

RESOLUTION NO. 16-1087

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF BLACK DIAMOND, KING
COUNTY, WASHINGTON ADOPTING,
RECOGNIZING, AND DOCUMENTING THE
COUNCIL APPROVED AGENDA FOR ITS
APRIL 7 COUNCIL MEETING

WHEREAS, the Council Agenda that was publicly noticed for the Regular Council Meeting on April 7, 2016 was not approved by the Council President and the Mayor Pro Tempore, as required by Council Rule 2.2.; and

WHEREAS, the Mayor instructed the City Clerk to notice her own Agenda for the Regular Council Meeting on April 7, 2016 without regard to the approval authority of the Council President and the Mayor Pro Tempore and in violation of the Council Rules of Procedure; and

WHEREAS, the Mayor instructed the City Clerk to notice the mayor's version of an Agenda for the Regular Council Meeting on March 3, 2016 without regard to the approval authority of the Council President and the Mayor Pro Tempore and in violation of the Council Rules of Procedure. This caused the Council to call a Special Meeting with the correct Agenda on March 2, 2016; and

WHEREAS, the Mayor instructed the City Clerk to notice her own Agenda for the Regular Council Meeting on March 17, 2016 without regard to the approval authority of the Council President and the Mayor Pro Tempore and in violation of the Council Rules of Procedure. This caused the Mayor Pro Tempore to bring the properly approved Agenda to the Meeting and successfully place it before the Council for approval as a Substitute Agenda; and

WHEREAS, when an Agenda is publicly noticed that has not been properly approved according to Council Rules, the authority and work of the Council is obstructed; and

WHEREAS, when an Agenda is publicly noticed that has not been properly approved according to Council Rules, the public may be mis-led as to what business the Council intends to conduct; and

WHEREAS, when an Agenda is publicly noticed that has not been approved according to Council Rules, items that may require public notice cannot be acted upon and all items that are not properly included may be delayed; and

WHEREAS, when an Agenda is public noticed that has not been properly approved according to Council Rules, public confidence in the Institution is jeopardized; and

WHEREAS, the Council President and Mayor Pro Tempore have prepared a correct and approved Council Agenda (Attachment A); and

WHEREAS, the Council President and the Mayor Pro Tempore introduced this Resolution because it was the only way to communicate to the public the Council approved Agenda. Though not a legal notice, the inclusion of this Resolution in the Agenda Packet provides at least some notice to the public, Councilmembers and staff; and

WHEREAS, the sponsors of this Resolution intend to ask the Council to approve this Resolution and Substitute Agenda at its Regular Council Meeting on April 7.

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

Section 1. The Agenda for the Regular Council Meeting on April 7, 2016 shall be the Attachment (A)

Section 2. The Mayor is reminded of her duty to faithfully administer the adopted policies of the City and is urged to allow the City Clerk in the future to properly notice all Council Meetings and Agendas in accordance with the Council Rules of Procedure.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 7TH DAY OF APRIL 2016.

CITY OF BLACK DIAMOND

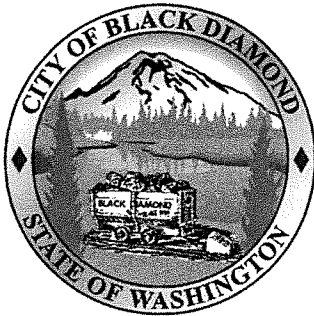


Carol Benson, Mayor

Attest:



Brenda L. Martinez, City Clerk



CITY OF BLACK DIAMOND
April 7, 2016 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:

Presentation – Retired Planning Commission Members Sheri Roth, Jim Kuzaro and Gary Davis - Mayor Benson

Presentation – Unfinished House in Eagle Creek Development - Terri Yankovich

CONSENT AGENDA:

- 1) **Claim Checks** - April 7, 2016 – No. 43322 through No. 43374 and EFTs in the amount of \$121,481.67
- 2) **Minutes** – Special Joint Meeting Council/Planning Commission of March 8, 2016

PUBLIC COMMENTS: Persons wishing to address the City Council regarding items of new business are encouraged to do so at this time. When recognized by the Mayor, please come to the podium and clearly state your name. Please limit your comments to 3 minutes. If you desire a formal agenda placement, please contact the City Clerk at 360-886-5700. Thank you for attending.

PUBLIC HEARINGS: None

UNFINISHED BUSINESS:

- 3) **Claim Checks** - March 17, 2016 - No. 43280 through No. 43321 and EFTs in the amount of \$177,543.18

- 4) **Minutes** – Council Meeting of January 21, 2016

- 5) **AB16-027** – Resolution Approving Final Plat for Diamond Ridge

Introduced by Councilmember Pepper

Councilmember Pat Pepper, Chair of the Growth Management, Land Use Planning, and Community Services Committee, advises that at the Growth Management Committee meeting on April 4, she will ask the Committee to refer this out of committee for placement on the Regular Council agenda for April 7

Items that are referred out of a Standing Committee during the week of April 4 may be added to the Agenda and noticed for Council Action. Please refer to the Posted City Calendar for a listing of Standing Committees and their Agendas.

NEW BUSINESS:

- 6) **AB16-XXX** - Resolution Adopting, Recognizing, and Documenting the Council Approved Agenda for its April 7 Council Meeting

Introduced by Councilmember Pepper

Council President Pepper has advised that she has introduced this Resolution so as to ensure that the Council's Approved Agenda is noticed and available to the Public. Councilmember Pepper has further advised that she intends to move to substitute this Agenda if necessary at the April 7 Council Meeting.

- 7) **AB16-025** – Resolution Approving Collective Bargaining Agreement with Public Works Unit
Introduced by Councilmember Morgan
For first reading, to be referred to Budget, Finance and Administration Committee
- 8) **AB16-026** – Resolution Approving an Agreement with DKS
Introduced by Councilmember Morgan
For first reading, to be referred to Budget, Finance and Administration Committee
- 9) **AB16-XXX** - Resolution Regarding Dismissal of Robert Edelman Lawsuit
Introduced by Councilmember Morgan
For first reading, to be referred to the Government Operations and Administration Committee
- 10) **AB16-XXX** - Resolution Recognizing the Legality of Council Standing Committees
Introduced by Councilmember Pepper
For first reading, to be referred to Government Operations and Administration Committee
- 11) **AB16-XXX** - Resolution Regarding the Proper Noticing of Council Agendas
Introduced by Councilmember Morgan
For first reading, to be referred to the Government Operations and Administration Committee
- 12) **AB16-XXX** - Resolution Establishing Policies Regarding the City Newsletter and Communications to the Public
Introduced by Councilmember Morgan
For first reading, to be referred to the Government Operations and Administration Committee
- 13) **AB16-XXX** - Resolution Regarding the City's Contract Legal Services
Introduced by Councilmember Pepper
For first reading, to be referred to the Government Operations and Administration Committee

DEPARTMENT

REPORTS: MAYOR'S

REPORT:

COUNCIL REPORTS:

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

ATTORNEY REPORT:

PUBLIC COMMENTS:

EXECUTIVE SESSION:

ADJOURNMENT: