovernmental except for counties and cities) and rental revenues (as charges for services unless ancillary).
- Updated illustrations and note disclosures for the second year of pension reporting.
- Improvements to the financial statement format to more clearly allow accounting and display special and extraordinary items (as 385/585) and custodial activities (as 389/589).

Also, after successfully eliminating the Department of Commerce's annual GO Survey last year, our Office is continuing to work with other state agencies to reduce reporting burdens on local governments by piloting an alternative to the Department of Transportation's Annual Street/Road Finance Report for Cities and Counties.

A full list of updates is available on our website.

Available Resources

The Washington State Auditor's Office also has many resources available throughout the year.

Local Government Support Team

This team provides support services to local governments through technical assistance, comparative statistics, training, and tools to help prevent and detect a loss of public funds. Our website and client portal offers many resources, including a client Help Desk that answers auditing and accounting questions. Additionally this team assists with the online filing of your financial statements.

**BLACK DIAMOND CITY COUNCIL
WORK SESSION MINUTES**

April 13, 2017

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Benson called the regular work session meeting to order at 6:00 p.m. and led us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Morgan, Edelman, Weber and Pepper.

ABSENT: None

Staff present: May Miller, Finance Director, Andrew Williamson, MDRT/Ec Dev/Interim Community Development Director; Scott Hanis, Capital Projects/Program Manager; and Brenda L. Martinez, City Clerk.

Mayor Benson welcomed everyone and announced the one item for discussion on the agenda is the 2017-2022 Capital Improvement Plan as there was not enough time to address this item at the last work session.

WORK SESSION:

2017-2022 Capital Improvement Plan (CIP)

Points of Discussion

Councilmember Morgan asked if there could be a criteria list made for the projects like the one the Growth Management Committee did for the Transportation Improvement Plan. There was discussion on the different plans the City has (water comprehensive plan, sewer comprehensive plan, parks plan, comprehensive plan, etc.) and it being a good idea to know when the plans were done so they could be used to make a more educated priority list. Mayor and staff discussed the expense involved with the plans and their updates.

There was discussion on whether the Capital Improvement Plan the Comprehensive Plan need to be congruent and if there is a requirement for consistencies between these two plans. Mayor Benson noted no as they are different plans, however you will see similarities.

Discussion began on Council setting project priorities within the plan and should grant funding become available for a project not on the priority list staff would still pursue the grant. There continued to be discussion on grant funding that is released and the importance of having shovel ready projects.

Councilmember Pepper asked if the Rock Creek Bridge is in this plan. It was noted this is last year's plan and the replacement project for Rock Creek Bridge would go into the next plan update. Ms. Miller noted the schedule for the next plan update would be staff starting the process in the fall of this year and bring forward to Council in 2018.

Councilmember Morgan asked about projects T3- New Arterial "Annexation Road" and T4 – Lake Sawyer Road Extension and when those will be built. MDRT Director Williamson noted that T3 is within the plats and is a developer project so in the document is staff's best guess. He also noted that T4 is built and will be before Council soon for approval.

There was discussion on the asphalt overlays and how they are ranked. Capital Projects/Program Manager Hanis discussed a new program TIB has called pot hole repair and noted small cities being eligible for this new program.

There were questions on the 169 roundabout and letting DOT decide as it might be faster and more efficient to let them do their project.

Discussion began on projects S1 – Upgrade Utility Staff Facilities, T2 – Roberts Drive Road Improvements, T8 – Roberts Drive Rehabilitation Phase 2, and T10 – Downton Public Parking.

Councilmember Pepper suggested getting an update from staff on grant funding for each project. Capital Projects/Program Manager Hanis reviewed with Council the grant funding/funding status of the following projects: T2 – Roberts Drive Road Improvements, T5 – 224th Guardrail at Covington Creek, W2 – Springs & Transmission Reconstruction (funded by WSFFA), W5 – Asbestos Watermain Replacement Program, S1 – Upgrade Utility Staff Facilities, S2 – Infiltration and Inflow Reduction, D1 – Lawson Hills Storm Pond Sediment Removal (completed) D2 – Replace Covington Creek Culverts, D3 – N. Commercial St 169 Stormwater Improvements, P1 – Ginder Creek Trail and Site, P6 – New Cemetery Niche Wall, and P7 – Rehabilitate E. Ginder Creek Property.

Finance Director Miller reported on fire impacts fees and what portions of that money can be used for a fire engine. She also noted receiving preliminary estimates from the fire department for costs and discussed debt payments and other options. Ms. Miller recommended the fire truck replacement being on the top ten list.

Other projects discussed and reported on were L2 – Patrol Car Replacement, L1 – Police Technology, G1 – City Technology Upgrades, and G5 – Gym/Wayfinding Signs. Following discussion Ms. Miller discussed the importance of summarizing where all the REET is coming from so it shows we are fiscally responsible.

Mayor Benson reviewed with Council the 2016 schedule for the 2017-2022 CIP and asked that it be placed back on the agenda so the City can move forward and start work on the next update cycle.

It was suggested that Councilmembers come to the next meeting on April 20 with their five top priorities to this plan so it can be discussed and passed.

ADJOURNMENT:

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

Meeting ended at 7:41 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk

BLACK DIAMOND CITY COUNCIL MINUTES
April 20, 2017
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Benson called the regular meeting to order at 7:00 p.m. and led us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Morgan, Edelman, Weber, and Pepper.

ABSENT: None

Staff present were: Brian Martinez, Police Commander; Kris Chatterson, Police Officer; Dan Dal Santo, Interim Public Works Director; May Miller, Finance Director; Andy Williamson, MDRT/Ec Dev/Interim Community Development Director; Scott Hanis, Capital Projects/Program Manager; Kevin Esping, Facilities Coordinator; David Linehan, City Attorney and Brenda L. Martinez, City Clerk.

CHANGES TO AND APPROVAL OF AGENDA (per Council Rule 3.4, passed February 2, 2017)

A motion was made by Councilmember Pepper and seconded by Councilmember Morgan to adopt the April 20 Council agenda before us with the words per Council Rules of Procedure at the top and that we add to it item #11 request scope change to the Transportation Improvement Board.

Councilmember Pepper spoke to her motion and the changes.

Vote: Motion passed 4-1 (Edelman).

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

Mayor Benson announced the City had an exit audit with Auditor's and Finance Director Miller was commended on her cooperation and hard work and the City passed with flying colors. She also announced that City Clerk Martinez received her Master Municipal Clerk certification and noted it being a big accomplishment as there are not many in the state of Washington.

PUBLIC COMMENTS:

Leslie Cooley, Black Diamond spoke to Council.

Judy Goodwin, Black Diamond spoke to Council.

Robbin Taylor, Black Diamond spoke to Council.

Johna Thomson, Black Diamond spoke to Council.

Dan Ellis, Black Diamond spoke to Council.

Aaron, Black Diamond spoke to Council.

Judy Carrier, Auburn spoke to Council.

Mayor Benson discussed the hiring of Dan Singer and Councilmember Edelman commented on the five Councilmembers voting 5-0 to have mediation.

Councilmember Morgan raised a point of order that Councilmember Edelman cannot impugn the public.

PUBLIC HEARINGS:

6) AB17-030 – Ordinance Adopting Low Impact Development Regulations

Capital Project/Program Manager Hanis reported to Council on this item. Wayne Carlson and Alex Campbell of AHBL also addressed Council with a PowerPoint presentation on this item.

At 8:20 p.m. Mayor Benson opened the public hearing.

Katelyn Kinney, Attorney with Puget Sound Keeper Alliance addressed Council on this and gave background information on Sound Keeper and asked Council to carefully consider a proposal they have to further improve the LID codes before Council in accordance with the Clean Water Act mandates. She discussed the importance of having strong LID regulations and why people move to Black Diamond. They are proposing that Black Diamond take a final step and add additional revisions to what you saw tonight so that low impact development is actually required by the City's code. She noted being willing to work with staff on their suggestions.

Sofia Ressler, Attorney with Puget Sound Keeper Alliance thanked the City for work that has already been done to implement low impact development and discussed Sound Keeper goals. She noted the proposed additions and rewrites before Council tonight are at the absolute minimum that can be done in order to come into compliance with the current permit. She noted with the growth Black Diamond is going to experience Sound Keeper is urging the Council to take a few more weeks to strengthen the code. She gave the examples of municipalities such as Fife, Newcastle, and Gig Harbor for having good LID codes in place. She also discussed the reasons for having regulations in place and is willing to work with staff on suggestions they have that will make the City's regulations stronger.

There were questions and discussion between Council and the speaker from Sound Keeper.

Leslie Cooley, Black Diamond discussed the work staff, consultant and Planning Commission have done on this item and recommends adoption as is and then work towards amendments to strengthen the code as Puget Sound Keeper would like to see.

Robbin Taylor, Black Diamond commented on attending the work session held by the Planning Commission on this item. She commented on the Council majority wanting to get this done and is in favor of adopting this now and then work on making it stronger. She urged Council not to send it to committee so we will not be out of compliance for another year.

Andy Williamson, MDRT/Ec Dev/Interim Community Development Director noted embracing their (Puget Sound Keeper) suggestions and would like to schedule a meeting with them in a timely manner so they can work through the issues as he believes they are closer than what everybody thinks. He also noted the letter that was sent to the City in 2015 from Puget Sound Keeper was sent out to all jurisdictions; not just Black Diamond.

Judy Carrier, Auburn commented on appreciating what Mr. Williamson said and agrees with him to take a little more time to strengthen the code as presented by Puget Sound Keeper. She noted it being a large assumption that things get stuck in committee and believes they should give it a go and expects things will happen pretty quickly.

Erin Stout, Black Diamond discussed the TIP and CIP taking forever to get to the point that they could be implemented in the City. She also noted that it seems that making something happen on this is very important and she recommends to move this ordinance forward as quickly as possible and to keep working.

Aaron, Black Diamond agreed with Mr. Williamson and noted these ladies from Puget Sound Keeper are working with other cities and it makes sense to hear them out and then come back in two weeks and make a vote.

Councilmember Deady discussed her concerns with letting a group come and participate in a work session as you need to afford that to everyone.

Gary Davis, Black Diamond urged Council to move forward with this ordinance if its in compliance at a minimum level so after that has been done they can come back and work on it more, but at least get it done and then you will be good to follow whatever requirements you have to be in compliance.

Councilmember Morgan discussed the past process of public hearings, committee meeting, and Council action. She will be looking into the codes at Fife, Newcastle, and Gig Harbor and encouraged Puget Sound Keeper to email her.

Mayor Benson suggested holding a work session prior to the next Council meeting at 6 p.m. to address any revisions.

Kristen Bryant, Bellevue commented on growing up in Black Diamond and noted watching some stormwater issues today in Black Diamond as a storm came in. She noted it being a good reminder that when you create stormwater issues when you do development and you have to come back and fix them later, somebody else besides the developer has to pay they often don't get fixed. She believes it is very important to have the strongest LID code updates the City can have. She encouraged Council and the public to make public comments without an atmosphere where speakers might be criticized for not commenting enough or bringing enough information and believes it was reasonable for a non-profit organization to come and speak tonight to find out if there was some receptiveness to their suggestions. She hoped there is not an atmosphere where people feel they can't comment because they get criticized for it. She commented that amending after the public hearing makes sense as Council would want to take those into consideration before making a final decision. She also discussed the process being more consuming if this is passed tonight and then the need for more revisions.

Councilmember Weber noted not coming tonight to vote one way or the other and noted in the past he likes to take into account public comments before making a decision. He wondered if Council could keep the public hearing open until the next meeting and thanked the work the Planning Commission has done and is in support of holding the hearing open.

Councilmember Edelman noted this item was not up for adoption tonight as it was to hear public comments.

A motion was made by Council Morgan and seconded by Councilmember Weber to hold a formal work session before the next Council meeting on May 4, 2017 at 6:00 p.m. Motion passed with all voting in favor (5-0).

At 8:54 p.m. Mayor Benson closed the public hearing for tonight and noted the hearing will remain open until the May 4, 2017 regular business meeting of the Council.

UNFINISHED BUSINESS:

7) AB17-031 - Claim Check 44665 (Daniel Singer)
Councilmember Morgan addressed Council on this item.

A motion was made by Councilmember Morgan and seconded by Council Pepper that there is no valid contract with the voucher so it cannot be paid.

Councilmember Morgan spoke to her motion.

There was Council discussion.

Vote: Motion passed 3-2 (Edelman, Deady).

8) AB17-032 – Ordinance Relating to Acceptance of Public Comments by Electronic Methods

Councilmember Morgan addressed this item.

A **motion** was made by Councilmember Morgan and **seconded** by Councilmember Pepper to suspend the rules to act on the ordinance relating to acceptance of public comments by electronic methods in addition to the methods and amending Black Diamond Municipal Code sections 18.08.210 and 19.04.260.

There was Council discussion and following discussion Councilmember Morgan **withdrew** her motion. It was noted this item is being referred back to the Government Operations Committee and this committee will meet at 2:00 p.m. Saturday, April 29th at the Black Diamond Library.

NEW BUSINESS:

9) AB17-033 - Resolution on Final Acceptance of the Springs Onsite Sodium Hypochlorite Generation Systems Project

Capital Project/Program Manager Hanis reported to Council on this item.

There was Council discussion.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to adopt a resolution accepting the Springs Onsite Sodium Hypochlorite Generation System project as complete by PumpTech Inc., according to the contract documents.

A **motion** was made by Councilmember Pepper and **seconded** by Councilmember Morgan to amend the motion to have this item go to the Government Operations Committee. Amended motion passed 3-2 (Edelman, Deady).

10) AB17-034 – Resolution Adopting 2017-2022 Capital Improvement Plan (CIP)

Finance Director Miller reported to Council on this item.

There was Council discussion.

Councilmember Pepper raised a point of order.

Council discussion continued with Councilmember Edelman asking that the email from Councilmember Morgan regarding the CIP be added to the record.

Councilmembers Edelman and Pepper reported on their top priorities for the CIP.

A point of order was raised by Councilmember Edelman for Councilmember Pepper directing staff.

Discussion continued.

A point of order was raised by Councilmember Pepper.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to adopt a resolution approving the 2017-2022 Capital Improvement Plan.

Councilmember Edelman called the question.

Councilmember Deady raised a point of order.

A point of order was raised by Councilmember Morgan stating that Councilmember Pepper has the floor.

Vote: Motion failed 2-3 (Morgan, Weber, Pepper).

#11 – Request Scope Change to the Transportation Improvement Board

Councilmember Pepper addressed this item.

A **motion** was made by Councilmember Pepper and **seconded** by Councilmember Morgan that the City act to request a scope change from the Transportation Improvement Board for the Roberts Drive Reconstruction project to separate the reconstruction into (a) the current project beginning at Bruckner's Way, and (b) a future project to replace the Rock Creek Bridge. This is per the TIB letter dated March 31, 2017.

Capital Project/Program Manager Hanis reported that this has already been completed by staff.

City Attorney Linehan suggested having a brief executive session to discuss the litigation risks if Council continues on the current path.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to go into executive session to discuss this. (No formal vote was taken)

Mayor Benson asked the Councilmembers if they were willing to go into executive session and Councilmembers Morgan, Weber, and Pepper were not willing to. There continued to be discussion on legal services for the City.

A point of order was raised by Councilmember Pepper.

Mayor Benson announced she would like to call an executive session so the risk can be assessed outside of the public.

At 10:08 p.m. Mayor Benson called an executive session pursuant to RCW 42.30.110(1)(i) to discuss with legal Counsel potential litigation. The executive session was anticipated to last 10 minutes with no action to follow. Councilmembers Morgan, Weber, and Pepper refused to participate in the executive session.

At 10:18 p.m. Mayor Benson called the meeting back to order.

Mayor Benson asked that the record reflect that Councilmembers Morgan, Weber, and Pepper refused to attend the executive session.

Councilmember Pepper called for the vote on her motion.

Roll call vote: Deady, no; Morgan, yes; Edelman, no; Weber, yes; Pepper, yes. Motion passed 3-2 (Edelman, Deady).

CONSENT AGENDA:

A motion was made by Councilmember Edelman and seconded by Councilmember Deady to accept the consent agenda.

A motion was made by Councilmember Morgan and seconded by Councilmember Pepper to amend the motion to the consent agenda to have the items addressed separately.

Amended motion roll call vote: Deady, no; Morgan, yes; Edelman, no; Weber, yes; Pepper, yes. Amended motion passed 3-2 (Edelman, Deady).

Main motion vote: Main motion passed as amended 3-2 (Edelman, Deady).

- 1) **Claim Checks – April 20, 2017 -** No. 44740 through No. 44780 and EFTs in the amount of \$171,536.55

Councilmember Morgan addressed Council on this item and noted the need to pull vouchers 44759 (Kenyon Disend) and 44779 (RH2).

A motion was made by Councilmember Morgan and seconded by Councilmember Weber to release the rest of the vouchers (with the exceptions of 44759 and 44779). Motion passed with all voting in favor (5-0).

MDRT/Ec Dev/Interim Community Development Director Williamson stated for the record that Councilmember Weber authorized that staff could move forward with the arboretum which is a Palmer Coking Coal short plat. Council took action and staff was told to move ahead to hire those consultants and once you gave us the roll to hire those consultants it was obligated upon city staff to handle preliminary plats in a timely manner. If you do not move forward with paying the bills tonight, we will stop work on that plat and we will be in violation of the due process and the rights of that citizen. He reminded Council that they took action and you authorized staff to enter into those contracts for the arboretum and if

we don't pay the bills tonight I will instruct my staff to stop work and whatever happens then happens. He again stated for the record this Council authorized us to move forward with those contracts and we have to process preliminary plats in a timely manner – that is state law and I have to process these unless you pass a moratorium tonight. He stated he would appreciate Council paying the bills for the arboretum so we can keep moving that plat forward.

There was Council discussion with Councilmember Weber noting that Mr. Williamson is correct.

A **motion** was made by Councilmember Weber and **seconded** by Councilmember Edelman that voucher 44779 be put forth for payment. Motion **passed** with all voting in favor (5-0).

- 2) **Payroll** – March 31, 2017 – No. 19301 through 19314 (void 19285) and ACHs in the amount of \$274,853.46

A **motion** was made by Councilmember Morgan and **seconded** by Councilmember Weber to pass as drafted. Motion **passed** with all voting in favor (5-0).

- 3) **Minutes** – Work Session Minutes of July 14, 2016

Councilmember Morgan reported on this item.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to adopt the work session minutes of July 14, 2016.

There was Council discussion.

Councilmember Edelman called the question.

Vote: Motion **passed** 3-2 (Morgan, Weber).

- 4) **Minutes** – Council Meeting of March 16, 2017

Councilmember Morgan addressed this item.

A **motion** was made by Councilmember Morgan to hold these minutes until they are cleaned up. (There was no second to this motion)

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to adopt the Council meeting minutes of March 16, 2017. Motion **failed** 2-3 (Morgan, Weber, Pepper).

- 5) **Minutes** – Council Meeting of April 6, 2017

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to adopt the Council meeting minutes of April 6, 2017. Motion **failed** 2-3 (Morgan, Weber, Pepper).

DEPARTMENT REPORTS:

Public Works – Interim Public Works Director Dal Santo discussed the concurrency ordinance that was adopted by the City and the need to amend it. He asked for a work session to be held so staff and Council could discuss this further. He updated Council on various items his department has been working on this past week and discussed the TIB Pot Hole Grant Application that is due shortly.

Finance – Finance Director Miller reported that the final 2017 Budget document is completed and posted on the finance page on the website. She distributed to Council the 4th quarter report for 2016 and highlighted certain areas of the report. She noted this report is also posted on the finance page of the website.

Community Development – Interim Community Development Director Williamson reported on staffing levels in this department. He requested from Council to amend the budget staff count to hire a full time Permit Technician Supervisor. He noted Finance Director Miller has looked at the balance sheet and determined there is money available to fund this position this year.

A motion was made by Councilmember Edelman and seconded by Councilmember Deady to amend the staff count. Motion passed 3-2 (Morgan, Pepper).

MAYOR'S REPORT:

Mayor Benson reported attending the Auditor's Exit Conference for the City's Accountability Audit; SCATBd meeting; and giving a State of the City presentation at the Chamber luncheon.

COUNCIL REPORTS:

Councilmember Deady reported attending the Easter breakfast; SCATBd meeting; met with Finance Director to review vouchers; talking with Dan Singer and will be meeting with him next week; attended Chamber luncheon, Auditor's Exit Conference, discussed King County TV filming at the Black Diamond Community Center and congratulated City Clerk Martinez on achieving Master Municipal Clerk, and likes the volunteer opportunity that was spoken about earlier regarding the coal carts.

Councilmember Morgan reported on KCD deciding to suspend the urban forest RFP process for the year 2017 and discussed the tree canopy assessment and free service they will be providing to cities and how those cities can apply for grants; attended a monster road tour in Renton and reported on it.

Councilmember Edelman reported there is no PIC meeting for SCA; attended the Auditor's Exit Conference; Chamber luncheon; serving lunch frequently on Tuesday's and Thursday's at the Community Center along with Councilmember Deady and Mayor Benson; Earth Day is Saturday; King County TV filming at the Black Diamond Community Center; April 29th

Senator Mullet is holding a Town Hall meeting at the Tahoma School District office.

Councilmember Weber reported attending CIP work session; he noted not being able to attend the exit conference due to work constraints; he did read through the material provided by the auditor (Ms. Choy) and congratulated Finance Director Miller for having a good audit.

Councilmember Pepper reported attending the exit audit conference and noted the audit team being very positive and really liked the way the Finance Director Miller addressed learning new things and putting things into place and even making suggestions that could be put into place to help streamline the programs and working with the software company, CIP work session, and spending a lot of time working on Council topics.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Johna Thomson, Black Diamond spoke to Council.

Brock Deady, Black Diamond spoke to Council.

Robbin Taylor, Black Diamond spoke to Council.

Leslie Cooley, Black Diamond spoke to Council.

Aaron, Black Diamond spoke to Council.

Kristen Bryant, Bellevue spoke to Council.

EXECUTIVE SESSION: None

ADJOURNMENT:

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

The meeting ended at 11:31 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk



Pat Pepper
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APR 20 2017

BY: *BLM*

CITY OF BLACK DIAMOND
April 20, 2017 Regular Business Meeting Agenda
Per Council Rules of Procedure
25510 Lawson St., Black Diamond, Washington

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

CHANGES TO AND APPROVAL OF AGENDA (per Council Rule 3.4)

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

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. Please limit your comments to 3 minutes. If you desire a formal agenda placement, please contact the City Clerk at 360-886-5700. Thank you for attending.

PUBLIC HEARINGS:

6) AB17-030 – Ordinance Adopting Low Impact Development Regulations
This item is under review by the Council Growth Management Committee

Mr. Hanis

UNFINISHED BUSINESS:

7) AB17-031 - Claim Check 44665 (Daniel Singer)

Councilor Morgan

8) AB17-032 – Ordinance Relating to Acceptance of Public Comments by Electronic Methods
Councilor Morgan

This item is under review by the Council Government Operations Committee. The Committee Chair anticipates asking the Council to consider this item at the meeting.

NEW BUSINESS:

9) AB17-033 - Resolution on Final Acceptance of the Springs Onsite Sodium Hypochlorite Generation Systems Project

Councilmember Pepper

For first reading and assignment to the Council Government Operations Committee.

10) AB17-034 – Resolution Adopting 2017-2022 Capital Improvement Plan
Pepper

Councilmember

This item is assigned to the Council Growth Management Committee.

CONSENT AGENDA:

1) Claim Checks – April 20, 2017 - No. 44740 through No. 44780 and EFTs in the amount of \$171,536.55

2) Payroll – March 31, 2017 – No. 19301 through 19314 (void 19285) and ACHs in the amount of \$274,853.46

Americans with Disabilities Act – Reasonable Accommodations Provided Upon Request (360-886-5700)

- 3) Minutes – Work Session Minutes of July 14, 2016
4) Minutes – Council Meeting of March 16, 2017
5) Minutes – Council Meeting of April 6, 2017

DEPARTMENT REPORTS:

MAYOR'S REPORT:

COUNCIL REPORT:

- Councilmember Deady
- Councilmember Morgan
- Councilmember Edelman
- Councilmember Weber
- Councilmember Pepper

ATTORNEY REPORT:

PUBLIC COMMENTS:

EXECUTIVE SESSION:

ADJOURNMENT:

Make copies of this page for Council

11) Request scope change to the Transportation Improvement Board

This item was added to the agenda per the motion at the beginning of the meeting.

The Transportation Improvement Board indicated that the city must request a scope change related to the Rock Creek Bridge. The staff is likely already working on this item. In case there is any lack of clarity, I thought it best to address it tonight.

Therefore, I move that the City act to request a scope change from the Transportation Improvement Board for the Roberts Drive Reconstruction project to separate the reconstruction into (a) the current project beginning at Bruckner's Way, and (b) a future project to replace the Rock Creek Bridge. This is per the Transportation Improvement Board letter dated March 31. Do I have a second?

Sung Kweon
bkm

APR 26 2017
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**Corrections to False Claims Made by BD Majority Council Members
Pepper, Morgan and Weber**
Roberts Drive Bridge and Road Improvement Project 4/6/17

False Claims	Facts
"The City has a project to re-pave a portion of Roberts Drive in Morganville, build a sidewalk, and put a waterline and a walkway over the Rock Creek Bridge."	This is incorrect. The City is responsible for road improvements, sidewalks (except the bridge sidewalk which is the developer's responsibility) and walkway on the bridge. The waterline is a separate project and is the development's responsibility.
"The project involves changes to the 102-year old bridge. Despite having grant approval for the work since 2015, the mayor and staff have not finished their work to bring the project to bid and construction. Their attempts have resulted in numerous withdrawn proposals and failure to follow state and local law."	Blatant lie. The majority council has denied passage of the TIP (transportation improvement plan) numerous times starting 3/2/16. TIB (transportation improvement board) won't allow the grant money for the improvements until the TIP is passed.
"Some council and many others are concerned that the project is a misuse of public money and is being mismanaged."	How would the majority council and many others know this? The majority does not talk to the City staff (professionals in their fields) to understand the process. City staff has been audited recently and found to have an excellent record of managing public money.
"The Bridge is over a hundred years old, so putting money into repair is not cost effective."	This statement is based on the fact that the majority interprets a 20-year life span as exactly 20 years. On the contrary, 20 years is as far into the future that an inspector can project. At 20 years the bridge will likely support many more years of service.
"The City would also be encasing a brand new water line to serve the Oak Pointe development in the bridge, which would also have to be replaced."	The majority council does not understand or chooses to ignore the fact that the waterline is the development's responsibility. The paving, sidewalk and safety is the City's responsibility.
"There is a better way. The Council President is proposing that the road project be separated from the bridge project so that a state grant can be effectively used. This idea is supported by the State Agency that provided grant money for the project."	In fact, the TIB recommends in a letter that they feel both the bridge and paving project should be done together. However, they would consider doing them separately. If the project was broken into two projects, the grant money would be reduced. If the project is denied altogether by the majority, the grant money would be lost and the City would have to return to the state \$190,000 already spent for design.
"Both projects had improper permit determinations issued and withdrawn in fall of 2016. New permits for the Oak Pointe water main were reissued on December 23 with little chance of anyone noticing within the 10-day appeal timeline and no public notice or opportunity for public comment."	The permit used in December was legal and appropriate. It is so disingenuous for the majority council to fault the City for not allowing enough time for public notice. This revised recommendation is a case in point. Citizens, the mayor and 2 council members just found out about this new proposal today. No 10-day window to consider it.
"March or 2017: The Mayor's administration in a rush to avoid delays after a warning from State granting authority, issues another permit determination, but doesn't follow Municipal Code that requires notice be mailed to nearby property owners."	With no underlying permit (there was no underlying permit) the City goes to the WAC to notify and publicize the construction. This procedure was followed.
"Council member Pepper's compromise is to proceed with the road and sidewalk, and develop a replacement bridge project to be completed in the next five years. With this solution the City revises the grant and incurs no financial loss."	A total bridge replacement would be very costly (several million) and there is no money within the City or from the state to replace the bridge within the next 5 years. With this proposal we lose the funding for the bridge and walkways across the bridge. Safety for the citizens of Black Diamond is compromised.
"We all benefit from improvements to the stream by enjoyment of improved natural areas, a more abundant fish population and healthier wildlife and plants."	This is a true statement, but a new bridge will likely result in little if any improvement and cost millions.

Robbin Taylor Comments 4-20-2017

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APR 20 2017

SBD sent out a Roberts Drive update email on April the 8th. They are extremely proud of the grant money Pat Pepper threw away at the April 6th meeting, with the help of Weber and Morgan. *BLM*

I would like to address a few of the false claims made in that email from SBD regarding "Pepper's Folly", the Rock Creek Bridge.

False Claim: With the solution to replace rather than repair the bridge the city incurs no financial loss

Fact: When the bridge was removed, along with 400' of roadway west of the bridge, tens of thousands of dollars were simply thrown away. Dollars in the form of staff work, consultant fees and on and on. Money lost.

The City loses the \$46,000 grant match, as well as grant funds of \$220,000-\$250,000.

The design consultant will now have to rework the plans, possibly costing \$11,000

Probably a new SEPA review, which will cause new consultant fees, more staff time, more attorney time, and more Hearing Examiner time. This all costs \$\$\$\$.

Someday the citizen taxpayers will have to pay to re-pave that 400 feet of roadway west of the bridge and put in sidewalks and lighting. ALL THIS IS A FINANCIAL LOSS!

False Claim: Pepper cited BDMC 19.10.328 "A culvert on public or private roads that are a barrier to fish movement shall be replaced at the time of major reconstruction."

Fact: The only fish barrier classified within the City is the weir at the outlet of Lake Sawyer. Rock Creek Bridge is not a fish barrier and does not inhibit fish movement. The stream flows freely underneath; kayaks can float through easily, and so can fish.

False Claim: City requirements to protect natural areas near Roberts Drive were blatantly ignored.

Fact: Numerous complaints have been made to the Department of Ecology regarding the current work on Roberts Drive. The DOE has visited the jobsite more than once and found no violations. All one need do is drive along Roberts Drive and see the protective orange barriers, straw rolls and other required items to know that the City is protecting the natural areas

Moving on to the CIP. You three councilmembers need to realize that the CIP on the agenda tonight is obsolete. You want to work your magic? Do it in the new CIP, which according to the calendar attached to this CIP, shows that staff is probably at least six weeks into the next CIP. You labor and labor over stuff that doesn't even matter anymore, and to what end? You three are so far behind the eight ball you aren't even in the pool hall. You may have an agenda, but you only look foolish to those watching.

False Claims of Save Black Diamond	Facts
Oakpointe convinced the city to time the project...	The City waited for Oakpointe to reach the point of bringing water to the development west of town so Roberts Drive would be torn up only once.
...so that the City would pay to tear up and re-pave Roberts Drive	The Developer is paying for the work currently being done and to restore the westbound lane of Roberts Drive after completion.
The developer's share of this cost...was agreed by the City staff to be only \$50,000	The \$46,000 is the grant matching amount of 10% required by the Transportation Improvement Board (TIB) for the bridge portion alone, which Oakpointe agreed to pay on behalf of the City.
With the solution to replace rather than repair Rock Creek bridge the city revises the grant and incurs no financial loss	<p>One cannot simply say there will be no financial loss.</p> <p>Amending the Transportation Improvement Plan (TIP) causes the City to lose the \$46,000 grant match, as well as the \$220,000-\$250,000 grant funds for the bridge, to re-pave the roadway, add sidewalks and lighting 400 feet west of the bridge.</p> <p>The large change Pepper proposed makes it necessary for the design consultant to rework the plans, at additional cost. The City will most likely need to get a new SEPA review, which will cause new consultant fees, staff time, attorney time, and Hearing Examiner time. All this adds to the financial loss borne by the taxpayers of Black Diamond. Not to mention that someday the City (taxpayers) will have to pay to pave, put in sidewalks and lighting on that 400 feet west of Rock Creek Bridge.</p>
<p>Councilmember Pepper's proposal is and was the only way to move forward and not likely result in costly appeals from:</p> <ul style="list-style-type: none"> City code requirements to update outdated fish barriers Possible action from the Department of Fish and Wildlife or Muckleshoot Tribe over fish and natural areas protections 	<p>The only legal issues would have been like those constantly made up by SBD, which have been found over and over to have no merit.</p> <ul style="list-style-type: none"> The only fish barrier classified within the City is the weir at the outlet of Lake Sawyer. The Rock Creek bridge is not a fish barrier. No such threats of legal action have ever been leveled against the City
The Pepper distributed package cited a 2009 ordinance that makes it clear that the mayor and staff's plan to simply repair the bridge would be a violation of the law and replacement is required. BDMC 19.10.328 "A culvert on public or private roads that are a barrier to fish movement shall be replaced at the time of major reconstruction"	Again, Rock Creek bridge is not a designated fish barrier and does not inhibit fish movement. The stream flows freely underneath, and where waters flow fish can swim
The City has not evaluate Rock Creek bridge yearly maintenance costs	The City maintains the bridge as needed, there are no earmarked funds for bridge maintenance
Some other areas of the City are in even greater need of sidewalks	Black Diamond is an old area, settled and incorporated long before sidewalks became the norm. So yes, many areas in Black Diamond need sidewalks. However, the TIB evaluates the City's projects and they decide not just which ones receive grants, but they may even change the scope of the project the City has laid out. As a small City, we are dependent upon grants to do the work we do get done.
City Administration has focused on pedestrian passage areas that Oakpointe must improve as part of its development obligation, to the neglect of other projects needed for households here today	The Roberts Drive rehab project is a good example of excellent project/fiscal management by the City administration. Timing the City's portion of the Roberts Drive work with Oakpointe's portion will save money due to only tearing up Roberts Drive once. This project serves many, many current households in the Morganville area and beyond.
The Mayor's plan to retrofit the bridge was made without being able to see inside the bridge	The bridge deck has been exposed and examined. There were no issues found with the supporting structure.
City requirements to protect natural areas near Roberts Drive were blatantly ignored	Numerous complaints have been made to the Department of Ecology regarding the current work on Roberts Drive. The Department of Ecology has visited the jobsite more than once and found no violations. All one need do is drive along Roberts Drive and see the protective orange barriers, straw rolls and other required items to know that the City is protecting natural areas.

Robbin Taylor

**DRAFT
CITY OF BLACK DIAMOND**

**2016 Schedule
2017 – 2022 Capital Improvement Plan (CIP)**

	Process	Internal Due Date	Workstudy	City Council Meetings
1	CIP Planning Meeting	Feb 23		
2	CIP Call letter & worksheet to affected departments (include goals, rules and timelines)	March 1		
3	Departments Update detailed requests and submit to Finance and City Administration	July 11 – July 29		
4	Finance combines revenue and all Department requests for review by Administration. Administration Reviews with Finance and Departments to requested Projects.	Aug 1 - 9		
5	Finance, Public Works, Administration meet with Mayor to review PW projects & revenue	Aug 10		
6	CIP Workstudy – Non Public Works		August 25	
7	CIP Workstudy – Public Works		Sept 8	
8	Public Hearing for 2017 – 2022 CIP	Aug 26 - in newspaper		Sept 15
9	Council adopts 2017 – 2022 CIP			Sept 15 or Oct 6

Brenda Martinez

From: Erika Morgan
Sent: Tuesday, April 18, 2017 9:15 PM
To: Brenda Martinez
Cc: Erika Morgan; Erika Morgan
Subject: Erika's Cip notes

Brenda please pass this on to council, mayor and pertinent staff

It is not an actual priority list but there is some priority cited and some reasons for it, also I did not take any time to actually redo the TIP thoughts as I have already expound on them.

Erika's notes on the CIP from the Workstudy 4/13/17 ?

Generally the Capital Improvement Plan must follow from the the vision statement and must make sense with the community priorities.

Would it be possible to develop a reasonable across the spectrum criterion for the CIP?

What basic comprehensive technical plans does the city have and what is their age?

Sewer

Stormwater

Shoreline

Open space / Parks, are they together or separated but both very out-of -date

Streets and the Traffic Movement Model

Fire & Emergency Services

Water potable

A capital facilities plan should be updated at least every two years. Under the Growth Management Act (GMA), the capital facilities element of the comprehensive plan must include "at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes." RCW 36.70A.070(3)(d) As per WAC 365-196-415(2)(c)(ii):

So please don't tell me that the comp plan & the CIP are not related to eachother. The TIP is indeed a part of the CIP probably with some extra emphasis on "up-keep" of the streets, that would not normally be included. In BD it is demanded that TIB money be spent only on what is in the TIP because transportation improvement board wants that degree of public scrutiny if they spend their money on it.

The "system plans" Kincaid said were the technical appendices to the Comprehensive plan.

*Some thoughts from the Comp Plan;
environmental enhancement
projects that stay on cip and are never built need extra scrutiny
capital holding maintenance
quality building for longevity, avoid throw away spending
social goals
walkability goals
services the city should consider
public private partnerships*

My priority list:

Remember if we take "impact money" from the developer as a prepayment, we are taking operating and maintenance money from the council's who follow and they will not be able to maintain the city. Even though they have more payers they will have more responsibilities too.

- 1. Up dated technical plans, water first.*
- 2. Fully functional fire station in old town.*
- 3. City owning its own properties, so it does not need to rent anymore.*

CIP projects as presented.

T1 yes

T2 no

T3 no even if developer is doing it is under water must be elevated

T4 developer

T5 depends on covington Creek project

T6 yes

T7 let DOT do it very complicated area, huge wetland above will get more problematic.

T8 done

T9 yes

T10 the times more parking is needed it's been handled for the festivals. Two ideas a few parking places above by phone company, and /or some sort of shuttle parking van around town eventually.

T11 yes

T12 yes

T13 yes

T14 yes

T15 we should plan or ground will be gone

T16 developer project look for mine hazards and surface water issues

T17 is part of T7 project

T18 developer project

T19 developer project

T 20 developer project

T21 developer project

T22 developer project this needs to be done sooner rather than later

W3 first order priority

W4 never probably keen idea shaky water

W1 yes probably should save old water tank for back-up

W2 never

W5 yes, could we move up?

W6 yes show us about how the two tanks are interlinked

W7 refer to new water plan to decide

New sewer comp plan

S1 yes priority

S2 yes priority

S3 needs integration with future plan of property and the Sewer plan hold for now.

S4 do we really need such a facility? Should we consider our own Sewer service instead of sending to Renton?

S5 yes and should be moved up there is a lot of pollution going into the wetland complex that makes it to Lake Sawyer should be stopped.

S6 yes

Stormwater:

what is the new thinking, that is why we need the plan first

wetland / stormwater interface, demand to keep separate

Road storm water out of the wetlands and creeks all over town, what is known about the water-table and how it interacts with stormwater, these things seem to be unknown and we are wasting money, ours and the developers if we don't get a handle on it.

Could we have a complete explanation of the 5th ave. project and what was expected and what transpired? Get a better handle about water flows and mine hazards, these are linked.

D2 seems to be happening as a bridge, are the BD bridge standards being followed?

D3 North commercial Stormwater cleaning area needs to be assessed by current standards 2014 manual.

D4 Daylight the creek

D5 We need to revamp how we design these we missed lots on this hill, back to drawing board, there will be plenty of other times we can use what we learn.

D6 AS above maybe KCD could help us

P3 priority updated Park Plan has been needed for a long time.

P1 Plan needs some work, could KCD help with their "how to calculate how much water a tree pulls" project

P2 yes

P3 no, this needs to be reworked we have to figure out the mistake that lets water from Bruckner's way run directly into the wetland with no treatment. This is against 2014 manual, our development standards need to be improved until they do what they need to do this is ridiculous. Also the stormwater ponds need to become bio-swales and rain-gardens with a proper filling that will clean the water properly.

P5 priority it is a hazard to visitors

P6 priority high

P7 not now we need a knowledgeable solution the same situation is above the 169 Robert's roundabout intersection and in lower Morgan Creek.

We need to figure out about the parking-lots on wet ground, i saw an interesting pervious pavement in the parking lot at the Auburn Highschool arts center.

F4 is first priority for fire and high on the list for me. We need to save/ figure out how to do a new fully operational fire hall in old town asap instead.

F1 think before we jump

F2 " " "

F3 yes

L1 yes we need to keep this equipment up

L2 yes how do we ensure that we don't kick the can down the road again?

L3 yes

G1 give us the update with life expectancy of what we have please.

G2 start saving for a new gov. facility owned by BD, money spent may be necessary and a waste.

G3 yes by and by

G4 yes this is a priority, will the 35K do it?, We need to figure out how we will do the necessary social services and what needs to be included as we grow to 20-25 thousand citizens. Homeless advocacy, shower and laundry facilities, employment locally, we don't need to do it but we do need to set the scene.

G5 yes

thanks Erika Morgan

BDCC pos #2

Pat Pepper

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City of Black Diamond 2017-2022 Capital Improvement Plan

APR 20 2017

BY: BEM

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These recommendations are all supported by our existing policies and city code as well as for improvements to public safety and our natural areas. The existing policy documents that informed these recommendations include:

- City of Black Diamond Comprehensive Plan, 2009.
- 2008 City of Black Diamond Best Available Science Review, Summary, and Recommendations for Code Update - *Parametrix*
- City Of Black Diamond Storm And Surface Water Plan (Resolution 2010-704)

CIP T2 Roberts Drive Rehabilitation- City Hall to Bruckners

CIP T2.1 Rock Creek Bridge Replacement

This proposal for this project is to revise it to two projects consistent with the TIP:

Changes Recommended:

- ST2 should be renamed to **Roberts Drive City Hall to Bruckners**.
 - The cost estimate for T2 should be adjusted as needed.
- Add a project, for now called T-2.1 Rock Creek Bridge Replacement.
 - Add to the year 2018 an estimated amount needed to conduct a study with deliverables of a cost estimate and initial design for replacing the bridge.
 - Replacement plans need to be consistent with **Black Diamond Municipal Code 19.10.328 Water bodies—Culvert replacement**. “A. Culverts on public or private roads that are a barrier to fish movement shall be replaced at the time of major reconstruction, or if additional subdivision increases the number of lots served by the roadway by twenty percent or more. Replacement structures shall meet the standards of [subsection] 19.10.330(C)(10). This provision does not limit potential requirements for replacement under other statutes or treaty rights.”
 - Replacement plans need to also take into account Safety requirements, and the comments and concerns of the Washington Department of Fish and Wildlife and the Muckleshoot Tribe.
 - 2018 should also include fully exploring funding and grant options, including grants and funding for additional design work for 2019. Regarding Grants: Explore Salmon Mitigation grant funding - Project “W4” in the proposed CIP shows an estimate of \$540,000 from a grant for Salmon Mitigation. Based on the Tribe and WDFW comments, Rock Creek may be a worthy place to ask for this kind of grant.
 - In the year 2019, it is expected that design and funding work should continue to refine.
 - Target replacement of the bridge for the year 2020.

Information from Supporting Documents:

November 21, 2012- Rock Creek Bridge Evaluation - Parametrix

Page 4: “Given a bridge of this age, it is difficult to estimate the remaining life of the structure without a more comprehensive evaluation. ... Assuming the piles are in good condition, it is estimated that the bridge should have a remaining service life of 20 years under normal traffic loading. However, periodic inspections are recommended to detect any signs of deterioration or distress.”

Rock Creek Bridge Cost Estimate Summary

BACK OF THE ENVELOPE PERMITTING COSTS

Repair/Rehabilitation	
SEPA Checklist	\$2,600*
Sensitive Areas Report	\$10,000*
JARPA	\$7,000
Agency Coordination	\$3,000
Total	\$10,000 to \$22,600
(*if necessary)	
Replacement	
SEPA Checklist	\$2,600
Sensitive Areas Report, including Mitigation Plan	\$20,000
JARPA	\$7,000
BA	\$12,000
Cultural Resources Report	\$6,000
Agency Coordination	\$10,000
Total	\$37,600

City of Black Diamond
Rock Creek Bridge Evaluation

Alternative	Base Estimate	Rehabilitation Estimate	Environmental/Permitting**	Estimate Total
Rehabilitation	\$ 54,300.00	NA	\$ 22,600.00	\$ 76,900.00
Attached Ped Walkway	\$ 53,700.00	\$ 54,300.00	\$ 22,600.00	\$ 130,600.00
Independent Ped Walkway	\$ 74,800.00	\$ 54,300.00	\$ 22,600.00	\$ 151,700.00
Replacement	\$ 435,000.00	NA	\$ 57,600.00	\$ 492,600.00

* Assumes bridge rehabilitation is included with pedestrian walkway alternatives

** Assumes upper range environmental/permitting costs for non-replacement alternatives

Black Diamond Municipal Code – 19.10.335 Habitat other than fish and wildlife habitat conservation areas.

19.10.335 (C)

Wildlife corridors. Corridors providing for migration to and from areas outside the urban growth area are provided in the core stream and wetland complex. Specific standards include:

...

Corridor Requirements and Management Measures

- All new bridges shall provide for animal passage including height sufficient for large mammals and width sufficient for a minimum 15 foot corridor adjacent to OHWM on at least one side.

...

Existing Rock Creek/Roberts Road bridge should be replaced to meet the same bridge standards when programmed as part of capital improvement program.

October 11, 2016 RE: SEPA Mitigated Determination of Non-Significance (MDNS) for Roberts Drive Reconstruction, PLN16-0040 - Muckleshoot Tribe

This letter recommends replacement of the bridge to a 30-foot span to meet standards for fish passage. From the letter (emphasis added):

"This constriction is likely to accelerate water velocities during high flows, restricting juvenile access into streams and wetlands upstream. In addition to a being a fish passage impediment, this bridge appears to be substandard and likely has reached the end of its useful life. It should be replaced because of the extensive amount of structural work, utility access, and long-term infrastructure fortification needs due to future developments. Additionally, the City is adding a new water main line along Roberts Drive, which will include retrofitting of pipes into the bridge infrastructure.² Once in place, these water mains could make a future bridge replacement project more difficult or costly; therefore, replacing the bridge with a larger structure will better serve the infrastructure needs of the community as well as salmon passage into the future. Further, the City has an approved HPA (2016-4-347) to remove beaver dams at this site where

the narrow bridge provided an attractant to beaver activity. Beavers are important to salmon production (Pollock et al. 2003) and their activity should not be limited by inadequate infrastructure design. This site will continue to be utilized by beaver so long as the bridge constriction remains, thus require further beaver dam removals and other actions that may further degrade salmon habitat. A correctly sized bridge will reduce the attractant for beaver damming; minimize related maintenance needs; and has better potential to be compatible with important ecological processes for salmon habitat."

TAT, Peter Rimbos and other concerns over Rock Creek Bridge

The citizen group TAT has advocated bridge replacement.

From TAT:

The proposed repair "fails to recognize the Rock Creek Bridge (RCW) portion of the proposed project is to be conducted in the City's designated core wetland and Fish and Wildlife Habitat Conservation Area (FWHCA), which is also part of the King County designated Wildlife Habitat Network (KCWHN)."

And: 'Structural Life

The Parametrix personnel have stated the bridge can carry "all Legal Load vehicles" for probably "20 years under normal traffic loading" and that "normal load conditions ... include traffic expected to be generated by nearby development, including the proposed Villages Phase 1A Preliminary Plat.'

Unfortunately, there will be voluminous construction traffic for Phase 1A and beyond, as well as general traffic generated by development beyond Phase 1A. Further, whether it's 20, 15, 10 years or whatever, the bridge could need replacement before the MPDs are completed and fully occupied. Ability to carry certain AASHTO loads is a necessary, but not sufficient capability, since bridge life, in general, is often governed by repeated loadings over a long period of time that contributes to fatigue-induced damage and fracture/microfracture of structural components.'

T23 - NEW Hwy 169 Pedestrian Safety

This is a proposed new project. Pedestrians cannot safely travel along highway 169/3rd Ave from Roberts Dr to the school / ball fields or the sidewalk on 3rd Ave that begins at James St. There is a blind corner, and almost no shoulder on either side. Consider an alternative trail or widening of part of Highway 169 to include a sidewalk. People do walk in this area, and would walk more if it were safer. It is a key part of getting from the area with the Community Center to the Elementary School, police station, and historic downtown.

Possible Funding Sources include WashDOT and their "Pedestrian and Bike program" and "Safe Routes to Schools" programs.

T7 - Roberts Drive/SR 169 Intersection Improvements

Recommendation: Modify project to require pedestrian safety and fish passage/stream improvements.

This intersection currently has no sidewalk and pedestrians must cross Roberts Drive at the triangle park. The area near the Community Center and traveling toward the Elementary School and historic downtown should be served by good pedestrian infrastructure because these are important community destinations that serve children and people whether they have a car in working condition or not.

There is a blocking culvert under the road here identified as "Mud Lake Culvert" that should be replaced.

City Of Black Diamond Storm And Surface Water Plan (Resolution 2010-704), Page 91:

6.0 CAPITAL IMPROVEMENT PLAN

Table 6.06 3rd Ave – Mud Lake CK Culvert Replacement

PROJECT ID #5	
3RD AVE (SR-169) – MUD LAKE CREEK CULVERT REPLACEMENT	
Description:	This project includes removal, replacement and associated roadway restoration of the existing 24-inch and 48-inch culverts crossing under 3 rd Ave (SR-169) at the intersection of Black Diamond-Ravensdale Road and 3 rd Ave. This culvert system includes a two side by side 24-inch culverts, one corrugated metal and one concrete, crossing under 3 rd Ave and discharging to a landscaped intersection island (a small open basin) in the intersection. Each culvert is approximately 75-feet in length. From there flows are conveyed to a 48-inch corrugated metal culvert, 60-feet in length, flowing to the pond north of Roberts Drive. This system conveys Mud Lake Creek flows across 3 rd Ave. Wildlife and fish passage for Mud Lake Creek will be considered in the design of this project. This project may be a City and/or State funded project.
Location:	Intersection of Black Diamond / Ravensdale Road and 3 rd Ave (SR-169)
Sub-Basin:	GL-1
Receiving Water:	Glider Creek / Jones Lake
Priority:	Low
Estimated Cost:	\$145,000

T17 - Ravensdale / 169 interim intersection improvements

Recommended Updates: There are serious pedestrian safety issues at this intersection. Design the project in such a way that pedestrians can safely cross highway 169 at this intersection and future pedestrian improvements headed east on the Black Diamond Ravensdale road are considered. There is a Metro bus stop at this location that could be used to access the community center, but no pedestrian crosswalk.

Additionally, the fish blocking culvert here is over 250 feet long and needs to be replaced at the time of this project.

City of Black Diamond Comprehensive Plan, 2009.

Comp Plan Pdf Page 198, Policy T-8:

- “1. Develop design standards for new roadways that incorporate features required by pedestrian, bicycle and transit facilities;
2. Promote transit by developing design standards that provide accessibility through bus pullouts, pedestrian access to bus stops and bus shelters;”

Comp Plan Pdf Page 68:

“Rock Creek. A small portion of the planning area drains to Black Diamond Lake and the wetlands surrounding it. The Black Diamond Lake wetlands serve as partial headwaters of Rock Creek. Rock Creek is listed as supporting coho salmon, cutthroat trout, and steelhead in the WRIA 9 Fish Distribution Map.

Ginder Creek. The northeast portion of the planning area drains to Ginder Creek, which drains into Rock Creek. Ginder Creek historically provided good habitat for salmonid spawning and rearing. The WRIA 9 Fish Distribution Map (2000) shows Cutthroat trout presence in Ginder Creek. Based on a 1982 sampling, Ginder Lake supports warm water fish including black crappie, largemouth bass, and pumpkinseed. An obstruction limits the passage of adult salmonids upstream as far as Ginder Lake. Electroshocking done during the 1982 survey indicated that Ginder Creek, above State Route (SR) 169 may be able to support other species of fish if passage barriers were removed. The survey generally indicated that Ginder Creek is a relatively productive tributary (John Henry Mine, SEIS).”

6.0 CAPITAL IMPROVEMENT PLAN

Table 6.05 3rd Ave – Ginder Ck Culvert Replacement

PROJECT ID #4	
3RD AVE (SR-169) – GINDER CREEK CULVERT REPLACEMENT	
Description:	This project includes removal, replacement and associated roadway restoration of the existing 36-inch culvert crossing under 3 rd Ave (SR-169) at the Intersection of Black Diamond-Ravensdale Road and 3 rd Ave. This culvert system includes a 36-inch concrete culvert connecting to an existing concrete box culvert buried under 3 rd Ave (SR-169). Connected to the box culvert is an additional stretch of 36-inch concrete culvert pipe which discharges upstream of the pond north of Roberts Drive. The total length of this culvert system is approximately 250-feet. This system conveys Ginder Creek flows across 3 rd Ave. Wildlife and fish passage for Ginder Creek will be considered in the design of this project. This project may be a City and/or State funded project.
Location:	Intersection of Black Diamond / Ravensdale Road and 3 rd Ave (SR-169)
Sub-Basin:	GL-1
Receiving Water:	Ginder Creek / Jones Lake
Priority:	Low / High if a street project requires replacement
Estimated Cost:	\$200,000

T25 NEW- BD-Ravensdale Rd Pedestrian Safety

This is a proposed new project. Pedestrians cannot walk from the Morgan Creek development to the nearby North Commercial retail area and Community Center. Children have been seen walking and biking down this road.

A study should be made of options to allow safe pedestrian access. Innovative trail options should be considered. Look for collaboration with King County to improve safety on this dangerous stretch of road.

W2 – Springs & Transmission Reconstruction

This project has been on-going for several years. The Council should be provided updated work products from the consultants doing the project.

Recommendation: the new water source is a long way to pipe water to the city. The new source is also in an old coal mine shaft area. If we are retiring the existing "springs" water source there may be better alternatives. These should be considered with project W3.

W3 – Water Comprehensive Plan Update

This project is for \$30,000 for the Water Comprehensive Plan update. The city spent \$70,000 on this per a resolution from February of 2015. Council member Morgan asked for the results of that study and it was not provided. We can't spend another \$30,000 without seeing the results of the first study.

We need to update the Water Comprehensive Plan, but first we need to see what we got for \$70,000 already spent. This was also a project of concern listed by Councilmember Morgan in her feedback email after the last work study.

Recommendation: The study be provided to the Council prior to approval of any CIP with project "W3" in it.

D1 - Lawson Hills Storm Pond Sediment Removal

The Lawson Hill Estates Development is not complete, and the developer still operates the HOA. The existing stormwater system for that development clearly has issues –the playground serves as the stormwater pond, and thus the playground is always underwater. Rather than go to the taxpayers, the developer should fund the needed improvements to properly control and maintain stormwater in Lawson Hill Estates.

Recommendation: Revise the funding source, city to negotiate with the developer.

This issue was discussed at the December 12, 2016 Growth Management Committee meeting.

D3 - North Commercial and 169 Stormwater Improvement

This project near Roberts Drive and Highway 169 affects the same area as Project T7 for the Roberts Roundabout, as well as Project T20 for the Ravensdale-169 intersection.

The North Commercial/169 Stormwater pipe requires getting a stormwater system from the 169 area to pipe water under Roberts Drive. A future road roundabout would mean more construction in the same area a couple years later.

It is a best practice for stormwater management to treat stormwater in the same drainage basin that it naturally drains to. We also have to consider the existing streams in this area. Ginder Creek and the creek from Mud Lake go under 169 near this project and the proposed road projects. There are fish passage improvements that need to be prioritized into these road projects.

Recommendation: This North Commercial & 169 Stormwater project should be revised to treat stormwater nearer the source. This is a real option given the proposed road changes coming to the area.

P1 - Ginder Creek Trail and Site

Recommendation: This project should be revised to maximize natural land conservation. Remove the parking lot, instead concentrate on extending sidewalks in the future to reach the trail site. The trail needs to be a raised boardwalk trail, or a soft-surface natural trail.

Minimize tree removal. Cottonwoods in a natural area do not pose a hazard, they are an important part of the ecosystem. Shade provided by cottonwoods on Ginder Creek is important for stream and salmon health.

As part of our commitment as a member of the Green River Watershed Resource Inventory Area (WRIA), we need to maintain shade on the streams. The Growth Management committee had a WRIA presentation recently, and we can share the slide deck to staff who can consult with the WRIA on improving this project to maintain shade and protect Ginder Creek.

Robbin Taylor Comments 4-20-17

2nd public comment period

Council tradition is we never vote on an ordinance right after a public hearing.

Yet you suspend the rules to pass a flawed ordinance that had no public hearing. Your ordinance ~~had been~~ was placed in the Gov't Ops committee after the April 6th council meeting. When was that committee meeting held so people could attend and ~~to~~ comment on your flawed ordinance?

RECEIVED
CLERK OFFICE
APR 20 2017
BY: *BRM*

Then you send a no-brainer resolution to your committee - because you just don't dare suspend your rules for actual City work. \$3,321.80 which is gaining interest. Who pays that interest?

You suspend the rules for your work, but not for City work.

Capricious Dictators decide which laws to follow and which ones to not follow.

Capricious Dictators decide which laws everyone else follows though the dictator refuses to follow it themselves. We watched

Journal entry 2012
12/25/12

a Capricious Dictator in action tonight when Dictator Pepper refused to follow the rules, yet later tried to use the very same rule on some one else.

Capricious Dictator - this hat actually passes back and forth between Pepper and Morgan.

~~Pepper and Morgan. [scribbled out]~~

We have 3 foolish people with all the power - opening us up to yet another lawsuit. Kristen must be proud.

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Ordinance amending exceptions to Concurrency regulations in Chapter 11.11.40 of the Black Diamond Municipal Code	Agenda Date: May 18, 2017 AB17-038	
	Mayor Carol Benson	
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res –	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
	Public Works – Scott Hanis	X
Cost Impact (see also Fiscal Note): \$0	Court – Stephanie Metcalf	
Fund Source: --		
Timeline: April 2017		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input checked="" type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Ordinance 17-xxx; BDMC 18.52.030 and 18.52.040		
SUMMARY STATEMENT: <p>In implementing the concurrency ordinance, staff has found limited ability in making administrative decisions regarding temporary uses that are covered by temporary use permits covered in BDMC 18.52.030 (A & B) and 18.52.040. These temporary uses, structures, and activities (such as Christmas tree sales, seasonal fruit stands, temporary fireworks stands, etc.) are subject to concurrency regulations, as are single family homes that are not part of a plat.</p> <p>Concurrency regulations would require these temporary uses, structures, and activities to pay the City for the City to conduct a traffic study (in excess of \$10,000) to determine the number of the long-term traffic impacts of these temporary items. As the items in BDMC 18.52.030 and 18.52.040 will not cause long-term traffic impacts, staff recommends clarifying the ordinance for traffic concurrency to exempt these practices.</p> <p>Prior to adoption, a public hearing will be required, which is proposed to occur on May 18th. Following the public hearing, action can be taken to adopt this ordinance.</p> <p>FISCAL NOTE (Finance Department): N/A</p>		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt an Ordinance amending Chapter 11.11.040 of the Black Diamond Municipal Code to include additional exemptions to the concurrency ordinance.		

RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
May 18, 2017		

ORDINANCE NO. 17-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON,
RELATING TO EXCEPTIONS FROM CONCURRENCY;
AMENDING CHAPTER 11.11 OF THE BLACK DIAMOND
MUNICIPAL CODE; PROVIDING FOR SEVERABILITY;
AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, BDMC 11.11.040 exempts certain development activity from the capacity reservation certificate process (as set forth in BDMC Ch. 11.11) because they do not create additional long-term impacts on transportation facilities; and

WHEREAS, the City Council finds that the temporary uses, structures, and activities described in BDMC 2.59, 18.52.030(A), 18.52.030(B), and 18.52.040 do not create additional long-term impacts on transportation facilities; and

WHEREAS, the City Council desires to alleviate the administrative and financial burdens of demonstrating concurrency for persons and businesses engaged in said temporary uses and activities;

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

Section 1 Amendment of BDMC 11.11.040 (Exempt development). Section 11.11.040 of the Black Diamond Municipal Code is hereby amended to read as follows:

11.11.040 Exempt development and activities

No development activity as defined in Section BDMC 11.11.030 shall be exempt from the requirements of this chapter, unless the permit, use, structure, or activity is listed below. The following types of permits, uses, structures, and activities are not subject to the capacity reservation certificate (CRC) process because they do not create additional long-term impacts on transportation facilities:

- A. Administrative interpretations;
- ~~B. Sign permit;~~
- ~~C. Street vacations;~~
- ~~D. Demolition permit;~~
- ~~E. Street use permit;~~
- ~~F. Interior alterations of a structure with no change in use;~~
- ~~G. Excavation/clearing permit;~~
- ~~H. Hydrant use permit;~~
- ~~I. Right-of-way permit;~~
- ~~J. Single family remodeling with no change of use;~~
- ~~K. Plumbing permit;~~

~~L. Electrical permit;~~
~~M. Mechanical permit;~~
~~N. Excavation permit;~~
~~O. Sewer connection permit;~~
~~P. Driveway or street access permit;~~
~~Q. Grading permit;~~
~~R. Tenant improvement permit;~~
~~S. Fire code permit;~~
~~T. Design review approval;~~
B. Events permitted under BDMC 2.59;
C. Temporary uses, structures, and activities permitted under BDMC 18.52.030(A) or (B); and
D. Temporary uses, structures, and activities described under BDMC 18.52.040.

Notwithstanding the exemptions noted in this section, if any of the above permit applications will generate any permanent (as opposed to temporary) new p.m. peak hour trips, such application shall not be exempt from the requirements of this chapter.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY A MAJORITY OF THE CITY COUNCIL AT A MEETING HELD ON THE ____ DAY OF ____, 2017.

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:

David Linehan, City Attorney

Published: _____

Posted: _____

Effective Date: _____

operation shall mean any or part of any day in which the business is conducted. The six months need not run consecutively. The six months may occur at any time within a calendar year as long as each day is designated and approved.

E. All temporary uses shall obtain, prior to occupancy of the site, all applicable permits, licenses and other approvals (i.e., business license, building permit, administrative approvals, etc.).

F. The applicant for a temporary use shall supply written authorization from the owner of property on which the temporary use is located.

G. Each site occupied by a temporary use shall be left free of debris, litter, or other evidence of the temporary use upon completion of removal of the use.

H. All materials, structures and products related to the temporary use must be removed from the premises between days of operation on the site, provided that materials, structures and products related to the temporary use may be left on-site overnight between consecutive days of operation.

I. The director may establish such additional conditions as may be deemed necessary to ensure land use compatibility and to minimize potential impacts on nearby uses. These include but are not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirement for screening or enclosure, and guarantees for site restoration and cleanup following temporary uses.
(Ord. No. 909, § 2 (Exh. A), 6-18-2009)

18.52.030 Uses allowed only by temporary use permit.

A. The following temporary uses, activities and associated structures are allowed by a Type 1 application temporary use permit, subject to the specific limitations of this chapter and as may be established by the director:

1. Outdoor art and craft shows and exhibits;
2. Retail sales of Christmas trees, agricultural or horticultural products, firewood, seafood, and other items typically marketed seasonally;

3. Mobile services such as veterinary services for purposes of giving vaccinations;

4. Group retail sales such as swap meets, flea markets, parking lot sales, Saturday market, auctions, etc.;

5. A mobile home or travel trailer with adequate water and sewer service used as a dwelling while a residential building on the same lot is being constructed or while a damaged residential building is being repaired;

6. When elderly or disabled relatives of the occupant of an existing residence require constant supervision and care, a mobile home with adequate water and sewer services located adjacent to such residence may be permitted to house the relatives;

7. Circuses, carnivals, fairs, or similar transient amusement or recreational activities.

B. The director may authorize additional temporary uses not listed in this subsection, when it is found that the proposed uses are in compliance with the provisions of this section.

C. Temporary uses that exceed any of the standards of this section or are proposed to exist longer than six months shall require approval by the hearing examiner (Type 3 application).
(Ord. No. 909, § 2 (Exh. A), 6-18-2009)

18.52.040 Uses allowed without a temporary use permit.

The following activities and structures are exempt from requirements to obtain a temporary use approval:

A. Mobile homes, residences or travel trailers used for occupancy by supervisory and security personnel on the site of an active construction project.

B. Guests of residents in recreational vehicles for not more than fourteen consecutive days and not more than sixty days per calendar year.

C. Model homes or apartments and related real estate sales and display offices/activities located within the subdivision or residential development to which they pertain.

D. Contractor's office, storage yard, and equipment parking and servicing on the site of an active construction project.

E. Garage sales, moving sales, and similar activities for the sale of personal belongings when operated not more than three days in the same week and not more than twice in the same calendar year. Allowed in all residential zoning districts only between the hours of 7:00 a.m. and 7:00 p.m.

F. Fund raising carwashes.

G. Vehicular or motorized catering such as popsicle/ice cream scooters and self-contained lunch wagons which cater to construction sites or manufacturing facilities.

H. Weekend (Saturday and Sunday) only, warehouse sales when held no more than once a calendar quarter in an existing facility in business/industrial park or industrial zoned districts.

I. Fireworks stands, which comply with the requirements of Chapter 8.04, and subject to the following requirements:

1. Only one sign is allowed.
 2. Signage must be attached to the firework stand.
 3. No "sandwich" board type signs are allowed.
 4. All firework stand operations and sales must take place outside of landscaped areas and public rights-of-way.
- (Ord. No. 909, § 2 (Exh. A), 6-18-2009)

Chapter 18.54

HOME OCCUPATIONS

Sections:

18.54.010 Intent.

18.54.020 General requirements.

18.54.030 When permitted as a matter of right.

18.54.040 When permitted by administrative conditional use permit.

18.54.050 Exemptions.

18.54.060 Enforcement.

18.54.070 Activities not permitted as home occupations.

18.54.010 Intent.

It is the intent of this section to:

A. Permit residents of the community a broad choice in the use of their homes as a place of livelihood and the production or supplementing of personal/family income.

B. Protect residential areas from potential adverse impact of activities defined as home occupations.

C. Establish criteria and development standards for the use of residential structures or dwelling units for home occupations.

1. *Home occupation* means any activity conducted for financial gain or profit in a dwelling unit, in a building other than a dwelling unit, but located on the property of the dwelling unit, or located on adjacent property to the dwelling unit but having the same zoning as the dwelling unit, or activity conducted on the property, even though not within the structure, and which activity is not generally or customarily characteristic of the activities for which the dwelling units and/or their property surrounding are intended or designed.

2. The activity is clearly incidental or secondary to the residential use of the dwelling units; and is conducted only by persons residing in the dwelling unit.

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: May 18, 2017	AB17-039
Resolution approving the Mayor to sign the professional services contract with BHC Consultants to complete the Comprehensive Plan Update.	Mayor Carol Benson	X
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res –	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
	Public Works – Seth Boettcher	
Cost Impact (see also Fiscal Note): \$50,000	Court – Stephanie Metcalf	
Fund Source: --		
Timeline: 2017		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input checked="" type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Resolution, Contract, Exhibit A		
SUMMARY STATEMENT:		
<p>Councilmembers Edelman and Deady have placed this item on the agenda.</p> <p>Under the Growth Management Act, the City was required to complete a periodic update of its Comprehensive Plan by June of 2015. The City has acted in good faith to comply with this mandate. Although several factors have interrupted progress, the draft updated Plan is approximately 90% complete. All but one Chapter (Transportation) has been drafted and reviewed by the Planning Commission and Council during joint work sessions. The Council budgeted \$50,000 in 2017 to finish this work and passed its amended budget in March 2017 with a total Budget of \$85,000 available to cover all costs of the update including, legal review as well as advertising, and printing costs.</p> <p>Approval of the attached contract, not to exceed \$50,000, with BHC Consultants and proposed scope of work will ensure the efficient and timely completion of the City's Comprehensive Plan update.</p> <p>FISCAL NOTE (Finance Department): The completion of the Comprehensive plan is expected to be less than the amount budgeted.</p>		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt a Resolution authorizing the Mayor to sign the professional services contract with BHC Consultants to complete the City's periodic Comprehensive Plan update.		

RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
May 18, 2017		

RESOLUTION NO. 17-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT
WITH BHC CONSULTANTS FOR SERVICES RELATED TO
COMPLETION OF THE COMPREHENSIVE PLAN UPDATE**

WHEREAS, the City is required under the state Growth Management Act to periodically update its Comprehensive Plan; and

WHEREAS, the City is currently behind schedule in completing its 2015 Comprehensive Plan update, and wishes to expeditiously and diligently proceed toward completing the 2015 update; and

WHEREAS, the City Council has appropriated an additional \$50,000 in the 2017 budget to fund the work of completing the 2015 Comprehensive Plan update; and

WHEREAS, the City wishes to retain the planning firm of BHC Consultants, LLC, to assist the City with completing the unfinished elements of its 2015 Comprehensive Plan update;

WHEREAS, BHC Consultants, LLC, is willing to provide such services to the City on the terms provided in Attachment A, hereto;

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

Section 1. Contract with BHC Consultants. The Mayor is authorized to enter into the contract for consulting services with BHC Consultants, LLC, attached hereto as Exhibit A.

**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON,
AT A REGULAR MEETING THEREOF, THIS 18TH DAY OF MAY, 2017.**

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

CITY OF BLACK DIAMOND PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (the or this "Agreement"), for reference purposes only, is dated _____, 2017 and is entered into by and between

CITY OF BLACK DIAMOND, WASHINGTON (the "City")

Physical Address: 24301 Roberts Drive

Mailing Address: PO Box 599

Black Diamond, WA 98010

Contact: Carol Benson Phone: 360-886-5700 Fax: 360-886-2592

and

BHC Consultants, LLC ("Consultant")

1601 Fifth Avenue, Suite 500

Seattle, WA 98101

Contact: Barbara Kincaid Phone: (206) 357-9910 Fax: (206) 505-3406

Tax Id No.: 26-1363237

for professional services in connection with the periodic Comprehensive Plan Update

TERMS AND CONDITIONS

1. Services by Consultant

1.1 Consultant shall perform the services described in the Scope of Work attached to this Agreement as Exhibit "A." The services performed by Consultant shall not exceed the Scope of Work nor shall the Consultant be entitled to a greater amount of compensation than provided in this Agreement without the prior written authorization of the City.

1.2 The City may from time to time require changes or modifications in the Scope of Work. Such changes, including any decrease or increase in the amount of compensation, shall be agreed to by the parties and incorporated in written amendments to this Agreement.

1.3 Consultant represents and warrants that it, its staff to be assigned to the Project, and its subconsultants and their staff have the requisite training, skill, and experience necessary to provide the services required by this Agreement and are appropriately accredited and licensed by all applicable agencies and governmental entities. Services provided by Consultant and its subconsultants under this Agreement will be performed in a manner consistent with that degree

of care and skill ordinarily exercised by members of the same profession currently practicing in similar circumstances.

2. Schedule of Work

2.1 Consultant shall perform the services described in the Scope of Work Exhibit "A" in a diligent and timely manner. Delays due to unforeseen circumstances (i.e., additional meetings or extended review periods) may result in additional effort necessary for project management and administration.

2.2 Consultant will work within the project schedule and will proceed with the work and shall assure that it, and its subconsultants, will have adequate staffing at all times in order to complete the Scope of Work in a timely manner. If factors beyond Consultant's control that could not have been reasonably foreseen as of the date of this Agreement cause delay, then the parties will negotiate in good faith to determine whether an extension is appropriate. The Consultant shall provide the City with written notice of any delay, or potential delay, that may trigger the need for a time extension within 3 business days after the Consultant becomes aware of the delay or potential delay.

2.3 Consultant is authorized to proceed with services upon execution of this agreement and the attached Scope of Work Exhibit "A."

3. Compensation

- ☐ LUMP SUM. Compensation for the services provided in the Scope of Work shall be a Lump Sum of \$_____.
- ☒ TIME AND MATERIALS NOT TO EXCEED. Compensation for the services provided in the Scope of Work shall not exceed \$50,000 without the written authorization of the City.
- ☐ TIME AND MATERIALS. Compensation for the services provided in the Scope of Work shall be on a time and materials basis according to the list of billing rates and reimbursable expenses attached hereto as Exhibit "C."

4. Payment

4.1 Consultant shall maintain time and expense records and provide them to the City monthly, along with monthly invoices, in a format acceptable to the City for work performed to the date of the invoice.

4.2 All invoices shall be paid by City warrant within sixty (60) days of actual receipt by the City of an invoice conforming in all respects to the terms of this Agreement.

4.3 Consultant shall keep cost records and accounts pertaining to this Agreement available for inspection by City representatives for three (3) years after final payment unless a longer period is required by a third-party agreement. Consultant shall make copies available to the City on request.

4.4 If the services rendered do not meet the requirements of the Agreement, Consultant will correct or modify the work to comply with the Agreement. The City may withhold payment for such work until the work meets the requirements of the Agreement.

5. Discrimination and Compliance with Laws

5.1 Consultant agrees not to discriminate against any employee or applicant for employment or any other person in the performance of this Agreement because of race, creed, color, national origin, marital status, sex, age, disability, or other circumstance prohibited by federal, state, or local law or ordinance, except for a bona fide occupational qualification.

5.2 Consultant and its subconsultants shall comply with all federal, state, and local laws and ordinances applicable to the work to be done under this Agreement.

5.3 Any violation of this Section 5 shall be a material breach of this Agreement and grounds for immediate cancellation, termination, or suspension of the Agreement by the City, in whole or in part, and may result in Consultant's ineligibility to conduct further work for the City.

6. Suspension and Termination of Agreement

6.1 The City reserves the right to terminate or suspend this Agreement at any time, without cause, by giving Consultant notice in writing ten (10) days prior to the termination or suspension date. In the event of termination, all finished or unfinished reports, or other material prepared by Consultant pursuant to this Agreement, shall be submitted to the City. In the event the City terminates this Agreement prior to completion without cause, Consultant may complete such analyses and records as may be necessary to place its files in order. Consultant shall be entitled to compensation for any satisfactory work completed on the Project prior to the date of suspension or termination.

6.2 Any notice from the City to Consultant regarding the suspension of this Agreement shall specify the anticipated period of suspension. Any reimbursement for expenses incurred due to the suspension shall be limited to Consultant's reasonable expenses and shall be subject to verification. Consultant shall resume performance of services under this Agreement without delay when the suspension period ends.

7. Standard of Care

7.1 Consultant represents and warrants that it has the requisite training, skill, and experience necessary to provide the services under this Agreement and is appropriately accredited and licensed by all applicable agencies and governmental entities. Services

Consultant provides under this Agreement will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing in similar circumstances. Consultant understands and agrees that the services rendered pursuant to this Agreement are for the sole exclusive benefit of the City and that no third party shall have authority to authorize, approve, direct or control any of the services rendered to the City pursuant to this Agreement.

8. Ownership of Work Product

8.1 Ownership of the originals of any reports, data, studies, surveys, charts, maps, drawings, specifications, figures, photographs, memoranda, and any other documents which are developed, compiled, or produced as a result of this Agreement, whether or not completed, shall be vested in the City and shall be submitted to the City upon termination of this Agreement, and Consultant assigns to the City all of Consultant's right, title, and interest in any such reports, data, studies, drawings, and documents. Any reuse of these materials by the City for projects or purposes other than those that fall within the scope of this Agreement and the Project to which it relates, without written concurrence by Consultant, will be at the sole risk of the City.

8.2 The City acknowledges Consultant's documents as instruments of professional service. Nevertheless, the documents prepared under this Agreement shall become the property of the City upon completion of the work. The City agrees to hold harmless and indemnify Consultant against all claims made against Consultant for damage or injury, including defense costs, arising out of the City's reuse of such documents beyond the use for which they were originally intended without the written authorization of Consultant.

8.3 Methodology, software, logic, and systems developed under this Agreement are the property of Consultant and the City, and may be used as either Consultant or the City see fit, including the right to revise or publish the same without limitation.

9. Indemnification/Hold Harmless

9.1 Consultant shall indemnify, and hold the City, its officers, employees, agents and volunteers harmless from all claims, injuries, damages, losses or suits including attorney fees, arising directly or indirectly out of or resulting from the negligent acts, errors, or omissions of Consultant or its sub-consultants in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City. Provided, however, that if any such claims, injuries, damages, losses or suits result from the concurrent negligence of Consultant and the City (including the City's officers, employees, agents or volunteers), it is expressly agreed that Consultant's obligations and indemnity under this paragraph shall be limited to the extent of Consultant's negligence.

9.2 It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under industrial insurance, Title 51 RCW, solely for the purposes of this indemnification. The Parties further acknowledge that they have mutually negotiated this waiver. The Consultant's waiver of immunity under the provisions of this section does not include, or extend to, any claims by the Consultant's employees directly against the Consultant.

9.3 The provisions of this section shall survive the expiration or termination of this Agreement.

10. Insurance

10.1 Consultant shall procure and maintain for the duration of the Agreement, and shall provide proof satisfactory to the City that such insurance is procured and maintained by each of its subconsultants, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by Consultant, its agents, representatives, employees or subconsultants.

10.2 Consultant shall procure and maintain the following types and amounts of insurance:

a. Automobile Liability insurance covering all owned, non-owned, hired, and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage. This insurance shall have a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.

b. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 or a substitute form providing equivalent liability coverage and shall cover liability arising from premises, operations, independent contractors, personal injury, and advertising injury. This insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.

c. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

d. Professional Liability insurance appropriate to Consultant's profession, with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

10.3 The Automobile Liability, Commercial General Liability, and Professional Liability insurance policies are to contain, or be endorsed to contain, the following provisions:

a. Consultant's insurance coverage shall be primary insurance vis-à-vis the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess over Consultant's insurance and shall not contribute with it.

b. Consultant's insurance shall be endorsed to state that coverage shall not be cancelled, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

10.4 The City shall be named as an additional insured under Consultant's Automobile Liability and Commercial General Liability insurance policies with respect to the work to be performed for the City pursuant to this Agreement.

10.5 Insurance shall be placed with insurers with a current A.M. Best rating of not less than A:VII.

10.6 Declaration pages issued by the insurance carriers for the policies mentioned in this Section 10 showing such insurance to be in force shall be filed with the City not less than ten (10) days following both parties signing this Agreement and before commencement of the work. In addition, the City may request, in writing, a full copy from Consultant of any insurance policy Consultant must procure and maintain pursuant to this Agreement and Consultant must provide such copy to the City within ten (10) days of Consultant's receipt of the City's request. Any policy or required insurance written on a claims-made basis shall provide coverage as to all claims arising out of the services performed under this Agreement and for three (3) years following completion of the services to be performed. It shall be a material breach of this Agreement for Consultant to fail to procure and maintain the insurance required by this Section 10 or to provide the proof of such insurance to the City as provided for in this Agreement.

11. Assigning or Subcontracting

11.1 Consultant shall not assign, transfer, subcontract, or encumber any rights, duties, or interests accruing from this Agreement without the express prior written consent of the City, which consent may be withheld at the sole discretion of the City.

12. Independent Contractor

12.1 Consultant and its subconsultants are, and shall be at all times during the term of this Agreement, independent contractors. As the Consultant is customarily engaged in an independently established trade which encompasses the specific service provided to the City hereunder, no agent, employee, representative or sub-consultant of the Consultant shall be or shall be deemed to be the employee, agent, representative or sub-consultant of the City. In the performance of the work, the Consultant is an independent contractor with the ability to control and direct the performance and details of the work. None of the benefits provided by the City to its employees including, but not limited to, compensation, insurance, and unemployment insurance, are available from the City to the employees, agents, representatives, or sub-consultants of the Consultant. The Consultant will be solely responsible for its acts and for the acts of its agents, employees, representatives and sub-consultants during the performance of this Agreement. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the Consultant performs hereunder.

13. Notice

13.1 All notices required by this Agreement shall be considered properly delivered when personally delivered, when received by facsimile, or on the third day following mailing, postage prepaid, certified mail, return receipt requested to:

City:	Carol Benson, Mayor
	City of Black Diamond
	P.O. Box 599
	Black Diamond, WA 98010
	Fax: 360-886-2592

With a copy to: David Linhan
City Attorney
11 Front Street South
Issaquah, WA 98027
Fax: 425-392-7071

Consultant: BHC Consultants, LLC
1601 Fifth Avenue, Suite 500
Seattle, WA 98101
Fax: 360-505-3406

14. Disputes

14.1 Any action for claims arising out of or relating to this Agreement shall be governed by the laws of the State of Washington. Venue shall be in King County Superior Court, Kent, Washington.

15. Attorney Fees

15.1 In any suit or action instituted to enforce any right granted in this Agreement, the substantially prevailing party shall be entitled to recover its costs, disbursements, and reasonable attorney fees from the other party.

16. General Administration and Management on Behalf of the City

16.1 The City Administrator for the City, or his/her designee (the contract Administrator) shall review and approve Consultant's invoices to the City under this Agreement and shall have primary responsibility for overseeing and approving work or services to be performed by Consultant. Consultant understands and agrees that any and all work to be performed pursuant to this Agreement must be approved in advance by the contract Administrator. No third party, including the project applicant, shall have any direct control or influence over the services performed under this Contract.

17. Extent of Agreement/Modification

17.1 This Agreement, together with any attachments or addenda, represents the entire and integrated Agreement between the parties hereto and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may only be amended, modified, or added to by written instrument properly signed by both parties. The parties acknowledge the general contract rule that a clause in a contract, such as this one, prohibiting oral modifications is itself generally subject to oral modification. However, in order to ensure certainty as to the terms and conditions of this Agreement, the parties waive this general contract rule.

18. Conflict of Interest; Non-Collusion

18.1 No officer, employee or agent of the City, nor any member of the immediate family of any such officer, employee or agent, shall have any personal financial interest, direct or indirect, in this Contract, either in fact or in appearance. The Consultant shall comply with all federal, state, and City conflict of interest laws, statutes and regulations. The Consultant represents that the Consultant presently has no interest and shall not acquire any interest, direct or indirect, in the project to which this Contract pertains which would conflict in any manner or degree with the performance of the Consultant's services and obligations hereunder. The Consultant further covenants that, in performance of this Contract, no person having any such interest shall be employed by the Consultant. The contractor's officers, employees or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from the project applicant or any affiliate or agent of the project applicant.

18.2 The Contractor warrants and represents that the Contractor has not, nor has any other member, employee, representative, agent or officer of the Contractor, entered into or offered to enter into any combination, collusion or agreement with any person or entity to receive or pay, and that he has not received or paid, any sum of money or other consideration for the execution of this Contract other than the consideration offered pursuant to the terms and conditions hereof.

CITY OF BLACK DIAMOND

CONSULTANT

By: _____

Carol Benson

Its: Mayor

Date: _____

By: _____

Printed Name: _____

Its: _____

Date: _____

Attest:

By:

Brenda L. Martinez
City Clerk

Approved as to form:

By:

City Attorney



BHC Consultants, LLC
950 Pacific Avenue, Suite 710
Tacoma, WA 98402

253 . 344.5084
253 . 244.7165 (fax)
www.bhcconsultants.com

Exhibit A

Scope of Work

April 20, 2017

Carol Benson, Mayor
City of Black Diamond
24301 Roberts Drive
P.O. Box 599
Black Diamond, WA 98010

Subject: Proposal to Provide Consultant Services for the Periodic Comprehensive Plan Update

Dear Mayor Benson:

I am pleased to have the opportunity to submit the following proposal to provide professional planning services relating to Black Diamond's Periodic Comprehensive Plan Update.

PROJECT UNDERSTANDING

The City of Black Diamond was required to update its comprehensive plan and deliver it to the Washington State Department of Commerce by 30 June 2015 and has been working in good faith to comply with this requirement. BHC is teaming with DKS Associates to assist the City with finalizing its efforts to complete and adopt the 2015 periodic comprehensive plan update. Although a date certain for adoption has not been established, this proposed scope represents the remaining work for the City to fulfil its requirement.

SCOPE OF WORK

Task 1. Comprehensive Plan Update

The BHC team will work collaboratively with the City to finalize the periodic update of its Comprehensive Plan. This includes completion of the Transportation Element and incorporation of comments from the joint City Council/Planning Commission workshops. Specific subtasks include:

- Develop Planning level cost estimates for the recommended transportation improvements in the draft Comprehensive Plan Transportation Element.
- Revise Comprehensive Plan Transportation Element incorporating input from the City and planning level cost estimates.
- Traffic simulation model to support explanation and presentation of the traffic operations analysis conducted for the draft Comprehensive Plan update.

Deliverables:

- *A complete draft comprehensive plan with the following chapters: Introduction, Community Character & Demographics, Natural Environment, Land Use, Housing, Transportation, Capital Facilities & Utilities, Parks, Recreation, Trails & Open Space, and Economic Development.*
- *Up to four traffic simulation video clips showing existing and future performance.*
- *SimTraffic summary run output for both the existing and future traffic models.*

Task 2. Public Participation

The BHC will facilitate one public open house to present the draft Comprehensive Plan and receive public input.

Deliverable: *A memo documenting open house attendance and comments received.*

Task 3. Department of Commerce (DOC) and Puget Sound Regional Council (PSRC) Approval Process

BHC will provide the 60-day notice of intent to adopt the Comprehensive Plan to the DOC and PSRC and will work directly with the agencies to respond to comments.

Deliverable: *A memo documenting the DOC and PSRC comments and recommended edit to the Comprehensive Plan draft.*

Task 4. SEPA

This Comprehensive Plan update is not anticipated to result in the need for an EIS. BHC will assist the City with a Non-project SEPA addendum. City staff will be the lead agency and issue the SEPA determination. BHC will prepare the SEPA documentation.

Deliverables: *SEPA checklist and supporting documents.*

Task 4. Adoption Process

BHC will assist the City with the following:

- Attend Planning Commission Public Hearings to present the draft Comprehensive Plan amendments and receive public testimony.
- Incorporate comments from the DOC, PSRC, and Planning Commission Hearings into the draft Plan and assist with transmittal of a recommendation from the Planning Commission to the City Council.
- Attend City Council Hearings to present the draft Comprehensive Plan amendments and receive public testimony.
- Incorporate all comments into final Draft Comprehensive Plan document.

Deliverables: *A complete final draft comprehensive plan with the following chapters: Introduction, Community Character & Demographics, Natural Environment, Land Use, Housing, Transportation, Capital Facilities & Utilities, Parks, Recreation, Trails & Open Space, and Economic Development. A pdf and electronic editable version will be transmitted to the City.*

CLOSING

If you agree with the above, please show your acceptance by signing in the space provided below and return a fully executed copy of the entire proposal to me. We will consider the signed date as our notice to proceed. This proposal is valid for 30 days.

We thank you for the opportunity to provide this proposal. If you have questions, please call me at:

Sincerely,
BHC Consultants

ACCEPTED BY
CITY OF BLACK DIAMOND

Signature

Carol Benson, Mayor

(Printed)

Date