



CITY OF BLACK DIAMOND
October 1, 2015 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:

Proclamation – Domestic Violence Awareness Month

Mayor Benson

CONSENT AGENDA:

- 1) **Claim Checks** – October 1, 2015, No. 42736 through No. 42774 and EFTs in the amount of \$100,403.18
- 2) **Minutes** – Town Hall Meeting of September 10, 2015, Council Meeting of September 17, 2015

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 and address. 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:

- 3) **Ord No. 15-1059** – Proposed Ordinance Assuming the Rights, Powers, Functions and Obligations of the Black Diamond Transportation Benefit District
(Possible action may follow Public Hearing) Mr. Boettcher

UNFINISHED BUSINESS:

NEW BUSINESS:

- 4) **Ord No. 15-1060** – Amending Black Diamond Municipal Code Regarding Town Hall Meetings Councilor Edelman

DEPARTMENT REPORTS:

MAYOR'S REPORT:

COUNCIL REPORTS:

A. Council Standing Committees and Regional Committees

- Councilmember Deady – Chair – Public Safety Committee; Budget, Finance and Administration Committee; Domestic Violence Committee
- Councilmember Morgan – Planning and Community Service Committee; Cemetery and Parks Committee; Water Resource Inventory Area Committee (WRIA 9)
- Councilmember Edelman – Chair - Budget, Finance, Administration Committee; Chair - Planning and Community Service Committee; Public Issues Committee (PIC)
- Councilmember Goodwin – Cemetery and Parks Committee; Public Works Committee

- Councilmember Taylor, Chair - Public Works Committee; Public Safety Committee

ATTORNEY REPORT:

PUBLIC COMMENTS:

EXECUTIVE SESSION:

ADJOURNMENT:

Office of the Mayor
Black Diamond, Washington



PROCLAMATION

WHEREAS, domestic violence is a serious crime that affects people of all races, ages, gender, and income levels; and

WHEREAS, domestic violence is widespread and effects millions of Americans each year; and

WHEREAS, domestic violence costs the nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism, and non-productivity; and

WHEREAS, in October 1989, the first Domestic Violence Awareness Month Commemorative Legislation was passed by Congress providing key leadership in the effort to reduce domestic violence; and

WHEREAS, in 2014 there were 44 domestic violence homicides that occurred in Washington State.; and

WHEREAS, only a coordinated community effort will put a stop to this heinous crime; and

WHEREAS, with continued public awareness programs and increased education of healthy relationships we will break the cycle of abuse and provide skills to empower victims and children;

NOW, THEREFORE, I, Carol Benson, Mayor of the City of Black Diamond, on behalf of the Black Diamond City Council, do hereby proclaim the month of October 2015 to be

NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

in the City of Black Diamond and strongly urge all citizens to participate in the Purple Light Nights® by installing a purple light in their front porch light fixture to honor the victims and give hope to those still living with abuse.

Carol Benson, Mayor

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Ord No. 15-1059 An Ordinance that “assumes” all of the rights, powers, functions, and obligations of the Black Diamond Transportation Benefit District	Agenda Date: October 1, 2015	
	AB15-066	
	Mayor Carol Benson	
	City Administrator	
	City Attorney Carol Morris	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res – Aaron Nix	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note): \$0	Public Works – Seth Boettcher	X
Fund Source: --	Court – Stephanie Metcalf	
Timeline: fall		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Ordinance 15-1059		
<p>SUMMARY STATEMENT: The state legislature by new legislation this summer made provisions for cities to take over Transportation Benefit Districts that they have formed if the district boundaries are the same as the City boundaries. This action will significantly reduce administrative costs by 1) eliminating the cost of maintaining completely separate records, meetings, notifications, hearings, and accounting 2) eliminates the cost of passing money back and forth from the City and the Transportation Benefit District. With this action the City will be able to use the license tab revenue directly for the purposes as established by the Transportation Benefit District as long as the terms and conditions of the state law authorizing the use of the funds are met.</p> <p>FISCAL NOTE (Finance Department): The Finance Department will be setting up a separate fund to ensure that license tab revenue is tracked separately so that all necessary reporting and conditions of state law will be met.</p>		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt Ordinance 15-1059, to assume the rights, powers, functions and obligations of the Black Diamond Transportation Benefit District.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
October 1, 2015		

ORDINANCE NO. 15-1059

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, ASSUMING THE RIGHTS, POWERS, FUNCTIONS AND OBLIGATIONS OF THE BLACK DIAMOND TRANSPORTATION BENEFIT DISTRICT, AS ALLOWED BY SSB 5987.

