



**CITY OF BLACK DIAMOND**  
**September 21, 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:**

- 1) Claim Checks** – September 21, 2017 - No. 45311 through No. 45372 and EFTs in the amount of \$275,443.13
- 2) Payroll** – August 31, 2017 – No. 19391 through No. 19407 and ACHs in the amount of \$301,131.74
- 3) Minutes** – Council Meeting of September 7, 2017

**PUBLIC HEARINGS: None**

**UNFINISHED BUSINESS:**

- 4) AB17-054A** – Resolution Amending Public Defender Contract with O'Brien, Barton & Hopkins Mayor Benson

**NEW BUSINESS:**

**DEPARTMENT REPORTS:**

**MAYOR'S REPORT:**

**COUNCIL REPORTS:**

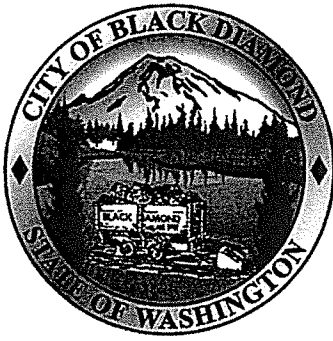
- Councilmember Deady
- Councilmember Morgan
- Councilmember Edelman
- Councilmember Weber
- Councilmember Pepper

**ATTORNEY REPORT:**

**PUBLIC COMMENTS:**

**EXECUTIVE SESSION:**

**ADJOURNMENT:**



### CERTIFICATION

Date: September 21<sup>st</sup>, 2017 Council Meeting

Check No.'s/EFT      Batch Name      Check/EFT Date      Amount

EFT	August- EFT August Batch for 09/21 Council	08/04/17- 08/31/17	\$ 9,043.09
45311-45372	September – 2 <sup>nd</sup> September Batch for 09/21 Council	09/22/2017	\$ 266,400.04
		TOTAL	\$ 275,443.13

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

9-13-2017  
DATE

COUNCILMEMBERS  
  
\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
CAROL BENSON, MAYOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE  
  
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# Register

Fiscal: 2017

Deposit Period: 2017 - September, 2017 - August

Check Period: 2017 - September - 2nd September Batch for 09/21 Council, 2017 - August - August

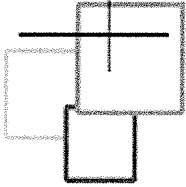
EFT Batch for 09/21 Council

Number	Name	Print Date	Amount
<b>Check</b>			
<u>45311</u>	ADT Security Services (PA)	9/22/2017	\$48.64
<u>45312</u>	AHBL, Inc.	9/22/2017	\$18,395.00
<u>45313</u>	ANS of WA, Inc.	9/22/2017	\$135.00
<u>45314</u>	APWA Washington Chapter	9/22/2017	\$565.00
<u>45315</u>	Art Gamblin Motors	9/22/2017	\$3,865.76
<u>45316</u>	Axon Enterprise, Inc.	9/22/2017	\$1,189.45
<u>45317</u>	Bailey Industries, Inc	9/22/2017	\$368.00
<u>45318</u>	Black Diamond Auto Parts	9/22/2017	\$34.45
<u>45319</u>	Brent & Jessica King	9/22/2017	\$6.21
<u>45320</u>	CHS/Cenex	9/22/2017	\$1,537.19
<u>45321</u>	City of Issaquah	9/22/2017	\$1,067.00
<u>45322</u>	Comcast (34744)	9/22/2017	\$231.14
<u>45323</u>	Comcast (PA)	9/22/2017	\$394.75
<u>45324</u>	Daily Journal of Commerce	9/22/2017	\$144.00
<u>45325</u>	Darcy Nelson	9/22/2017	\$123.16
<u>45326</u>	Dicks Heating & A/C Inc	9/22/2017	\$75.69
<u>45327</u>	Evolution Controls	9/22/2017	\$700.00
<u>45328</u>	Fairwood Group LLC	9/22/2017	\$955.00
<u>45329</u>	Ferguson Enterprises, Inc	9/22/2017	\$7,904.65
<u>45330</u>	Firestone Complete Auto Care	9/22/2017	\$661.47
<u>45331</u>	Granite Telecommunications	9/22/2017	\$47.28
<u>45332</u>	H.D. Fowler Company	9/22/2017	\$481.91
<u>45333</u>	Home Depot Credit Service	9/22/2017	\$423.15
<u>45334</u>	HWA GeoSciences Inc.	9/22/2017	\$175.00
<u>45335</u>	Johnsons Home & Garden	9/22/2017	\$404.20
<u>45336</u>	Kenyon Disend, PLLC	9/22/2017	\$12,443.82
<u>45337</u>	King County Finance	9/22/2017	\$9,537.30
<u>45338</u>	King County Finance - I-Net	9/22/2017	\$375.00
<u>45339</u>	King County Finance - Wastewater Treat Div.	9/22/2017	\$49,659.06
<u>45340</u>	King County Prosecuting Attorney	9/22/2017	\$88.07
<u>45341</u>	King County Radio Comm Services	9/22/2017	\$1,609.45
<u>45342</u>	Kyocera	9/22/2017	\$712.87
<u>45343</u>	L.N. Curtis & Sons	9/22/2017	\$748.86
<u>45344</u>	Les Schwab Tire Ctr - MV	9/22/2017	\$436.08
<u>45345</u>	Martin Duenhoelter	9/22/2017	\$250.00
<u>45346</u>	Modular Space Corp	9/22/2017	\$5,412.63
<u>45347</u>	Mt. View Fire & Rescue	9/22/2017	\$1,557.09
<u>45348</u>	Northstar Chemical Inc.	9/22/2017	\$2,501.32
<u>45349</u>	O'Brien, Barton, & Hopkins, PLLP	9/22/2017	\$2,500.00

<u>45350</u>	Office Products Nationwide	9/22/2017	\$243.73
<u>45351</u>	Palmer Coking Coal Co.	9/22/2017	\$356.34
<u>45352</u>	Petty Cash Custodian	9/22/2017	\$128.16
<u>45353</u>	PSI	9/22/2017	\$3,827.50
<u>45354</u>	Puget Sound Energy	9/22/2017	\$7,691.90
<u>45355</u>	Red the Uniform Tailor	9/22/2017	\$1,661.10
<u>45356</u>	Regional Animal Services of King County	9/22/2017	\$15.00
<u>45357</u>	Republic Services, Inc. #176	9/22/2017	\$503.98
<u>45358</u>	RH2 Engineering Inc.	9/22/2017	\$114,418.10
<u>45359</u>	Ron & Leo's Welding Service	9/22/2017	\$742.90
<u>45360</u>	Ronald & Barbara Carpenter	9/22/2017	\$142.29
<u>45361</u>	Severson's Building Maint	9/22/2017	\$1,900.00
<u>45362</u>	Shred-It USA	9/22/2017	\$48.65
<u>45363</u>	Tamalpais LLC	9/22/2017	\$295.00
<u>45364</u>	TRM Wood Products Co. Inc.	9/22/2017	\$66.14
<u>45365</u>	U.S. Postal Service (Black Diamond)	9/22/2017	\$262.00
<u>45366</u>	Utilities Underground	9/22/2017	\$67.76
<u>45367</u>	VenTek International	9/22/2017	\$90.00
<u>45368</u>	Voice of The Valley	9/22/2017	\$180.00
<u>45369</u>	Washington State Patrol	9/22/2017	\$48.00
<u>45370</u>	Washington State Treasurer	9/22/2017	\$5,682.10
<u>45371</u>	Water Management Laboratories, Inc.	9/22/2017	\$68.00
<u>45372</u>	Zero Waste USA, Inc.	9/22/2017	\$196.74
<u>EFT Payment</u>	Invoice Cloud	8/11/2017	\$121.80
<u>EFT Payment</u>	Dept of Licensing-Firearms Online	8/15/2017	\$54.00
<u>EFT Payment</u>	Washington State Department of Revenue	8/17/2017	\$3,987.38
<u>EFT Payment</u>	Merchant Card Services	8/2/2017	\$270.28
<u>EFT Payment</u>	Dept of Licensing-Firearms Online	8/21/2017	\$75.00
<u>EFT Payment</u>	U.S. Postal Service (Black Diamond)	8/21/2017	\$172.59
<u>EFT Payment</u>	US Bank Equipment Finance	8/21/2017	\$1,471.37
<u>EFT Payment</u>	Dept of Licensing-Firearms Online	8/29/2017	\$150.00
<u>EFT Payment</u>	Dept of Licensing-Firearms Online	8/31/2017	\$21.00
<u>EFT Payment</u>	Dept of Licensing-Firearms Online	8/4/2017	\$36.00
<u>EFT Payment</u>	U.S. Postal Service (CMRS-FP)	8/7/2017	\$200.00
<u>EFT Payment</u>	First Bankcard	8/8/2017	\$2,483.67
	<b>Total</b>		<b>\$275,443.13</b>



# Voucher Directory with Transaction Date



Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description Name	Title	Void Amount
<b>Dept of Licensing-Firearms Online</b>						
	EFT Payment 8/4/2017 3:56:18 PM - 1		8/4/2017	2017 - August EFT Batch for 09/21 Council		
	080417 DLFO					
	August Charges					
	633-000-000-589-90-00-11			DOL- Firearms EFT Payments		\$36.00
	Concealed Pistol License					
	Total 080417 DLFO					
	Total EFT Payment 8/4/2017 3:56:18 PM - 1					\$36.00
	EFT Payment 8/15/2017 4:35:02 PM - 1					\$36.00
	081517 DLFO		8/15/2017	2017 - August EFT Batch for 09/21 Council		
	August Charges					
	633-000-000-589-90-00-11			DOL- Firearms EFT Payments		\$54.00
	Concealed Pistol License					
	Total 081517 DLFO					
	Total EFT Payment 8/15/2017 4:35:02 PM - 1					\$54.00
	EFT Payment 8/21/2017 4:41:08 PM - 1					\$54.00
	082117 DLFO		8/21/2017	2017 - August EFT Batch for 09/21 Council		
	August Charges					
	633-000-000-589-90-00-11			DOL- Firearms EFT Payments		\$75.00
	Concealed Pistol License					
	Total 082117 DLFO					
	Total EFT Payment 8/21/2017 4:41:08 PM - 1					\$75.00
	EFT Payment 8/29/2017 4:41:48 PM - 1					\$75.00
	082917 DLFO		8/29/2017	2017 - August EFT Batch for 09/21 Council		
	August Charges					
	633-000-000-589-90-00-11			DOL- Firearms EFT Payments		\$150.00
	Concealed Pistol License					
	Total 082917 DLFO					
	Total EFT Payment 8/29/2017 4:41:48 PM - 1					\$150.00
						\$150.00

Vendor	Transaction Number Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Void Amount
	EFT Payment 8/31/2017 4:42:24 PM - 1	8/31/2017	2017 - August - August EFT Batch for 09/21 Council	
	083117 DLFO			
	August Charges			
	633-000-000-589-90-00-11		DOL- Firearms EFT Payments	\$21.00
	Concealed Pistol License			
	Total 083117 DLFO			\$21.00
	Total EFT Payment 8/31/2017 4:42:24 PM - 1			\$21.00
	Total Dept of Licensing-Firearms Online			\$336.00
	First Bankcard			
	EFT Payment 8/8/2017 4:30:39 PM - 1	8/7/2017	2017 - August - August EFT Batch for 09/21 Council	
	Benson 5176 080717			
	001-000-110-511-60-43-00		Lodging, Meals and Mileage	\$330.44
	Lodging-Council			
	001-000-130-513-10-43-00		Lodging, Meals & Mileage	\$18.85
	Meals			
	001-000-130-513-10-43-00		Lodging, Meals & Mileage	\$165.22
	Lodging-Mayor			
	001-000-130-513-10-43-00		Lodging, Meals & Mileage	\$9.59
	Meals			
	Total Benson 5176 080717			\$524.10
	EFT Payment 8/8/2017 4:30:39 PM - 1	8/7/2017	2017 - August - August EFT Batch for 09/21 Council	
	Esping 1117 080717			
	PW			
	001-000-180-518-50-49-00		Miscellaneous	\$107.51
	Amazon Prime Membership			
	001-000-180-518-50-49-23		City Wellness Program	\$65.87
	Wellness Program Supplies			
	001-000-181-518-30-31-00		Office & Operating Supplies	\$32.99
	Cell Phone Charger			
	001-000-212-521-50-48-02		Police Bldg Repairs & Maintenance	\$30.76
	Flags			
	101-000-000-544-90-35-00		PW Clearing Acct-Small Tools	\$115.00
	PW Small Tools			
	101-000-000-544-90-48-02		PW Clearing- Shared Veh/Equip Maint	\$5.28
	John Deere			
	101-000-000-544-90-49-00		PW Clearing-Shared Training- Clearing Acct	\$19.99
	Training Cell Phone Cord			
	Total Esping 1117 080717			\$377.40

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
	EFT Payment 8/8/2017 4:30:39				
	PM - 1				
	Hanis 7970 080717		8/7/2017	2017 - August - August EFT Batch for 09/21 Council	
	CD				
		402-000-003-594-34-63-06		Large Copies	
	Total Hanis 7970 080717				\$51.04
	EFT Payment 8/8/2017 4:30:39				
	PM - 1				
	Kiblinger 4329 080717		8/7/2017	2017 - August - August EFT Batch for 09/21 Council	
	PD				
		001-000-210-521-10-43-00		Lodging, Meals & Mileage	\$46.73
		Meal			
		001-000-210-521-10-43-00		Lodging, Meals & Mileage	\$34.64
		Meal			
		001-000-215-521-10-49-01		Training VRF	\$450.00
		Marine Conference Registration			
	Total Kiblinger 4329 080717				\$531.37
	EFT Payment 8/8/2017 4:30:39				
	PM - 1				
	King 0055 080717		8/7/2017	2017 - August - August EFT Batch for 09/21 Council	
	Fin				
		001-000-140-514-23-43-00		Lodging, Meals & Mileage	\$21.17
		Meal			
		001-000-140-514-23-43-00		Lodging, Meals & Mileage	\$311.92
		Lodging			
		001-000-140-514-23-43-00		Lodging, Meals & Mileage	\$13.00
		Meal			
	Total King 0055 080717				\$346.09
	EFT Payment 8/8/2017 4:30:39				
	PM - 1				
	Lynch 4138 080717		8/7/2017	2017 - August - August EFT Batch for 09/21 Council	
	PD				
		001-000-213-521-10-43-00		Civil Service Lodging, Meals & Mileage	\$91.05
		Lodging			
		001-000-213-521-10-43-00		Civil Service Lodging, Meals & Mileage	\$52.50
		Fuel			
	Total Lynch 4138 080717				\$143.55

Vendor	Transaction Number Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Void Amount
	EFT Payment 8/8/2017 4:30:39 PM - 1	8/7/2017	2017 - August - August EFT Batch for 09/21 Council	
	Martinez 4360 080717 CH			
		001-000-110-511-60-43-00	Lodging, Meals and Mileage	\$45.00
		SCA Dinner-Councilor Edelman		
		001-000-110-511-60-43-00	Lodging, Meals and Mileage	\$45.00
		SCA Dinner-Councilor Dedy		
		001-000-130-513-10-43-00	Lodging, Meals & Mileage	\$45.00
		SCA Dinner-Mayor Benson		
		001-000-180-518-50-49-16	Retreat-Travel & Training	\$74.60
		Meal for Management Retreat		
	Total Martinez 4360 080717			\$209.60
	EFT Payment 8/8/2017 4:30:39 PM - 1	8/7/2017	2017 - August - August EFT Batch for 09/21 Council	
	Martinez 8183 080717 PD			
		001-000-210-521-10-31-04	Uniforms	\$89.71
		Uniform Equipment for Colagiovanni		
	Total Martinez 8183 080717			\$89.71
	EFT Payment 8/8/2017 4:30:39 PM - 1	8/7/2017	2017 - August - August EFT Batch for 09/21 Council	
	McGraw 9074 080717 PD			
		001-000-214-521-20-42-03	Police Postage	\$10.03
		Certified Evidence		
		001-000-214-521-20-42-03	Police Postage	\$10.03
		Certified Evidence		
	Total McGraw 9074 080717			\$20.06
	EFT Payment 8/8/2017 4:30:39 PM - 1	8/7/2017	2017 - August - August EFT Batch for 09/21 Council	
	Metcalf 4013 080717 Crt			
		001-000-120-512-50-31-00	Operating Supplies	\$32.57
		Check Endorsement Stamp		
		001-000-120-512-50-31-00	Operating Supplies	\$51.01
		General Office Supplies		
		001-000-120-512-50-42-00	Telephone/DSL	\$21.58
		Conference Calls		
		001-000-120-512-50-42-03	Postage	\$49.00
		Postage		
	Total Metcalf 4013 080717			\$154.16

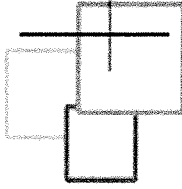
Vendor	Transaction Number Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Vold Amount
	EFT Payment 8/8/2017 4:30:39 PM - 1	8/7/2017	2017 - August - August EFT Batch for 09/21 Council	
	Redd 5176 080717	MDRT		
		001-000-246-558-70-32-00	Fuel	\$36.59
	Total Redd 5176 080717			\$36.59
	Total EFT Payment 8/8/2017 4:30:39 PM - 1			\$2,483.67
	Total First Bankcard			\$2,483.67
	Invoice Cloud			
	EFT Payment 8/11/2017 4:34:04 PM - 1	8/11/2017	2017 - August - August EFT Batch for 09/21 Council	
	774-2017_7	401-000-000-534-80-49-50	Bank Analysis Fees/Merch CC/ Lien Fees	\$56.03
		Water		
		407-000-000-535-80-49-50	Bank Analysis Fees/Merch CC Fees	\$56.03
		Sewer		
		410-000-000-531-10-49-50	Bank Analysis Fees/Merch CC/ Lien Fees	\$9.74
		Storm		
	Total 774-2017_7			\$121.80
	Total EFT Payment 8/11/2017 4:34:04 PM - 1			\$121.80
	Total Invoice Cloud			\$121.80
	Merchant Card Services			
	EFT Payment 8/2/2017 3:54:54 PM - 1	8/2/2017	2017 - August - August EFT Batch for 09/21 Council	
	080217 MCS CH	001-000-180-518-50-49-03	Bank Merch CC Fees	\$55.33
		City Hall 3633		
	Total 080217 MCS CH			\$55.33
	EFT Payment 8/2/2017 3:54:54 PM - 1	8/2/2017	2017 - August - August EFT Batch for 09/21 Council	
	080217 MCS LSP	001-000-270-576-80-49-01	Bank Analysis Fees/Merch CC Fees	\$130.45
	Total 080217 MCS LSP			\$130.45

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description Name	Void Amount
	EFT Payment 8/2/2017 3:54:54 PM - 1	080217 MCS PD	8/2/2017	2017 - August - August EFT Batch for 09/21 Council	
		001-000-210-521-10-49-04		Bank Analysis Fees/Merch CC Fees	\$84.50
	Total 080217 MCS PD				\$84.50
	Total EFT Payment 8/2/2017 3:54:54 PM - 1				\$270.28
	Total Merchant Card Services				\$270.28
	U.S. Postal Service (Black Diamond)				
	EFT Payment 8/21/2017 4:41:08 PM - 2	082117 USPS BD	8/21/2017	2017 - August - August EFT Batch for 09/21 Council	
		MDRT Bulk Postage			
		001-000-246-558-70-42-00		Postage	\$172.59
	Total 082117 USPS BD				\$172.59
	Total EFT Payment 8/21/2017 4:41:08 PM - 2				\$172.59
	Total U.S. Postal Service (Black Diamond)				\$172.59
	U.S. Postal Service (CMRS-FP)				
	EFT Payment 8/7/2017 3:58:48 PM - 1	080717 USPS CRMS	8/7/2017	2017 - August - August EFT Batch for 09/21 Council	
		001-000-180-518-50-42-00		Postage	\$200.00
	Total 080717 USPS CRMS				\$200.00
	Total EFT Payment 8/7/2017 3:58:48 PM - 1				\$200.00
	Total U.S. Postal Service (CMRS-FP)				\$200.00
	US Bank Equipment Finance				
	EFT Payment 8/21/2017 4:41:08 PM - 3	334601820	7/5/2017	2017 - August - August EFT Batch for 09/21 Council	
		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 334601820				\$1,471.37
	Total EFT Payment 8/21/2017 4:41:08 PM - 3				\$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 8/17/2017 4:37:31					
PM - 1					
081717 DOR					
2017 - August - August EFT Batch for 09/21 Council					
July 2017 Excise Tax Return					
101-000-000-544-90-49-00					
401-000-000-534-80-44-01					
401-000-000-534-80-44-01					
407-000-000-535-80-44-01					
410-000-000-531-10-44-01					
Total 081717 DOR					
Total EFT Payment 8/17/2017 4:37:31 PM - 1					
Total Washington State Department of Revenue					
Vendor Count				8	
Grand Total					\$9,043.09

PW Clearing-Shared Training- Clearing Acct	\$1.72
State of WA Utility Excise Tax	\$3,062.11
State of WA Utility Excise Tax	\$61.06
State of WA Utility Excise Tax	\$742.25
State of Wa Excise Tax	\$120.24
State of Wa Excise Tax	\$3,987.38
State of Wa Excise Tax	\$3,987.38
State of Wa Excise Tax	\$3,987.38



# Voucher Directory with Transaction Date

Vendor	Transaction Number Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Void Amount
<b>ADT Security Services (PA)</b>				
45311	634795888	8/25/2017	2017 - September - 2nd September Batch for 09/21 Council	
		9/12/17-10/11/17 Alarm Monitoring , Security Services		
		001-000-248-518-20-49-02	MDRT Bldg Security Costs	\$19.46
		001-000-254-518-20-49-00	Facilities Security	\$29.18
	Total 634795888			\$48.64
Total 45311				\$48.64
<b>Total ADT Security Services (PA)</b>				
<b>AHBL, Inc.</b>				
45312	103809	7/31/2017	2017 - September - 2nd September Batch for 09/21 Council	
		Res 17-1152		
		001-000-246-558-70-41-00	MDRT Building Prof. Services	\$11,575.00
		6/26-7/25 Services		
	Total 103809			\$11,575.00
45312	103810	7/31/2017	2017 - September - 2nd September Batch for 09/21 Council	
		Res 17-1152		
		001-000-246-558-70-41-00	MDRT Building Prof. Services	\$6,820.00
		6/26-7/25 Services		
	Total 103810			\$6,820.00
Total 45312				\$18,395.00
<b>Total AHBL, Inc.</b>				
<b>ANS of WA, Inc.</b>				
45313	132957	9/7/2017	2017 - September - 2nd September Batch for 09/21 Council	
		Attorney & Notary Supply Seminar-Law Changes		
		001-000-137-514-21-49-05	Notary Costs 2017-2020	\$135.00



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

WA ST Notary Law Changes-Forms

Total 132957  
 Total 45313  
 Total ANS of WA, Inc. \$135.00  
 \$135.00  
 \$135.00

APWA Washington Chapter

45314 2017 - September - 2nd September Batch for 09/21 Council  
 104414495 9/11/2017  
 APWA Conference  
 101-000-000-542-90-49-01 Training \$141.25  
 401-000-000-534-80-49-03 Training \$141.25  
 407-000-000-535-80-49-02 Training \$141.25  
 410-000-000-531-10-49-02 Training \$141.25

Total 104414495  
 Total 45314  
 Total APWA Washington Chapter \$565.00  
 \$565.00  
 \$565.00

Art Gamblin Motors

45315 2017 - September - 2nd September Batch for 09/21 Council  
 257094 8/30/2017  
 001-000-181-518-30-48-00 Facility-Vehicle Mtc. & Repair \$3,865.76

Total 257094  
 Total 45315  
 Total Art Gamblin Motors \$3,865.76  
 \$3,865.76  
 \$3,865.76

Axon Enterprise, Inc.

45316 2017 - September - 2nd September Batch for 09/21 Council  
 SI1497779 8/23/2017  
 001-000-210-521-10-35-00 Firearms Program \$1,126.77

Total SI1497779  
 \$1,126.77  
 \$1,126.77

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
			Account Number	Name Title	
45316	SI1498445		8/29/2017	2017 - September - 2nd September Batch for 09/21 Council	
	Total SI1498445		001-000-210-521-10-35-00	Firearms Program	\$62.68
Total 45316					\$62.68
Total Axon Enterprise, Inc.					\$1,189.45
Bailey Industries, Inc					\$1,189.45
45317	PUB17-0083		9/5/2017	2017 - September - 2nd September Batch for 09/21 Council	
		ROW Refund			
		001-000-240-322-10-00-00		Building Permits	\$60.00
		001-000-240-341-81-00-00		Technology Cost Recovery Fee	\$45.00
		101-000-000-322-40-00-00		Right of Way Permit	\$263.00
Total PUB17-0083					\$368.00
Total 45317					\$368.00
Total Bailey Industries, Inc					\$368.00
Black Diamond Auto Parts					
45318	422794		8/17/2017	2017 - September - 2nd September Batch for 09/21 Council	
	Total 422794		001-000-210-521-10-48-01	Vehicle Maintenance & Repair	\$34.45
Total 45318					\$34.45
Total Black Diamond Auto Parts					\$34.45
Brent & Jessica King					\$34.45
45319	090117 BJK		9/1/2017	2017 - September - 2nd September Batch for 09/21 Council	
		Water Refund			
		401-000-000-343-40-00-01		Water Charges	\$6.21
		New Owner Effective 8/16/17			
Total 090117 BJK					\$6.21
Total 45319					\$6.21
Total Brent & Jessica King					\$6.21

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

# CHS/Cenex

45320	083117 CHS	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council		
		001-000-180-518-50-32-01	Fuel-Central Services		\$13.00
		001-000-181-518-30-32-00	Fuel		\$222.18
		001-000-181-518-30-32-00	Fuel		\$76.00
		001-000-215-521-10-32-00	Marine Fuel VRF		\$84.84
		001-000-246-558-70-32-00	Fuel		\$27.00
		001-000-246-558-70-32-00	Fuel		\$183.95
		001-000-270-576-80-32-00	Fuel		\$37.21
		001-000-280-536-20-32-00	Fuel		\$18.60
		101-000-000-543-50-32-00	Fuel		\$204.66
		401-000-000-534-80-32-00	Fuel		\$223.25
		407-000-000-535-80-32-00	Fuel		\$223.25
		410-000-000-531-10-32-00	Fuel		\$223.25
	Total 083117 CHS				\$1,537.19
Total 45320					\$1,537.19
Total CHS/Cenex					\$1,537.19
City of Issaquah					

45321	04-50008476	9/1/2017	2017 - September - 2nd September Batch for 09/21 Council		
		Jail Services July, 2017			
		001-000-211-523-60-49-00	Jail Costs		\$1,067.00
	Total 04-50008476				\$1,067.00
Total 45321					\$1,067.00
Total City of Issaquah					\$1,067.00
Comcast (34744)					

45322	0125628 082617	8/26/2017	2017 - September - 2nd September Batch for 09/21 Council		
		09/05/17-10/04/17 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
		City Hall Internet Act 8498 34 014 0125628			
	Total 0125628 082617				\$231.14
Total 45322					\$231.14
Total Comcast (34744)					\$231.14

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

### Comcast (PA)

45323	56443662	9/1/2017	2017 - September - 2nd September Batch for 09/21 Council		
		001-000-248-518-20-42-00	MDRT Telephone, Fax, Internet costs		\$55.26
		001-000-254-518-20-42-00	Facilities-Communication		\$236.85
		101-000-000-542-90-42-01	Telephone/DSL/Radios		\$25.66
		401-000-000-534-80-42-00	Telephone/DSL/Radios		\$25.66
		407-000-000-535-80-42-00	Telephone/DSL/Radios		\$25.66
		410-000-000-531-10-42-00	Telephone/DSL/Radios		\$25.66
	Total 56443662				\$394.75
	Total 45323				\$394.75
	Total Comcast (PA)				\$394.75

### Daily Journal of Commerce

45324	3328719	8/29/2017	2017 - September - 2nd September Batch for 09/21 Council		
		001-000-120-512-50-41-75	Advertising		\$144.00
	Total 3328719				\$144.00
	Total 45324				\$144.00
	Total Daily Journal of Commerce				\$144.00
	Darcy Nelson				\$144.00

### Darcy Nelson

45325	090817 DN	9/8/2017	2017 - September - 2nd September Batch for 09/21 Council		
		Water Refund			
		401-000-000-343-40-00-01	Water Charges		\$123.16
		New Owner Effective 7/27/17			
	Total 090817 DN				\$123.16
	Total 45325				\$123.16
	Total Darcy Nelson				\$123.16

### Dicks Heating & A/C Inc

45326	192302	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council		
		001-000-270-576-80-48-01	Parks Shrd Rep & Mtc Shops		\$3.03
		001-000-280-536-20-48-01	Ceme Shrd Mtc. & Rep. Shops		\$1.50
		101-000-000-543-50-48-00	Street Repair & Maint Shops		\$16.65
		401-000-000-534-80-48-01	Repair & Maint Shops		\$18.17
		407-000-000-535-80-48-01	Repair & Maint Shops		\$18.17

Vendor	Transaction Number Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Void Amount
	Total 192302			
Total Dicks Heating & A/C Inc	Total 45326			\$18.17
Evolution Controls				\$75.69
	45327	8/15/2017	2017 - September - 2nd September Batch for 09/21 Council	\$75.69
	1743			\$75.69
		June & July 2017 Services		
		401-000-000-534-80-41-10	Professional Services	
		Springs Booster Station		
	Total 1743			\$700.00
Total Evolution Controls	Total 45327			\$700.00
Fairwood Group LLC				\$700.00
	45328	9/7/2017	2017 - September - 2nd September Batch for 09/21 Council	\$700.00
	PUB-0038			\$700.00
		Consultant Fee Refund		
		001-000-240-345-89-20-02	PW-Review/Inspection Clearing Acct	
	Total PUB-0038			\$955.00
Total Fairwood Group LLC	Total 45328			\$955.00
Ferguson Enterprises, Inc				\$955.00
	45329	8/4/2017	2017 - September - 2nd September Batch for 09/21 Council	\$955.00
	0563181			
		401-000-000-534-80-31-01	Wtr. Operating Supplies	\$484.92
		401-000-000-534-80-34-04	Water & Irrigation Meters purchase	\$1,501.11
	Total 0563181			\$1,986.03

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

45329	0566058	8/25/2017	2017 - September - 2nd September Batch for 09/21 Council		
	Total 0566058	401-000-000-534-80-31-04	Water Meters		\$5,918.62
Total 45329					\$5,918.62
Total Ferguson Enterprises, Inc					\$7,904.65
Firestone Complete Auto Care					\$7,904.65
45330	055531	9/1/2017	2017 - September - 2nd September Batch for 09/21 Council		
	Total 055531	Police	Vehicle Maintenance & Repair		\$661.47
Total 45330		001-000-210-521-10-48-01			\$661.47
Total Firestone Complete Auto Care					\$661.47
Granite Telecommunications					\$661.47
45331	399653916	9/1/2017	2017 - September - 2nd September Batch for 09/21 Council		
	Total 399653916	September Services	MDRT Telephone, Fax, Internet costs		\$11.82
Total 45331		001-000-248-518-20-42-00	Facilities-Communication		\$35.46
Total Granite Telecommunications		001-000-254-518-20-42-00			\$47.28
H.D. Fowler Company					\$47.28
45332	14607979	8/22/2017	2017 - September - 2nd September Batch for 09/21 Council		
	Total 14607979	401-000-000-534-80-48-02	Water System Rep & Mtc-Ext/Int		\$481.91
Total 45332					\$481.91
Total H.D. Fowler Company					\$481.91
Home Depot Credit Service					\$481.91
45333	0170797	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council		
	Total 0170797	001-000-530-522-10-48-00	Repair & Mtc. of Bldg & Equip.		\$112.77
Total 45333					\$112.77

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
45333	1572269		8/30/2017	2017 - September - 2nd September Batch for 09/21 Council	
	Total 1572269		001-000-180-518-50-48-02	CH/CD/PW Bldg Maintenance & Repair	\$11.66
45333	2044804		8/29/2017	2017 - September - 2nd September Batch for 09/21 Council	
	Total 2044804		001-000-530-522-10-48-00	Repair & Mtc. of Bldg & Equip.	\$298.72
Total 45333					\$298.72
Total Home Depot Credit Service					\$423.15
HWA GeoSciences Inc.					\$423.15
45334	27689		8/26/2017	2017 - September - 2nd September Batch for 09/21 Council	
		Con-136			
		001-000-257-558-70-41-05		MDRT Geotech-	\$175.00
				Geotechnical Services thru 08/26/17	
Total 27689					\$175.00
Total 45334					\$175.00
Total HWA GeoSciences Inc.					\$175.00
Johnsons Home & Garden					\$175.00
45335	418552		8/10/2017	2017 - September - 2nd September Batch for 09/21 Council	
	Total 418552		401-000-000-534-80-31-01	Wtr. Operating Supplies	\$133.26
45335	418647		8/14/2017	2017 - September - 2nd September Batch for 09/21 Council	
	Total 418647		101-000-000-542-90-31-01	Operating Supplies	\$27.67
45335	418978		8/25/2017	2017 - September - 2nd September Batch for 09/21 Council	
	Total 418978		001-000-270-576-80-31-03	Operating Supplies	\$57.92

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number	Name	Title	Amount
45335	419106	8/30/2017	2017 - September - 2nd September Batch for 09/21 Council		
	Total 419106	001-000-210-521-10-48-01	Vehicle Maintenance & Repair		\$42.40
45335	419107	8/30/2017	2017 - September - 2nd September Batch for 09/21 Council		
		001-000-270-576-80-31-03	Operating Supplies		\$3.70
		001-000-280-536-20-31-00	Cemetery Office Supplies		\$1.85
		101-000-000-542-90-31-01	Operating Supplies		\$20.33
		401-000-000-534-80-31-01	Wtr. Operating Supplies		\$22.18
		407-000-000-535-80-31-01	Swr. Operating Supplies		\$22.18
		410-000-000-531-10-31-00	Office Supplies		\$22.18
	Total 419107				\$92.42
45335	419158	9/1/2017	2017 - September - 2nd September Batch for 09/21 Council		
	Total 419158	001-000-530-522-10-48-00	Repair & Mtc. of Bldg & Equip.		\$38.91
45335	419160	9/1/2017	2017 - September - 2nd September Batch for 09/21 Council		
	Total 419160	001-000-530-522-10-48-00	Repair & Mtc. of Bldg & Equip.		\$38.91
45335	419192	9/3/2017	2017 - September - 2nd September Batch for 09/21 Council		
	Total 419192	001-000-530-522-10-48-00	Repair & Mtc. of Bldg & Equip.		(\$11.08)
45335	419193	9/3/2017	2017 - September - 2nd September Batch for 09/21 Council		
	Total 419193	001-000-530-522-10-48-00	Repair & Mtc. of Bldg & Equip.		(\$11.08)
Total 45335					\$7.19
Total Johnsons Home & Garden					\$7.19
Kenyon Disend, PLLC					
45336	186021	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council		
		Con-195: City Attorney Services			\$15.51
		001-000-150-515-30-41-01	Legal Services-General Govt		\$15.51
					\$404.20
					\$404.20
					\$2,672.97



Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description Name	Title	Void Amount
		Account Number				
		001-000-150-515-30-41-17		Legal Costs-Public Disclosure		\$3,885.50
		101-000-000-543-30-41-05		Legal Costs		\$594.00
		401-000-000-534-80-41-04		Legal Svcs		\$891.00
		407-000-000-535-80-41-09		Legal Costs		\$891.00
		410-000-000-531-10-41-01		Legal Costs		\$891.00
	Total 186021					\$9,825.47
45336		8/31/2017		2017 - September - 2nd September Batch for 09/21 Council		
	186022	Con-189: MDRT				
		001-000-257-558-70-41-00		MDRT Legal Services		\$2,424.65
	Total 186022					\$2,424.65
45336		8/31/2017		2017 - September - 2nd September Batch for 09/21 Council		
	186023	Con-195: OPMA Lawsuit				
		001-000-150-515-30-41-27		Legal Svcs-Lawsuit-City OPMA		\$193.70
	Total 186023					\$193.70
Total Kenyon Disend, PLLC						\$12,443.82
King County Finance						\$12,443.82
45337		7/31/2017		2017 - September - 2nd September Batch for 09/21 Council		
	86151-86152	SGL MTC 219AV&SE297				
		101-000-000-542-64-48-01		Traffic Signal Maintenance		\$441.37
	Total 86151-86152					\$441.37
45337		7/31/2017		2017 - September - 2nd September Batch for 09/21 Council		
	86242-86243	SGNL 216A&CV-SWYR				
		101-000-000-542-64-48-01		Traffic Signal Maintenance		\$9,095.93
	Total 86242-86243					\$9,095.93
Total 45337						\$9,537.30
Total King County Finance						\$9,537.30

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

**King County Finance - I-Net**

45338	11006096	7/31/2017	2017 - September - 2nd September Batch for 09/21 Council		
		July 2017 Contract			
		001-000-214-521-20-42-01	Police Comm KC I-Net		\$375.00
Total 45338	Total 11006096				\$375.00
Total King County Finance - I-Net					\$375.00
King County Finance - Wastewater Treat Div.					
45339	30018653	9/1/2017	2017 - September - 2nd September Batch for 09/21 Council		
		407-000-000-535-80-41-04	Metro Sewer Charges		\$49,659.06
Total 45339	Total 30018653				\$49,659.06
Total King County Finance - Wastewater Treat Div.					\$49,659.06
King County Prosecuting Attorney					
45340	083117 KCPA	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council		
		August Remittance-Crime Victims			\$88.07
		633-000-000-589-90-00-05	Due to Agency-Treasurers Trust Court		\$88.07
Total 45340	Total 083117 KCPA				\$88.07
Total King County Prosecuting Attorney					\$88.07
King County Radio Comm Services					
45341	12547 KC	8/30/2017	2017 - September - 2nd September Batch for 09/21 Council		
		August Services			\$1,609.45
		001-000-214-521-20-41-03	K/C 800 Mhz Radio Costs		\$1,609.45
Total 45341	Total 12547 KC				\$1,609.45
Total King County Radio Comm Services					\$1,609.45

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

**Kyocera**

45342	55T1024786	9/5/2017	2017 - September - 2nd September Batch for 09/21 Council		
	Overage for 5/20-8/31				
	001-000-210-521-10-45-00	Police Dept		Lease Payments - US Bank/Copier	\$103.68
	001-000-248-518-20-45-03	MDRT		MDRT-Copier Costs	\$70.61
	001-000-254-518-20-45-04	City Hall		Facilities Copier Maint Lease	\$300.31
	001-000-254-518-20-45-04	Community Dev		Facilities Copier Maint Lease	\$238.27
	Total 55T1024786				\$712.87
	Total 45342				\$712.87
	Total Kyocera				\$712.87

**L.N. Curtis & Sons**

45343	INV120491	8/14/2017	2017 - September - 2nd September Batch for 09/21 Council		
	001-000-210-521-10-31-04			Uniforms	\$136.40
	Total INV120491				\$136.40
45343	INV120782	8/15/2017	2017 - September - 2nd September Batch for 09/21 Council		
	001-000-210-521-10-31-04			Uniforms	\$229.48
	Total INV120782				\$229.48
45343	INV121221	8/17/2017	2017 - September - 2nd September Batch for 09/21 Council		
	001-000-210-521-10-31-04			Uniforms	\$142.94
	Total INV121221				\$142.94
45343	INV121584	8/18/2017	2017 - September - 2nd September Batch for 09/21 Council		
	001-000-210-521-10-31-04			Uniforms	\$142.94
	Total INV121584				\$142.94
45343	INV122719	8/23/2017	2017 - September - 2nd September Batch for 09/21 Council		
	001-000-210-521-10-31-04			Uniforms	\$8.37
	Total INV122719				\$8.37

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description Name Title	Void Amount
45343	INV123466		8/28/2017	2017 - September - 2nd September Batch for 09/21 Council	
		001-000-210-521-10-31-04		Uniforms	\$88.73
	Total INV123466				\$88.73
Total L.N. Curtis & Sons	Total 45343				\$748.86
Les Schwab Tire Ctr - MV					\$748.86
45344	39800265842		8/1/2017	2017 - September - 2nd September Batch for 09/21 Council	
		101-000-000-544-90-48-02		PW Clearing- Shared Veh/Equip Maint	\$269.92
	Total 39800265842				\$269.92
45344	39800270850		8/30/2017	2017 - September - 2nd September Batch for 09/21 Council	
		101-000-000-544-90-48-02		PW Clearing- Shared Veh/Equip Maint	\$166.16
	Total 39800270850				\$166.16
Total Les Schwab Tire Ctr - MV	Total 45344				\$436.08
Martin Duenhoeelter					\$436.08
45345	082817 MJHD		8/28/2017	2017 - September - 2nd September Batch for 09/21 Council	
		N. Leen #7Z0474986			\$250.00
		001-000-151-515-91-41-00		Court Legal-Public Defender	\$250.00
	Total 082817 MJHD				\$250.00
Total Martin Duenhoeelter	Total 45345				\$250.00
Modular Space Corp					\$250.00
45346	502142079		8/27/2017	2017 - September - 2nd September Batch for 09/21 Council	
		September Rent			\$1,958.06
		001-000-248-518-20-45-01		MDRT-Bldg Rental-Modspace	\$1,958.06
	Total 502142079				\$1,958.06

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
45346	502142092	8/27/2017	2017 - September - 2nd September Batch for 09/21 Council		
		September Rent			
		001-000-254-518-20-45-01	Facilities-Bldg Rental/Modspace		\$3,454.57
Total 45346	Total 502142092				\$3,454.57
Total Modular Space Corp					\$5,412.63
Mt. View Fire & Rescue					\$5,412.63
45347	BDP# 17-118	9/7/2017	2017 - September - 2nd September Batch for 09/21 Council		
		001-000-210-521-10-48-01	Vehicle Maintenance & Repair		\$1,557.09
Total 45347	Total BDP# 17-118				\$1,557.09
Total Mt. View Fire & Rescue					\$1,557.09
Northstar Chemical Inc.					\$1,557.09
45348	108171	8/22/2017	2017 - September - 2nd September Batch for 09/21 Council		
		401-000-000-534-80-31-03	Caustic		\$2,501.32
Total 45348	Total 108171				\$2,501.32
Total Northstar Chemical Inc.					\$2,501.32
O'Brien, Barton, & Hopkins, PLLP					\$2,501.32
45349	55963	9/1/2017	2017 - September - 2nd September Batch for 09/21 Council		
		August 2017 Services			\$2,500.00
		001-000-151-515-91-41-00	Court Legal-Public Defender		\$2,500.00
Total 45349	Total 55963				\$2,500.00
Total O'Brien, Barton, & Hopkins, PLLP					\$2,500.00
Office Products Nationwide					\$2,500.00
45350	926692-0	8/28/2017	2017 - September - 2nd September Batch for 09/21 Council		
		CD/PW			\$57.29
		001-000-180-518-50-31-99	Office Supplies CD Bldg Clearing		\$57.29
Total 45350	Total 926692-0				\$57.29

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

45350	927759-0	MDRT	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council	
		001-000-246-558-70-31-00		Office Supplies	\$66.45
	Total 927759-0				\$66.45
45350	928087-0	Fac	9/6/2017	2017 - September - 2nd September Batch for 09/21 Council	
		001-000-254-518-20-31-00		Facilities Operating Supplies	\$28.79
	Total 928087-0				\$28.79
45350	928088-0	CH	9/6/2017	2017 - September - 2nd September Batch for 09/21 Council	
		001-000-180-518-50-31-00		Office Supplies City Hall	\$91.20
	Total 928088-0				\$91.20
Total 45350					\$243.73
Total Office Products Nationwide					\$243.73
Palmer Coking Coal Co.					
45351	775 PCC		8/24/2017	2017 - September - 2nd September Batch for 09/21 Council	
		001-000-270-576-80-48-02		Parks Maintenance Repairs	\$170.85
	Total 775 PCC				\$170.85
45351	794 PCC		8/25/2017	2017 - September - 2nd September Batch for 09/21 Council	
		001-000-270-576-80-48-02		Parks Maintenance Repairs	\$84.18
	Total 794 PCC				\$84.18
45351	851 PCC		8/28/2017	2017 - September - 2nd September Batch for 09/21 Council	
		001-000-270-576-80-48-02		Parks Maintenance Repairs	\$101.31
	Total 851 PCC				\$101.31
Total 45351					\$356.34
Total Palmer Coking Coal Co.					\$356.34

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

**Petty Cash Custodian**

45352	090717 PC	9/7/2017	2017 - September - 2nd September Batch for 09/21 Council		
	7/3-9/7 Charges				
	001-000-000-369-81-00-00 Admin			Cash Over/Short	(\$1.13)
	001-000-140-514-23-43-00 Fin			Lodging, Meals & Mileage	\$25.00
	001-000-210-521-10-31-00 PD			Operating Supplies	\$12.71
	001-000-240-558-51-42-01 CD			Postage	\$10.40
	001-000-240-558-51-42-01 CD			Postage	\$31.30
	001-000-240-558-51-42-01 CD			Postage	\$22.45
	310-000-011-594-21-64-03 PD			Police Technology & Other	\$27.43
	Total 090717 PC				\$128.16
	Total 45352				\$128.16
	Total Petty Cash Custodian				\$128.16

**PSI**

45353	00522730	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council		
	Project 07121605				
	320-000-020-595-30-63-00			Roberts Dr Rehab-Roadway Const	\$3,827.50
	Total 00522730				\$3,827.50
	Total 45353				\$3,827.50

**Puget Sound Energy**

45354	090517 PSE	9/5/2017	2017 - September - 2nd September Batch for 09/21 Council		
	August Services				
	001-000-212-521-50-47-00 Electric/gas				\$574.63
	200009377470: PD/CT Elec				
	001-000-212-521-50-47-00 Electric/gas				\$40.50
	220013379882: Police Storage				

Vendor	Transaction Number Transaction Reference	Invoice Date	Fiscal Description Name	Void Amount
	Account Number	Title		
	001-000-248-518-20-47-00	MDRT Electricity		\$228.58
	220013379841: MDRT Mod Bldgs Elec			
	001-000-254-518-20-47-00	Facilities-Utilities		\$342.88
	220013379841: CD/PW Mod Bldgs Elec			
	001-000-254-518-20-47-00	Facilities-Utilities		\$141.17
	20008061844: City Hall Elec			
	001-000-254-518-20-47-00	Facilities-Utilities		\$35.47
	20008062016: City Hall Elec			
	001-000-270-575-30-47-00	Museum Electric/Gas		\$154.98
	220013378793: Museum			
	001-000-270-575-51-47-00	Gym- Electricity and Gas		\$99.56
	220013379652: Gym			
	001-000-270-576-80-47-00	Electric/Gas		\$2.49
	220013379635: PW Shop-Parks 4%			
	001-000-270-576-80-47-00	Electric/Gas		\$10.84
	220013379221: Lake Sawyer Boat Launch			
	001-000-280-536-20-47-00	Electric/Gas		\$1.25
	220013379635: PW Shop-Cemetery 2%			
	101-000-000-542-63-47-01	Street Lighting		\$43.31
	220013379197: Cov Sawyer & 216th			
	101-000-000-542-63-47-01	Street Lighting		\$10.84
	220013379247: 216th Signal & Street Lights			
	101-000-000-542-63-47-01	Street Lighting		\$1,740.10
	220013377355: PSE Streetlights			
	101-000-000-542-63-47-01	Street Lighting		\$23.04
	220013379817: Ped Lighting Roberts			
	101-000-000-542-63-47-01	Street Lighting		\$340.54
	220013379791: Intersection Light 219th & SE 296th St			
	101-000-000-542-63-47-01	Street Lighting		\$13.89
	220013379601: Baker St Crosswalk			
	101-000-000-543-40-41-02	Auditor		\$13.76
	220013379635: PW Shop-Street 22%			
	401-000-000-534-80-47-00	Electric/Gas		\$3,115.64
	220013378835: Booster Station			
	401-000-000-534-80-47-00	Electric/Gas		\$580.49
	220013378868: 4.3 Mill Gal Resv			
	401-000-000-534-80-47-00	Electric/Gas		\$15.01
	220013379635: PW Shop-Water 24%			
	401-000-000-534-80-47-00	Electric/Gas		\$18.56
	220013378850: .5 Mill Gal Resv			
	407-000-000-308-80-00-00	Beg Cash & Investment Unreserved		\$69.89
	220013378819: Morganville Lift Station			



Vendor	Transaction Number Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Void Amount
		407-000-000-535-80-47-00	Electric/Gas	\$11.86
		220013379619: Sewer Pump		
		407-000-000-535-80-47-00	Electric/Gas	\$32.60
		220013379643: Diamond Glen Sewer		
		407-000-000-535-80-47-00	Electric/Gas	\$15.01
		220013379635: PW Shop-Sewer 24%		
		410-000-000-531-10-47-00	Electric/Gas	\$15.01
		220013379635: PW Shop-Drainage 24%		
	Total 090517 PSE			\$7,691.90
	Total 45354			\$7,691.90
	Total Puget Sound Energy			\$7,691.90
	Red the Uniform Tailor			
	45355	8/29/2017	2017 - September - 2nd September Batch for 09/21 Council	
	000V2362A			
	Total 000V2362A	001-000-210-521-10-31-04	Uniforms	\$358.38
	45355	9/7/2017	2017 - September - 2nd September Batch for 09/21 Council	
	000V2363			
	Total 000V2363	001-000-210-521-10-31-04	Uniforms	\$1,302.72
	Total 45355			\$1,302.72
	Total Red the Uniform Tailor			\$1,661.10
	Regional Animal Services of King County			\$1,661.10
	45356	9/8/2017	2017 - September - 2nd September Batch for 09/21 Council	
	090817 RAS			
	Total 090817 RAS	633-000-000-589-90-00-01	King County Animal License	\$15.00
	Total 45356			\$15.00
	Total Regional Animal Services of King County			\$15.00
	Republic Services, Inc. #176			\$15.00
	45357	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council	
	5131449			
		001-000-248-518-20-47-03	MDRT-Waste Disposal Costs	\$8.53
		MDRT		
		001-000-254-518-20-47-01	Facilities-Waste Disposal	\$12.80

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

	Total 5131449				
45357	5131779	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council		\$21.33
		001-000-270-576-80-47-04	Waste Disposal		\$10.88
		PW-Parks			
		001-000-280-536-20-47-04	Waste Disposal		\$5.45
		PW-Cemetery			
		101-000-000-543-31-47-04	Waste Disposal		\$59.91
		PW-Street			
		401-000-000-534-80-47-04	Waste Disposal		\$65.36
		PW-Water			
		407-000-000-535-80-47-04	Waste Disposal		\$65.36
		PW-Sewer			
		410-000-000-531-10-47-04	Waste Disposal		\$65.36
		PW-Drainage			
	Total 5131779				\$272.32
45357	5131935	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council		
		001-000-212-521-50-47-04	Waste Disposal		\$210.33
		Police			
	Total 5131935				\$210.33
Total 45357					\$503.98
Total Republic Services, Inc. #176					\$503.98
RH2 Engineering Inc.					
45358	68453	8/17/2017	2017 - September - 2nd September Batch for 09/21 Council		
		Con 179			
		001-000-257-558-70-41-02	MDRT Civil Engineering-RH2 Engineering		\$14,581.92
		Services Through 07/23/17			
	Total 68453				\$14,581.92
45358	68454	8/17/2017	2017 - September - 2nd September Batch for 09/21 Council		
		Con 180			
		001-000-257-558-70-41-02	MDRT Civil Engineering-RH2 Engineering		\$14,948.71
		Services Through 07/23/17			
	Total 68454				\$14,948.71

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
45358	68455	8/17/2017	2017 - September - 2nd September Batch for 09/21 Council		
		Con 181			
		001-000-257-558-70-41-02	MDRT Civil Engineering-RH2 Engineering		\$14,963.23
	Total 68455	Services Through 07/23/17			\$14,963.23
45358	68456	8/17/2017	2017 - September - 2nd September Batch for 09/21 Council		
		Con 182			
		001-000-257-558-70-41-02	MDRT Civil Engineering-RH2 Engineering		\$13,302.40
	Total 68456	Services Through 07/23/17			\$13,302.40
45358	68457	8/17/2017	2017 - September - 2nd September Batch for 09/21 Council		
		Con 182			
		001-000-257-558-70-41-02	MDRT Civil Engineering-RH2 Engineering		\$6,840.31
	Total 68457	Services Through 07/23/17			\$6,840.31
45358	68507	9/1/2017	2017 - September - 2nd September Batch for 09/21 Council		
		Res 15-1011			
		404-000-011-534-80-41-00	Water Comp Plan		\$4,783.16
	Total 68507	Services through 8/27/17			\$4,783.16
45358	68508	9/1/2017	2017 - September - 2nd September Batch for 09/21 Council		
		Con 188			
		001-000-257-558-70-41-02	MDRT Civil Engineering-RH2 Engineering		\$14,898.53
	Total 68508	Services Through 08/27/17			\$14,898.53
45358	68509	9/1/2017	2017 - September - 2nd September Batch for 09/21 Council		
		Con 189			
		001-000-257-558-70-41-02	MDRT Civil Engineering-RH2 Engineering		\$14,975.50
	Total 68509	Services Through 08/27/17			\$14,975.50

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
45358	68510		9/1/2017	2017 - September - 2nd September Batch for 09/21 Council	
		Con 190			
		001-000-257-558-70-41-02		MDRT Civil Engineering-RH2 Engineering	\$14,982.12
			Services Through 08/27/17		
	Total 68510				\$14,982.12
45358	68576		9/8/2017	2017 - September - 2nd September Batch for 09/21 Council	
		Con 152			
		001-000-240-558-51-41-09		Prof Svcs-Arboretum	\$142.22
			Pass Through - Plat Review: Services Through 08/27/17		
	Total 68576				\$142.22
Total 45358					\$114,418.10
Total RH2 Engineering Inc.					\$114,418.10
Ron & Leo's Welding Service					
45359	205421		8/23/2017	2017 - September - 2nd September Batch for 09/21 Council	
		Radar Sign Posts			
		101-000-000-542-64-31-01		Street Signs	\$742.90
	Total 205421				\$742.90
Total 45359					\$742.90
Total Ron & Leo's Welding Service					\$742.90
Ronald & Barbara Carpenter					
45360	082117 RBC		8/21/2017	2017 - September - 2nd September Batch for 09/21 Council	
		Water Refund			
		401-000-000-343-40-00-01		Water Charges	\$142.29
			New Owner Effective 8/21/17		
	Total 082117 RBC				\$142.29
Total 45360					\$142.29
Total Ronald & Barbara Carpenter					\$142.29
Severson's Building Maint					
45361	715577		8/31/2017	2017 - September - 2nd September Batch for 09/21 Council	
		001-000-248-518-20-49-01		MDRT Bldg Custodial Costs	\$450.00
			MDRT Janitorial Services		

Vendor	Transaction Number Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Void Amount
	Total 715577	001-000-254-518-20-49-01	Facilities Building Custodial City Hall/Com Dev Janitorial Services	\$675.00
45361	715578	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council	\$1,125.00
	Total 715578	001-000-212-521-50-41-03	Police Custodial Cost Police/Court Janitorial Services	\$625.00
45361	715579	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council	\$625.00
	Total 715579	001-000-270-575-51-48-00	Gym Facility Repair & Maintenance Gym Janitorial Services	\$150.00
Total 45361				\$150.00
Total Severson's Building Maint				\$1,900.00
Shred-It USA				\$1,900.00
45362	8122980374	8/22/2017	2017 - September - 2nd September Batch for 09/21 Council	
	Total 8122980374	001-000-120-512-50-49-04	Shredding Services	\$16.21
Total 45362		001-000-180-518-50-49-04	Shredding Services	\$16.22
Total Shred-It USA		001-000-210-521-10-49-05	Shredding Services	\$16.22
Tamalpais LLC				\$48.65
45363	PLN17-0060	9/7/2017	2017 - September - 2nd September Batch for 09/21 Council	\$48.65
	Total PLN17-0060	001-000-240-322-10-00-00	Building Permits	\$250.00
Total 45363		001-000-240-341-81-00-00	Technology Cost Recovery Fee	\$45.00
Total Tamalpais LLC				\$295.00
				\$295.00
				\$295.00

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number	Name	Title	Amount
<b>TRM Wood Products Co. Inc.</b>					
45364	349656	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council		
		101-000-000-542-64-31-01	Street Signs		\$66.14
Total 45364	Total 349656				\$66.14
<b>Total TRM Wood Products Co. Inc.</b>					
<b>U.S. Postal Service (Black Diamond)</b>					
45365	090117 USPS BD	9/1/2017	2017 - September - 2nd September Batch for 09/21 Council		
	Box # 599 Annual Rental				
	401-000-000-534-80-42-01		Postage		\$120.52
	407-000-000-535-80-42-01		Postage		\$120.52
	410-000-000-531-10-42-01		Postage		\$20.96
Total 45365	Total 090117 USPS BD				\$262.00
<b>Total U.S. Postal Service (Black Diamond)</b>					
<b>Utilities Underground</b>					
45366	7080107	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council		
		401-000-000-534-80-41-08	Locating Service		\$67.76
Total 45366	Total 7080107				\$67.76
<b>Total Utilities Underground</b>					
<b>VenTek International</b>					
45367	107621	9/1/2017	2017 - September - 2nd September Batch for 09/21 Council		
		001-000-270-576-80-41-02	Venue Pay Station		\$90.00
Total 45367	Total 107621				\$90.00
<b>Total VenTek International</b>					

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
Voice of The Valley					
45368	19907	9/6/2017	2017 - September - 2nd September Batch for 09/21 Council		
		001-000-240-558-60-41-75	Advertising		\$180.00
Total 45368	Total 19907				\$180.00
Total Voice of The Valley					\$180.00
Washington State Patrol					\$180.00
45369	118001401	9/6/2017	2017 - September - 2nd September Batch for 09/21 Council		
		633-000-000-589-90-00-06	Due to WSP-FBI Fingerprinting-Background		\$48.00
Total 45369	Total 118001401				\$48.00
Total Washington State Patrol					\$48.00
Washington State Treasurer					\$48.00
45370	083117 WST	8/31/2017	2017 - September - 2nd September Batch for 09/21 Council		
		August Remittance			\$5,682.10
		633-000-000-589-90-00-05	Due to Agency-Treasurers Trust Court		\$5,682.10
Total 45370	Total 083117 WST				\$5,682.10
Total Washington State Treasurer					\$5,682.10
Water Management Laboratories, Inc.					\$5,682.10
45371	160534	8/7/2017	2017 - September - 2nd September Batch for 09/21 Council		
		401-000-000-534-80-41-02	Water Testing and Sampling		\$21.00
Total 45371	Total 160534				\$21.00
45371	160686	8/14/2017	2017 - September - 2nd September Batch for 09/21 Council		
		401-000-000-534-80-41-02	Water Testing and Sampling		\$47.00
Total 45371	Total 160686				\$47.00
Total Water Management Laboratories, Inc.					\$68.00
					\$68.00

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

Zero Waste USA, Inc.

45372	175363	9/12/2017	2017 - September - 2nd September Batch for 09/21 Council		
		410-000-000-531-10-31-01		Stormwater Operating Supplies	\$196.74
Total 45372	Total 175363				\$196.74
Total Zero Waste USA, Inc.					\$196.74
	Vendor Count 62			Grand Total	\$266,400.04



# August 2017 Payroll Register

City of Black Diamond

Number	Name	Fiscal Description	Amount
<u>19391</u>	Paper Paycheck	2017 - August - Month End	\$692.00
<u>19392</u>	Paper Paycheck	2017 - August - Month End	\$1,500.00
<u>19393</u>	Paper Paycheck	2017 - August - Month End	\$3,640.00
<u>19394</u>	Paper Paycheck	2017 - August - Month End	\$5,162.08
<u>19395</u>	Paper Paycheck	2017 - August - Month End	\$1,225.85
<u>19396</u>	Paper Paycheck	2017 - August - Month End	\$4,599.18
<u>19397</u>	Paper Paycheck	2017 - August - Month End	\$3,468.12
<u>19398</u>	Paper Paycheck	2017 - August - Month End	\$119.45
<u>19399</u>	Paper Paycheck	2017 - August - Month End	\$6,788.84
<u>19400</u>	AWC Sup Life	2017 - August - Month End	\$21.40
<u>19401</u>	BD Police Officers Association	2017 - August - Month End	\$840.00
<u>19402</u>	City of Black Diamond Flex	2017 - August - Month End	\$117.00
<u>19403</u>	Dept of Labor and Industries	2017 - August - Month End	\$3,032.55
<u>19404</u>	Employment Security Dept	2017 - August - Month End	\$438.93
<u>19405</u>	Teamsters Local 117	2017 - August - Month End	\$1,432.30
<u>19406</u>	Trusteed Plans Service CP LTD	2017 - August - Month End	\$979.20
<u>19407</u>	Joseph Kaufman (Leoff 1)	2017 - August - Month End	\$115.40
<u>ACH Aflac Aug 2017</u>	Aflac	2017 - August - Month End	\$128.44
<u>ACH AWC Aug 2017</u>	AWC Employee Benefit Trust	2017 - August - Month End	\$44,758.19
<u>ACH Def Comp Aug 2017</u>	Washington State Treasurer	2017 - August - Month End	\$3,500.00
<u>ACH Retire Aug 2017</u>	Dept of Retirement Systems	2017 - August - Month End	\$35,539.15
<u>ACH Taxes Aug 2017</u>	City of Black Diamond Taxes	2017 - August - Month End	\$60,287.71
<u>August 2017 Draw</u>	Payroll Vendor Direct Deposit Draw	2017 - August - Month End	\$29,130.00
<u>August 2017 Payroll</u>	Payroll Vendor Direct Deposit	2017 - August - Month End	\$93,615.95
			<b>\$301,131.74</b>

I hereby certify that payroll and benefits have been processed and delivered as required under contract or legal obligation.

Finance Director Man Miller

Date 9-14-2017

## BLACK DIAMOND CITY COUNCIL MINUTES

September 7, 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: Andrew Williamson, MDRT/Ec Dev/Interim Community Development Director; Larry Colagiovanni, Police Commander; Jamey Kiblinger, Police Chief; May Miller, Finance Director; Seth Boettcher, Public Works Director; Deanna Humphreys, Police Clerk; David Linehan, City Attorney, Peter Altman, Labor Attorney, and Brenda L. Martinez, City Clerk.

Councilmember Pepper moved to do item #1 on the agenda first; **second** Councilmember Weber. Motion **passed** 5-0.

### APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS:

- 1) **AB17-051 - Presentation** – Certificates of Appreciation Scott Funston and Layton Meyers

Mayor Benson presented certificates of appreciation to Scott Funston and Layton Meyers for their outstanding volunteer service for the upgrades and improvements made to the BMX bicycle tract.

Public Works Director Boettcher shared the slide show presentation with pictures of the BMX tract that was reconstructed and invited Scott Funston to share information about the new BMX bicycle track.

Councilmember Deady commented on the happenings at the last two meetings as she was absent and listened to the audio. She also shared helpful tips to run a smoother meeting from Roberts Rules of Orders. She commented that Councilmembers need to let the Mayor preside over these meetings and order needs to be held by all Councilmembers.

Councilmember Pepper objected to Councilmember Deady.

## **CHANGES TO AND APPROVAL OF AGENDA:**

Councilmember Pepper spoke to the preparation of the agenda as outlined in the Council Rules of Procedure 3.4. She also spoke to the changes of the agenda.

Councilmember Pepper **moved** to adopt the Council approved agenda per Council Rules of Procedure; **second** Councilmember Morgan.

There was Council discussion.

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

## **PUBLIC COMMENTS:**

Leslie Cooley, Black Diamond spoke to Council.

Johna Thomson, Black Diamond spoke to Council.

Rob Calhoun, Redmond spoke to Council.

Ernie Richardson, Maple Valley spoke to Council.

Brock Deady, Black Diamond spoke to Council.

A point of order was raised by Councilmember Pepper for courtesy.

A point of order was raised by Councilmember Edelman that this is public comments.

Mark Hill, Black Diamond spoke to Council.

Pat Nelson, Black Diamond spoke to Council.

Councilmember Pepper stated political to content of Mr. Nelsons comments.

Robbin Taylor, Black Diamond spoke to Council.

Kristen Bryant, Black Diamond spoke to Council.

Bob Edelman, Black Diamond spoke to Council. During his comments, Councilmember Pepper stated objection. She raised another objection during his comments stating he needs to talk the dais as a whole and not single out Councilmembers.

Melissa Coutant, Black Diamond spoke to Council.

Ron Carroll, Black Diamond spoke to Council.

## **PUBLIC HEARINGS: None**

## **UNFINISHED BUSINESS:**

**4) AB17-049A** – Resolution Regarding King County Youth & Amateur Grant Agreement for Gym Lighting

Public Works Director Boettcher spoke to Council on this item.

There was Council discussion.

Councilmember Edelman **moved** to adopt a resolution authorizing the Mayor to sign a \$5,000 youth and amateur sports grant agreement with King County to upgrade the lighting in the gym, but not authorize any of the spending on the project until 2018; **second** Councilmember Deady.

There was Council discussion with Councilmember Pepper raising a point of order stating there is a motion on the floor.

Council discussion continued.

**Vote:** Motion **passed** 5-0.

### **NEW BUSINESS:**

**5) AB17-052** – Resolution Regarding Final Acceptance of the Citywide Emergency Pothole Repair and Maintenance Project

Public Works Director Boettcher reported to Council on this item.

There was Council discussion.

Councilmember Deady **moved** to adopt a resolution accepting the Citywide Emergency Pothole Repair and Road Maintenance project by Tony Lind Paving LLC as complete according to the contract documents; **second** Councilmember Edelman. Motion **passed** 5-0.

**6) AB17-053** – Resolution Opposing the Siting of Illegal Substance Injection Facilities within the City of Black Diamond

City Clerk Martinez briefed Council on this item.

There was Council discussion.

Councilmember Edelman **moved** to suspend the rules to address this issue tonight; **second** Councilmember Deady.

Councilmember Edelman **amended** her motion to suspend the rules and to adopt a resolution opposing the siting of illegal substance injection facilities within Black Diamond city limits or within areas of unincorporated King County associated with the Potential Annexation Area or Urban Growth Area of the City of Black Diamond; **second** Councilmember Deady.

There was continued Council discussion.

Councilmember Morgan stated she will not be voting on this tonight without a first reading in the Gov. Ops Committee as required by Council Rules of Procedure. She then discussed her reasons why.

There was continued Council discussion.

**Amended Motion Vote:** Motion passed 4-1 (Morgan).

There was continued Council discussion.

Councilmember Deady called an objection and point of order stating it's not good for a Councilmember to assume or to interject what another Councilmember is thinking or doing.

**7) AB17-054** – Resolution Amending Public Defender Contract with O'Brien, Barton & Hopkins

Mayor Benson reported on this item to Council.

Councilmember Edelman **moved** to adopt a resolution extending and amending the contract for public defense services with O'Brien, Barton, & Hopkins, PLLP; **second** Councilmember Deady. *(No vote taken as amended motion referred this to committee)*

Councilmember Morgan **moved** to amend the motion to have this go to the Gov Ops Committee meeting; **second** Councilmember Pepper.

There was Council discussion with Councilmember Pepper raising an objection during Councilmember Edelman comments about an OPMA violation. Councilmember Pepper stated that the meetings are listed as special meetings.

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

## **CONSENT AGENDA:**

Councilmember Morgan stated that she would like to address each consent item separately.

**2) Claim Checks** – September 7, 2017 - No. 45243 through No. 45310 (void 45083) in the amount of \$429,568.44

Councilmember Morgan spoke to the four claim checks she would like to pull which were 45247 (BHC), 45274 (Kenyon Disend), 45282 (Parametrix) and 45287 (RH2). She also discussed outstanding invoices for Land Use and Property Law and stated they need to be

paid now.

During Councilmember Morgan speaking to the pulled claim checks Councilmember Pepper called point of order to Mayor Benson as Councilmember Morgan has the floor. Councilmember Morgan stated she has the floor. Councilmember Pepper called another point of order to Mayor Benson as Councilmember Morgan has the floor.

There was Council discussion.

Councilmember Morgan **moved** to accept the claim checks with deleting the pulled claim checks; **second** Councilmember Weber. Motion **passed** 4-1 (Edelman).

### **3) Minutes – Council Meeting of August 17, 2017**

Councilmember Edelman **moved** to accept the meeting minutes; **second** Councilmember Deady. *(No vote taken as motion to postpone supersedes)*

Councilmember Pepper **moved** to amend the motion to postpone these minutes for closer scrutiny until our next meeting, September 21, 2017; **second** Councilmember Morgan.

There was Council discussion with Councilmember Pepper raising an objection during Councilmember Deady speaking.

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

### **DEPARTMENT REPORTS:**

MDRT/Ec Dev/Interim Community Development Director Williamson discussed the funding for code compliance and it limiting what the city can do. He also noted seeking funding for this in the next budget cycle.

### **MAYOR'S REPORT:**

Mayor Benson reported participating in the swearing in ceremony of the two new police officers; attending the Ship Canal Tour; attending the 20<sup>th</sup> anniversary celebrations for the cities of Covington and City of Maple Valley; she also discussed attending the Black Diamond Labor Days events held on September 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup>.

### **COUNCIL REPORTS:**

Councilmember Deady reported attending the renaming dedication of the Masonic Hall, PTA ice cream social at the Black Diamond Elementary School, SCA Networking dinner, meeting with Finance Director to review vouchers, public safety meeting, cities of Covington and Maple Valley celebrations; she gave an update on the Dirty Jobs segment with Mike Rowe and Ginger Passarelli; she noted being supportive of code compliance and will be fighting for this during the budget process.

Councilmember Morgan reported on political yard signs being tampered with.

A point of order was raised by Councilmembers Edelman and Deady.

Councilmember Morgan continued her report and discussed the Roberts Drive budget and being told there would be sidewalks on both sides of Roberts Drive when school started. She noted the King County flood control budget is ready for the County Council; she spoke about a project to rehab the Soos Creek Fish Hatchery; she thanked the Labor Day Committee for producing a wonderful event for our community and to everyone else who made it a success.

Councilmember Edelman made a statement regarding the sidewalks and the three majority Councilmembers present who didn't approve the original TIB grant. She reported attending the public safety meeting, the ship canal tour, the Mike Rowe/Ginger Passarelli event, 20<sup>th</sup> anniversary celebrations for the cities of Covington and Maple Valley, finance meeting, Masonic Lodge dedication, and the SCA dinner. She commented that the Labor Day festivities were spectacular and she had the honor and privilege of being a judge for the parade. She shared that on Saturday, District 44 Fire Department (Mountain View) is having a fundraising breakfast out at Station 96 and invited folks to attend.

Councilmember Weber spoke about enjoying the Labor Day festivities and thanked everyone who put that on and those who supported the different vendors. He noted looking at the code and RCW's.

Councilmember Pepper reported attending the Tahoma School District open houses and spoke about the new elementary school. She attended Labor Days and said it was wonderful. She shared liking the vintage trailers and stated they were a very nice addition to the event. All the volunteers are so proud to do what they do and she was happy to be part of that. She also shared that the 2017 Governor's Arts heritage award honorees have two King County honorees and one was the Seattle Art Museum and the other one was for Living Voices for King County.

**ATTORNEY REPORT: None**

**PUBLIC COMMENTS:**

Jennifer Lathum, Black Diamond spoke to Council.

Mark Hill, Black Diamond spoke to Council. Councilmember Pepper informed the speaker that he must address the Council as a whole. Mr. Hill then continued with his comments.

Patrick Nelson, Black Diamond spoke to Council.

James Stout, Black Diamond spoke to Council.

Johna Thomson, Black Diamond spoke to Council.

Judy Goodwin, Black Diamond spoke to Council.

Robbin Taylor, Black Diamond spoke to Council.

Leslie Cooley, Black Diamond spoke to Council.

Keith Watson, Black Diamond spoke to Council.

Bob Edelman, Black Diamond spoke to Council.

Kristen Bryant, Bellevue spoke to Council. A point of order was raised by Councilmember Weber for meeting decorum. Ms. Bryant then continued with her comments.

Jackie Buss, Black Diamond spoke to Council.

### **EXECUTIVE SESSION:**

At 9:27 p.m. Mayor Benson announced that pursuant to RCW 42.30.140(4) there would be a closed session to discuss with the Labor Attorney collective bargaining. She stated there would be no action to follow and the closed session was anticipated to last 20 minutes. The room was cleared and a five-minute break was also asked for Councilmembers to use the restrooms. The closed session started at 9:38 p.m.

A two-minute extension for the closed session was announced.

The meeting was called back to order at 10:00 p.m.

### **ADJOURNMENT:**

Councilmember Weber **moved** to adjourn the meeting; **second** Councilmember Deady. Motion **passed** 5-0.

Meeting ended at 10:01 p.m.

ATTEST:

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Carol Benson, Mayor

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Brenda L. Martinez, City Clerk



# CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
<b>SUBJECT:</b>  <b>Resolution extending and amending the contract for public defense services with O'Brien, Barton &amp; Hopkins, PLLP</b>	<b>Agenda Date: September 21, 2017</b>	
	<b>AB17-054A</b>	
	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	
Cost Impact (see also Fiscal Note): \$	Public Works – Seth Boettcher	
Fund Source: --	Court – Stephanie Metcalf	
Timeline:		
<b>Agenda Placement:</b> <input checked="" type="checkbox"/> Mayor <input checked="" type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
<b>Attachments: Proposed Resolution and Contract; Resolution No. 14-914</b>		
<b>SUMMARY STATEMENT:</b>  <p>At the September 7, 2017 Council meeting this item was referred to the Government Operations Committee.</p> <p><b>Councilmembers Deady and Edelman have placed this item on the agenda.</b></p> <p>Since January 2014, public defender services for indigent criminal defendants charged in the Black Diamond Municipal Court have been provided by O'Brien, Barton &amp; Hopkins, PLLP.</p> <p>The City is pleased with the services provided by this firm and would like to continue with their services. Furthermore, the City finds the proposal to extend and amend the contract for public defense services to be fair and reasonable.</p> <p>Below is a brief recap of the changes to contract sections:</p> <p><b>Section 1 - Scope of Services.</b> Delete and change in verbiage to reflect John O'Brien will be the managing attorney overseeing the public services provided pursuant to the agreement.</p> <p><b>Section 4 – Term; Nunc-Pro Tunc</b> Add verbiage extending agreement through December 31, 2019 in accordance with the Compensation summarized in Paragraph 6, Compensation.</p> <p><b>Section 6 – Compensation</b> <b>6(a)</b></p>		

Currently the City pays \$2,500 per month for the first ten (10) cases assigned to the Attorney. However, starting on January 1, 2018 they are proposing an increase from the \$2,500 per month to \$2,750, an increase of \$250 monthly or \$3,000 annually.

**6(f) SCORE HEARINGS (new item)**

Also proposed is additional compensation (\$175 per hour, travel time to and from jail included) for SCORE hearings the Court has implemented through the video court. With this new process the public defender must now travel to and from the SCORE jail for these hearings.

**6(g) WEDNESDAY AFTERNOON CALENDARS (new item)**

Additional compensation is being proposed for court calendars held in the afternoon. Currently court is held for 2 half days a month in the morning. Court is considering afternoon court calendars and the proposed \$250 would cover those additional court calendars.

FISCAL NOTE (Finance Department): The 2017 budget includes sufficient funds to cover the increases for the current year. The 2018 budget will include these additional costs which will be covered by anticipated revenue.

COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:

RECOMMENDED ACTION: **MOTION to adopt a resolution extending and amending the contract for public defense services with O'Brien, Barton & Hopkins, PLLP.**

**RECORD OF COUNCIL ACTION**

<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
September 7, 2017	Referred to Gov Ops Committee – 3-2 (Edelman, Deady)	
September 21, 2017		

**RESOLUTION NO. 17-XXXX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
BLACK DIAMOND, KING COUNTY, WASHINGTON  
EXTENDING AND AMENDING THE PUBLIC DEFENSE  
SERVICES CONTRACT WITH O'BRIEN, BARTON &  
HOPKINS, PLLP**

**WHEREAS**, the firm of O'Brien, Barton & Hopkins, PLLP currently provides public defender services for indigent criminal defendants charged in the Black Diamond Municipal Court; and

**WHEREAS**, the City is pleased with the services provided by O'Brien, Barton & Hopkins and desires to continue their services; and

**WHEREAS**, the firm of O'Brien, Barton & Hopkins is willing and able to continue providing public defense services to the City of Black Diamond; and

**WHEREAS**, the City finds the proposed amendments to the contract to be fair and reasonable;

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

**Section 1.** The City Council hereby authorizes the Mayor to execute an extension and amendments to the contract for public defense services with O'Brien, Barton & Hopkins, PLLP, substantially in the form attached hereto as Exhibit A.

**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 21ST DAY OF SEPTEMBER, 2017.**

CITY OF BLACK DIAMOND:

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Carol Benson, Mayor

Attest:

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Brenda L. Martinez, City Clerk

**CITY OF BLACK DIAMOND EXTENSION and AMENDMENTS TO  
CONTRACT FOR PUBLIC DEFENSE SERVICES**

**(O'BRIEN, BARTON & HOPKINS, PLLP)**

This extension and these amendments are made to the agreement (the "Agreement") entered into by and between the City of Black Diamond, a municipal corporation operating as a non-charter code city under the laws of the state of Washington (the "**City**") and O'Brien, Barton & Hopkins, PLLP ("**Attorney**"); collectively, the "Parties" dated January 2<sup>nd</sup>, 2014.

Paragraph 1, Scope of Services, is hereby amended with the following deletions and additions:

1. Scope of Services.

- a. Attorney shall provide public defender services for indigent criminal defendants charged in Black Diamond Municipal Court under ordinances of the City or laws of the state of Washington who qualify for counsel. ~~DELETED: John PRICE shall be the principle attorney ("Principle Attorney") providing public defender services pursuant to this Agreement.~~

**ADDED: John O'Brien shall be the managing attorney overseeing the public defender services provided pursuant to this Agreement.**

Paragraph 4, Term, Nunc-Pro Tunc, is hereby amended with the following addition:

4. Term; Nunc-Pro Tunc. The provision of services under this agreement shall commence on **January 1, 2014**. This Agreement shall remain in full force and effect through December 31, 2014, unless terminated earlier pursuant to the terms hereof. This agreement may be extended for two (2) one-year periods by mutual agreement of the parties. In the event that this agreement is executed on or after January 1, 2014, the parties agree that the terms and conditions hereof shall be interpreted and applied as though the effective date hereof was January 1, 2014.

**ADDED: The term of this agreement is extended to December 31<sup>st</sup>, 2019 in accordance with the Compensation summarized in Paragraph 6, Compensation.**

Paragraph 6, Compensation, is hereby amended with the following addition to Paragraph 6(a) and new Paragraph 6(f).

6. Compensation.

- a. Compensation for the services performed under this Agreement shall be a flat fee of \$2500 per month plus an additional \$250.00 per each assigned case in excess of ten (10) cases assigned during that month. For example, if 12 cases are assigned to Attorney in the month of February, Attorney shall be compensated in the amount of \$2500 plus an

additional \$500 (\$250.00 x 2) for a total of \$3000; if 8 cases are assigned in March, Attorney shall be compensated in the amount of \$2500. Such compensation shall constitute full compensation for all services performed for each assigned case until disposition of the case or when withdrawal of attorney from the case is allowed by the Court. **ADDED: Commencing January 1<sup>st</sup>, 2018, the flat fee compensation for the first ten (10) cases assigned to the Attorney shall be increased from \$2,500 per month to \$2,750 per month.**

- b. The Flat fee shall include compensation of Attorney for coverage of arraignments, telephonic bail hearings, and review, revocation & probation hearings. Attorney shall be allowed to withdraw as attorney of record when each case reaches disposition (plea or other similar disposition, dismissal, verdict after trial or mistrial.
- c. This compensation covers all necessary preparation and hearings to resolve the issue(s) underlying a motion to revoke.
- d. The City shall pay Attorney an additional sum of \$500 for each appeal to Superior Court plus the costs of transcriptions.
- e. Such fees shall include all overhead, costs and expenses of Attorney, except as otherwise set forth herein, and shall be Attorney's sole compensation. All compensation is inclusive of administrative costs as set forth in Standard 5.2 of the Washington State Supreme Court Standards for Indigent Defense issued on September 7, 2012.

**f. ADDED: SCORE HEARINGS: Attorney shall be compensated for hearings held at the South Correctional Entity jail (SCORE) at the rate of \$175.00 per hour. The hourly compensation will include travel time to and from the jail.**

**g. ADDED: WEDNESDAY AFTERNOON CLENDARS: Court calendars held in the afternoon of the regularly scheduled Wednesday court days, such as arraignment calendars, shall be compensated at the rate of \$250.00 per calendar.**

Except as so amended, the original contract between the parties remains in full force and effect.


Dated this 1 day of September, 2017

**CITY OF BLACK DIAMOND:**

**ATTORNEY:**

By: \_\_\_\_\_

Carol Benson,  
Mayor  
P.O Box 599  
Black Diamond, WA 98010  
360/886-5700

  
John L. O'Brien  
O'Brien, Barton & Hopkins, PLLP  
175 NE Gilman Blvd, Suite 100  
Issaquah, WA 98027  
425/391-7427

**RESOLUTION NO. 14-914**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
BLACK DIAMOND, KING COUNTY, WASHINGTON  
AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT  
WITH O'BRIEN, BARTON & HOPKINS, PLLP FOR PUBLIC  
DEFENSE SERVICES**

**WHEREAS**, the City of Black Diamond finds it necessary to hire an attorney to provide public defense services; and

**WHEREAS**, the City advertised for qualified firms and individuals to fill the position of public defender and a selection panel including the Mayor, City Administrator reviewed the proposals and interviewed four firms; and

**WHEREAS**, the panel unanimously recommended O'Brien, Barton & Hopkins, PLLP as a firm qualified and willing to provide the necessary services;

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

**Section 1.** The Mayor is hereby authorized to execute a contract for Public Defense services with O'Brien, Barton & Hopkins, PLLP, substantially in the form attached hereto as Exhibit A.

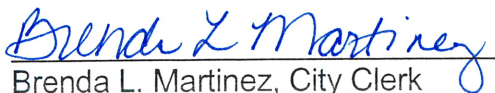
**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 2ND DAY OF JANUARY, 2014.**

CITY OF BLACK DIAMOND:



Dave Gordon, Mayor

Attest:



Brenda L. Martinez, City Clerk

**CITY OF BLACK DIAMOND CONTRACT  
FOR PUBLIC DEFENSE SERVICES**

**(O'BRIEN, BARTON & HOPKINS, PLLP)**

This agreement (the "Agreement") is entered into by and between the City of Black Diamond, a municipal corporation operating as a non-charter code city under the laws of the state of Washington (the "**City**") and O'Brien, Barton & Hopkins, PLLP ("**Attorney**"); collectively, the "Parties."

1. Scope of Services.

- a. Attorney shall provide public defender services for indigent criminal defendants charged in Black Diamond Municipal Court under ordinances of the City or laws of the state of Washington who qualify for counsel. **John Price** shall be the principle attorney ("**Principle Attorney**") providing public defender services pursuant to this Agreement.
- b. Attorney shall provide legal representation for each of these defendants from the time of screening or appointment through trial, sentencing, and appeal to Superior Court, if necessary. Attorney be allowed to withdraw from representation upon disposition of a case or if allowed to withdraw upon motion to the Court. Compliance reviews and/or probation revocation hearings are also the responsibility of Attorney following appointment by the Court.
- c. Attorney shall provide standby representation to all in-custody defendants as well as general advice to unrepresented defendants at out-of-custody arraignments.
- a. Attorney shall provide the Black Diamond Police Department with the telephone number or numbers at which the Attorney can be reached for critical stage advice to defendants during the course of police investigations and/or arrests twenty-four (24) hours each day. Attorney shall also provide the Black Diamond Police Department with the phone number and contact information for at least two (2) other back-up lawyers who are licensed in Washington State should the Principle Attorney be unreachable.
- b. Attorney shall be available for next court day preliminary hearings. Attorney can appear by telephone/video conferencing for such hearings, if available. Attorney shall also provide the City with the phone number and contact information for at least two (2) other back-up lawyers who are licensed in Washington State should Attorney be unreachable for preliminary hearings. Attorney maintains a conference room available at its office in Issaquah to accommodate confidential meetings with clients.

- c. The Attorney shall file monthly reports with the City delineating each client who has been appointed to the Attorney, including name(s), charge(s), case number (s), disposition, bench or jury trial (if applicable), and whether an appeal was filed. The report is due on or before the tenth (10th) day of the following month for services of the prior month.
  - d. The Attorney shall provide a letter of introduction to the screener to be handed out to each defendant who receives an appointment.
2. Applicant Screening. Determination of for eligibility of appointed counsel under this Agreement shall be determined by a screening process established by the Court. The Court shall be responsible for handling the screening process
3. Associated Counsel. The Attorney may associate or employ additional attorneys to represent defendants under this Agreement at Attorney's expense. All attorneys who provide public defense services under this Agreement with the City must be acceptable to the City and must be approved in advance by the City. No legal interns shall be used unless agreed to in advance by the City. Attorney shall be responsible for overseeing and approving serviced performed by other attorneys under this Agreement.
4. Term; Nunc-Pro Tunc. The provision of services under this agreement shall commence on **January 1, 2014**. This Agreement shall remain in full force and effect through December 31, 2014, unless terminated earlier pursuant to the terms hereof. This agreement may be extended for two (2) one-year periods by mutual agreement of the parties. In the event that this agreement is executed on or after January 1, 2014, the parties agree that the terms and conditions hereof shall be interpreted and applied as though the effective date hereof was January 1, 2014.
5. Case defined. A case is defined as the filing of a document with the court naming a person as defendant or respondent, to which an attorney is appointed in order to provide representation. As the Black Diamond Municipal Court is a court of limited jurisdiction, multiple citations from the same incident are counted as one case.
6. Compensation.
  - a. Compensation for the services performed under this Agreement shall be a flat fee of \$2500 per month plus an additional \$250.00 per each assigned case in excess of ten (10) cases assigned during that month. For example, if 12 cases are assigned to Attorney in the month of February, Attorney shall be compensated in the amount of \$2500 plus an additional \$500 (\$250.00 x 2) for a total of \$3000; if 8 cases are assigned in March, Attorney shall be compensated in the amount of \$2500. Such compensation shall constitute full compensation for all services performed for each assigned case until disposition of the case or when withdrawal of attorney from the case is allowed by the Court.



- b. The Flat fee shall include compensation of Attorney for coverage of arraignments, telephonic bail hearings, and review, revocation & probation hearings. Attorney shall be allowed to withdraw as attorney of record when each case reaches disposition (plea or other similar disposition, dismissal, verdict after trial or mistrial).
  - c. This compensation covers all necessary preparation and hearings to resolve the issue(s) underlying a motion to revoke.
  - d. The City shall pay Attorney an additional sum of \$500 for each appeal to Superior Court plus the costs of transcriptions.
  - e. Such fees shall include all overhead, costs and expenses of Attorney, except as otherwise set forth herein, and shall be Attorney's sole compensation. All compensation is inclusive of administrative costs as set forth in Standard 5.2 of the Washington State Supreme Court Standards for Indigent Defense issued on September 7, 2012.
7. Professional Liability Coverage. During the term of the Contract, the Attorney shall have professional liability coverage in a minimum amount of \$1,000,000 per claim and \$1,000,000 in general aggregate covering Attorney and Attorney's agents and employees providing services under this Agreement. Proof of this coverage must be provided to the City prior mutual acceptance of this contract.
8. Indemnification/ Hold Harmless. Attorney shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of the Attorney, and Attorney's associates, agents and employees, in performance of this Agreement. To the extent that any of the damages referenced by this paragraph are caused by or resulting from the concurrent negligence of the City, its agents or employees, this obligation to indemnify, defend and hold harmless will be valid and enforceable only to the extent of the negligence of the Attorney, its associates, agents and employees.
9. Reimbursement of Certain Costs. The City shall reimburse the Attorney for reasonable expert witness fees if the court orders an expert witness upon motion of the Attorney. The City shall reimburse the Attorney for the costs of third party investigative services if the court orders the use of an investigator upon motion of the Attorney. The City shall reimburse the Attorney for the costs of appellate transcripts as required by court rules.
10. Discovery Provided. The City shall provide to the Attorney at no cost to the Attorney or the defendant one (1) copy of all discoverable materials concerning each assigned case with the exception of audio and video tapes which shall be made available for inspection in accordance with rules for discovery. Attorney will have fax and email available for transmission of discovery.
11. Interpreters. Attorney will meet with indigent clients who require interpreters at the court facility and/or jail at the City's expense. When special circumstances arise that may

require a more extensive interview, Attorney will contract the Court to arrange for interpreting services.

12. Assignment or Subcontractors. The contract for public defense services may not be assigned or subcontracted without the prior written consent of the City.

13. Standard of Care. Attorney represents and warrants that she, and any agents used to perform services under this Agreement, has the requisite training, skill and experience necessary to provide the services described herein and is appropriately accredited and licensed by all applicable agencies and governmental entities. Services provided under this Agreement shall 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. The Attorney shall comply with the applicable standards for public defense services pursuant to Chapter 10.101 RCW and in compliance with Standard 14.1 of the Washington State Supreme Court Standards for Indigent Defense issued on September 7, 2012.

14. Readiness. The Attorney is expected to be prepared to proceed at every stage of the criminal proceedings, unless restricted by circumstances outside of the Attorney's control. The Attorney will be expected to make every effort to come to scheduled court hearings and calendars prepared to proceed on all assigned cases.

15. Termination.

- a. Either party may terminate this Agreement without cause, by giving the other party ninety (90) days written notice.
- b. Either party may terminate this agreement on seven (7) days written notice in the event of (1) material breach of contract, (2) violation of the rules of professional conduct, or (3) unforeseen medical issues. Such termination is effective only if the party terminating has provided written notice of the deficiency to the other party and such deficiency is not corrected in a timely manner to the reasonable satisfaction of the terminating party.
- c. The City shall have the right to terminate this Agreement immediately if the license to practice law of John Price is suspended or revoked. In the event of termination or expiration of the Agreement, the Attorney shall complete all pending cases if lawfully able to do so.

16. Attorney Conflict. In the event the Attorney must withdraw from a case because of a conflict of interest, the matter will be referred to the municipal court judge for a final decision. Upon the judge's determination that the Attorney cannot represent the assigned client, the Court shall appoint the client to appropriate conflict counsel.

17. Discrimination and Compliance with Laws.

- a. Attorney 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.
- b. Attorney shall comply with all federal, state, and local laws and ordinances applicable to the work to be done under this Agreement.

19. Records retention. Attorney 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 or the Rules of Professional Conduct. Copies shall be made available on request.

20. Independent Contractor. Attorney is and shall be at all times during the term of this Agreement an independent contractor. Nothing in this Agreement shall be considered to create an employment relationship between the parties. Neither Attorney nor any employee of Attorney shall be entitled to any benefits accorded City employees.

21. Governing Law and Venue for Disputes. 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.

22. Attorneys' Fees. 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 attorneys' fees from the other party.

23. Entire Agreement--Modification. This Agreement represents the entire Agreement between the parties and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended or modified only by express written consent of both parties.

24. Training. Attorneys and all attorney employees who regularly appear in the Black Diamond Municipal Court pursuant to this contract shall attend at least seven (7) continuing legal education hour credits approved by the Washington State Office of Public Defense annually.

25. Supervision of Contract and Professional Standard. Any defendant complaints regarding Attorney's services shall first be addressed by Attorney. If defendant this does not resolve defendant's complaint to defendant's satisfaction, Attorney shall report the complaint to the Judge of the Black Diamond Municipal Court within 5 business days and inform defendant in writing of defendant's right to notify the court of complaint.

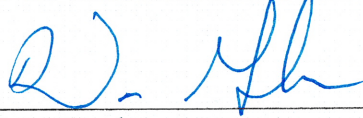
26. Private Practice Case Load. Attorney shall maintain compliance with the maximum case load requirements as stated by the Supreme Court Order for Indigent Defense Standards and shall file certification as required by this Order.

27. Extraordinarily Complex Cases. Attorney may ask City for extra compensation in extraordinarily complex cases. In order to request such extra compensation, Attorney must make a written request to the Black Diamond Municipal Court for Extraordinary Compensation before extra work or costs are incurred. A copy of such request shall be provided to the Mayor prior to the Court hearing on the request. Such requests may be heard In Camera at Attorney's request. The parties to this contract agree that the Judge of the Black Diamond Municipal Court shall be the decision maker in such requests, and that the Judge's decision in such cases cannot be appealed unless the ruling could be detrimental to the defendant's right to due process or effective assistance of counsel.

BY ITS SIGNATURE BELOW, EACH PARTY ACKNOWLEDGES HAVING READ AND UNDERSTOOD THE TERMS AND CONDITIONS OF THIS AGREEMENT AND AGREES TO BE BOUND BY THEM.

Dated this 2nd day of January, 2014

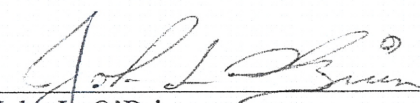
**CITY OF BLACK DIAMOND:**

By:   
Dave Gordon,  
Mayor

POB 599  
Black Diamond, WA 98010

360/886-5700

**ATTORNEY:**

  
John L. O'Brien  
O'Brien, Barton & Hopkins, PLLP

175 N.E. Gilman Blvd, Suite 100  
Issaquah, WA 98027

425/391-7427