



CITY OF BLACK DIAMOND
November 19, 2015 Regular Business Meeting Agenda - REVISED
25510 Lawson St., Black Diamond, Washington

7:00 P.M. – CALL TO ORDER, FLAG SALUTE, ROLL CALL

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

CONSENT AGENDA:

- 1) **Claim Checks** – November 19, 2015, No. 42883 through No. 42936 (void 42290) and EFTs in the amount of \$369,537.61
- 2) **Payroll** - October 30, 2015 - No. 18698 through No. 18719 and ACH payment in the amount of \$260,624.32
- 3) **Minutes** – Special Meeting Minutes of October 29, 2015 and Council Meeting of November 5, 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:

- 4) **Ord No. 15-1061** - Proposed Ordinance Adopting Concurrency Regulations Mr. Boettcher
(Possible Final Action May Follow Public Hearing)
- 5) **Proposed 2016 Budget** Ms. Miller

EXECUTIVE SESSION: Executive session as authorized by RCW 42.30.140(4) to discuss collective bargaining. Possible final action may follow the executive session.

UNFINISHED BUSINESS: None

NEW BUSINESS:

- 6) **Res No. 15-1050** – Approving Collective Bargaining Agreement with Professional Unit Mr. Altman
- 7) **Ord No. 15-1064** – Authorizing Property Tax Increase Dollar Amount Ms. Miller
- 8) **Ord No. 15-1065** – Authorizing 1% Property Tax Increase Ms. Miller
- 9) **Res No. 15-1051** – Adopting Stormwater Management Plan Mr. Boettcher
- 10) **Res No. 15-1052** – Approving Grant Agreement with TIB for Streetlight Conversion Mr. Boettcher
- 11) **Ord No. 15-1066** – Amending BDMC to Allow Trapping of Beavers Within the City Limits Mr. Boettcher

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:

ADJOURNMENT:

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: November 19, 2015	AB15-077
Public hearing and possible adoption of Ordinance No. 15-1061- Transportation Concurrency	Mayor Carol Benson	
	City Administrator	
	City Attorney Carol Morris	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res – Barbara Kincaid	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note):	Public Works – Seth Boettcher	X
Fund Source: --	Court – Stephanie Metcalf	
Timeline:		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator Attachments: Ordinance No. 15-1061 (clean and strikethrough)		
<p>SUMMARY STATEMENT: RCW 36.70A070 (6) (b) requires that the City's planning under the Growth Management Act are required to adopt concurrency regulations for transportation. If a development causes the level of service of a local transportation facility to decline below the City's Level of Service, this ordinance gives the City the authority to deny the development or approve commitments to complete the improvements or other strategies to improve the facility and meet the level of service within 6 years. The City will monitor the Level of Service on the key intersections within Black Diamond, reserve and track available capacity on the City's transportation system and require that developments within the City maintain transportation concurrency for their projects within 6 years of the Level of Service deficiency.</p> <p>FISCAL NOTE: The primary fiscal impact will be the additional staff time required to administer the tracking and monitoring. Fees will need to be established to cover the processing of Capacity Reservation Certificate applications.</p>		
<p>COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: The Council held a public hearing on a preliminary draft concurrency ordinance on October 1st, 2015. The Council considered, reviewed and deliberated on this concurrency ordinance at a workshop on November 12th, 2015. The Council held a public hearing on this concurrency ordinance on November 19th, 2015.</p>		
<p>RECOMMENDED ACTION: MOTION to adopt Ordinance 15-1061, establishing a transportation concurrency ordinance which established codes and policies to ensure that transportation facilities are planned, funded and constructed concurrent with the development according to state law.</p>		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
November 19, 2015		

November 3, 2015

ORDINANCE NO. 15__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, RELATING TO COMPREHENSIVE PLANNING UNDER THE GROWTH MANAGEMENT ACT, ADOPTING CONCURRENCY REGULATIONS FOR THE REVIEW OF LEGISLATIVE AND QUASI-JUDICIAL APPLICATIONS, AS MANDATED BY THE GMA (RCW 36.70A.070(6)(b)) FOR TRANSPORTATION FACILITIES, DESCRIBING EXEMPTIONS, REQUIRING EVALUATIONS OF CAPACITY ON THE CITY'S ROAD FACILITIES, DESCRIBING THE ELEMENTS OF A CAPACITY EVALUATION APPLICATION, EXPLAINING THE METHOD FOR DETERMINING AND RESERVING CAPACITY ON ROAD FACILITIES, DESCRIBING THE PROCESS FOR ISSUANCE OF CAPACITY RESERVATION CERTIFICATES (CRC), DENIALS OF CRC'S, APPEALS, DESCRIBING THE ADMINISTRATIVE PROCESS FOR CONCURRENCY REPORTING AND MONITORING, ADOPTING A NEW CHAPTER 11.11 IN THE BLACK DIAMOND MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Growth Management Act ("GMA," RCW 36.70A.070(6)(b)) requires that cities planning under GMA "adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development;" and

WHEREAS, the City has no concurrency regulations; and

WHEREAS the SEPA Responsible Official has determined that this Ordinance is categorically exempt from SEPA as affecting only procedural and no substantive standards, pursuant to WAC 197-11-800(19); and

WHEREAS, on Oct 15th, 2015, the City Council held a public hearing on a draft concurrency ordinance: and

WHEREAS, On November 12th, 2015, the City Council reviewed and deliberated on the concurrency ordinance at a council workshop.

WHEREAS, on November 19th, 2015, the City Council held a public hearing and considered this ordinance, during a regular Council meeting; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON,
ORDAINS AS FOLLOWS:

Section 1. A new Chapter 11.11 is hereby added to the Black Diamond Municipal Code, which shall read as follows:

CHAPTER 11.11 CONCURRENCY MANAGEMENT

Sections:

- | | |
|-----------|--|
| 11.11.001 | Purpose. |
| 11.11.002 | Authority. |
| 11.11.003 | Definitions. |
| 11.11.004 | Exempt development. |
| 11.11.005 | Applicability. |
| 11.11.006 | Capacity evaluation required for a change of use. |
| 11.11.007 | Capacity evaluations required for certain rezones or comprehensive plan amendments. |
| 11.11.008 | All capacity evaluations exempt from project permit processing. |
| 11.11.009 | Level of Service standards. |
| 11.11.010 | Effect of LOS standards. |
| 11.11.011 | Capacity evaluations required prior to issuance of capacity reservation certificate. |
| 11.11.012 | Application for capacity evaluation. |
| 11.11.013 | Submission and acceptance of an application for a capacity evaluation application. |
| 11.11.014 | Method of capacity evaluation. |
| 11.11.015 | Purpose of capacity reservation certificate. |
| 11.11.016 | Procedure for capacity reservation certificates. |
| 11.11.017 | Use of reserved capacity. |
| 11.11.018 | Transfer of reserved capacity. |
| 11.11.019 | Denial letter. |

- 11.11.020 Notice of concurrency determination.
- 11.11.021 Expiration of CRC and extensions of time.
- 11.11.022 Appeals.
- 11.11.023 Concurrency administration and procedure.
- 11.11.024 Annual reporting and monitoring.
- 11.11.025 Intersection LOS monitoring and modeling.

11.11.001 Purpose. The purpose of this Chapter is to implement the concurrency provisions of the transportation element of the City’s comprehensive plan in accordance with RCW 36.70A.070(6)(b). All applications that are not exempt (as defined herein) shall be processed under and shall comply with this Chapter, which shall be cited as the City’s “concurrency management ordinance.”

11.11.002 Authority. The Director of Public Works or his/her designee, shall be responsible for implementing and enforcing this concurrency management ordinance.

11.11.003 Definitions. The following words and terms shall have the following meanings for the purpose of Chapter 11.11 unless the context clearly appears otherwise. Terms not defined herein shall be given their usual and customary meaning.

A. “Act” means the Growth Management Act, chapter 36.70A RCW, or as hereafter amended.

B. “Adequate public facilities” means facilities which have the capacity to serve development without decreasing levels of service below locally established minimums.

C. “Approving Authority” means the city employee, agency or official having the authority to issue the approval or permit for the development activity involved.

D. “Annual capacity availability report” means the report prepared each year to include available and reserved capacity for each public facility and identifying those proposed and planned capital improvements for each public facility that will correct deficiencies or improve levels of service, a summary of development activity, a summary of current levels of service and recommendations.

E. “Available public facilities” means that public facilities are in place, or a financial commitment has been made to provide the facilities concurrent with development. For the purposes of transportation facilities, “concurrent with development means” that the improvements or strategies are in place at the time of development or that a financial commitment is in place to complete the improvements or strategies within six years. (RCW 36.70A.070(6)(b).)

F. “Capacity” means the ability of a public facility to accommodate users, expressed in an appropriate unit of measure, such as average daily trip ends, or “peak p.m. trips,” within the LOS standards for the facility.

G. “Capacity, available” means capacity in excess of current demand (“used capacity”) for a specific public facility which can be encumbered, reserved or committed or the difference between capacity and current demand (“used capacity”).

H. “Capacity, encumbered” means a reduction in the available capacity resulting from issuance of a capacity reservation certificate or that portion of the available capacity.

I. “Capacity evaluation” means the evaluation by the Director based on adopted Level of Service (LOS) standards to ensure that public facilities and services needed to support development are available concurrent with the impacts of such development, as defined in the City’s concurrency management ordinance.

J. “Capacity reservation certificate” or “CRC” means a determination made by the Director that: (1) a proposed development activity of development phase will be concurrent with the applicable facilities at the time the CRC is issued, and (2) the Director has reserved capacity for an application for a period that corresponds to the respective development permit.

K. “Capacity, reserved” means capacity which has been reserved through use of the capacity reservation certificate process in Section 11.11.016

L. “Capital facilities” means the facilities or improvements included in a capital facilities plan.

M. “Capital facilities plan” means the capital facilities plan element of the City’s comprehensive plan adopted pursuant to Chapter 36.70A RCW and RCW 36.70A.070, and any amendments to the plan.

N. “Change of use” means, for the purposes of this Chapter, any change, redevelopment or modification of use of an existing building or site which meets the definition of “development activity” herein.

O. “City” means the City of Black Diamond, Washington.

P. “Comprehensive land use plan” or “comprehensive plan” means a generalized coordinated land use policy statement of the City Council, adopted pursuant to Chapter 36.70A RCW.

Q. “Concurrency” or “concurrent with development” means that adequate public facilities are available or improvements/strategies are in place when the impacts of development occur, or that a financial commitment is in place to complete the improvements or strategies within six years. This definition includes the concept of “adequate public facilities” as defined above. (RCW 36.70A.070(6)(b).)

- R. “Council” means the City Council of the City of Black Diamond, Washington.
- S. “Dedication” means the conveyance of land or facilities to the City for public facility purposes, by deed, other instrument of conveyance or by dedication, on a duly filed and recorded plat (or short plat).
- T. “Demand management strategies” means strategies designed to change travel behavior to make more efficient use of existing facilities to meet travel demand. Examples of demand management strategies can include strategies that: (1) shift demand outside of the peak travel time; (2) shift demand to other modes of transportation; (3) increase the number of occupants per vehicle; (4) decrease the length of trips; (5) avoid the need for vehicle trips.
- U. “Department” means the public works department of the City of Black Diamond
- V. “Developer” means any person or entity who makes application or receives a development permit or approval for any development activity as defined herein.
- W. “Development activity” or “development” means any construction or expansion of a building, structure, or use, or change in the use of a building or structure, or any changes in the use of the land that creates additional demand for public facilities (such as a change which results in an increase in the number of vehicle trips to and from the property, building or structure) and requires a development permit from the City. (RCW 82.02.090(1)).
- X. “Development agreement” means the agreements authorized in RCW 36.70B.170 and Chapter 18.66 of this Code.
- Y. “Development permit” or “project permit” means any land use permit required by the City for a project action, including but not limited to building permits, subdivisions, short plats, binding site plans, planned unit developments, conditional uses, shoreline substantial developments, site plan reviews, or site-specific rezones, and for purposes of the City’s concurrency management ordinance, shall include applications for amendments to the City’s comprehensive plan which request an increase in the extent or density of development on the subject property.
- Z. “Director” means the director of the public works department.
- AA. “Existing use” means existing development which physically exists or for which the owner holds a valid building permit as of the effective date of the ordinance codified in this Chapter.
- BB. “Encumbered” means to reserve or set aside capacity,
- CC. “Financial commitment” means those sources of public or private funds or combinations thereof that have been identified as sufficient to finance public facilities necessary to support development and that there is reasonable assurance that such funds will be timely put to that end.

DD. “Growth-related” means a development activity as defined herein that decreases the Level of Service (LOS) below the City’s established minimum LOS for a transportation facility in the City’s Comprehensive Plan.

EE. “Level of Service” or “LOS” means an established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need. Level of service standards are synonymous with locally established minimum standards.

FF. “Owner” means the owner of record of real property, although when real property is being purchased under a real estate contract, the purchaser shall be considered the owner of the real property, if the contract is recorded. In addition, the lessee of the real property shall be considered the owner, if the lease of the real property exceeds 25 years, and the lessee is the developer of the real property. (RCW 82.02.090(4).)

GG. “Previous use” means (a) the use existing on the site when a capacity evaluation is sought; or (b) the most recent use on the site, within the five-year period prior to the date of application for the development.

HH. “Public/Private Project” means a system improvement, selected by the City Council for joint private and public funding.

II. “Right of Way” means a public property dedicated for the principal means of access to abutting property, including an avenue, place, way, drive, lane, boulevard, highway, street, and other thoroughfare, except an alley. Secondarily public road right of way provides properties with a corridor for access to various utilities.

JJ. “Road facilities” includes public facilities related to land transportation.

KK. “State” means the State of Washington.

LL. “Subdivision” means all subdivisions as defined in Chapter 17.08, and all short subdivisions as defined in Chapter 17.32.

MM. “Traffic analysis zone” means the minimum geographic unit used for traffic analysis.

NN. “Transportation primary impact area” means a geographically determined area that delineates the impacted area of a deficient roadway link.

OO. “Transportation level of service standards” means a measure which describes the operational condition of the travel stream and acceptable adequacy requirement.

PP. “Traffic demand model” means the simulation through the City’s traffic model of vehicle trip ends assigned on the roadway network.

QQ. “Trip allocation program” means the program established to meter trip ends to new development annually by service area and traffic analysis zone to ensure that the City is maintaining adopted LOS standards.

RR. “Trip end” means a single or one-directional vehicle movement.

SS. “Unit” or “Dwelling unit” means a dwelling unit as defined in BDMC 18.100.280

11.11.004 Exempt development.

No development activity as defined in Section BDMC 11.11.003(W) shall be exempt from the requirements of this chapter, unless the permit is listed below. The following types of permits are not subject to the capacity reservation certificate (CRC) process because they do not create additional long-term impacts on transportation facilities:

1. Administrative interpretations;
2. Sign permit;
3. Street vacations;
4. Demolition permit;
5. Street use permit;
6. Interior alterations of a structure with no change in use;
7. Excavation/clearing permit;
8. Hydrant use permit;
9. Right-of-way permit;
10. Single-family remodeling with no change of use;
11. Plumbing permit;
12. Electrical permit;
13. Mechanical permit;
14. Excavation permit;
15. Sewer connection permit;
16. Driveway or street access permit;
17. Grading permit;
18. Tenant improvement permit;
19. Fire code permit;
20. Design review approval.

Notwithstanding the exemptions noted in this Section, if any of the above permit applications will generate any new p.m. peak hour trips, such application shall not be exempt from the requirements of this Chapter.

11.11.005 Applicability This Chapter shall apply to all applications for development or redevelopment if the proposal or use will generate any new p.m. peak-hour trips. Every

application for development shall be accompanied by an application for capacity reservation certificate.

11.11.006 Capacity evaluation required for a change in use. Any non-exempt development activity shall require a capacity evaluation in accordance with this Chapter.

A. Increased Impact on Road Facilities. If a change in use will have a greater impact on road facilities than the previous use, as determined by the Director, based on review of information submitted by the applicant and such supplemental information as available, a CRC shall be required for the net increase only. The applicant shall provide reasonably sufficient evidence that the previous use has been actively maintained on the site during the five-year period prior to the date of application for the capacity evaluation.

B. Decreased Impact on Road Facilities. If a change in use will have an equal or lesser impact on road facilities than the previous use as determined by the Director, based on review of information submitted by the applicant and supplemental information as available, a CRC will not be required.

C. No Capacity Credit. If no use existed on the site for the five-year period prior to the date of application, no capacity credit shall be issued pursuant to this Section.

D. Demolition or Termination of Use. In the case of a demolition or termination of an existing use or structure, the capacity evaluation for future redevelopment shall be based upon the net increase of the impact on road facilities for the new or proposed land use, as compared to the land use existing prior to demolition, provided, that such credit is utilized through a CRC within five years of the date of the issuance of the demolition permit.

11.11.007. Capacity evaluations required for certain rezones and comprehensive plan amendments. A capacity evaluation shall be required as part of any application for a comprehensive plan amendment or zoning map amendment (rezone) submitted by the property owner, which, if approved, would increase the intensity or density of permitted development. As part of that capacity evaluation, the Director shall determine whether capacity is available to serve both the extent and density of development which would result from the zoning/comprehensive plan amendment. The capacity evaluation shall be submitted as part of the staff report and shall be considered by the City in determining the appropriateness of the comprehensive plan or zoning amendment. The City's approval of any comprehensive plan or zoning map amendment shall not reserve any capacity in transportation facilities unless the property owner has applied for and is issued a CRC and a development agreement which includes a deadline for the property owner's submission of a development permit application for the proposed development.

11.11.008 All capacity determinations exempt from project permit processing. The processing of applications pursuant to the authority in this Chapter shall be exempt from project permit processing procedures as described in Chapter 18.08 of the Zoning Code, except that the appeal procedures of Chapter 11.11.022 shall apply as indicated in this Chapter. The City's processing of capacity determinations and resolving capacity disputes involves a different review

procedure due to the necessity to perform continual monitoring of facility and service needs, to ensure continual funding of facility improvements, and to develop annual updates to the transportation and utilities elements of the comprehensive plan.

11.11.009 Level of Service Standards.

A. Generally. Level of Service (LOS) is the established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need, as mandated by chapter 36.70A RCW. LOS standards shall be used to determine if public facilities or services are adequate to support a development's impact. The concept of concurrency is based on the maintenance of specified levels of service through capacity monitoring, allocation and reservation procedures. Concurrency describes the situation in which road facilities are available when the impacts of development occur. For road facilities, this time period is statutorily established as within six years from the time of development.

B. The City has designated levels of service for road facilities in the transportation element of the City's comprehensive plan:

1. to conform to RCW 47.80.030 for transportation facilities subject to regional transportation plans;
2. to reflect realistic expectations consistent with the achievement of growth aims; and
3. to prohibit development if concurrency for road facilities is not achieved (RCW 36.70A.070), and if sufficient public and/or private funding cannot be found, land use assumptions in the City's comprehensive plan will be reassessed to ensure that level of service standards will be met, or level of service standards will be adjusted.

11.11.010 Effect of LOS standards.

The Director shall use the LOS standards set forth in the transportation element of the City's comprehensive plan to make capacity evaluations as part of the review of any application for a transportation CRC issued pursuant to this chapter.

11.11.011 Capacity evaluations required prior to issuance of CRC.

A. A capacity evaluation shall be required for any of the activities that are not exempt in Section 11.11.004 of this chapter.

B. The Director shall utilize the requirements in Sections 11.11.011 through 11.11.016 to conduct a capacity evaluation prior to issuance of a CRC. In addition to the requirements set forth in these sections, the Director may also utilize state law or the Washington Administrative Code, or such other rules regarding concurrency, which may be established from time to time by administrative rule.

C. A CRC will not be issued except after a capacity evaluation performed pursuant to this Chapter, indicating that capacity is available in all applicable road facilities.

11.11.012 Application for capacity evaluation.

A. An application for capacity evaluation and the application for the underlying development permit, or other activity, shall be accompanied by the requisite fee, as determined by City Council resolution. An applicant for the capacity evaluation shall submit the following information to the Director, on a form provided by the Director, together with the underlying development application:

1. Date of submittal;
2. Developer's name, address, telephone number and e-mail;
3. Legal description of property as required by the underlying development permit application, together with an exhibit showing a map of the property;
4. Proposed use(s) by land use category, square feet and number of units;
5. Phasing information by proposed uses, square feet and number of units, if applicable;
6. Existing use of property;
7. Acreage of property;
8. Proposed site design information, if applicable;
9. The applicant's proposed mitigation (if any) for the impact on the City's transportation facilities;
10. Written consent of the property owner, if different from the developer;
11. Proposed request of capacity by legal description, if applicable;
12. A preliminary site plan, which is a plan showing the approximate layout of proposed structures and other development, type and number of dwelling units, type and number of nonresidential building areas with gross square footage, the land use codes per the most recent edition of Trip Generation from the Institute of Transportation Engineers (ITE) and an analysis of the points of access to existing and proposed roadways;
13. Traffic impact analysis and traffic report. Developments or redevelopments, excluding an individual single-family residence, that will generate one or more new projected p.m. peak-hour vehicle trips that will pass through an intersection or roadway section identified with a level of service below the acceptable level noted in the transportation element in the City's comprehensive plan, or that will generate 15 or more new p.m. peak hour trips shall be required to have the City prepare a traffic impact analysis to determine the full impact of the proposal and appropriate mitigation. The results of the traffic impact analysis will be documented in a traffic report.

B. The applicant is not required to submit a traffic impact analysis from an independent traffic engineer. Instead, those applicants with a transportation CRC application that are required to submit sufficient information for the City to prepare a traffic. The applicant shall instead pay to the City a deposit equal to the estimated fee for the City's preparation of a traffic report. The City will cover the costs of the traffic report from the funds deposited by the applicant. If revisions to the traffic impact analysis are needed the applicant shall cover the additional cost.

Even if the traffic report is based on an estimate of the impact, if the City issues a CRC based on this estimate, the applicant will still be bound by the estimate of the impact, and any upward deviation from the estimated traffic impact shall require at least one of the following: (a) a finding that the additional concurrency sought by the developer through a revised application is available to be reserved by the project; (b) mitigation of the additional impact under SEPA; (c) revocation of the CRC.

11.11.013 Submission and acceptance of a capacity evaluation application.

A. Notice of application. Issuance of a notice of application for the underlying permit application shall be handled by the Community Development Director or designee, following the process in Section 18.08.120. The notice of application required by Section 18.08.120 shall state that an application for a concurrency determination has been received by the City.

B. Determination of Completeness. The Community Development Director shall immediately forward all capacity evaluation applications received with development applications to the Public Works Director. Within twenty-eight (28) days after receiving a capacity evaluation application, the Public Works Director shall mail or personally deliver to the applicant a determination which states either:

1. That the application for capacity evaluation is complete; or
2. That the application for capacity evaluation is incomplete and what is necessary to make the application complete.

C. Additional information. An application for capacity evaluation is complete for purposes of initial processing when it meets the submission requirements in Section 11.11.012. The determination of completeness shall be made when the application is sufficiently complete for review, even though additional information may be required or project modifications may be undertaken subsequently. The Director's determination of completeness shall not preclude the Director's ability to request additional information or studies.

D. Incomplete applications.

1. Whenever the City issues a determination that the application for capacity evaluation is not complete, the application for capacity evaluation shall be handled in the same manner as a project permit application under Section 18.14.020 (G).

2. Date of Acceptance of Application. An application for capacity evaluation shall not be officially accepted or processed until it is complete and the underlying development application has been determined complete. When a capacity application is determined complete, the Director shall accept it and note the date of acceptance.

11.11.014 Method of capacity evaluation.

A. Generally. In order to determine concurrency for the purposes of issuance of a CRC, the Director shall make the determination based on the analysis described in this Section. The Director may deem the development concurrent with transportation facilities if capacity is available. Additionally the Director may deem the development concurrent with transportation facilities if the development causes the level of service to decline below the standards adopted in the transportation element of the comprehensive plan, as long as the Director finds that there are acceptable transportation improvements or strategies to accommodate the development proposed by the applicant, and that the same will be made concurrent with the development. "Concurrent with the development" means that the improvements or strategies are in place at the time of the development, or that a financial commitment (secured by an enforceable development agreement) is in place to complete the improvements or strategies within six years. In no event shall the Director determine concurrency for a greater amount of capacity than is needed for the development proposed in the underlying application.

B. Process and methods

1. Upon submission and acceptance of a complete application for capacity evaluation, the Director shall conduct a Traffic Impact Analysis and issue a traffic report for those applications meeting the requirements of Section

2. In performing the capacity evaluation for transportation facilities, and to prepare the CRC, the Director shall determine, based on the conclusions of the traffic report, whether a proposed development can be accommodated within the existing or planned capacity of transportation facilities. This shall involve the following:

a. A determination of anticipated total capacity at the time the proposed impacts of development occur or within six years of such time;

b. Calculation of how much of that capacity will be used by existing developments and other planned developments at the time the impacts of the proposed development occur;

c. Calculation of the available capacity for the proposed development;

d. Calculation of the impact on the capacity of the proposed development, minus the effects of any mitigation identified by the applicant to be provided by the applicant at the applicant's cost;

e. Comparison of available capacity with proposed development impacts.

3. The Director shall determine if the capacity of the City's transportation facilities, less the capacity which is reserved and used, is available while meeting the level of

service performance standards set forth in the City's comprehensive plan, and if so, shall provide the applicant with a CRC. The Director's determination will be based on the application materials provided by the applicant, which must include the applicant's proposed mitigation for the impact on the City's transportation facilities.

C. Lack of Concurrency. If the Director determines that the proposed development will cause the LOS of a City-owned transportation facility to decline below the standards adopted in the transportation element of the City's comprehensive plan, and improvements or strategies to accommodate the impacts of development are not planned to be made concurrent with development, a CRC and the underlying development permit, shall be denied. Upon denial, the applicant may perform one of the following:

1. Appeal the findings of the Director's decision in accordance with Section 11.11.022; or
2. Offer alternative data and/or perform an independent traffic impact analysis at the applicant's sole expense in support of alternative conclusions. Any study shall meet the requirements of the Public Works Director; or
3. Modify the development proposal to lessen the traffic impacts and/or identify voluntary transportation improvements as mitigation to be provided by the applicant at the applicant's cost and re-apply for capacity review. Re-application shall require repayment of the traffic impact analysis and traffic report preparation fee in accordance with Section 11.11.012; or
4. Withdraw the capacity evaluation application.

11.11.015 Purpose of Capacity Reservation Certificate. A CRC is a determination by the Director that: (1) the proposed development identified in the application for capacity evaluation does not cause the level of service on a City-owned transportation facility to decline below the standards adopted in the transportation element of the City's comprehensive plan; or (2) that a financial commitment (embodied in a development agreement) is in place to complete the necessary improvements or strategies within six (6) years. Upon issuance of a CRC, the Director will reserve transportation facility capacity for this application until the expiration of the underlying development permit. Although the CRC may identify the number of projected trips associated with the proposed development, nothing in this Chapter (including the trip transfer procedures) shall imply that the applicant "owns" or has any ownership interest in the projected trips.

11.11.016 Procedure for capacity reservation certificates. After receipt of a complete application for capacity evaluation, the Director shall process the application in accordance with this Chapter and issue the CRC or a denial letter.

11.11.017 Use of reserved capacity. When a CRC and a development permit issues for a project, the CRC shall continue to reserve the capacity unless the development permit lapses or expires without issuance of a certificate of occupancy.

11.11.018 Transfer of reserved capacity. Reserved capacity shall not be sold or transferred to property not included in the legal description provided by the applicant in the CRC. The applicant may, as part of a development permit application, designate the amount of capacity to be allocated to portions of the property, such as lots, blocks, parcels or tracts included in the application. Capacity may be reassigned or allocated within the boundaries of the original reservation certificate by application to the Director. At no time may capacity or any certificate be sold or transferred to another party or entity to real property not described in the original application.

11.11.019 Denial letter. If the Director determines that there is a lack of concurrency under the above provisions, the Director shall issue a denial letter, which shall advise the applicant that capacity is not available. If the applicant is not the property owner, the denial letter shall also be sent to the property owner. At a minimum, the denial letter shall identify the application and include the following information:

- A. An estimate of the level of the deficiency on the transportation facilities; and
- B. The options available to the applicant as outlined in 11.11.014(C)(1).
- C. A statement that the denial letter may be appealed if the appeal is submitted to the Director within ten (10) days after issuance of the denial letter, and that the appeal must conform to the requirements in Section 11.11.022. Any appeal of a denial letter must be filed according to this section, prior to issuance of the City's decision on the underlying development application. If an appeal is filed, processing of the underlying development application shall be stayed until the final decision on the appeal of the denial letter.

11.11.020 Notice of concurrency determination.

A. Notice of the concurrency determination shall be given to the public together with, and in the same manner as, that provided for the SEPA threshold determination (BDMC 19.04.210) for the underlying development permit unless the project is exempt from SEPA, in which case notice shall be given in the same manner as a final decision on the underlying development permit without any accompanying threshold determination. In the case of an approved CRC, any mitigation identified by the applicant to be provided by the applicant at the applicant's cost shall be included in the SEPA threshold determination or underlying permit decision (if categorically exempt from SEPA).

B. If a denial letter is not timely appealed, the underlying permit application will be processed and in most instances, will result in a denial. If a denial letter is appealed, any mitigation or conditions included in the appeal decision shall be included in the SEPA threshold decision or underlying permit decision (if categorically exempt from SEPA).

11.11.021 Expiration of CRC and extensions of time.

A. Expiration. If a certificate of occupancy has not been requested prior to the expiration of the underlying permit or termination of the associated development agreement, the Director shall convert the reserved capacity to available capacity for use by other developments. The act of requesting a certificate of occupancy before expiration of the CRC shall only convert the reserved capacity to used capacity if the building inspector finds that the project actually conforms with applicable codes and issues a certificate of occupancy. If a complete underlying project permit application expires, the Director shall convert any reserved capacity allocated to the underlying project permit for use by other developments.

B. The City shall assume that the developer requests an extension of the CRC when the developer is requesting a renewal of the underlying development permit. No unused capacity may be carried forward beyond the duration of the CRC or any subsequent extension.

C. If a CRC has been granted for a rezone or comprehensive plan amendment, the CRC shall expire when the development agreement for the comprehensive plan or rezone terminates.

D. If the city's code or state law does not specify an expiration date for the underlying permit, the CRC shall expire no later than 5 years after issuance of the CRC.

11.11.022 Appeals. Upon receipt of an appeal from the applicant of the denial letter, the Director shall handle the appeal as follows:

A. A meeting shall be scheduled with the applicant to review the denial letter and the application materials, together with the appeal statement.

B. Within fourteen (14) days after the meeting, the Director shall issue a written decision, which will list all of the materials considered in making the decision. The written "Director's Decision" shall either affirm or reverse the denial letter. In any decision, the Director shall identify the mitigation that the applicant is required to provide at the applicant's cost, which will be imposed on the application approval in order to achieve concurrency, if any.

C. The mitigation identified in the Director's Decision shall be incorporated into the City's SEPA threshold decision on the application.

D. The Director's Decision shall state that it may be appealed with any appeal of the underlying application or activity, pursuant to Section 18.08.200.

11.11.023 Concurrency administration and procedure.

A. There are two transportation capacity accounts to be utilized by the Director in the implementation of this Chapter. These accounts are:

1. The available capacity account; and
2. The reserved capacity account.

Capacity is withdrawn from the available capacity account and deposited into a reserved capacity account when a CRC is issued. Once the proposed development is constructed and an occupancy certificate is issued, the capacity is considered “used.” Each capacity account of available or reserved capacity will experience withdrawals on a regular basis. Only the Director may transfer capacity between accounts.

11.11.024 Annual reporting and monitoring.

A. The Director is responsible for completion of annual transportation capacity availability reports. The report shall evaluate reserved capacity and permitted development activity for the previous 12-month period, and determine existing conditions with regard to available capacity of road facilities for additional traffic loading. The evaluations shall report on capacity used for the previous period, capacity added from new project(s), and capacity that will be available upon implementation of transportation projects on the City’s six-year capital facilities element of the City’s comprehensive plan and six-year transportation plan for road facilities, based on LOS standards. Forecasts shall be based on the most recently updated schedule of capital improvements, growth projections, public road facility inventories, and revenue projections, and shall, at a minimum, include:

1. A summary of development activity;
2. The status of each capacity account;
3. The six-year transportation plan;
4. Actual capacity of selected street segments and intersections and current LOS;

and

5. Recommendations on amendments to CIP and annual budget, to LOS standards, or other amendments to the transportation element or to the comprehensive plan.

B. The findings of the annual transportation capacity availability report shall be considered by the Council in preparing the annual update to the transportation element of the comprehensive plan, any proposed amendments to the CIP and six-year TIP, and shall be used in the review of development permits and capacity evaluations during the next period.

C. Based upon the analysis included in the annual transportation capacity availability reports, the Director shall recommend to the City Council each year any necessary amendments to the CIP, TIP, or transportation element of the comprehensive plan. The Director shall also report on the status of all capacity accounts when public hearings for comprehensive plan amendments are heard.

11.11.025 Intersection LOS monitoring and modeling.

A. The City shall monitor level of service at all major collector and arterial intersections through the keeping of an updated traffic demand model and an annual update of the six-year transportation plan which will add data reflecting development permits issued and trip allocations reserved.

B. New trip generation numbers shall be assigned to the appropriate traffic analysis zone for each new project approved. The City will use the updated traffic demand model, to ensure that the City is achieving the adopted LOS standards described in this Chapter and the transportation element of the comprehensive plan.

Section 2. Publication. This Ordinance shall be published by an approved summary consisting of the title.

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. Effective Date. This Ordinance shall become effective five days after publication as provided by law.

PASSED by the Council and approved by the Mayor of the City of _____, this ____th day of _____, 2015.

CITY OF

Mayor

ATTEST/AUTHENTICATED:

City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

City Attorney

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO:

November 3, 2015

ORDINANCE NO. 15__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, RELATING TO COMPREHENSIVE PLANNING UNDER THE GROWTH MANAGEMENT ACT, ADOPTING CONCURRENCY REGULATIONS FOR THE REVIEW OF LEGISLATIVE AND QUASI-JUDICIAL APPLICATIONS, AS MANDATED BY THE GMA (RCW 36.70A.070(6)(b)) FOR TRANSPORTATION FACILITIES, DESCRIBING EXEMPTIONS, REQUIRING EVALUATIONS OF CAPACITY ON THE CITY'S ROAD FACILITIES, DESCRIBING THE ELEMENTS OF A CAPACITY EVALUATION APPLICATION, EXPLAINING THE METHOD FOR DETERMINING AND RESERVING CAPACITY ON ROAD FACILITIES, DESCRIBING THE PROCESS FOR ISSUANCE OF CAPACITY RESERVATION CERTIFICATES (CRC), DENIALS OF CRC'S, APPEALS, DESCRIBING THE ADMINISTRATIVE PROCESS FOR CONCURRENCY REPORTING AND MONITORING, ADOPTING A NEW CHAPTER 11.11 IN THE BLACK DIAMOND MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Growth Management Act ("GMA," RCW 36.70A.070(6)(b)) requires that cities planning under GMA "adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development;" and

WHEREAS, the City has no concurrency regulations; and

WHEREAS the SEPA Responsible Official has determined that this Ordinance is categorically exempt from SEPA as affecting only procedural and no substantive standards, pursuant to WAC 197-11-800(19); and

WHEREAS, on Oct 15th, 2015, the City Council held a public hearing on a draft concurrency ordinance: and

WHEREAS, On November 12th, 2015, the City Council reviewed and deliberated on the concurrency ordinance at a council workshop.

WHEREAS, on November 19th, 2015, the City Council held a public hearing and considered this ordinance, during a regular Council meeting; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON,
ORDAINS AS FOLLOWS:

Section 1. A new Chapter 11.11 is hereby added to the Black Diamond Municipal Code, which shall read as follows:

**CHAPTER 11.11
CONCURRENCY MANAGEMENT**

Sections:

- 11.11.001 Purpose.
- 11.11.002 Authority.
- 11.11.003 Definitions.
- 11.11.004 Exempt development.
- 11.11.005 Applicability.
- 11.11.006 Capacity evaluation required for a change of use.
- 11.11.007 Capacity evaluations required for certain rezones or comprehensive plan amendments.
- 11.11.008 All capacity evaluations exempt from project permit processing.
- 11.11.009 Level of Service standards.
- 11.11.010 Effect of LOS standards.
- 11.11.011 Capacity evaluations required prior to issuance of capacity reservation certificate.
- 11.11.012 Application for capacity evaluation.
- 11.11.013 Submission and acceptance of an application for a capacity evaluation application.
- 11.11.014 Method of capacity evaluation.
- 11.11.015 Purpose of capacity reservation certificate.
- 11.11.016 Procedure for capacity reservation certificates.
- 11.11.017 Use of reserved capacity.
- 11.11.018 Transfer of reserved capacity.
- 11.11.019 Denial letter.

- 11.11.020 Notice of concurrency determination.
- 11.11.021 Expiration of CRC and extensions of time.
- 11.11.022 Appeals.
- 11.11.023 Concurrency administration and procedure.
- 11.11.024 Annual reporting and monitoring.
- 11.11.025 Intersection LOS monitoring and modeling.

11.11.001 Purpose. The purpose of this Chapter is to implement the concurrency provisions of the transportation element of the City's comprehensive plan in accordance with RCW 36.70A.070(6)(b). All applications that are not exempt (as defined herein) shall be processed under and shall comply with this Chapter, which shall be cited as the City's "concurrency management ordinance."

11.11.002 Authority. The Director of Public Works or his/her designee, shall be responsible for implementing and enforcing this concurrency management ordinance.

11.11.003 Definitions. The following words and terms shall have the following meanings for the purpose of Chapter 11.11 unless the context clearly appears otherwise. Terms not defined herein shall be given their usual and customary meaning.

A. "Act" means the Growth Management Act, chapter 36.70A RCW, or as hereafter amended.

B. "Adequate public facilities" means facilities which have the capacity to serve development without decreasing levels of service below locally established minimums.

C. "Approving Authority" means the city employee, agency or official having the authority to issue the approval or permit for the development activity involved.

D. "Annual capacity availability report" means the report prepared each year to include available and reserved capacity for each public facility and identifying those proposed and planned capital improvements for each public facility that will correct deficiencies or improve levels of service, a summary of development activity, a summary of current levels of service and recommendations.

E. "Available public facilities" means that public facilities are in place, or a financial commitment has been made to provide the facilities concurrent with development. For the purposes of transportation facilities, "concurrent with development means" that the improvements or strategies are in place at the time of development or that a financial commitment is in place to complete the improvements or strategies within six years. (RCW 36.70A.070(6)(b).)

F. “Capacity” means the ability of a public facility to accommodate users, expressed in an appropriate unit of measure, such as average daily trip ends, or “peak p.m. trips,” within the LOS standards for the facility.

G. “Capacity, available” means capacity in excess of current demand (“used capacity”) for a specific public facility which can be encumbered, reserved or committed or the difference between capacity and current demand (“used capacity”).

H. “Capacity, encumbered” means a reduction in the available capacity resulting from issuance of a capacity reservation certificate or that portion of the available capacity.

I. “Capacity evaluation” means the evaluation by the Director based on adopted Level of Service (LOS) standards to ensure that public facilities and services needed to support development are available concurrent with the impacts of such development, as defined in the City’s concurrency management ordinance.

J. “Capacity reservation certificate” or “CRC” means a determination made by the Director that: (1) a proposed development activity of development phase will be concurrent with the applicable facilities at the time the CRC is issued, and (2) the Director has reserved capacity for an application for a period that corresponds to the respective development permit.

K. “Capacity, reserved” means capacity which has been reserved through use of the capacity reservation certificate process in Section 11.11.016

L. “Capital facilities” means the facilities or improvements included in a capital facilities plan.

M. “Capital facilities plan” means the capital facilities plan element of the City’s comprehensive plan adopted pursuant to Chapter 36.70A RCW and RCW 36.70A.070, and any amendments to the plan.

N. “Change of use” means, for the purposes of this Chapter, any change, redevelopment or modification of use of an existing building or site which meets the definition of “development activity” herein.

O. “City” means the City of Black Diamond, Washington.

P. “Comprehensive land use plan” or “comprehensive plan” means a generalized coordinated land use policy statement of the City Council, adopted pursuant to Chapter 36.70A RCW.

Q. “Concurrency” or “concurrent with development” means that adequate public facilities are available or improvements/strategies are in place when the impacts of development occur, or that a financial commitment is in place to complete the improvements or strategies within six years. This definition includes the concept of “adequate public facilities” as defined above. (RCW 36.70A.070(6)(b).)

R. "Council" means the City Council of the City of Black Diamond, Washington.

S. "Dedication" means the conveyance of land or facilities to the City for public facility purposes, by deed, other instrument of conveyance or by dedication, on a duly filed and recorded plat (or short plat).

T. "Demand management strategies" means strategies designed to change travel behavior to make more efficient use of existing facilities to meet travel demand. Examples of demand management strategies can include strategies that: (1) shift demand outside of the peak travel time; (2) shift demand to other modes of transportation; (3) increase the number of occupants per vehicle; (4) decrease the length of trips; (5) avoid the need for vehicle trips.

U. "Department" means the public works department of the City of Black Diamond

V. "Developer" means any person or entity who makes application or receives a development permit or approval for any development activity as defined herein.

W. "Development activity" or "development" means any construction or expansion of a building, structure, or use, or change in the use of a building or structure, or any changes in the use of the land that creates additional demand for public facilities (such as a change which results in an increase in the number of vehicle trips to and from the property, building or structure) and requires a development permit from the City. (RCW 82.02.090(1)).

X. "Development agreement" means the agreements authorized in RCW 36.70B.170 and Chapter 18.66 of this Code.

Y. "Development permit" or "project permit" means any land use permit required by the City for a project action, including but not limited to building permits, subdivisions, short plats, binding site plans, planned unit developments, conditional uses, shoreline substantial developments, site plan reviews, or site-specific rezones, and for purposes of the City's concurrency management ordinance, shall include applications for amendments to the City's comprehensive plan which request an increase in the extent or density of development on the subject property.

Z. "Director" means the director of the public works department.

AA. "Existing use" means existing development which physically exists or for which the owner holds a valid building permit as of the effective date of the ordinance codified in this Chapter.

BB. "Encumbered" means to reserve or set aside capacity,

CC. "Financial commitment" means those sources of public or private funds or combinations thereof that have been identified as sufficient to finance public facilities necessary to support development and that there is reasonable assurance that such funds will be timely put to that end.

DD. "Growth-related" means a development activity as defined herein that decreases the Level of Service (LOS) below the City's established minimum LOS for a transportation facility in the City's Comprehensive Plan.

EE. "Level of Service" or "LOS" means an established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need. Level of service standards are synonymous with locally established minimum standards.

FF. "Owner" means the owner of record of real property, although when real property is being purchased under a real estate contract, the purchaser shall be considered the owner of the real property, if the contract is recorded. In addition, the lessee of the real property shall be considered the owner, if the lease of the real property exceeds 25 years, and the lessee is the developer of the real property. (RCW 82.02.090(4).)

GG. "Previous use" means (a) the use existing on the site when a capacity evaluation is sought; or (b) the most recent use on the site, within the five-year period prior to the date of application for the development.

HH. "Public/Private Project" means a system improvement, selected by the City Council for joint private and public funding.

II. "Right of Way" means a public property dedicated for the principal means of access to abutting property, including an avenue, place, way, drive, lane, boulevard, highway, street, and other thoroughfare, except an alley. Secondarily public road right of way provides properties with a corridor for access to various utilities.

JJ. "Road facilities" includes public facilities related to land transportation.

KK. "State" means the State of Washington.

LL. "Subdivision" means all subdivisions as defined in Chapter 17.08, and all short subdivisions as defined in Chapter 17.32.

MM. "Traffic analysis zone" means the minimum geographic unit used for traffic analysis.

NN. "Transportation primary impact area" means a geographically determined area that delineates the impacted area of a deficient roadway link.

OO. "Transportation level of service standards" means a measure which describes the operational condition of the travel stream and acceptable adequacy requirement.

PP. "Traffic demand model" means the simulation through the City's traffic model of vehicle trip ends assigned on the roadway network.

QQ. "Trip allocation program" means the program established to meter trip ends to new development annually by service area and traffic analysis zone to ensure that the City is maintaining adopted LOS standards.

RR. "Trip end" means a single or one-directional vehicle movement.

SS. "Unit" or "Dwelling unit" means a dwelling unit as defined in BDMC 18.100.280

11.11.004 Exempt development.

No development activity as defined in Section BDMC 11.11.003(W) shall be exempt from the requirements of this chapter, unless the permit is listed below. The following types of permits are not subject to the capacity reservation certificate (CRC) process because they do not create additional long-term impacts on transportation facilities:

1. Administrative interpretations;
2. Sign permit;
3. Street vacations;
4. Demolition permit;
5. Street use permit;
6. Interior alterations of a structure with no change in use;
7. Excavation/clearing permit;
8. Hydrant use permit;
9. Right-of-way permit;
10. Single-family remodeling with no change of use;
11. Plumbing permit;
12. Electrical permit;
13. Mechanical permit;
14. Excavation permit;
15. Sewer connection permit;
16. Driveway or street access permit;
17. Grading permit;
18. Tenant improvement permit;
19. Fire code permit;
20. Design review approval.

Notwithstanding the exemptions noted in this Section, if any of the above permit applications will generate any new p.m. peak hour trips, such application shall not be exempt from the requirements of this Chapter.

11.11.005 Applicability This Chapter shall apply to all applications for development or redevelopment if the proposal or use will generate any new p.m. peak-hour trips. Every

application for development shall be accompanied by an application for capacity reservation certificate.

11.11.006 Capacity evaluation required for a change in use. Any non-exempt development activity shall require a capacity evaluation in accordance with this Chapter.

A. Increased Impact on Road Facilities. If a change in use will have a greater impact on road facilities than the previous use, as determined by the Director, based on review of information submitted by the applicant and such supplemental information as available, a CRC shall be required for the net increase only. The applicant shall provide reasonably sufficient evidence that the previous use has been actively maintained on the site during the five-year period prior to the date of application for the capacity evaluation.

B. Decreased Impact on Road Facilities. If a change in use will have an equal or lesser impact on road facilities than the previous use as determined by the Director, based on review of information submitted by the applicant and supplemental information as available, a CRC will not be required.

C. No Capacity Credit. If no use existed on the site for the five-year period prior to the date of application, no capacity credit shall be issued pursuant to this Section.

D. Demolition or Termination of Use. In the case of a demolition or termination of an existing use or structure, the capacity evaluation for future redevelopment shall be based upon the net increase of the impact on road facilities for the new or proposed land use, as compared to the land use existing prior to demolition, provided, that such credit is utilized through a CRC within five years of the date of the issuance of the demolition permit.

11.11.007. Capacity evaluations required for certain rezones and comprehensive plan amendments. A capacity evaluation shall be required as part of any application for a comprehensive plan amendment or zoning map amendment (rezone) submitted by the property owner, which, if approved, would increase the intensity or density of permitted development. As part of that capacity evaluation, the Director shall determine whether capacity is available to serve both the extent and density of development which would result from the zoning/comprehensive plan amendment. The capacity evaluation shall be submitted as part of the staff report and shall be considered by the City in determining the appropriateness of the comprehensive plan or zoning amendment. The City's approval of any comprehensive plan or zoning map amendment shall not reserve any capacity in transportation facilities unless the property owner has applied for and is issued a CRC and a development agreement which includes a deadline for the property owner's submission of a development permit application for the proposed development.

11.11.008 All capacity determinations exempt from project permit processing. The processing of applications pursuant to the authority in this Chapter shall be exempt from project permit processing procedures as described in Chapter 18.08 of the Zoning Code, except that the appeal procedures of Chapter 11.11.022 shall apply as indicated in this Chapter. The City's processing of capacity determinations and resolving capacity disputes involves a different review

procedure due to the necessity to perform continual monitoring of facility and service needs, to ensure continual funding of facility improvements, and to develop annual updates to the transportation and utilities elements of the comprehensive plan.

11.11.009 Level of Service Standards.

A. Generally. Level of Service (LOS) is the established minimum capacity of public facilities or services that must be provided per unit of demand or other appropriate measure of need, as mandated by chapter 36.70A RCW. LOS standards shall be used to determine if public facilities or services are adequate to support a development's impact. The concept of concurrency is based on the maintenance of specified levels of service through capacity monitoring, allocation and reservation procedures. Concurrency describes the situation in which road facilities are available when the impacts of development occur. For road facilities, this time period is statutorily established as within six years from the time of development.

B. The City has designated levels of service for road facilities in the transportation element of the City's comprehensive plan:

1. to conform to RCW 47.80.030 for transportation facilities subject to regional transportation plans;
2. to reflect realistic expectations consistent with the achievement of growth aims; and
3. to prohibit development if concurrency for road facilities is not achieved (RCW 36.70A.070), and if sufficient public and/or private funding cannot be found, land use assumptions in the City's comprehensive plan will be reassessed to ensure that level of service standards will be met, or level of service standards will be adjusted.

11.11.010 Effect of LOS standards.

The Director shall use the LOS standards set forth in the transportation element of the City's comprehensive plan to make capacity evaluations as part of the review of any application for a transportation CRC issued pursuant to this chapter.

11.11.011 Capacity evaluations required prior to issuance of CRC.

A. A capacity evaluation shall be required for any of the activities that are not exempt in Section 11.11.004 of this chapter.

B. The Director shall utilize the requirements in Sections 11.11.011 through 11.11.016 to conduct a capacity evaluation prior to issuance of a CRC. In addition to the requirements set forth in these sections, the Director may also utilize state law or the Washington Administrative Code, or such other rules regarding concurrency, which may be established from time to time by administrative rule.

C. A CRC will not be issued except after a capacity evaluation performed pursuant to this Chapter, indicating that capacity is available in all applicable road facilities.

11.11.012 Application for capacity evaluation.

A. An application for capacity evaluation and the application for the underlying development permit, or other activity, shall be accompanied by the requisite fee, as determined by City Council resolution. An applicant for the capacity evaluation shall submit the following information to the Director, on a form provided by the Director, together with the underlying development application:

1. Date of submittal;
2. Developer's name, address, telephone number and e-mail;
3. Legal description of property as required by the underlying development permit application, together with an exhibit showing a map of the property;
4. Proposed use(s) by land use category, square feet and number of units;
5. Phasing information by proposed uses, square feet and number of units, if applicable;
6. Existing use of property;
7. Acreage of property;
8. Proposed site design information, if applicable;
9. The applicant's proposed mitigation (if any) for the impact on the City's transportation facilities;
10. Written consent of the property owner, if different from the developer;
11. Proposed request of capacity by legal description, if applicable;
12. A preliminary site plan, which is a plan showing the approximate layout of proposed structures and other development, type and number of dwelling units, type and number of nonresidential building areas with gross square footage, the land use codes per the most recent edition of Trip Generation from the Institute of Transportation Engineers (ITE) and an analysis of the points of access to existing and proposed roadways;
13. Traffic impact analysis and traffic report. Developments or redevelopments, excluding an individual single-family residence, that will generate one or more new projected p.m. peak-hour vehicle trips that will pass through an intersection or roadway section identified with a level of service below the acceptable level noted in the transportation element in the City's comprehensive plan, or that will generate 15 or more new p.m. peak hour trips shall be required to have the City prepare a traffic impact analysis to determine the full impact of the proposal and appropriate mitigation. The results of the traffic impact analysis will be documented in a traffic report.

B. The applicant is not required to submit a traffic impact analysis from an independent traffic engineer. Instead, those applicants with a transportation CRC application ~~that~~ are required to submit sufficient information for the City to prepare a traffic impact analysis. The applicant shall ~~instead~~ pay to the City a deposit equal to the estimated fee for the City's preparation of a traffic report. The City will cover the costs of the traffic report from the funds deposited by the applicant. If revisions to the traffic impact analysis are needed the applicant shall cover the additional cost.

Comment [SB1]: Do these edits below make sense and address Mr. Rimbose comments?

Even if the traffic report is based on an estimate of the impact, if the City issues a CRC based on this estimate, the applicant will still be bound by the estimate of the impact, and any upward deviation from the estimated traffic impact shall require at least one of the following: (a) a finding that the additional concurrency sought by the developer through a revised application is available to be reserved by the project; (b) mitigation of the additional impact under SEPA; (c) revocation of the CRC.

11.11.013 Submission and acceptance of a capacity evaluation application.

A. Notice of application. Issuance of a notice of application for the underlying permit application shall be handled by the Community Development Director or designee, following the process in Section 18.08.120. The notice of application required by Section 18.08.120 shall state that an application for a concurrency determination has been received by the City.

B. Determination of Completeness. The Community Development Director shall immediately forward all capacity evaluation applications received with development applications to the Public Works Director. Within twenty-eight (28) days after receiving a capacity evaluation application, the Public Works Director shall mail or personally deliver to the applicant a determination which states either:

1. That the application for capacity evaluation is complete; or
2. That the application for capacity evaluation is incomplete and what is necessary to make the application complete.

C. Additional information. An application for capacity evaluation is complete for purposes of initial processing when it meets the submission requirements in Section 11.11.012. The determination of completeness shall be made when the application is sufficiently complete for review, even though additional information may be required or project modifications may be undertaken subsequently. The Director's determination of completeness shall not preclude the Director's ability to request additional information or studies.

D. Incomplete applications.

1. Whenever the City issues a determination that the application for capacity evaluation is not complete, the application for capacity evaluation shall be handled in the same manner as a project permit application under Section 18.14.020 (G).

2. Date of Acceptance of Application. An application for capacity evaluation shall not be officially accepted or processed until it is complete and the underlying development application has been determined complete. When a capacity application is determined complete, the Director shall accept it and note the date of acceptance.

11.11.014 Method of capacity evaluation.

A. Generally. In order to determine concurrency for the purposes of issuance of a CRC, the Director shall make the determination based on the analysis described in this Section. The Director may deem the development concurrent with transportation facilities if capacity is available. Additionally the Director may deem the development concurrent with transportation facilities if the development causes the level of service to decline below the standards adopted in the transportation element of the comprehensive plan, as long as the Director finds that there are acceptable transportation improvements or strategies to accommodate the development proposed by the applicant, and that the same will be made concurrent with the development. "Concurrent with the development" means that the improvements or strategies are in place at the time of the development, or that a financial commitment (secured by an enforceable development agreement) is in place to complete the improvements or strategies within six years. In no event shall the Director determine concurrency for a greater amount of capacity than is needed for the development proposed in the underlying application.

B. Process and methods

1. Upon submission and acceptance of a complete application for capacity evaluation, the Director shall conduct a Traffic Impact Analysis and issue a traffic report for those applications meeting the requirements of Section

2. In performing the capacity evaluation for transportation facilities, and to prepare the CRC, the Director shall determine, based on the conclusions of the traffic report, whether a proposed development can be accommodated within the existing or planned capacity of transportation facilities. This shall involve the following:

a. A determination of anticipated total capacity at the time the proposed impacts of development occur or within six years of such time;

b. Calculation of how much of that capacity will be used by existing developments and other planned developments at the time the impacts of the proposed development occur;

c. Calculation of the available capacity for the proposed development;

d. Calculation of the impact on the capacity of the proposed development, minus the effects of any mitigation identified by the applicant to be provided by the applicant at the applicant's cost;

e. Comparison of available capacity with proposed development impacts.

3. The Director shall determine if the capacity of the City's transportation facilities, less the capacity which is reserved and used, is available while meeting the level of

service performance standards set forth in the City's comprehensive plan, and if so, shall provide the applicant with a CRC. The Director's determination will be based on the application materials provided by the applicant, which must include the applicant's proposed mitigation for the impact on the City's transportation facilities.

C. Lack of Concurrency. If the Director determines that the proposed development will cause the LOS of a City-owned transportation facility to decline below the standards adopted in the transportation element of the City's comprehensive plan, and improvements or strategies to accommodate the impacts of development are not planned to be made concurrent with development, a CRC and the underlying development permit, shall be denied. Upon denial, the applicant may perform one of the following:

1. Appeal the findings of the Director's decision in accordance with Section 11.11.022; or
2. Offer alternative data and/or perform an independent traffic impact analysis at the applicant's sole expense in support of alternative conclusions. Any study shall meet the requirements of the Public Works Director; or
3. Modify the development proposal to lessen the traffic impacts and/or identify voluntary transportation improvements as mitigation to be provided by the applicant at the applicant's cost and re-apply for capacity review. Re-application shall require repayment of the traffic impact analysis and traffic report preparation fee in accordance with Section 11.11.012; or
4. Withdraw the capacity evaluation application.

11.11.015 Purpose of Capacity Reservation Certificate. A CRC is a determination by the Director that: (1) the proposed development identified in the application for capacity evaluation does not cause the level of service on a City-owned transportation facility to decline below the standards adopted in the transportation element of the City's comprehensive plan; or (2) that a financial commitment (embodied in a development agreement) is in place to complete the necessary improvements or strategies within six (6) years. Upon issuance of a CRC, the Director will reserve transportation facility capacity for this application until the expiration of the underlying development permit. Although the CRC may identify the number of projected trips associated with the proposed development, nothing in this Chapter (including the trip transfer procedures) shall imply that the applicant "owns" or has any ownership interest in the projected trips.

11.11.016 Procedure for capacity reservation certificates. After receipt of a complete application for capacity evaluation, the Director shall process the application in accordance with this Chapter and issue the CRC or a denial letter.

11.11.017 Use of reserved capacity. When a CRC and a development permit issues for a project, the CRC shall continue to reserve the capacity unless the development permit lapses or expires without issuance of a certificate of occupancy.

11.11.018 Transfer of reserved capacity. Reserved capacity shall not be sold or transferred to property not included in the legal description provided by the applicant in the CRC. The applicant may, as part of a development permit application, designate the amount of capacity to be allocated to portions of the property, such as lots, blocks, parcels or tracts included in the application. Capacity may be reassigned or allocated within the boundaries of the original reservation certificate by application to the Director. At no time may capacity or any certificate be sold or transferred to another party or entity to real property not described in the original application.

11.11.019 Denial letter. If the Director determines that there is a lack of concurrency under the above provisions, the Director shall issue a denial letter, which shall advise the applicant that capacity is not available. If the applicant is not the property owner, the denial letter shall also be sent to the property owner. At a minimum, the denial letter shall identify the application and include the following information:

- A. An estimate of the level of the deficiency on the transportation facilities; and
- B. The options available to the applicant as outlined in 11.11.014(C)(1).

C. A statement that the denial letter may be appealed if the appeal is submitted to the Director within ten (10) days after issuance of the denial letter, and that the appeal must conform to the requirements in Section 11.11.022. Any appeal of a denial letter must be filed according to this section, prior to issuance of the City's decision on the underlying development application. If an appeal is filed, processing of the underlying development application shall be stayed until the final decision on the appeal of the denial letter.

11.11.020 Notice of concurrency determination.

A. Notice of the concurrency determination shall be given to the public together with, and in the same manner as, that provided for the SEPA threshold determination (BDMC 19.04.210) for the underlying development permit unless the project is exempt from SEPA, in which case notice shall be given in the same manner as a final decision on the underlying development permit without any accompanying threshold determination. In the case of an approved CRC, any mitigation identified by the applicant to be provided by the applicant at the applicant's cost shall be included in the SEPA threshold determination or underlying permit decision (if categorically exempt from SEPA).

B. If a denial letter is not timely appealed, the underlying permit application will be processed and in most instances, will result in a denial. If a denial letter is appealed, any mitigation or conditions included in the appeal decision shall be included in the SEPA threshold decision or underlying permit decision (if categorically exempt from SEPA).

11.11.021 Expiration of CRC and extensions of time.

A. Expiration. If a certificate of occupancy has not been requested prior to the expiration of the underlying permit or termination of the associated development agreement, the Director shall convert the reserved capacity to available capacity for use by other developments. The act of requesting a certificate of occupancy before expiration of the CRC shall only convert the reserved capacity to used capacity if the building inspector finds that the project actually conforms with applicable codes and issues a certificate of occupancy. If a complete underlying project permit application expires, the Director shall convert any reserved capacity allocated to the underlying project permit for use by other developments.

B. The City shall assume that the developer requests an extension of the CRC when the developer is requesting a renewal of the underlying development permit. No unused capacity may be carried forward beyond the duration of the CRC or any subsequent extension.

C. If a CRC has been granted for a rezone or comprehensive plan amendment, the CRC shall expire when the development agreement for the comprehensive plan or rezone terminates.

D. If the city's code or state law does not specify an expiration date for the underlying permit, the CRC shall expire no later than 5 years after issuance of the CRC.

11.11.022 Appeals. Upon receipt of an appeal from the applicant of the denial letter, the Director shall handle the appeal as follows:

A. A meeting shall be scheduled with the applicant to review the denial letter and the application materials, together with the appeal statement.

B. Within fourteen (14) days after the meeting, the Director shall issue a written decision, which will list all of the materials considered in making the decision. The written "Director's Decision" shall either affirm or reverse the denial letter. In any decision, the Director shall identify the mitigation that the applicant is required to provide at the applicant's cost, which will be imposed on the application approval in order to achieve concurrency, if any.

C. The mitigation identified in the Director's Decision shall be incorporated into the City's SEPA threshold decision on the application.

D. The Director's Decision shall state that it may be appealed with any appeal of the underlying application or activity, pursuant to Section 18.08.200.

11.11.023 Concurrency administration and procedure.

A. There are two transportation capacity accounts to be utilized by the Director in the implementation of this Chapter. These accounts are:

1. The available capacity account; and
2. The reserved capacity account.

Capacity is withdrawn from the available capacity account and deposited into a reserved capacity account when a CRC is issued. Once the proposed development is constructed and an occupancy certificate is issued, the capacity is considered “used.” Each capacity account of available or reserved capacity will experience withdrawals on a regular basis. Only the Director may transfer capacity between accounts.

11.11.024 Annual reporting and monitoring.

A. The Director is responsible for completion of annual transportation capacity availability reports. The report shall evaluate reserved capacity and permitted development activity for the previous 12-month period, and determine existing conditions with regard to available capacity of road facilities for additional traffic loading. The evaluations shall report on capacity used for the previous period, capacity added from new project(s), and capacity that will be available upon implementation of transportation projects on the City’s six-year capital facilities element of the City’s comprehensive plan and six-year transportation plan for road facilities, based on LOS standards. Forecasts shall be based on the most recently updated schedule of capital improvements, growth projections, public road facility inventories, and revenue projections, and shall, at a minimum, include:

1. A summary of development activity;
2. The status of each capacity account;
3. The six-year transportation plan;
4. Actual capacity of selected street segments and intersections and current LOS;
5. Recommendations on amendments to CIP and annual budget, to LOS standards, or other amendments to the transportation element or to the comprehensive plan.

and

B. The findings of the annual transportation capacity availability report shall be considered by the Council in preparing the annual update to the transportation element of the comprehensive plan, any proposed amendments to the CIP and six-year TIP, and shall be used in the review of development permits and capacity evaluations during the next period.

C. Based upon the analysis included in the annual transportation capacity availability reports, the Director shall recommend to the City Council each year any necessary amendments to the CIP, TIP, or transportation element of the comprehensive plan. The Director shall also report on the status of all capacity accounts when public hearings for comprehensive plan amendments are heard.

11.11.025 Intersection LOS monitoring and modeling.

A. The City shall monitor level of service at all major collector and arterial intersections through the keeping of an updated traffic demand model and an annual update of the six-year transportation plan which will add data reflecting development permits issued and trip allocations reserved.

B. New trip generation numbers shall be assigned to the appropriate traffic analysis zone for each new project approved. The City will use the updated traffic demand model, to ensure that the City is achieving the adopted LOS standards described in this Chapter and the transportation element of the comprehensive plan.

Section 2. Publication. This Ordinance shall be published by an approved summary consisting of the title.

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. Effective Date. This Ordinance shall become effective five days after publication as provided by law.

PASSED by the Council and approved by the Mayor of the City of _____, this ____th day of _____, 2015.

CITY OF

Mayor

ATTEST/AUTHENTICATED:

City Clerk

APPROVED AS TO FORM:
Office of the City Attorney

City Attorney

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO:

CITY COUNCIL AGENDA BILL

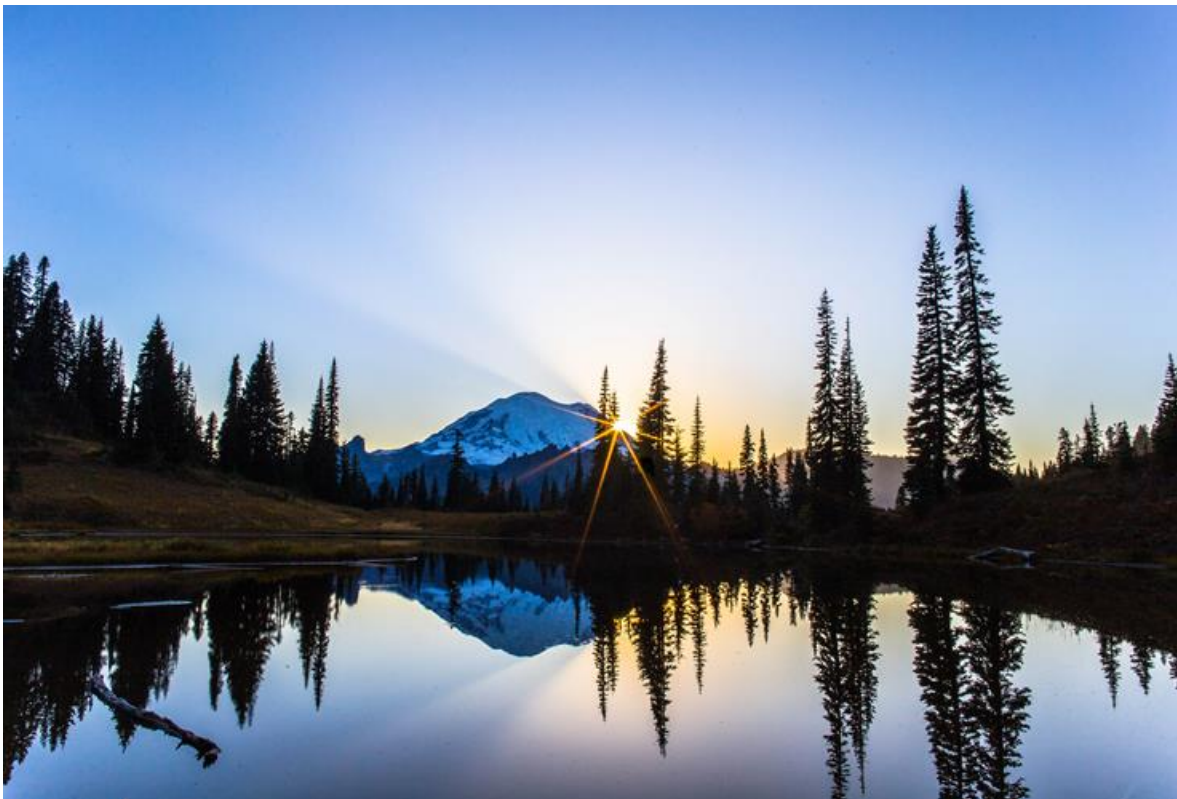
City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION		
SUBJECT:	Agenda Date:	November 19, 2015 AB15-078
Public Hearing on 2016 Preliminary Budget	Mayor Carol Benson	
	City Administrator	
	City Attorney Carol Morris	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res – Barbara Kincaid	
	Finance – May Miller	X
	MDRT/Ec Dev – Andy Williamson	
Cost Impact (see also Fiscal Note): \$13,750,130	Police – Chief Kiblinger	
Fund Source: --Various Funds	Public Works – Seth Boettcher	
Timeline:	Court – Stephanie Metcalf	
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Proposed 2016 Preliminary Budget		
SUMMARY STATEMENT: <p>This is the first Public Hearing of the Revenue and Expenditures for all funds that are included in the attached 2016 Preliminary Budget Document. The Mayor's proposed Preliminary 2016 Budget is in balance for all funds. This includes both Operating funds and Capital Improvement Funds.</p> <p>In the 2016 budget. The General Fund is projected to add \$109,035 to the ending Operating Cash and Investment Fund Balance, for a budgeted Ending Balance of \$754,115. This is 18% of expenditures which is above the recommended level of 10%. Cash and Investment Fund Balances are needed to pay monthly costs during the months that property taxes are not received, usually Jan-March, June to September, and December. This balance is also needed to cover unanticipated expenditures or downturns in the economy.</p> <p>Council has reviewed the 2016 Preliminary Budget at committee meetings during October and at workstudies held on October 1, 2015 and October 29, 2015. Public Hearings are scheduled for November 19, 2015 and December 7, 2015. A Public Hearing was also held on the 2016 Property Tax portion of the 2016 Budget on November 5, 2015. Adoption is scheduled for December 7 or 17, 2015.</p> <p>Public participation and input are encouraged throughout the process and comments may be submitted in writing as well as by attending the Public Hearings. The 2016 Preliminary Budget Document can be viewed at the cities web site and is also available at the front counter of City Hall for viewing or purchase.</p> <p>FISCAL NOTE (Finance Department): All Funds in the 2016 Preliminary Budget are in balance.</p>		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: The Finance Committee Reviewed the 2016 Preliminary Budget Document at their October 29, 2015 meeting.		
RECOMMENDED ACTION: Public Hearing only		

RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
Nov 19, 2015		

City of Black Diamond Preliminary Budget

2016



(many photos in this document are courtesy of [Craig Goodwin](#))

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From the Mayor's Desk

October 29, 2015

City Council and Black Diamond Residents,

It is my pleasure to present to you the 2016 budget for the City of Black Diamond. Following a series of meetings with staff I am happy to report the 2016 Budget is in balance for all funds. The General Fund ending balance will be increasing by \$109,035 to a total of \$754,115. This is 18% of the General Fund operating expenditures and exceeds the recommendation of 10%. Fortunately, the economy is slowly improving with a sales tax increase of about 6% due to building within the City and the expected increases in 2016 for the construction of the new elementary school. In addition, the water, sewer and stormwater budgets are also in balance for 2016, with a rate study expected in the spring of 2016.

Since first taking office as your Mayor, on Dec. 2, 2014, I have remained focused on improving the quality of life for Black Diamond residents. This includes working to help new and existing businesses along with streamlining governmental processes. The continued challenge facing the City, like many other cities, is to maintain current service levels while at the same time balancing costs, which are increasing at a faster pace than our resources.

The restructure of our Fee Schedule was a major accomplishment this year with participation from City Staff, City Council and our City Attorney. Our revenues now more closely match our expenditures. We are also in the process of setting up a new payment structure for Utility Bills, Permits, Business Licenses and other City payments through Invoice Cloud, which will streamline Credit Card payments and will save the City time and money. New Accounting processes were established to better track Accounts Receivables and Stormwater Utility billings, with a much needed education segment to inform customers.

The Police Dept. faced some challenges with Commander Goral out on medical leave most of the year and finally passing away from his cancer on August 16, 2015. We are currently in the process of replacing that position. The Boots and Badges Charity Basketball Game for Cops with Cancer was a big success bringing in over \$36,000 for Commander Goral and his family. The Department transitioned all officers to cell phone for use as hot spots; camera, video and audio. Sgt. Lynch attended the National DARE conference and successfully completed the 10 week course for the 5th graders at Black Diamond Elementary School.

We received a Grant approving the \$1.4 mil. Roberts Drive and bridge improvements, including a pedestrian walkway. We will also be doing some street overlays, repairs and sign replacement. We have applied for a TIB Grant for the Jones Lake overlay.

Our new Community Development Director is focusing on the Comprehensive Plan update which should be ready for adoption by the 2nd Qtr. of 2016. Her goals are to develop strategies to streamline the permitting process and create a business friendly building and permitting process. We have seen an increase in the issuance of building permits by almost 20% and need to make sure we have the staff available to serve this additional capacity. Enumclaw School District passed a bond issue to replace Black Diamond Elementary School, which will occur in 2016.

The City Clerk is responsible for the implementation of the City's new Wellness Program for 2016, which could earn the City an insurance discount in future years. She is also responsible for streamlining the Business License application review and issuance process. We are improving the quality of communication with the public by again including the quarterly newsletter in our utility billing as well as being posted to the City website.

The Master Planned Development Review Team (MDRT) has been working on current and up-coming projects with YarrowBay the developer and applicant. They have approved Clearing and Grading of the stockpile area in PP1A and anticipate approving Clearing and Grading of PP2C, which a permit is expected to be issued before the

end of the year. The Villages offsite Watermain, that is routed through the Palmer Coking Coal site, has been approved and the permit issued. The applicant has turned in an additional application for the Offsite Watermain for Roberts Drive. They have also been working with King County Wastewater Treatment Division for the connection to the sewer system and the design of an additional lift station.

I appreciate the hard work and dedication of City Staff in providing the City and Council with a balanced budget. As the economy continues to improve, I am confident that we will eventually adopt a budget that will allow the city a sustainable financial future. I am proud that the City has maintained a responsible level of service and makes this city a better place to live, work, play and do business.

Sincerely,

Carol Benson

Carol Benson
Mayor

History of Black Diamond, Washington

Black Diamond incorporated in 1959, but has had a much longer history as a historic town in Washington. Black Diamond was first established as a community in the late 1880s for the mining of coal. At the turn of the century the town was a major exporter of coal in the region. The Pacific Coast Coal Company in Black Diamond became the largest coal mining operations on the West Coast. Some historic buildings retain their original locations. In 2010, Black Diamond's historic Railroad Avenue was updated and refurbished making a great improvement to the Historic Museum and Black Diamond Bakery area.

Black Diamond offers a warm and friendly rural, small town atmosphere with spectacular mountain views. The city is nestled in the foothills within miles of the beautiful Green River Gorge and Flaming Geyser Park.

The City is on the verge of growth. At 4,200 citizens, population projections may reach above 20,000 in the next 20 years. Over the past several years, major annexations have increased the population and acreage of Black Diamond. The annexation of the Lake Sawyer area in 1998 doubled the number of citizens. Recent annexations in the city's urban growth area have increased the city's size by approximately 1,600 acres.

Form of Government

Black Diamond is a "Code City" as described under Title 35A in the Revised Code of Washington. The City operates under a strong mayor form of government with five elected council members serving staggered four-year terms. The Mayor serves as the chief administrative officer of the city. The Council acts as the legislative body. When the City reaches a population of 5,000 state law requires expansion to a seven-member council. The City is served by Congressional District 8 and Legislative District 5.

Budget Process

Budgeting is an essential element of the financial planning, control and evaluation process of government. The planning process involves determining the types and levels of services to be provided by the various departments, programs and functions.

The City of Black Diamond budgets annually on the calendar year beginning January 1 and ending December 31. Budget adjustments are limited by state law (35A.33.120). Allocations are made based on a fund structure, limiting uses outside of each fund. Funds are segregated to carry on specific objectives. Funds are budgeted on a cash basis in accordance with the Revised Code of Washington, RCW 35.33. Appropriations in the budget constitute maximum expenditure authorizations during the year and cannot be legally exceeded until subsequently amended by the City Council.

How Black Diamond Serves the Community

The City of Black Diamond strives to provide a safe and enjoyable environment for residents, businesses and visitors alike. Foremost, safety is a priority in Black Diamond. Our City's police, and Mountain View Fire and Rescue (formerly Fire District 44) fire and emergency service employees are both dedicated and top notch. City employees provide other important services such as road maintenance, community development, code enforcement, a municipal court and water utility services, stormwater management and wastewater utility billing. Utility and maintenance workers also maintain our local parks and the cemetery.

Black Diamond Elected Officials



Back Row: Ron Taylor, Craig Goodwin, Tamie Deady - Mayor Pro-tem
Front Row: Erica Morgan, Mayor Carol Benson, Janie Edelman

Mayor
 Carol Benson
 Appointed Position
 Expires 12/31/2015

Position 3
 Janie Edelman
 Two Year Term
 Expires 12/31/2015

Position 1
 Tamie Deady
 Mayor Pro-tem
 Four Year Term
 Expires 12/31/2015

Position 4
 Craig Goodwin
 Expires 12/31/2015

Position 2
 Erika Morgan
 Four Year Term
 Expires 12/31/17

Position 5
 Ron Taylor
 Four Year Term
 Expires 12/31/2015

City Council Committees

In addition to serving on the City Council, Council members also serve on Council committees for the City of Black Diamond based on their interests. They may also choose to serve on any number of intergovernmental committees. The committees meet on an as-needed basis to hear issues in each topic area. Council members provide recommendations to the full Council. Such recommendations are advisory only and any actions are made by the full Council in open public meetings. Committee appointments are made the 1st Council meeting in January.

Budget, Finance and Administration Committee

Chair – Council Member Edelman

Council Member Deady

The Budget, Finance and Administration Committee in conjunction with City Staff may consider matters related to the financial issues of the City including the annual and capital budgets, revenues and expenditures, sales of bonds, general fiscal and financial conditions, voucher approval, rates and fees, audit and operations of the City including but not limited to, facilities and properties, computerization, periodic budget and financial reports and policy matters related to personnel in coordination with the Finance and Administration Departments.

Cemetery/Parks Committee

Chair – Council Member Morgan

Council Member Goodwin

The Parks and Cemetery Committee in conjunction with City Staff may consider matters related to planning and implementation of park and recreational facilities, the capital improvement program, local trails and the cemetery.

Planning and Community Service Committee

Chair – Council Member Edelman

Council Member Morgan

The Planning and Community Services Committee in conjunction with City staff may consider matters of a non-quasi-judicial nature related to community growth and development including but not limited to planning of the physical, economic, aesthetic and social development of the City, comprehensive plan, zoning code and housing, annexation policies and code enforcement. This committee may also consider matters not included in other committee's scopes of authority.

Public Safety Committee

Chair – Council Member Deady

Council Member Taylor

The Public Safety Committee in conjunction with City Staff may consider issues related to the public health, safety and welfare of the citizens of Black Diamond including but not limited to law enforcement, fire safety, court, hazardous materials, animal control, special events and emergency services.

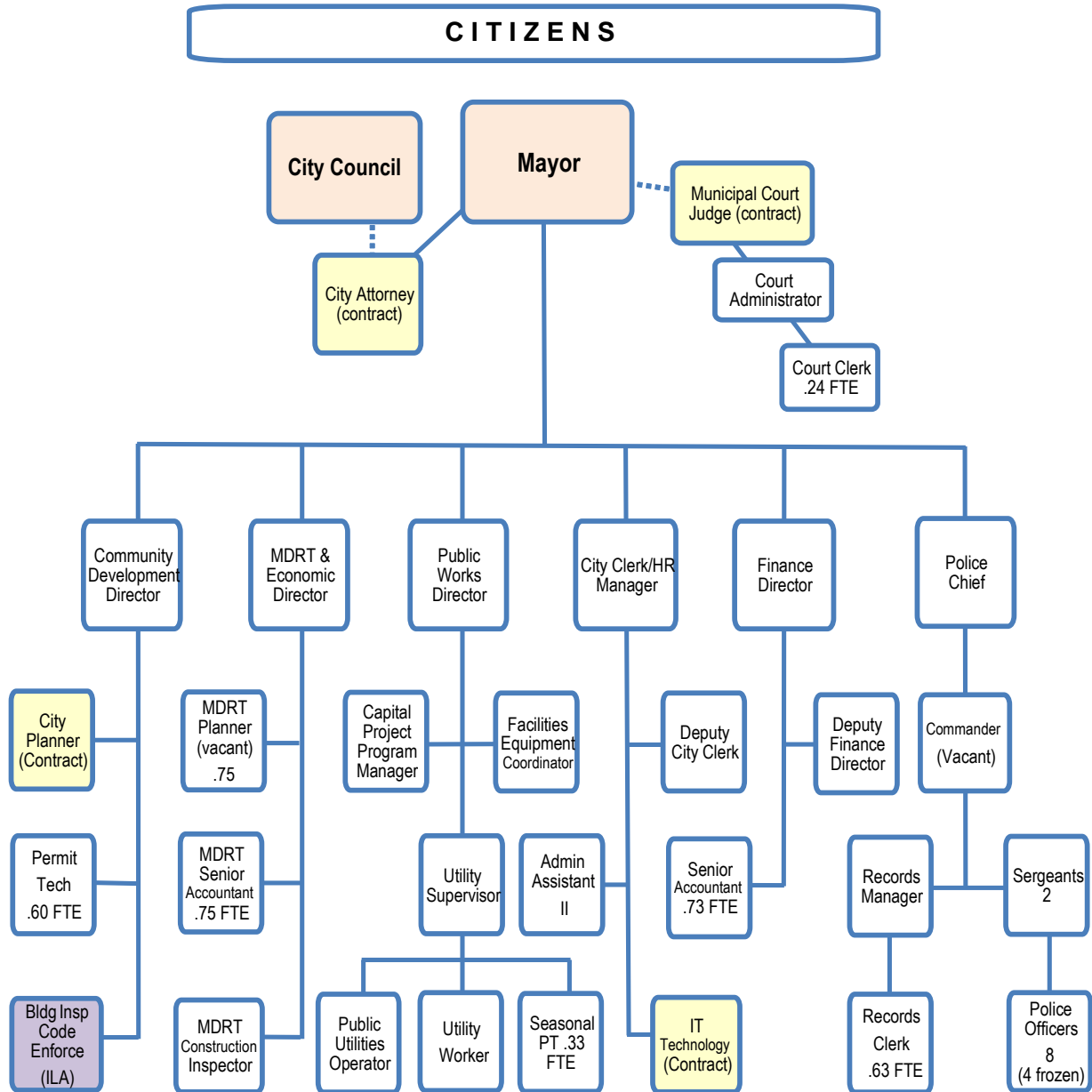
Public Works Committee

Chair - Council Member Taylor

Council Member Goodwin

The Public Works Committee in conjunction with City Staff may consider matters related to water, sewer, solid waste, recycling, utility franchises, stormwater management, transportation, capital improvement program, transit, streets, street lighting, signalization and local street improvement.

City of Black Diamond 2016 Organization Chart



This Chart represents budgeted positions for 2016.

Each position is filled by 1 FTE, unless otherwise noted.

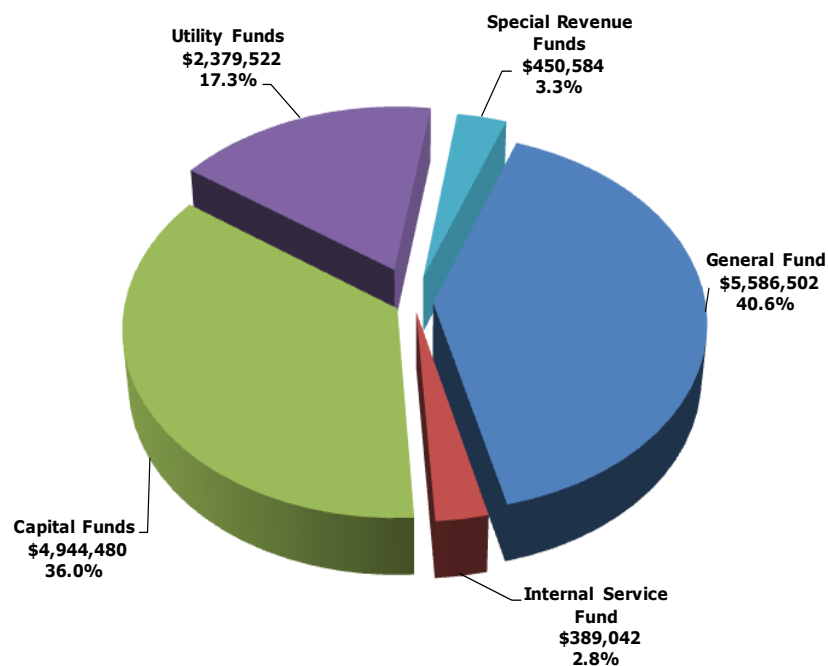
Black Diamond is served by Mountain View Fire and Rescue.



2016 Employee Allocations by Funding Source							
Positions	Full Time Equivalent (FTE)	Funding Agreement	General Fund	Street Fund	Water Fund	Sewer Fund	Storm water Fund
Administration							
Administrative Assistant 2	1.00		0.10		0.30	0.30	0.30
Total Administration	1.00		0.10	0.00	0.30	0.30	0.30
City Clerk							
City Clerk/HR Manager	1.00	1.00					
Deputy City Clerk	1.00		0.50	0.04	0.15	0.15	0.16
Total City Clerk	2.00	1.00	0.50	0.04	0.15	0.15	0.16
Finance Department							
Finance Director	1.00		0.70		0.10	0.10	0.10
Deputy Finance Director	1.00		0.72		0.09	0.10	0.09
Senior Accountant	0.73		0.44	0.03	0.09	0.09	0.08
Total Finance	2.73		1.86	0.03	0.28	0.29	0.27
Police Department							
Police Chief	1.00		1.00				
Police Commander (vacant)	1.00		1.00				
Sergeant	2.00		2.00				
Police Officers	4.00		4.00				
Police Records Coordinator	1.00		1.00				
Police Clerk	0.63		0.63				
Total Police Department	9.63		9.63	0.00	0.00	0.00	0.00
Municipal Court							
Court Administrator	1.00		1.00				
Court Clerk	0.24		0.24				
Total Court	1.24		1.24	0.0	0.0	0.0	0.0
Community Development							
Community Development Director	1.00		1.00				
Permit Technician	0.60		0.60				
Total Community Development	1.60		1.60				
Master Dev Review Team (MDRT)							
MDRT & Economic Dev Director	1.00	1.00					
Utilities Construction Supervisor	1.00	1.00					
Senior Planner (vacant)	0.75	0.75					
Senior Accountant	0.75	0.75					
Total MDRT Review Team	3.50	3.50	0.00	0.00	0.00	0.00	0.00
Facilities Department							
Facilities Equipment Coordinator	1.00		0.80	0.05	0.05	0.05	0.05
Total Facilities	1.00		0.80	0.05	0.05	0.05	0.05
Public Works							
Public Works Director	1.00		0.06	0.26	0.23	0.23	0.22
Capital Project/Program Manager	1.00			0.25	0.25	0.25	0.25
Utilities Supervisor	1.00		0.05	0.23	0.24	0.24	0.24
Utility Worker	1.00		0.10	0.15	0.25	0.25	0.25
Utilities Operator	1.00		0.10	0.15	0.25	0.25	0.25
Seasonal Maintenance	0.33		0.16	0.06	0.06		0.05
Total Public Works	5.33		0.47	1.10	1.28	1.22	1.26
Total Budget Positions (FTE's)	28.03	4.50	16.20	1.22	2.06	2.01	2.04

	All Funds Preliminary Budget Summary	Beginning Fund Balance	2016 Revenue	Total Sources	2016 Expenditures	Ending Fund Balance	Total Uses
1	General Fund 001	1,072,660	4,513,842	5,586,502	4,672,387	914,115	5,586,502
2	Special Revenue Funds						
3	101 Street Fund	111,645	217,334	328,979	215,291	113,688	328,979
4	107 Fire Impact Fees	43,575	18,030	61,605		61,605	61,605
5	108 Trans. Benefit District Fund		60,000	60,000	60,000		60,000
6	Utility Funds			-			-
7	401 Water Fund	161,635	798,248	959,883	790,943	168,940	959,883
8	407 Sewer Fund	117,641	846,260	963,901	874,239	89,662	963,901
9	410 Stormwater Fund	105,818	349,920	455,738	370,796	84,942	455,738
10	Capital Funds			-			-
11	310 Gen. Government CIP Fund	170,819	156,424	327,243	327,243		327,243
12	311 REET 1 Gen Govt	133,341	95,150	228,491	128,000	100,491	228,491
13	320 Street CIP Fund	225,967	1,817,244	2,043,211	2,043,211		2,043,211
14	321 REET 2 Street Projects	116,024	95,120	211,144	110,000	101,144	211,144
15	402 Water Supply and Facility Fund	70,000	560,150	630,150	560,000	70,150	630,150
16	404 Water Capital Fund	287,700	429,001	716,701	560,771	155,930	716,701
17	408 Sewer Capital Fund	711,000	26,540	737,540	153,000	584,540	737,540
18	410 Stormwater Capital Fund		50,000	50,000	50,000		50,000
19	Internal Service Fund 510			-			-
20	1 - Fire Equipment Reserve Fund	48,876	30,050	78,926	78,926		78,926
21	2 - Street Equipment Reserve Fund	253,096	47,200	300,296	76,000	224,296	300,296
22	3 - Police Equipment Reserve Fund	9,800	20	9,820	9,820		9,820
23	Total All Funds	3,639,597	10,110,533	13,750,130	11,080,627	2,669,503	13,750,130

**Total
Budget
\$13,750,130**



General Fund

The General Fund is the primary fund of the City. It is similar to a firm's general ledger account, and records all assets and liabilities of the entity that are not assigned to a special purpose fund. It provides the resources necessary to sustain the day-to-day activities and thus pays for administrative and operating expenses.



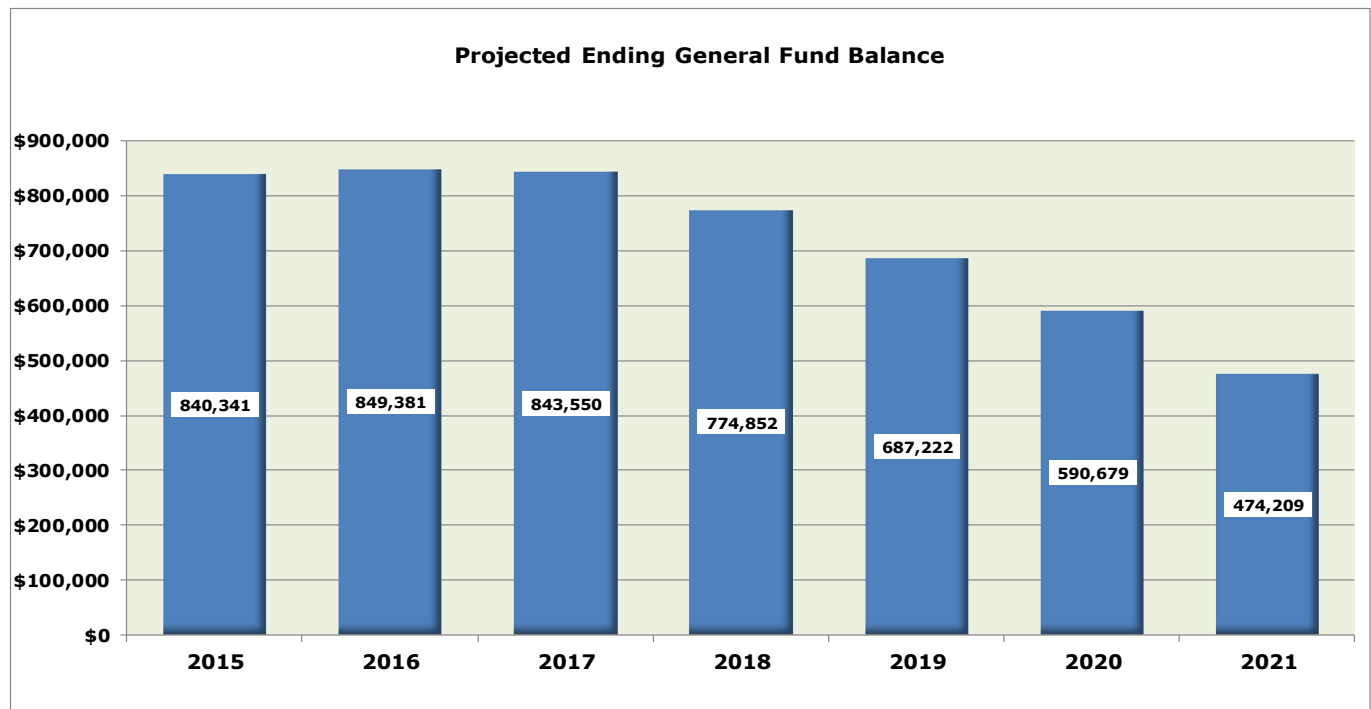
Jones Lake at Dusk

General Fund 2016 Preliminary Budget

	2013 Actual	2014 Actual	2015 Budget	Estimate Year End 2015	2016 Budget	Budget \$ Change inc/(dec)	Budget % Change inc/(dec)
REVENUE							
1 Property Tax	1,400,391	1,438,112	1,436,203	1,436,000	1,465,908	29,705	2.1%
2 Sales Tax	290,796	302,927	280,000	310,750	326,250	46,250	16.5%
3 Utility & Gambling Tax	546,510	582,921	581,400	570,040	563,500	(17,900)	-3.1%
4 Business & Other Licenses & Fees	23,070	21,995	23,500	22,110	22,000	(1,500)	-6.4%
5 Cable Franchise Fees	61,563	62,438	61,000	64,000	66,000	5,000	8.2%
6 Land Use and Permitting Fees	80,068	112,715	86,970	135,000	181,310	94,340	108.5%
7 Liquor Tax & Profits	40,278	44,887	35,700	41,200	54,750	19,050	53.4%
8 State Sales Tax Assistance	61,645	72,195	60,000	70,000	78,460	18,460	30.8%
9 KC EMS Levy, Recycle Grants & misc	70,630	70,648	70,125	71,293	71,991	1,866	2.7%
10 Charges for Services, Passport	88,393	92,298	114,430	113,611	101,400	(13,030)	-11.4%
11 Parks Parking Fees	16,313	22,274	21,000	25,000	25,000	4,000	19.0%
12 Gym Revenue				6,100	9,940	9,940	
13 Cemetery Fees & Charges	9,128	10,371	12,700	10,100	12,600	(100)	-0.8%
14 Police Grants, Crim Justice & Misc	162,180	153,933	131,850	154,882	152,215	20,365	15.4%
15 Court Fines and Fees	104,826	114,777	125,000	108,175	109,521	(15,479)	-12.4%
16 Miscellaneous Revenue	8,676	7,108	1,975	8,000	2,500	525	26.6%
17 Subtotal Operating Revenue	2,964,467	3,109,599	3,041,853	3,146,261	3,243,345	201,492	11.9%
18 Insurance Recovery-Legal Svs				25,000	-	-	
19 Funding Agreement-MDRT	1,412,069	1,310,097	1,045,069	830,688	822,497	(222,572)	-21.3%
20 Total General Fund Op Revenue	4,376,536	4,419,696	4,086,922	4,001,949	4,065,842	(21,080)	-0.5%
21 Developer Reimb-SEPA Legal	51,420	4,263	10,000	200	10,000	-	0.0%
22 Developer Reimb-MDRT Consultants	270,325	342,972	470,000	470,000	438,000	(32,000)	-6.8%
23 Developer Reimb-Makers Consulting	79,400	92,233		-			
24 Grand Total Revenue	4,777,681	4,859,164	4,566,922	4,472,149	4,513,842	(53,080)	-1.2%
25 Beg Cash & Inv Bal General Govt	397,817	644,198	601,492	842,526	912,660	311,168	51.7%
26 Beg Cash & Investment By Dev	261,219	299,129	278,000	190,103	160,000	(118,000)	-42.4%
27 Total Sources	5,436,717	5,802,491	5,446,414	5,504,778	5,586,502	140,088	2.6%
EXPENDITURES							
28 Legislative-Council	3,876	11,782	14,702	14,000	15,711	1,009	6.9%
29 Executive-Mayor	13,924	14,507	14,950	14,500	15,118	168	1.1%
30 Administration	105,545	117,435	-	-	-	-	
31 City Clerk/Human Resources	238,595	220,118	220,309	225,000	227,588	7,279	3.3%
32 Finance	243,879	268,152	173,477	190,000	181,014	7,537	4.3%
33 Information Services	143,454	45,659	49,700	53,700	31,175	(18,525)	-37.3%
34 Legal Service	66,564	110,594	75,400	60,000	55,000	(20,400)	-27.1%
35 Legal Services-Investigation/Other		122,263		-	-	-	
36 Legal-Pros Atty & Pub Defender	24,000	61,000	61,250	37,000	61,250	-	0.0%
37 Municipal Court	151,901	139,944	160,200	160,000	168,769	8,561	5.3%
38 Police Department	1,553,562	1,652,792	1,639,816	1,600,000	1,700,472	60,656	3.7%
39 Fire Department	448,264	454,496	483,526	464,000	505,375	21,849	4.5%
40 Natural Resources	148,077	76,382		-	-	-	
41 Recycle/Air Qual/Mntl Hlth/Animal Cont	27,595	27,344	28,800	25,800	32,166	3,366	11.7%
42 Master Development Review Team	451,226	442,931	714,381	500,000	657,325	(57,056)	-8.0%
43 Hearing Examiner-SEPA	2,791	709	10,000	5,000	5,000	(5,000)	-50.0%
44 Comm Deve-Permitting	168,143	121,283	122,992	128,706	201,688	78,696	64.0%
45 Comm Deve-Planning		91,177	79,080	118,294	119,636	40,556	51.3%
46 Facilities-Staff & Misc	98,239	89,780	82,322	88,000	47,876	(34,446)	-41.8%
47 Facilities Bldg Mtc-Staff & Equip	112,222	110,373	75,236	90,000	73,200	(2,036)	-2.7%
48 Emergency Management	3,714	184	2,500	-	5,000	2,500	100.0%
49 Parks	33,674	37,228	44,432	42,000	51,206	6,774	15.2%
50 Parks Museum	7,710	7,394	8,090	6,870	7,551	(539)	-6.7%
51 Parks Community Center	2,967	3,169	2,696	13,815	-	(2,696)	-100.0%
52 Parks Gym	2,043	2,502	2,147	9,000	11,316	9,169	427.1%
53 Cemetery	15,768	17,680	15,285	16,000	18,598	3,313	21.7%
54 Cntrl Svs Reimb-Paper, Post, Print Cks	29,221	31,276	30,035	30,000	32,353	2,318	7.7%
55 Insurance and Unanticipated Costs				15,000			
56 Total General Fund Op Exp	4,096,954	4,278,154	4,111,334	3,906,685	4,224,387	113,053	2.7%
57 Developer Exp-GFC-Prior Year Planning	106,705	55,168		55,233			
58 Developer MDRT-Consultants	245,220	426,603	470,000	470,000	438,000	(32,000)	-6.8%
59 Developer Legal SEPA Reimb	44,511	9,937	10,000	200	10,000	-	0.0%
60 Total Expenditures	4,493,390	4,769,862	4,591,334	4,432,118	4,672,387	81,053	1.8%
61 Ending Cash & Inv Bal Gen Govt	644,198	842,526	645,080	912,660	754,115	109,035	16.9%
62 Ending Cash & Inv Bal Developer	299,129	190,103	210,000	160,000	160,000	(50,000)	-23.8%
63 Total Uses	5,436,716	5,802,491	5,446,414	5,504,778	5,586,502	140,088	2.6%

General Fund Ending Fund Balance Forecast

	2014	2015	2016	2017	2018	2019	2020	2021	
General Fund Revenue	Actual	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Fcst
1 Property Tax	1,438,112	1,436,203	1,465,908	1,480,567	1,480,567	1,495,373	1,495,373	1,510,326	1%
2 Sales Tax	302,927	280,000	285,600	291,312	291,312	297,138	294,225	300,110	2%
3 Utility Taxes	582,921	581,400	563,500	574,770	574,770	586,265	580,518	592,128	2%
4 Other Revenue **	785,639	744,319	928,337	946,904	965,842	985,159	985,159	1,004,862	2%
5 Funding Agreement	1,310,097	1,045,000	822,497	908,414	939,490	954,976	970,772	970,775	2%
7 Total Operating Revenue	4,419,696	4,086,922	4,065,842	4,201,967	4,251,981	4,318,911	4,326,046	4,378,201	
General Fund Expenditures	P/S 3%	P/S 2%	P/S 2%	P/S 2%	P/S 2%	P/S 2%	P/S 2%	P/S 2%	Fcst
9 Public Safety (P/S)	2,317,709	2,357,300	2,450,866	2,499,883	2,549,881	2,600,879	2,600,879	2,652,896	2%
10 Comm Deve-Gen Govt	289,551	212,072	326,324	332,850	339,507	346,298	346,298	353,224	2%
11 Comm Deve-MDRT	442,931	714,381	657,325	743,242	789,804	805,600	821,712	821,712	2%
12 Support Services-Clk, HR, Fin, CS	519,546	423,821	440,955	449,774	458,770	467,945	467,945	477,304	2%
13 Mtc Bldgs. Grds, Equip	331,836	298,708	263,088	268,350	273,717	279,191	279,191	284,775	2%
14 Legal Services	232,857	75,400	55,000	56,100	57,222	58,366	58,366	59,534	2%
15 Legislative & Administration	143,724	29,652	30,829	31,446	30,330	30,330	30,936	30,936	2%
16 Total Operating Spending	4,278,154	4,111,334	4,224,387	4,381,645	4,499,231	4,588,608	4,605,327	4,680,381	
17									
18	2014	2015	2016	2017	2018	2019	2020	2021	
19 Change in Reserves	141,542	(24,412)	(158,545)	(179,678)	(247,250)	(269,697)	(279,281)	(302,180)	
20 Add Addtl Rev & Savings-YE 4%		86,886	167,585	173,847	178,552	182,068	182,737	185,710	
21 Ending Reserves	842,526	840,341	849,381	843,550	774,852	687,222	590,679	474,209	
22 End Reserve % of GF Operating	19.69%	20.44%	20.11%	19.25%	17.22%	14.98%	12.83%	10.13%	



** Other Revenue includes Cable Franchise Fees, Business Licenses, Permits & Land Use Fees, Police Criminal Justice Sales Tax & other Police Fees & 23 Grants, Liquor Tax & Profits, State Tax Assistance, Lake Sawyer Parking Fees, Cemetery Fees, Court Fines,

24 Model assumes no growth, no new revenue and continued Funding Revenue at the 2015 level. Assumes 2% Revenue Growth, except prop tax at 1%.

25 Expenditures are assumed to grow at 2%.

Model assumes that due to modest budgeting, year end fund balance will end with an over collection of rev and exp under budget by a total of 4% of 26 expenditures.

If growth occurs, the model will change significantly. If the Funding Agreement has further reductions, the expenditures would need to be reduced by 27 an equal amount.

Which GF Revenues Pay for What Expenses?					Public Safety	General Govt	YB/MDRT
General Fund							
	2015 Budget	2016 Budget	Chg \$ 2015 to 2016	Change %			
REVENUE							
Public Safety Revenue Support							
1 Property Taxes	1,436,423	1,465,908	29,485	2.1%	1,465,908		
2 Utility & Gambling Taxes	581,400	563,500	(17,900)	-3.1%	563,500		
3 Criminal Justice Sales Tax	97,100	111,200	14,100	14.5%	111,200		
4 Liquor Tax		18,600	18,600		18,600		
5 Liquor Profits	35,700	36,150	450	1.3%	36,150		
6 Court Fines and Fees	125,000	109,521	(15,479)	-12.4%	109,521		
7 Fire EMS Taxes	54,200	56,000	1,800	3.3%	56,000		
8 Police Grants & Chg for Svc & Misc.	34,750	41,015	6,265	18.0%	41,015		
9 Subtotal Public Safety Revenue	2,364,573	2,401,894	37,321	1.6%	2,401,894		
General Govt Revenue Support							
11 Sales Tax	280,000	326,250	46,250	16.5%		326,250	
12 Land Use and Permitting Fees	86,970	181,310	94,340	108.5%		181,310	
13 State Assistance	60,000	78,400	18,400	30.7%		78,400	
14 Recycle Grants & Misc. Grants	15,925	15,991	66	0.4%		15,991	
15 Cable Franchise Fee	61,000	66,000	5,000	8.2%		66,000	
16 Parks & Cemetery Fees	33,700	47,540	13,840	41.1%		47,540	
17 Passport Fees	20,300	21,900	1,600	7.9%		21,900	
18 Alloc SftWre Mtc-CC Fees-TR/AP post-prt	24,130	20,500	(3,630)	-15.0%		20,500	
19 Alloc Code Update Code, Clk, Perm. Mtc	70,000	55,000	(15,000)	-21.4%		55,000	
20 Other Misc Revenue	25,255	28,560	3,305	13.1%		28,560	
21 Subtot General Govt Revenue	677,280	841,451	164,171	24.2%		841,451	
22 Subtotal Operating Revenue	3,041,853	3,243,345	201,492	6.6%			
23 YarrowBay Funding Agmt - Prelim	1,045,069	822,497	(222,572)	-21.3%		165,172	657,325
24 Total General Fund Oper Rev	4,086,922	4,065,842	(21,080)	-0.5%	2,401,894	1,006,623	657,325
EXPENDITURES							
Public Safety Expenditures							
27 Police Department	1,639,816	1,700,472	60,656	3.7%	1,700,472		
28 Fire Department	483,526	505,375	21,849	4.5%	505,375		
29 Municipal Court	160,208	168,769	8,561	5.3%	168,769		
30 Court Public Defender	37,250	37,250	-	0.0%	37,250		
31 Court Prosecution	24,000	24,000	-	0.0%	24,000		
32 Animal Control	10,000	10,000	-	0.0%	10,000		
33 Emergency Management	2,500	5,000	2,500	100.0%	5,000		
34 Subtotal P Safety Expenditures	2,357,300	2,450,866	93,566	4.0%	2,450,866		
35 Executive	14,950	15,118	168	1.1%		15,118	
36 Legislative	14,702	15,711	1,009	6.9%		15,711	
37 Administration/ Natural Resources	0	0	-			0	
38 City Clerk	220,309	227,588	7,279	3.3%		227,588	
39 Finance	173,477	181,014	7,537	4.3%		181,014	
40 Information Services	49,700	31,175	(18,525)	-37.3%		31,175	
41 Legal	75,400	55,000	(20,400)	-27.1%		55,000	
42 Recycling Gr./Air Q/M. Health	18,800	22,166	3,366	17.9%		22,166	
43 Master Development Review Team	714,381	657,325	(57,056)	-8.0%			657,325
44 Community Development	202,072	321,324	119,252	59.0%		321,324	
45 Hearing Examiner (+ SEPA Appeal)	10,000	5,000	(5,000)	-50.0%		5,000	
47 Facilities - Staff and Miscellaneous	82,322	47,876	(34,446)	-41.8%		47,876	
48 Facilities Bldg Mtc Rnt-Land-Copiers	75,236	73,200	(2,036)	-2.7%		73,200	
49 Parks	57,365	70,073	12,708	22.2%		70,073	
50 Cemetery	15,285	18,598	3,313	21.7%		18,598	
51 Central Services & Emp Recognition	30,035	32,353	2,318	7.7%		32,353	
52 Subtotal General Government	1,754,034	1,773,521	19,487	1.1%		1,116,196	657,325
53 Total GF Operating Expenditures	4,111,334	4,224,387	113,053	2.7%	2,450,866	1,116,196	657,325
54 Surplus/(Deficit)	(24,412)	(158,545)	(134,133)		(48,972)	(109,573)	

General Fund Expenditures

	General Fund Expenses by Type	2014 Actual	2015 Budget	2016 Budget	Net Change
	Public Safety				
1	Police	1,652,792	1,639,816	1,700,472	60,656
2	Fire	454,496	483,526	505,375	21,849
3	Municipal Court	139,944	160,208	168,769	8,561
4	Court Public Defender	37,000	37,250	37,250	
5	Prosecuting Attorney	24,000	24,000	24,000	
6	Animal Control	9,293	10,000	10,000	
7	Emergency Management	184	2,500	5,000	2,500
8	Total Public Safety	2,317,709	2,357,300	2,450,866	93,566
	Development of Community				
9	Com Development/Permitting	121,283	122,992	201,688	78,696
10	Com Development/Planning	91,177	79,080	119,636	40,556
11	Com Development-Hearing Examiner	709	10,000	5,000	(5,000)
12	Natural Resources	76,382			
13	Master Development Review Team	788,042	714,381	657,325	(57,056)
14	Total Dev of Community	1,077,593	926,453	983,649	57,196
	Mtc of Bldg, Grounds & Equipment				
15	Building & Grounds Maintenance	200,153	157,558	121,076	(36,482)
16	Parks Maintenance	50,293	57,365	70,073	12,708
17	Cemetery Maintenance	17,680	15,285	18,598	3,313
18	Recycle/Air Qual/Mental Health	18,051	18,800	22,166	3,366
19	Information Technology & Tech Mtc.	45,659	49,700	31,175	(18,525)
20	Total Mtc of Bld, Grounds & Equip	331,836	298,708	263,088	(35,620)
	Legislative & Administration				
21	Legislative - City Council	11,782	14,702	15,711	1,009
22	Executive - Mayor	14,507	14,950	15,118	168
23	City Administrator	117,435			
24	Total Legislative & Administration	143,724	29,652	30,829	1,177
	Support Services				
25	City Clerk/Human Resources	220,118	220,309	227,588	7,279
26	Finance	268,152	173,477	181,014	7,537
27	Central Services	31,276	30,035	32,353	2,318
28	Total Support Services	519,546	423,821	440,955	17,134
	Legal Services				
29	General Legal Services	41,442	50,000	30,000	(20,000)
30	Public Disclosure Legal Review	7,344	4,000	5,000	1,000
31	Labor Contract & Employee Legal	61,808	17,400	10,000	(7,400)
32	Legal Svs-Investigation	97,602			
33	Misc specific Canibus, Res Cov. Etc.	24,661	4,000	10,000	6,000
34	Total Legal Services	232,857	75,400	55,000	(20,400)
35	Total General Fund	4,623,265	4,111,334	4,224,387	113,053

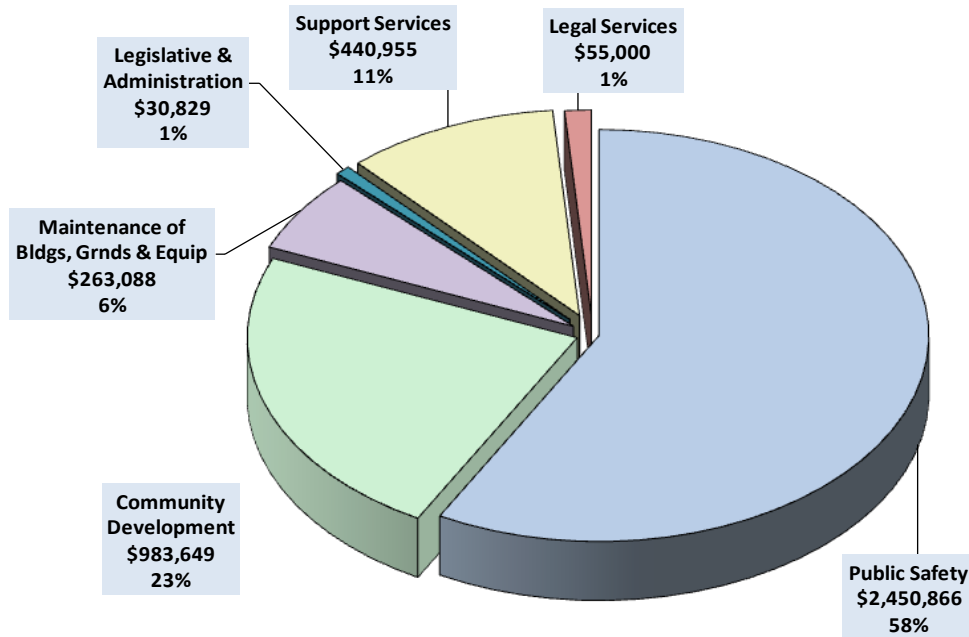
City of Black Diamond 2016 Summary General Fund

Functional Comparisons for 2014 - 2016

	2014 Actual	2015 Budget	2016 Budget	2015/2016 Changes
1 Public Safety	2,317,709	2,357,300	2,450,866	93,566
2 Development of Community	732,482	926,453	983,649	57,196
3 Maint of Bldgs, Grounds, Equip	331,836	298,708	263,088	(35,620)
4 Legislative & Administration	143,724	29,652	30,829	1,177
5 Support Services	519,546	423,821	440,955	17,134
6 Legal Services	232,857	75,400	55,000	(20,400)
7 Total General Fund-Operations	4,278,154	4,111,334	4,224,387	113,053

2016 General Fund Budget by Function

\$4,224,387



Funding Agreement

	MDRT	2015 Funded FTE	2014 Adjusted Budget	2015 Estimate	2015 Request w/no 2015 reduction	2015 Target Core @2.65 months	2015 Budget- MDRT & Core Funding w/Limited wind-down	2016 Prelim Budget
1	MDRT & Economic Development Director	1.00	143,563	141,768	146,509	146,509	146,509	148,362
2	Comm Dev Director-FT -Jan-June 2014		58,270	146,879				
3	Comm Dev/Nat Res Dir.-50% -July-Dec 2014		37,308	(73,439)	75,842	75,842	75,842	67,520
4	Construction Support	1.00	123,745	126,637	143,681	143,681	143,681	135,800
5	Add MDRT Sr Planner-75% position	0.75	71,160	120,100	95,226	95,226	95,226	97,800
6	MDRT Senior Accountant/Adm Asst	0.75	73,736	75,419	75,419	75,419	75,419	77,974
7	City Clerk/Resources Manager	1.00	148,117	146,816	146,816	146,816	146,816	153,256
8	Subtotal MDRT Staff	4.50	655,899	537,364	683,493	683,493	683,493	680,712
9	MDRT-Expenses		33,659	44,663	32,500	32,500	32,500	38,673
10	MDRT-Alloc PW Dir, Finance				30,000	30,000	30,000	20,000
11	MDRT One Vehicle/Computers		30,000	50,000	50,000	50,000	50,000	0
12	FF&E- MDRT		61,129	90,000	81,505	81,505	81,505	71,195
13	FF&E - City Clerk/HR							11,917
14	Total MDRT	4.50	780,687	722,027	877,498	877,498	877,498	822,497
	Balance of Core Agreement (254)							
15	Public Works Director		74,620	0	74,620		19,774	
16	Natural Res Parks Dir-Jan-June 2014		74,616	0				
17	Comm Dev/Hr Director-50% July-Dec 2014		37,308	73,440	73,540		19,488	
18	Information Svs-Contracted		92,176	56,000	49,000		12,985	
19	Finance Director		123,725	119,477	119,477		31,661	
20	Deputy Finance Director		111,990	109,674	109,674		29,064	
21	Permit Center Supervisor 2014 Budget		103,041					
22	Re-allocate vacant Permit Center Supervisor		(94,977)	0				
23	Core Planner -Contract thru 3/19/14		52,200	70,000	80,168		21,246	
24	Add Permit Center Tech-Feb-Dec 2014		37,636	41,978	41,978		11,123	
25	Facilities Equipment Coordinator		80,418	81,195	93,605		24,805	
26	Subtotal Core Balance @ 2.65 months		692,753		642,062	170,146	170,146	0
27	Core 2015 FF&E-limited wind-down @ 2.65 Months		112,320		64,899	17,199	17,199	
28	Total Core balance @ 2.65 months		805,073	0	706,961	187,345	187,345	0
29	Total Funding Agree Op Costs-Funding Revenue		1,585,760	722,027	1,584,459	1,064,843	1,064,843	822,497
30	MDRT Legal & Consultant Reimb		485,000	485,000	470,000	470,000	470,000	438,000
31	Grand Total Funding Agreement		2,070,760	1,207,027	2,054,459	1,534,843	1,534,843	1,260,497

Funding Agreement Operating Budget Reduction 2014 - 2016



Since 2014, the Funding Agreement has been reduced by \$763,263, or 49.1%.

General Fund Revenues

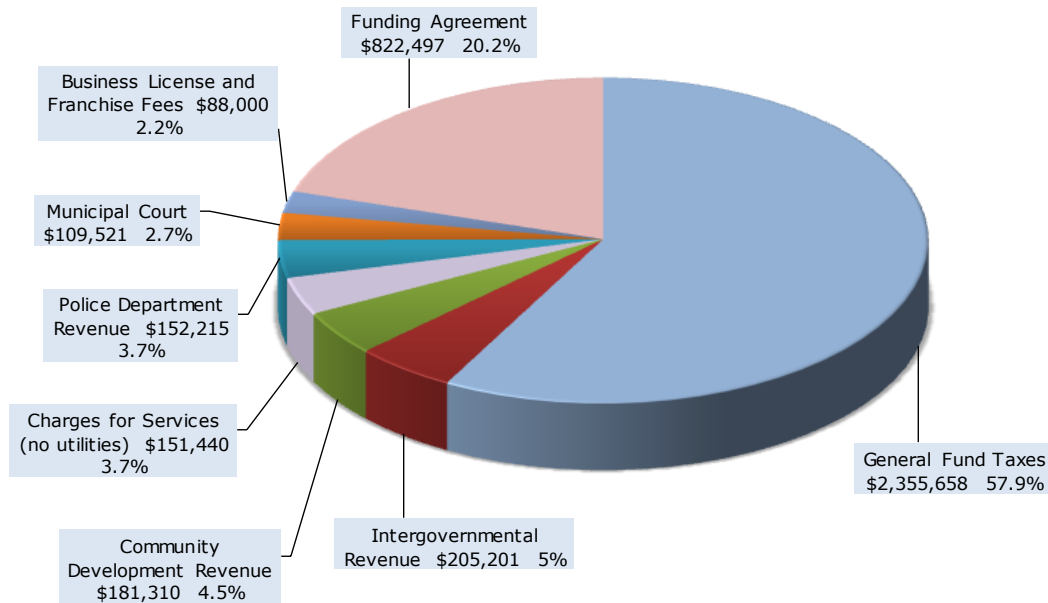
The General Fund budget refers to the expenditures and revenues associated with the delivery of City services in Black Diamond that are funded with property, sales, and utility taxes, charges & fees, and state shared revenues. Services provided under the general fund include police and fire, municipal court, parks maintenance, building permits, development review, and administrative functions in the City. The General Fund includes close to one half of Black Diamond's total budget.

Top Twenty General Fund Revenue Sources		Preliminary Budget 2016
1	General Property Taxes	1,465,908
2	Sales Taxes	326,250
3	Electrical Utility Tax	211,000
4	Police: Local Criminal Justice Funds	110,600
5	Municipal Court Fines and Fees	109,521
6	Building Permits	105,500
7	Telephone Tax	90,000
8	Sales Tax Assistance from State	78,460
9	Cable TV Utility Tax	76,000
10	Plan Check and Land Use Fees	75,810
11	Cable Franchise Fees	66,000
12	Stormwater Utility Tax	64,000
13	KC EMS VLS Contract	56,000
14	Liquor Board Tax & Profits	54,750
15	Sewer Utility Tax	44,900
16	Water Utility Tax	40,900
17	Parks: Parking & Gym Fees	34,940
18	Solid Waste Utility Tax	32,800
19	Traffic School & Vessel Reg. Boat Safety	27,515
20	Business Licenses	22,000

	General Fund Revenue	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
1	General Fund Taxes	2,237,697	2,323,960	2,297,603	1,271,080	2,355,658	58,055	2.5%
2	Intergovernmental Revenue	172,552	187,728	165,825	136,785	205,201	39,376	23.7%
3	Community Development Revenue	80,068	112,715	87,470	105,608	181,310	93,840	107.3%
4	Police Department Revenue	162,180	153,934	131,850	100,700	152,215	20,365	15.4%
5	Municipal Court	104,826	114,777	125,000	63,465	109,521	(15,479)	-12.4%
6	Cable Franchise & Business Licenses	84,633	84,433	84,000	71,689	88,000	4,000	4.8%
7	Charges for Services (no utilities)	122,511	132,051	150,105	128,650	151,440	1,335	0.9%
8	Funding Agreement	1,412,069	1,328,939	1,045,069	472,659	822,497	(222,572)	-21.3%
9	Total GF Operating Revenue	4,376,536	4,438,538	4,086,922	2,350,635	4,065,842	(21,080)	-0.5%
10	MPD and Funding Agreement	401,145	420,626	480,000	313,633	448,000	(32,000)	-6.7%
11	Total General Fund Revenue	4,777,681	4,859,164	4,566,922	2,664,269	4,513,842	(53,080)	-1.2%

Total 2016 General Fund Operating Revenue

\$4,065,842

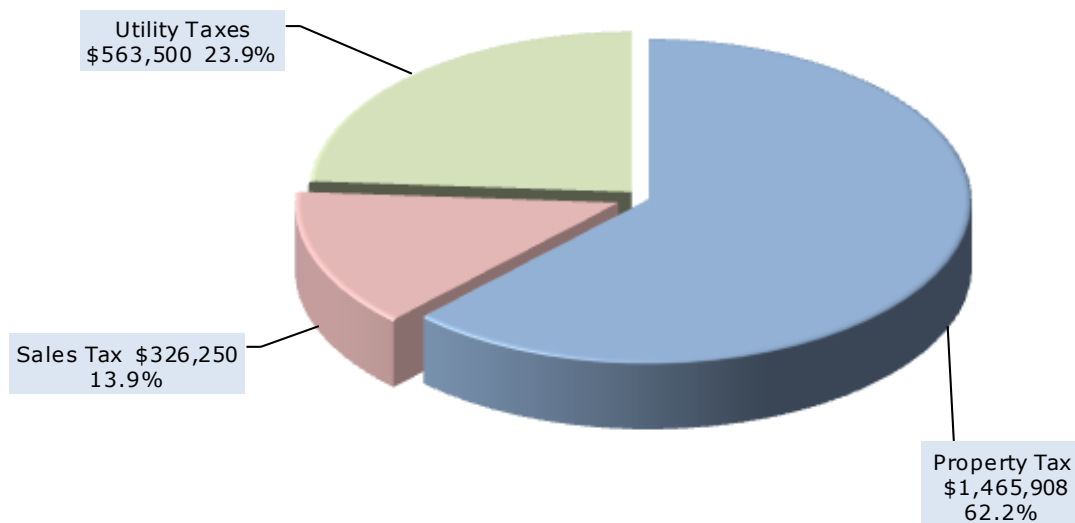


General Fund Taxes

Locally levied taxes represent Black Diamond's largest portion of revenues of \$2,355,658 or 57.9% of the City's General Fund operating revenue. Taxes include real and personal property tax, local sales tax, utility taxes on utility services (water, wastewater, stormwater, electric, gas, cable and telephone) and gambling taxes. A 2.5% increase of \$58,055 is estimated in 2016. The sales tax estimation increase of 16.5% is due to trend as increased development and remodeling is picking up. Property taxes have increased slightly, and estimates for electrical and utility taxes have been reduced to be more in line with trend.

	General Fund Tax Revenue	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
1	General Property Taxes	1,400,391	1,438,113	1,436,203	752,979	1,465,908	29,705	2.1%
2	Sales Taxes	290,796	302,927	280,000	168,817	326,250	46,250	16.5%
3	Electrical Tax	217,881	220,845	225,000	138,201	211,000	(14,000)	-6.2%
4	Water Utility Tax	31,603	39,520	39,000	23,730	40,900	1,900	4.9%
5	Stormwater Utility Tax	40,764	63,798	60,000	37,528	64,000	4,000	6.7%
6	Sewer Utility Tax	44,329	43,683	44,900	26,279	44,900	-	0.0%
7	Solid Waste Tax	35,624	32,834	32,500	19,002	32,800	300	0.9%
8	Cable TV Utility Tax	56,580	72,109	70,500	44,648	76,000	5,500	7.8%
9	Telephone Tax	114,818	106,162	105,000	57,886	90,000	(15,000)	-14.3%
10	Gas Utility Tax	337	366	500	194	300	(200)	-40.0%
11	Pull Tabs and Punch Board Tax	4,573	3,604	4,000	1,816	3,600	(400)	-10.0%
12	Total Taxes	2,237,697	2,323,960	2,297,603	1,271,080	2,355,658	58,055	2.5%

2016 General Fund Tax Revenue \$2,355,658

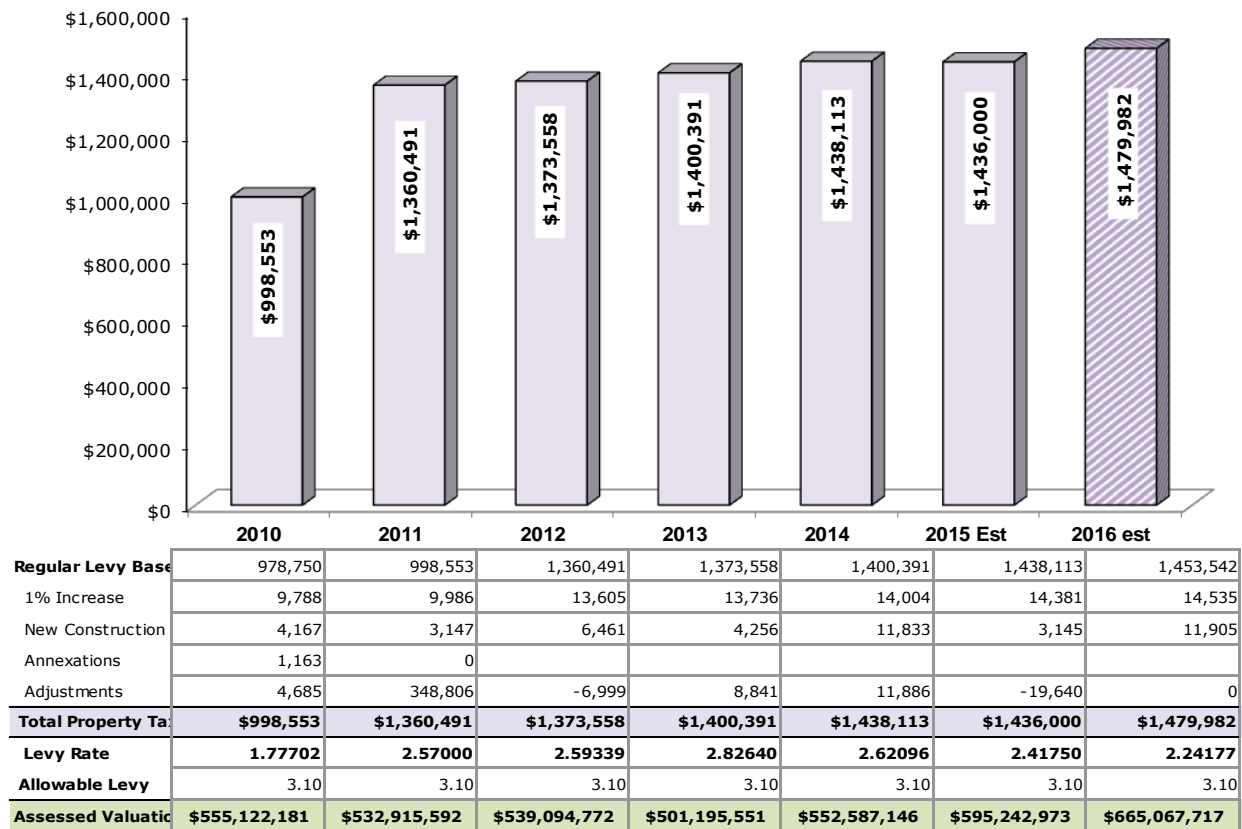


Property taxes make up 62.2% of the General Fund's tax revenue and estimated to generate \$1,465,908 in revenue for the City in 2016. All revenues from property taxes go directly to the General Fund to support public safety for police, fire protection and emergency services. The City of Black Diamond depends heavily on property tax collections, as the City has a small commercial base.

In Washington cities such as Black Diamond, property tax increases are limited to a 1% total dollar annual increase per year unless voters approve a lid-lift or larger percent increases. King County sets assessed valuation on property and calculates levy rates.

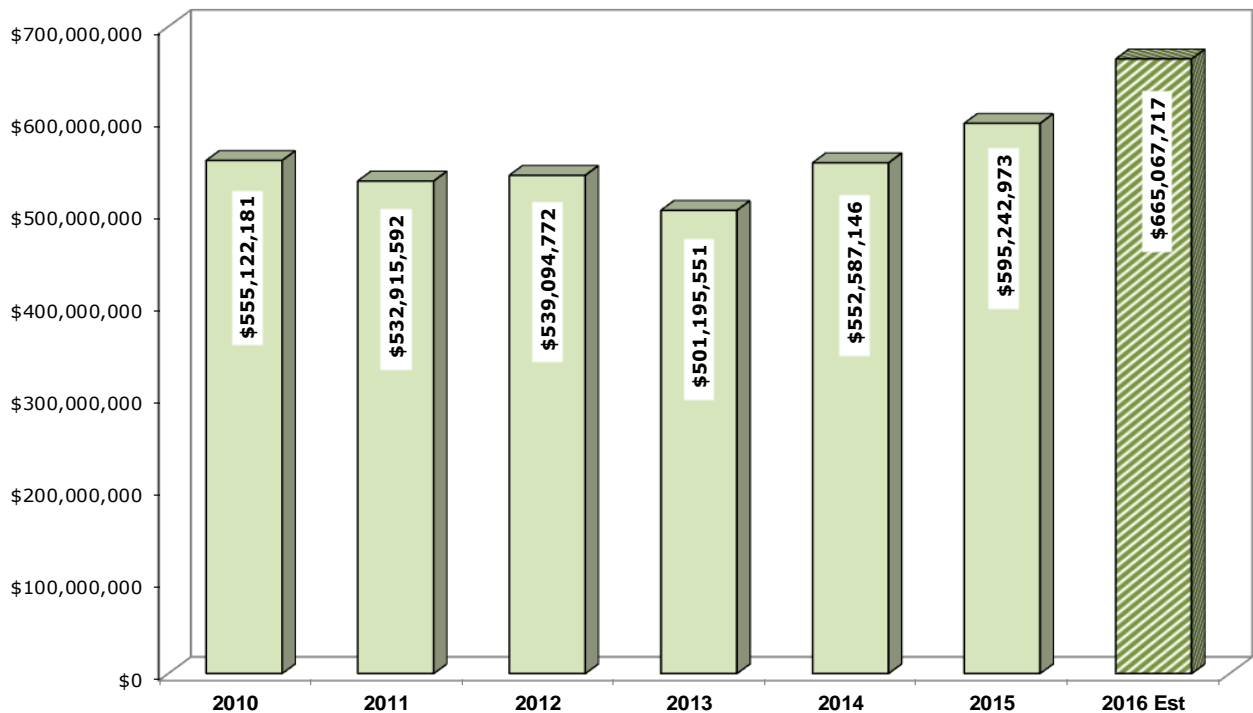
Each taxing authority receives a portion of the tax amount, which King County collects and then passes on. In Black Diamond, there are three school districts with separate rates, so depending on which school district the property is in, the taxing amount will vary.

Property Tax Collection, Levy Rates and 2016 Estimate



	KING COUNTY, WASHINGTON	UNITED STATES
Owner-occupied housing unit rate, 2009-2013	58.2%	64.9%
Median value of owner-occupied housing units, 2009-2013	\$377,300	\$176,700
Median selected monthly owner costs -with a mortgage, 2009-2013	\$2,254	\$1,540
Median selected monthly owner costs -without a mortgage, 2009-2013	\$681	\$452
Median gross rent, 2009-2013	\$1,131	\$904
Building permits, 2014	14,703	1,046,363
Households, 2009-2013	802,606	115,610,216
Persons per household, 2009-2013	2.42	2.63
Living in same house 1 year ago, percent of persons age 1 year+, 2009-2013	81.5%	84.9%
Language other than English spoken at home, percent of persons age 5 years+, 2009-2013	25.9%	20.7%

Assessed Valuation History and 2016 Estimate



Base Assessed Valuation	552,382,312	529,857,064	536,580,666	499,553,614	548,399,243	593,190,272	660,150,221
New Construction	2,739,869	3,058,528	2,514,106	1,641,937	4,187,903	2,052,701	4,917,496
Final Assessed Valuation	\$555,122,181	\$ 532,915,592	\$ 539,094,772	\$ 501,195,551	\$ 552,587,146	\$ 595,242,973	\$ 665,067,717
% change from prior year	-12.8%	-5.0%	0.7%	-6.9%	9.8%	9.5%	10.5%
Population	4,155	4,180	4,190	4,160	4,160	4,170	4,200
Property Tax Rate	1.77702	2.57	2.59339	2.8264	2.62096	2.41750	2.24177



For Sale 388,888



Recently Sold \$234,900



For Sale \$408,500

Black Diamond Real Estate - Current Trends*

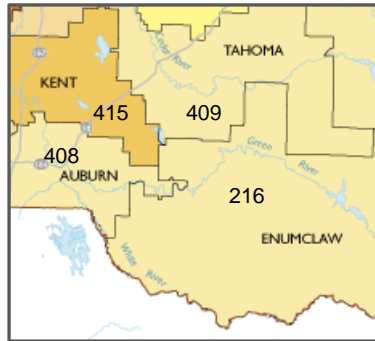
Houses for Sale July 2015 vs. Prev. Month vs. Prev. Year

Homes for Sale	15	11.8%	6.2%
Median List Price	\$458K	27.7%	19.7%
Median List Price/SqFt.	\$193	12.2%	2.1%

Houses Sold July 2015 vs. Prev. Month vs. Prev. Year

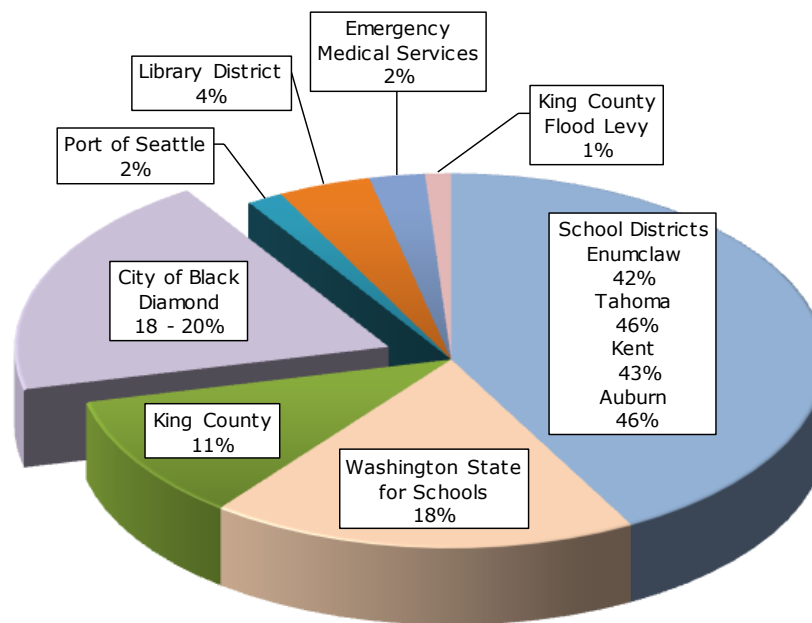
# Homes Sold	11	57.1%	57.1%
Median Sold Price	\$455K	8.1%	10.8%
Median Sold Price/SqFt.	\$183	12%	2.7%

Black Diamond School Districts



The total property tax rates in Black Diamond vary because of the four different school districts within our city limits. The pie chart below shows the property tax distribution for the Enumclaw School District in 2015.

2015 Rates	Enumclaw	Tahoma	Kent	Auburn
Local School District	5.21	6.16	5.41	6.14
Washington State for Schools	2.29	2.29	2.29	2.29
King County	1.34	1.34	1.34	1.34
City of Black Diamond	2.42	2.42	2.42	2.42
Port of Seattle	.19	.19	.19	.19
Library District	.50	.50	.50	.50
Emergency Medical Services	.30	.30	.30	.30
King County Flood Levy	.14	.14	.14	.14
Total Levy Rate	\$12.39	\$13.34	\$12.59	\$13.32



Black Diamond receives between 18% and 20% of the total property tax collected depending on which school district the property is in. In the Enumclaw district, if a home is appraised at \$300,000, the tax collected is \$12.39 X 300, or \$3,717, and the Black Diamond portion of that total is \$726.

Sales tax revenue for the 2016 budget is forecast to be \$326,250 or 13.9% of General Fund tax revenue. For every \$100 spent in Black Diamond, \$8.60 is collected by the State and is shared by various jurisdictions. These jurisdictions include our city, Washington State, King County and Criminal Justice programs. Black Diamond receives a bit less than 10% of the total.

Black Diamond's sales tax revenues are dependent on retail sales of products and services sold or delivered to Black Diamond, as well as tax on new construction. In fact, a considerable portion of our sales taxes are collected for construction services such as installing, repairing, cleaning, improving and other home services.

Sales taxes are higher in Washington than many other states, and are our State's largest revenue source, but because there are no income taxes collected here, the sales tax is necessarily higher than most other states, so the impacts of taxation should be looked at collectively.

There are exemptions to sales tax collection in Washington. Common exemptions include:

- Food
- Prescription Drugs
- Sales to Nonresidents
- Federal Government Sales
- Sales to Indians or Indian Tribes

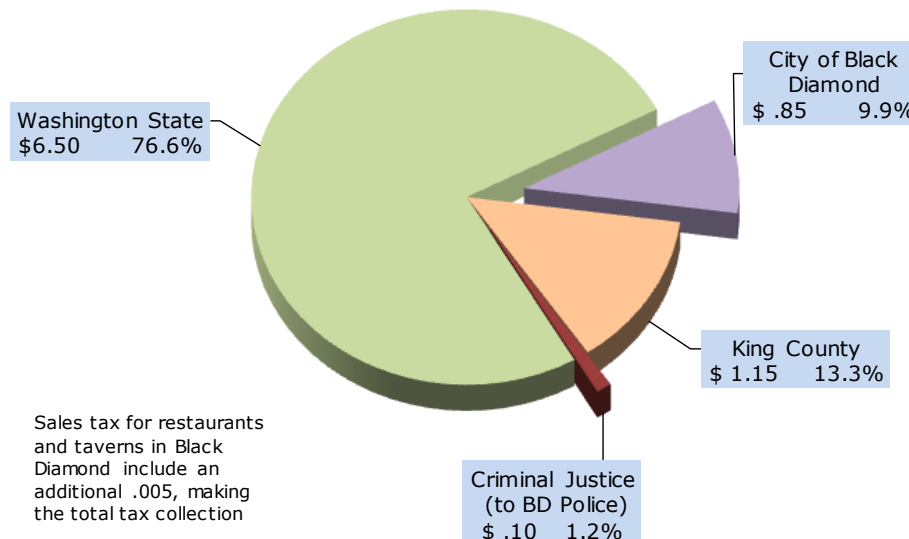
Recent Black Diamond Sales Tax Revenue

2011	2012	2013	2014	2015	2016
\$297,333	\$262,974	\$290,795	\$302,927	\$310,750 Est Actual	\$326,250 Budget

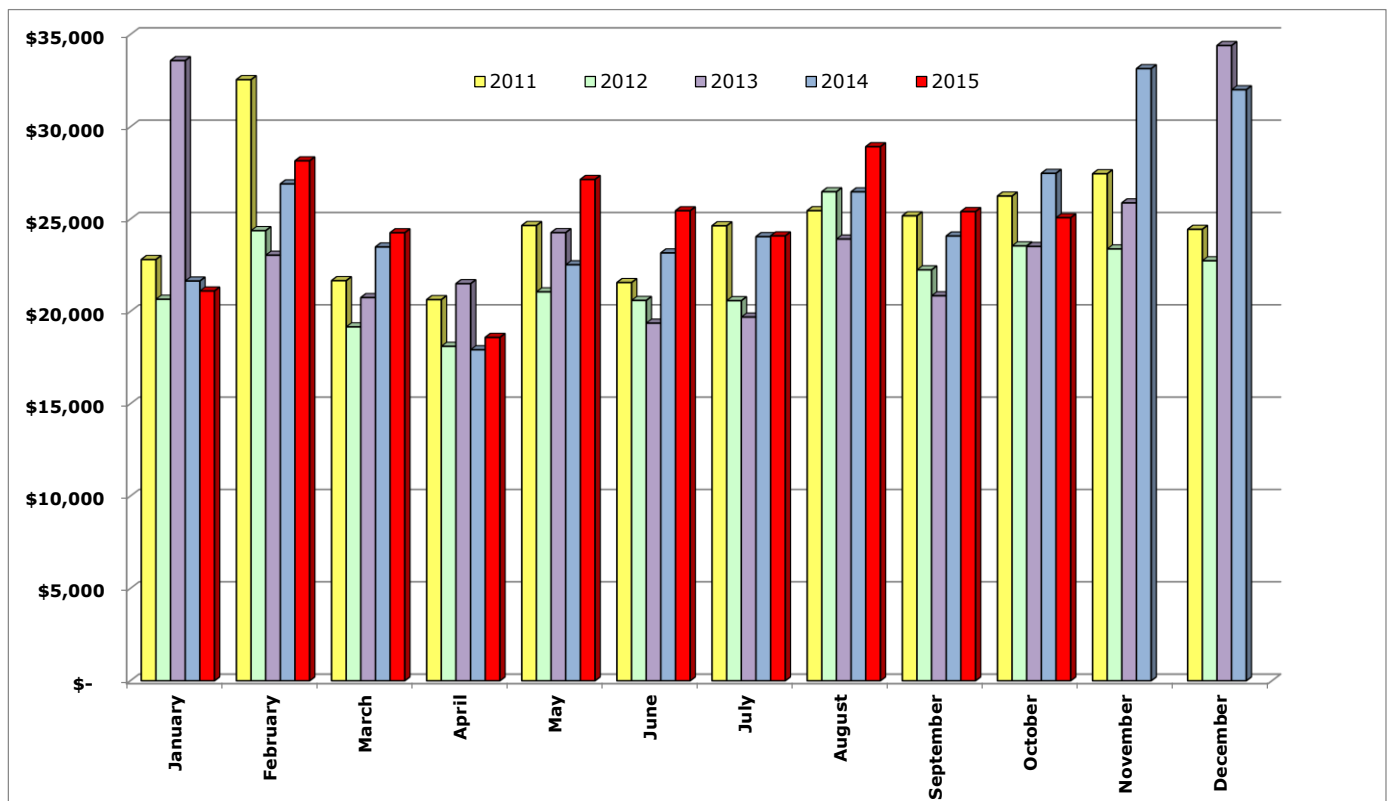
City of Black Diamond 2016 Sales Taxes

Taxed amount is 8.6% of retail sales

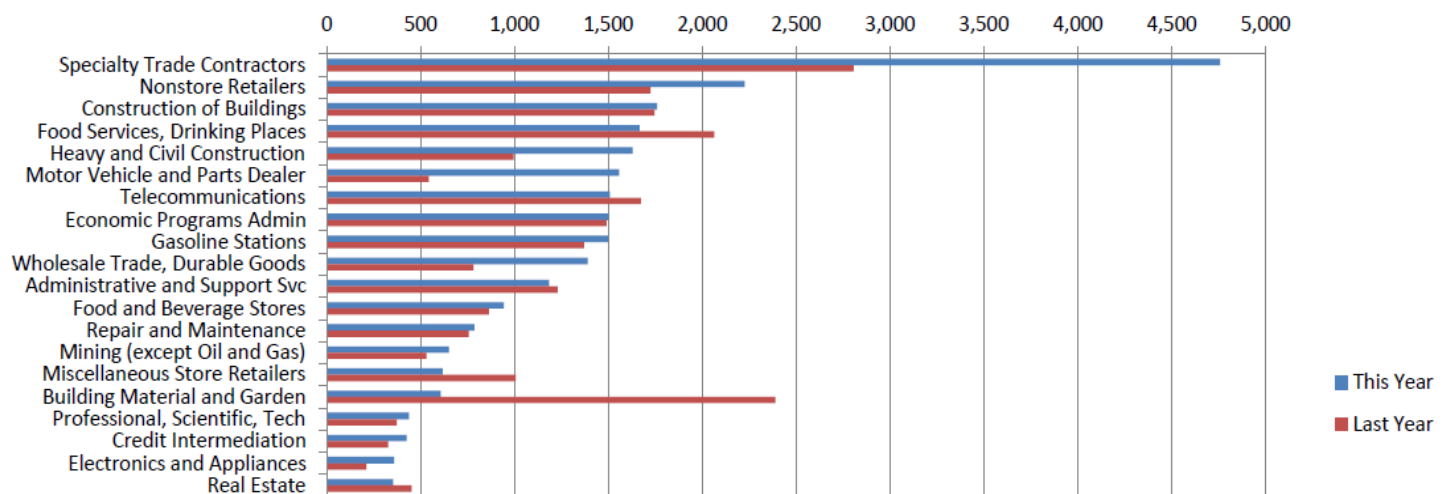
Based on a \$100 sale, retail sales tax collected is \$8.60, and is distributed the following way:



Black Diamond Historical Sales Tax Collection by Month



Sales Tax Collection by Type August 2015

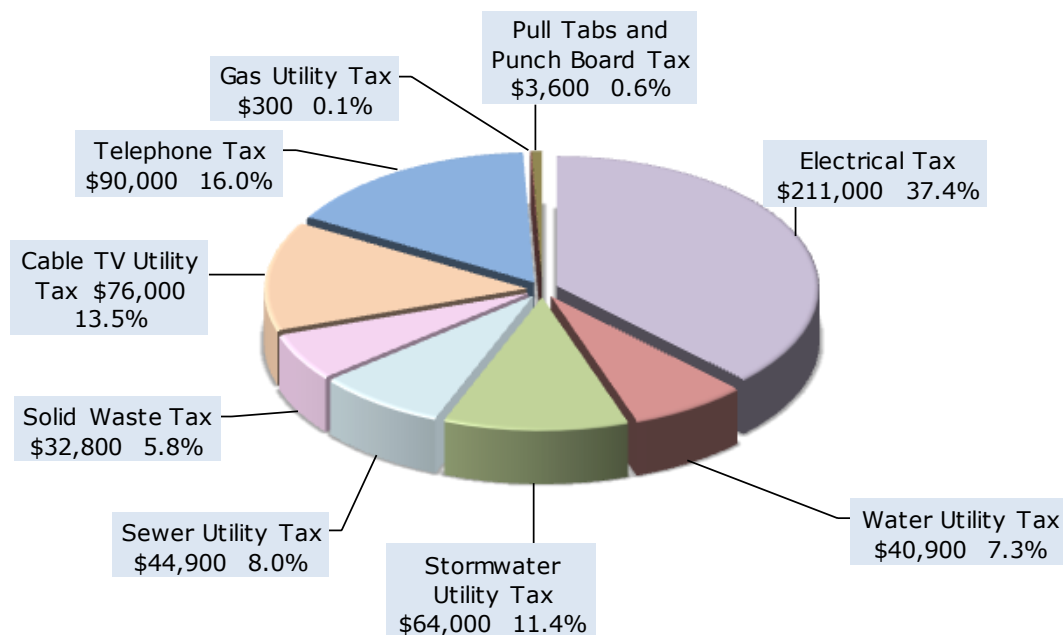


Criminal Justice taxes are an additional local sales/use tax of 0.1 percent to be used for criminal justice programs. This tax is levied by the county and is imposed countywide, but the receipts are shared with King County cities, based on population. Of the revenues collected for criminal justice, 1 percent is retained for administration, 10 percent is distributed to the county and 90 percent goes to cities on a per-capita basis based on their official April 1 populations. Black Diamond's population is currently 4,200.

Utility Taxes are collected for the City at the rate of 6% for electrical, telephone, wastewater, water and gas utilities. The stormwater utility tax is 18% and a 1% tax is collected for Cable TV services. Overall in 2016, utility taxes have been estimated at conservative levels and to reflect recent trend.

Utility Taxes	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
1 Electrical Tax	217,881	220,845	225,000	138,201	211,000	(14,000)	-6.2%
2 Water Utility Tax	31,603	39,520	39,000	23,730	40,900	1,900	4.9%
3 Stormwater Utility Tax	40,764	63,798	60,000	37,528	64,000	4,000	6.7%
4 Sewer Utility Tax	44,329	43,683	44,900	26,279	44,900	-	0.0%
5 Solid Waste Tax	35,624	32,834	32,500	19,002	32,800	300	0.9%
6 Cable TV Utility Tax	56,580	72,109	70,500	44,648	76,000	5,500	7.8%
7 Telephone Tax	114,818	106,162	105,000	57,886	90,000	(15,000)	-14.3%
8 Gas Utility Tax	337	366	500	194	300	(200)	-40.0%
9 Pull Tabs and Punch Board Tax	4,573	3,604	4,000	1,816	3,600	(400)	-10.0%
10 Total Utility Taxes	546,510	582,921	581,400	349,283	563,500	(17,900)	-3.1%

Utility Tax Revenue \$563,500



Intergovernmental Revenue includes grants, entitlements, shared revenues and payments for goods and services provided to the City from the State or other governmental entities. They include per capita distributed revenues such as liquor excise and profit taxes and state and federal grants.

The City receives State assistance funds approved by the passage of ESSB 6050. This legislation was intended to provide ongoing financial assistance to cities and counties that have a low sales tax base and are having difficulty providing basic services. These funds were created by diverting a small portion of the State real estate excise tax from the Public Works Trust Fund.

In 2016 Liquor Excise Tax which had been reduced dramatically in recent years, has been reinstated at prior levels for late 2015 and in 2016. The State assistance revenue is also expected to be a greater share than in prior years.

	Intergovernmental Revenue	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
1	Sales Tax Assistance from State	61,645	72,192	60,000	40,575	78,460	18,460	30.8%
2	Liquor Excise Tax	2,794	7,836	-	6,601	18,600	18,600	
3	Liquor Board Profits	37,484	37,052	35,700	18,316	36,150	450	1.3%
4	Recycle Grant-KC WRR Grant	10,000	10,000	10,000	10,000	10,000	-	0.0%
5	KC Recycle Grant D37318D	5,926	5,944	5,925	5,991	5,991	66	1.1%
6	KC EMS VLS Contract	54,704	54,704	54,200	55,302	56,000	1,800	3.3%
7	Total Intergovernmental	172,552	187,728	165,825	136,785	205,201	39,376	23.7%

Community Development Revenue includes fees related to land use and construction activities such as plan checks and land use fees, building, mechanical and plumbing permits. This revenue does not include revenues from the Master Plan Development. Estimates next year are promising, as this office's indications show significant increases in building activity.

	Community Development Revenue	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
1	Building Permits	31,979	43,609	32,000	45,035	80,000	48,000	150.0%
2	Mechanic Permits	3,301	5,048	4,000	4,320	12,000	8,000	200.0%
3	Plumbing Permits	2,215	4,268	3,000	2,818	10,000	7,000	233.3%
4	Other Permits	7,433	1,946	8,260	1,893	3,500	(4,760)	-57.6%
5	Total Permits	44,928	54,871	47,260	54,065	105,500	58,240	123.2%
6	Plan Check Fees	15,904	30,493	25,000	33,669	60,000	35,000	140.0%
7	Fire Plan Check Fees	1,535	773	1,500	1,280	2,000	500	33.3%
8	Land Use Fees	1,051	7,484	2,300	2,259	4,500	2,200	95.7%
9	Shoreline Fees	625	840	1,000	1,079	2,000	1,000	100.0%
10	Other Misc. Fees	1,663	4,525	2,710	1,453	1,210	(1,500)	-55.4%
11	Total Fees	20,777	44,115	32,510	39,740	69,710	37,200	114.4%
12	Hearing Examiner	-	692	1,000	880	1,000	-	-
13	Cost Recovery & Other Fees	1,102	4,084	2,600	4,301	5,000	2,400	92.3%
14	Copying Services, Map Sales	308	280	100	42	100	-	
15	Deposits and Pass Through	12,953	8,674	4,000	6,579	-	(4,000)	-100%
16	Total Community Dev Rev	80,068	112,715	87,470	105,608	181,310	93,840	107.3%

Police Department Revenue includes largely intergovernmental funding including grants, criminal justice funds and payments for police services provided by the City to other governmental entities. Other revenue includes traffic school, gun permits and fingerprinting revenue as well as donations and other minor sources. An increase in the criminal justice distribution is expected next year.

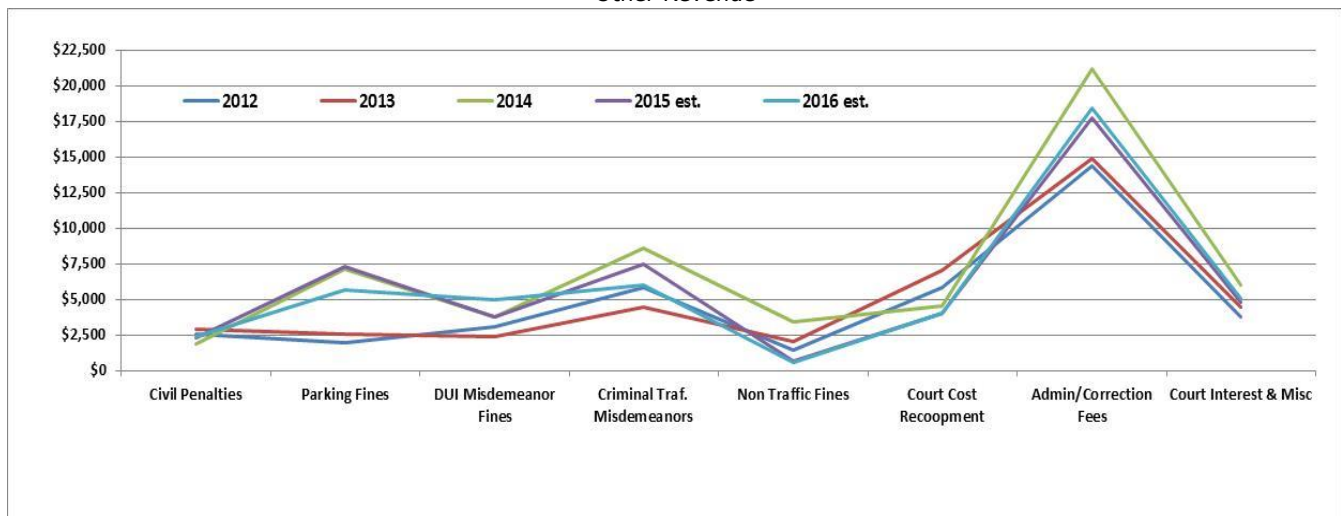
	Police Department Revenue	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
1	Criminal Justice Distribution	98,083	104,811	97,100	63,495	110,600	13,500	13.9%
2	Police Traffic School Fee	11,800	13,018	10,000	10,400	15,000	5,000	50.0%
3	Vessel Registration Boat Safety	11,260	12,391	12,000	12,515	12,515	515	4.3%
4	Overtime Reimbursement	4,543	12,040	3,100	5,495	6,000	2,900	93.5%
5	Grants	29,938	4,509	3,000	3,655	3,900	900	30.0%
6	Gun Permits and Fingerprinting	2,042	1,405	1,400	705	1,300	(100)	-7.1%
7	Work Crew and Other Fees	1,010	1,305	1,150	784	1,500	350	30.4%
8	DUI Cost Recovery	3,737	1,493	3,000	2,580	-	(3,000)	-100.0%
9	Donations	(762)	2,166	600	500	600	-	0.0%
10	Records and Services	530	795	500	571	800	300	60.0%
11	Total Police Revenue	162,180	153,934	131,850	100,700	152,215	20,365	15.4%

Municipal Court Revenue has been estimated downward in 2016 due to current trend. This revenue comes from the City's portion of fines and forfeits collected on citations and fees. Traffic citations contribute close to 60% of this department's revenue.

	Municipal Court Revenue	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
1	Court Traffic Infractions	64,089	58,176	70,000	36,219	60,000	(10,000)	-14.3%
2	Administration/Correction Fees	14,929	21,176	18,000	10,044	18,400	400	2.2%
3	Court Criminal Misd.	4,431	8,620	9,100	2,737	7,000	(2,100)	-23.1%
4	Court Parking Fines	2,580	7,155	6,400	5,319	7,046	646	10.1%
5	Court DUI Fines	2,372	3,793	4,500	2,514	5,000	500	11.1%
6	Court Interest	4,437	5,967	6,200	2,704	5,000	(1,200)	-19.4%
7	Court Cost Recoopment	7,002	4,501	4,600	2,155	4,000	(600)	-13.0%
8	Court Mand. Insurance Costs	2,887	1,872	3,000	1,368	2,400	(600)	-20.0%
9	Court Other Fees	2,097	3,518	3,200	405	675	(2,525)	-78.9%
10	Total Municipal Court Revenue	104,826	114,777	125,000	63,465	109,521	(15,479)	-12.4%

Municipal Court Revenue History

	2012	2013	2014	2015 est.	2016 est.
Traffic Infractions	57,787	64,097	58,176	60,119	60,000
Other Revenue					



Cable Franchise Fees and Business Licenses are collected from a 5% cable franchise fee. Business license revenue helps cover the cost of administration, inspection and other services for those occupations, trades and activities regulated by the City.

	Cable Franchise & Bus. License Revenue	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
1	Cable Franchise Fees	61,563	62,438	61,000	49,649	66,000	5,000	8.2%
2	Business License	23,070	21,995	23,000	22,040	22,000	(1,000)	-4.3%
3	Total	84,633	84,433	84,000	71,689	88,000	4,000	4.8%

Other General Fund Revenue sources include parking fees at Lake Sawyer, passport revenue, gym rental, the cemetery, and allocation of revenue from other city funds, for General Fund services and supplies. The City's estimate of a 6.6% overall increase next year is due to current trend and new gym revenue. The City took over the Gym's management in 2015.

	Other General Fund Revenue	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
1	Passport Revenue	15,200	20,534	20,300	12,405	21,900	1,600	7.9%
2	Lake Sawyer Parking Fees	15,186	21,536	19,200	18,272	25,000	5,800	30.2%
3	Gym Rental -Teen Programs	-	-	-	4,034	7,500	7,500	
4	Gym Rental- Jazzercise Contract	-	-	-	1,423	2,440	2,440	
5	Cemetery Revenue	9,128	10,371	12,700	5,217	12,600	(100)	-0.8%
6	Other Charges for Service	2,514	784	1,800	1,367	4,000	2,200	
7	Central Service Allocation	15,443	19,807	24,130	12,642	20,500	(3,630)	-15.0%
8	General Fund Allocation	56,364	51,912	70,000	40,852	55,000	(15,000)	-21.4%
9	Interest and Other Reimbursements	8,676	7,108	1,975	32,439	2,500	525	26.6%
10	Total Other Gen Fund Revenue	122,511	132,051	150,105	128,650	151,440	1,335	0.9%

Funding Agreement revenue includes the General Fund portion of the Funding Agreement of ongoing costs in 2016.

	Funding Agreement Revenue	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
1	Partner - Funding Agreement	1,412,069	1,328,939	1,045,069	472,659	822,497	(222,572)	-21.3%
2	Total General Fund Oper REV	4,376,536	4,438,538	4,086,922	2,350,635	4,065,842	(21,080)	-0.5%

City Hall
24301 Roberts Drive
Black Diamond, WA
98010

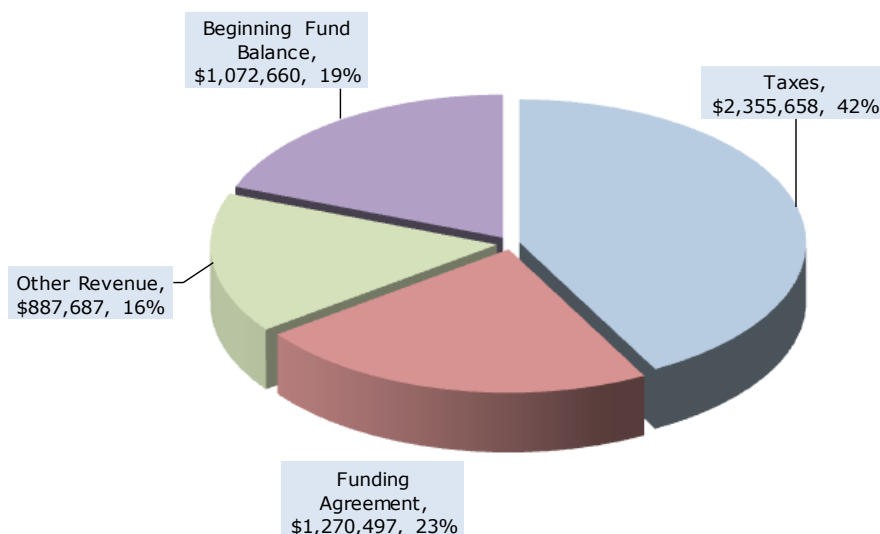


MPD SEPA Revenue		Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
1	Miscellaneous Reimbursement	130,820	96,496	10,000	198	10,000	-	-
Funding Agreement Consultant REV		Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
2	MDRT-Civil Engineering Reimburse	177,510	243,827	250,000	196,098	250,000	-	
3	MDRT-Legal Reimbursement	16,823	20,001	50,000	25,408	50,000	-	
4	MDRT-Traffic Reimbursements	11,044	14,050	30,000	(13,187)	30,000	-	
5	MDRT- Environmental Reimbursement	18,357	13,507	30,000	14,231	30,000	-	
6	MDRT-Hearing Exam-Pim Plat	15,502	377	30,000	16,724	30,000	-	
7	MRDT-Geotech Reimbursement	-	6,331	50,000	-	25,000	(25,000)	-50.0%
8	MDRT-CH2M Hill	-	-	-	67,095		-	
9	MRDT-Surveyor Reimbursement	-	-	20,000	6,336	20,000	-	0.0%
10	MDRT-Fiscal Reimbursements	31,089	26,037	10,000	731	3,000	(7,000)	-70.0%
11	Total MDRT Consultant REV	270,325	324,130	470,000	313,435	438,000	(32,000)	-6.8%

Beginning Fund Balance		Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
1	Beginning Cash and Invest. City	397,817	644,198	601,492	842,526	912,660	311,168	51.7%
2	Beginning Cash and Invest. Dev	261,219	299,129	278,000	190,103	160,000	(118,000)	-42.4%
3	Total Beginning Cash	659,036	943,327	879,492	1,032,629	1,072,660	193,168	22.0%

Grand Total General Fund Revenue	5,436,717	5,802,491	5,446,414	3,696,898	5,586,502	140,088	2.6%
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Total General Fund Revenue Including Beginning Fund Balance \$5,586,502



General Fund Expenditures

Legislative – City Council

This department budget supports the five Councilmembers who are elected to serve four-year terms at large, and represent all Black Diamond residents.

The City Council accomplishes City business during regular meetings and work studies each month. Councilmembers also serve on Council Committees which meet on an as-needed basis. Council duties include approving the annual budget, authorizing inter-local agreements and contracts and deliberating on and passing ordinances and resolutions to set City policies. Four Councilmembers receive a stipend of \$160 per month, and the Mayor Pro Tem receives \$200 per month.

Legislative - City Council	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Wages	2,080	9,880	10,080	5,040	10,080	-	0%
Benefits	169	821	822	414	831	9	1%
Subtotal Salaries and Benefits	2,249	10,701	10,902	5,454	10,911	9	0%
Services	1,628	1,081	3,800	612	4,800	1,000	26%
Total Department	3,876	11,782	14,702	6,067	15,711	1,009	7%

The budget for the Council has been increased \$1,000 in 2016 to provide funds for training for possible new Councilmembers.

Executive – Mayor's Office

The Mayor is the Chief Executive Officer of Black Diamond and is directly elected by popular vote by the citizens of Black Diamond for a four-year term. Mayoral duties include overseeing City administration, presiding over all meetings of the Council, signing and enforcing all ordinances, appointing and removing appointed officials, signing contracts entered into by the City, and representing the City in meetings and events held outside of Black Diamond.

The Mayor is paid a stipend of \$1,000 per month. Other costs include telephone, travel and fees for the Association of Washington Cities Annual Conference and Mayor's Exchange.

Executive	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Wages	12,000	12,000	12,000	7,000	12,000	-	0%
Benefits	957	1,001	980	610	1,068	88	9%
Subtotal Salaries and Benefits	12,957	13,001	12,980	7,610	13,068	88	1%
Supplies	-	8	100	-	-	(100)	-100%
Services	967	1,497	1,870	1,315	2,050	180	10%
Total Department	13,924	14,507	14,950	8,925	15,118	168	1%

A couple of minor increases in labor and industry hours as well as additional travel expenses have been added to the Mayor's budget in 2016, to better reflect trend.

City Clerk/Human Resources

The City Clerk and Human Resource office is responsible for managing the City's official records, including retention, archival and destruction, and processing all requests for public records; oversight of Council meetings, including agenda development and transcribing the official minutes; providing legal notices to the public regarding City business; coordinating elections; maintaining personnel files, interpretation of personnel policies and procedures, supporting the recruiting process, business licensing and also maintaining and developing the City's website.

This department includes the City Clerk/Human Resources Manager, Deputy City Clerk and a 5% allocation of the Administrative Assistant 2. The Deputy City Clerk had an allocation change in 2016, with 50% to the General Fund and 50% to Public Works Funds. Also reflected in this budget are service expenses for voter costs of \$15,000, code updates at \$3,500, postage for passports, insurance, training, advertising and other Clerk related expenditures.

The City Clerk/HR position is 100% reimbursed per the funding agreement.

City Clerk	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Wages	62,160	140,270	125,921	73,528	133,602	7,681	6%
Benefits	30,008	63,176	66,830	35,153	65,924	(906)	-1%
Subtotal Salaries and Benefits	92,168	203,445	192,751	108,682	199,526	6,775	4%
Supplies	28	70	200	29	200	-	
Services	24,708	16,603	27,358	13,671	27,862	504	2%
Total Department	116,904	220,119	220,309	122,381	227,588	7,279	3%

The City Clerk/HR's budget increased 3% in 2016, primarily due to the elimination of furlough days. There were also increases due to trend in passport postage, memberships, and travel costs for training.

Finance

The Finance Department is responsible for safeguarding the City's assets by insuring maximum utilization of revenues, providing financial support to City departments and recording and reporting accurate and timely financial information to the State, elected officials and to the citizens of Black Diamond.

This Department provides the services of financial planning and reporting, accounting, accounts receivable, accounts payable, payroll processing, cost accounting, utility tax collections, cash and investment management and debt service. Finance prepares the Annual Budget, the Comprehensive Annual Financial Report, Capital Improvement Program, reports and monthly financial updates.

The Finance Director leads the department. There is also a Deputy Finance Director and a 73% full time Senior Accountant. The Sr. Accountant is allocated 60% to the General Fund, 4% to Street and 12% each to Water, Sewer and Stormwater Funds.

Finance	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Wages	198,798	216,760	124,274	94,240	173,466	49,192	40%
Benefits	33,155	36,560	28,798	17,501	32,652	3,854	13%
MDRT Allocation			(35,109)	(5,891)	(35,000)	109	-0.3%
Subtotal Salaries and Benefits	231,953	253,321	117,963	105,850	171,118	53,155	45%
Supplies	213	272	300	65	300		0%
Services	11,714	14,559	20,105	3,452	9,596	(10,509)	-52%
Total Department	243,879	268,152	138,368	109,367	181,014	42,646	31%

The increase in Finance salaries is due to the elimination of furloughs, a PERS retirement increase for the full year, an upgraded Sr. Accountant position and a new Deputy Director. The state audit is performed once every two years and because 2016 is an off year, the budget was reduced by \$9,190. The Funding Agreement reimburses Finance \$10,000 for the support the department provides the MDRT team. The Finance Director and Deputy Director are allocated 15,000 for capital projects and CIP management.

Information Services

The City has contracted for technology services with the City of Milton at a significant cost savings from prior years. Tech support is budgeted for \$54,200 in 2016, an increase of \$7,200 from 2015's budget. Vision software support is \$2,000, with \$500 set aside for technology repairs. An allocation credit of \$25,525 to support to Public Works and the MDRT team brings the budget down to \$31,175.

Information Technology	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Wages	104,556	-	-	-	-		
Benefits	33,561	(99)	-	-	-		
Subtotal Salaries and Benefits	138,117	(99)	-	-	-		
Supplies	291	39	200	-	-	(200)	-100%
Services	4,921	45,718	49,500	17,749	56,700	7,200	15%
Technology Allocation	125	-	-	-	(25,525)	(25,525)	
Total Department	143,329	45,659	49,700	17,749	31,175	(18,525)	-37%

Legal Department

The City Attorney provides civil legal service, preparing and review of ordinances and other legal documents to which the City is a party, maintaining up-to-date legal research materials including pending and adopted state legislation with municipal impact and personnel matters. A percentage of legal costs are shared with the MDRT, Street and Utility Fund budgets. The General Fund portion of Legal was reduced to \$55,000, a 27% drop in 2016 due to completion of three union contract negotiations.

Legal	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
General Government	43,937	41,442	50,000	9,166	30,000	(20,000)	-40%
Employment	7,876	15,538	1,400	976	5,000	3,600	257%
Union Negotiation	7,159	46,270	16,000	19,993	5,000	(11,000)	-69%
Public Disclosure	3,244	7,344	4,000	2,090	5,000	1,000	25%
Other Legal	4,348	122,263	4,000	44	10,000	6,000	150%
Total Department	66,564	232,857	75,400	32,269	55,000	(20,400)	-27%

Municipal Court

The Black Diamond Municipal Court operates adjacent to the Police Department on Lawson Street, and is a court of limited jurisdiction. Since 2011, the City has averaged 1,082 filings per year. This includes both criminal and noncriminal cases and the projected numbers for 2015. These cases involve infractions, misdemeanors and gross misdemeanors. Other matters such as felony cases are filed and disposed of in King County Superior Court.

Court is in session, and is open to the public the 2nd and 4th Wednesday of each month. Budget for the Court includes a full time Court Administrator, one part-time on call clerk, and contracted services provided by a judge. Budget is also provided for security and other miscellaneous expenses such as interpreters, office supplies and training. The prosecuting attorney and public defender budgets were held at 2015 levels.

Municipal Court	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Wages	61,223	72,532	82,810	50,315	87,939	5,129	6%
Benefits	18,946	21,100	24,053	13,975	26,202	2,149	9%
Subtotal Salaries and Benefits	80,169	93,632	106,863	64,291	114,141	7,278	7%
Supplies	1,579	1,525	1,600	877	2,600	1,000	63%
Services	16,161	13,659	17,745	10,809	18,028	283	2%
Protem Judge	24,000	24,000	24,000	14,000	24,000	-	0%
Police Security OT	7,943	7,128	10,000	5,845	10,000	-	0%
Total Department	129,851	139,944	160,208	95,822	168,769	8,561	5%

Increases to salaries in 2016 are due to a 100 hour per year increase for the support clerk, a full year PERS retirement increase, and the elimination of furlough. Operating supplies were increased \$1,000, and printing and binding increased \$500 to reflect current trend. The budget for the judge remains the same, at \$24,000.

Court Legal	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Court Legal-Pros Attorney	24,000	24,000	24,000	14,000	24,000	-	
Court Legal-Public Defender	22,050	37,000	36,000	12,750	36,000	-	
Public Defender-Interpreters	-	-	500	-	500	-	
Public Defender - Investigation	-	-	750	-	750	-	
Total Department	46,050	61,000	61,250	26,750	61,250	-	



The Council Chamber and Municipal Court Furniture was replaced in 2015

Police Department

Black Diamond Police Department with Mayor Benson

Black Diamond Police Vision

With our values at the forefront, the Black Diamond Police Department will be an open, friendly, and community-minded organization devoted to quality public service. We aspire to be a model of character and service. We will emphasize the development of professional knowledge and leadership skills at every level of our organization. We will promote an atmosphere of public trust and confidence through professional conduct, being responsive to community needs, and accountable to those we serve.

Black Diamond Police Mission Statement

The Black Diamond Police Department will strive to maintain the trust and confidence of our citizens through proactive policing and demonstration of our core values.

In June of 2015, Black Diamond was listed as the 22nd safest city in Washington State. A key component of how we keep our crime rate low is taking a proactive approach to being highly visible in the Patrol Unit and providing educational and public safety services to all who reside, work and visit the City.

In addition to patrol duties our Marine Unit is responsible for maintaining a safe boating environment on Lake Sawyer. Police enforce state and local laws, participate in Washington State Parks emphases, conduct vessel safety inspections, and investigate vessel crashes.

Other responsibilities in our department include proactive crime prevention tactics, problem-solving in a collaborative manner with community groups, crime reduction action plans, criminal investigations, traffic enforcement, accident investigations, traffic school education, reserve officer program, and instruction of the DARE program.

Police Department	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Wages	885,077	954,202	922,176	500,368	928,973	6,797	1%
Benefits	315,062	332,946	343,930	194,401	339,944	(3,986)	-1%
Subtotal Salaries and Benefits	1,200,139	1,287,148	1,266,106	694,769	1,268,917	2,811	0%
Supplies	46,687	50,726	47,750	15,900	51,000	3,250	7%
Services	61,857	79,165	76,220	54,665	79,469	3,249	4%
Safety Equipment	998	17	9,000	3,713	1,500	(7,500)	-83%
Jail Costs	48,565	39,324	33,800	35,515	53,500	19,700	58%
Building Maintenance	21,616	22,588	22,990	9,652	23,485	495	2%
Civil Service	3,776	1,129	1,900	188	3,100	1,200	63%
Communications	135,283	134,570	144,000	71,470	179,301	35,301	25%
Marine	14,951	19,540	13,750	6,817	14,500	750	5%
Criminal Justice	19,691	18,584	24,300	18,821	25,700	1,400	6%
Total Department	1,553,562	1,652,792	1,639,816	911,510	1,700,472	60,656	4%

Although wages and benefits overall increased in 2016 by a minimal amount, it was largely offset by a LEOFF 1 retiree's medical insurance reduction due to age eligibility for Medicare.

Communications is broken down into several categories including, Valley Communications costs (dispatch, MDC, net motion, access charges), King County 800 MHz radio cost, Auburn's monitoring of after-hours WSP access, telephone, cell phone, DSL, King County I-Net, WSP Access, postage, and King County Maintenance and Repair (which covers both in-car radios and portables), air-cards for MDC's. I estimate 2-3 antennas (\$31.00/each) and 2-3 batteries (\$34.00/each) and clips. Dispatch costs in 2015 increased from \$3.46 per call to \$40.94, a 9.23% increase so a 5% increase was estimated for 2016.

Valley Communications 2016 Estimate

2014 Calls For Service 2503 x \$41 = \$ 102,472 +5% = \$107,595
 2014 Traffic Stops 1294 x \$20.47 = \$ 26,488 + 5% = \$27,812
 2014 Mobile Traffic 601 x 0 = No charge

King County Radio costs the City \$1366 a month. The WSP ACCESS user fee of \$534 is paid quarterly, the Valley Communications ACCESS fee is paid quarterly at \$574, and King County I-NET bills the City \$375 monthly.

Jail Costs 2016 This budget increased by \$19,700 in 2016 in line with current trend. Jail expenses cover the cost of confinement, electronic home monitoring, work crew, and medical costs associated with offenders serving time through Black Diamond Municipal Court. SCORE has notified us of their intent to increase their rates 10% (due to an increase in staffing needed for medical and mental health issues). The City's primary booking facilities are the Enumclaw Jail (daily rate of \$60.00), Issaquah (daily rate of \$97.00/no booking fee) and the SCORE Jail (daily rate of \$135.00/ no booking fee). The King County Correctional Facility (KCCF) is used primarily as a back-up facility. In addition, prisoners who have certain medical conditions, such as mental health concerns or who pose an unusual danger to themselves or others is booked into the KCCF (\$146.65 daily plus \$217.46 booking fee). Yakima County is currently used for long term sentences only. Yakima's current contract rate is a daily rate of \$54.75.

Fire Department

The City of Black Diamond contracts with Mountain View Fire and Rescue, formerly King County Fire District No. 44, for fire services. The department's responsibilities include providing a minimum of two personnel on duty 24 hours a day, seven days a week in Black Diamond and providing rescue, fire suppression, fire prevention, fire marshal services, emergency medical services, disaster services, hazardous materials response, dispatch services, administrative services and public education activities to citizens. Fire investigation services are contracted through the King County Sheriff's Department. The 3.1 percent increase in the 2016 budget recognizes cost of living increases agreed to in the 2008 Interlocal Agreement between the City and Fire District. The 2016 increase in the Fire Department budget is due to increased salaries and benefits for the Fire District.

Fire Department	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Fire District 44 Services	442,300	449,912	478,621	230,255	495,011	16,390	3.4%
KC Fire Investigation	3,620	1,715	2,000	-	2,000	-	0%
Other Operating Costs	2,344	2,869	2,905	1,808	3,364	459	15.8%
Transfer to Fire Eq -Annex Study					5,000	5,000	
Total Department	448,264	454,496	483,526	232,063	505,375	21,849	4.5%



Refurbished 1948 Fire Truck at the Historical Museum

Emergency Management includes the purchase of emergency supplies and emergency training for employees.

Emergency Management	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Supplies	2,884	184	1,000	-	2,500	1,500	150%
Training	830	-	1,500	-	2,500	1,000	67%
Total Department	3,714	184	2,500	-	5,000	2,500	100%

Special Programs Animal Control costs are paid to King County for services to Black Diamond. The King County Mental Health program includes chemical abuse and dependency services that are partially funded with a 2% portion of quarterly liquor profits, and liquor excise tax revenue from cities in the county. The Puget Sound Clean Air Assessment is a per capita fee paid to this agency for the protection of air quality in the area. A 10 cent increase per capita has been adopted by the agency for next year. The Recycle Program is 100% funded through King County's Solid Waste Division, and includes a grant for recycling events and educational materials.

Special Programs	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Animal Control	8,659	9,293	10,000	7,827	10,000	-	
Puget Sound Clean Air Assess	2,294	2,262	2,300	2,183	3,111	811	35%
KC Mental Health	939	845	1,500	462	1,000	(500)	-33%
Recycling Program	14,926	14,944	15,000	14,991	18,055	3,055	20%
Total Department	26,818	27,344	28,800	25,462	32,166	3,366	12%



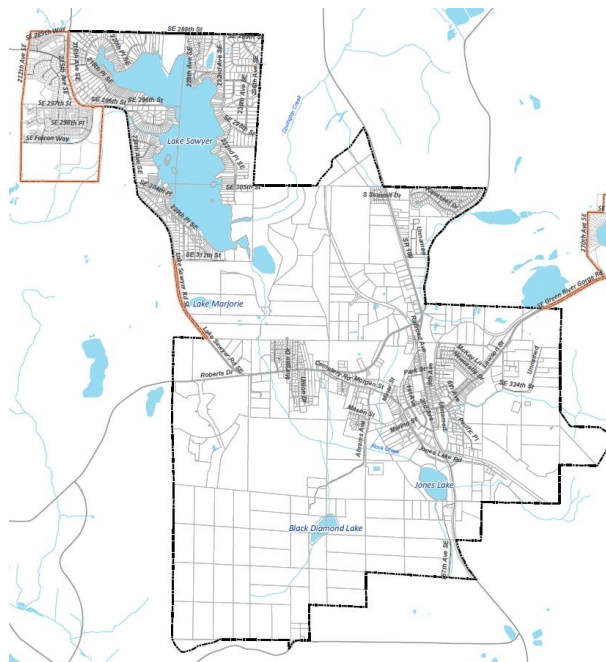
Miner Days 2015

Community Development

This department provides for the City's long-range planning, and land use and building permitting functions. The department also provides staffing to the City Planning Commission and performs code enforcement activities to address nuisances, code violations, and other issues. The department consists of a Director and a part-time Permit Technician. The City has contracted AHBL for planning services. The City entered into a cost-saving interlocal (ILA) agreement with the City of Covington and Maple Valley for building and planning services in January 2015. Our City's share of the budget is \$48,000 for the Building Official and \$40,000 for a shared Plans Examiner.

Community Development	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Permitting							
Wages	79,475	46,824	50,166	25,717	73,572	23,406	47%
Benefits	22,474	9,974	13,845	5,842	19,782	5,937	43%
Subtotal Salaries and Benefits	101,949	56,798	64,011	31,558	93,354	29,343	46%
Supplies	2,079	1,341	1,250	294	1,450	200	16%
Services	16,321	34,939	33,731	16,646	58,884	25,153	75%
Building Official (ILA)	39,049	28,208	24,000	11,753	48,000	24,000	100%
Plans Examiner (ILA)	-	17,615	20,000	3,561	40,000	20,000	100%
Total Permitting	159,398	121,286	122,992	60,251	201,688	78,696	64%
Planning							
Wages		18,207	35,285	14,835	15,071	(20,214)	-57%
Benefits		7,937	16,124	5,315	5,185	(10,939)	-68%
Subtotal Salaries and Benefits	-	26,145	51,409	20,150	20,256	(31,153)	-61%
Supplies	185	809	-	405	800	800	
Services	8,560	11,991	6,425	4,807	3,580	(2,845)	-44%
General Govt Planner	-	52,233	21,246	36,655	95,000	73,754	347%
Total Planning	8,744	91,177	79,080	62,018	119,636	40,556	51%
Hearing Examiner	2,791	709	10,000	-	5,000	(5,000)	-50%
Total Department	170,934	213,172	212,072	122,269	326,324	114,252	54%

The 2016 budget increase is due to anticipated expenditures for plan check and building permits, as well as the need for a contracted planner two days per week.



Black Diamond Planning Area

Master Development Review Team

This department was established to provide specific focus on the Master Planned Developments funded by YarrowBay Holdings. There are two developments, The Villages and Lawson Hills. The Review Team is 100% funded by the Developer to remove the financial burden from the City and to provide staff to review and process applications and permits for the developments.

The Master Development Team also works closely with consultants hired to assist with financial analysis, civil and traffic engineering, environmental, surveying and geotechnical services. Their services are used to provide consulting and review of the Master Plan Developments according to the Development Agreements.

MDRT Team	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Wages	277,437	224,141	361,639	148,813	349,817	(11,822)	-3%
Benefits	96,660	89,548	175,038	68,544	177,640	2,602	1%
Subtotal Salaries and Benefits	374,097	313,689	536,677	217,358	527,457	(9,220)	-2%
Supplies	3,496	2,943	5,000	1,534	5,500	500	10%
Services	16,841	66,867	57,500	31,574	53,173	(4,327)	-8%
Computers/Vehicles	765	-	50,000	32,389	-	(50,000)	-100%
Building Maintenance	56,027	59,432	65,204	31,134	71,195	5,991	9%
Total Department	451,226	442,931	714,381	313,989	657,325	(57,056)	-8%

The MDRT budget was primarily reduced due to the elimination of budget for a vehicle purchased in 2015.

MDRT Consultants	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Legal Services	12,214	26,289	50,000	23,846	50,000		
Henderson & Young	31,283	25,757	10,000	-	3,000	(7,000)	-70.0%
RH2 Engineering	184,930	278,325	250,000	148,759	250,000	-	
Parametrix	3,808	13,943	30,000	4,142	30,000	-	
Perteet	11,365	19,168	30,000	9,620	30,000	-	
SubTerra	-	6,331	50,000	-	25,000	(25,000)	-50.0%
Survey Parmetrix	1,620	1,051	20,000	5,571	20,000	-	
CH2M Hill UTRC	-	53,530	-	17,165	-	-	
MDRT Environmental Consultat	-	2,210	30,000	14,892	30,000	-	
Total Department	245,219	426,603	470,000	223,995	438,000	(32,000)	-6.8%

Funding Agreement SEPA	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
EIS SEPA Legal	32,925	-	10,000	-	10,000	-	
MPD Villages & Lawson	11,587	4,938	-	44	-	-	
Gen Govt Facility Study-Makers	106,705	55,168	-	-	-	-	
Prof. Planning Services	-	5,000	-	55,233	-	-	
Total Department	151,217	65,105	10,000	55,277	10,000		

MDRT consultants and legal expenses are 100% reimbursed by the funding agreement.

Parks Department

The Parks Department operates and maintains the following amenities: a basketball court, tennis court, skate park, 3 picnic areas, a boat launch, 5 coal car City entry monuments, BMX bike track, swimming area, 143 acres of passive lake front park with trails, City center viewing park, Historical monument park, 2 playground facilities and landscaping around the police building. The Park Department provides the insurance, utilities and maintenance for the Recreation Center and utilities plus insurance coverage for the local museum. Costs associated with the ownership of resource lands also falls to the Park Department. The Public Works staff provides the administration and planning functions for the Park Department. The City provides these services for about \$2/ household per month.

Parks	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Wages	11,397	14,606	15,940	9,139	24,104	8,164	51%
Benefits	4,873	5,134	6,259	3,231	8,172	1,913	31%
Subtotal Salaries and Benefits	16,270	19,740	22,199	12,370	32,276	10,077	45%
Supplies	6,641	5,985	7,653	486	5,868	(1,785)	-23%
Services	11,064	11,503	14,580	6,722	13,062	(1,518)	-10%
Gym Costs	5,689	2,502	2,147	5,173	11,316	9,169	427%
Community Center Ins	4,453	3,169	2,696	2,225	-	(2,696)	-100%
Museum Costs	2,277	7,394	8,090	4,032	7,551	(539)	-7%
Total Department	46,394	50,293	57,365	31,008	70,073	12,708	22%



Resident Otters at Lake Sawyer in Black Diamond

Black Diamond Cemetery

The Cemetery operates and maintains the historic Black Diamond Cemetery. This involves coordinating burials, sale of plots, providing physical burial, and maintaining the grounds. The burial fees are set to cover the costs associated with the services. The cemetery is supported by the General Fund. The Public Works crew mows and trims the cemetery once a week during the heavy grass growing months and once every two weeks or so for the drier months during the growing season. Public Works staff provide the planning and administration services for the Cemetery Department.

Cemetery	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Wages	9,265	9,913	7,541	5,936	9,829	2,288	30%
Benefits	4,195	4,266	3,774	2,591	4,333	559	15%
Subtotal Salaries and Benefits	13,460	14,179	11,315	8,527	14,162	2,847	25%
Supplies	1,190	1,819	1,822	728	1,932	110	6%
Services	1,118	1,681	2,148	879	2,504	356	17%
Total Department	15,768	17,680	15,285	10,134	18,598	3,313	22%

The Cemetery budget increased due to more allocation of the Public Works and support staff to reflect trend.



Black Diamond Historic Cemetery
It is supposedly haunted!

Facilities and Grounds Department

The City of Black Diamond's Facilities Department is responsible for the long term planning of the City's building and equipment needs and to handle the daily needs of all departments in repair, replacement and installation of fixtures, furniture, equipment and two vehicles. The Funding Agreement covered 100% of the cost through March 19, 2015. In 2016 the City assumed the cost of the facilities staff position. The 2016 budget reflects allocation of a portion of costs to the MDRT Building and Public Works.

Facilities and Grounds	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Wages	69,221	58,856	54,205	33,006	57,114	2,909	5%
Benefits	24,592	23,732	21,322	12,086	21,971	649	3%
Subtotal Salaries and Benefits	93,812	82,588	75,527	45,091	79,085	3,558	5%
Supplies	1,105	1,432	1,780	968	1,785	5	0%
Services	3,095	5,760	5,015	6,378	5,414	399	8%
Allocation (staff & vehicle)	226				(38,408)	(38,408)	
Building Rental	107,492	107,491	89,540	44,399	76,625	(12,915)	-14%
Other Leases & Maintenance	45,453	49,246	39,300	20,429	36,412	(2,888)	-7%
Communications	11,356	8,340	8,200	4,520	6,963	(1,237)	-15%
Upgrade Computer System	3,948	4,727	3,400			(3,400)	-100%
FF&E Allocation Credit	(56,027)	(59,432)	(65,204)	(16,302)	(46,800)	18,404	-28%
Total Department	210,461	200,153	157,558	105,483	121,076	(36,482)	-23%

Central Services

Central Services provide the budget that captures shared costs for General Fund departments, including office and operating supplies, software maintenance costs, copier costs, postage, advertising, utilities, custodial services, building insurance, credit card and banking fees. Costs that benefit a variety of departments are paid from Central Services and then allocated through cost allocations.

Central Services	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
City Hall Supplies	3,692	6,687	8,000	3,310	7,000	(1,000)	-13%
City Hall Services	9,886	11,460	7,950	3,901	5,500	(2,450)	-31%
Memberships	6,056	5,279	6,989	5,534	6,489	(500)	-7%
Central Supplies	62	330	500	344	700	200	40%
Central Services & Misc.	3,486	2,010	4,596	3,139	9,164	4,568	99%
Retreat, Travel, Train, Recog	2,953	4,502	1,000	310	2,500	1,500	150%
Economic Development	1,084	1,008	1,000	950	1,000	-	0%
Total Department	27,218	31,276	30,035	17,488	32,353	2,318	8%

Former Departments	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Natural Resources	150,858	76,382					
Administration (city manager)	227,236	117,435					
Total Department	378,094	193,817					

The budget for Natural Resources and for a City Administrator was eliminated in 2015 and 2016.

Gen Fund Totals & Ending Balances	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt Chg inc/(dec)	Bdgt % Chg
Total GF Operating Exp	4,493,390	4,769,864	4,591,334	2,473,898	4,672,387	81,053	1.8%
End Cash & Invest Gen Govt	644,198	842,526	645,080	905,000	754,115	109,035	16.9%
End Cash & Invest Developer	299,129	190,103	210,000	160,000	160,000	(50,000)	-23.8%
Grand Total GF Uses	5,436,717	5,802,493	5,446,414	3,538,898	5,586,502	140,088	2.6%



Lake Sawyer Regional Park

Special Revenue Funds

These are funds established by governments to collect money that must be used for a specific project. Special revenue funds provide an extra level of accountability and transparency to taxpayers that their tax dollars will go toward an intended purpose.



Seahawk Fever in Black Diamond – Raising the 12 Flag

Street Fund

Street Department responsibilities include maintaining, planning and upgrading public streets and sidewalks. Major maintenance activities include maintaining the street signs, pavement stripes and markings, roadside brush, trees and vegetation control, street lights, pavement, signals, sidewalks and shoulder grading. Other activities include managing the right of way, street capital planning, seeking grant funds and addressing traffic safety issues. The City provides these services for 28 miles of roads at a cost of \$11/household per month.

Street revenue from gas tax is the primary source of funds for the Street Department. Road upkeep is expensive. For example, street lighting alone costs the City \$31,000 per year. In September 2015 the City established a Transportation Board District (TBD), which receives \$20 per car registered to Black Diamond residents or businesses. This money is required to be used exclusively for road maintenance and operations. In recent years, including 2016, the Street Fund has required a transfer of additional Real Estate Excise Tax (funds for street improvement projects) to maintain the City's roads and sidewalks.

Street Fund 101		Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
REVENUE								
1	Street Gas Tax	86,206	86,017	84,600	40,984	90,594	5,994	7%
2	Right of Way Permit	3,084	8,416	5,200	9,731	15,000	9,800	188%
3	Chg for Service/Civil Inspection	8,033	2,412	550	1,216	1,600	1,050	191%
4	Subtotal Operating Revenue	97,323	96,846	90,350	51,931	107,194	16,844	19%
5	Developer Sal & Ben Reimb.	36,696	18,660	19,774	18,654		(19,774)	-100%
6	LGIP Investment Interest	351	150	100	96	140	40	40%
7	Transfer in from TBD Fund	-	-	-	-	60,000	60,000	
8	Transfer in - REET II	-	50,000	50,000	50,000	50,000	-	0%
9	Subtotal Other Revenue	37,047	68,810	69,874	68,750	110,140	40,266	58%
10	Total All Revenue	134,371	165,655	160,224	120,681	217,334	57,110	36%
11	Beginning Cash and Investments	262,584	186,952	142,222	153,589	111,645	(30,577)	-21%
12	Total Street Sources	396,955	352,607	302,446	274,270	328,979	26,533	9%

Street Fund 101		Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
EXPENDITURES								
1	Salaries and Benefits	121,918	114,764	123,554	69,596	102,040	(21,514)	-17%
2	Supplies	7,946	6,101	9,900	3,479	10,347	447	5%
3	Services and Charges	70,139	70,216	71,327	38,094	92,904	21,577	30%
4	Total Operating Expenditures	200,003	191,081	204,781	111,168	205,291	510	0%
5	Transfer for Equipment-CIP	10,000	10,000	10,000	10,000	10,000	-	0%
6	Total Expenditures	210,003	201,081	214,781	121,168	215,291	510	0%
7	Three Months Cash and Investments	56,202	47,770	51,195	-	51,323	128	0%
8	Unreserved C&I Balance	130,750	103,756	36,470	153,102	62,365	25,895	71%
9	Total Ending Cash & Investments	186,952	151,526	87,665	153,102	113,688	26,023	30%
10	Total Street Uses	396,955	352,607	302,446	274,270	328,979	26,533	9%



Lawson Sidewalk



Railroad Avenue

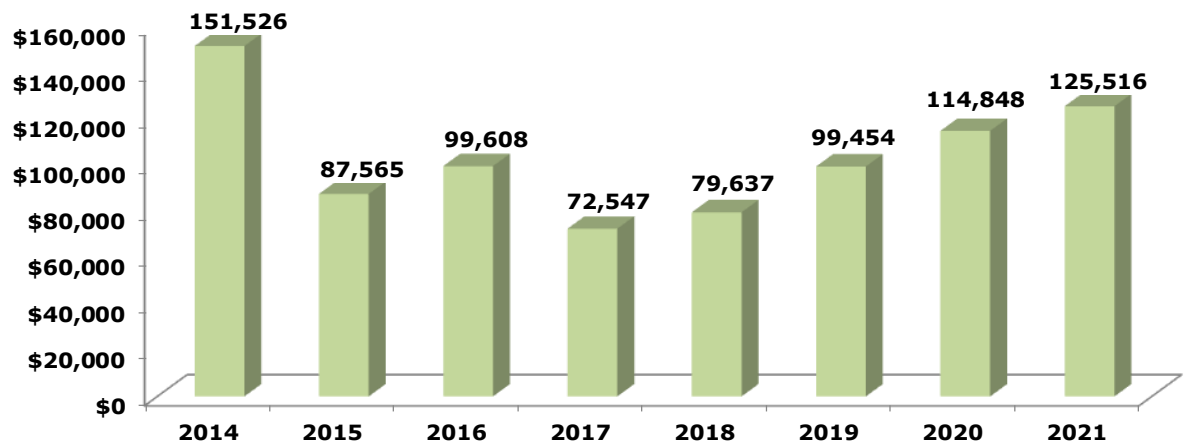


Road Rehab 288th Street Overlay

Street Fund 101 - 6 year Forecast

	2014 Actual	2015 Budget	Prelim 2016 Budget	2017 Budget	2018 Budget	2019 Budget	2020 Budget	2021 Budget	
1 Gas Tax (31.60 per capita)	86,017	84,600	90,594	91,500	91,500	92,415	93,339	94,272	1%
2 Right of Way Permits	8,416	5,200	15,000	15,300	15,606	15,918	16,236	16,561	2%
3 Other Revenue	2,562	650	1,740	1,775	1,810	1,847	1,883	1,921	2%
4 Fund Agreement	18,660	19,774							
5 Transfer In-REET II **	50,000	50,000	50,000						
6 Transfer in- TBD-Car Tab Fee			60,000	100,000	140,000	160,000	163,200	166,464	2%
7 Total Operating Revenue	165,655	160,224	217,334	208,575	248,916	270,180	274,659	279,219	
8 Street Fund Expenditures									
9 Salaries	100,100	117,813	99,828	101,825	101,825	103,861	105,938	108,057	2%
10 Benefits	42,292	46,772	43,712	45,898	48,192	50,602	53,132	55,789	5%
11 Grant/Proj Adm -alloc	(27,628)	(40,931)	(41,500)	(20,000)	(21,000)	(22,050)	(23,153)	(24,310)	5%
12 Supplies	6,101	9,900	10,347	10,864	11,408	11,978	12,577	13,206	5%
13 Street Lights	29,663	31,000	31,000	32,550	34,178	35,886	37,681	39,565	5%
14 Other Services & Charges	40,553	40,327	51,904	54,499	57,224	60,085	63,090	66,244	5%
15 Transfers to Cap Equip	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	
16 Total Operating Spending	201,081	214,881	205,291	235,636	241,826	250,363	259,265	268,550	
Change in Reserves	(35,426)	(54,657)	12,043	(27,061)	7,090	19,817	15,394	10,669	
Ending Reserves	151,526	87,565	99,608	72,547	79,637	99,454	114,848	125,516	
	75.36%	40.75%	48.52%	30.79%	32.93%	39.72%	44.30%	46.74%	
Policy Reserves-10%	20,108	214,881	205,291	23,564	24,183	25,036	25,927	26,856	

Projected Street Fund Ending Fund Balance



** REET 2 transfer for Capital Operating Costs legislation expires in 2016. Unknown if this will be re-authorized by State Legislators.

Note: 2017 Transportation Benefit District forecast includes a car tab fee increase from \$20 to \$40 .

Fire Impact Fee Fund

Per City Ordinance 12-980, Fire Impact Fees have been put in place for new development and building expansions within the City limits. For a new residential home in Black Diamond, the fee is \$1,783.13.

The implementation of the fee came after a 2011 Fire Impact Fee Study, which developed the methodology and to ensure compliance with Washington laws and City Code. Future capital costs will be funded with a combination of impact fees and city funds.

Fire Impact Fees Fund	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
REVENUE							
1 Fire Impact Fees	10,366	18,616	10,000	12,482	17,830	7,830	78%
2 LGIP Interest Income				271	200		
3 Subtotal Revenue	10,366	18,616	10,000	12,753	18,030	8,030	80%
4 Transfer in Fire Equipment Fund				15,366			
5 Total Fire Impact Fee Revenue	10,366	18,616	10,000	28,119	18,030	8,030	80%
6 Beginning Cash and Investments		10,366	5,000	13,616	43,575	38,575	772%
7 Total Fire Impact Fee Sources	10,366	28,982	15,000	41,735	61,605	46,605	311%

Fire Impact Fees Fund	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
EXPENDITURES							
1 Transfer to Fire Equipment Fund		15,366	10,000			(10,000)	-100%
2 Subtotal Expenditures		15,366	10,000			(10,000)	-100%
3 Ending C & I Balance	10,366	13,616	5,000	41,735	61,605	56,605	1132%
4 Total Fire Impact Fee Uses	10,366	28,982	15,000	41,735	61,605	46,605	311%



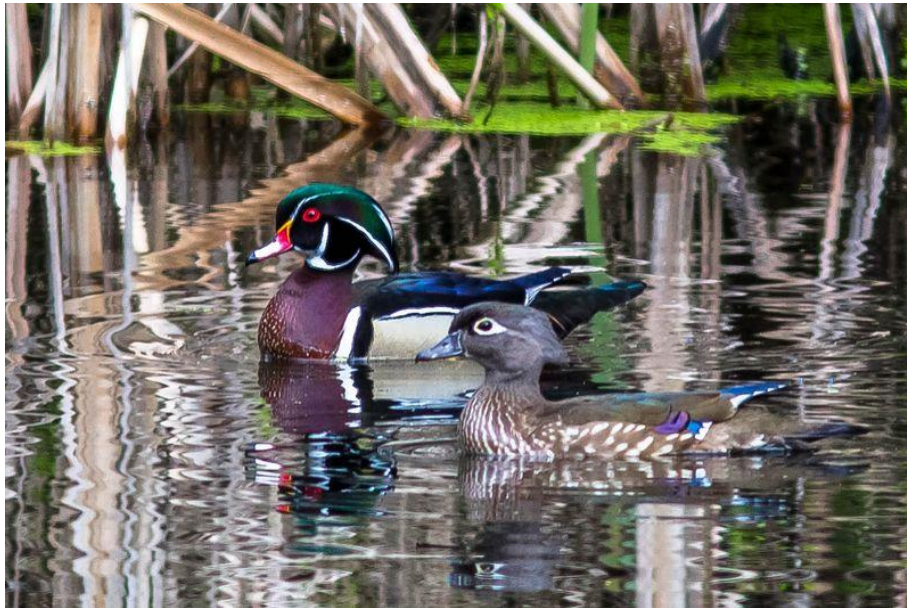
Labor Day 2015 Fire Truck Display

Transportation Benefit District Fund

In order to address declining revenues that support the Street Department, the City has established a new fund, the Transportation Benefit District. The City has authorizing a twenty dollar (\$20.00) vehicle license fee pursuant to RCW 36.73.065 and RCW 82.80.140. Currently there are more than 75 TBD districts in Washington State. Due to a lag in distribution and start up, the City expects to receive about seven months of TBD revenue in 2016.

Transportation Benefit District Fund 108					Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
	Actual 2013	Actual 2014	Budget 2015	Thru July 2015			
1 REVENUE							
2 TBD Car Tab Fees					60,000	60,000	
3 Total TBD Sources					60,000	60,000	

Transportation Benefit District Fund 108					Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
	Actual 2013	Actual 2014	Budget 2015	Thru July 2015			
EXPENDITURES							
1 Transfer to Street Fund					60,000	60,000	
2 Total TBD Uses					60,000	60,000	



Lake Sawyer inhabitants include Wood Ducks

Internal Service Funds

This fund is used for operations serving other funds or departments within the City.

Black Diamond has one such fund, Equipment Replacement that collects money from other departments to build up resources to replace capital equipment, such as Police and Fire vehicles as well as Public Works equipment.



Miners Day is held on the second Saturday in July on Railroad Avenue. It is a whole day of old timey fun with vendors, contests, races, live music and entertainment, chalk art, and roaming characters of the old times.



Equipment Replacement Funds

Equipment Replacement Funds include Fire, Public Works and Police equipment replacements. Some examples of equipment are police and fire vehicles, and equipment for parks and street and utility operations.

Fire Equipment Fund 510 - 100					Prelim Budget 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
REVENUE							
1	LGIP Investment Interest	28	11	-	51	50	50
2	Fire Equipment Surplus	2,201	-	125,000	-	(125,000)	-100%
3	Loan for Fire Engine	-	-	240,000	-	(240,000)	-100%
4	Subtotal Revenue	2,229	11	365,000	51	(364,950)	-100%
5	Transfer in Reet 1	-	69,219	-	-	25,000	25,000
6	Transfer in General Fund	-	-	-	-	5,000	
7	Transfer from Fire Impact Fund	-	15,366	10,000	-	(10,000)	-100%
8	Subtotal Transfers In	-	84,585	10,000	30,000	20,000	200%
9	Beginning Cash and Investments	1,378	3,507	73,950	83,962	48,876	(25,074) -34%
10	Total Fire Equip Fund Sources	3,607	88,103	448,950	84,013	78,926	(370,024) -82%

Fire Equipment Fund 510 - 100					Prelim Budget 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
EXPENDITURES							
1	Fire Truck Repairs & Maint External	100	4,141	10,000	9,771	38,926	28,926 289%
2	Capital Facility Study	-	-	-	-	25,000	25,000
3	Annexation Study	-	-	-	-	5,000	5,000
4	Future Fire Bldg/Equip	-	-	365,000	-	(365,000)	-100%
5	Fire SCBA Air Bottles	-	-	20,000	10,000	(10,000)	-50%
6	Transfer to Fire Impact Fund	-	-	-	15,366	-	-
7	Subtotal Expenditures	100	4,141	395,000	35,137	78,926	(316,074) -80%
8	Ending Cash and Investments	3,507	83,962	53,950	48,876	-	
8	Total Fire Equipment Uses	3,607	88,103	448,950	84,013	78,926	(370,024) -82%

	Public Works Equipment Fund 510 - 200	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Budget 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
	REVENUE							
1	LGIP Investment Interest- Public Works	198	200	200	188	200	-	-
2	Public Works Equipment Surplus	472	5,600	-	-	-	-	
3	Subtotal Revenue	670	5,800	200	188	200	-	-
4	Transfer in From REET 1		-	7,000	7,000	7,000	-	-
5	Transfer in From Water Operating	10,000	10,000	10,000	10,000	10,000	-	-
6	Transfer in From Sewer Operating	10,000	10,000	10,000	10,000	10,000	-	-
7	Transfer in from Stormwtr Fund	10,000	10,000	10,000	10,000	10,000	-	-
8	Transfer in From Street Fund	10,000	10,000	10,000	10,000	10,000	-	-
9	Subtotal Transfers In	40,000	40,000	47,000	47,000	47,000	-	-
10	Beginning Cash and Investments	150,321	153,793	170,710	183,501	253,096	82,386	48%
11	Total Public Works Equip Sources	190,991	199,594	217,910	230,689	300,296	82,386	38%

	Public Works Equipment Fund 510 - 200	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Budget 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
	EXPENDITURES							
1	Surplus Costs PW Vehicles	123	244	-	-	-	-	
2	Various Mower		10,537	15,000	6,151	6,000	(9,000)	-60%
3	PW Shop Heat & Air		-	-	4,757	-	-	
4	Utility Truck Purchase	32,707	-	-	-	-	-	
5	Computers & Radios for Utilities	838	-	-	1,000	-	-	
6	PW Sander/Snow Plow		-	-	-	20,000	20,000	
7	Shop Generator	3,531	-	-	-	-	-	
8	Grader Engine Repair		5,311	-	543	-	-	
9	4 wheel Dr. Truck		-	45,000	-	50,000	5,000	11%
10	Vactor		-	-	9,955	-	-	
11	Subtotal Expenditures	37,199	16,092	60,000	22,407	76,000	16,000	27%
12	Ending Cash and Investments	153,792	183,501	157,910	208,282	224,296	66,386	42%
13	Total Public Works Equip Uses	190,991	199,594	217,910	230,689	300,296	82,386	38%



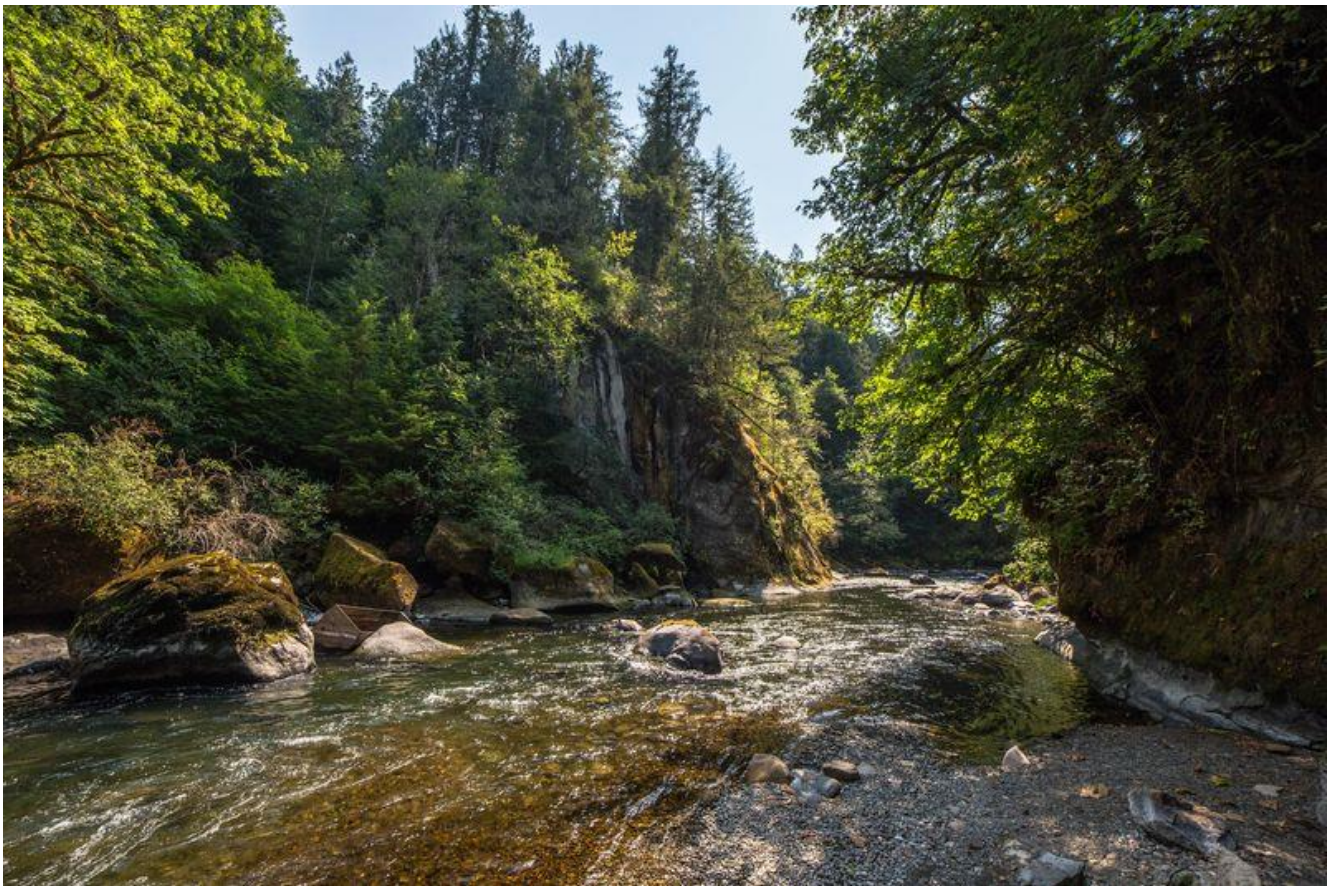
Police Equipment Fund 510 - 300					Prelim Budget 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
Actual 2013					Actual 2014	Budget 2015	Thru July 2015
REVENUE							
1	Vehicle Conversion Grant-Radar		1,000	-	-	-	-
2	LGIP Investment Interest- Police	8	11	-	23	20	
3	Police Sale of Surplus	1,641	1,275	-	-	-	
4	Subtotal Revenue	1,649	2,286	-	23	20	
5	Transfer from REET 1	10,000	20,000	-	-	-	
6	Subtotal Transfers In	10,000	20,000	-	-	-	
7	Beg Cash & Invest- Police Equip	11,051	21,993	27,347	28,296	9,800	
8	Total Police Equipment Sources	22,700	44,279	27,347	28,319	9,820	(17,527) -64%

Police Equipment Fund 510 - 300					Prelim Budget 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
Actual 2013					Actual 2014	Budget 2015	Thru July 2015
EXPENDITURES							
1	Surplus Costs Police	707	50	500	-	500	-
2	Police Radios		5,871	9,300	-	9,320	20
3	Police Vehicle Conversion Costs		10,061	-	855	-	-
4	Subtotal Expenditures	707	15,983	9,800	855	9,820	20
5	Ending Cash and Investments	21,993	28,296	17,547	27,464	-	(17,547) -100%
6	Total Police Equipment Uses	22,700	44,279	27,347	28,319	9,820	(17,527) -64%



Utility Funds

Utility funds are used for services provided to the public on a user charge basis, similar to the operation of a commercial enterprise. Black Diamond has Water, Wastewater and Stormwater utilities.



Black Diamond is adjacent to gorgeous views of Green River

Water Fund 401

The Water Department provides safe high quality reliable drinking water to the residents of Black Diamond except for the residents on the Covington Water District around Lake Sawyer. The water utility is responsible for the operation and maintenance of the City's springs, fences, access roads, power lines, backup power, control systems, water storage tanks, water treatment systems, pump stations, water main, water quality testing, fire hydrants, meter reading and maintenance, and billing. The average Black Diamond household receives very high quality drinking water delivered to their house under pressure to drink, wash dishes, wash clothes, shower and bathe, brush teeth, cook, water plants and landscape, mop and clean, flush toilets and provide fire protection all for approximately \$57 per month.

Water use has gone down in recent years and the city has not been able to collect sufficient revenues to meet the needs of the utility, thus the City has not been able to set aside any operations revenue toward pipe replacement in recent years.

Water Fund	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
REVENUE							
1 Water Charges	466,250	582,792	642,000	380,942	660,000	18,000	3%
2 Water Late Fees & Name Changes	17,068	18,409	18,000	12,867	19,000	1,000	6%
3 Water Meter and Setting	2,000	4,110	6,000	1,381	2,500	(3,500)	-58%
4 Water Miscellaneous Rev	1,755	28,733	-	660	1,200	1,200	
5 Subtotal Operating Revenue	487,073	634,044	666,000	395,851	682,700	16,700	3%
6 Funding Staff Reimbursement	39,520	18,660	-	-	2,500	2,500	
7 LGIP and Miscellaneous	137	5,973	100	96	200	100	100%
8 Debt Service - Developer Contribution	669,596	99,362	98,891	98,499	102,848	3,957	4%
9 Transfer from Water Capital Fund	150,000	80,000	10,000	40,000	10,000	-	0%
10 Subtotal Other Revenue	859,253	203,995	108,991	138,595	115,548	6,557	6%
11 Total Water Revenue	1,346,326	838,039	774,991	534,446	798,248	23,257	3%
12 Beginning C & I Balance	107,982	125,340	129,219	160,301	161,635	32,416	25%
13 Total Water Sources	1,454,308	963,379	904,210	694,747	959,883	55,673	6%
Water Fund	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
EXPENDITURES							
1 Salaries and Benefits	159,044	166,579	179,260	101,958	185,066	5,806	3%
2 Supplies	24,407	27,646	29,154	19,138	33,846	4,692	16%
3 Services and Charges	182,254	212,181	214,034	101,188	241,601	27,567	13%
4 Total Operating Expenditures	365,705	406,406	422,448	222,284	460,513	38,065	9%
5 Transfer for Equipment-CIP	10,000	10,000	10,000	10,000	10,000	0	0%
7 WW Interfund Loan for Meters	46,221	46,460	46,460	46,460	0	(46,460)	-100%
8 Debt Service	907,042	335,212	306,285	332,292	320,430	14,145	5%
9 Transfer to Water portion Comp Plan		5,000					
10 Subtotal Other Expenditures	963,263	396,672	362,745	388,752	330,430	(46,460)	-13%
11 Total Expenditures	1,328,968	803,078	785,193	611,036	790,943	5,750	1%
12 Three Months Cash and Investments	91,426	95,937	104,935		115,128	10,193	10%
13 Unreserved C&I Balance	33,914	64,364	14,082	83,711	53,812	39,730	282%
14 Total Ending Cash & Investments	125,340	160,301	119,017	83,711	168,940	49,923	42%
15 Total Water Uses	1,454,308	963,379	904,210	694,747	959,883	55,673	6%

Water Fund 6 Year Forecast

City of Black Diamond, WA Water Utility Fund Six Year Forecast		NO MPD Growth		10/15/2015 DRAFT					MODEL A	
Water Fund	2014 Actual	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget	2020 Budget	2020 Budget		
1 Rate Increase	01/14 15%	01/15 15%								
2 Operating Begin Cash Bal	125,340	129,219	161,635	168,940	167,101	165,240	170,012	170,098		
3										
4 Operating Revenue	608,708	642,000	660,000	675,000	688,500	702,270	702,270	716,315	2%	
5 Misc. Revenue	31,289	24,100	25,400	25,908	26,426	26,955	26,955	27,494	2%	
6 Funding Reimbursement	18,660	0	0	0	0	0	0	0		
7 Developer Debt Reimb	99,382	98,891	102,848	97,902	96,923	95,954	94,995	94,995		
8 Transfer from Reserve	80,000	10,000	10,000	20,000	15,000	15,000	10,000	10,000		
9 Total Water Revenue	838,039	774,991	798,248	818,810	826,849	840,179	834,220	848,804		
10 Water Fund Expenditures										
11 Salaries & Bene	181,776	208,190	217,566	221,917	226,356	230,883	230,883	235,500	2%	
12 Allocation to Capt Projects	(15,197)	(28,930)	(32,500)	(20,000)	(20,400)	(20,808)	(21,224)	(21,649)	2%	
13 Caustic	13,646	12,500	14,000	14,000	14,000	14,000	14,000	14,000	0%	
14 Supplies	14,000	16,654	19,848	20,245	20,650	21,063	21,063	21,484	2%	
15 Electricity & Utilities	30,285	36,490	31,575	31,575	31,575	31,575	31,575	31,575	0%	
16 Insurance	41,456	28,335	26,056	27,359	28,727	30,163	30,163	31,671	5%	
17 Repairs & Maintenance	19,605	11,150	25,394	25,902	26,420	27,080	27,757	28,451	2%	
18 Services & Charges	44,465	67,059	83,074	84,735	86,430	86,430	86,430	88,159	2%	
19 B&O & Util Tax	71,370	71,000	75,500	78,520	80,090	81,692	81,692	83,326	2%	
20 Transfers to Cap Equip/Comp PI	15,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000		
21 Sub Total Operating Uses	416,406	432,448	470,513	494,253	503,848	512,079	512,339	522,518		
22 Tacoma Water Debt										
23 PWTf Debt Svs	336,090	306,285	320,430	318,896	317,362	315,828	314,294	312,761		
24 Water Meters- Sewer Loan	46,920	46,460								
25 New Debt Ser-CBDG Prj				7,500	7,500	7,500	7,500	7,500		
26 Subtotal Debt Service	383,010	352,745	320,430	326,396	324,862	323,328	321,794	320,261		
27 Total Water Fund Uses	799,416	785,193	790,943	820,649	828,710	835,407	834,133	842,779		
28										
29 Change in Cash & Inv	38,623	(10,202)	7,305	(1,839)	(1,861)	4,772	86	6,025		
30										
31 Ending Cash & Invest Bal	163,963	119,017	168,940	167,101	165,240	170,012	170,098	176,123		

Cash & Investment Balance needs to cover three months of operating expenditures per city resolutions No. #08-850 & 13-866.

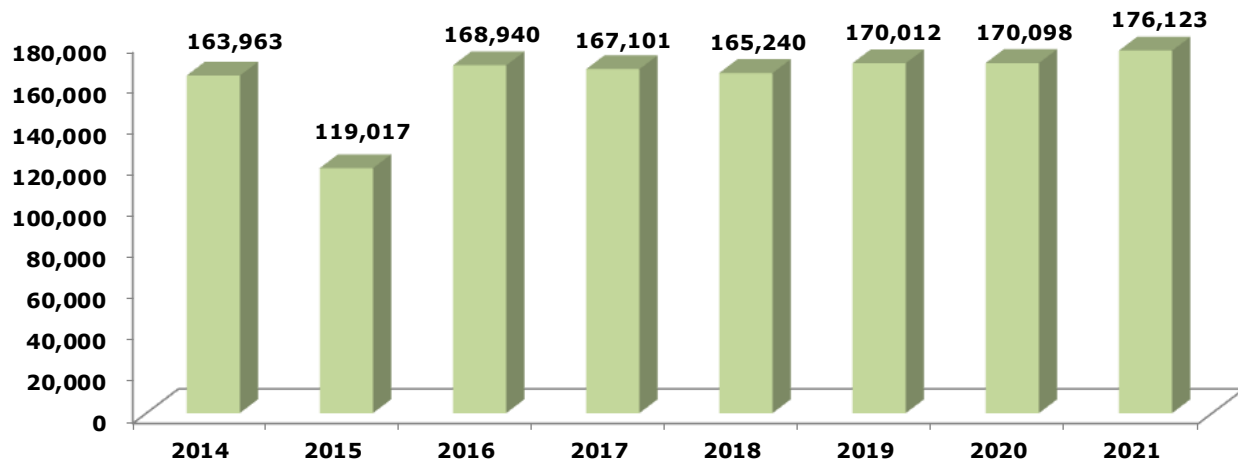
2017 & beyond includes revenue from water sales to 10 additional homes due to completion of Shake n Bake project

The six year forecast does not include any additional revenue from Yarrow Bay development

The Water Operating Fund will need to have continual support of \$10,000 to \$20,000 per year unless rates are increase or growth increases.

The Operating Revenue only covers operating expenditures and debt. Water Capital improvements will need to be funded by Water Capital Facility Charges or rate increases.

Projected Water Fund - Ending Fund Balance



Water Debt Analysis

City of Black Diamond, Washington

2016

Budgeted Water Debt Analysis as of December 31, 2015-For 2016 Budget

									2016				
Issue Date	Issue Amount	Type	Purpose	Maturity Date	12/31/2015 debt owed	2016 Principal	2016 Interest	2016 Debt Svs	Water Operating	Water Capt Res	Total Water	Developer Reimb	Total Debt Service
1995	200,000	PWTF	Wtr Repair	2015	0	0	0	0	0		0	0	0
2006	180,000	PWTF	Cor Contrl	2022	78,750	11,250	394	11,644	11,644		11,644	0	11644
2005	3,407,063	PWTF	Tac 500mg	2024	1,773,625	197,070	8,868	205,938	165,938	40,000	205,938		205,938
	256,064	PWTF	Tac city 1st	2024									
	1,784,693	PWTF	Pump Fac, Res & lines	2024	885,771	98,419	4,429	102,848				102,848	102,848
	5,447,820	PWTF			2,659,396	295,489	13,297	308,786	165,938	40,000	205,938	102,848	308,786
2004	11,334,510	Tac Water	Tac Wtr 1	2013	0	0	0	0	0	0	0	0	0
Totals	17,162,330				2,659,396	306,739	13,691	320,430	177,582	40,000	217,582	102,848	320,430
Total net Water fund 2013 Debt Service									\$177,582	\$40,000	\$217,582	102,848	320,430
2011	230,000	Int. Loan	Meters Sys	2015	0	0	0	0	\$0		\$0		0
Totals	17,392,330				2,659,396	306,739	13,691	320,430	177,582	40,000	217,582	102,848	320,430

Less developer Responsibility Palmer

\$885,771

Net City Liability 1,773,625

*Black diamond hold a letter of credit from Palmer Coking for their balance owing of \$885,771 of PWTF Loan.
included 2016 Est Interest.
10/27/2015



Rafting on Green River

Sewer Fund 407

The Sewer Department collects sewage from the homes and businesses in the old section of Town for treatment and discharge. The area around Lake Sawyer is primarily served by individual on site waste water disposal septic system and a small area at the Northwest end of the Lake served by the Soos Creek Sewer system. The sewer utility provides for the planning, operation and maintenance of 17.5 miles of sewer lines and manholes, and 4 pump stations and provides local customer service and billing. This sewer utility also contracts with the King County for transmission and sewage treatment plant in Renton for treatment, discharge and bio-solids handling. The City provides the local sewer collection services for approximately \$25/household per month.

The revenue collected by the sewer utility has not been covering the cost of the operations, maintenance, administration and services provided for several years now. At some point the City will need to raise the local charges to bring the fund into balance.

Sewer Fund 407		Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
REVENUE								
1	User Charges	692,136	705,607	737,000	436,598	742,000	5,000	1%
2	Operating Revenue	692,136	705,607	737,000	436,598	742,000	5,000	1%
3	Misc Reimbursements	7,797	3,694	2,500	840	4,000	1,500	60%
4	Developer PW Director Reimb.	38,199	18,660					
5	Investment Interest	108	100	100	124	260	160	160%
6	Insur Recov/Civil Insp Fee & Misc	595			1,072			
7	Transfer from Capital/Operating	85,000	80,000	80,000	80,000	100,000	20,000	25%
8	Total Other Revenue	131,699	102,454	82,600	82,036	104,260	21,660	26%
9	Total Revenue	823,835	808,061	819,600	518,634	846,260	26,660	3%
10	Total Beg Cash and Investments	87,738	126,682	118,383	141,292	117,641	(742)	-1%
11	Total Wastewater Sources	911,573	934,743	937,983	659,926	963,901	25,918	3%

Sewer Fund		Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
EXPENDITURES								
1	Salaries and Benefits	169,383	164,804	176,112	107,445	184,190	8,078	5%
2	Supplies	11,037	10,575	12,184	6,068	12,326	142	1%
3	Services and Charges	121,646	121,414	139,140	64,897	149,723	10,583	8%
4	Subtotal Operating Expenditures	302,066	296,793	327,436	178,410	346,239	18,803	6%
5	King County Metro	472,825	481,658	511,700	301,187	518,000	6,300	1%
6	Total Operating Expenditures	774,891	778,451	839,136	479,597	864,239	25,103	3%
7	Transfer for Equipment-CIP	10,000	10,000	10,000	10,000	10,000	-	
8	Transfer for Sewer Comp Plan		5,000					
9	Total All Expenditures	784,891	793,451	849,136	489,597	874,239	25,103	3%
10	Three Months Cash & Investments	75,517	78,500	81,859		89,662	7,803	10%
11	Unreserved C & I Balance	51,165	62,792	6,988		0	(6,988)	-100%
12	Total Ending Cash & Investments	126,682	141,292	88,847	170,329	89,662	815	1%
13	Total Wastewater Uses	911,573	934,743	937,983	659,926	963,901	25,918	3%

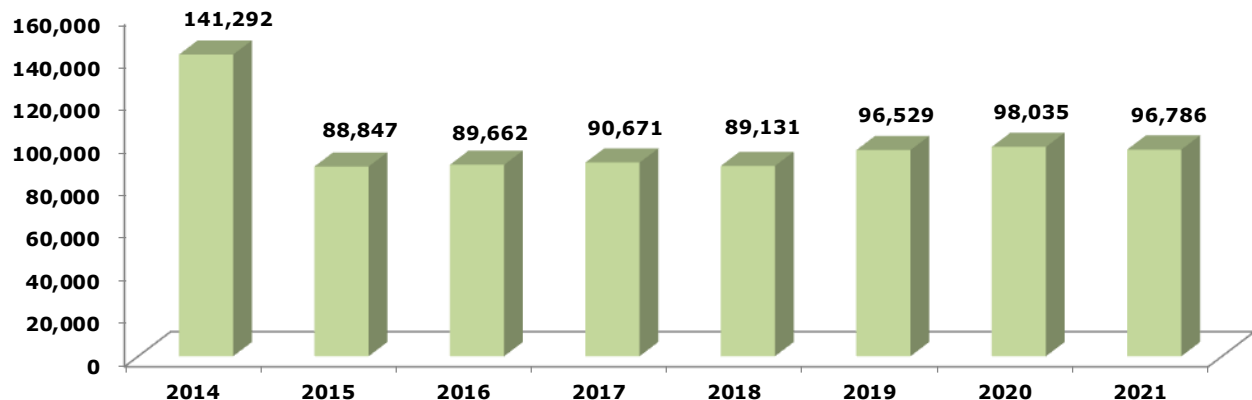
Sewer Fund 6 Year Forecast

City of Black Diamond Sewer Utility Operating Fund Six Year Forecast-2015		No MPD Growth		Draft 10/15/2015		Model A			
Sewer Fund	2014 Actual	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget	2020 Budget	2021 Budget	
1 City Monthly Sewer Rate	19.52	19.97	20.37	20.78	21.19	21.62	22.05	22.49	2%
2 Operating Begin Cash Bal	126,682	118,383	117,641	89,662	90,671	89,131	96,529	98,035	
3									
4 Operating Revenue-City	223,949	225,300	224,000	230,876	235,494	240,203	240,203	245,007	2%
5 Operating Revenue-Metro	481,658	511,700	518,000	550,004	554,769	565,864	577,182	588,729	
6 Misc Revenue	3,794	2,600	4,260	4,388	4,519	4,519	4,519	4,655	3%
7 Funding Reimbursement	18,660	0	0	0	0	0	0	0	
8 Transfer fr Reserves/Rate Inc	80,000	80,000	100,000	140,000	140,000	150,000	150,000	150,000	
9 Sewer Operating Revenue	808,061	819,600	846,260	925,268	934,782	960,587	971,905	988,391	
10 Sewer Fund Expenditures									
11 Salaries & Benefits	179,992	206,498	216,690	221,024	225,444	229,953	234,552	239,243	2%
12 Allocation to Capital Proj	(15,197)	(30,386)	(32,500)	(22,500)	(23,400)	(24,336)	(25,309)	(26,322)	2%
13 Supplies	10,575	12,184	12,326	12,573	12,824	13,080	13,342	13,609	2%
14 Insurance	14,257	14,622	14,700	15,435	16,207	17,017	17,868	18,761	5%
15 Services & Charges	56,570	70,718	80,623	82,235	83,880	83,880	83,880	85,558	2%
16 B&O & Util Tax	50,596	53,800	54,400	55,488	56,598	57,730	58,884	60,062	2%
17 Metro Reimbursement	481,658	511,700	518,000	550,004	554,769	565,864	577,182	588,729	
18 Transfers to Cap Equip	15,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	
19 Sub Total Operating Uses	793,451	849,136	874,239	924,259	936,322	953,189	970,399	989,640	
20									
21 Change in Cash & Inv	14,610	(29,536)	(27,979)	1,009	(1,540)	7,398	1,506	(1,249)	
22									
23 Ending Cash & Invest Bal	141,292	88,847	89,662	90,671	89,131	96,529	98,035	96,786	

Cash & Investment Balance needs to cover three months of operating expenditures per City resolutions No. #08-850 & 13-866.

Growth or rate increases will need to be in place to cover costs. While the Sewer Reserves still has approximately \$585,000 at the end of 2016, the reserves would be depleted by 2019 if growth, rate increases or structural changes are not made. The Metro rate increases cause increases in State and City taxes which need to be covered out of the City share of the rate. The modest inflationary increases to the city portion are not keeping pace with expenditure increases. A rate study is planned for spring of 2016.

Projected Sewer Fund - Ending Fund Balance



Stormwater Fund 410

The stormwater Utility maintains 9 storm ponds, 9 miles of storm pipe, 572 catch basins, two bio-infiltration systems, one stormwater filter system and approximately 20 miles of ditches and flow paths. These activities help preserve the public road system and protect the environment. The City also is in charge of various activities dealing with controlling storm water quality including education, enforcing stormwater codes on construction and new development, monitoring private stormwater systems maintenance, monitoring the effectiveness of City programs, monitoring water quality in the City, participation in WIRA 9 Water Quality Initiative providing coverage for the from the Endangered Species Act claims and reporting to Department of Ecology. In summary this utility mitigates the storm water impact of urban living on the environment for \$16 per month per household.

Stormwater Fund	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
REVENUE							
1 Stormwater Charges	293,430	331,801	334,000	214,189	343,000	9,000	3%
2 Subtotal Operating Revenue	293,430	331,801	334,000	214,189	343,000	9,000	3%
3 Civil & Insp Fee, Miscellaneous	8,214	4,048			6,800	6,800	
4 YarrowBay-PW Dir Reimburse	41,720	18,505					
5 Investment Interest	60	86	100	86	120	20	20%
6 Total Revenue	343,424	354,440	334,100	214,275	349,920	15,820	5%
7 Total Beg. Cash and Investments	82,200	81,656	106,292	90,498	105,818	(474)	0%
8 Total Stormwater Sources	425,624	436,096	440,392	304,773	455,738	15,346	3%

Stormwater Fund	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
EXPENDITURES							
2 Salaries and Benefits	165,373	166,063	165,506	107,759	182,548	17,042	10%
3 Supplies	10,949	10,599	13,594	6,468	13,186	(408)	-3%
4 Services and Charges	124,918	143,836	154,474	65,763	165,062	10,588	7%
5 Subtotal Operating Expenditures	301,240	320,498	333,574	179,990	360,796	27,222	8%
6 Transfer for Equipment-CIP	10,000	10,000	10,000	10,000	10,000		
7 Debt Service	10,010	10,100					
8 Transfer for SW portion Comp Plan		5,000					
9 Total All Expenditures	321,250	345,598	343,574	189,990	370,796	27,222	8%
10 Three Month Cash and Investments	75,047	80,125	83,393		81,822	(1,571)	-2%
11 Unreserved C & I Balance	6,609	10,373	13,425	114,783			
12 Total Ending Cash & Investments	81,656	90,498	96,818	114,783	84,942	(11,876)	-12%
13 Total Stormwater Uses	402,906	436,096	440,392	304,773	455,738	15,346	3%

Stormwater Fund 6 Year Forecast

Stormwater Utility Fund
Six Year Financial Forecast

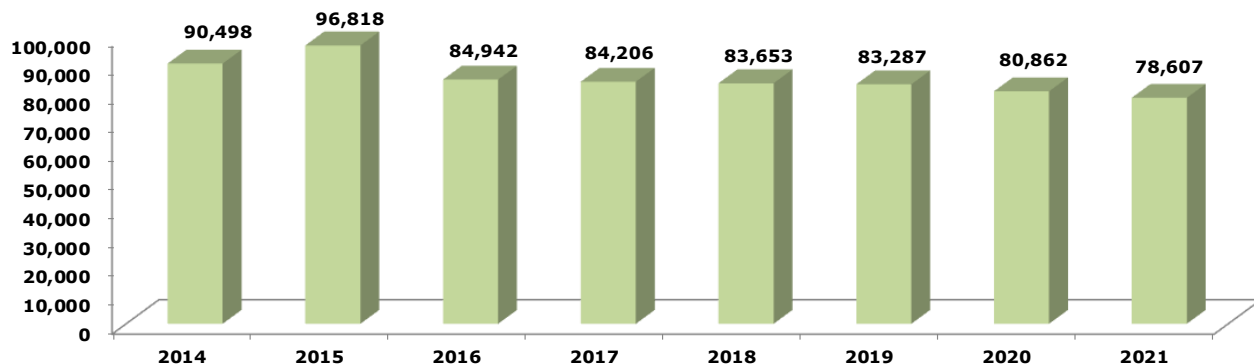
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Stormwater Fund	2014 Actual	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget	2020 Budget	2021 Budget	
1 Possible Monthly Rates	16.00	16.00	16.00	18.00	18.00	18.00	18.00	18.00	
2 Operating Begin Cash Bal	81,656	106,292	105,818	84,942	84,206	83,653	83,267	80,862	
3									
4 Operating Revenue-City	331,801	334,000	343,000	390,326	398,133	406,095	406,095	414,217	2%
5 Misc Revenue	4,134	100	6,920	100	100	100	100	100	
6 Funding Reimbursement	18,505	0	0	0	0	0	0	0	
7 Total Stormwater Fund Source	354,440	334,100	349,920	390,426	398,233	406,195	406,195	414,317	
8 Stormwater Fund Expenditures									
9 Salaries & Bene	175,260	198,835	215,048	219,349	223,736	228,211	228,211	232,775	2%
10 Proj Mgmt-S&B allocation	(15,197)	(33,329)	(32,500)	(20,000)	(20,400)	(20,808)	(20,808)	(21,224)	2%
11 Supplies	10,599	13,594	13,186	13,450	13,719	13,993	13,993	14,273	2%
12 Services & Charges	74,421	86,334	96,072	97,993	99,953	101,952	103,991	106,071	2%
13 Add Street Cleaning & Mtc.				0	0	0	0	0	
14 B&O & Util Tax	75,415	68,140	68,990	70,370	71,777	73,213	73,213	74,677	2%
15 Transfers to Cap Equip/Comp	15,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	0
16 Sub Total Operating Uses	335,498	343,574	370,796	391,162	398,785	406,561	408,600	416,572	
17 Debt Svs-Sewer Loan	10,100								
18 Total Stormwater Fund Uses	345,598	343,574	370,796	391,162	398,785	406,561	408,600	416,572	
19									
20 Change in Cash & Inv	8,842	(9,474)	(20,876)	(736)	(553)	(366)	(2,405)	(2,255)	
21									
22 Ending Cash & Invest Bal	90,498	96,818	84,942	84,206	83,653	83,287	80,862	78,607	

Cash & Investment Balance needs to cover three months of operating expenditures per city resolutions No. #08-850 & 13-866.

Stormwater Scenario includes the adopted 2014 rates @ 16.00 per month. A rate study is planned for spring of 2016. A potential \$2.00 rate increase was calculated for 2017 to show how this would affect cash balances. 2017 Revenues also include revenue from the completion of 10 shake n Bake homes. Operating Revenue does not support Street Cleaning and Maintenance which has been covered by DOE Grants the past few years. It is not known if these grants will be available in the future. Growth from Yarrow Bay projects are not included in the calculations.

Projected Stormwater Fund - Ending Fund Balance



Capital Funds

Capital projects funds are used to account for the construction or acquisition of buildings, equipment and roads. Depending on its use, a fixed asset may instead be financed by a special revenue fund or a proprietary fund. A capital project fund exists only until completion of the project.



Before



After



Gomer Evans and friends refurbished the Green River Queen Float for the 2015 Labor Day Parade, making an appearance for the first time in over 50 years!

Real Estate Excise Tax 1 – 311 (REET 1)

Washington State levies a real estate excise tax (REET) on all property sales of 1.28% of a property's full selling price. A locally-imposed tax is also authorized, though the rate and uses of the funds differ by population size and whether the city or county is planning under the Growth Management Act (GMA). All cities are allowed to levy a 0.25% tax on property sales (REET 1), cities and counties that are planning under the GMA may also levy a second quarter percent tax (REET 2).

Black Diamond levies both REET 1 and REET 2, combined to bring total Real Estate Excise Tax to 1.78%. Every city in King County levies both REET 1 and 2, with the exception of Skykomish, which collects .25%. In 2011 the Washington State Legislature authorized for five years the usage of up to \$100,000 in REET money for the maintenance of capital assets. This Fund is specifically to be used for General Government Capital Projects, Fund 310, and General Government Capital Expenditures in the 510 Fund.

REET 1 General Government Capital Project Fund	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Budget 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
REVENUE							
REET 1 .25% Home Sales Excise tax	57,929	65,059	75,000	53,635	95,000	20,000	27%
LGIP Investment Interest	381	178	150	101	150	-	0%
Subtotal Revenue	58,310	65,237	75,150	53,736	95,150	20,000	27%
Beginning Cash and Investments REET 1	283,984	229,144	202,121	186,508	133,341	(68,780)	-34%
Total REET 1 Sources	342,294	294,381	277,271	240,244	228,491	(48,780)	-18%
EXPENDITURES							
Trans. to 310 General Gov Capital Fund	103,150	62,873	126,277	111,077	96,000	(30,277)	-24%
Trans. to 510 Fund - Equip Replacement	10,000	45,000	7,000	7,000	32,000	25,000	357%
Subtotal Expenditures	113,150	107,873	133,277	118,077	128,000	(5,277)	-4%
Ending Cash and Investments REET 1	229,144	186,508	143,994	122,167	100,491	(43,503)	-30%
Total REET 1 Uses	342,294	294,381	277,271	240,244	228,491	(48,780)	-18%

General Government Capital Projects Fund 310

The 310 General Government Capital Project Fund is primarily funded by REET 1 and grants. Projects planned for 2016 include funds to acquire land for the Ginder Creek Trail. Also money has been set aside for the Comp Plan Update, Police and Government Technology, and In Forest closing costs.

Fund 310 General Government Capital Projects	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Budget 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
REVENUE							
1 Transfers in From REET 1	103,150	62,873	126,277	111,077	96,000	(30,277)	-24%
2 King County Cons. Futures Grant					35,000	35,000	
3 Aquatic Weed Grant King County					16,424	16,424	
4 King County Parks Tax Levy	8,579	9,202	10,000	4,681	9,000	(1,000)	-10%
5 Trans in from PW Funds for Comp Plan		15,000					
6 Comp Plan Update Grant		9,000	9,000			(9,000)	-100%
7 Tree Mitigation		(25)	500			(500)	-100%
8 DOE Grant for Lake S. Weed Mgmt	2,984	6,635					
9 Grant Matching		21,000					
10 Subtotal Revenue	114,714	123,684	145,777	115,758	156,424	10,647	7%
11 Beginning Cash and Inv. Projects	261,546	280,382	100,409	201,200	170,819	70,410	70%
12 Total Gen Govt Project Sources	376,259	404,067	246,186	316,958	327,243	81,057	33%

Fund 310 General Government Capital Projects	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Budget 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
EXPENDITURES							
2 Council Chamb, Police & Court Updates	214	43,033		26,008	4,374	4,374	
4 Ginder Creek Trail & Trail Projects		14,444	10,000		90,000	80,000	800%
6 Grant Matching for Projects		21,000	2,500		7,500	5,000	200%
11 Gen Govt and Court Technology	23,841	28,685	33,909	1,944	40,653	6,744	20%
11 Police Technology	16,729	11,059	26,590	2,071	30,532	3,942	15%
16 Tree Mitigation	1,187	426	500		88	(412)	-82%
18 Trans. Benefit District Costs					14,000	14,000	
20 In Forest Open Space Land	147	5,905			19,096	19,096	
21 Lake Sawyer Weed Management	12,825			16,423			
25 Comp Plan Update-Prof Svs		15,978	157,487	63,101	96,000	(61,487)	-39%
28 Capital Facility Allocation	870	18,119	15,200		25,000	9,800	64%
Prior Projects	40,064	44,219					
Subtotal Expenditures	95,877	202,868	246,186	109,547	327,243	81,057	33%
Ending Cash and Investments Proj.	280,382	201,200	-	207,411		-	
Total Gen Govt Project Uses	376,260	404,067	246,186	316,958	327,243	81,057	33%

Real Estate Excise Tax 2

The collection of REET 2 is authorized by RCW 8245.010 can be used for capital projects. This part of the real estate excise tax may only be levied by cities that plan under the Growth Management Act.

Specifically, one quarter percent of the real estate excise tax is to be used for public works projects for planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvement of streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, bridges, domestic water systems, storm and sanitary sewer systems, planning, construction, reconstruction, repair, rehabilitation, or improvement of parks.

Midyear in 2011 the Washington State Legislature authorized for five years the usage of up to \$100,000 of REET monies for the maintenance of capital assets. REET 2 monies in Black Diamond are transferred to Fund 320 for Street and Public Works capital projects.

For detailed projects, see the 320 Fund section on the next page.

321 REET 2 Public Works Capital Projects Fund						Prelim Budget 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
REVENUE								
1	REET 2 1/4% REET Tax-K/C	57,929	65,059	75,000	53,635	95,000	20,000	27%
2	LGIP Investment Interest	453	188	500	96	120	(380)	-76%
3	Subtotal Revenue	58,382	65,248	75,500	53,731	95,120	19,620	26%
4	Beg Cash & Investments-REET 2	329,674	278,056	171,357	155,904	116,024	(55,333)	-32%
5	Total REET 2 Sources	388,056	343,304	246,857	209,635	211,144	(35,713)	-14%

321 REET 2 Public Works Capital Projects Fund						Prelim Budget 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
6	EXPENDITURES							
7	Transfer out 320 PW Capital	80,000	77,700	80,000	70,000	60,000	(20,000)	-25%
8	Transfer out to Street Fund	-	50,000	50,000	50,000	50,000	-	0%
9	Transfer to Rock Cr Br Project	-	53,700	-	-	-	-	
10	Transfer to Makers GFC Project	-	6,000	-	-	-	-	
11	Transfer to 5th Ave Wtr Project	30,000	-	-	-	-	-	
12	Subtotal Expenditures	110,000	187,400	130,000	120,000	110,000	(20,000)	-15%
13	Ending Cash & Investments-REET 2	278,056	155,904	116,857	89,635	101,144	(15,713)	-13%
14	Total REET 2 Uses	388,056	343,304	246,857	209,635	211,144	(35,713)	-14%

Public Works Capital Projects Fund 320

The Public Works Capital Projects Fund 320 receives funds largely from grants and REET 2, for street, sidewalk, trail and capital facilities projects. Projects in the budget for 2016 include Roberts Drive rehabilitation, a sidewalk project, Jones Lake overlay, citywide chip and seal, and general street overlays and repairs.

Fund 320 Public Works Capital Projects	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Budget 2016	Bdgt inc/(dec)	\$ Chg	Bdgt % Chg inc/(dec)
REVENUE								
1 TIB Gr-Roberts Drive					1,225,903		1,225,903	
2 CDBG Grant Sidewalk Project					210,000		210,000	
3 TIB Grant Jones Lake					135,219		135,219	
4 TIB Grant Chip Seal					117,087		117,087	
5 Transfer in Grant Matching	14,000	23,931	-	-	69,035		69,035	
6 Transfer in REET 2	80,000	137,400	80,000	70,000	60,000		(20,000)	-25%
7 TIB Grant Roberts Drive Rehab	-	-	-	25,864	-		-	
8 TIB Gr-Lawson SW	-	269,199	-	-	-		-	
9 DOT Grant-Traffic Safety Signs	-	20,431	-	-	-		-	
10 TIB Grant (288th)	143,507	-	-	-	-		-	
11 TIB Grant (Roberts Sidewalk)	69,802	-	-	-	-		-	
12 FEMA - Storm Cleanup	250	-	-	-	-		-	
13 Sales of Surplus/Scrap	-	771	-	-	-		-	
14 Transfer in Street Preservation	-	17,417	-	-	-		-	
15 Transfer in 288th Project	-	24,405	-	-	-		-	
16 Subtotal Revenue	307,559	493,553	80,000	95,864	1,817,244		1,737,244	2172%
Beginning Cash and Inv. Projects	181,022	158,544	-	140,329	225,967		225,967	
Total Pub Works Project Sources	488,581	652,097	80,000	236,193	2,043,211		1,963,211	2454%

Fund 320 Public Works Capital Projects	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Budget 2016	Bdgt inc/(dec)	\$ Chg	Bdgt % Chg inc/(dec)
EXPENDITURES								
1 2 Street Overlays, Chip, Seal & Signs	182,080	92,808	30,000	2,146	178,097		148,097	494%
2 13 Grant Matching for Projects	46,200	83,931	40,000		48,646		8,646	22%
3 16 Abrahms Project	8,426	3,046		1,733				
4 20 Roberts Drive Rehab		9,314		25,864	1,431,224		1,431,224	
5 23 Jones Lake Overlay					165,244		165,244	
6 25 Capital Projects Allocation			10,000	22	10,000			0%
7 28 Sidewalk Project CDBG					210,000		210,000	
8 Lawson Creek Sidewalk		284,640		293				
9 Roberts Sidewalk	81,923	24,405						
10 Capital Facility Plan		13,625						
11 Subtotal Expenditures	318,629	511,768	80,000	30,058	2,043,211		1,963,211	2454%
12 Ending Cash and Investments Proj.	169,952	140,329		206,135	-			
13 Total Pub Works Project Uses	488,581	652,097	80,000	236,193	2,043,211		1,963,211	2454%

WSFFA Fund 402

The Water Supply Facility Funding Agreement (WSFFA) holds the budget for implementation of various water sources, storage, springs rehabilitation and water transmission projects, funded by major property owners within the City according to the Water Supply and Facilities Funding Agreements.

WSSFA Fund 402	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
REVENUE							
1 Developer Contribution	13,997	88,761	120,000		560,000	440,000	367%
2 Investment Interest	131	63		85	150	150	
3 PCC Contribution Springs 3		29,059				-	
4 Subtotal Revenue	14,128	117,883	120,000	85	560,150	440,150	367%
5 Beg Cash and Investments	120,011	59,851	70,000	157,282	70,000	-	0%
6 Total WSFFA Sources	134,139	177,734	190,000	157,367	630,150	440,150	232%

WSSFA Fund 402	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
EXPENDITURES							
1 Permit, Water Rights, Engr, Ease.	359			7,770	300,000	300,000	
2 Design Engr Springs Task 3	57,028	20,319	120,000	17,079	100,000	(20,000)	-17%
3 Chlorine					90,000	90,000	
4 Legal, Management, Admin	517	132			70,000	70,000	
5 BD Staff Allocation	13,869					-	
6 Transfer Out	2,515					-	
7 Subtotal Expenditures	74,288	20,451	120,000	24,849	560,000	440,000	367%
8 Ending Cash and Investments	59,851	157,283	70,000	132,518	70,150	150	0.2%
9 Total WSFFA Uses	134,139	177,734	190,000	157,367	630,150	440,150	232%



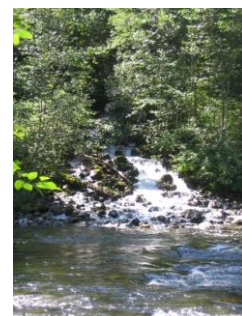
Lake Sawyer Boat Launch Park

Water Capital Fund 404

Capital Projects associated with the water utility are included here. The City collects capital facility charges from new customers when they connect to the water system to cover the cost of new capacity, adding project and upgrades to the existing water system, and to cover debt service for the acquisition of water supply. Very little capital facility funds have been collected in recent years because of very little growth in the City. Net revenue from customer charges after paying for regular maintenance and operations are to cover the cost of system replacement projects in this fund. However the water operations fund has not been able to generate net revenue in order to set aside funds for repair or replacement projects.

Water Capital Fund 404					Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
Actual 2013					Actual 2014	Budget 2015	Thru July 2015
REVENUE							
1	CDBG Grant	146,857			191,171	191,171	
2	Loan from Drink Wtr State Fund				140,000	140,000	
3	Water Connection Charges	23,906	26,439	20,400	41,830	21,430	105%
4	Transfers in from Beg Cash	30,000			56,000	56,000	
5	Loan from Wastewater			157,000		(157,000)	-100%
6	Transfer in Grant Matching	32,200					
7	LGIP Interest	625	368	600	254	(600)	-100%
8	Misc Deposit and Corr.	2,515	1,000				
9	Subtotal Revenue	236,103	27,807	178,000	4,437	429,001	251,001 141%
10	Beg Cash & Investments	504,126	441,809	292,027	331,666	287,700	(4,327) -1%
11	Total Water Capital Sources	740,228	469,616	470,027	336,104	716,701	246,674 52%

Water Capital Fund 404					Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
Actual 2013					Actual 2014	Budget 2015	Thru July 2015
EXPENDITURES							
1	Downtown Water Replacement		44	48,158	356,171	356,171	
3	Water Comp Plan			80,000	357	111,000	31,000 39%
4	10 Telemetry					13,000	13,000
5	7 Water Rate Study					5,000	5,000
6	Trans to Water Fund for Debt	150,000	80,000	10,000	40,000	10,000	- 0%
7	Transfer to Projects					56,000	56,000
8	6 Paint Reservoir	-	31,796	157,000	12,140	9,600	(147,400) -94%
9	5th Ave Water Main Replacement	145,653	3,313				
10	Replace Poles at Spring	-	22,797				
11	Subtotal Expenditures	295,653	137,949	247,000	100,654	560,771	313,771 127%
12	Ending Cash & Investments	444,575	331,666	223,027	235,450	155,930	(67,097) -30%
	Total Water Capital Uses	740,228	469,616	470,027	336,104	716,701	246,674 52%



Sewer Capital Fund 408

This Capital Fund holds the budget for Sewer Capital projects identified in the most recent Capital Improvement Plan. The City staff is continuing with the infiltration and inflow investigation and repairs as staff times allows and decommission the Old Sewer Lagoon.

408 Sewer Capital Project Fund	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
REVENUE							
1 Connection Hook Up Fees	6,400	7,871	6,000	6,350	16,540	10,540	176%
2 Debt Repayment	116,349	56,584	46,000	46,460		(46,000)	-100%
3 Sale of Scrap		758					
4 Transfer in from Reserves					10,000		
5 LGIP Interest	1,273	798	700	711		(700)	-100%
6 Subtotal Revenue	124,022	66,011	52,700	53,521	26,540	(26,160)	-50%
7 Beg Cash & Investments	870,554	900,860	703,353	791,642	711,000	7,647	1%
8 Total Wstwtr Capital Sources	994,576	966,871	756,053	845,162	737,540	(18,513)	-2%

408 Sewer Capital Project Fund	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
EXPENDITURES							
9 Wastewater Rate Study	2,767				3,000	3,000	
10 Preserve Sewer Lagoon					15,000	15,000	
11 Infiltration and Inflow					25,000	25,000	
12 Morganville Sewer Lift Station		30,830		31,543			
13 Preserve Sewer Treatment Plant	5,951	9,592		10,616			
14 Lawson Lift Station		40,017					
15 Transfer out to Sewer I & I Project					10,000		
16 Transfer out to Wastewater Oper.	85,000	80,000	80,000	80,000	100,000	20,000	25%
17 Subtotal Expenditures	93,718	160,439	80,000	122,159	153,000	73,000	91%
18 Ending Cash & Investments	900,858	806,432	676,053	8,906	584,540	(91,513)	-14%
19 Total Wastewater Capital Uses	994,576	966,871	756,053	131,065	737,540	(18,513)	-2%



Taking care of business

Stormwater Capital Fund 410

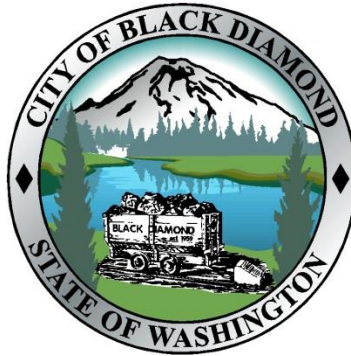
Stormwater capital funds provide the City with stormwater improvement projects. The City has been fortunate to receive Department of Ecology grants in recent years.

410 Stormwater Capital Projects Fund	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
REVENUE							
1 Grant Matching		60,000					
2 Stormwater DOE Grants			30,000	143,791	50,000	20,000	67%
3 Department of Ecology Grant	113,171						
4 Subtotal Revenue	113,171	60,000	30,000	143,791	50,000	20,000	67%
5 Beg Cash & Investments	(53,014)			20,528			
6 Total Storm Capital Sources	60,156	60,000	30,000	164,319	50,000	20,000	67%

410 Stormwater Capital Projects Fund	Actual 2013	Actual 2014	Budget 2015	Thru July 2015	Prelim Bdgt 2016	Bdgt \$ Chg inc/(dec)	Bdgt % Chg inc/(dec)
EXPENDITURES							
7 EXPENDITURES							
8 Stormwtr Pond Design & Misc		34,446		59,714			
9 Stormwater Improvements	36,805		30,000	44,974	50,000	20,000	67%
10 Street Sweeping	23,351						
11 Subtotal Expenditures	60,156	34,446	30,000	104,688	50,000	20,000	67%
12 Ending Cash & Investments		25,554		59,631		-	
13 Total Storm Capital Uses	60,156	60,000	30,000	164,319	50,000	20,000	67%



Contech Training - Storm Filter Maintenance



City of Black Diamond

Financial Management Policies

Per Resolution 08-560

Updated for Long Term Planning Per Resolution 13-866

Background and Purpose

Financial policies provide guidelines for City of Black Diamond's leaders to ensure sound decision-making that safeguards core services while moving the community forward to achieve its vision. Good financial management ensures the City is able to withstand economic fluctuations, maintain focus on the entire financial picture, and adjust to the changing service needs of the community of Black Diamond.

This policy incorporates past financial practices in defining the current policies to be used by the City to meet its obligations and operate in a financially prudent manner. These policies have been established to provide general fiscal guidelines and are intended to provide sound direction in the management of the City's financial affairs.

Operating Budget Policies

General budget policies ensure service levels are reasonable and attainable and that budget documents detailing revenues and expenditures accurately reflect Council and community goals. The City of Black Diamond budget procedures are in compliance with the Revised Code of Washington, Chapter 35A.33. The City budgets annually on the calendar year beginning January 1st and ending December 31st. The City Council shall adopt the budget by Ordinance at the fund level. Amendments to the budget that change fund totals will be adopted by the Council through an Ordinance, which is usually done mid-year and year-end.

Citizen Involvement

Citizen involvement shall be encouraged in the budget decision-making process through public hearings and study sessions.

Service Level Determinations

The City Council will establish municipal service levels and priorities for the upcoming year to guide staff in developing goals, objectives and budget proposals.

Conservative Budgeting

The City will use a conservative budgeting approach and accepted analytical techniques including trending, per capita estimates of intergovernmental revenue and sales and property tax estimates based on prior year revenues adjusted for reasonable known growth factors. All positions will be budgeted for a full year.

Long Term Financial Planning

Long-term financial planning is the process of aligning financial capacity with long-term service objectives. Financial forecasting is the process of projecting revenues and expenditures over a long-term period, using assumptions about economic conditions, future spending scenarios, and other salient variables.

The City shall, utilizing best available, cost-effective practices, engage in collaborative long-term financial planning as part of its overall budget process. To provide insight into future financial planning, such long-term financial planning should combine financial forecasting and analysis with a strategic operational perspective. The overall goals of long-term financial planning* are to:

1. Balance-Budgets: Recognize the long-term impacts of today's decisions, setting the stage for balanced budgets in successive years by avoiding temporary solutions.
2. Reduce Conflict During Budgeting: Organize financial planning around a consensus-based set of service and financial goals, which sets boundaries on the budget process and creates an understanding of budget priorities.
3. Manage Growth: Optimize the City's ability to sustain operations and support service levels through a financial strategy that balances the needs of new and existing residents.
4. Stabilize Rates: Identify potential peaks and valleys in future revenues and expenses, allowing the City to take countervailing action ahead of time.
5. Provide Planned Services: Provide a process for making decisions about the level of service that government will provide over a multi-year period.

*Note: See, Government Finance Officers Association, Long-Term Financial Planning for Governments, www.gfoa.org/ltfp - ltfp@gfoa.org.

Maintenance of Facilities and Equipment

Adequate maintenance and replacement of the City's facilities, equipment and technology will be provided for in either the operating or capital budget. As practicable, these expenses will be forecasted in an equipment replacement fund in the operating budget.

Sustainable Revenue Sources

Ongoing operating program costs will not exceed the amount of ongoing revenue to finance those costs. The ongoing revenue will be identified along with new program costs. Cash balances in excess of the amount required to maintain strategic reserves will be used to fund one-time or non-recurring costs. In the event a fund has an emergency or economic downturn, resources from reserves may be used provided that they are replaced within the next five years.

Cost Recovery

All taxpayers should not pay for a service that benefits only certain individuals. Therefore, fees will be established where possible to recover costs of such services or programs. Fees for services will be reviewed and adjusted as necessary and at least once a year. Based on Council direction, general taxpayer revenues may be used to subsidize all or a portion of the cost of services.

Fund Balance Reserve Policies

Adequate fund balance and reserve levels help mitigate short-term emergencies and the effect of fluctuations in the economy, as well as assist in the financial strength of the City's bond ratings.

Operating Fund Balance Reserves

The City's goal is to achieve a 10% reserve of anticipated expenditures in the General Fund Balance over the next five years or more. The reserve will be used to meet seasonal cash flow demands, provide a financial cushion in an economic downturn and meet emergency needs. In the event that the fund balance falls below that amount, the City will work to restore the balance with cost reductions, rate increases and other measures within five fiscal years.

Contingency Reserve Fund

A Contingency Reserve Fund may also be maintained in accordance with state law (RCW 35.A.33.145) to meet any municipal extent that could have not been reasonably known at the time of adopting the annual budget. The target balance may be consistent with state law at \$.375 per \$1,000 of assessed valuation.

Utility Operating Policies

City utilities are enterprise funds and therefore need to maintain a revenue and expense structure that allows them to be self-supporting with adequate revenue that pays for maintenance, operations, debt service and capital costs. Adequate reserves, rate analyses and budgetary policies steer the utilities toward ongoing self-sufficiency.

Utility Rates and Fees

As enterprise funds, all utilities will be self-supporting through rates, connection charges and other fees. Whenever practical, smaller utility increases will be considered more frequently, to avoid large jump in rate payer bills. Revenue will pay maintenance, operation, debt service and provide funds for capital repairs and improvements. Rates and fees will be reviewed at least biennially and adjusted to adequately reflect the cost of services. Every five years a detailed rate analysis will take place to ensure financial solvency of the utilities.

Utility Fund Reserves

All utilities will be operated in a manner to ensure an ending annual reserved fund balance in an amount equal to 90 days of annual operational appropriations. In the event that the fund balance falls below that amount or a new utility is formed, the City will work to restore the balance to that level with cost reductions, rate increases and other measures within five fiscal years. The City may use reserves to "smooth" rate increases over a period of years and avoid large jumps in ratepayer bills.

Debt Management Policies

The City will maintain adequate available debt capacity to ensure funding for major, high priority projects.

The City of Black Diamond is an infrequent issuer of debt. Debt is primarily used to finance large capital investments. Various state laws limit the City's debt capacity. General obligation debt, backed by the full faith and credit of the City, is limited to 2.5% of the value of all taxable property within the City. That percentage includes councilmatic or non-voted debt (1.5% of property values), and Local Option Capital Asset Lending – a financing contract with the Office of the State Treasurer (39.94 RCW). Revenue bonds rely on a funding source, such as utility revenues, for debt repayment.

Interfund Loans

The City will use interfund borrowing when such borrowing is cost effective, thereby eliminating the administrative cost of borrowing when adequate funds are available internally within the City's own resources. The City will not charge interest for such interfund loans that are repaid within six months. For loans beyond six months, the City will set a reasonable timeline for repayment of between one and five years and use the State's Local Government Investment Pool (LGIP) rate.

Interfund loans are permitted to cover cash flow for capital projects, where federal or state grants are approved, but there is a timing issue between city expenditures and the actual reimbursement by the granting agencies. Interfund loans shall be approved by Council with a resolution.

Bond Rating

The City will strive to obtain the best bond rating possible to produce the lowest possible interest rate on each bond sale.

Cash Management and Investment Policies

At any one time the City may have several million dollars in various funds that are not needed until some point in the future for operations, capital purchases or the repayment of debt. By placing these revenues in State's Local Government Investment Pool (LGIP) until the funds are needed, the City is able to earn interest that in turn serves as a revenue source to reduce costs to the community. Cash and investment policies reduce the City's investment risk.

Cash Sufficiency

The City will at all times maintain sufficient cash on hand to meet reasonably expected expenditures for the operating period.

Investment Goals

The City's idle cash will be invested on a continuous basis to maximize income. Priority will be given to legality of investment practices, the safety of the asset, followed by liquidity in case a need arises where the City needs access to the funds, followed by yield or return.

Allocation of Investment Income

Where permitted, the City will pool its cash resources for investment purposes. Investment income will be re-allocated to the participating funds as much as practical.

Alternative Financing Schemes and Derivative Products

The City of Black Diamond shall not utilize alternative financing schemes or derivative products to avoid restrictions imposed by law or to utilize tax loop holes.

Capital Projects and Planning Policies

The City of Black Diamond owns considerable assets in roads, a sewer system, water system, storm water system, parks, buildings, equipment and other capital. The preservation, maintenance and future improvement of these facilities are a primary responsibility of the City. Capital items are defined as those projects and purchases costing more than \$5,000 and lasting three or more years.

Capital Improvement Plan

A Capital Improvement Program (CIP) is a flexible, multi-year plan containing the City's planned capital improvement projects and the recommended financing methods for funding projects. All funds and departments are brought together in a single consolidated plan for an overall view of the City's capital improvement needs. The plan includes the capital facilities element of the City of Black Diamond Comprehensive Plan required by the Growth Management Act and other capital projects that may not fit into the capital facilities category.

Capital projects typically apply to: 1) one-time costs for acquisition, construction, improvement, replacement or renovation of land, structures and major equipment; 2) expenditures which take place over two or more years; 3) funding with debt because of significant costs to be shared by current and future beneficiaries; and 4) systematic acquisition or repair and maintenance over an extended period of time.

Capital Improvement Plan (CIP) Participation

Citizen participation in the Capital Improvement Program is a priority for the City. Among the activities which shall be conducted to address the need are the following:

- a) The Capital Improvement Plan shall be provided to the City Council in a timely manner to allow time for the Council members to review the proposal with constituents before it is considered for adoption.

- b) Council study sessions on the Capital Improvement Plan will occur during the budget deliberations and shall be open to the public and advertised sufficiently in advance of the meetings to allow for the attendance of interested citizens.
- c) Prior to the adoption of the budget and Capital Improvement Plan, the City Council shall hold noticed public hearings to provide opportunities for citizens to express their opinions on the proposed plan.

All projects included in the Capital Improvement Plan shall be consistent with the City's Comprehensive Plan.

Internal Consistency

The CIP will be consistent with the Capital Facilities Element of the Comprehensive Plan covering transportation, water, wastewater, stormwater, parks, recreation and general government facilities.

Funding Sources

City staff will analyze funding sources for all proposed capital improvement projects, including grant opportunities. Under Washington law, the City can only expend revenues from the Real Estate Excise Tax (REET) for capital items. Real estate excise tax of one-quarter of one percent on the sale of real property is currently dedicated to general government capital improvements and a second one-quarter of one percent is allocated to public works projects. Both allocations may be changed by the Council. These designated revenues are collected in the Special Revenue Funds and then transferred to the appropriate funds for expenditures of debt service or capital projects as budgeted. Each REET fund has established a targeted reserve of \$200,000 to \$250,000 to cover an emergency or economic downturn.

Relationship between Operating Budget and Capital Improvement Plan

The Capital Improvement Plan, as distinguished from the Operating Budget, is a multi-year financial plan for the acquisition, expansion, or rehabilitation of infrastructure, capital assets, or productive capacity of City services. Only those projects scheduled during the first year of the plan are adopted as part of the City's annual budget. Additionally, projects to be funded by bonds or "alternative funding" are budgeted when the funding is secured.

Accounting, Financial Reporting and Auditing Policies

The City was incorporated in 1959, and operates under the laws of the State of Washington applicable to a Non-Charter code City classification adopted in 1990 with a Mayor-Council form of government. The City is a general-purpose governmental entity that provides general government services including law enforcement, fire, street improvement, parks and general administrative services. In addition the City owns and operates a water, sewer and drainage system.

Accounting and Budgeting System

The City of Black Diamond will establish and maintain a high standard of accounting practices. Accounting and budgeting systems will at all times conform to the State of Washington Budgeting Accounting Reporting System (BARS) and federal and state regulations. Cities with populations under 25,000 are classified as category 2 cities and use the allowed accounting. The accounting is single-entry, cash basis accounting, which is a departure from generally accepted accounting principles (GAAP). The city uses the revenue and expenditure classifications contained in the Budgeting, Accounting and Reporting System (BARS) manual. The manual is prescribed by the State Auditor's Office under the authority of Washington State Law, Chapter 43.09 RCW.

Financial Reporting

Reporting frequency –Monthly budget and actual reports are distributed to all departments. Quarterly reports, as a minimum frequency, are presented to the City Council.

Annual Report-Will be completed by May 30th and is distributed to the City Council, departments and the State Auditor's Office.

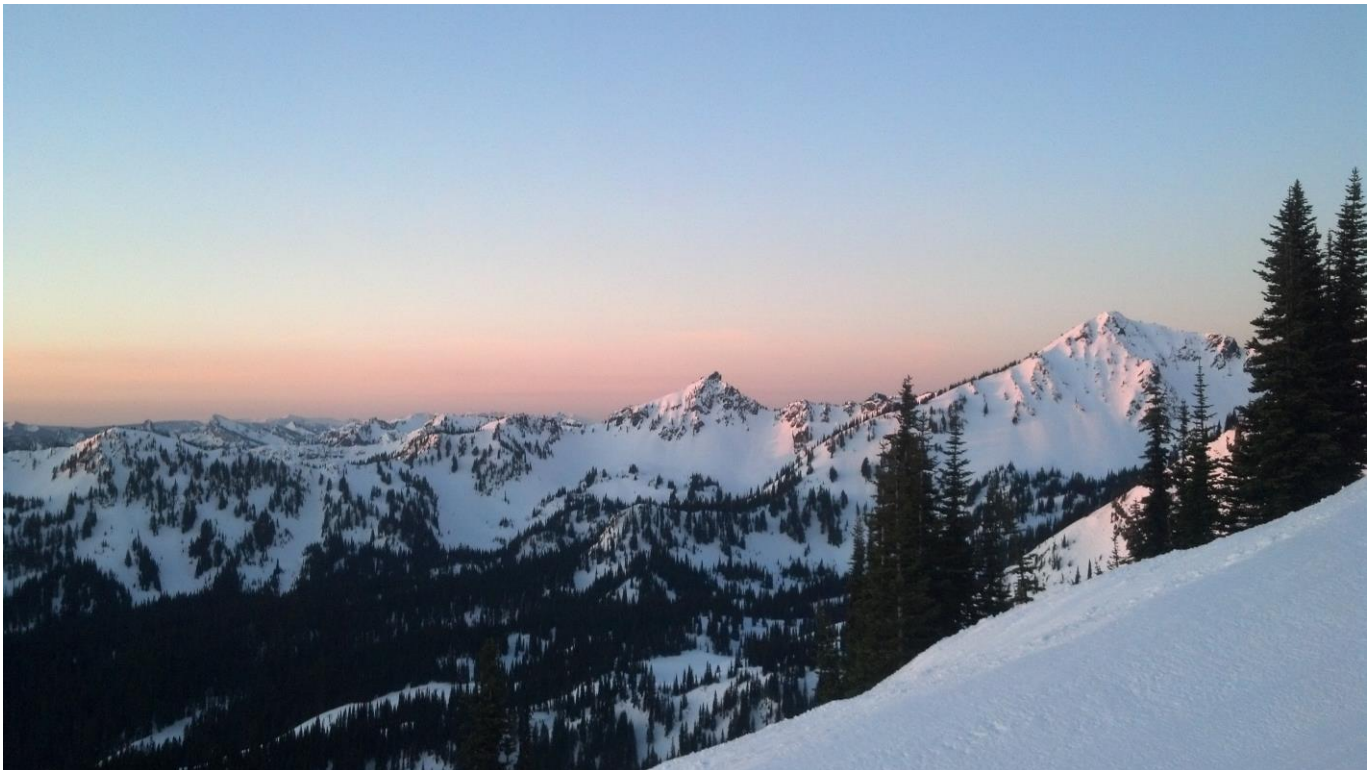
Reporting Improvements-The City will strive to continue to make improvements in its financial reporting so that information available to the public, the City's governing bodies and other city departments is clear and the best available for sound financial decisions.

Accounting System-A comprehensive accounting system is maintained to provide all financial information necessary to effectively operate the City.

Full Disclosure -All public reports are to contain full and complete disclosure of all material matters.

Audit Policy

The City will assist the State Auditor's Office in whatever way possible in conjunction with the preparation of the audit every two years and will implement modifications identified by the State Auditor to improve the City's internal controls and financial practices.



Black Diamond is on the way to (and not far from) Crystal Mountain Ski Resort

2016 Salary Schedule	Step 1	Step 2	Step 3	Step 4	5 & On
City Administrator	9,345	9,649	10,112	10,478	10,848
Assistant City Administrator	8,033	8,435	8,837	9,238	9,640
Court Administrator	5,891	6,159	6,427	6,694	6,962
Interim Court Administrator	5,305	-	-	-	-
Court Clerk (24% hourly)	18.54	20.09	21.63	23.18	24.72
Accounts Payable Clerk (hourly)	17.91	19.34	20.89	22.56	24.93
MDRT & Economic Director	7,498	7,899	8,301	8,703	9,104
City Attorney	8,161	8,569	8,997	9,447	9,919
City Clerk/HR Manager	7,498	7,899	8,301	8,703	9,104
Deputy City Clerk	4,499	4,814	5,128	5,443	5,757
Finance Director	7,498	7,899	8,301	8,703	9,104
Deputy Finance Director	6,631	7,013	7,396	7,778	8,161
Utility Clerk	3,213	3,481	3,749	4,017	4,284
Senior Accountant 73% (hourly)	25.79	27.08	28.43	29.86	31.35
Accountant 1 Journey (hourly)	16.61	17.43	18.30	19.22	20.18
Administrative Assistant 2	3,213	3,481	3,749	4,017	4,284
Administrative Assistant 1	2,356	2,544	2,731	2,919	3,106
Information Services Manager	6,962	7,364	7,766	8,167	8,569
Police Chief	10,236	10,585	11,008	11,287	11,692
Police Commander	8,422	8,702	8,984	9,264	9,588
Police Sergeant	8,292	8,757	-	-	-
Police Officer	5,037	5,645	6,255	6,863	7,440
Police Records Coordinator	4,499	4,814	5,128	5,443	5,757
Police Clerk 62.5% (hourly)	15.05	16.51	17.96	18.98	20.87
Facilities Equipment Coordinator	4,499	4,814	5,128	5,443	5,757
Human Resources Director	7,498	7,899	8,301	8,703	9,104
Community Dev/Natural Resources Dir	7,498	7,899	8,301	8,703	9,104
Permit Center Supervisor	5,891	6,159	6,427	6,694	6,962
Permit Technician	4,499	4,814	5,128	5,443	5,757
Permit Technician (60% hourly)	25.96	27.77	29.59	31.40	33.22
Compliance Officer	4,499	4,814	5,128	5,443	5,757
Senior Planner	5,355	5,622	5,903	6,198	6,508
Planner	4,499	4,814	5,128	5,443	5,757
Associate Planner	4,482	4,707	4,942	5,189	5,448
Assistant Planner	4,181	4,391	4,610	4,840	5,082
Building Official	6,962	7,364	7,766	8,167	8,569
Parks Department Director	7,498	7,899	8,301	8,703	9,104
Public Works Director	7,498	7,899	8,301	8,703	9,104
Utilities Superintendent	6,962	7,364	7,766	8,167	8,569
Capital Project/Program Manager	5,355	5,622	5,903	6,198	6,508
Construction Inspector	6,962	7,364	7,766	8,167	8,569
Public Utilities Operator	4,713	4,794	4,889	4,982	5,076
Public Works Administrative Asst 3	4,250	4,463	4,686	4,920	5,167
Utility Worker-Facility/Eq/Utility Worker	3,323	3,644	3,965	4,287	4,629
Utility Worker Seasonal (hourly)	13.24	-	-	-	-

2015 Budget Calendar for 2016 Budget

	Process	Committee Meeting	Workstudy Meeting	City Council Meeting	State Law Limitations
1	Budget requests and instructions go out to all departments				Sept 8
2	Finance prepares revenue sources and preliminary expenditures for salaries and benefits				N/A
3	Departments provide budget requests to City Administrator's Office				N/A
4	Estimates to be filed with the City Clerk and Administration				Sept 28
5	City Clerk submits to CAO the proposed preliminary budget setting forth the complete financial program				Oct 5
6	CAO provides Council with current info on Revenue from all sources as adopted in 2015 Budget, provides the Clerk's proposed Preliminary 2016 Budget for General Fund and 2016 budget totals for all funds		Oct 1		Oct 5
7	Finance Committee Meeting	Oct 8			Oct 30
8	Public Works Committee Meeting- 3:00 Public Safety Committee Meeting -1:00 Parks and Cemetery Committee-3:00 Finance Committee Meeting 3:00	Oct 16 Oct 16 Oct 22 Oct 29			Oct 30
9	Council Workstudy - Public Works budgets for revenue and expenditures for all Public Works budgets including Street, Water, Sewer, Stormwater, REET 1 & 2 and Gen Govt, Utilities & Capital Projects. 6:00 PM - Special Meeting		Oct 29		
10	City Clerk publishes notice of public hearing on 2016 Budget and filing of preliminary budget – once a week for two consecutive weeks – Draft budget submittal ready				Nov 2-13
11	Copies of preliminary budget made available to public				Nov 19
12	Public Hearing of Property Tax for 2016			Nov 5	Nov 5-19
13	Preliminary 2016 Budget Document Ready. City Council holds 1 st public hearing on revenue sources and expenditures for the upcoming budget year including possible increases in property tax revenue/Adopt Property Tax 2016			Nov 19	Nov 5-30
14	Council holds final public hearing on 2016 Budget, and Amends 2015 Budget			Dec 7	Dec 7
15	City Council adopts Final 2016 Budget and transmits to the State Auditor's Office (plus possible amendment to property taxes)			Dec 3/17	Dec 31

City of Black Diamond Statistics

City Hall Address:

24301 Roberts Drive
PO Box 599
Black Diamond, WA 98010

Phone: (360) 886-5700

Fax: (360) 886-2592

Class: Code

Form of Government: Mayor-Council

Model Traffic Ordinance: No

Wards: No

School Districts: Auburn School District No. 408, Enumclaw School District No. 216, Kent School District No. 415, Tahoma School District No. 409

Special Districts: Soos Creek Water and Sewer, Covington Water District, King County Ferry District, King County Flood Control Zone District, King County Public Hospital District No. 1, King County Rural Library District, Port of Seattle

Web Site: www.ci.blackdiamond.wa.us

Business Hours: 8:30am - 5:00pm

Council Meetings: 1st & 3rd Thu - 7:00pm

Work Sessions: On 2nd Thursdays – 6:00pm

County: King

Incorporation 1959: Although the City has been around for more than one hundred years as a coal mining town, the City of Black Diamond did not incorporate until 1959. It was determined by a favorable majority vote on January 20, 1959; and the first official meeting of the Black Diamond City Council was held on March 3, 1959.

Black Diamond location: on Hwy 169, south of Interstate 90, in southeast King County about 30 miles southeast of Seattle. It is near Renton (18 miles), and Enumclaw (8 miles). Black Diamond is positioned 47.31 degrees north of the equator and 122.00 degrees west of the prime meridian.

Population and land area: The population of Black Diamond is approximately 4,200 (2015). The amount of land area in Black Diamond is 5.207 sq. miles. The amount of surface water is 0.132 sq. miles. Black Diamond elevation is 628 feet above sea level.

Area Attractions: Hiking, Biking, Golfing, Fishing and Country Drives featuring

Black Diamond Historical Business District

Lake Sawyer Regional Park

Flaming Geyser State Park

Black Diamond Historical Museum

PO Box 232

32627 Railroad Ave at Baker Street

Black Diamond WA 98010

Phone: 360-886-2142

This museum in the old Railroad Depot has exhibits of 19th century machinery, coal mining, a jail and much more. Open on Thursdays - Call for hours - Free Admission

Major Businesses:

Anesthesia Supply Company

Enumclaw School District

City of Black Diamond

Palmer Coking Coal Co.

Average commute: 38 minutes

Educational Level: 90.6% high school diploma or higher

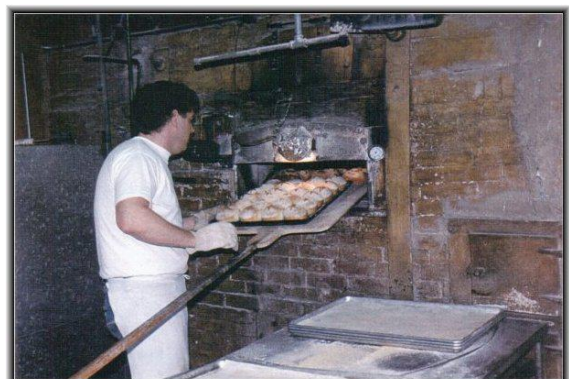
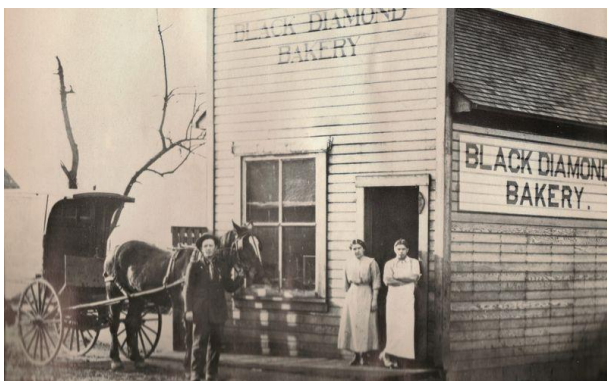
20.3% Bachelor's degree or higher *City-Data.com*

Sales Tax History

Year	Sales Taxes
2000	178,553
2001	171,913
2002	202,713
2003	178,703
2004	230,263
2005	227,760
2006	289,613
2007	305,497
2008	286,610
2009	249,526
2010	265,177
2011	297,333
2012	262,974
2013	290,795
2014	302,927

Property Tax History

	Assessed Valuation	New Construction	Final Assessed Valuation	Levy Rate
2000	294,620,050	8,162,011	302,782,061	2.206
2001	322,721,666	11,613,750	334,335,416	2.196
2002	353,992,917	4,667,520	358,660,437	2.097
2003	356,571,798	2,394,661	358,966,459	1.981
2004	401,497,572	1,943,946	403,441,518	1.904
2005	427,240,702	4,372,118	431,612,820	2.032
2006	446,214,893	3,578,995	449,793,888	2.003
2007	497,642,229	2,397,737	500,039,966	1.839
2008	560,299,568	7,314,478	567,614,046	1.651
2009	626,088,991	10,806,265	636,895,256	1.521
2010	552,382,312	2,739,869	555,122,181	1.777
2011	529,857,064	3,058,528	532,915,592	2.570
2012	536,580,666	2,514,106	539,094,772	2.593
2013	499,553,614	1,641,937	501,195,551	2.830
2014	548,399,243	4,187,903	552,587,146	2.620
2015	593,190,272	2,052,701	595,242,973	2.425
2016	660,150,221	4,917,496	665,067,717	2.242



The Black Diamond Historic Bakery

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Res. No. 15-1050 Resolution authorizing the Mayor to sign the Collective Bargaining Agreement between the City of Black Diamond and the Teamsters Union Local No. 117 Professional Unit Cost Impact (see also Fiscal Note): \$ Fund Source: -- Timeline:	Agenda Date: November 19, 2015	
	AB15-079	
	Mayor Carol Benson	
	City Administrator	
	City Labor Attorney Peter Altman	X
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res – Barbara Kincaid	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
Public Works – Seth Boettcher		
Court – Stephanie Metcalf		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Resolution No. 15-1050; Collective Bargaining Agreement (Exhibit A)		
SUMMARY STATEMENT: The City's negotiating team consisting of Peter Altman, Summit Law Group, City Clerk/HR Manager and Police Chief Jamey Kiblinger were able to reach a tentative agreement with the Association for a Collective Bargaining Agreement ("CBA") through December 31, 2017. The Professional Unit has approved the CBA and the City's negotiating team is recommending ratification by the City Council. FISCAL NOTE (Finance Department): The new Collective Bargaining Agreement was negotiated to be a net neutral or zero cost to the City of Black Diamond over the term on the agreement.		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: The entire agreement will be reviewed by the council during an executive session at their November 19, 2015 Council meeting.		
RECOMMENDED ACTION: MOTION to adopt Resolution No. 15-1050, authorizing the Mayor to sign the Collective Bargaining Agreement between the City of Black Diamond and the Teamsters Local Union No. 117 Professional Unit.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
November 19, 2015		

RESOLUTION NO. 15-1050

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF BLACK DIAMOND AND TEAMSTERS LOCAL UNION NO. 117 PROFESSIONAL UNIT

WHEREAS, the Teamsters Local Union No.117 is the authorized bargaining representative for the Black Diamond Professional Unit; and

WHEREAS, the Professional Unit was formed in 2014; and

WHEREAS, the City negotiating team has reached tentative agreement with the Union for a Collective Bargaining Agreement (“CBA”) through December 31, 2017; and

WHEREAS, the City negotiating team has recommended that the Council ratify the CBA; and

WHEREAS, the Council has reviewed the CBA and finds it is in the best interests of the City and its employees to authorize the Mayor to execute the CBA;

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 the CBA as attached hereto as Exhibit A.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 19TH DAY OF NOVEMBER, 2015.

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

AGREEMENT

By and Between

THE CITY OF BLACK DIAMOND

and

**TEAMSTERS LOCAL UNION NO. 117
(PROFESSIONAL UNIT)**

_____ – December 31, 2017

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**AGREEMENT BETWEEN
CITY OF BLACK DIAMOND
and
TEAMSTERS LOCAL UNION 117,
(PROFESSIONAL UNIT)**

PREAMBLE

This Agreement is entered into between the City of Black Diamond (the “Employer” or the “City”), a municipal corporation of the State of Washington, and Teamsters Local Union No. 117 (the “Union”), for the purpose of setting forth wages, hours, and working conditions which shall be in effect during the terms of this Agreement for employees in the bargaining unit, as determined by the Public Employment Relations Commission (PERC), Case 26432-E-14-03863 (2014) and further defined in this Agreement.

It is the purpose of this Agreement to achieve and maintain harmonious relations, based upon a mutual respect and using a collaborative approach, with the objective of fostering effective cooperation between the Employer and the Union, to provide for contractual conditions of work, to establish agreed standards of wages and hours, and to achieve peaceful and rapid resolution of any difference which may arise in accord with the terms of this Agreement.

ARTICLE 1 – DEFINITIONS

The following terms and phrases used in this Agreement are defined as follows:

“The Employer” or “the City”: The City of Black Diamond, Washington.

“The Union”: Teamsters Local Union No. 117 (Professional Unit).

Non-Director Employees: The following classifications in the bargaining unit: (1) Utilities Supervisor; (2) Deputy City Clerk; (3) Deputy Finance Director; (4) Police Records Coordinator; and (5) Court Administrator.

Director-Level Employees: The following classifications in the bargaining unit: (1) Community Development / Natural Resources Director; (2) Public Works Director; (3) Finance Director; and (4) MDRT / Economic Development Director.

Temporary Employees: Temporary employees are those employees hired for an indefinite, but limited, term of employment, not to exceed six (6) continuous months, during any period when additional work requires a temporarily expanded work force, in the event of an emergency, or to substitute during the absence of a bargaining unit employee. Temporary employees are not members of the bargaining unit. Temporary employees will not be used by the Employer to

displace bargaining unit positions. Temporary employees are not subject to the provisions of this Agreement.

Initial Probationary Employees: New employees hired by the Employer, serving an initial probationary period of employment prior to achieving regular full-time or regular part-time status.

Initial Probationary Period of Employment: The initial twelve (12) months of work—including holidays but excluding other leave—each initial employee of the Employer must complete in order to achieve regular full-time or regular part-time employment status. The initial probationary period of employment provides an opportunity for the Employer to evaluate the performance of new employees, and for new employees to evaluate working for the Employer. During the initial probationary period of employment, initial probationary employees serve “at will” and may be terminated with or without cause, and without recourse to the grievance procedure stated in this Agreement. The Employer retains the right to extend the length of the initial probationary period of employment based on mutual agreement with the Union.

Promotion: Competing for and accepting a new job or classification with higher compensation and/or an advancement in rank or position. A promotion also includes a transfer, upon the voluntary application of an employee, to an entirely new classification outside of the employee’s previous job responsibilities and duties.

Promotional Probationary Employees: Existing employees serving a promotional probationary period of employment.

Promotional Probationary Period of Employment: Twelve (12) months of work—including holidays but excluding other leave—each existing employee of the Employer must complete upon promotion or upon an employee’s transfer to a new job or classification. During the promotional probationary period of employment, a promotional probationary employee shall be returned to his/her most recently-held position if the employee fails to pass probation. Employer retains the right to extend the length of the promotional period of employment on a case-by-case basis.

ARTICLE 2 – RECOGNITION

The Employer recognizes Teamsters Local No. 117 as the exclusive bargaining representative for all employees in the bargaining unit, including all regular full-time, regular part-time, and probationary employees, and including any of the above-listed categories who are employed by the City of Black Diamond but subject to external grant funding or public-private partnership funding. The job classifications held by bargaining unit members are listed in Appendix A to this Agreement and/or as subsequently added by the parties during the life of the Agreement. The bargaining unit shall exclude confidential employees and all other employees.

ARTICLE 3 – UNION SECURITY, MEMBERSHIP, AND DUES

3.1 - Union Membership

It shall be a condition of employment that all employees of the Employer covered by this Agreement who are members of the Union in good standing on the effective date of this Agreement shall remain members in good standing and those who are not members on the effective date of this Agreement shall, on the thirtieth (30th) day following the effective date of this Agreement, become and remain members in good standing with the Union. It shall also be a condition of employment that all employees covered by this Agreement and hired on or after its effective date shall, on the thirtieth (30th) day following the beginning of such employment become and remain members in good standing in the Union. As used in this Article, “good standing” means that the employee is current in the payment of all required monthly dues and initiation fees.

3.2 - Dues or Fees / Payroll Deduction

The Employer shall deduct Union dues or fees for all employees who individually and voluntarily authorize in writing such payroll deduction for each month’s paycheck(s). The Union shall designate the amount to be deducted. Such amount shall be remitted to the Union within a reasonable time, without unnecessary delay by the Employer. Authorization by employees shall be on a form mutually approved by the Employer and Union and may be revoked by the employee upon written request to the Employer and the Union.

3.3 - Equivalent Dues/Fees Payment

In accordance with RCW 41.56.122, objections to joining the Union based on *bona fide* religious tenets or teachings of a church or religious body, or other legally recognized objections determined by the Public Employment Relations Commission (PERC) or a Washington Court, shall be observed. Any such employees shall pay an amount of money equivalent to regular Union dues and initiation fees to a non-religious charity mutually agreed upon by the employee and the Union. The employee shall furnish written proof to the Union that such payment has been made. If the employee and the Union do not reach agreement on such matter, PERC shall designate the charitable organization.

3.4 – Failure to Comply

In the event an employee of the Union, who joins the Union and fails to maintain his/her membership in the Union by regular payment of dues and fees, the Union will notify the Employer, in writing, of such employee’s nonpayment. The Employer agrees to advise the employee that his/her employment status with the Employer is in jeopardy, and that failure to meet his/her membership obligation of payment of Union dues will result in termination of employment within five (5) days following the next regular payroll payment date.

3.6 - Notification

The Employer shall annually, or at the specific request of the Union, provide the Union with a current list of all employees in the bargaining unit. The list shall include the name of each employee, date of hire, wage rate, job classification, and employment status.

The Employer will notify the Union of all newly hired employees hired into job classifications covered by this Agreement. The notification shall include the name of the employee, date of hire, wage rate, job classification, and employment status. The Employer will also notify the Union of any employee leaving the bargaining unit because of termination, layoff, promotion, demotion, transfer, or resignation. The notification shall include the name of the employee, date of termination, and job classification.

3.7 - Hold Harmless

The Union agrees to indemnify and hold the Employer harmless for any and all liabilities that arise or by reason of actions taken by the Employer pursuant to this Article.

ARTICLE 4 – NON-DISCRIMINATION

4.1 – Non-Discrimination Based on Union Membership or Union Activity

In accordance with RCW 41.56, the Employer and Union agree that there shall be no discrimination against employees or Union officers because of membership in the Union or lawful union activity.

4.2 – Equal Opportunity, Anti-Harassment, and Non-Discrimination

Neither the Employer nor the Union shall discriminate against any employee or job applicant in violation of local, state, or federal employment laws and regulations. The Employer and the Union acknowledge their commitment and obligation to abide by all equal employment opportunity and non-discrimination laws. There shall be no discrimination, harassment, or retaliation based on race, color, religion, sex, sexual orientation, marital status, national origin, age, or the real or perceived presence of any sensory, mental, or physical disability that does not prevent the proper performance of the job, unless based upon a *bona fide* occupational qualification.

4.3 – Prohibition on Intimidating or Bullying Behavior

The Employer and the Union recognize the Employer has policies and procedures relating to workplace violence. The Employer and the Union also recognize behavior which does not rise to the level of physical violence, or threats thereof, but which is nevertheless intentionally intimidating or bullying can have serious adverse impacts on individual employees, as well as the workplace in general. The Employer and the Union further recognize this type of inappropriate conduct is not dependent upon a supervisor/subordinate relationship and may occur between co-workers without a difference in reporting relationships. Therefore, the Employer and the Union seek to codify their intent not to engage in, encourage, or knowingly tolerate workplace intimidation or bullying. The Employer and the Union will work together collaboratively and

employ reasonable means to attempt to address complaints or concerns of workplace intimidation or bullying.

ARTICLE 5 – UNION ACTIVITY

5.1 – Conduct of Union Business and Member Access

Union business, such as handling grievances or other legitimate routine matters authorized by this Agreement, may be conducted on the Employer's premises, provided that such business does not interfere with the Employer's operations or business. The Employer shall not unreasonably deny entry. Authorized representatives of the Union may visit the Employer's work locations of employees covered by this Agreement for the purposes of investigating grievances or conducting Union business, provided that such business does not interfere with the Employer's operations. Scheduled Union meetings may be held in the Employer's facilities subject to the foregoing restrictions.

Authorized representatives of the Union may have reasonable access to its members in Employer facilities for transmittal of information or representation purposes before work and during lunch breaks or other regular breaks, provided such access and meeting do not interfere with the Employer's operations.

5.2 – Stewards

The Union has the right to appoint stewards within sections and locations where its members are employed under the terms of this Agreement.

5.3 – Paid Release Time for Bargaining

One non-exempt employee may be on regular paid status for any bargaining session, or portion thereof, occurring during the employee's scheduled hours of work. If the employee is not on duty during bargaining, then the employee will not be paid by the Employer.

5.4 – Bulletin Boards

The Employer shall provide space in a non-public area for a bulletin board which may be used by the Union for Union-related business, including the announcement of meetings, elections, and any other Union materials. Nothing posted on the bulletin board shall be derogatory toward the Employer, its elected officials, or other personnel.

5.5 – Personnel Policies

The Employer maintains personnel policies applicable to employees. Copies, amendments, or changes of the Employer's personnel policies impacting any of the terms and conditions of this Agreement shall be provided upon request by the Union.

5.6 – Email and Telecommunication Equipment

The Employer and the Union agree that the Employer's computer and telephone equipment shall be used primarily for conducting the Employer's business and not for other purposes. Employees

covered by this Agreement may use the Employer's computer and telephone equipment to conduct Union business at a reasonable level, provided that such use does not interfere with the Employer's operations and is at no added cost to the Employer. The Union understands that any communications taking place on the Employer's computer and telephone equipment are subject to review by the Employer, is not secure or private, and is part of the public domain.

ARTICLE 6 – MANAGEMENT RIGHTS

6.1 – Purpose

The Union recognizes the Employer has a legitimate need to operate and manage its affairs in all respects in accordance with its lawful mandate, and the powers and authority which the Employer has not specifically abridged, delegated, or modified by this Agreement are retained by the Employer.

6.2 – Specific Rights Enumerated

In accordance with Washington law and RCW 41.56, the Employer and the Union agree to a specific list of management rights. Most notably, the direction of the workforce is vested exclusively with the Employer. This shall include, but is not necessarily limited to, the right to:

1. Direct and manage employees;
2. Hire, promote, transfer, assign, re-assign, and retain employees;
3. Suspend, demote, discharge, or take other disciplinary action against employees;
4. Maintain the efficiency of the Employer's operations;
5. Determine the methods, means, and personnel by which the Employer operates and conducts its business;
6. Develop, amend, and enforce reasonable written policies, procedures, rules, or regulations governing the workplace, including those described in the Employer's personnel policy manual, provided that such policies, procedures, rules, and regulations do not conflict with the provisions of this Agreement; and
7. Take any actions reasonably necessary in conditions of emergency, regardless of prior commitments, to carry out the duties and mission of the Employer.

Provided, however, that items (1)-(8) above shall not conflict with any terms and conditions stated in this Agreement or other supplemental agreements with the Union.

6.3 – Notice to the Union of the Exercise of Management Rights

The Employer shall provide the Union with reasonable notice of the exercise of any management right that, in the Employer's opinion, may adversely affect wages, hours, or working conditions. The Employer agrees to engage in any impact bargaining over the effects of the exercise of any management right, as required by Washington law and RCW 41.56.

6.4 – Mandatory Collective Bargaining Required

Except as provided in this Agreement, the Employer may neither alter, amend, nor modify any matters subject to mandatory collective bargaining under RCW 41.56 (*i.e.* wages, hours, and working conditions) during the term of this Agreement without first bargaining with the Union.

6.5 – Court Personnel Governed by General Rule 29(f)

Pursuant to the requirements of Washington's General Rule 29(f), the parties to this Agreement recognize the Presiding Judge of Black Diamond Municipal Court is delegated the exclusive authority over any and all court personnel covered by this Agreement with respect to working conditions, hiring, discipline, and termination decisions, but excluding wages or benefits directly related to wages (collectively, "non-wage related working conditions"). In accordance with GR 29(f), the classification of Court Administrator covered by this Agreement reports directly to the Presiding Judge. Any Article or subsection of this Agreement pertaining to non-wage related working conditions of the Court Administrator, or any other court personnel later covered by this Agreement, shall be imputed to the Presiding Judge, regardless if the language of this Agreement refers to "Employer," or "City," or "Mayor." The parties also recognize that the judicial and administrative duties set forth in GR 29(f) rest exclusively with the Presiding Judge and cannot, by operation of law, be delegated to either the legislative or executive branches of the City's government. In the event any Article or subsection of this Agreement violates GR 29(f) or abridges the Presiding Judge's responsibilities under GR 29(f), that Article or subsection shall be invalidated.

ARTICLE 7 – HOURS OF WORK

7.1 – FLSA Work Week

For all non-exempt employees, the designated work week shall consist of forty (40) hours within a consecutive seven (7) day period. The work week shall begin at 12:00 a.m. Monday and end at 11:59 p.m. on Sunday, unless otherwise specified.

7.2 – Work Schedule for Non-Exempt Employees

The work week for non-exempt regular full-time employees, including non-exempt initial/promotional probationary employees working on a full-time basis, shall normally be comprised of eight (8) consecutive hours of work, totaling forty (40) hours per work week (a "5/8 schedule"). However, the Employer may assign employees to a work schedule different from the 5/8 schedule in order to meet business and customer service needs. In the event of a deviation from the 5/8 schedule, the Employer will provide affected employees with five (5) working days' notice, except by mutual agreement. Absent mutual agreement, employees will not be required

to work split shifts. Absent mutual agreement, employees will be provided at least two (2) consecutive days off per work week. Nothing in this Article prevents the Employer from changing work schedules in response to emergency situations.

- a. **Meal Period** – Employees are provided with a thirty (30) minute unpaid meal period per regular work shift, to be taken as close to the middle half of each regular work shift as reasonably possible, in no event taken no less than two (2) hours and no more than five (5) hours from the beginning of a work shift. If an employee is required by the Employer to remain on duty during a meal period, the employee shall be paid for the meal period.
- b. **Rest Periods** – Employees are provided with two (2) fifteen (15) minute paid rest breaks per regular working shift, to be taken approximately midway in each half of the regular work shift. An employee required to work beyond ten (10) consecutive hours in any one day shall be provided another fifteen (15) minute rest period after the ten (10) hour threshold. Rest periods shall be scheduled to avoid interfering with the Employer's operations and service, provided employees are not required to work more than three (3) hours without a rest break.

7.3 – Work Schedule for Exempt Employees

The work week for exempt regular full-time employees, including exempt initial/promotional probationary employees working on a full-time basis, is generally forty (40) hours per week, consisting of eight (8) hour days, Monday through Friday. Exempt employees are expected to work the hours necessary to complete their job duties. Due to the nature of the job duties of exempt employees, they may be required to work more than forty (40) hours per week and may be required to work evenings and weekends. Exempt positions are therefore not limited to a specific number of hours in a work day or work week. While exempt employees have some flexibility in their working hours, it is expected that every exempt employee will generally be present at their assigned work location during regular business hours. It is the responsibility of exempt employees to notify the Employer in advance of absences of a half-day or more. Exempt employees must maintain good work habits, be accountable to the City, and be regularly available during normal business hours to allow the Employer's business to be accomplished in an orderly and efficient manner.

Exempt employees will not be subject to salary deductions for personal partial day absences, unless authorized by law, but may be required, under appropriate circumstances and at the discretion of the Employer, to deduct partial day absences from available paid leave banks. Such deductions from paid leave banks, if any, will not occur where the employee has been granted flexible time off by the Employer or has otherwise been granted approval in advance to take a partial day absence without a deduction. Full day absences for personal reasons other than sickness or accident shall be deducted from employees' paid leave banks, to the extent authorized by law.

7.4 – Exempt Employees: Flexible Time Off for Work Load Fluctuations

The parties recognize that the nature of the work of exempt, salaried professional employees may require work beyond the normal work schedule to meet project needs and workload fluctuations. Therefore, upon employee request and by mutual agreement of the Employer, a change of schedule and flexible time off may be authorized on a case-by-case basis. Such agreements shall not result in any reduction in services provided by the Employer or impact required staffing levels for the Employer's daily operations. In addition, such agreements shall not increase the Employer's total cost of compensation for employees.

7.5 – Executive Leave for Exempt Employees

The parties recognize that the nature of the work of exempt, salaried professional employees may require work beyond the normal work schedule to meet projects needs and workload fluctuations. For exempt employees working substantially in excess of the standard work schedule, the Employer has the discretion to award up to five (5) days of paid Executive Leave per year. Such an award may be provided without prompting by the Employer, or upon request by an employee, who shall provide a written statement to the Human Resources Director with the reasons supporting the request. Requests will be approved by the Employer on a case-by-case basis. Executive Leave must be used in the year it is earned, cannot be exchanged for cash payment, and has no value at the time of voluntary or involuntary separation.

7.6 – Telecommuting Schedules

Employees are generally expected to be present at the Employer's premises during normal work hours. On a case-by-case basis, employees may request a telecommuting schedule, to be approved at the discretion of the Employer. A telecommuting schedule will only be granted on a limited or intermittent basis, or for special projects and assignments, or for inclement weather, provided the employee has a legitimate rationale for requesting a telecommuting schedule and is able to perform all of the necessary functions of the job. If an employee is granted a telecommuting schedule, the employee will be required to comply with the Employer's policies governing telecommuting and the use of the Employer's electronic resources.

ARTICLE 8 – SENIORITY

8.1 – Definition of Seniority

- a. Seniority within the Employer—the length of continuous employment of a regular full-time employee, regular part-time employee, or promotional probationary employee with the Employer. Seniority within the Employer shall begin on the date of hire.
- b. Seniority within a Classification—the length of continuous employment of a regular full-time employee, regular part-time employee, or promotional probationary employee within a particular job classification. Seniority within a classification shall begin on the date of transfer to a new classification.

8.2 – Employee Classifications

- a. **Regular Full-Time, Regular Part-Time, and Promotional Probationary Employees –** Seniority applies to regular full-time, regular part-time, and promotional probationary employees. Regular part-time employees, including promotional probationary employees working on a part-time basis, earn seniority based on a pro-rated percentage of regular full-time employees (for example, a 0.5 regular part-time employee working 20 hours per week will earn 0.5 service credits per month).
- b. **Initial Probationary Employees –** New probationary employees shall not have seniority during the initial probationary period of employment. Upon completion of the initial probationary period of employment, an employee's most recent date of hire with the Employer shall be the employee's seniority date.

8.3 – Breaks in Seniority

Seniority shall be broken by resignation, discharge, retirement, layoff of more than twelve (12) months, or failure to return in accordance with the terms of a leave of absence or when recalled from layoff. A break in seniority results in a loss of seniority.

ARTICLE 9 – OVERTIME AND CALL-BACK

9.1 – Overtime Eligibility

Overtime is provided only to employees who are not exempt from coverage under state and federal wage and hour laws. As a condition of employment, overtime may be required when determined by the Employer. Overtime must be authorized in writing by the Employer before any overtime hours are worked.

9.2 – Overtime Hours

Overtime is defined as hours worked in excess of forty (40) hours in a work week. Hours worked in a work week exclude periods of paid leave, including holidays, vacation, sick leave, and all other forms of paid leave.

9.3 – Overtime Compensation

Overtime is paid at a rate of one and one-half (1.5) times an employee's regular rate of pay.

9.4 – Call-back

Employees may be called back to work outside of regular working hours. Under such circumstances, non-exempt employees will be paid for the actual time worked, including any overtime, in accordance with state and federal wage and hour laws.

9.5 – Stand-By Status

The Employer and the Union recognize the job classification of Public Works Utilities Supervisor covered by this Agreement currently provides public works standby duties in conjunction with

employees represented by the Public Works Union. The Public Works Utilities Supervisor shall continue to provide these duties in accordance with the Employer's standby policy.

9.6 – Compensatory Time

With the approval and at the discretion of the Employer, non-exempt employees may request to accrue compensatory time in lieu of overtime pay. In such cases, compensatory time shall accrue at the rate of one and one-half (1.5) hours for each overtime hour worked. Compensatory time is intended as a benefit to employees. Under no circumstances shall an employee be required to accept compensatory time instead of overtime pay.

- a. **Scheduling Compensatory Time Off** - Employees must request to use compensatory time in advance with the Employer. Employees who request compensatory time off shall be permitted to use such time with a reasonable period after making a request, provided the use of compensatory time off does not unduly impact the Employer's operations. The Employer reserves the right to control the scheduling of compensatory time off to ensure operational and departmental needs are met.
- b. **Maximum Accrual** - The maximum accrual of compensatory time is forty (40) hours. Employees who have reached the maximum accrual will receive pay for additional hours worked at applicable overtime or straight time rates.
- c. **Cash-Out** – Compensatory time not used by November 30, or scheduled by November 30 for use before the end of the calendar year, will be cashed out in the first regular payday following November 30. Compensatory time will also be cashed out for employees who separate, voluntarily or involuntarily, from the Employer. All cash outs will be paid at employees' straight time rates.

9.7 – Overtime Eligibility for Exempt Employees

Exempt employees shall be paid a salary and shall not receive overtime pay or compensatory time for hours worked in excess of forty (40) per week.

ARTICLE 10 – HOLIDAYS

10.1 – Recognized Holidays

The following holidays are recognized by the Employer for all regular full-time, regular part-time, and initial/promotional probationary employees of the bargaining unit:

New Year's Day	January 1
Dr. Martin Luther King Jr. Day	3 rd Monday of January
President's Day	3 rd Monday of February
Memorial Day	4 th Monday of May
Independence Day	July 4
Labor Day	1 st Monday of September

Veteran's Day	November 11
Thanksgiving Day	4 th Thursday of November
Day After Thanksgiving	4 th Friday of November
Christmas Day	December 25
One (1) Floating Holiday	Discretionary

Holidays begin at 12:01 a.m. and end at 12:00 p.m. on the designated date.

10.2 – Holidays During Paid Leave

Holidays occurring during employees' absence on paid vacation or paid sick leave shall not be considered part of the vacation or sick leave expended.

10.3 – Holiday Pay for Non-Exempt Employees

Non-exempt regular full-time employees, including initial/promotional probationary employees, not required to work on a holiday are paid their regular rate of pay for the holiday. Non-exempt regular full-time employees, including initial/promotional probationary employees, required to work on a holiday may choose one of two options:

1. The employee may take the next convenient regular work day off, or if less than a full day was actually worked on a holiday, the applicable number of holiday hours worked, if within the same work week. The determination of "convenient" shall be mutually agreed upon by the Employer and affected employee.
2. The employee may be paid at the rate of two (2) times their regular rate of pay for those hours worked which fell on a holiday.

Non-exempt regular part-time employees, including initial/promotional probationary employees, will receive a pro-rated portion of holiday pay based on works worked by regular full-time employees. Non-exempt regular part-time employees, including initial/promotional probationary employees, are only eligible to receive holiday pay for holidays falling on days the employees were regularly scheduled to work.

10.4 – Holidays on Saturday and Sunday

Any holiday falling on a Saturday will be celebrated on the preceding Friday. Any holiday falling on a Sunday will be celebrated on the following Monday.

10.5 – Floating Holiday

Regular full-time, regular part-time, and promotional probationary employees who have been employed by the Employer for at least one (1) year may select one (1) floating holiday each calendar year, subject to approval of the Employer. Dates requested by Employees will be approved based on the following criteria:

1. An employee gives at least seven (7) days advance notice to the Employer, unless mutually agreed otherwise.
2. The particular day selected by an employee does not prevent the Employer from providing continued public service or otherwise unduly impact Employer operations.
3. The floating holiday must be taken each calendar year. Floating holidays do not rollover from year to year. At the discretion of the Employer, when an employee has reasonably made requests to use a floating holiday, and those requests have been denied, the floating holiday may be carried over to the earliest convenient date in the next calendar year. The determination of "convenient" shall be mutually agreed upon by the Employer and the affected employee.
4. Regular part-time employees will receive a pro-rated portion of floating holiday hours based on hours worked by regular full-time employees (for example, a regular 0.5 part-time employee working 20 hours per week earns one-half (0.5) floating holiday per calendar year).

ARTICLE 11 – VACATION LEAVE

11.1 – Vacation Accrual

Regular full-time employees of the bargaining unit, including initial/promotional probationary employees, earn vacation leave as follows:

Year of Employment	Vacation Hours Earned Per Year
0-5 years	12 vacation days per year (8 hours per month) (1 day per month)
6-9 years	15 vacation days per year (10 hours per month) (1.25 days per month)
10-15 years	18 vacation days per year (12 hours per month) (1.5 days per month)
16-19 years	21 vacation days per year (14 hours per month) (1.75 days per month)
20+ years	24 vacation days per year (16 hours per month) (2 days per month)

Regular part-time employees of the bargaining unit, including initial/promotional probationary employees, earn a pro-rated portion of vacation leave based on hours worked by regular full-time

employees (for example, a regular 0.5 part-time employee working 20 hours per week, with 1-5 years of seniority, shall earn six (6) vacation days per year).

Vacation time is accrued from the date of hire, but cannot be used by initial probationary employees until the successful completion of the seventh (7th) month of the initial probationary period. If an initial probationary employee separates employment from the Employer (for any reason) prior to completion of the initial probationary period of employment, the cash out of vacation leave shall be granted if the employee separates in good standing (as determined by the Employer).

Vacation leave may not be used in the month it is earned.

11.2 – Vacation Carry-Over

Employees may only carry-over accrued vacation leave from calendar year to calendar year in the amounts set forth below. Once an employee reaches the applicable threshold, the employee shall not accrue any additional vacation leave unless approved by the Employer.

0-5 years	144 hours maximum
6-9 years	180 hours maximum
10-15 years	216 hours maximum
16-19 years	252 hours maximum
20+ years	288 hours maximum

The allowed carry-over of vacation leave for eligible regular part-time employees is based on a pro-rated portion based on the hours worked by regular full-time employees (for example, a regular 0.5 part-time employee working 20 hours per week, with 1-5 years of seniority, shall be permitted to carry over a maximum of 72 hours per calendar year).

11.3 – Vacation Requests

The Employer retains the right to approve and deny vacation requests. Vacation days may not be taken without prior approval from the Employer. Employees are responsible for planning their annual vacation leave and submitting vacation requests to the Employer well in advance of the leave requested so that disruption to the Employer's operations is minimized. In the event of a bona fide staffing emergency, such as an incident impacting critical Employer operations or impacting public health and safety, the Employer retains the right to cancel scheduled vacations. Vacation may be taken in increments of one-half (0.5) hour.

ARTICLE 12 – SICK LEAVE

12.1 – Sick Leave Accrual

Regular full-time employees of the bargaining unit, including initial/promotional probationary employees, earn paid sick leave at the rate of eight (8) hours per month. Paid sick leave is accrued from the date of hire. Absent exigent circumstances, approved by the Employer in

advance, new probationary employees may not use accrued paid sick leave until the successful completion of the seventh (7th) month of the initial probationary period.

Regular part-time employees of the bargaining unit, including initial/promotional probationary employees, earn a pro-rated portion of paid sick leave based on hours worked by regular full-time employees (for example, a regular 0.5 part-time employee working twenty (20) hours weekly earns four (4) hours of paid sick leave per month).

Sick leave that is accrued, but unused, in a calendar year shall be accumulated for subsequent calendar years, up to a maximum accrual of one thousand and forty hours (1,040). Employees granted paid sick leave continue to accrue paid sick leave while on paid sick leave.

12.2 – Permitted Use of Sick Leave

Paid sick leave is a conditional benefit based on qualifying medical conditions or circumstances. Employees may use paid sick leave for the following situations:

1. The employee's own health condition (illness, injury, physical or mental disability, or any period of temporary disability resulting from pregnancy or childbirth).
2. The employee's forced quarantine in accordance with community health requirements.
3. The employer's medical or dental appointments, or those of the employee's immediate family, provided the employee makes a reasonable effort to schedule the appointments at times minimizing a disruption of the Employer.
4. As an extension of bereavement leave, in accordance with the terms of this Agreement governing bereavement leave.
5. Illness of a member of the employee's immediate family which requires the employee to provide care for the immediate family member.
6. The lawful use of a prescription drug which impairs the employees' job performance or safety.
7. Attendance at appointments as part of any Employee Assistance Program offered by the Employer.
8. Any other situation where sick leave is required by applicable law or legal authority.

For purposes of this section, "immediate family" includes spouse, domestic partner, children, stepchildren, foster children, siblings, grandparents, parents of the employee or the employee's spouse, grandchildren, and any other familial inhabitant of the employee's household.

12.3 – Sick Leave Procedure

1. Sick leave may not be taken without prior approval from the Employer. To request sick leave, an employee shall inform the Employer as soon as possible and indicate the reason for the sick leave.
2. Sick leave may not be used during the month in which it is earned.
3. For absences in excess of three (3) consecutive sick days, or when the Employer has reason to believe sick leave is being improperly abused in a manner inconsistent with the permissible uses of sick leave, the Employer may require the employee to obtain a doctor's statement verifying the necessity for use of sick leave. The Employer retains the right to request a second opinion from an independent doctor, specified by the Employer, and at the Employer's expense.
4. The Employer may, in accordance with the terms of state or federal law, require that an employee be evaluated by an independent doctor, specified by the Employer, and at the Employer's expense, to determine whether the employee is able to perform the essential functions of their job, to determine any functional limitations the employee's condition may impose on his/her job duties, and to assist in evaluating the employee's return to work options and any reasonable accommodation.
5. Prior to returning to work, the Employer may require a written release from an employee's doctor certifying the employee's fitness to return to duty.
6. Employees who fail to provide proper notice, obtain a doctor's statement when requested, or who otherwise violate this section may be denied paid sick leave and/or may be subject to disciplinary action.

12.4 – Sick Leave Donation

Employees are permitted to donate a portion of their accumulated paid sick leave to other employees in accordance with the terms and conditions stated in the Employer's personnel policy manual.

12.5 – Sick Leave Cash-Out

Upon separation of employment in good standing (as determined by the Employer), regular full-time, regular part-time, and promotional probationary employees may receive compensation for accrued, but unused, paid sick leave based on the following formula:

End of probationary period of employment through Year 1	0% cash-out
Year 1 through Year 5	10% cash-out
Year 6 through Year 12	20% cash-out
Year 13 through Year 20	30% cash-out
Year 21 through Year 24	40% cash-out
Year 25 and over	50% cash-out

ARTICLE 13 – **OTHER LEAVE**

13.1 – Paid and Unpaid Leave Required by State or Federal Law

The Employer provides employees with family and medical leave, pregnancy disability leave, military leave, and other paid and unpaid leave required by state and federal law, including:

- a. Family and Medical Leave (29 USC § 2601 et seq. and RCW 49.78).
- b. Family Care Act Leave (RCW 49.12.265).
- c. Pregnancy Disability Leave (RCW 49.60).
- d. Leave for Victims of Domestic Violence, Sexual Assault, and Stalking (RCW 49.76).
- e. Leave for Spouses of Deployed Military Personnel (RCW 49.77).
- f. Leave for Certain Emergency Services Personnel (RCW 49.12.460).

Leave eligibility, benefits, and requirements are determined by applicable state or federal law and will be administered according to the Employer's personnel policies manual. In the event the Employer's personnel policies manual conflicts with state or federal law, then the minimum requirements of the law shall apply.

13.2 – Bereavement Leave

Regular full-time, regular part-time, and initial/promotional probationary employees are entitled to up to five (5) days of paid bereavement leave for the death of an immediate family member. The specific length of paid bereavement leave shall be determined by the Employer.

For purposes of this section, "immediate family" includes spouse, domestic partner, children, stepchildren, foster children, siblings, grandparents, parents of the employee or the employee's spouse, grandchildren, and any other familial inhabitant of the employee's household.

For regular full-time and regular part-time employees, including promotional probationary employees but excluding initial probationary employees, any additional bereavement leave needed by an employee may be deducted from any accrued paid time off, including paid vacation leave and paid sick leave, if available. Paid bereavement leave, or other paid leave taken as

additional bereavement leave, must be taken within thirty (30) days of the date of death of an immediate family member.

13.3 – Unpaid Religious Leave

Pursuant to RCW 1.16.050(3), an employee is entitled to two (2) unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization. Leave will be provided in accordance with Washington law and the Employer's personnel policies manual. In the event the Employer's personnel policies manual conflicts with Washington law, then the minimum requirements of the law shall apply.

13.4 – Jury Duty

Employees are entitled to leave for jury duty service as required by law. Regular full-time and regular part-time employees, including initial/promotional probationary employees, shall be paid their straight time rate of pay for all hours of jury duty occurring during their regular working hours, provided they comply with the following conditions:

1. The employee remits to the Employer all compensation received for jury duty service (excluding travel or other reimbursable expenses).
2. The employee provides his/her jury duty summons to the Employer as soon as possible after it is received. Upon completion of jury duty service, the employee must also provide the Employer with proof of jury service.
3. The employee reports back to work on each day that they are released from jury duty during their regular working hours.

All employees of the bargaining unit receive leave if subpoenaed to testify in a judicial proceeding. The Employer retains the right to treat the leave as unpaid leave, unless the employee is a witness in a lawsuit or legal matter involving the Employer.

13.5 – Other Leaves of Absence

The Employer retains the right to grant an unpaid leave of absence to employees who require a leave of absence not covered by any other type of leave and who have exhausted all available leave banks. The decision to grant unpaid leave is determined by the Employer on a case-by-case basis. The terms of conditions of an unpaid leave of absence are set by the Employer's personnel policies manual.

ARTICLE 14 – HEALTH AND WELFARE BENEFITS

14.1 – Eligibility for Insurance Benefits

Regular full-time employees, including promotional probationary employees employed on a full-time basis, are eligible for enrollment in the Employer's health insurance plans. Regular part-time

employees working more than thirty (30) hours per week, including promotional probationary employees employed in such a capacity, are also eligible for enrollment in the Employer's health insurance plans. Initial probationary employees, if working more than thirty (30) hours per week, are eligible for enrollment in the Employer's health insurance plans in the first full calendar month following the month of hire.

14.2 – Health Insurance Benefits

The Employer offers health insurance to eligible employees, their spouses, and their dependents through the Association of Washington Cities (AWC). The Employer offers the choice of two health plans: (1) AWC HealthFirst "No Deductible," and (2) AWC Group Health \$10 Co-Pay. The Employer shall pay 100% of the premium for eligible employees and 75% of the premium for spouses and dependents. Eligible employees are responsible for payment of 25% of the premium for spouses and dependents. The terms and conditions of enrollment and coverage are stated in the Employer's personnel policies manual and/or AWC's enrollment materials. The Employer reserves the right to make changes to both the insurance carrier and the specific health insurance plans offered to employees, but will bargain the impacts of any such changes.

- a. **AWC Plan Elimination Deadline**—Effective January 1, 2018, the parties agree and understand that both health plans currently offered by the Employer will be terminated by AWC. The parties agree to begin bargaining in late 2016 or early 2017 over movement to replacement health plans. Prior to that, the parties agree to meet in September 2015, or at another mutually agreeable date, to discuss cost-saving ideas that could possibly be implemented in 2016.
- b. **Funding Agreement Employees**—Specific employees of the bargaining unit are funded in whole or in part by a public-private partnership funding agreement between the Employer and the Master Plan Developer, a private construction company. Pursuant to the terms of the funding agreement, these employees may have their health insurance benefits for themselves and their spouses and dependents paid 100% by the Employer. In the event the funding agreement expires, is terminated, or is otherwise modified, employees covered by the funding agreement will revert to the cost-sharing arrangement applicable to other employees, as described in paragraph (1) of Article 14.2.

14.3 – Dental Insurance Benefits

The Employer offers dental insurance through Delta Dental. The Employer pays 100% of the cost of premiums. The Employer reserves the right to change dental insurance carriers and plans assuming benefit levels are not substantially altered.

14.4 – Employee Assistance Program

The health insurance plan selected by employees may offer a voluntary employee assistance program (EAP). The program, if available through the health insurance plan, offers voluntary professional and confidential counseling and assistance to employees whose job performance,

health, or well-being are adversely affected by personal reasons. Employees who seek such counseling and assistance may elect to use accrued paid sick or vacation leave for time spent during working hours.

14.5 – Industrial Insurance

Industrial insurance during regular working hours shall be provided in accordance with Washington law.

14.6 – Life Insurance

The Employer provides life insurance through Standard Life and Accident Insurance Company. The Employer pays 100% of the cost of premiums and provides coverage in the amount of \$20,000 per employee and a limited option of up to \$1,000 per spouse/child. The Employer reserves the right to change life insurance carriers and plans assuming benefit levels are not substantially altered.

14.7 – Long-Term Disability Insurance

The Employer provides long-term disability insurance through Standard Life and Accident Insurance Company. The Employer pays 100% of the cost of premiums. The Employer reserves the right to change life insurance carriers and plans assuming benefit levels are not substantially altered.

14.8 – Vision and Orthodontia Coverage

In conjunction with its health insurance plans, AWC offers optional enrollment in vision and orthodontia coverage. The current plan offerings (subject to change) are Vision Service Plan – Full Family (\$25 deductible) and Orthodontia – Plan V. Both plans require 100% participation by the bargaining unit. The bargaining unit, at their option and as an entire unit (*i.e.* 100% participation), may elect to enroll in these plans, at their sole expense.

14.9 – Benefits During Leaves of Absence

Unless otherwise required by law, employees on unpaid leaves of absence do not receive or accrue employee benefits. Eligible employees may, however, elect at their sole expense to continue their health insurance coverage at regular rates.

ARTICLE 15 – WAGES

15.1 – Classifications, Wages, and Salary Schedule

Wages, steps, and ranges for all employee classifications in the bargaining unit are listed in Appendix A to this Agreement.

15.2 – Step Dates

Regular full-time, regular part-time, and promotional probationary employees shall have their wages increased to the next step on their step-increase eligibility date, upon a satisfactory performance evaluation, and subject to the availability of funding in their department. For all

employees hired on or before September 1, 2015, the step-increase eligibility date is the first day of the month of hire. For all employees after September 1, 2015, including all future employees, the step-increase eligibility date is the first day of the month of hire if hired from the 1st through the 15th of the month, or the first day of the month following the month of hire if hired from the 16th through the 31st of the month.

ARTICLE 16 – PENSION CONTRIBUTION AND DEFERRED COMPENSATION

16.1 – Pension Contribution

The Employer shall make pension contributions to Washington’s Public Employees’ Retirement System (PERS) for each eligible employee, based on the terms and conditions imposed by Washington law. All employees covered by this Agreement shall continue to be covered by the applicable retirement system in which they are enrolled (*e.g.* PERS I, PERS II, PERS III). Retired employees covered by this Agreement who receive retirement benefits are excluded from enrollment in PERS, subject to any administrative fees charged by the State of Washington. Participating employees shall pay any required amounts towards contribution costs by means of a payroll deduction.

16.2 – Deferred Compensation Contribution

The Employer participates in the Washington State Deferred Compensation Program. Regular full-time, regular part-time, and initial/promotional probationary employees may voluntarily participate as an avenue to save for retirement. As of the signed date of this Agreement, the Employer provides up to a \$25.00 per month matching contribution, although this amount is subject to upward or downward adjustment. Participation in the Washington State Deferred Compensation Program and the Employer’s matching program shall be regulated by Washington and guidance from the Internal Revenue Service.

ARTICLE 17 – EMPLOYEE DEVELOPMENT

17.1 – Training and Career Development

The Employer and Union agree training and career development are beneficial to both the Employer and affected employees. Training, career development, and educational needs may be identified/requested by both the Employer and employees. The Employer and Union recognize that employees are integral partners in managing their career development. The Employer is committed to providing employees with professional development opportunities within the parameters of available resources and budgetary constraints.

17.2 – Higher Education Premium

Regular full-time, regular part-time, and initial/promotional probationary employees are eligible for the following higher education premiums added to their regular rate of pay:

- Associate Degree (2 year degree) 2.0%
- Bachelor Degree (4 year degree) 4.0%
- Masters, Professional, or PhD 6.0%

Premiums for multiple degrees do not compound. Each employee eligible for a higher education premium must present a copy of their degree to the Employer. A copy of the degree will be included in the employee's personnel records. The Employer will review each degree to determine whether the degree qualified for a higher education premium. The Employer may verify the legitimacy of any degree presented by an employee.

ARTICLE 18 – DISCIPLINE FOR NON-DIRECTOR POSITIONS

18.1 – In General

All employees of the bargaining unit are expected to comply with the Employer's policies governing anti-harassment, anti-discrimination, and the code of conduct. All members of the bargaining unit holding non-director positions shall be subject to discipline and discharge only for "just cause." The terms of this Article apply only to non-director positions in the bargaining unit. The Employer retains the right to discipline initial probationary employees as "at will" employees, with or without cause, and without recourse to the grievance procedure stated in this Agreement.

18.2 – Disciplinary Steps

Disciplinary action may include the following:

- a. Verbal warning.
- b. Written reprimand.
- c. Reassignment resulting in adverse economic impact.
- d. Suspension without pay.
- e. Permanent or temporary demotion.
- f. Discharge.

Progressive discipline is generally preferred, but not required. The Employer may tailor discipline to respond to the nature and severity of the offense and the employee's prior disciplinary record. The steps of the discipline structure will usually be sequential unless the gravity of an offense, or other extenuating circumstances, justifies a more severe response.

18.3 – Verbal Warnings and Written Reprimands

- a. **Verbal warning** – The Employer may issue a verbal warning at any time for cause. A verbal warning shall carry no additional penalty. The Employer may record having issued a verbal warning. If the Employer records the instance of a verbal warning, then the record shall reflect the nature and date of the offense, the date of the verbal warning, and the substance of the warning.

- b. **Written reprimand** – The Employer may issue a written reprimand at any time for cause. A written reprimand must state the nature and date of the offense, describe the expected employee behavior, and cite the authority (Employer authority, professional expectations, or the law) for the expected employee behavior. A written reprimand shall carry no additional penalty.
- c. **Grievance procedure** – Verbal warnings and written reprimands carry no economic impact and are not subject to the grievance procedure stated in this Agreement and therefore may not be grieved.

18.4 – Discipline Procedure Other Than Verbal Warning or Written Reprimand

- a. **Notice of Intent to Discipline** – If the Employer intends to impose discipline other than a verbal warning or written reprimand, the Employer shall inform the employee in writing. The written notice shall describe the event or conduct to enable the employee to understand the general nature of the concern or allegations. The Employer may provide written notice either before or after conducting a preliminary investigation.
- b. **Pre-Disciplinary Meeting** – Upon at least twenty-four (24) hours written notice to both the employee and the Union, the Employer may call a pre-disciplinary meeting at which the Employer will state its concerns or allegations, modified by what it has learned to date through any investigation or otherwise, and provide the employee an opportunity to respond. The employee may elect to attend the pre-disciplinary meeting accompanied by a Union representative.
- c. **Disciplinary Decision** – No sooner than the day following the close of a pre-disciplinary meeting, but no later than twenty-one (21) working days after the close of a pre-disciplinary meeting, the Employer shall inform the employee and the Union in writing of the Employer's disciplinary decision.

18.5 – Employer Investigations

- a. **Duty to Cooperate** – Employees have an obligation to cooperate with any investigation conducted by the Employer. Failure to do so will be considered insubordination and will be grounds for discipline.
- b. **Union Representation** – If the Employer elects to conduct a disciplinary investigation, an employee is entitled, at his/her request, to have Union representation during any investigatory interview conducted by the Employer that the employee reasonably believes may result in his/her discipline or discharge. During such an investigatory interview, a participating Union representative will be given the opportunity to ask questions, offer

additional information, and counsel the employee, but may not obstruct the Employer's investigation.

- c. **Administrative Leave** – The Employer may, at its discretion, place employees on paid administrative leave during an investigation. Employees on such paid administrative leave must remain available during their normal hours of work and are not permitted to accept outside employment. Placement on paid administrative leave is not subject to the grievance procedure stated in this Agreement.

18.6 – Resignation and Retirement

Employees are expected to provide a minimum of two weeks' notice of planned resignations or retirements.

18.7 – Personnel Files and Right to Inspection

The Employer endeavors to keep the personnel files of employees accurate and up-to-date. When the Employer places a disciplinary document into an employee's personnel file, the Employer shall notify the employee and give the employee a copy. In the case of a written reprimand or higher form of discipline, the employee may provide a written response within thirty (30) days of being provided notice, which shall be placed in the personnel file and only removed if the accompanying disciplinary document is also removed. The employee shall be required to sign the written reprimand or other disciplinary action acknowledging that they have read the contents of the document.

An employee, upon written request to the Employer, shall have the right to inspect the entire contents of his/her personnel file. An employee may be accompanied by Union representation during the inspection. The inspection shall take place on the Employer's premises at a date and time mutually agreeable to the Employer and employee.

ARTICLE 19 – DISCIPLINE FOR DIRECTOR LEVEL POSITIONS

19.1 – In General

All employees of the bargaining unit are expected to comply with the Employer's policies governing anti-harassment, anti-discrimination, and the code of conduct. All members of the bargaining unit holding director level positions serve "at will," meaning the Employer reserves the right to discipline, suspend, or terminate directors of the bargaining unit. These decisions are not subject to the grievance procedure, but are subject to the process and provisions provided below.

Section 1: Performance Deficiencies

No director shall be terminated for a performance deficiency unless the following steps are taken prior to termination:

- (1) Written Warning: A director shall receive a written warning specifically identifying the performance deficiencies, the steps to correct the deficiencies, and a specific period

within which the deficiencies should be corrected. The director shall be given an opportunity to provide, directly to the Mayor, an explanation as to why his/her performance is not deficient or should otherwise be mitigated by the circumstances. The director has the right to attend a meeting with the Mayor accompanied by a union representative.