WHEREAS, the City Council of the City of Black Diamond has adopted Ordinance No. 1057 creating the Black Diamond Transportation Benefit District with the same boundaries as the City limits;

WHEREAS, Second Engrossed Substitute Senate Bill 5987, in Section 302, which took effect on July 15, 2015, provides that “the assumption of the rights, powers, functions and obligations of a transportation benefit district may be initiated by the adoption of an ordinance or resolution by the city or county legislative authority indicating its intention to conduct a hearing concerning the assumption of such rights, powers, functions and obligations”; and

WHEREAS, the City of Black Diamond held a public hearing on the proposed assumption of the rights, powers, functions and obligations of the Black Diamond Transportation Benefit District on October 1st, 2015 at the Council Chambers 25510 Lawson Street; and

WHEREAS, after the public hearing, the City Council voted to assume the rights, powers, functions and obligations of the Black Diamond Transportation Benefit District; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND AS FOLLOWS:

Section 1. Findings. The City Council makes the following findings to support the actions described herein:

A. BACKGROUND

1. The 2015 legislature included in its transportation funding bill 2nd Engrossed Substitute Senate Bill 5987 the authority to take over and assume the rights, powers, functions and obligations of the Black Diamond Transportation Benefit District
2. This action will significantly simplify the administration and of the funds collected for streets for greater efficiency of government.
3. The Black Diamond Transportation Benefit District has not yet collected any funds, does not have any contracts, has not committed to any projects and has not spent any funds, which simplifies the transfer of authority.

4. The Black Diamond Transportation Benefit District as yet does not have any assets, simplifying the transfer of authority.

Section 2. Assumption of the Black Diamond Transportation Benefit District

The City hereby assumes all the rights, powers, functions and obligations of the Black Diamond Transportation Benefit District and by this action the Black Diamond Transportation Benefit District will cease to exist as a separate entity.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Publication and Effective Date. This Ordinance shall be published by an approved summary consisting of the title. This ordinance shall be effective five days after publication, as provided by law.

PASSED by the Council and approved by the Mayor of the City of Black Diamond, this ____ day of ____, 2015.

CITY OF BLACK DIAMOND

Mayor Carol Benson

ATTEST/AUTHENTICATED:

Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

Carol A. Morris, City Attorney

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:

ORDINANCE NO:

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

ITEM INFORMATION		
SUBJECT: Ordinance No. 15-1060 Ordinance amending section 2.04.010 of the Black Diamond Municipal Code regarding Council meeting dates	Agenda Date: October 1, 2015	
	AB15-067	
	Mayor Carol Benson	
	City Administrator	
	City Attorney Carol Morris	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res – Barb Kincaid	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
Cost Impact (see also Fiscal Note): \$	Police – Chief Kiblinger	
Fund Source: --	Public Works – Seth Boettcher	
Timeline:	Court – Stephanie Metcalf	
	Councilmember - Edelman	X
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Proposed Ordinance No. 15-1060		
SUMMARY STATEMENT: Currently Town Hall meetings are held in January, March, May, July, September and November. The proposed ordinance would establish the second Thursday in the months of March and October, beginning at 7:00 PM, for purpose of holding Town Hall meetings. Should Council adopt the proposed ordinance the next step would be to incorporate this change in to the Council Rules for adoption at the October 15, 2015 Council meeting.		
FISCAL NOTE (Finance Department): N/A		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt Ordinance No. 15-1060, amending section 2.04.040 of the Black Diamond Municipal Code regarding meeting dates.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
October 1, 2015		

CITY OF BLACK DIAMOND WASHINGTON

ORDINANCE NO. 15-1060

AN ORDINANCE OF THE CITY OF BLACK DIAMOND, WASHINGTON, RELATING TO COUNCIL MEETING DATES AND LOCATIONS; AMENDING 2.04.010, MEETINGS OF THE BLACK DIAMOND MUNICIPAL CODE TO CHANGE THE TOWN HALL MEETING DAYS TO THE SECOND THURSDAY IN THE MONTHS OF MARCH AND OCTOBER; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council currently meets on the second Thursday of January, March, May, July, September and November; and

WHEREAS, the City Council desires to schedule Town Hall meetings bi-annually and to meet on the second Thursday of March and October; Now, therefore,

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND DO ORDAIN AS FOLLOWS:

Section 1. Amending BDMC 2.04.010 (Meetings). Section 2.04.010 of the Black Diamond Municipal Code is hereby amended to read as follows:

The regular meetings of the city council of the city shall be held at the Black Diamond Municipal Building, 25510 Lawson Street, Black Diamond, King County, Washington, on the first and third Thursdays of each month at the hour of seven p.m. A work session of the city council shall be held at the Black Diamond Municipal Building, 25510 Lawson Street, Black Diamond, King County, Washington, on the second Thursday of each month at the hour of six p.m. Town Hall meetings shall be held at the Black Diamond Municipal Building, 25510 Lawson Street, Black Diamond, King County, Washington on the second Thursday in the months of ~~January~~, March ~~May~~, July, ~~September~~, and October ~~November~~ at the hour of seven p.m.

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

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

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 1ST DAY OF OCTOBER, 2015.

CITY OF BLACK DIAMOND

Carol Benson, Mayor

ATTEST/AUTHENTICATED:

Brenda L. Martinez, City Clerk

Approved as to form:

Carol Morris
City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.
Date of Publication:
Effective Date: