

BLACK DIAMOND CITY COUNCIL MINUTES
May 3, 2007
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

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

ROLL CALL:

PRESENT: Mayor Botts, Councilmembers Bowie, Cline, and Olness.

ABSENT: Councilmembers Sorci and McPherson (Excused)

Staff present were: Rick Luther, City Administrator/Police Chief; Gail Perkins, Policy Analyst; Dan Dal Santo, Public Works Director; May Miller, Interim Finance Director; Greg Smith, Fire Chief; and Brenda Streepy, City Clerk.

PUBLIC COMMENT: None

ANNOUNCEMENTS, PRESENTATIONS, APPOINTMENTS:

Proclamation

Mayor Botts gave the following proclamation:

WHEREAS, teachers work to open children's minds to ideas, knowledge and dreams; and

WHEREAS, teachers keep American democracy alive by laying the foundation for good citizenship; and

WHEREAS, teachers fill many roles, as listeners, explorers, role models, motivators and mentors; and

WHEREAS, teachers continue to influence us long after our school days are only memories; and

WHEREAS, teachers spend countless hours in work beyond teaching in lesson preparations, progress evaluations, counseling, coaching, community service; and

WHEREAS, teachers should be accorded high public esteem, reflecting the value this community places on public education; and

WHEREAS, it is appropriate that teachers be recognized for their dedication and commitment to educating their students;

NOW, THEREFORE, I, Howard Botts, Mayor do hereby proclaim on this 3rd day of May, 2007, that the week of May 7-13th 2007 as

TEACHER APPRECIATION WEEK

in Black Diamond and I urge all citizens to pay tribute to our public school teachers, and their fellow administrative and educational support staff.

UNFINISHED BUSINESS:

Resolution No. 07-424, Amendment #1, Tacoma Wholesale Water Agreement

Administrator Luther spoke to the Council regarding the new clause that was added to this amendment, which called into question the responsibility of chlorine contact time. He explained that the City had entertained a scope of work with PacWest Engineering to look into whether or not the chlorine contact time is an issue for the City. After reviewing the information provided, PacWest felt that from an engineering perspective the City is ok with signing the amendment.

Councilmember Bowie commented that it appears that Tacoma was trying to memorialize earlier conversations with Black Diamond by adding this clause to the agreement.

Mr. Luther responded that yes this appears to be true and also to make sure that this issue of chlorine contact time is addressed in the City's Comprehensive Water Plan.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Olness to adopt Resolution No. 07-424, authorizing the Mayor to execute Amendment #1 to the Wholesale Water Agreement between the City of Tacoma and the City of Black Diamond. Motion **passed** with all voting in favor (3-0).

Resolution No. 07-437, Professional Service Agreement – Stalzer & Associates

City Administrator Luther explained that at the last Council meeting this agreement was passed by motion, so adoption of this resolution is a housekeeping issue for our tracking system of contracts and agreements.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Cline to adopt Resolution No. 07-437 authorizing the Mayor to enter into a Professional Service Agreement with Stalzer and Associates for providing planning assistance to the City. Motion **passed** with all voting in favor (3-0).

NEW BUSINESS:

Resolution No. 07-438, Declaring certain personal property surplus

City Administrator Luther explained to Council that Commander Esping has compiled a list of City, Police, and Fire Equipment that is obsolete and has accumulated over time and now needs to be formally declared as surplus to the needs of the city and authorize its disposal.

Councilmember Cline asked if all the computers on the list have been stripped of information.

Mr. Luther responded that yes our IT provider has been working on this.

A **motion** was made by Councilmember Bowie and **seconded** by Councilmember Cline to adopt Resolution No. 07-438, declaring certain personal property surplus to the needs of the City. Motion **passed** with all voting in favor (3-0).

Resolution No. 07-439, City Personnel Manual

City Administrator Luther introduced proposed Resolution No. 07-439 and explained that last year Council passed a proposal from McGavick Graves to completely redo our City's Personnel Manual for a lump sum. Mr. Luther also noted that passage of this resolution is not an emergency and can be delayed.

Councilmember Cline expressed that he would like to delay passage of this resolution as he has not had time to review the document.

There was Council consensus that this resolution be delayed to a future meeting.

Resolution No. 07-440, Public Assistance Grant Agreement-WA State Military Dept.

Policy/Research Analyst Perkins reported that the December Severe Winter Storm Event produced harsh winds knocking down trees, limbs branches and debris littering the streets of the City. Power outages around the county occurred for several days requiring generator back up for our city hall, sewer lift station and water reservoir. Heavy rains washed debris into catch basins and storm drains subsequently plugging them. A Presidential Declaration of Emergency was declared February of 2007, due to the magnitude of damage that had occurred. This declaration authorizes federal public assistance funds to supplement the efforts of response and recovery of damaged public facilities after a disaster.

Attachment A summarizes the estimate of damage recovery costs the City encountered during the December Severe Winter Storm Event. These costs fall within the federal and state guidelines for eligibility of public assistance funds. Pursuing the Public Assistance Grant Agreement will allow for 75 to 100 percent reimbursement of the City of Black Diamond's response and recovery expenditures.

It is the recommendation of staff that the City Council give authorization for the City Administrator to execute the Public Assistance Grant Agreement with the Washington State Military Department providing for federal funds up to 75% and 25% non federal funds. The Governor will determine the state cost share allocation for non-federal funds.

A **motion** was made by Councilmember Olness and **seconded** by Councilmember Bowie to adopt Resolution No. 07-440 supporting the application for Public Assistance Grant Agreement with the Washington State Military Department. Motion **passed** with all voting in favor (3-0).

DEPARTMENT REPORTS:

Administration – Administrator Luther discussed with Council the possibility of scheduling a workstudy next Wednesday or Thursday to discuss a few issues. After discussion it was determined that Wednesday would be the best day.

MAYOR'S REPORT:

Mayor Botts expressed that he is very pleased during this time of extreme challenge and commends staff for all their hard work.

COUNCIL REPORTS:

Councilmember Cline asked how the pay station at Lake Sawyer is doing.

Mr. Luther responded that from a financial stand point it is doing very well and people are really excited to be able to use their credit card to pay for parking.

ATTORNEY REPORTS: None

PUBLIC COMMENTS: None

CONSENT AGENDA:

A **motion** was made by Councilmember Cline and **seconded** by Councilmember Bowie to adopt the Consent Agenda. Motion **passed** with all voting in favor (3-0). The Consent Agenda was approved as follows:

- 1.) **Minutes** – Council Meeting of April 19, 2007
- 2.) **Claim Warrants** – May 3, 2007 No. 30024, 30063, 30064, 30065 through 30127 in the amount of \$89,119.56

EXECUTIVE SESSION:

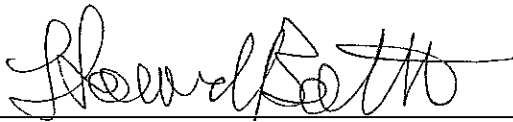
Mayor Botts recessed the meeting at 7:46 p.m. for a 10 minute executive session on potential litigation with no action to follow.

Mayor Botts reconvened the meeting at 7:56 p.m.

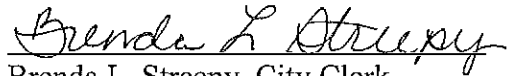
ADJOURNMENT:

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

ATTEST:



Howard Botts, Mayor



Brenda L. Streepy, City Clerk