(2) Suspension without Pay: If the deficiencies noted in a written warning are not corrected within the stated period of time, or the deficiencies reoccur within 24 months, the director may be suspended without pay for a period to be determined by the Mayor, not to exceed two (2) weeks. Prior to the suspension, the director shall be given an opportunity to provide, directly to the Mayor, his/her explanation as to why the performance is not deficient or should otherwise be mitigated by the circumstances. The director has the right to attend a meeting with the Mayor accompanied by a union representative.

(3) Termination: If, following the unpaid suspension, the director fails to correct the deficiencies, or if the deficiencies reoccur within 24 months, the Mayor may elect to terminate the director.

(4) Opportunity to Explain: Prior to the effective date of any termination decision under this section, the director shall be given an opportunity to provide, directly to the Mayor, his/her explanation as to why his/her performance was not deficient. The supervisor may also present the Mayor with an explanation as to why termination is not the correct decision and propose alternative solutions. The director has the right to attend a meeting with the Mayor accompanied by a union representative.

Section 2: Ethical Violations, Conduct Detrimental, and Non-Performance Issues

The Mayor retains the right to discipline or terminate a director for ethical violations, conduct detrimental to the office, or other non-performance issues against the best interests of the City.

(1) Opportunity to Explain: Prior to a termination decision, the director shall have the right to provide, directly to the Mayor, his/her explanation as to the underlying conduct and why termination or discipline is not appropriate. The director has the right to attend a meeting with the Mayor accompanied by a union representative.

(2) Review Committee: If the Mayor elects to proceed with termination, the director may request to have the Mayor's termination decision evaluated by a review committee, as set forth by the below process and procedure.

1. Review Committee Composition. Within five (5) days of a termination decision, the Union may provide written notice to the Mayor stating that the terminated director requests an evaluation by a review committee. The Union and the Mayor shall then appoint the necessary review committee members within five (5) business days.

A three (3) person review committee shall consist of two (2) city council members selected by the Mayor and one (1) Union representative.

2. Review Committee Procedures. The review committee shall meet within five (5) business days of its appointment. The sole determination for the review committee shall be whether the facts provide a basis for termination for ethical violations, conduct detrimental to the office, or non-performance issues against the best interests of the City. The committee has the right to review written documents and request interviews with employees. If the committee determines the reason for termination is performance deficiencies and the required procedures have not been followed, then the termination shall be rejected. If the committee determines the decision to terminate is arbitrary, the termination shall be rejected. A majority of the committee shall, by secret ballot, determine whether the termination meets the standards set forth herein. If a majority of the committee votes against the termination decision, then the director will not be terminated. No committee member shall disclose, or be compelled to disclose, how they or any other member of the review committee voted.

3. Communication of the Review Committee's Decision. The decision of the review committee shall be communicated in written form to the Mayor and the Union within ten (10) business days of the date on which the committee was appointed and shall be signed by all members of the review committee. If a written decision is not received from the review committee within ten (10) business days of the committee's appointment, the Mayor's decision shall stand.

4. Time Periods. The time periods and deadlines stated in this section may be extended by mutual agreement of the Employer and the Union.

Section 3: Other

A director subject to discipline or termination for any reason other than those set forth in Section 1 or Section 2 (with the exception of a layoff/furlough) shall be entitled to the process described in either Section 1 or Section 2, to be determined by the Mayor.

19.2 – Employer Investigations

- a. Duty to Cooperate** – Employees have an obligation to cooperate with any investigation conducted by the Employer. Failure to do so will be considered insubordination and will be grounds for discipline.
- b. Union Representation** – If the Employer elects to conduct a disciplinary investigation, an employee is entitled, at his/her request, to have Union representation during any investigatory interview conducted by the Employer that the employee reasonably believes may result in his/her discipline or discharge. During such an investigatory interview, a

participating Union representative will be given the opportunity to ask questions, offer additional information, and counsel the employee, but may not obstruct the Employer's investigation.

- c. **Administrative Leave** – The Employer may, at its discretion, place employees on paid administrative leave during an investigation. Employees on such paid administrative leave must remain available during their normal hours of work and are not permitted to accept outside employment. Placement on paid administrative leave is not subject to the grievance procedure stated in this Agreement.

19.3 – Resignation and Retirement

Employees are expected to provide a minimum of two weeks' notice of planned resignations or retirements.

19.4 – Personnel Files and Right to Inspection

The Employer endeavors to keep the personnel files of employees accurate and up-to-date. When the Employer places a disciplinary document into an employee's personnel file, the Employer shall notify the employee and give the employee a copy. The employee shall be required to sign the written reprimand or other disciplinary action acknowledging that they have read the contents of the document.

An employee, upon written request to the Employer, shall have the right to inspect the entire contents of his/her personnel file. An employee may be accompanied by Union representation during the inspection. The inspection shall take place on the Employer's premises at a date and time mutually agreeable to the Employer and employee.

ARTICLE 20 – GRIEVANCE PROCEDURE

20.1 – In General

The Employer and the Union recognize the need for fairness and justice in the adjudication of employee grievances. Employees are encouraged to attempt to resolve complaints through informal discussions with the Employer and any applicable supervisors. An employee presenting an informal grievance shall have the option of being accompanied by a Union representative. If a grievance cannot be resolved informally, the grievance will be settled according to the procedure provided below.

20.2 – Definition of Grievance

A grievance is a dispute between the Employer and the Union, on the Union's own behalf or on behalf of an employee or group of employees, over an alleged violation, misinterpretation, or misapplication of an express Article, section, term, or provision of this Agreement.

- a. **Discipline/Discharge for Non-Director Positions:** Verbal warnings and written reprimands are not subject to the grievance procedure. Other higher forms of discipline may be grieved by non-director employees.
- b. **Discipline/Discharge for Director Level Positions:** Discipline and discharge decisions are not subject to the grievance procedure and may not be grieved.

20.3 – Election of Remedies

The Employer and the Union expect the procedures contained in this Agreement, if applicable, to be the sole remedy for grievances. The Employer and the Union also recognize that employees have legal rights independent of this Agreement. If the Union seeks arbitration of a dispute within the procedure established by this Agreement, that election shall be deemed to have waived external remedies to the extent allowed by state and federal law. If an employee or the Union seeks redress or review from any external body, whether administrative or judicial, then whether or not such body accepts the matter for review, then the Union and/or the employee shall have elected the external remedy to the exclusion of all rights under this Agreement.

20.4 – Time Limits

To timely initiate the grievance process, a party must file a formal written grievance within ten (10) working days beginning on the date the party knew, or reasonably should have known, of the events giving rise to the grievance.

For purposes of this Article, “working day” shall be defined as Monday through Friday, excluding holidays recognized by the Employer. Submissions will be considered timely under this Article if they are received by 5:00 p.m. on the last day of an applicable time limit.

The day after the event, act, or omission shall be the first day of a timeline under this Article. In the event a time limit under this Article falls on a weekend or holiday, the deadline will be automatically extended to the following working day.

Time limits within the grievance procedure may be waived or extended by the mutual agreement of the parties. If the Union, on behalf of itself or employees, fails to act or respond within the specified time limits, the grievance shall be considered waived. If the Employer fails to respond within the specified time limits, the grievance shall proceed to the next step of the grievance procedure.

20.5 – Required Content of Grievance

A grievance must satisfy the following conditions:

1. Be submitted in writing.
2. Describe the facts giving rise to the grievance with sufficient particularity to permit the Employer to understand the nature of the grievance.

3. Identify the provision(s) of the Agreement allegedly violated.
4. Identify the aggrieved employee(s).
5. Identify the remedy sought.
6. Be signed and dated by the Union representative and/or the affected employee(s).

20.6 – Grievance Procedure

1. **Step 1** – The grievance procedure shall be initiated by personally serving a grievance upon the Mayor, City Administrator, or the Human Resources Director. The grievance must be served within ten (10) working days beginning on the date the party knew, or reasonably should have known, of the events giving rise to the grievance. Thereafter, the Employer, acting through the employee's immediate supervisor (or, if there is no immediate supervisor available, then the Human Resources Director), shall respond in writing to the Union and the aggrieved employees within ten (10) working days.

Court Administrator Classification – The Employer will promptly forward a copy of any Step 1 grievance involving the Court Administrator classification to the Presiding Judge of Black Diamond Municipal Court. If the grievance involves subject matter delegated to the Presiding Judge under GR 29(f), the Presiding Judge shall respond to the grievance in accordance with Step 1, above.

2. **Step 2** – If the grievance is not resolved at Step 1, then within ten (10) working days of the Employer's written response in Step 1, a written appeal, signed by the Union and/or the affected employee(s), shall be personally served upon the Mayor, City Administrator, or the Human Resources Director. The Employer shall thereafter schedule a meeting with the Union and aggrieved employee(s) within fifteen (15) working days from receipt of the written appeal. During the meeting, aggrieved employees have the right to be accompanied by a Union representative. Thereafter, the Employer, acting through the Mayor or his/her designee, shall respond in writing to the Union and the aggrieved employees within ten (10) working days.

Court Administrator Classification – The Employer will promptly forward a copy of any Step 2 grievance involving the Court Administrator classification to the Presiding Judge of Black Diamond Municipal Court. If the grievance involves subject matter delegated to the Presiding Judge under GR 29(f), the Presiding Judge shall respond to the grievance in accordance with Step 2, above.

3. **Step 3, Arbitration** – If the grievance is not resolved at Step 2, the parties may proceed to final and binding arbitration. Prior to arbitration, the parties may mutually agree to first

proceed with mediation, in which case the timelines for arbitration shall be extended to accommodate the mediation process. If the grievance involves the Court Administrator classification and subject matter delegated to the Presiding Judge under GR 29(f), the Presiding Judge shall be involved in the arbitration process and may substitute entirely for the Employer, depending on the subject matter involved.

- a. **Notice** – Within twenty (20) working days following receipt of the Employer's written response in Step 2, the Union shall notify the Employer, in writing, of its intent to proceed with arbitration.
- b. **Arbitrator Selection** – After the Union has provided timely notice of its intent to proceed with arbitration, the parties shall select an impartial arbitrator within thirty (30) working days. If the parties cannot mutually agree on an impartial arbitrator who is able and willing to serve on a timely basis, the parties will request a list of nine (9) impartial arbitrators able to abide by time limitations. The list will be provided by the Public Employment Relations Commission (PERC) or the American Arbitrator Association (AAA). In the event the parties cannot agree on the source of an impartial list, then the list shall be provided by PERC. Once a list has been provided, the parties shall flip a coin to determine who will strike the first name, following with subsequent strikes alternating between the parties, until one (1) name remains. The remaining name will serve as the arbitrator.
- c. **Decision, Time Limit** – The arbitrator will meet and hear the matter at the earliest possible date after the selection process. After completion of the hearing, a written decision shall be entered within thirty (30) working days, or as soon as possible thereafter, unless an extension of time is agreed upon by the parties.
- d. **Jurisdiction of Arbitrator** – The grievance submitted to the arbitrator shall be the original written grievance unless the Employer and the Union agree otherwise. Only one (1) grievance may be submitted to the arbitrator at one (1) hearing, unless the Employer and the Union agree otherwise. The arbitrator shall only have the power to interpret and apply the specific terms of the Agreement and/or determine whether there was a violation of the terms of the Agreement. The arbitrator shall also have the authority to receive evidence, question witnesses, and dictate the orderly procedure of the hearing. The arbitrator shall not have the authority to add to, subtract from, alter, change, or modify the provisions of this Agreement, nor limit or impair any common law right of the Employer or the Union.
- e. **Final Binding Award** – The arbitrator's written award shall be final and binding upon the parties. In any arbitration alleging a violation of rights protected by this Agreement, the arbitrator's authority to award monetary damages shall be limited

to back pay and related benefits, and shall not include compensatory or punitive damages.

- f. **Costs, Fees, and Expenses** – Each party is responsible for its own costs, fees, and expenses incurred in handling the grievance and presenting its case. The parties agree to equally share in the costs and expenses charged by the arbitrator.
- g. **Challenge to Arbitrability** - Unless otherwise agreed by the parties, challenges to the procedural arbitrability of a grievance shall be resolved in an arbitration proceeding separate from and prior to arbitration on the merits of the grievance. If an arbitration is required to determine the procedural arbitrability of a grievance, then the selection of the arbitrator and arbitration procedure shall be based on the steps stated in this section. Within ten (10) working days following receipt of an arbitrator's award ruling that a challenged grievance is subject to arbitration, the parties will begin the process described in Article 20.6(3)(b) to select an arbitrator to rule on the merits of the grievance. Each party is responsible for its own costs, fees, and expenses incurred in handling a challenge to arbitrability and presenting its case. The party who loses a challenge to arbitrability, as determined by the arbitrator, shall pay for the costs and expenses charged by the arbitrator.

ARTICLE 21 – LAYOFF, FURLOUGH, and RECALL

21.1 – In General

The Employer retains the right to determine the need for layoffs, furlough days, and the classifications subject to layoff or furlough, but agrees to bargain the impacts of any such decision on wages, hours, and working conditions of employees. In the event of a layoff, temporary or initial probationary employees in a classification subject to layoff shall be laid off first.

Thereafter, layoffs shall be determined by order of seniority within a classification. Employees who have previously held a lower classification within the bargaining unit shall have the right to return to such lower classification if their seniority is greater than the employee in such classification and if they meet the qualifications of the position. Employees shall not accrue seniority while on layoff.

21.2 – Recall from Layoff

Laid off employees have the right to recall from layoff. Recall shall be based on seniority within a classification. The period of recalling laid off employees shall be limited to twelve (12) months, beginning on the date of the layoff. The Employer retains the right to extend the twelve (12) month period at its discretion. As a mandatory condition of recall, an employee must be qualified to hold the position. It is the responsibility of each laid off employee to provide current contact information with the Employer. Failure of a laid off employee to report for reinstatement within ten (10) days of notification by the Employer shall result in forfeiture of the right to recall.

ARTICLE 22 – BARGAINING UNIT WORK

22.1 - Subcontracting

The work of the Union's bargaining unit shall be performed only by employees of the bargaining unit except as otherwise provided in this Agreement or otherwise bargained with the Union.

22.2 – Delegation or Assignment of Bargaining Unit Work

The parties recognize that employees of the bargaining unit are professional employees with supervisory or managerial responsibilities, and that there are times when it is necessary or beneficial to the Employer or employees of the bargaining unit to move work inside and outside of the bargaining unit. Under such circumstances, work may be delegated or assigned without bargaining. When employees of the bargaining unit delegate or assign work to subordinate employees outside of the bargaining unit, employees of the bargaining unit shall maintain supervisory control over the work and the manner in which it is performed. Nothing in this section shall be construed to permit the Employer the right to subcontract bargaining unit work outside of the Employer's workforce without providing an opportunity to bargain.

ARTICLE 23 – PERFORMANCE OF DUTIES / NO RIGHT TO STRIKE

The parties recognize RCW 41.56.113 does not permit or grant employees the right to strike or the right to refuse to perform their official duties. The Union shall not authorize a strike, work stoppage, or slowdown, and the Employer shall not engaged in a lockout during the term of this Agreement. The Union shall take every reasonable means within its power to induce employees engaged in a strike, work stoppage, or slowdown, in violation of this Agreement, to return to work. Every attempt shall be made to settle all disputes or controversies arising under this Agreement under the grievance and arbitration procedures provided herein.

ARTICLE 24 – PERSONAL LIABILITY AND EMPLOYEE INDEMNIFICATION

The Employer shall indemnify and defend employees, upon proper request, against any claims or legal actions for damages brought against them for any acts, errors, or omissions while acting in the course and scope of their employment. The Employer shall not provide indemnity and defense for any criminal, dishonest, fraudulent, or malicious actions.

ARTICLE 25 – SCOPE AND DURATION OF AGREEMENT

25.1 Term of Agreement

This Agreement is effective _____ and continues through December 31, 2017. If either party desires to negotiate a successor agreement, they shall provide notice to the other

party and the parties shall, within a reasonable time frame, set a schedule for contract negotiations. In the event negotiations for a successor agreement have not been completed by the termination date of this Agreement, then the *status quo* shall be maintained to the extent required by Washington law.

25.2 Severability / Savings Clause

If any Article, section, term, or provision of this Agreement is rendered or declared invalid by reason of any existing or subsequently enacted law, or by any decree of a court or competent jurisdiction, the remaining terms or provisions of this Agreement shall continue in full force and effect. The parties agree to promptly reopen negotiations promptly on any such invalidated Article, section, term, or provision to comply with the law.

APPENDIX A—WAGE TABLE

Employee monthly rates of pay as of October 1, 2015:

Employee	Classification	Wage
Boettcher, Seth	Public Works Director	\$8,616
Bohn, Meri Jane	Deputy City Clerk	\$4,499
Dal Santo, Daniel	Utilities Superintendent	\$8,569
Kincaid, Barbara	Community Development Director	\$7,899
King, Jana	Deputy Finance Director	\$7,396
McGraw, Deborah	Police Records Coordinator	\$5,443
Metcalf, Stephanie	Court Administrator	\$6,427
Miller, Mayene	Finance Director	\$9,514
Williamson, Andrew	MDRT/EC Dev Director	\$8,616

Signed this ____ day of October, 2015.

Signed this ____ day of October, 2015.

SIGNED FOR THE CITY OF BLACK DIAMOND

SIGNED FOR TEAMSTERS LOCAL NO. 117
(Professional Unit)

Mayor Carol Benson

John Searcy, President, Teamsters Local 117

Andy Williamson, Union President

Signed this ____ day of October, 2015.

SIGNED FOR THE CITY OF BLACK DIAMOND
MUNICIPAL COURT UNDER GR 29(f) FOR
NON-WAGE RELATED ARTICLES APPLICABLE
TO COURT PERSONNEL COVERED BY THIS
AGREEMENT

The Honorable Melanie Dane

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Ord No. 15-1064 , setting the Property Tax Dollar amount for 2016	Agenda Date: November 19, 2015	
	AB15-080	
	Mayor Carol Benson	
	City Attorney Carol Morris	
	City Clerk – Brenda L. Martinez	
	Community Development/Natural Resource– Barbara Kincaid	
	Finance – May Miller	X
	MDRT & Economic Development – Andy Williamson	
Cost Impact (see also Fiscal Note):		
Fund Source: Various	Police – Chief Kiblinger	
Timeline:	Public Works – Seth Boettcher	
	Court Administrator – Stephanie Metcalf	
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Ordinance No 15-1064, Levy certifications, Preliminary KC worksheet and Tax chart		
<p>SUMMARY STATEMENT: Per RCW 84.52.020 the property tax certifications must be filed with King County no later than December 4, 2015 for Property Taxes to be collected in 2016 to be used for Public Safety including Fire, Police and Emergency Services.</p> <p>This ordinance sets the estimated Property Tax Dollar amount of \$1,499,131 for the 2016 Property Taxes to be collected in 2016. This ordinance Includes the allowed 1% increase over last year's levy which is allowed for cities under 10,000 population. A Public Hearing was held on November 5 2015, 19, with council action expected on November 19, 2015.</p> <p>King County has sent a preliminary Levy Limit worksheet showing last year's levy of \$1,453,542, the allowed 1% increase of \$14,535 and a refund of \$1,054, for total base levy of \$1,469,131, which does not include New Construction, State Assessed property and any adjustments. A preliminary estimate has also been included for the New Construction, Annexations, State Assessments and adjustments, but these amounts usually change in the final worksheet which is not expected until about December 4, 2015 after we have already adopted our levy. Since we will not know the final amount until after the adoption, I have included an estimate of \$30,000 to cover the possible additional tax items for a total potential levy of \$1,499,131. Our levy will be adjusted down by King County to the actual final amounts, but cannot be increased. King County estimates our levy</p> <p>King County estimates our total 2015 city Assessed Valuation at \$659,406,716 an increase of \$69,081,219 over 2015 or a 10.5 % increase. Each property tax bill is calculated by the county and they set the actual levy rate once they have finalized all assessments and individual valuations. King County has estimated to the Property Tax Levy rate for 2016 will decrease from \$2.42 per thousand of property value in 2015 to \$2.24 in 2016.</p> <p>All of Black Diamonds Property Taxes funds are used for Public Safety and provide approximately 64% of the revenue needed to cover Public Safety costs. Revenue from EMS Tax, Criminal Justice Tax,</p>		

Gambling and Utility Tax as well as other grants and fees cover the balance of the Public Safety Costs.

FISCAL NOTE (Finance Department): The additional \$14,535 from the allowed one percent increase is included in the 2015 Preliminary Budget, pending Council approval on November 19, 2015.

COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:

Finance Committee reviewed the Property Tax Ordinance's at their October 29, 2015 meeting and recommended approval.

**RECOMMENDED ACTION: MOTION TO ADOPT ORDINANCE NO. 15-1064
SETTING THE 2016 PROPERTY TAX DOLLAR AMOUNT.**

RECORD OF COUNCIL ACTION

<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
November 19, 2015		

ORDINANCE NO. 15-1064

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, LEVYING THE GENERAL PROPERTY TAXES FOR THE CITY FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2016 ON ALL PROPERTY BOTH REAL AND PERSONAL, SUBJECT TO TAXATION, FOR THE PURPOSE OF PROVIDING REVENUE FOR PUBLIC SAFETY FOR THE CITY OF BLACK DIAMOND FOR THE ENSUING YEAR AS REQUIRED BY LAW AND ESTABLISHING THE EFFECTIVE DATE.

WHEREAS, the cities under 10,000 population may increase the regular property tax levy from the previous year by up to one percent, and

WHEREAS, the City Council has properly given notice of the Public Hearings held on November 5, 2015 and November 19, 2015 to consider the City's 2016 Property Tax Levy and the Preliminary Budget including the Revenue Sources, pursuant to RCW 84.55.120; and

WHEREAS, the City Council of Black Diamond, Washington has met and considered the Public Safety budgets for the year of 2016; and

WHEREAS, a public hearing was held on November 5, 2015 and November 19, 2015 regarding the 2016 Budget and the property tax levy, and

WHEREAS, King County requires that the 2016 Property Tax Levies be submitted by November 30, 2015; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. **Increased Amount.** The preliminary assessed valuation of \$659,406,716 is adopted. A regular property tax for 2016 is hereby levied in the amount \$1,499,131 which includes the allowed one percent increase of \$14,535 over last year's levy, a refund of \$1,054 from prior year and includes an estimated \$30,000 for any increases resulting from additional new construction, improvements to property, newly constructed wind turbines, and any increase in the value of state assessed property or any annexations that have occurred and adjustment made by the county. The final dollar amount of Property Taxes is determined by King County and reduced to the actual amount allowed.

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 preempted by State or Federal law or regulations, such decisions or preemptions 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.

PASSED by the Council and approved by the Mayor of the City of Black Diamond, Washington, this 19th day of November, 2015.

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:

Carol Morris, City Attorney

PRELIMINARY

LEVY LIMIT WORKSHEET – 2016 Tax Roll

TAXING DISTRICT: **City of Black Diamond**

The following determination of your regular levy limit for 2016 property taxes is provided by the King County Assessor pursuant to RCW 84.55.100.

Annexed to Library District

(Note 1)

Estimated Library rate: 0.42664

Using Limit Factor For District	Calculation of Limit Factor Levy	Using Implicit Price Deflator
1,453,542	Levy basis for calculation: (2015 Limit Factor) (Note 2)	1,453,542
1.0100	x Limit Factor	1.0025
1,468,077	= Levy	1,457,190
4,962,483	Local new construction	4,962,483
0	+ Increase in utility value (Note 3)	0
4,962,483	= Total new construction	4,962,483
2.42103	x Last year's regular levy rate	2.42103
12,014	= New construction levy	12,014
1,480,091	Total Limit Factor Levy	1,469,204
Annexation Levy		
0	Omitted assessment levy (Note 4)	0
1,480,091	Total Limit Factor Levy + new lid lifts	1,469,204
659,406,716	÷ Regular levy assessed value less annexations	659,406,716
2.24458	= Annexation rate (cannot exceed statutory maximum rate)	2.22807
0	x Annexation assessed value	0
0	= Annexation Levy	0
Lid lifts, Refunds and Total		
0	+ First year lid lifts	0
1,480,091	+ Limit Factor Levy	1,469,204
1,480,091	= Total RCW 84.55 levy	1,469,204
1,054	+ Relevy for prior year refunds (Note 5)	1,054
1,481,145	= Total RCW 84.55 levy + refunds	1,470,258
	Levy Correction: Year of Error _____ (+or-)	
1,481,145	ALLOWABLE LEVY (Note 6)	1,470,258
Increase Information (Note 7)		
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0.77%	Percent increase over last year other than N/C – Annex	0.03%
Calculation of statutory levy		
	Regular levy assessed value (Note 8)	659,406,716
	x Maximum statutory rate	3.17336
	= Maximum statutory levy	2,092,535
	+Omitted assessments levy	0
	=Maximum statutory levy	2,092,535
	Limit factor needed for statutory levy	Not usable

ALL YEARS SHOWN ON THIS FORM ARE THE YEARS IN WHICH THE TAX IS PAYABLE.
Please read carefully the notes on the reverse side.



King County

Larry Phillips

Councilmember, District Four

Metropolitan King County Council

October 6, 2015

RE: Submission of District Property Tax Levies for 2016 to the County Council

To the Board of Commissioners:

The County Council is required by RCW 84.52.070 to certify annually the amount of property taxes levied in King County. In order to make this certification, we must know the amount of taxes to be levied for each taxing district.

**THE DEADLINE FOR SUBMITTING 2016 PROPERTY TAX LEVIES IS
DECEMBER 4, 2015**

In order for your district to receive property taxes in an amount greater than the 2015 certified amount, if permitted by law, we must receive your resolution by December 4, 2015. This applies to basic levies provided for by State law as well as any excess levies approved by a vote of the people. Please remember that the Assessor is required to review levy requests to ensure that they do not exceed the allowable levy.

The state Department of Revenue has notified the County Assessor that the implicit price deflator is less than one percent (letter attached).

If you cannot finalize your levy request by December 4, please submit an estimate. If your estimate is higher than the allowable levy, the Assessor will reduce the amount requested for your jurisdiction to an amount no greater than the allowable levy. However, if your estimate is less than the allowable levy, the amount requested can only be increased from the amount certified in your ordinance or resolution to the level of the allowable levy with formal written notification from your Board of Commissioners. This written notification must be filed with the Assessor and the Clerk of the Council by December 4, 2015 for inclusion in the certification ordinance.

Forms are enclosed for you to use in submitting your levy request. Please submit copies of the form and any resolution or ordinance that may be required by RCW 84.55.120 or RCW 84.55.0101 to both the King County Council and the King County Assessor's Office at the following addresses:

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516 Third Avenue Room W-1200
Seattle, WA 98104
Telephone: 206-477-1020
Clerk.council@kingcounty.gov

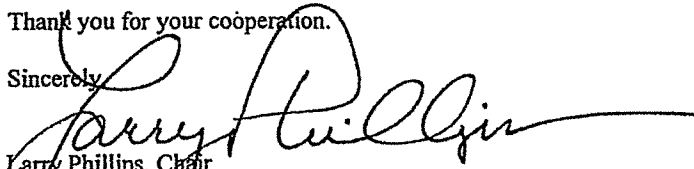
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Fax: 206-296-0106
Telephone: 206-263-2308 or 206-263-2381
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The King County Council may pass an amendatory certification ordinance in January 2016 in order to allow for technical adjustments in the final levy amounts. However, discretionary increases in your levy may not be made in the amendatory certification ordinance.

If you have any questions, please call the Assessor's Office at 263-2308 or 263-2381.

Thank you for your cooperation.

Sincerely,


Larry Phillips, Chair
Metropolitan King County Council

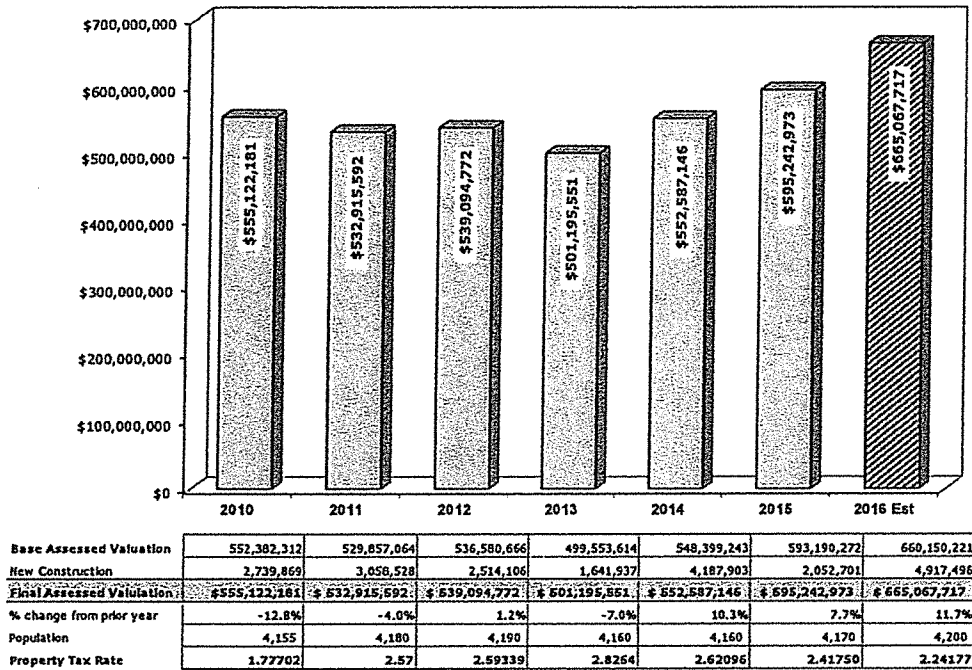
c: Lloyd Hara, Assessor



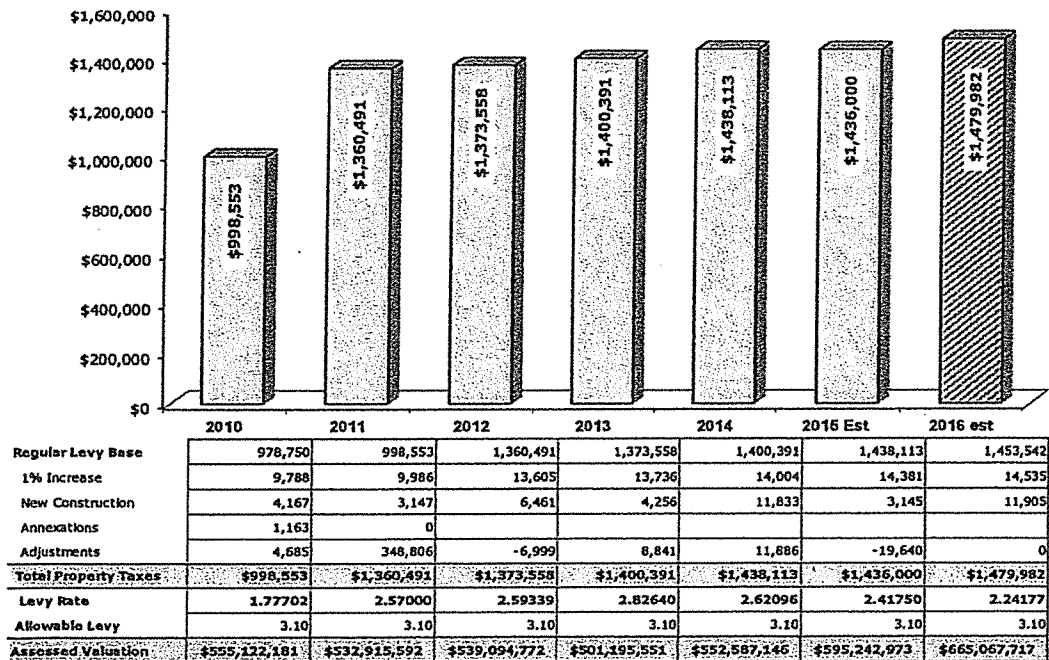
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- 7) This section is provided for your information, and to assist in preparing any Increase Ordinance that may be required by RCW 84.55.120. The increase information compares the allowable levy for the next tax year with your ACTUAL levy being collected this year. The actual levy excludes any refund levy and expired temporary lid lifts, if applicable. New construction, annexation and refund levies, as well as temporary lid lifts in their initial year, are subtracted from this year's *allowable* levy before the comparison is made.
- 8) ***Assessed valuations shown are subject to change from error corrections and appeal board decisions recorded between the date of this worksheet and final levy rate determination.***

Assessed Valuation History and 2016 Estimate

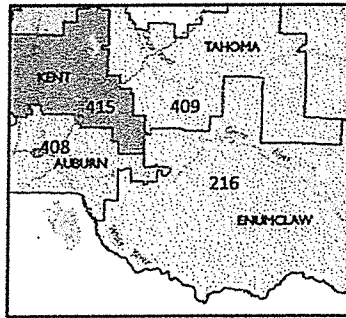


Property Tax Collection, History and Rates, with 2016 Estimate



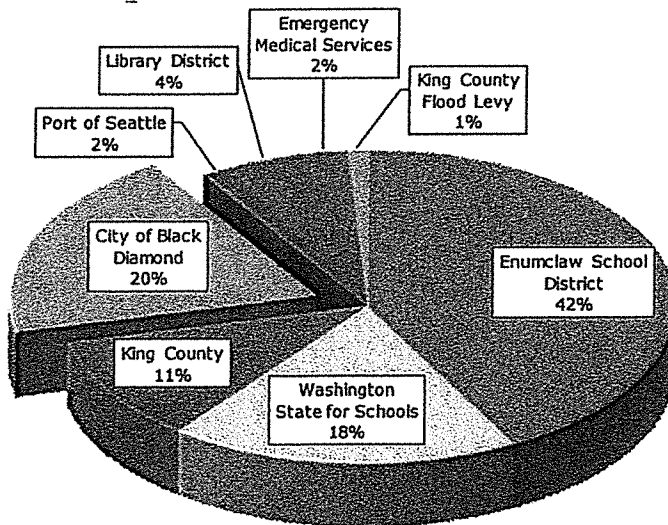
4

Black Diamond School Districts



The total property tax rates in Black Diamond vary because of the four different school districts within our city limits. The pie chart below shows the property tax distribution for the Enumclaw School District in 2015.

2015 Rates	Enumclaw	Tahoma	Kent	Auburn
Local School District	5.21	6.16	5.41	6.14
Washington State for Schools	2.29	2.29	2.29	2.29
King County	1.34	1.34	1.34	1.34
City of Black Diamond	2.42	2.42	2.42	2.42
Port of Seattle	.19	.19	.19	.19
Library District	.50	.50	.50	.50
Emergency Medical Services	.30	.30	.30	.30
King County Flood Levy	.14	.14	.14	.14
Total Levy Rate	\$12.39	\$13.34	\$12.59	\$13.32



CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Ord No. 15-1065, setting the base Property Tax Dollar increase and percentage increase as calculated by King County for 2016 Property Taxes.	Agenda Date: November 19, 2015	
	AB15-081	
	Mayor Carol Benson	
	City Attorney Carol Morris	
	City Clerk – Brenda L. Martinez	
	Community Development/Natural Resource– Barbara Kincaid	
	Finance – May Miller	X
	MDRT & Economic Development – Andy Williamson	
Cost Impact (see also Fiscal Note):		
Fund Source: Various	Police – Chief Kiblinger	
Timeline:	Public Works – Seth Boettcher	
	Court Administrator – Stephanie Metcalf	
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Ordinance No 15-1065, Levy certifications, Preliminary KC worksheet and Tax chart		
SUMMARY STATEMENT: <p>Per RCW 84.52.020 the property tax certifications must be filed with King County no later than December 4, 2015 for Property Taxes to be collected in 2016 to be used for Public Safety including Fire, Police and Emergency Services. This Ordinance sets the net base dollar amount and percentage on increase as calculated by King County for 2016 Property Taxes to be collected in 2016. A Public Hearing was held on November 5, 2015, with council action expected on November 19, 2015.</p> <p>King County has sent a preliminary Levy Limit worksheet showing An allowed net base increased dollar amount of \$11,215 at .77 percent increase. This includes the 1% increase but is less because King County made adjustments to last year's base tax amount. We are required to adopt the net dollar amount and percentage of increase King County calculates and shows on the bottom of their attached worksheet. This base rate does not include New Construction, State Assessed property, or and adjustments. The actual expected Levy rate is projected to decrease from \$2.42 per thousand of property value in 2015 to \$2.24 in 2016.</p> <p>King County estimates our total 2015 city Assessed Valuation at \$659,406,716 an increase of \$69,081,219 over 2015 or a 10.5 % increase. The Each property tax bill is calculated by the county and they set the actual levy rate once they have finalized all assessments and individual valuations.</p> <p>All of Black Diamonds Property Taxes funds are used for Public Safety and provide approximately 64% of the revenue needed to cover Public Safety costs.</p> <p>FISCAL NOTE (Finance Department): The additional \$14,535 from the allowed one percent increase is included in the 2015 Preliminary Budget, pending Council approval on November 19, 2015.</p>		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		

Finance Committee reviewed the Property Tax Ordinance's at their October 29, 2015 meeting and recommended approval.

RECOMMENDED ACTION: MOTION TO ADOPT ORDINANCE NO. 15-1065 SETTING THE BASE DOLLAR INCREASE AND THE PERCENTAGE OF INCREASE AS CALCULATED BY KING COUNTY.

RECORD OF COUNCIL ACTION

<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
November 19, 2015		

ORDINANCE NO. 15-1065

AN ORDINANCE OF THE CITY OF BLACK DIAMOND, WASHINGTON, RELATING TO THE GENERAL PROPERTY TAX LEVY AND SPECIFYING THE INCREASE CALCULATED BY KING COUNTY BASED ON LAST YEARS ACTUAL LEVY COMMENCING ON JANUARY 1, 2016 WITH CERTAIN CHANGES REQUIRED BY KING COUNTY IN THE MANNER IN WHICH THE AMOUNTS ARE CALCULATED. SUCH PROPERTY TAX LEVY SHALL APPLY TO ALL PROPERTY BOTH REAL AND PERSONAL, SUBJECT TO TAXATION, FOR THE PURPOSE OF PROVIDING REVENUE FOR PUBLIC SAFETY FOR THE CITY OF BLACK DIAMOND, ALL AS REQUIRED BY LAW, AND ESTABLISHING THE EFFECTIVE DATE.

WHEREAS, the Council of the City of Black Diamond has met and considered its budget for the calendar year 2016; and

WHEREAS, the Council thereafter gave notice of public hearings and held public hearings on November 5, 2015, and November 19, 2015, and

WHEREAS, the City adopted the estimated Preliminary assessed valuation of \$659,406,716, and

WHEREAS, the City's actual King County levy amount from the previous year was \$1,453,547; and

WHEREAS, the population of the City is less than 10,000; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Levy and Percentage of Increase. An increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2016 tax year. The dollar amount of the increase over the actual levy amount authorized from King County for the previous year shall be \$11,251.00, which is a percentage increase of .77% from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, and any increase in the value of state assessed property, any annexations that have occurred and refunds made.

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 preempted by State

or Federal law or regulations, such decisions or preemptions 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.

PASSED by the Council and approved by the Mayor of the City of Black Diamond, Washington, this 19th day of November, 2015.

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:

Carol Morris, City Attorney

Published:

Posted:

Effective Date:

PRELIMINARY

LEVY LIMIT WORKSHEET – 2016 Tax Roll

TAXING DISTRICT: **City of Black Diamond**

The following determination of your regular levy limit for 2016 property taxes is provided by the King County Assessor pursuant to RCW 84.55.100.

Annexed to Library District

(Note 1)

Estimated Library rate: 0.42664

Using Limit Factor For District	Calculation of Limit Factor Levy	Using Implicit Price Deflator
1,453,542	Levy basis for calculation: (2015 Limit Factor) (Note 2)	1,453,542
1.0100	x Limit Factor	1.0025
1,468,077	= Levy	1,457,190
4,962,483	Local new construction	4,962,483
0	+ Increase in utility value (Note 3)	0
4,962,483	= Total new construction	4,962,483
2.42103	x Last year's regular levy rate	2.42103
12,014	= New construction levy	12,014
1,480,091	Total Limit Factor Levy	1,469,204
Annexation Levy		
0	Omitted assessment levy (Note 4)	0
1,480,091	Total Limit Factor Levy + new lid lifts	1,469,204
659,406,716	÷ Regular levy assessed value less annexations	659,406,716
2.24458	= Annexation rate (cannot exceed statutory maximum rate)	2.22807
0	x Annexation assessed value	0
0	= Annexation Levy	0
Lid lifts, Refunds and Total		
0	+ First year lid lifts	0
1,480,091	+ Limit Factor Levy	1,469,204
1,480,091	= Total RCW 84.55 levy	1,469,204
1,054	+ Relevy for prior year refunds (Note 5)	1,054
1,481,145	= Total RCW 84.55 levy + refunds	1,470,258
	Levy Correction: Year of Error _____ (+or-)	
1,481,145	ALLOWABLE LEVY (Note 6)	1,470,258
Increase Information (Note 7)		
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10/16/15 2:08 PM

LevyLimitWS.doc



King County

Larry Phillips

Councilmember, District Four

Metropolitan King County Council

RE: Submission of District Property Tax Levies for 2016 to the County Council

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If you have any questions, please call the Assessor's Office at 263-2308 or 263-2381.

Thank you for your cooperation.

Sincerely,


Larry Phillips, Chair
Metropolitan King County Council

c: Lloyd Hara, Assessor



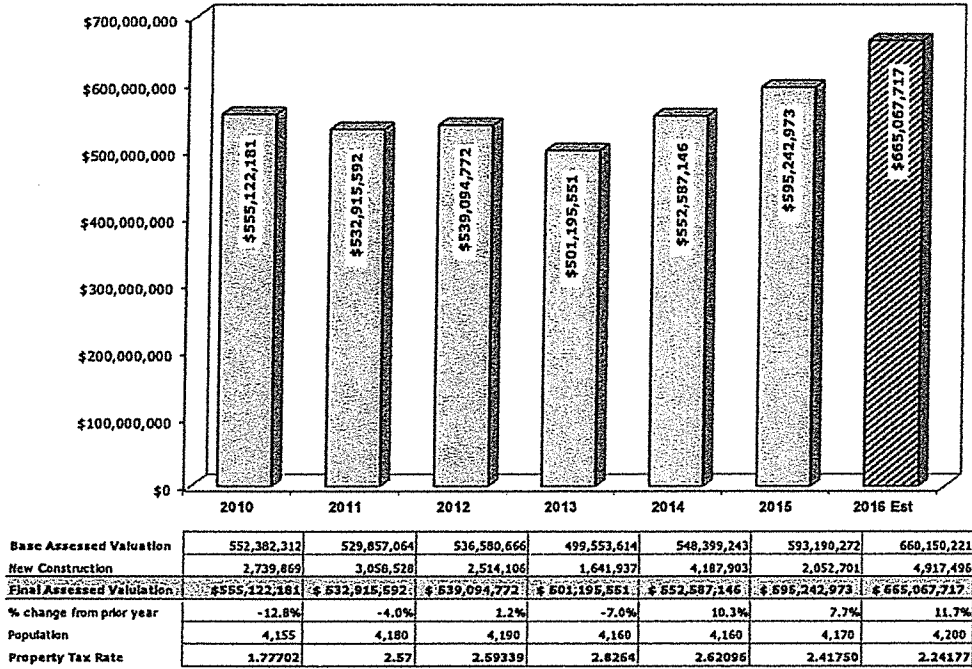
King County Courthouse, 516 Third Avenue Room 1200, Seattle, WA 98104 206-296-1004

Ⓜ Fax 206-296-0370 TTY 206-296-1024 larry.phillips@kingcounty.gov www.kingcounty.gov/phillips

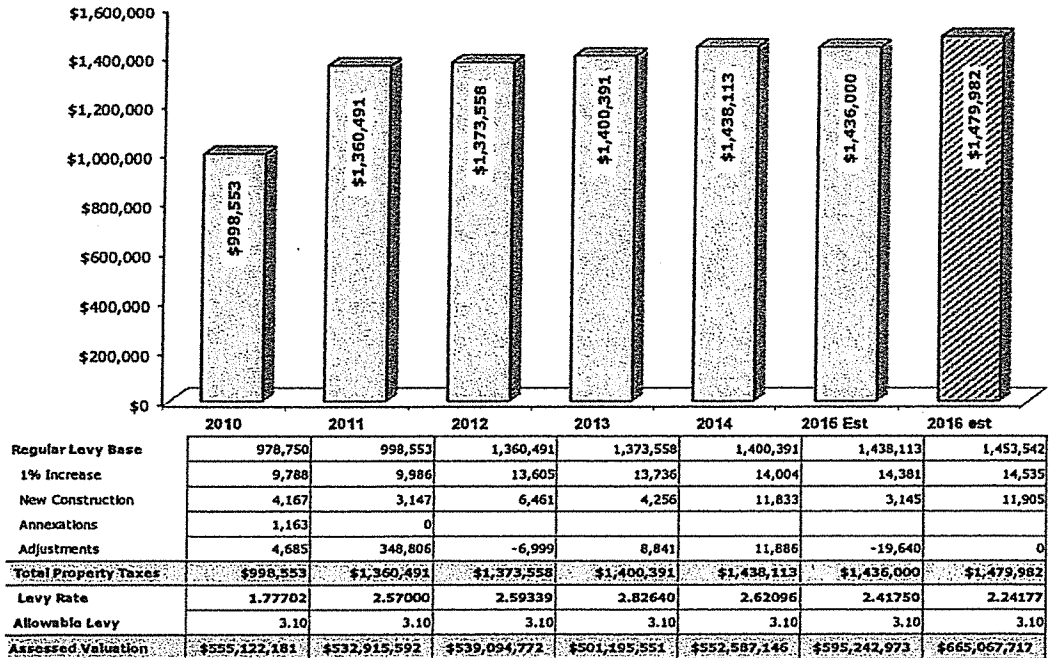
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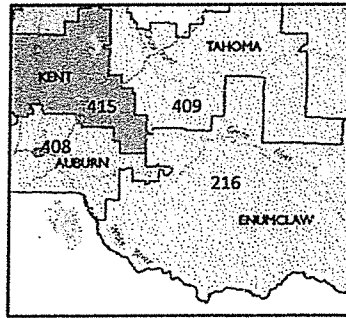
Assessed Valuation History and 2016 Estimate



Property Tax Collection, History and Rates, with 2016 Estimate

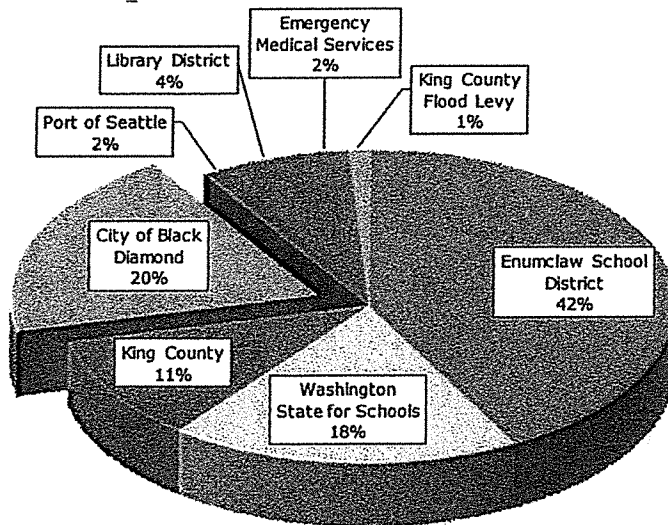


Black Diamond School Districts



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King County Flood Levy	.14	.14	.14	.14
Total Levy Rate	\$12.39	\$13.34	\$12.59	\$13.32



CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Resolution No. 15-1051, adopting the 2016 Stormwater Management Program (SWMP) Plan	Agenda Date: November 19, 2015 AB15-082	
Cost Impact (see also Fiscal Note): \$0 Fund Source: -- Timeline: Jan. 1, 2016 – Dec. 31, 2016	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	
	Police – Chief Kiblinger	
	Public Works – Seth Boettcher	X
	Court – Stephanie Metcalf	
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: 2016 SWMP Plan; Resolution 15-1051		
SUMMARY STATEMENT: The City is required by the Department of Ecology (DOE) to update its Stormwater Management Program (SWMP). This SWMP Plan shows how the City is currently meeting DOE's requirements in the National Pollutant Discharge Elimination System (NPDES) Permit as well as shows future requirements of the NPDES Permit. The City held a public hearing in which comments were received and considered. This SWMP Plan is updated annually.		
FISCAL NOTE (Finance Department):		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt Resolution 15-1051, adopting the Stormwater Management Program (SWMP) Plan 2016 update.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
November 19, 2015		

RESOLUTION NO. 15-1051

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
ADOPTING THE STORMWATER MANAGEMENT
PROGRAM (SWMP) PLAN 2016 UPDATE**

WHEREAS, City staff prepared the Stormwater Management Program (SWMP) Plan update for 2016; and

WHEREAS, the City is required to update the SWMP Plan annually by the Western Washington Phase II National Pollutant Discharge Elimination System (NPDES) Permit issued by the State of Washington Department of Ecology; and

WHEREAS, the purpose of the SWMP Plan is to detail actions that the city is currently taking and will need to take to maintain compliance with the conditions of the NPDES Permit, and to reduce the discharge of pollutants from the City's municipal separate storm sewer system to the maximum extent practicable; and

WHEREAS, the City Council held a public hearing on November 5, 2015 to take public comment on the SWMP Plan;

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

Section 1. The City Council hereby adopts the Stormwater Management Program Plan 2016 update.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 19TH DAY OF NOVEMBER, 2015.

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

CITY OF BLACK DIAMOND

STORMWATER MANAGEMENT PROGRAM
PLAN (SWMP PLAN)

2016 UPDATE



PREPARED BY
Public Works Department
CITY OF BLACK DIAMOND
PO BOX 599
BLACK DIAMOND, WA 98010
(360) 886-5700

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LIST OF ACRONYMS AND ABBREVIATIONS

AKART	All Known and Reasonable Treatment
BMP	Best Management Practices
CESCL	Certified Erosion and Sediment Control Lead
DOE	Department of Ecology
GROSS	Grants of Regional or Statewide Significance
IDDE	Illicit Discharge Detection and Elimination
LID	Low Impact Development
MPD	Master Planned Development
MS4	Municipal Separate Storm Sewer System
NPDES	National Pollutant Discharge Elimination System
O&M	Operations and Maintenance
RSMP	Regional Stormwater Management Program
SIDIR	Source Identification Information Repository
SWMMWW	Stormwater Maintenance Manual for Western Washington
SWMP	Stormwater Management Program
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load

THIS PLAN IS BASED ON THE REQUIREMENTS OUTLINED IN THE WESTERN WASHINGTON PHASE II MUNICIPAL STORMWATER PERMIT. MUCH OF THE LANGUAGE INCLUDED IN THIS DOCUMENT DESCRIBING PERMIT REQUIREMENTS HAS BEEN TAKEN DIRECTLY FROM THIS PERMIT AND HAS BEEN SUMMARIZED FOR EASE OF THE READER.

FOR COMPLETE REQUIREMENTS AND DETAILS, PLEASE REFER TO SECTION S5.C OF THE WESTERN WASHINGTON PHASE II MUNICIPAL STORMWATER PERMIT FROM THE DEPARTMENT OF ECOLOGY.

SECTION 1 – INTRODUCTION

1.1 INTRODUCTION

This document constitutes the City of Black Diamond's Stormwater Management Program (SWMP) Plan as required under Condition S5 of the Western Washington Phase II Municipal Stormwater Permit (the Permit). In addition to the City's permit, the SWMP includes the Total Maximum Daily Load (TMDL) requirements on Lake Sawyer as published in the TMDL document 09-10-053.

The purpose of the SWMP Plan is to detail actions that the City of Black Diamond has taken and will take to maintain compliance with conditions in the permit. This SWMP Plan will be an attachment to the *Annual Report Form for Cities, Towns, and Counties* which is required to be submitted to the Department of Ecology (DOE) by March 31 of each year.

The City's SWMP is intended to reduce the discharge of pollutants from the City's Municipal Separate Storm Sewer System (MS4) to the Maximum Extent Practicable, meet Washington State's All Known and Reasonable Treatment (AKART) requirements, and protect water quality. This goal is accomplished by the inclusion of all Permit SWMP components, minimum measures, and implementation schedules into the City's SWMP.

In compliance with Permit requirements, where the City is already implementing actions or activities called for in this document, the City will continue those actions or activities regardless of the schedule called for in this document. The City will adapt these actions or activities as required by Permit deadlines and as City staff measures the effectiveness of current actions or activities.

The City now is active in 6 areas of permit activity including:

- Monitoring the MS4 and reporting to DOE
- Public education and outreach
- Public involvement and participation
- Illicit Discharge Detection and Elimination
- Controlling runoff from new development, redevelopment and construction sites
- Municipal operations and maintenance (O&M)

SECTION 2 –MONITORING, REPORTING AND ASSESSMENT

2.1 PERMIT REQUIREMENTS AND DATES

Section S5.A, S8, and S9 of the Western Washington Phase II Municipal Stormwater Permit requires the City to develop, monitor, and report the City's SWMP. The SWMP shall be designed to reduce the discharge of pollutants from the City's MS4 to the maximum extent practicable and to protect water quality. The monitoring, reporting and assessment requirement helps keep the City on track with Best Management Practices (BMPs) to reduce the discharge of pollutants to stormwater. Specific dates are outlined below:

- Notify DOE in writing the City's decision whether or not to participate in the Regional Stormwater Management Program (RSMP) status and trends monitoring, at an annual cost of \$1,023, by December 1, 2013. Participation in this monitoring meets City requirements for status and trends monitoring. Annual payments began August 15, 2014. (Completed December 2013)
- Notify DOE in writing the City's decision whether or not to participate in the RSMP effectiveness studies, at an annual cost of \$1,705, by December 1, 2013. Participation in this study meets City requirements for effectiveness studies. Annual payments began August 15, 2014. (Completed December 2013)
- The City shall pay into a collective fund to implement the RSMP Source Identification Information Repository (SIDIR), at an annual cost of \$158, which payments began August 15, 2014. (Completed August 2014)

2.2 CURRENT ACTIVITIES

The current city activities associated with Monitoring and reporting include:

- Submit the *Annual Report Form for Cities, Towns, and Counties* which is intended to summarize the City's compliance with the conditions of the Permit. The annual report shall be submitted by March 31 of each calendar year covering the previous calendar year.
- Prepare written documentation of the SWMP and update at least annually for submittal with the City's annual reports to DOE.
- Include with the annual report, notification of any annexations, incorporations, or jurisdictional boundary changes resulting in an increase or decrease in the City's geographic area of permit coverage during the reporting period.
- Track the number of inspections, official enforcement actions and types of public education activities for inclusion in the City's annual reports to DOE.
- Provide a description of any stormwater monitoring or studies conducted by the City during the reporting period for inclusion in the City's annual reports to

DOE. The City is not required to report on monitoring or studies conducted by the Regional Stormwater Monitoring Program (RSMP).

- Track the cost or estimated cost of development and implementation of the SWMP.
- Coordinate, as necessary, with other entities covered under a municipal stormwater National Pollutant Discharge Elimination System (NPDES) permit to encourage coordinated stormwater-related policies, programs and projects within adjoining or shared areas.
- Rain garden monitoring.
- The Development Agreement for the major Master Planned Developments requires extensive water quality monitoring by the developer before, during and after construction; including a yearly review by the Water Quality Review Committee.

2.3 PLANNED ACTIVITIES

The City will continue with the current monitoring and reporting activities in 2016.

SECTION 3 –PUBLIC EDUCATION AND OUTREACH

3.1 PERMIT REQUIREMENTS AND DATES

Section S5.C.1 of the Western Washington Phase II Municipal Stormwater Permit requires the City to include an education program designed to reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts. No later than February 2, 2016, the City shall measure the understanding and adoption of targeted behaviors for at least one target audience (either the General Public and Businesses; or Engineers, Contractors, Developers and Land Use Planners).

3.2 CURRENT ACTIVITIES

The City has educated the public through stormwater articles in the city newsletter, posting educational materials on the City website, handing out materials at City sponsored events, workshops to train City staff and elected officials, and meeting with businesses and owners of private stormwater systems. The current City activities associated with Public Education and Outreach include:

- Educating the public about the need of the stormwater utility and the collaborative effort needed from everyone in the City to improve stormwater quality within the City.
- Training for City employees regarding illicit discharges.
- Meeting with businesses and the general public about the hazards associated with illicit discharges and improper disposal of waste.
- Distribute illicit discharge information to target audiences through individual meetings.
- Continue to track and maintain records of public education and outreach activities.
- Distribute spill kits to businesses and instruct businesses how to use them.

3.3 PLANNED ACTIVITIES

The City has the following goals for continued Permit compliance in public education and outreach:

- City staff will receive feedback from the residents, business owners, and property owners on education efforts and evaluate understanding of target behaviors via a stormwater knowledge survey. The targeted behaviors and BMPs shall measure the understanding in at least one of the following:
 - Yard care techniques protective of water quality.
 - Use and storage of pesticides and fertilizers and other household chemicals.

- Carpet cleaning and auto repair and maintenance.
 - Vehicle, equipment and home/building maintenance.
 - Pet waste management and disposal.
 - LID principles and LID BMPs.
 - Stormwater facility maintenance.
 - Dumpster and trash compactor maintenance.
- Summarize the public education activities in the annual report.
- Educate the general public and businesses on:
 - General impacts of stormwater on surface waters.
 - Impacts from impervious surfaces.
 - Impacts of illicit discharges and how to report them.
 - Low Impact Development (LID) principles and LID BMPs.
 - Opportunities to become involved in stewardship activities.
 - The City will provide education on the City's website and articles in the City newsletter as staff time and opportunity allows..
- Encourage behavior change from the general public and businesses providing education on the City's website and articles in the City newsletter to address any or all BMPs as outlined below:
 - Use of storage of automotive chemicals, hazardous cleaning supplies, carwash soaps and other hazardous materials.
 - Equipment maintenance.
 - Prevention of illicit discharges.
 - Yard care techniques protective of water quality.
 - Use and storage of pesticides and fertilizers and other household chemicals.
 - Carpet cleaning and auto repair and maintenance.
 - Vehicle, equipment and home/building maintenance.
 - Pet waste management and disposal.
 - LID principles and LID BMPs.
 - Stormwater facility maintenance.
 - Dumpster and trash compactor maintenance.

SECTION 4 – PUBLIC INVOLVEMENT AND PARTICIPATION

4.1 PERMIT REQUIREMENTS AND DATES

Section S5.C.2 of the Western Washington Phase II Municipal Stormwater Permit requires the City to provide ongoing opportunities for public involvement. The City will comply with applicable state and local public notice requirements in developing elements of the SWMP. The annual report and updated SWMP Plan are required to be published on the City's website by May 31 of each year.

4.2 CURRENT ACTIVITIES

The current compliance activities associated with public involvement and participation include:

- The City has posted the SWMP Plan and annual report on the City website (click on "Public Works", then "Stormwater").
- Provide opportunities for public involvement in the review of the stormwater comprehensive plan updates, SWMP Plan updates, changes to the stormwater utility charges, or other stormwater codes or similar environmental policies at the early consideration stages at the Public Works Committee level.
- Provide opportunities for public involvement and comment in the consideration of the SWMP Plan by holding a public hearing prior to adoption.
- Review the SWMP Plan with the Public Works Committee and receive public comments in a public hearing prior to adoption.
- Make the SWMP Plan, the annual report, and all other submittals required by the Phase II Permit, available to the public.
- Post the updated SWMP Plan and the annual report on the City's website.

4.3 PLANNED ACTIVITIES

The City will continue with the public involvement and participation activities each year for the SWMP Plan and annual report.

SECTION 5 – ILLICIT DISCHARGE DETECTION AND ELIMINATION

5.1 PERMIT REQUIREMENTS AND DATES

Section S5.C.3 of the Western Washington Phase II Municipal Stormwater Permit requires the City to maintain an ongoing program designed to prevent, detect, characterize, trace and eliminate illicit connections and illicit discharges into the MS4. Specific program components are outlined below:

- Maintain a MS4 map that shall be periodically updated and shall include following information:
 - Known MS4 outfalls.
 - Receiving waters, other than ground water.
 - Stormwater treatment and flow control BMPs/facilities owned or operated by the City.
 - Tributary conveyances to all known outfalls with a 24-inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems, mapping the following attributes:
 - Tributary conveyance type, material, and size where known.
 - Associated drainage areas.
 - Land use.
 - All connections to the MS4 authorized or allowed by the Permittee after February 16, 2007.
 - Geographic areas served by the MS4 that do not discharge stormwater to surface waters.
 - Upon request, make all maps available electronically to the DOE.
 - Upon request, and to the extent appropriate, provide mapping information available to federally-recognized Indian Tribes, municipalities, and other Permittees at a reasonable cost.
- Implement an ordinance or other regulatory mechanism to effectively prohibit non-stormwater, illicit discharges into the City's MS4 to the maximum extent allowable under state and federal law by February 2, 2018. The ordinance or regulatory mechanism shall address:
 - Allowable discharges (as outlined in S5.C.3.b.i of the NPDES Permit).
 - Conditionally allowable discharges (as outlined in S5.C.3.b.ii of the NPDES Permit).
 - Further address any category of allowable or conditionally allowable discharges if the discharges are identified as significant sources of pollutants to waters of the State.
 - Escalating enforcement procedures and actions for repeat offenders.
 - A compliance strategy that includes informal compliance actions such as public education and technical assistance as well as the enforcement provisions of the ordinance or other regulatory mechanism. To implement

an effective compliance strategy, the ordinance or other regulatory mechanism may need to include the application of operational and/or structural source control BMPs for pollutant generating sources associated with existing land uses and activities where necessary to prevent illicit discharges and the maintenance of stormwater facilities which discharge into the MS4 in accordance with maintenance standards outlined in the NPDES Permit where necessary to prevent illicit discharges.

- Implement an ongoing program designed to detect and identify non-stormwater discharges and illicit connections into the City's MS4. The program shall include:
 - Procedures for conducting investigations, including field screening and methods for identifying potential sources implementing a field screening methodology appropriate to the characteristics of the MS4 and water quality concerns. Screening for illicit connections may be conducted using: *Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments*, Center for Watershed Protection, October 2004, or another methodology of comparable or improved effectiveness. The City shall document the field screening methodology in the relevant annual report. Field screening for at least 40% of the MS4 shall be complete no later than December 31, 2017 and average 12% each year thereafter.
 - A publicly listed and publicized hotline or telephone number for public reporting of spills and other illicit discharges. Upon discussions with first responders, it was determined that the public should call 911 to report a spill or other illicit discharge. Responding fire and/or police will contact Public Works for assistance and reporting. Public Works can still be contacted for non-emergencies (360-886-5700 during business hours; 253-569-0525 after hours).
 - An ongoing training program on the identification of an illicit discharge and/or connection, and on the proper procedures for reporting and responding to the illicit discharge and/or connection, for all municipal field staff, who, as part of their normal job responsibilities, might come into contact with or otherwise observe an illicit discharge and/or illicit connection to the MS4. Follow-up training shall be provided as needed. City shall document and maintain records of the trainings provided and the staff trained.
 - Informing public employees, businesses, and the general public of hazards associated with illicit discharges and improper disposal of waste.
- Implement an ongoing program designed to address illicit discharges, including spills and illicit connections, into the MS4. The program shall include:
 - Procedures for characterizing the nature of, and potential public or environmental threat posed by, any illicit discharges found or reported to the City. Procedures shall address the evaluation of whether the discharge must be immediately contained and steps to be taken for the containment of the discharge.

- Procedures for tracing the source of an illicit discharge; including visual inspections, and when necessary, opening manholes, using mobile cameras, collecting and analyzing water samples, and/or other detailed inspection procedures.
- Procedures for eliminating the discharge; including notification of appropriate authorities; notification of the property owner; technical assistance; follow-up inspections; and implementation and use of the compliance strategy mentioned above, including escalating enforcement and legal actions if the discharge is not eliminated.
- The City must meet the following timelines and be responsible for the following actions:
 - Immediately respond to all illicit discharges, including spills, which are determined to constitute a threat to human health, welfare, or the environment by taking appropriate action to correct or minimize the threat to human health, welfare, and/or the environment; notifying DOE and other appropriate spill response authorities within 24 hours of learning about the illicit discharge or spill; and immediately report spills or discharges of oils or hazardous substances to DOE and the Washington Emergency Management Division.
 - Investigate (or refer to the appropriate agency with the authority to act) within 7 days any complaints, reports, or monitoring information that indicates a potential illicit discharge.
 - Initiate an investigation within 21 days of any report or discovery of a suspected illicit connection to determine the source of the connection, the nature and volume of discharge through the connection, and the party responsible for the connection.
 - Upon confirmation of an illicit connection, use the compliance strategy in a documented effort to eliminate the illicit connection within 6 months. All known illicit connections to the MS4 shall be eliminated.

5.2 CURRENT ACTIVITIES

The City currently implements activities and programs that meet Permit requirements. The current compliance activities associated with the above Permit requirements include:

- Through Ordinance 09-917, city staff has the ability to intervene and stop illicit discharges, to get involved to educate those that pollute unknowingly and follow up with additional enforcement actions if compliance is not afforded.
- City staff responsible for identification, investigation, termination, cleanup, and reporting of illicit discharges, including spills and illicit connections, shall be trained to conduct these activities. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements or staffing. The training provided and staff trained shall be documented. Four Public Works staff members received Illicit Discharge Detection and Elimination (IDDE) training on May 9, 2013.

- Continue to respond to reported illicit discharge reports and documenting the actions taken to eliminate them.
- Continue to follow up on hotline illicit discharge tips.
- Update, as needed, the MS4 maps, highlighting those areas that have higher probability of illicit discharges or connections to the MS4.
- Continue with the primary focus of the City's IDDE program, which involves individual meetings with business owners and those responsible for private stormwater system maintenance.
- Implement the City IDDE program to detect and stop illicit discharges to the City's MS4 by:
 - Characterizing the nature of illicit discharges
 - Tracing the source
 - Removing the source
 - Educating those responsible
 - Enforcing the City's code to stop illicit discharges

5.3 PLANNED ACTIVITIES

The City will review Ordinance 09-917 to make sure it captures new Permit requirements in regards to illicit discharges.

SECTION 6 – CONTROLLING RUNOFF FROM NEW DEVELOPMENT, REDEVELOPMENT AND CONSTRUCTION SITES

6.1 PERMIT REQUIREMENTS AND DATES

Section S5.C.4 of the Western Washington Phase II Municipal Stormwater Permit requires the City to implement and enforce a program to reduce pollutants in stormwater runoff to the City's MS4 from new development, redevelopment and construction site activities. Specific program components are outlined below.

- The City will continue with a program to reduce pollutants in stormwater runoff from new development, redevelopment and construction site activities. This program shall be applied to all sites as determined by Section 3 of Appendix 1 of the Permit. The program shall apply to private and public development, including new roads.
- The City of Black Diamond has adopted the DOE 2005 Stormwater Maintenance Manual for Western Washington (SWMMWW) to address runoff from new development, redevelopment, and construction site projects in conformance with Permit requirements. In order to comply with new requirements regarding site planning requirements; BMP selection criteria; BMP design criteria; BMP infeasibility criteria; LID competing needs criteria; and BMP limitations, the City should adopt the DOE 2012 SWMMWW. Adoption and implementation of the DOE 2012 SWMMWW will meet the requirements of the Permit. The mechanism to meet these requirements shall be in place by December 31, 2016.
- The City shall have the legal authority in place by December 31, 2016, through the approval process for new development and redevelopment, to inspect and enforce maintenance standards for private stormwater facilities that discharge to the City's MS4.
- Before December 31, 2016, the City shall review, revise and make effective local development-related codes, rules, standards, or other enforceable documents to incorporate and require LID principles and LID BMPs as DOE has determined LID as the preferred and commonly-used approach to site development. The revisions are designed to minimize impervious surfaces, native vegetation loss, and stormwater runoff in all types of development situations.
- Include with the annual report, due March 31, 2017, a summary of a review and revision process in regards to requiring LID principles and LID BMPs, considering the range of issues outlined in the document, *Integrating LID into Local Codes: A Guidebook for Local Governments* published by the Puget Sound Partnership in 2012. The summary shall be organized as follows:
 - Measures to minimize impervious surfaces;
 - Measures to minimize loss of native vegetation; and

- Other measures to minimize stormwater runoff.
- Participate in watershed-scale stormwater planning (WRIA 9) led by King County. As needed and as appropriate, the City shall:
 - Provide existing water quality and flow records.
 - Provide existing and future land use and zoning maps to facilitate land cover projections.
 - Participate in the development of strategies to prevent future impacts and address existing impacts.
 - Provide monitoring locations.

6.2 CURRENT ACTIVITIES

The City code currently implements the majority of the activities and programs to meet Permit requirements. The current compliance activities associated with the above Permit requirements include:

- The City review and inspection staff has reviewed and will continue to review the DOE 2012 SWMMWW.
- The City conducts construction and stormwater site inspections during the pre-construction and construction phases.
- The City has implemented a permitting process with plan review, inspection and enforcement capability for both private and public projects for compliance with the 2005 SWMMWW and the Master Planned Development (MPD) agreements. This program applies to all sites as determined by Section 3 of Appendix 1 of the Permit.
- The City reviews stormwater site plans for proposed development activities.
- The City inspects, prior to clearing and construction, all known development sites that have a high potential for sediment transport.
- The City inspects all known permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls. The City will enforce as necessary based on the inspection.
- The City inspects all permitted development sites upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent stormwater controls such as stormwater facilities and structural BMPs. Also, the City will verify a maintenance plan is completed and responsibility for maintenance is assigned. Enforcements will be made, as necessary, based on the inspection.
- The City must perform at least 80% of scheduled inspections in order to achieve Permit compliance. Staff schedules all inspections through the City's PermitTrax software and records of inspections are maintained in PermitTrax by inspectors. Routine inspections not set in PermitTrax will be tracked separately by Public Works maintenance staff.
- The City implements an enforcement strategy to respond to issues of non-compliance.

- The City implements a long-term O&M program for private post-construction stormwater facilities and BMPs.
- Annual inspections (reduced if the City provides records and/or statements to DOE justifying a reduced schedule for specific facilities) of all stormwater treatment BMPs/facilities that were permitted by the City, including those permitted since 2007.
- Inspections of all permanent stormwater treatment and flow control BMPs/facilities and catch basins in new residential developments every six months until 90% of the lots are constructed (or when construction is stopped and the site fully stabilized) to identify maintenance needs and enforce compliance with maintenance standards as needed.
- Enforceable mechanism in place that clearly identifies the party responsible for maintenance, requires inspection of facilities, and establishes enforcement procedures.
- The City ensures that all staff responsible for implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement, are trained to conduct these activities. The City has three Certified Erosion and Sediment Control Leads (CESCL) on staff.
- Copies of the DOE's "Notice of Intent for Construction Activity" and "Notice of Intent for Industrial Activity" are available to representatives of proposed new development and redevelopment.
- Activities for the "Controlling Runoff from New Development, Redevelopment and Construction Sites" component of the annual report will be summarized annually, beginning in the annual report due March 31, 2015.
- In addition to the above requirements and with the TMDL for phosphorus on Lake Sawyer, City staff (and/or King County, and/or citizen volunteers) takes water quality samples at Lake Sawyer.
- The City has used the DOE 2005 SWMMWW and the Lake Sawyer TMDL in the Development Agreement for the major MPDs in Black Diamond.

6.3 PLANNED ACTIVITIES

The City has a program to help reduce stormwater runoff from new development and construction sites. City staff has reviewed the changes from the DOE 2005 SWMMWW to the DOE 2012 SWMMWW to be ready to maintain compliance as Permit requirements have been modified. Actions that are recommended include:

- Update and implementing process codes, fees and standards as necessary and as identified needs arise.
- Determine staff training needs and develop training strategies as updates to Permit requirements are implemented by DOE.
- City shall review and adopt the DOE 2012 SWMMWW or equivalent manual. Adoption and implementation of the DOE 2012 SWMMWW will meet the requirements of the Permit. The mechanism to meet these requirements shall be in place by December 31, 2016.

- The City shall have the legal authority in place by December 31, 2016, through the approval process for new development and redevelopment, to inspect and enforce maintenance standards for private stormwater facilities that discharge to the City's MS4.
- Before December 31, 2016, the City shall review, revise and make effective local development-related codes, rules, standards, or other enforceable documents to incorporate and require LID principles and LID BMPs as DOE has determined LID as the preferred and commonly-used approach to site development. The revisions are designed to minimize impervious surfaces, native vegetation loss, and stormwater runoff in all types of development situations.

SECTION 7 –MUNICIPAL OPERATIONS AND MAINTENANCE

7.1 PERMIT REQUIREMENTS AND DATES

Section S5.C.5 of the Western Washington Phase II Municipal Stormwater Permit requires the City to implement an O&M program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. Specific program components are outlined below.

- Establish maintenance standards that are as protective, or more protective, of facility function that those specified in Chapter 4 of Volume V of the DOE 2012 SWMMWW by December 31, 2016. The purpose of the maintenance standard is to determine if maintenance is required and is not a measure of the facility's required condition at all times between inspections.
- Annual inspection of all municipally owned or operated permanent stormwater treatment and flow control facilities and taking appropriate maintenance actions. Inspection frequency may be reduced as outlined in Section S5.C.5.b of the Permit.
- Spot checks of potentially damaged permanent treatment and flow control facilities after major storm events (10 year storm).
- Inspection of all catch basins and inlets owned or operated by the City at least once before August 1, 2017 and once every two years thereafter. The City is developing an inspection and maintenance schedule for each catch basin and inlet as some catch basins will not need inspections as frequently and other catch basins will need to be inspected and maintained more frequently than required by the Permit to ensure functionality. Reduced inspections will be in accordance with Section S5.C.5.d.i of the Permit.
- Establish and implement policies and procedures to reduce pollutants in discharges from all lands owned or maintained by the City, including but not limited to: streets, parking lots, roads, highways, buildings, parks, open space, road right-of-way, maintenance yards, and stormwater treatment and flow control BMPs/facilities.
- Implement an on-going training program for City staff whose construction, operations or maintenance job functions may impact stormwater quality.
- Continue to implement a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the City.
- Keep records of inspections and maintenance or repair activities.

7.2 CURRENT ACTIVITIES

The City currently has activities and programs that meet some of the Permit requirements. The current compliance activities associated with the above Permit requirements include:

- The City has a program for catch basin inspections with the most recent inspections occurring in 2015.
- The City has completed a site assessment of City facilities, including the fire station, the police station, the public works facility, and the water reservoir and pump station.
- The City inspects City owned stormwater treatment facilities and continues to adapt the inspection criteria as identified in the DOE 2005 SWMMWW. The City will adapt inspections and inspection criteria as identified in the DOE 2012 SWMMWW.
- The City has trained employees whose construction, operations or maintenance job functions may impact stormwater quality in the implementation of BMPs that will reduce or eliminate pollution from entering the MS4 from City facilities or operations.
- The City has established maintenance standards that are as protective as those specified in the 2005 SWMMWW.
 - Before December 31, 2016, the City will need to establish maintenance standards that are as protective as those specified in the 2012 SWMMWW. The purpose of the maintenance standard is to determine if maintenance is required. The maintenance standard is not a measure of the facility's required condition at all times between inspections. Exceeding the maintenance standard between the period of inspections is not a permit violation.
- The City performs maintenance within required timeframes when an inspection identifies an exceedance of the maintenance standard. For each exceedance of the required timeframe, the City will document the circumstances and how they were beyond the City's control.
- The City annually inspects all municipally owned or operated permanent stormwater treatment and flow control facilities and maintains facilities according to the adopted maintenance standards.
- The City performs maintenance on City ponds and BMPs within required timeframes when an inspection identifies a maintenance standard has been exceeded. For each violation of the required timeframe, the City documents the circumstances and how they were beyond their control, and submits documentation to DOE.
- After major storm events, the City conducts spot checks of potentially damaged stormwater facilities.
- The City implements practices to reduce stormwater impacts associated with runoff from streets, parking lots, roads or highways owned or maintained by the City, and road maintenance activities conducted by the City.
- Procedures are in place to reduce pollutants in discharges from all lands owned or maintained by the City and subject to this Permit, including but not limited to: parks, open space, road right-of-way, maintenance yards, and stormwater treatment and flow control facilities. Procedures include:
 - Proper application of fertilizer, pesticides, and herbicides
 - Sediment and erosion control (the City has three CESCLs on staff)

- Proper landscape maintenance and vegetation disposal
 - Proper trash management
 - Proper maintenance and cleaning of City buildings
- City employees, whose construction, operations or maintenance job functions may impact stormwater quality, receive training on an as-needed basis.
- SWPPPs are in place for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the City in areas subject to this Permit that are not required to have coverage under the Industrial Stormwater General Permit. The latest update to the SWPPP for the Public Works Maintenance Facility was completed in October, 2013.
- Tracking and documentation methods, along with procedures associated with inspection, maintenance or repair activities, are being utilized by City staff.
- The washing of City vehicles and large equipment is performed at the City's equipment washing facility at the City's maintenance site. Staff using the facility is trained prior to use in accordance with standard operating procedures for the facility.

7.3 PLANNED ACTIVITIES

The City will continue with current activities to prevent pollution from municipal maintenance operations. The City is also working on completing the development of site and handling procedures for storage, processing, and reusing street and storm waste with assistance from the King County Solid Waste Treatment Division, which is not a requirement of the Permit. Decant water will be disposed of in accordance with Appendix 6 of the Permit.

- The City tries to sweep streets at least twice per year as budgets allow.
- The 2012 SWMMWW does give guidance in the handling of street sweepings. The City will use this guidance to determine how to handle stockpiled sweepings.

APPENDIX A

RECENT STORMWATER ACCOMPLISHMENTS

Vactor Trailer Purchase (A-2)



Catch Basin Cleaning (A-3)



Stormwater Education (A-4)

LEAVES AND NEEDLES AND BRANCHES, OH MY! Welcome to fall! Fall may be very welcome to a lot of us as that was a very hot and dry summer. With fall, we usually get a nice change. We get some rainstorms that have been longing for, but that also means the occasional windstorm.

It's inevitable that trees are going to shed their leaves in the autumn, so we have to rake and bag or compost (hoped making a big pile to jump into first). We put the leaves in containers and they get taken away. They're out of sight and mind. We don't have to deal with them anymore. Many of you will even clear the storm drains near your house of it prevent flooding. Thank you for doing that!

Leaves are just something we deal with. But with the aforementioned windstorms, we typically end up with a lot of branches, and other things on the ground from our evergreen trees. They end up in the yard or on our driveways. I won't get the needles and the lawnmower won't handle this debris. But the blower will move the needles just fine. I should we put this debris? We don't want it on our property. The City is not going to take the yard debris from you you take out to the corner or to other parts of the City. King County has good information on their website as to where <http://www.kingcounty.gov/colldwaste/mulch/category.asp?catID=16>

If it becomes the City's problem, the needles go into the storm drains that someone kindly cleared of leaves, they sit and then, after some build-up, they clog the storm pipes. Catch basins are pretty simple to clean, but storm pipes are more labor intensive to clear.

So what can you do? Get creative. Blow the needles against something to create piles. Blow them to a compost pile, blow them to waterways. If they go into the road, sure the City will get a street sweeper out eventually to sweep the the City has a very small budget for street sweeping and dealing with storm debris. There are many solutions, but in the end shouldn't be one of them. As you work in your yard this fall, please be aware that our actions have consequences which can be either positive or negative. This is your City. Please help us take care of it.

Street Sweeping (A-5)



APPENDIX A

RECENT STORMWATER ACCOMPLISHMENTS

Vactor Trailer Purchase

In the past, Public Works staff has had to hire a vactor company to bring out a vactor truck to help with catch basin cleaning and other digging. With a stormwater capacity grant received from the Department of Ecology, the City was able to purchase a vactor trailer to do a lot of this work.

The vactor trailer is not as strong as a vactor truck, but it provides the City with the availability and capability to maintain the stormwater facilities as needed and with less coordination time.



APPENDIX A

RECENT STORMWATER ACCOMPLISHMENTS

Catch Basin Cleaning

Public Works staff, through tracking inspections and maintenance, has been able to identify the frequency at which many catch basins need to be cleaned. Some need to be cleaned as frequently as every year; some may only need cleaning once every six years.

While City data with the recommended frequency at which each individual catch basin needs to be cleaned is still pretty new, Public Works staff continues to inspect and maintain catch basins. As outlined in Section 7.1 of the SWMP Plan, the City needs to inspect all catch basins by August 1, 2017 and every other year thereafter. Public Works staff is ahead of that schedule and will be using the inspections to further determine the frequency at which each catch basin needs to be maintained. As more inspection data is gathered, the information can be finalized. Once City staff has a good dataset, staff can request that certain catch basins be inspected less frequently than every two years while knowing that certain catch basins will need to be cleaned every year. This will create an effective schedule for Public Works staff and will save time and money in the maintenance of catch basins in the future.



APPENDIX A

RECENT STORMWATER ACCOMPLISHMENTS

Stormwater Education

City staff published stormwater education articles in the City Connection Newsletter in 2014. These articles focused on how residents here in Black Diamond can protect the stormwater system in different manners. Items discussed include car washing, clearing leaves from catch basins, and even discussed how placing gravel along the road can affect the stormwater system and flood your neighbor's property. Utilizing the City Connection Newsletter has been a cost-effective way of making stormwater education available to all residents and businesses in Black Diamond.

LEAVES AND NEEDLES AND BRANCHES, OH MY! Welcome to fall! Fall may be very welcome indeed for a lot of us as that was a very hot and dry summer. With fall, we usually get a nice change. We get some rainstorms that we've been longing for, but that also means the occasional windstorm.

It's inevitable that trees are going to shed their leaves in the autumn, so we have to rake and bag or compost (hopefully after making a big pile to jump into first). We put the leaves in containers and they get taken away. They're out of sight and out of mind. We don't have to deal with them anymore. Many of you will even clear the storm drains near your house of leaves to prevent flooding. Thank you for doing that!

Leaves are just something we deal with. But with the aforementioned windstorms, we typically end up with a lot of needles, branches, and other things on the ground from our evergreen trees. They end up in the yard or on our driveways. The rake won't get the needles and the lawnmower won't handle this debris. But the blower will move the needles just fine. But where should we put this debris? We don't want it on our property. The City is not going to take the yard debris from your lots that you take out to the corner or to other parts of the City. King County has good information on their website as to what to do: <http://your.kingcounty.gov/solidwaste/wdidw/category.asp?CatID=16>

If it becomes the City's problem, the needles go into the storm drains that someone kindly cleared of leaves, they sit in there, and then, after some build-up, they clog the storm pipes. Catch basins are pretty simple to clean, but storm pipes are a bit more labor intensive to clear.

So what can you do? Get creative. Blow the needles against something to create piles. Blow them to a compost pile. Do not blow them to waterways. If they go into the road, sure the City will get a street sweeper out eventually to sweep the roads, but the City has a very small budget for street sweeping and dealing with storm debris. There are many solutions, but putting it out in the road shouldn't be one of them. As you work in your yard this fall, please be aware that our actions have consequences, which can be either positive or negative. This is your City. Please help us take care of it.

APPENDIX A

RECENT STORMWATER ACCOMPLISHMENTS

Street Sweeping

Street sweeping continues to be an effective way to protect stormwater. Staff has to be selective as to when sweeping should be scheduled due to budget constraints, but the result is always good. City staff will continue to look for the best deal when it comes to hiring a street sweeper.



CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: November 19, 2015 AB15-083	
Resolution No. 15-1052, Relight Washington Program Grant Agreement with the Transportation Improvement Board (TIB) for the LED Streetlight Conversion project.	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	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note): \$58,100 revenue	Public Works – Seth Boettcher	X
Fund Source: TIB Grant	Court – Stephanie Metcalf	
Timeline: Early 2016		
Agenda Placement: <input type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input checked="" type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Resolution No. 15-1052, Grant Agreement, Award Letter, Program Information, Frequently Asked Questions		
<p>SUMMARY STATEMENT:</p> <p>The City was selected to receive a Relight Washington Program grant from the State of Washington Transportation Improvement Board (TIB). This project will convert existing street lights to energy efficient LED street lights. The City can expect to see reduced streetlight operating costs and lower rates while saving energy.</p> <p>TIB has partnered with Puget Sound Energy (PSE) for this program. PSE will be complete the work. City staff will work with PSE and TIB to determine the scope of the project.</p> <p>FISCAL NOTE (Finance Department): The award amount is \$58,100. The City’s role is to pay PSE for the work and will receive a full reimbursement from TIB. There is no match requirement.</p>		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt Resolution No. 15-1052 authorizing the Mayor to execute a Relight Washington Program grant agreement for the LED Streetlight Conversion project.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
November 19, 2015		

RESOLUTION NO. 15-1052

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
AUTHORIZING THE MAYOR TO EXECUTE A RELIGHT
WASHINGTON PROGRAM GRANT AGREEMENT WITH
THE WASHINGTON TRANSPORTATION IMPROVEMENT
BOARD FOR THE LED STREETLIGHT CONVERSION
PROJECT**

WHEREAS, the City was selected to receive a Relight Washington Program grant from the Washington Transportation Improvement Board in the amount of \$58,100; and

WHEREAS, this grant will fund the conversion of streetlights within the City to energy efficient LED street lights; and

WHEREAS, Puget Sound Energy will complete the work for this project; and

WHEREAS, a grant agreement with the Washington Transportation Improvement Board is required to establish the terms of funding the LED Streetlight Conversion project;

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 Relight Washington Program grant agreement with the Washington Transportation Improvement Board for the LED Streetlight Conversion project attached hereto.

Section 2. Puget Sound Energy is hereby selected to be the service provider to perform the actual conversion work as outlined in section 3 of the grant agreement.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 19TH DAY OF NOVEMBER, 2015.

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk



City of Black Diamond
S-P-800(001)-1
LED Streetlight Conversion Project

STATE OF WASHINGTON
TRANSPORTATION IMPROVEMENT BOARD
AND
City/Town of Black Diamond
GRANT AGREEMENT

THIS GRANT AGREEMENT ("Agreement") is made and entered into between the WASHINGTON STATE TRANSPORTATION IMPROVEMENT BOARD ("TIB") and the City/Town of Black Diamond, a Washington state municipal corporation ("RECIPIENT").

WHEREAS, the TIB has developed a grant program, Relight Washington, to provide for the conversion of standard streetlights to LED lighting ("Project") for eligible cities and towns to reduce municipal electrical costs, and

WHEREAS, the above-identified city/town is eligible to receive a Project grant and attests that it has the legal authority to receive such grant and to perform the Project pursuant to the terms of this grant,

NOW, THEREFORE, pursuant to chapter 47.26 RCW and chapter 479 WAC, the above recitals that are incorporated herein as if fully set forth below, and in consideration of the terms, conditions, and performances contained herein, and the attached Exhibits, if any, which are made a part hereof,

IT IS MUTUALLY AGREED AS FOLLOWS:

1. GRANT

TIB agrees to grant funds in the amount of FIFTY EIGHT THOUSAND ONE HUNDRED AND NO/100 dollars (\$ 58,100) for the Project pursuant to terms contained herein, and the RECIPIENT agrees to accept such grant funds and agrees to perform and be subject to the terms and conditions of this Agreement.

2. USE OF TIB GRANT FUNDS

TIB grant funds may come from Motor Vehicle Fuel Tax revenue. Any use of these funds for anything other than for highway or street Project improvements is prohibited and shall subject the RECIPIENT to the terms, conditions and remedies set forth in Section 9.

3. PROJECT AND BUDGET

The Project shall provide for the conversion of identified streetlights within RECIPIENT's city limits. The RECIPIENT agrees to enter into an agreement with or otherwise provide for a service provider to perform the actual conversion work. The RECIPIENT further agrees that it shall be solely responsible for and shall pay its service provider's invoices for costs of the work. The Project and Budget may be amended by the Parties, pursuant to Section 6.



4. PROJECT DOCUMENTATION

The RECIPIENT agrees to and shall make reasonable progress and submit timely Project documentation, as applicable, throughout the term of this Agreement and Project.

Required documents include, but are not limited to the following:

- a) Documentation to support all costs expended for the Project.
- b) Project Closeout Form.

5. BILLING AND PAYMENT

The RECIPIENT may submit progress payment requests to the TIB as necessary. If billable amounts are greater than \$50,000, RECIPIENT shall submit requests for payments on a quarterly basis. If progress payments are not regularly requested, reimbursements may be delayed or scheduled in a to be determined payment plan.

6. RECORDS MAINTENANCE

6.1 The RECIPIENT shall maintain books, records, documents, data and other evidence relating to this Agreement and performance of the Project work described herein, including but not limited to accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Agreement. RECIPIENT shall retain such records for a period of six years following the date of final payment. At no cost to TIB, these records shall be provided when requested, including materials generated under the Agreement, and shall be subject at all reasonable times to inspection, review or audit by TIB personnel, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement.

6.2 If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

7. INCREASE OR DECREASE IN TIB GRANT FUNDS

RECIPIENT may request an increase in the TIB grant funds for the Project. Requests must be made in writing and will be considered by TIB and awarded at the sole discretion of TIB. An increase in grant funds shall be by amendment pursuant to Section 14. If an increase is denied, the recipient shall be solely liable for costs incurred in excess of the Agreement grant amount.

8. TERM OF AGREEMENT

This Agreement shall be effective upon execution by the Parties and shall continue through closeout of the grant amount, or modification thereof, or unless terminated as provided herein. In no event shall the Agreement term exceed two years, unless extended by Agreement amendment pursuant to Section 14.

9. DEFAULT AND TERMINATION



9.1 NON-COMPLIANCE

- a) In the event TIB determines, in its sole discretion, the RECIPIENT has failed to comply with the terms and conditions of this Agreement, TIB shall notify the RECIPIENT, in writing, of the non-compliance.
- b) RECIPIENT shall provide a written response within ten (10) business days of receipt of TIB's notice of non-compliance, which shall include either a detailed plan to correct the non-compliance, a request to amend the Project, or a denial accompanied by supporting details. An agreement to amend the Project must be pursuant to Section 14.
- c) RECIPIENT shall have thirty (30) days in which to make reasonable progress toward compliance pursuant to its plan to correct or implement an amendment to the Project.
- d) Should RECIPIENT dispute non-compliance, TIB will investigate the dispute and may withhold reimbursement payments or prohibit the RECIPIENT from incurring additional reimbursable costs during the investigation.

9.2 DEFAULT

RECIPIENT may be considered in default if TIB determines, in its sole discretion, that:

- a) RECIPIENT is not making reasonable progress toward correction and compliance.
- b) TIB denies the RECIPIENT's request to amend the Project.
- c) After investigation, TIB confirms RECIPIENT'S non-compliance.

TIB reserves the right to order RECIPIENT to immediately stop work on the Project and TIB may stop Project progress payments until the requested corrections have been made or if the Agreement is terminated.

9.3 TERMINATION

- a) In the event of default as determined pursuant to Section 9.2, TIB shall serve RECIPIENT with a written notice of termination of this Agreement, which may be served in person, by email or by certified letter. Upon service of notice of termination, the RECIPIENT shall immediately stop work and/or take such actions necessary as may be directed by TIB.
- b) In the event of default and/or termination, the RECIPIENT may be liable for damages as authorized by law including, but not limited to, repayment of grant funds.
- c) The rights and remedies of TIB provided in this Agreement are not exclusive and are in addition to any other rights and remedies provided by law.

9.4 TERMINATION OR SUSPENSION FOR NECESSITY

TIB may, with ten (10) days written notice, terminate or suspend this Agreement, in whole or in part, because funds are no longer available for the purpose of meeting TIB's obligations. If this Agreement is so terminated, TIB shall be liable only for payment required under this Agreement for Project work performed or costs incurred prior to the effective date of termination.



10. DISPUTE RESOLUTION

- a) The Parties shall make good faith efforts to quickly and collaboratively resolve any dispute arising under or in connection with this Agreement. The dispute resolution process outlined in this Section applies to disputes arising under or in connection with the terms of this Agreement.
- b) Informal Resolution. The Parties shall use their best efforts to resolve disputes promptly and at the lowest organizational level.
- c) In the event that the Parties are unable to resolve the dispute, the Parties shall submit the matter to non-binding mediation facilitated by a mutually agreed upon mediator. The Parties shall share equally in the cost of the mediator.
- d) Each Party agrees to participate to the fullest extent possible in resolving the dispute in order to avoid delays or additional incurred cost to the Project.
- e) The Parties agree that they shall have no right to seek relief in a court of law in accordance with Section 11 until and unless the Dispute Resolution process has been exhausted.

11. GOVERNANCE, VENUE, AND ATTORNEYS FEES

This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington and venue of any action brought hereunder shall be in the Superior Court for Thurston County. The Parties agree that each Party shall be responsible for its own attorneys' fees and costs.

12. INDEMNIFICATION, HOLD HARMLESS, AND WAIVER

12.1 Each Party, shall protect, defend, indemnify, and save harmless the other Party, its officers, officials, employees, and authorized agents, while acting within the scope of their employment as such, from any and all costs, claims, judgments, and/or awards of damages (both to persons and/or property), arising out of, or in any way resulting from, a Party's own negligent acts or omissions which may arise in connection with its performance under this Agreement. No Party will be required to indemnify, defend, or save harmless the other Party if the claim, suit, or action for injuries, death, or damages (both to persons and/or property) is caused by the sole negligence of the other Party. Where such claims, suits, or actions result from the concurrent negligence of the Parties, the indemnity provisions provided herein shall be valid and enforceable only to the extent of a Party's own negligence.

12.2 Each Party agrees that its obligations under this section extends to any claim, demand and/or cause of action brought by, or on behalf of, any of its officers, officials, employees or authorized agents. For this purpose, each Party, by mutual negotiation, hereby waives, with respect to the other Party only, any immunity that would otherwise be available to it against such claims under the Industrial Insurance provision of Title 51 RCW.

12.3 The obligations of this indemnification and waiver Section shall survive termination of this Agreement.

13. ASSIGNMENT



The RECIPIENT shall not assign or transfer its rights, benefits, or obligations under this Agreement without the prior written consent of TIB. The RECIPIENT is deemed to consent to assignment of this Agreement by TIB to a successor entity. Such consent shall not constitute a waiver of the RECIPIENT's other rights under this Agreement.

14. AMENDMENTS

This Agreement may be amended by mutual agreement of the Parties. Such amendments shall not be binding unless they are in writing and signed by persons authorized to bind each of the Parties.

15. INDEPENDENT CAPACITY

The RECIPIENT shall be deemed an independent contractor for all purposes and the employees of the RECIPIENT or any of its contractors, subcontractors, and employees thereof shall not in any manner be deemed employees of TIB.

16. ENTIRE AGREEMENT

This Agreement, together with the Exhibits, if any, the provisions of chapter 47.26 RCW, chapter 479 WAC, and TIB Policies, constitute the entire Agreement between the Parties and supersedes all previous written or oral agreements between the Parties.

RECIPIENT

Transportation Improvement Board

Chief Executive Officer

Date

Executive Director

Date

Print Name

Print Name

Approved as to Form

By: SIGNATURE ON FILE

ANN E. SALAY

Senior Assistant Attorney General

NOTE: Any changes to the terms of this Agreement shall require further approval of the Office of the Attorney General



Washington State Transportation Improvement Board

October 23, 2015

TIB Members

Councilmember Bob Olson, Chair
City of Kennewick
Commissioner Richard Stevens, Vice Chair
Grant County

Jim Albert
Office of Financial Management

Pasco Bakotich, P.E.
WSDOT

Wendy Clark-Getzin, P.E.
Clallam Transit

Gary Ekstedt, P.E.
Yakima County

Mayor James Irish
City of La Center

John Klekotka, P.E.
Port of Everett

Commissioner Robert Koch
Franklin County

Colleen Kuhn
Human Services Council

Mayor Patty Lent
City of Bremerton

Mick Matheson, P.E.
City of Sultan

E. Susan Meyer
Spokane Transit Authority

Laura Philpot, P.E.
City of Sammamish

David Ramsay
Feet First

Amy Scarton
WSDOT

Heidi Stamm
HS Public Affairs

John Vodopich
City of Bonney Lake

Jay Weber
County Road Administration Board

Clay White
Snohomish County

Stevan E. Gorcester
Executive Director

P.O. Box 40901
Olympia, WA 98504-0901
Phone: 360-586-1140
Fax: 360-586-1165
www.tib.wa.gov

Mr. Seth Boettcher, P.E.
Public Works Director
City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010-0599

Dear Mr. Boettcher:

Congratulations! We are pleased to announce the selection of your city for the Relight Washington Program. The program aims to reduce your streetlight operating costs while saving energy and renewing dated infrastructure. The city will benefit from lower rates after installation. The project will convert existing street lights to energy efficient LED street lights. Work will be done by Puget Sound Energy. No match is required for this project.

In order to receive reimbursement for streetlight conversion, you must:
Sign and return both copies of the Grant Distribution Agreement to TIB.

How is the project scope determined?

Please contact:

Jeremy Michel
PSE Account Manager
PO Box 97034
Bellevue, WA 98009-9734
(425) 462-3363
Jeremy.michel@pse.com

He will work with the city to determine the project scope. Once the scope has been agreed upon by PSE, the city, and TIB, work will begin. We have included a frequently asked questions document from PSE.

How does city get paid?

PSE will send one invoice to the city with all of the capital costs. Return a signed contract completion form and a copy of the invoice. TIB will reimburse the city for the full amount of the invoice. You will not need to use the TIB online payments system for this project.

If you have questions, please contact Greg Armstrong, TIB Project Engineer, at (360) 586-1142 or email GregA@TIB.wa.gov.

Sincerely,

Stevan Gorcester
Executive Director

Enclosure



Relight Washington Street Light Conversion

PSE/Intolight is pleased to work with the Transportation Improvement Board on converting Puget Sound Energy (PSE) owned street lights from High Pressure Sodium to energy efficient LED street lighting fixtures. LED street lights offer a number of benefits including improved light distribution, backlight control and brighter color temperature, all while reducing the City's energy costs. The following details were prepared in an effort to share some of the processes and logistics, based on our previous LED upgrade projects.

Also included in this packet is a general information sheet (FAQs) which may be useful to place on the City's website as well as other high visibility areas for your residents.

General Details

- **PSE has experienced greater success with large scale LED upgrades when the City has communicated to its residents what to expect.** Requests and inquiries from residents should be directed to the City first. (I.E. Why are these lights so bright? Who is changing these lights? When will my light be changed? Why are we changing these lights?) PSE will address more specific questions, such issues as light trespass or any field changes.
- If there are any known areas where the city would like to add, remove, modify wattage or arm length, the city can provide that information to PSE *before* the work is started so it can be incorporated into the project scope & construction design.
- City owned lighting systems can be included in the scope of the Relight Washington program. PSE can only upgrade PSE owned and maintained street lighting, therefore a metered lighting system must be turned over to PSE. Your project Account Manager can work with you on the eligibility of metered lighting systems.
- LED street lights have excellent directional light control. Any modifications after the upgrade, including house-side shield installs (only house-side are available for LED fixtures) will be done at an additional cost.
- If permits are required by the city, these costs will be charged back to the city as is our standard process for all city-driven lighting requests.
- PSE will provide appropriate traffic safety provisions. There are unique construction situations that may require flaggers, arrow trucks, etc. that we will need to charge for, PSE will address on a case-by-case basis.
- Detailed Traffic Control plans are not included in the scope of work to be provided by PSE. The City is able to provide them if necessary.

Logistics

- The street light crews work 4-10's, M-Th, generally starting at 8:00am. The amount of conversions completed in one day will vary, but should be in the range of 50-60 lights per day.
- All light inventories are pulled by PSE and each light is field checked for verification & billing accuracy.



- A PSE Account Manager will work with the City on which lights are to be included in the project and prepare a Work Authorization Letter for city review and approval.
- Based on previous LED upgrades, there will be minor adjustments along the way and we will update the final contract with a revised one if needed following the actual field installation. We are seeing roughly 1 in 50 street lights requires additional contract revisions based on a variety of field variables.
- The actual conversion of the street lights will begin approximately 1-3 months from the time your PSE Account Manager receives a signed Authorization Letter.
- The City can expect the adjusted monthly billing to start approximately 4-5 months after construction, and to ensure the City does not miss out on any energy savings, the monthly billing will be retroactive to the actual upgrade date.
- PSE energy efficiency provided rebate will be factored into the cost of the conversion.

If you have any additional questions or are ready for the necessary paperwork to be sent out, please contact *Relight Washington Project Manager, Jeremy Michel at (425)462-3363.*



Street Light Conversion to LED FAQ

1. What are LED streetlights?

Light Emitting Diode (LED) technology has been used in solid state lighting for decades. More recently, LED technology has advanced to streetlight applications. LED streetlights are extremely energy efficient, have long life spans, and produce better color and light quality than typical high pressure sodium (HPS) streetlights.

2. What differences will I notice with LED streetlights?

The main difference that the public will notice is the color of the light that is produced with the LEDs. LEDs produce a whiter light that is comparable with moonlight. The advantage of whiter light is that it is easier for the human eye to distinguish details and colors. This is one of the reason auto dealerships use white light – they want you to see the true colors and all the details.





3. Why is the city doing an LED streetlight conversion project now?

The city was awarded the funds from the Washington State Transportation Improvement Board to update street lighting in small to medium sized cities to energy efficient LED fixtures. Additionally, PSE is offering rebates on the new LED fixtures. These incentives will offset the cost of the project and will not be available at this level in the future.

4. What are the benefits of the LED streetlight fixture project?

The main benefits of LED lighting include:

- Reduced energy use, which results in cost savings and reduced greenhouse gas emissions.
- Longer fixture life, resulting in lower maintenance costs.
- Light color that is better for nighttime visibility.

9. How long will the project last?

Fixture replacement work is scheduled to begin in the coming near-term. If you are reading these FAQ, your City is close to having the street lights upgraded. The length of the project will depend on how many street lights your City has. Update crews are able to change up to 100 lights per day.

10. What will the construction impact be?

Crews with bucket trucks will remove the old streetlight and install the new LED fixtures. Each streetlight conversion takes 10-15 minutes to complete. Residents may see short term lane closures or other traffic control in place during the work. There are a few locations where new lights will be added to an existing utility pole. These installations will take slightly longer to complete.

11. What will happen to the streetlights that are removed?

Newer fixtures will be salvaged for reuse, and older fixtures will be recycled.

12. What if I have a streetlight outage in my neighborhood before the new LED fixtures are installed?

Streetlight outages will be addressed in the normal manner. They can be reported online at <http://intolight.com/lightsout.html>

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: November 19, 2015	AB15-084
Ordinance No. 15-1066 allowing the trapping of beavers within Black Diamond city limits	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: urgent		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: SEPA determination; Ordinance		
<p>SUMMARY STATEMENT: The City is experiencing unprecedented water tables in Jones Lake and the Rock Creek wetland system caused by beaver activity. The high water table is putting the Morganville Sewer Pump station at risk, causing damage to private property, flooding public roads, blocking fish passage, damaging old growth trees on the wetland buffer, killed most all of the trees within the wetland (which raises water temperature), and is interfering with storm pond function.</p> <p>The City in the past has attempted to control the impacts of the beaver activity by removing beaver dams at publically accessible locations with an HPA permit from the department of Fish and Wildlife. The beaver activity has increased and the City was not able to renew the HPA without a beaver management plan. In a meeting with Fish and Wildlife they will allow select beaver dam removal if the HPA also includes beaver exclusion from the dam building area.</p> <p>This ordinance proposes to allow the trapping of beavers within the City limits as allowed by state law. This ordinance amendment will allow property owners within the City to trap beavers as an additional control measure to protect their property and the environment.</p> <p>FISCAL NOTE (Finance Department): NONE</p>		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: The issue has been discussed at many public works committee meetings and the committee supported amending the animal control ordinance to allow the trapping of beavers within city limits.		
RECOMMENDED ACTION: MOTION to approve Ordinance No. 15-1066, amending the animal control ordinance to allow the trapping of beavers within the City limits of Black Diamond.		

RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
November 19, 2015		

CITY OF BLACK DIAMOND, WASHINGTON
ORDINANCE NO. 15-1066

AN ORDINANCE OF BLACK DIAMOND, WASHINGTON, RELATING TO THE ANIMAL TRAPPING, SPECIFICALLY ADDING BEAVERS TO THE EXEMPTION LIST OF THOSE SPECIES THAT MAY BE TRAPPED WITHIN CITY LIMITS, AS LONG AS ALL STATE LICENSES AND PERMITS HAVE BEEN OBTAINED AND STATE LAW IS FOLLOWED, AMENDING SECTION 6.08.140 OF THE BLACK DIAMOND MUNICIPAL CODE.

WHEREAS, in recent years the local beaver activity has greatly increased; and

WHEREAS, the beaver activity has increased maintenance costs in keeping culverts clear and protecting public roads and park facilities; and

WHEREAS, beaver dams have raised the water table of the approximate 170 acre Rock Creek wetland at least 3 feet and caused environmental damage including large significant trees all around the wetland to die, emergent willow, alder and cottonwood within the wetland to die, raised water temperature from lack of shade, migratory fish barriers and decomposing organic matter; and

WHEREAS, the beaver dams that have raised the water table of the Rock Creek wetland approximately 3 feet is causing a safety issue by greatly increasing the number of times that Abrams Ave will flood and have to be closed, isolating three homes and severely limiting emergency services; and

WHEREAS, the higher water table in the Rock Creek wetland is causing higher buoyant forces on the Morgan Street sewer pump station than it was designed for and may damage the facility by floating the wet-well and causing sewer spills into the wetland; and

WHEREAS, the higher water table is reducing the effectiveness of the storm water pond at “The Ridge” subdivision; and

WHEREAS, the higher water table may interfere with the City’s upcoming project on the Rock Creek bridge; and

WHEREAS, The City’s efforts to remove beaver dams under a HPA and approvals from Washington Department of Fish and Wildlife has been fruitless in that in most cases the beavers have reconstructed the dams within hours or days;

WHEREAS, the higher water table or beaver activity has caused private property damage;

WHEREAS, on November 17, 2015, the City's SEPA official issued a DNS for this Ordinance; and

WHEREAS, a copy of this draft Ordinance was sent to the Washington State Department of Fish and Wildlife on November 17 2015; and

WHEREAS, the City Council considered this Ordinance on November 19, 2015, during its regular meeting; NOW, THEREFORE,

IT IS HEREBY ORDAINED BY THE BLACK DIAMOND CITY COUNCIL AS FOLLOWS:

Section 1. Section 6.08.140 of the Black Diamond Municipal Code shall be amended to read as follows:

6.08.140. Animal traps – Prohibited – Exceptions.

A. It is unlawful for anyone to use traps to apprehend any animal inside the city, unless by animal control or law enforcement officers for the purposes of apprehending a dangerous or diseased animal, or by representatives from an animal welfare agency recognized by the Humane Society for Seattle-King County, for the purpose of trap/neuter/return or an adoption program.

B. This section does not apply to mouse traps, mole traps, ~~or~~ rat traps or beaver traps. A beaver is classified as a furbearer by the State of Washington. WAC 232-12-007. Beaver trapping must be performed according to regulations adopted by the Washington Department of Fish and Wildlife. A trapping license and open season are required to trap. A special trapping permit is required for the use of all traps other than live traps. RCW 77.15.192, 77.15.194; WAC 232-12-142. All special trapping permit applications must be submitted to the Washington State Department of Fish and Wildlife.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful 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 3. Publication. This Ordinance shall be published by an approved summary consisting of the title.



CITY OF BLACK DIAMOND

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SEPA THRESHOLD DETERMINATION OF NONSIGNIFICANCE (DNS) File Number PLN15-0054

Description of Proposal: A request for a SEPA Threshold Determination associated with the adoption of a new ordinance revising the City of Black Diamond Municipal Code (BDMC) Section 6.08.140, *Animal Traps-Prohibited-Exception*, consistent with Washington Administrative Code (WAC) 232-12-007 and WAC 232-12-142.

Proponent: Seth Boettcher, Public Works Director
City of Black Diamond

Location of Proposal: Citywide. This proposal is a nonproject action.

Lead Agency: City of Black Diamond

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of a completed environmental checklist and applicable Washington state regulations. This information is available to the public on request.

☒ There is no comment period for this DNS.

☐ This DNS is issued after using the Optional DNS process in WAC 197011-355. There is no further comment period on the DNS.

☐ This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below.

SEPA Responsible Official: Barbara Kincaid, Community Development Director
City of Black Diamond
24301 Roberts Dr.
Black Diamond, WA 98010
Tel: (360) 253-5700
Fax: (360) 886-2592
Email: bkinaid@ci.blackdiamd.wa.us

Signature: 

Date: November 17, 2015

APPEAL INFORMATION

This decision to issue a Determination of Nonsignificance (DNS) may be appealed pursuant to Section 19.04.250 of the Black Diamond Municipal Code (BDMC). All appeals filed pursuant to this section must be filed in writing with the Community Development Director within fourteen calendar days of the date of the decision being appealed, no later than December 1, 2015. The written appeal shall be filed with a \$250.00 fee stating and must concisely state the basis or bases for the appeal.

Please contact the Community Development Department at 360-886-5700 to read or ask about the procedures for SEPA appeals.

Section 4. Effective Date. This Ordinance shall take effect and be in full force and effect five days after publication, as provided by law.

PASSED by the City Council of Black Diamond this 19th day of November 2015.

Mayor Carol Benson

AUTHENTICATED:

Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:

Carol A. Morris, City Attorney

PUBLISHED:
EFFECTIVE DATE: