

RESOLUTION NO. 16-1127

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON REGARDING THE ENUMCLAW SCHOOL DISTRICT'S TRAFFIC MITIGATION PLAN FOR ITS REPLACEMENT ELEMENTARY SCHOOL

WHEREAS, The Enumclaw School District is in the process of designing, permitting and constructing a new larger elementary school in Black Diamond to replace the existing elementary school; and

WHEREAS, the Enumclaw School District's project is subject to permit review by the City of Black Diamond; and

WHEREAS, the review of building permits requires review under the City's concurrency ordinance; and

WHEREAS, the review of building permits is ~~generally~~ an administrative decision not subject to the City Council's legislative authority; and

WHEREAS, the determination of compliance with the City's concurrency ordinance is ~~generally~~ an administrative decision not subject to the City Council's legislative authority; and

WHEREAS, the City's concurrency ordinance requires the Director of Public Works to review and issue a Capacity Reservation Certificate if the project complies with the Black Diamond Municipal Code; and

WHEREAS, the Enumclaw School District has been acting as the lead agency under SEPA; and

WHEREAS, the Enumclaw School District's SEPA review has identified the need for a voluntary mitigation payment and that determination is subject to appeal but not subject to the City Council's legislative authority; and

WHEREAS, the acceptance of funds from the Enumclaw School District requires authorization and budgeting by the City Council.

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

Section 1. The City's Finance Director^{NA} is authorized to accept mitigation funds from the Enumclaw School District and retain those funds in an appropriate funding account until budgeted by the City Council.

Section 2. The Director of Public Works is requested to provide certification and documentation with regard to the Black Diamond Elementary School project that all of the requirements of the Black Diamond Municipal Code Chapter 11.11 have been met.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THE 6TH DAY OF OCTOBER, 2016.

CITY OF BLACK DIAMOND
DENIED

Carol Benson, Mayor *CB*

Attest:

Brenda L. Martinez, City Clerk