



CITY OF BLACK DIAMOND
February 18, 2016 Regular Business Meeting Agenda – REVISED 02/16/16
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** - February 18, 2016 - No. 43187 through No.43228 and EFTs in the amount of \$212,310.55
- 2) Payroll** – January 30, 2016, No. 18757 through No. 18777 and ACH payment in the amount of \$261,230.02
- 3) Minutes** – Council Meeting of January 7, 2016 and Council Meeting of February 4, 2016

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

PUBLIC HEARINGS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- 4) Res No. 16-1076** – Confirming Mayor’s Appointment to Planning Commission Position #1, for first reading * Councilmember Pepper
Committee Assignment: Growth Management, Land Use and Community Services Council Committee
- 5) Res No. 16-1077** – Confirming Mayor’s Appointment to Planning Commission Position #2, for first reading* Councilmember Pepper
Committee Assignment: Growth Management, Land Use and Community Services Council Committee
- 6) Res No. 16-1078** – Confirming Mayor’s Appointment to Planning Commission Position #5, for first reading* Councilmember Pepper
Committee Assignment: Growth Management, Land Use and Community Services Council Committee
- 7) Res No. 16-1079** Confirming Mayor’s Appointment to Civil Service Commission Position #3, for first reading* Councilmember Pepper
Committee Assignment: Government Operations and Administration Council Committee

DEPARTMENT REPORTS:

MAYOR’S REPORT:

- Mayor Benson

COUNCIL REPORTS:

- Councilmember Deady

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

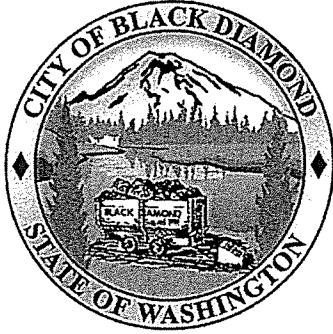
ATTORNEY REPORT:

PUBLIC COMMENTS:

EXECUTIVE SESSION: Executive session as authorized by RCW 42.30.140(4) to discuss collective bargaining.

ADJOURNMENT

*All resolutions and ordinances are introduced for first reading, then sent to a Council Committee. In Council Committee meetings the items are worked on publicly, after which they can be moved out of committee and sent to the next Regular full Council meeting for a vote of the full Council and possible enactment.



CERTIFICATION

Date: February 18, 2016

Check No.'s/EFT	Batch Name	Amount
Early Release Chks 43187-43189	Feb-2nd Council-02/18/16	\$ 4,216.97
43190-43228	Feb-2nd Council-02/18/16	\$ 205,603.68
EFT's	Feb-Month End Cks-02/29/16	\$ 2,489.90
	Total Vouchers	\$ 212,310.55

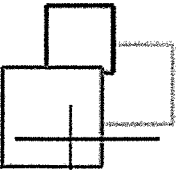
I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER THE PENALTY OF PERJURY, THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED AND OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF BLACK DIAMOND, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

Mayene Miller 2-19-2016
MAY MILLER, FINANCE DIRECTOR

COUNCILMEMBERS

_____	_____
_____	_____
_____	_____

Voucher Directory



Vendor	Number	Reference	Account Number	Description	Amount
ADT Security Services (PA)	43190	021416 ADT 202512470		2016 - February - 2nd Council	
		Feb 12 to Mar 11, 2016 Service			
		001-000-248-518-20-49-02		MDRT Bldg Security Costs	\$19.00
		001-000-254-518-20-49-00		Facilities Security	\$28.49
		Total 021416 ADT 202512470			\$47.49
Total ADT Security Services (PA)	Total 43190				\$47.49
Alliance 2020. Inc	43191	54622		2016 - February - 2nd Council	
		001-000-180-518-50-41-04		Unexpected Costs	\$30.00
		Background Check-Vacancy Position			
		Total 54622			\$30.00
Total Alliance 2020. Inc	Total 43191				\$30.00
AWC-Risk Management Service Agency	43192	40613		2016 - February - 2nd Council	
		Annual Renewal			
		633-000-000-586-20-00-00		Due to AWC RMSA Insurance	\$138,805.00
		Total 40613			\$138,805.00
Total AWC-Risk Management Service Agency	Total 43192				\$138,805.00
Brat Wear, Inc	43193	17762		2016 - February - 2nd Council	
		001-000-210-521-10-31-04		Uniforms	\$644.68
		Uniform And Applications for Macdonald			
		Total 17762			\$644.68
Total Brat Wear, Inc	Total 43193				\$644.68

Vendor	Number	Reference	Account Number	Description	Amount
Brown's Automotive Inc. 43194	5499	Total 5499 5550	2016 - February - 2nd Council		
			January Services		
			001-000-210-521-10-48-01	Vehicle Maintenance & Repair	\$3,847.62
			Police-2009 Dodge Charger Engine Repair Charge		\$3,847.62
			January Services		
Total 43194 Total Brown's Automotive Inc. CenturyLink (WA) 43187	Total 5550	012816 CL	001-000-210-521-10-48-01	Vehicle Maintenance & Repair	\$134.15
			Police-Replaced Headlamp and Socket 2012 Chev Tahoe		\$134.15
			Jan 20 to Feb 20 Services		\$44.96
			001-000-120-512-50-42-00	Telephone/DSL	\$44.96
			PD/CT Security Line		\$61.25
2016 - February - 2nd Council			001-000-214-521-20-42-00	Police Telephone/DSL/Air Cards	\$62.63
			Police Fax		\$4.81
			001-000-270-576-80-42-00	Police Telephone/DSL/Radios	\$2.40
			Parks		\$26.44
			001-000-280-536-20-42-00	Telephone, DSL & Radios	\$264.00
			Cemetery		\$28.84
			101-000-000-542-90-42-01	Telephone/DSL/Radios	\$40.96
			Street		\$28.84
			401-000-000-534-80-42-00	Telephone/DSL/Radios	\$40.96
			Water Reservoir		\$28.84
			401-000-000-534-80-42-00	Telephone/DSL/Radios	\$40.96
			Water		\$28.84
			407-000-000-535-80-42-00	Telephone/DSL/Radios	\$40.96
			Diamond Glen Sewer		\$28.84
			407-000-000-535-80-42-00	Telephone/DSL/Radios	\$28.84
			Ridge Sewer Pump Station		\$53.19
			407-000-000-535-80-42-00	Telephone/DSL/Radios	\$49.39
			Sewer		\$49.39
			407-000-000-535-80-42-00	Telephone/DSL/Radios	\$49.39
			Old Lawson Pump Station		\$49.39
			Morgnville Pump Station		\$49.39
			407-000-000-535-80-42-00	Telephone/DSL/Radios	\$49.39

Vendor	Number	Reference	Account Number	Description	Amount
			410-000-000-531-10-42-00	Telephone/DSL/Radios	\$28.84
			Drainage		
	Total 012816 CL				\$741.18
	Total 43187				\$741.18
	43195				
		012316 206-T51-3585 584B			
		Jan 23 to Feb 2, 2016 Service			
		001-000-214-521-20-42-00		Police Telephone/DSL/Air Cards	\$140.13
		Total 012316 206-T51-3585 584B			\$140.13
	Total 43195				\$140.13
	Total CenturyLink (WA)				\$140.13
	CHS/Cenex				\$881.31
	43196				
		013116 CHS			
		2016 - February - 2nd Council			
		January Fuel			
		001-000-180-518-50-32-01		Fuel-Central Services	\$18.00
		Central Services			
		001-000-181-518-30-32-00		Fuel	\$105.00
		Facilities Clearing			
		001-000-210-521-10-32-00		Fuel	\$10.00
		Police			
		001-000-240-558-51-32-00		Fuel	\$50.00
		Permit			
		001-000-246-558-70-32-00		Fuel	\$61.16
		MDRT			
		001-000-270-576-80-32-00		Fuel	\$24.90
		Parks			
		001-000-280-536-20-32-00		Fuel	\$12.45
		Cemetery			
		101-000-000-543-50-32-00		Fuel	\$136.97
		Street			
		101-000-000-543-50-32-00		Fuel	\$47.09
		Streets			
		401-000-000-534-80-32-00		Fuel	\$149.42
		Water			
		407-000-000-535-80-32-00		Fuel	\$149.42
		Sewer			
		410-000-000-531-10-32-00		Fuel	\$149.42
		Storm Water			
		Total 013116 CHS			\$913.83
	Total 43196				\$913.83
	Total CHS/Cenex				\$913.83
	City of Black Diamond				\$913.83

Vendor	Number	Reference	Account Number	Description	Amount
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43197

013116 COB Utility

2016 - February - 2nd Council

January Statement				
001-000-212-521-50-47-01	Police-Water	Water		\$89.43
001-000-212-521-50-47-02	Police-Sewer	Sewer		\$62.26
001-000-212-521-50-47-03	Police-Sewer	Stormwater		\$80.00
001-000-248-518-20-47-01	Police-Storm	MDRT BD Wtr, Swr, Storm		\$51.57
001-000-254-518-20-47-00	City Hall - MDRT			
001-000-254-518-20-47-00	City Hall	Facilities-Utilities		\$77.34
001-000-270-575-30-47-01	Museum-Storm	Museum Water/Sewer/Storm		\$32.00
001-000-270-575-51-47-01	Gym-Water	Gym-Stormwater		\$62.26
001-000-270-575-51-47-02	Gym-Sewer	Gym-Sewer		\$44.97
001-000-270-575-51-47-03	Gym-Storm	Gym-Water		\$32.00
001-000-270-576-80-47-01	Parks	Water		\$3.29
001-000-270-576-80-47-01	Eagle Creek-Water	Water		\$35.63
001-000-270-576-80-47-01	Coal Car-Water	Water		\$35.63
001-000-270-576-80-47-02	Parks	Sewer		\$4.98
001-000-270-576-80-47-03	Parks	Stormwater		\$11.52
001-000-270-576-80-47-03	Boat Launch-Storm	Stormwater		\$96.00
001-000-280-536-20-47-01	Cemetery-Water	Water		\$35.63
001-000-280-536-20-47-01	Cemetery	Water		\$0.82
001-000-280-536-20-47-02	Cemetery	Sewer		\$1.25
001-000-280-536-20-47-03	Cemetery	Stormwater		\$2.88
001-000-530-522-10-47-01	Fire Dept-Water	Water		\$37.09

Vendor	Number	Reference	Account Number	Description	Amount
Comcast (34744)	43199	8498 34 014 0125628 020516	2016 - February - 2nd Council		
		Feb 05 to Mar 04, 2016 Service		Facilities-Communication	\$231.14
		001-000-254-518-20-42-00		City Hall Internet	\$231.14
		Total 8498 34 014 0125628 020516			\$231.14
Total 43199					\$231.14
Total Comcast (34744)					\$231.14
Dept of Licensing-Firearms Online					\$231.14
EFT Payment 2/8/2016 9:38:10 AM - 1			2016 - February - Month End Cks 2/29/16		
BD0000047		January CPL		Gun Permits to DOL	\$18.00
		633-000-000-386-11-00-00			\$18.00
Total BD0000047					\$18.00
BD0000048		January CPL		Gun Permits to DOL	\$18.00
		633-000-000-386-11-00-00			\$18.00
Total BD0000048					\$18.00
BD0000049-52		February CPL		Gun Permits to DOL	\$72.00
		633-000-000-386-11-00-00			\$72.00
Total BD0000049-52					\$72.00
BD0000053		February CPL		Gun Permits to DOL	\$18.00
		633-000-000-386-11-00-00			\$18.00
Total BD0000053					\$18.00
Total EFT Payment 2/8/2016 9:38:10 AM - 1					\$126.00
Total Dept of Licensing-Firearms Online					\$126.00
First Bankcard					\$126.00
EFT Payment 2/9/2016 8:40:10 AM - 1			2016 - February - 2nd Council		
9871-Del Santo		January Purchases		Operating Supplies	\$170.20
		401-000-000-534-80-31-01		Icon-Cold Patch	\$38.61
		401-000-000-534-80-35-00		Small Tools & Safety Equip	\$391.12
		410-000-000-531-10-35-00		Home Depot-Screwdrivers, Plier, Wrench, Hex Set	\$599.93
		DDK Designs-Hard Surface Puller			
Total 9871-Del Santo					\$599.93
1117-Esping		January Purchases		Fuel-Central Services	\$34.00
		001-000-180-518-50-32-01		Cenex-Fuel	

Vendor	Number	Reference	Account Number	Description	Amount
			001-000-180-518-50-48-03	Vehicle Repairs & Maintenance	(53.72)
			Harbor Freight-Discount On Trunk Organizer		
			001-000-180-518-50-48-03	Vehicle Repairs & Maintenance	\$25.60
			Harbor Freight-Trunk Organizer		
			001-000-191-525-60-49-01	Emergency Management Training	\$177.98
			Crickit Ventures-EOC Training Digital Ham Radio		
			001-000-210-521-10-31-00	Operating Supplies	\$97.48
			Walmart-Cell Phone Accessories		
			001-000-270-576-80-31-01	Parks Office Supplies	\$3.24
			Office Depot-Office Supplies		
			001-000-270-576-80-35-00	Small Tools & Safety Equip	\$6.35
			Harbor Freight-Latex Gloves,Folding Knives, Battery Cleaner		
			001-000-270-576-80-35-00	Small Tools & Safety Equip	\$3.15
			Harbour Frieght-Small Tools		
			001-000-280-536-20-31-00	Cemetery Office Supplies	\$1.62
			Office Depot-Office Supplies		
			001-000-280-536-20-35-00	Small Tools & Safety Equip	\$1.59
			Harbor Freight-Latex Gloves,Folding Knives, Battery Cleaner		
			001-000-280-536-20-35-00	Small Tools & Safety Equip	\$0.79
			Harbour Frieght-Small Tools		
			101-000-000-542-90-31-00	Office Supplies	\$32.38
			Office Depot-Labels and Pens		
			101-000-000-542-90-31-00	Office Supplies	\$17.80
			Office Depot-Office Supplies		
			101-000-000-543-50-35-00	Small Tools & Equipment	\$11.91
			Harbor Freight-Latex Gloves,Folding Knives, Battery Cleaner		
			101-000-000-543-50-35-00	Small Tools & Equipment	\$5.90
			Harbour Frieght-Small Tools		
			401-000-000-534-80-31-02	Office Supplies	\$19.41
			Office Depot-Office Supplies		
			401-000-000-534-80-35-00	Small Tools & Safety Equip	\$19.84
			Harbor Freight-Latex Gloves,Folding Knives, Battery Cleaner		
			401-000-000-534-80-35-00	Small Tools & Safety Equip	\$9.83
			Harbour Frieght-Small Tools		
			407-000-000-535-80-31-02	Office Supplies	\$53.58
			Walmart-Office Supplies		
			407-000-000-535-80-31-02	Office Supplies	\$19.41
			Office Depot-Office Supplies		
			407-000-000-535-80-35-00	Small Tools & Safety Equipment	\$38.30
			Harbor Freight-Cordless Drill, Making Crayons, Screwdriver Set		
			407-000-000-535-80-35-00	Small Tools & Safety Equipment	\$9.84
			Harbour Frieght-Small Tools		
			410-000-000-531-10-31-00	Office Supplies	\$19.42
			Office Depot-Office Supplies		

Vendor	Number	Reference	Account Number	Description	Amount
			410-000-000-531-10-35-00	Small Tools and Safety Equipment	\$9.84
			410-000-000-531-10-35-00	Harbour Frieght-Small Tools	
			410-000-000-531-10-35-00	Small Tools and Safety Equipment	\$19.84
			410-000-000-531-10-35-00	Harbor Freight-Latex Gloves,Folding Knives, Battery Cleaner	
			410-000-000-531-10-35-00	Small Tools and Safety Equipment	\$19.84
			510-000-300-594-21-31-00	Harbor Freight-Latex Gloves,Folding Knives, Battery Cleaner	
			510-000-300-594-21-31-00	Surplus Costs Police	\$114.47
				Car Quest-Battery	
		Total 1117-Esping			\$769.69
		4013-Court			
			January Purchases		
			001-000-120-512-50-31-00	Operating Supplies	\$30.39
				Acco Brands Direct-Wall Calendars	
			001-000-120-512-50-31-00	Operating Supplies	\$29.85
				Office Depot-Binder, File Totes	
			001-000-120-512-50-42-00	Telephone/DSL	\$15.56
				Accessline*Phone Svc-Conference Calls	
			001-000-120-512-50-42-03	Postage	\$49.00
				US Post Office-Postage	
		Total 4013-Court			\$124.80
		4360-City Clerk			
			January Purchases		
			001-000-137-514-21-43-00	Lodging, Meals & Mileage	\$186.20
				Alaska Airlines-Airtare toI WMCA Conference. Spokane	
			001-000-180-518-50-41-04	Unexpected Costs	\$38.30
				Martin Yale-Folding Machine Part	
		Total 4360-City Clerk			\$224.50
		5176-Redd			
			January Purchases		
			001-000-246-558-70-31-00	Office Supplies	\$41.27
				4 Corners Cleaners-Sew On Patches	
			001-000-246-558-70-31-00	Office Supplies	\$59.39
				Amazon.com-Dust Pan, Coat Rack	
		Total 5176-Redd			\$100.66
		7567-Macdonald			
			January Purchases		
			001-000-210-521-10-31-04	Uniforms	\$141.51
				Blade Tech Ind-Tech Radio Holder, Magazine Pouch	
		Total 7567-Macdonald			\$141.51
		8227-Tapac			
			January Purchases		
			001-000-210-521-10-31-04	Uniforms	\$4.95
				LA Police Gear, Inc-Hat From Backorder	
		Total 8227-Tapac			\$4.95

Vendor	Number	Reference	Account Number	Description	Amount
		8513-Williamson			
			January Purchases		
			001-000-246-558-70-31-00	Office Supplies	\$30.39
				Johnson's Home & Garden-MDRT Job Trailer Supplies	
			001-000-246-558-70-32-00	Fuel	\$42.83
				Centex-Fuel	
			001-000-246-558-70-43-00	Lodging, Meals & Mileage	\$30.64
				Ivars-Lunch Meeting In Shoreline	
			001-000-246-558-70-43-00	Lodging, Meals & Mileage	\$94.00
				Big Fish Grill-Lunch Meeting , Ecology Follow Up	
		Total 8513-Williamson			\$197.86
		Total EFT Payment 2/9/2016 8:40:10 AM - 1			\$2,163.90
					\$2,163.90
Total First Bankcard					
Ginger Wang	43200				
		013116 GW		2016 - February - 2nd Council	
			January Services		
			001-000-120-512-50-41-04	Court Interpreter	\$135.64
				Case #5Z1089319 Jin	
		Total 013116 GW			\$135.64
Total Ginger Wang	Total 43200				
Hach Company	43201				
		9753481		2016 - February - 2nd Council	
			January Services		
			401-000-000-534-80-31-01	Operating Supplies	\$63.36
				Water Funds-Testing Kits	
		Total 9753481			\$63.36
Total Hach Company	Total 43201				
Home Depot Credit Service	43202				
		3012774		2016 - February - 2nd Council	
			January Purchases		
			001-000-180-518-90-31-00	Office Supplies City Hall	\$97.64
				Shelves for IT Server Room	
		Total 3012774			\$97.64
		8583232			
			January Purchases		
			001-000-270-575-51-48-00	Gym Facility Repair & Maintenance	\$97.09

Vendor	Number	Reference	Account Number	Description	Amount
				Gym Lights	
	Total 43202	Total 8583232			\$97.09
Total Home Depot Credit Service					\$194.73
Johnsons Home & Garden	43203				\$194.73
	402127			2016 - February - 2nd Council	
				February Purchase	
			101-000-000-542-90-31-01	Operating Supplies	\$27.14
			Locking Cord		\$27.14
	Total 402127				\$27.14
Total Johnsons Home & Garden	Total 43203				\$27.14
King Co Radio Comm Services	43204			2016 - February - 2nd Council	\$27.14
	10643				\$27.14
				January Services	\$27.14
			001-000-214-521-20-41-03	K/C 800 Mhz Radio Costs	\$1,366.19
	Total 10643				\$1,366.19
Total King Co Radio Comm Services	Total 43204				\$1,366.19
KING COUNTY FINANCE	43205				\$1,366.19
	2066717			2016 - February - 2nd Council	
				2015 General Election	
			001-000-137-514-40-51-00	Elections Costs	\$136.35
			Voter's Pamphlets		\$136.35
	Total 2066717				\$136.35
	61372 KCF 3			3rd Trimester of 2015	
			410-000-000-531-10-49-09	WRIA 9	\$1,365.33
			Award 114454		\$1,365.33
	Total 61372 KCF 3				\$1,365.33
	72249			2015 Services	
			410-000-000-531-10-41-03	KC Water Quality - Testing and Lab	\$8,500.00
			Monitoring-Lake Sawyer		\$8,500.00
	Total 72249				\$10,001.68
Total KING COUNTY FINANCE	Total 43205				\$10,001.68
					\$10,001.68

Vendor	Number	Reference	Account Number	Description	Amount
LEIRA	43206	013116 LEIRA	2016 - February - 2nd Council		
		Annual Memberships			\$100.00
		001-000-210-521-10-49-02	Memberships		
		Police-McGraw and Humphreys			
		Total 013116 LEIRA			\$100.00
Total LEIRA	Total 43206				\$100.00
Les Schwab Tire Ctr - MV	43207	39800181855	2016 - February - 2nd Council		
		January Services			
		510-000-300-594-21-31-00	Surplus Costs Police		\$28.24
		PD-Tire Rotation			
		Total 39800181855			\$28.24
		39800181856			
		January Services			
		510-000-300-594-21-31-00	Surplus Costs Police		\$28.24
		PD-Tire Rotation			
		Total 39800181856			\$28.24
Total Les Schwab Tire Ctr - MV	Total 43207				\$28.24
Modular Space Corp	43208	501474321	2016 - February - 2nd Council		
		February Rental			
		001-000-248-518-20-45-01	MDRT-Bldg Rental-Modspace		\$1,958.06
		MDRT			
		Total 501474321			\$1,958.06
		501474328			
		February Rental			
		001-000-254-518-20-45-01	Facilities-Bldg Rental/Modspace		\$3,454.57
		City Hall			
		Total 501474328			\$3,454.57
Total Modular Space Corp	Total 43208				\$3,454.57
Morris Law PC	43209	013116 ML	2016 - February - 2nd Council		
		January Services			
		001-000-150-515-30-41-01	Legal Services-General Govt		\$4,791.60
		001-000-150-515-30-41-17	Legal Costs-Public Disclosure		\$220.00
		001-000-257-558-70-41-00	MDRT Legal Services		\$44.00

Vendor	Number	Reference	Account Number	Description	Amount
Total Morris Law PC O'Brien, Barton, & Hopkins, PLLP 43210	Total 43209	Total 013116 ML	101-000-000-543-30-41-05	Legal Costs	\$1,064.80
			101-000-000-543-30-41-05	Legal Costs	\$44.00
			310-000-025-558-60-41-01	Legal Svcs & Other Costs-Comp Plan Update	\$44.00
			401-000-000-534-80-41-04	Legal Svcs	\$1,597.20
			401-000-000-534-80-41-04	Legal Svcs	\$44.00
			407-000-000-535-80-41-09	Legal Costs	\$44.00
			407-000-000-535-80-41-09	Legal Costs	\$1,597.20
			410-000-000-531-10-41-01	Legal Costs	\$1,597.20
			410-000-000-531-10-41-01	Legal Costs	\$44.00
			410-000-010-531-10-41-00	Kling County Grant-Culvert Replacement	\$110.00
					\$111,242.00
					\$11,242.00
					\$11,242.00
					\$11,242.00
					\$11,242.00
Total O'Brien, Barton, & Hopkins, PLLP Office Products Nationwide 43211	Total 49075	Total 822264	49075		
			January Service		
			001-000-151-515-91-41-00	Court Legal-Public Defender	\$2,500.00
					\$2,500.00
					\$2,500.00
					\$2,500.00
					\$2,500.00
					\$2,500.00
					\$2,500.00
					\$2,500.00
Total Office Products Nationwide Puguet Sound Finance Officers Assoc 43212	Total 43211	Total 822264	822264		
			January Purchase		
			001-000-180-518-90-31-00	Office Supplies City Hall	\$6.72
			Pens		
					\$6.72
					\$6.72
					\$6.72
					\$6.72
					\$6.72
					\$6.72
Total Puguet Sound Finance Officers Assoc 43212	Total 43212	Total 013116 PSFOA	013116 PSFOA		
			2016 - February - 2nd Council		
			Annual Membership		
			001-000-140-514-23-49-02	Membership	\$25.00
			Finance-Miller		
					\$25.00
					\$25.00
					\$25.00
					\$25.00
					\$25.00

Vendor	Number	Reference	Account Number	Description	Amount
Puget Sound Regional Council					
	43213	2016014	2016 - February - 2nd Council		
			2016 Annual Membership		\$579.00
			001-000-180-518-50-49-06	PS Regional C Membership	\$579.00
		Total 2016014			\$579.00
Total Puget Sound Regional Council					
	Total 43213				\$579.00
Regional Animal Services of King County					
	43214	013116 RAS of KC	2016 - February - 2nd Council		
			January 2016		
			633-000-000-589-00-00-01	King County Animal License	\$30.00
		Total 013116 RAS of KC			\$30.00
Total Regional Animal Services of King County					
	Total 43214				\$30.00
RH2 Engineering Inc.					
	43215	64353	2016 - February - 2nd Council		
			January Services		\$13,180.07
			001-000-257-558-70-41-02	MDRT Civil Engineering-RH2 Engineering	\$13,180.07
			Project 112061 MDRT		\$13,180.07
Total RH2 Engineering Inc.					
	Total 43215				\$13,180.07
Severson's Building Maint					
	43216	581259	2016 - February - 2nd Council		
			January Services		\$150.00
			001-000-254-518-20-49-01	Facilities Building Custodial	\$150.00
Total Severson's Building Maint					
	Total 43216				\$150.00
Total Puget Sound Regional Council					
			January Services		\$500.00
			001-000-212-521-50-41-03	Police Custodial Cost	\$500.00
Total Puget Sound Regional Council					
	Total 43216				\$1,550.00
Total Severson's Building Maint					
			January Services		\$360.00
			001-000-248-518-20-49-01	MDRT Bldg Custodial Costs	\$540.00
			001-000-254-518-20-49-01	Facilities Building Custodial	\$900.00
Total Severson's Building Maint					
	Total 43216				\$1,550.00
Total Puget Sound Regional Council					
			January Services		\$1,550.00
			001-000-212-521-50-41-03	Police Custodial Cost	\$500.00
Total Puget Sound Regional Council					
	Total 43216				\$1,550.00

Execution Time: 3 minute(s), 8 second(s)

Vendor	Number	Reference	Account Number	Description	Amount
Signs By Tomorrow	43217	INV-24085		2016 - February - 2nd Council	
			January Service		\$90.65
			001-000-248-518-20-45-01	MDRT-Bldg Rental-Modspace	
			Signs For MDRT Job Shack		
					\$90.65
					\$90.65
					\$90.65
Total Signs By Tomorrow	Total 43217	Total INV-24085			
Spillman Northwest Users Group	43218	013116 SNUG		2016 - February - 2nd Council	
			001-000-210-521-10-49-02	Memberships	\$100.00
			Police-McGraw		
					\$100.00
					\$100.00
Total Spillman Northwest Users Group	Total 43218	Total 013116 SNUG			
Summit Financial Resources, L.P.	43219	ML-16011810948		2016 - February - 2nd Council	
			January Services		\$1,440.00
			001-000-210-521-10-31-00	Operating Supplies	
			Police-Radar Calibrations		
					\$1,440.00
					\$1,440.00
Total Summit Financial Resources, L.P.	Total 43219	Total ML-16011810948			
The UPS Store #3987	43220	15159		2016 - February - 2nd Council	
			001-000-180-518-90-42-00	Postage	\$13.12
			Police-Return of Pagers		
					\$13.12
					\$13.12
Total The UPS Store #3987	Total 43220	Total 15159			
Triad Machinery	43221	C53747		2016 - February - 2nd Council	
			January Service		\$5.54
			001-000-270-576-80-48-03	Vehicle Mtc. & Repair	
			Parks-Belt		
			001-000-280-536-20-48-03	Vehicle Maintenance & Repair	\$2.77
			Cemetery-Belt		
			101-000-000-543-33-48-03	Street Share-Vehicle & Eq Mtc Costs	\$30.44
			Street-Belt		

Execution Time: 3 minute(s), 8 second(s)

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Page 14 of 18

Voucher Directory

Vendor	Number	Reference	Account Number	Description	Amount
			401-000-000-534-80-48-03	Vehicle Maintenance	\$33.23
			Sewer-Belt		
			407-000-000-535-80-48-04	Vehicle Maintenance	\$33.23
			Water-Belt		
			410-000-000-531-10-48-04	Vehicle Maintenance & Repair	\$33.23
			Drainage-Belt		
		Total C53747			\$138.44
		C53751			
			January Service		
			001-000-270-576-80-48-03	Vehicle Mtc. & Repair	\$22.55
			Parks-Diamond Mower Bearings		
			001-000-280-536-20-48-03	Vehicle Maintenance & Repair	\$11.28
			Cemetery-Diamond Mower Bearings		
			101-000-000-543-33-48-03	Street Share-Vehicle & Eq Mtc Costs	\$124.05
			Street-Diamond Mower Bearings		
			401-000-000-534-80-48-03	Vehicle Maintenance	\$135.32
			Water-Diamond Mower Bearings		
			407-000-000-535-80-48-04	Vehicle Maintenance	\$135.32
			Sewer-Diamond Mower Bearings		
			410-000-000-531-10-48-04	Vehicle Maintenance & Repair	\$135.32
			Drainage-Diamond Mower Bearings		
		Total C53751			\$563.84
					\$702.28
					\$702.28
			Total Triad Machinery		
			U.S. Postal Service (CMRS-FP)		
			EFT Payment 2/8/2016 9:38:10 AM - 2	2016 - February - Month End Cks 2/29/16	
			TDC#500015117-91		
			Jan 23 to Jan 29		
			001-000-180-518-90-42-00	Postage	\$200.00
			Total TDC#500015117-91		\$200.00
			Total EFT Payment 2/8/2016 9:38:10 AM - 2		\$200.00
			Total U.S. Postal Service (CMRS-FP)		\$200.00
			US Bank Equipment Finance		\$200.00
			43222		
			296921109	2016 - February - 2nd Council	
			Jan 20 - Feb 20, 2016 Lease		
			001-000-210-521-10-45-00	Lease Payments - US Bank/Copier	\$193.03
			Police		
			001-000-248-594-18-64-00	MDRT-Computer/Printer	\$193.03
			MDRT		
			001-000-254-518-20-45-04	Facilities Copier Maint Lease	\$1,085.31

Vendor	Number	Reference	Account Number	Description	Amount
				City Hall	
	Total 43222	Total 296921109			\$1,471.37
Total US Bank Equipment Finance					\$1,471.37
Verizon Wireless	43188			2016 - February - 2nd Council	
		9758640034			
			Dec 11 to Jan 10		\$760.79
			001-000-214-521-20-42-00	Police Telephone/DSL/Air Cards	
				Police Cellualr	
	Total 43188	Total 9758640034			\$760.79
Total Verizon Wireless					\$760.79
Vision Municipal Solutions, LLC	43189			2016 - February - 2nd Council	
		09-4061			
			Vision Electronic Bill Payment and Presentation		\$2,715.00
			310-000-011-594-18-64-00	General Government Technology	
				Capital Projects-Technology	
	Total 43189	Total 09-4061			\$2,715.00
Total Vision Municipal Solutions, LLC					\$2,715.00
Voice of The Valley	43223			2016 - February - 2nd Council	
		17764			
			Classified Ads		\$42.75
			001-000-210-521-10-41-75	Advertising	
				Police-Traffic Safety Fee Notice	
			001-000-240-558-60-41-75	Advertising	\$42.75
				CD Planning-Planning Commission Qualifications	
	Total 43223	Total 17764			\$85.50
Total Voice of The Valley					\$85.50
Washington State Treasurer	43224			2016 - February - 2nd Council	
		013116 WST			
			January Court Remittance		\$350.84
			633-000-000-386-83-00-00	State Remit-Trauma Care	
			633-000-000-386-83-31-00	State Remit-Auto Theft	\$692.22
			633-000-000-386-83-32-00	State Remit-Trauma Brain Injury	\$130.56
			633-000-000-386-88-00-00	State Remit-PSEA 3	\$8.30

Execution Time: 3 minute(s), 8 second(s)

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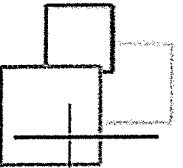
Page 16 of 18

Voucher Directory

Vendor	Number	Reference	Account Number	Description	Amount
Total Washington State Treasurer Washington Translation Bureau 43225	Total 43224	Total 013116 WST	633-000-000-386-89-09-00	State Remit-Va State Patrol Highway Account	\$56.65
			633-000-000-386-89-14-00	State Remit-Highway Safety Account	\$15.77
			633-000-000-386-89-15-00	State Remit-Death Investigation Accct(Toxic Lab)	\$9.93
			633-000-000-386-91-00-00	State Remit-60% PSEA 1	\$3,680.35
			633-000-000-386-92-00-00	State Remit-PSEA 2	\$2,080.12
			633-000-000-386-97-00-00	State Remit-JIS	\$1,654.72
					\$8,679.46
					\$8,679.46
					\$8,679.46
					\$8,679.46
Total Washington Translation Bureau Water Management Laboratories, Inc. 43226	Total 43225	Total 2015-1304	January Service 001-000-120-512-50-41-04	Court Interpreter Case #BD0035005 1/27/16	\$107.56
					\$107.56
			2016 - February - 2nd Council		\$107.56
					\$107.56
			January Service 401-000-000-534-80-41-02	Water Testing and Sampling Total Coliform MNO-MUG	\$47.00
					\$47.00
			2016 - February - 2nd Council		\$47.00
					\$47.00
			Total 43226		\$47.00
					\$47.00
Total Water Management Laboratories, Inc. West Coast Awards 43227	Total 43227	Total 25901	2016 - February - 2nd Council		\$4.93
					\$4.93
			001-000-240-558-60-31-00	Plan Office & Operating Supplies CD Planning Commissioner Name Plate-Ambur	\$4.93
					\$4.93
			2016 - February - 2nd Council		\$4.93
					\$4.93
			Annual Memberships 001-000-140-514-23-49-02	Membership	\$150.00
					\$150.00
			Total 43227		\$150.00
					\$150.00
Total West Coast Awards WFOA 43228	Total 43228	Total 013116 WFOA	2016 - February - 2nd Council		\$150.00
					\$150.00
			Annual Memberships 001-000-140-514-23-49-02	Membership	\$150.00
					\$150.00
			2016 - February - 2nd Council		\$150.00
					\$150.00
			Total 43228		\$150.00
					\$150.00
			Total 013116 WFOA		\$150.00
					\$150.00

Vendor	Number	Reference	Account Number	Description	Amount
				Finance-Miller, King, and Oosterhof	
	Total 43228	Total 013116 WFOA			\$150.00
Total WFOA					\$150.00
Grand Total		Vendor Count	44		\$150.00
					\$212,310.55

Register



Fiscal: 2016
Deposit Period: 2016 - February
Check Period: 2016 - February - Month End Cks 2/29/16, 2016 - February - Month End, 2016 - February - 2nd Council, 2016 - February - 1st Council

Check	Name	Print Date	Clearing Date	Amount
Columbia Bank	390562401			
43187	CenturyLink (WA)	1/31/2016		\$741.18
43188	Verizon Wireless	1/31/2016		\$760.79
43189	Vision Municipal Solutions, LLC	1/31/2016		\$2,715.00
43190	ADT Security Services (PA)	2/18/2016		\$47.49
43191	Alliance 2020, Inc	2/18/2016		\$30.00
43192	AWC-Risk Management Service Agency	2/18/2016		\$138,805.00
43193	Brat Wear, Inc	2/18/2016		\$644.68
43194	Brown's Automotive Inc.	2/18/2016		\$3,981.77
43195	CenturyLink (WA)	2/18/2016		\$140.13
43196	CHS/Cenex	2/18/2016		\$913.83
43197	City of Black Diamond	2/18/2016		\$1,253.13
43198	City of Issaquah	2/18/2016		\$194.00
43199	Comcast (34744)	2/18/2016		\$231.14
43200	Ginger Wang	2/18/2016		\$135.64
43201	Hach Company	2/18/2016		\$63.36
43202	Home Depot Credit Service	2/18/2016		\$194.73
43203	Johnsons Home & Garden	2/18/2016		\$27.14
43204	King Co Radio Comm Services	2/18/2016		\$1,366.19
43205	KING COUNTY FINANCE	2/18/2016		\$10,001.68
43206	LEIRA	2/18/2016		\$100.00
43207	Les Schwab Tire Ctr - MV	2/18/2016		\$56.48
43208	Modular Space Corp	2/18/2016		\$5,412.63
43209	Morris Law PC	2/18/2016		\$11,242.00
43210	O'Brien, Barton, & Hopkins, PLLP	2/18/2016		\$2,500.00
43211	Office Products Nationwide	2/18/2016		\$6.72
43212	Puget Sound Finance Officers Assoc	2/18/2016		\$25.00
43213	Puget Sound Regional Council	2/18/2016		\$579.00
43214	Regional Animal Services of King County	2/18/2016		\$30.00
43215	RH2 Engineering Inc.	2/18/2016		\$13,180.07
43216	Severson's Building Maint	2/18/2016		\$1,550.00
43217	Signs By Tomorrow	2/18/2016		\$90.65
43218	Spillman Northwest Users Group	2/18/2016		\$100.00
43219	Summit Financial Resources, L.P.	2/18/2016		\$1,440.00
43220	The UPS Store #3987	2/18/2016		\$13.12
43221	Triad Machinery	2/18/2016		\$702.28

Number	Name	Print Date	Original Date	Amount
43222	US Bank Equipment Finance	2/18/2016		\$1,471.37
43223	Voice of The Valley	2/18/2016		\$85.50
43224	Washington State Treasurer	2/18/2016		\$8,679.46
43225	Washington Translation Bureau	2/18/2016		\$107.56
43226	Water Management Laboratories, Inc.	2/18/2016		\$47.00
43227	West Coast Awards	2/18/2016		\$4.93
43228	WFOA	2/18/2016		\$150.00
EFT Payment 2/8/2016 9:38:10 AM -1	Dept of Licensing-Firearms Online	2/29/2016		\$126.00
EFT Payment 2/8/2016 9:38:10 AM -2	U.S. Postal Service (CMRS-FP)	2/29/2016		\$200.00
EFT Payment 2/9/2016 8:40:10 AM -1	First Bankcard	2/18/2016		\$2,163.90
	Total			\$212,310.55
	Total		Check	\$212,310.55
	Grand Total		390562401	\$212,310.55
				\$212,310.55

City of Black Diamond Payroll Register January 2016

Number	Name	Fiscal Description	Amount
<u>18757</u>	Employee Paycheck Paper	2016 - January - Month End	\$692.00
<u>18758</u>	Employee Paycheck Paper	2016 - January - Month End	\$636.93
<u>18759</u>	Employee Paycheck Paper	2016 - January - Month End	\$5,497.82
<u>18760</u>	Employee Paycheck Paper	2016 - January - Month End	\$856.71
<u>18761</u>	Employee Paycheck Paper	2016 - January - Month End	\$1,357.12
<u>18762</u>	Employee Paycheck Paper	2016 - January - Month End	\$2,972.16
<u>18763</u>	Employee Paycheck Paper	2016 - January - Month End	\$2,391.77
<u>18764</u>	AWC Employee Benefit Trust	2016 - January - Month End	\$36,154.65
<u>18765</u>	AWC Employee Benefit Trust	2016 - January - Month End	\$2,879.03
<u>18766</u>	BD Police Officers Association	2016 - January - Month End	\$600.00
<u>18767</u>	Chapter 13 Trustee	2016 - January - Month End	\$655.00
<u>18768</u>	City of Black Diamond Flex	2016 - January - Month End	\$80.00
<u>18769</u>	Dept of Labor and Industries	2016 - January - Month End	\$2,680.82
<u>18770</u>	Dept of Retirement Systems	2016 - January - Month End	\$27,383.85
<u>18771</u>	Employment Security Dept	2016 - January - Month End	\$763.15
<u>18772</u>	Leoff 1 Retiree	2016 - January - Month End	\$115.40
<u>18773</u>	King County Superior Court Clerk	2016 - January - Month End	\$1,874.30
<u>18774</u>	Pierce County Superior Court Clerk	2016 - January - Month End	\$1,768.82
<u>18775</u>	Teamsters Local 117	2016 - January - Month End	\$768.09
<u>18776</u>	Trusted Plans Service CP LTD	2016 - January - Month End	\$672.51
<u>18777</u>	Washington State Treasurer	2016 - January - Month End	\$3,225.00
<u>Jan 16 ACH</u>	Employee Paycheck (ach)	2016 - January - Month End	\$816.39
<u>Jan 2016 ACH</u>	Aflac Direct pay	2016 - January - Month End	\$128.44
<u>Jan 2016 ACH Taxes</u>	City of Black Diamond Taxes	2016 - January - Month End	\$50,220.17
<u>Jan 2016 Payroll</u>	Payroll Vendor	2016 - January - Month End	\$84,759.89
<u>January 2016 Draw</u>	Payroll Vendor	2016 - January - Month End	\$31,280.00
			\$261,230.02

BLACK DIAMOND CITY COUNCIL MINUTES

January 7, 2016

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

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

ROLL CALL:

PRESENT: Councilmembers Deady, Morgan, Edelman, Weber and Pepper.

ABSENT: None

Staff present were: Jamey Kiblinger, Police Chief; Carol Morris, City Attorney and Brenda L. Martinez, City Clerk.

Mayor Benson announced the City received four Planning Commission applications to fill the three vacancies on that Commission. She also announced that Item #4 on the agenda is being removed due to it being sent to us in error as this is not the type of service the Department of Corrections provides for the City.

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

Oath of Office – Police Chief Kiblinger administered oath of offices to Councilmember Deady, Councilmember Edelman, and Councilmember Pepper.

Presentation - OakPointe - Brian Ross, Kirkland noted being happy to be in front of Council and as they start construction he thought it was appropriate to discuss where they are at and what the future holds. He is happy to start this open dialogue with Council and citizens so everyone knows what their plans are as they move forward. He further noted that with the start of development they are hopeful to have new residents living in The Villages in about two years from now and hopes to have some of the community amenities in place as well. He thanked Council for their time tonight and noted looking forward to starting regular ongoing updates with Council as the future of Black Diamond starts to unfold for everyone.

Colin Lund, OakPointe commented on this being an exciting time for them with the start of construction underway. He discussed the preliminary plats that have been approved and the construction areas that will be the primary focus over the next 18 months. He stated

that a sewer lift station, a storm pond, the roundabout at Lake Sawyer and Roberts Drive will be constructed during this initial phase, and about 320-350 residential lots will be available to home builders. He noted that through the Development Agreement and that process there are very rigorous guidelines to make sure they do things right. They have restricted work hours and also a noise hotline for folks to call. He also noted working diligently over many years and feels comfortable going forward. They will be utilizing the same contractor on site, Goodfellow Bros, Inc. out of Maple Valley and are looking forward to partnering with other individuals as the build progresses. In closing he invited folks to reach out to himself or Brian Ross with any questions or concerns they may have.

CONSENT AGENDA:

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to adopt the Consent Agenda. Motion **passed** with all voting in favor (5-0). The Consent Agenda was approved as follows:

- 1) **Claim Checks** - January 7, 2016 - No. 43007 through No. 43079 and EFTs in the amount of \$160,149.64
- 2) **Minutes** – Special Council Meeting of December 10, 2015 and Council Meeting of December 17, 2015

Councilmember Pepper asked that all items on the consent agenda be added to the packet material posted to the website. Mayor Benson agreed and will see this happens in the future.

PUBLIC COMMENTS:

Bill McDermid, Black Diamond commented on the presentation by OakPointe and noted he continues to follow the project closely and the need for more technical details on the website.

Robbin Taylor, Black Diamond read her written comments into the record which are attached and incorporated into the minutes.

Peter Kellerman, Kent echoed Councilmember Pepper's request to having all consent agenda items posted online.

Peter Rimbos, Maple Valley echoed having more technical information posted on the website. He stated that the Citizens Technical Advisory Team is looking into the assignment actions that were adopted at the last Council meeting and that process still continues so written comments will be forthcoming. He asked two questions related to these actions. He then discussed that before his Council votes on matters many things float up from committees where the details have been worked out so when it comes before Council most of the concerns have been flushed out.

PUBLIC HEARINGS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

AB16-001, selection of Mayor Pro-Tem

A **motion** was made by Councilmember Weber and **seconded** by Councilmember Pepper to appoint Councilmember Morgan as Mayor Pro-Tem. Motion **passed** with all voting in favor (5-0).

Resolution No. 16-1063, confirming the Mayor's Appointments to the Council Standing Committees

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to adopt Resolution No. 16-1063, confirming the Mayor's appointments to the 2016 Council Standing Committees.

Councilmember Morgan moved to amend Resolution No. 16-1063 per the written request handout she provided to Council which is attached and incorporated into the minutes.

Councilmember Edelman discussed that in the past years Council has tried not to do this last minute stuff where Council is provided something to read at the dais and recommended that Council be given enough time to read and absorb before any decision is made.

Mayor Benson commented that it has been the policy not to adopt anything that is presented at the meeting.

Councilmember Morgan discussed the three things the proposed amendment does: 1) modifies Council's Rules of Procedure giving the Council authority to choose members of the Committees, 2) changes the Council Standing Committees assignments, and 3) directs the Mayor Pro-Tem to come back to the Council at the next regular meeting with new rules of procedure based on seven objectives:

1. Transparency and public participation should be maximized. Access to records with reasonable and predictable opportunities for public review should be ensured.
2. New policies to improve public notices, access to records, and minutes should be considered.
3. Council Standing Committees and Task Force Committees should be better aligned with Council priorities and streamlines to enable efficient participation by the public and staff.
4. Council Standing Committees should be empowered to review all legislation and be more clearly accountable to the legislative process.

5. Council authority to control and manage its legislative duties and functions should be simplified and clarified.
6. Councilmembers should have effective support for the conduct of their individual and collective legislative authority.
7. Rules of conduct should maintain high ethical standards and should recognize the authority of elected officials to serve the public to the best of their ability.

Councilmember Edelman commented that the committee assignments should be split evenly amongst the Councilmembers. She also commented that changing Council rules shouldn't be done on a resolution regarding committee assignments; it should be prepared on a separate resolution brought forward to Council.

Mayor Benson stated that she has the ability to have committees if she chooses to do so. She stated that if Council doesn't want to adopt the assignments as proposed then she will eliminate the committees. She also stated she has committees out of wanting Council to participate and help push legislation forward. She discussed the need to have attorney review on all agenda items.

Councilmember Morgan stated her amendment fully complies with the Council's rules of procedure, and they can vote to waive those rules if they need to. She cited rules 7.2.19 and 7.3. Rule 7.2.19 states "These rules may be amended, or new rules adopted, by a majority vote of the full Council at a Regular or Special City Council meeting." Rule 7.3 states " Waiver of Rules. The Council may, by motion that carries with an affirmative vote of at least a majority of the whole membership of the Council, waive, suspend, or modify these Rules of Procedure." She added the business of the citizens needs to get done and they need to have a platform under which to get to that. She stated plans to have new list of rules that she will get prepared for Council and she will also have a public meeting on them too. She further stated she had to do this as she was given no choice tonight as she is being asked to vote on the committee assignments.

Councilmember Deady commented that the Mayor's recommendations were fairly split between Councilmembers and the new proposed assignments appear to take Janie and herself out of committees as they are only on one committee. She also commented that she did not question the Mayor's choices and is happy to serve on any committee. She then asked why it was so important to have this big change on this agenda bill.

Councilmember Weber commented that he did not talk to the Mayor or question her choices and feels these committees are legislative. Mayor Benson stated the committees are not legislative; they are city business. They do push legislation through by making recommendations and she chooses not to have committees.

Councilmember Edelman discussed the importance of the Planning and Community Services committee and the important work they have been doing on the update to the Comprehensive Plan. She also discussed how the Mayor's assignments paired experience with less experienced members on the committees and feels this is the right thing to do.

Mayor Benson explained that her reason for putting the two new Councilmembers on the Finance Committee was to educate them through the year so that they could vote on the budget document.

Councilmember Weber stated he believes that it would be a disservice not to have committees. Mayor Benson agreed.

City Attorney Morris stated the Mayor can decide to withdraw this item from the agenda.

Mayor Benson **withdrew** this item from the agenda.

Resolution No. 16-1064, revising Fire Ad Hoc Committee Appointments

A **motion** was made by Councilmember Deady and **seconded** by Councilmember Edelman to adopt Resolution No. 16-1064, revising the appointed members of the Fire Protection Joint Ad Hoc Committee as extended by Resolution No. 15-1018 to be two Councilmembers, instead of identifying the individuals.

Councilmember Morgan stated that she wanted to add an amendment to this Fire Ad Hoc Joint Committee. She stated she had previously passed out her amendment which is pretty small. Her proposed amendment is attached and incorporated into the minutes.

Mayor Benson commented that she believed in order to amend this item, a meeting with the Chief Smith would be necessary. Mayor Benson **withdrew** this item from the agenda.

Councilmember Morgan stated she did discuss this idea with Chief Smith before bringing it up and her understanding is that Chief Smith thought the district would welcome this addition, and that he personally would welcome the continuity and institutional knowledge that Ron Taylor could bring to the committee. Mayor Benson stated she doesn't have a problem with that, however she is not going to accept the amendment and withdrew the item from the agenda.

Resolution No. 16-1065, revising Traffic and Transportation Ad Hoc Committee Appointments

Councilmember Pepper moved to amend Resolution No. 16-1065, by written copies of the amendment she prepared and requested the Clerk to distribute. The written amendment is attached and incorporated into the minutes.

Mayor Benson stated there are already five members on this committee and the proposed resolution is only amending to take the names off. She also stated there is already a procedure for selecting members for the transportation committee. Mayor Benson announced she is **withdrawing** this item from the agenda also.

DEPARTMENT REPORTS: None

MAYOR'S REPORT:

Mayor Benson reported attending the Fire Ad Hoc Committee meeting, Management meeting and Finance Committee meeting

COUNCIL REPORTS:

Councilmember Deady reported attending the Fire Ad Hoc Committee meeting.

Councilmember Morgan reported working on her new Council Committee rules.

Councilmember Edelman welcomed the two new Councilmembers and hopes that future meetings do not go this way. She suggested the new Councilmembers contact Jurassic Parliament and take her class. She recommended that in the future if there are amendments or revisions to talk to the Council. She noted wanting to have time to look at the changes so she could do her due diligence to make an intelligent decision on how to vote and she can't do that when things are thrown at her during the meeting. She reported attending the Finance Committee meeting and Fire Ad Hoc Committee meeting and discussed the importance of the ad hoc committees. In closing she commented that the type of stuff going on during tonight's meeting doesn't benefit anyone and we need to do better for our citizens and tax payers.

Councilmember Weber reported attending an orientation meeting with the Mayor and City Attorney. He moved to reconsider Resolution No. 15-1062 and would like to speak to his motion. He stated since the last meeting he has concluded that the Council should not have acted so quickly on this issue. The very short time frame...

Councilmember Edelman asked if a reconsideration could be done after the fact?

City Attorney Morris asked for clarification on what item is being asked for reconsideration. Councilmember Weber stated Resolution No. 15-1062, which was the assignment of the MPD Funding Agreement. Mayor Benson explained that she already signed the resolution and it is completed and in order to reconsider an item it needs to be done at the same meeting and therefore it cannot be reconsidered. Councilmember Weber **withdrew** his motion.

Councilmember Pepper reported attending a seminar in Covington put on by the Association of Washington Cities where 300 people over the state in various locations participated. She noted learning a lot of things she needs to know about being a Councilmember. She reported attending an orientation meeting with the Mayor and City Attorney. She also reported attending a meeting with Councilmember Morgan regarding the four County growth forecasts and patterns for Snohomish, King, Pierce and Thurston County.

ATTORNEY REPORT:

City Attorney Morris commented she may not be able to fully serve as our Attorney if things are placed on the agenda and she is not provided a copy. She noted that she did not see any of the materials that were submitted to the resolutions tonight. She discussed the first item that Councilmember Morgan proposed which sounded like amendments to the Council Rules. She stated those need to be done in writing and pointed out that Section 3.1 of the council rules states "All items to be included on the agenda for consideration at a Council meeting should be submitted to the City Clerk in full no later than 10:00 a.m. nine days prior to the scheduled Council meeting. Once the agenda has been finalized and provided to the Council, items added to the agenda may be declined to be considered by the Council at the meeting for which the agenda was prepared, until a future Council meeting date, which date shall be specified by the Council." She stressed that should Council want legal review on items that she can't provide legal advice if she can't see the documents or get documents in advance.

Councilmember Pepper asked the City Clerk if there is a nine day warning bell or notification that goes out to get any amendments in to the Clerk. City Clerk Martinez stated there is no warning bell.

Councilmember Edelman encouraged Councilmember Pepper to talk to the City Clerk or the Mayor if there is something she wants to get on the agenda. She also discussed the need and importance to have attorney review on items.

City Attorney Morris also pointed out the Mayor is in charge of what goes on the agenda. Mayor Benson stated she approves what goes on the agenda.

PUBLIC COMMENTS:

Bill McDermid, Black Diamond commented on the Councilmembers and Mayor getting their act together and stop bullying. He discussed the new councilmembers getting experience in parliamentary procedure by doing something over and over again – nobody should be put down.

Tina McGann, Black Diamond, commented on making a new year's resolution to start coming to council meetings and noted being shocked by the behavior at tonight's meeting. She asked how any business can be done when paperwork is being presented last minute. She discussed her experience sitting on many local boards and has never sat on a board where this has happened. You show respect and provide things ahead of time; you act as team. She encouraged the new councilmembers as well as the old that you're not just representing a group you are representing herself, her kids, her neighbors and every citizen in Black Diamond – not just a group, not just a special interest. Every single citizen deserves to be represented whether they are in attendance or not and we deserve better representation than this. She commented on being shocked by their selection of Councilmember Morgan as Mayor Pro-Tem.

Robbin Taylor, Black Diamond echoed Ms. McGann's sentiments. She discussed how the Council in the past has worked very respectfully of one other and did not pull this type of stunt. She wondered how these actions were in line with the Council Rules

Councilmember Morgan was presenting of being transparent as the packet material she was provided is now immaterial and she and the public have no idea what is being considered or voted on tonight.

Brian Derdowski, Issaquah thanked Council for their service and noted it being a tough meeting tonight. He gave an understanding of what rules of procedure and Roberts Rules are designed to do – empower elected officials. He discussed the role of the Mayor as presiding officer during a meeting and stated she is not permitted to engage in debate or discussion and doesn't control the agenda. He also commented on the need to be recognized before speaking. He discussed the action of reconsideration as proposed in the rules and legal counsel's advice on this that he believes is arguably incorrect and hopes this is verified so Councilmembers options are not precluded. He discussed his experience with Jurassic Park. He stated rather than using rules to empower the elected officials the rules were misinterpreted and disempowered. He further discussed the proper procedure for how items are removed from the agenda. He stated knowing of no jurisdiction that requires amendments to go through legal counsel. He discussed the procedure for waiving the rules and commented on important work not being done tonight due to the rules being misinterpreted in his judgment. He commended Councilmember Morgan's work on her proposed amendment. He discussed the need to get accurate information about Roberts Rules and Council's local rules as the local rules take precedence over Roberts Rules. He further discussed the need for the parliamentarian to be offering empowering advice as opposed to restricted advice. He congratulated Councilmember Morgan on her appointment as Mayor Pro-Tem and hopes the next meeting will be more productive.

City Attorney Morris responded to Mr. Derdowski's comments and stated that if she said it is required that she review amendments; that is not what she meant. However, if Council wants legal review of those amendments she needs to be provided a copy in advance of the meeting. Just reading those in a meeting is not going to give the Council any legal review of those amendments and that was her point. She noted it is not required and if Council wants to shoot from the hip and do things without legal review that is up to them (Councilmembers). She also noted that Roberts Rules does not govern Council meetings in all respect. She referred to Council Rules of Procedure 7.1 that states "Robert's Rules Supplementary.", which means Council's adopted rules are governing and then you refer to Roberts Rules for what's not included. She discussed the Mayor's ability to remove matters from the agenda and stated normally she would agree that the Mayor can't remove matters from the agenda once they are on there. However, the matters that she pulled from the agenda were matters that were wholly within her authority. She commented that should the Council vote on resolutions to establish Council Committees, but the Mayor doesn't allow Council committees to go forward then the resolution has no affect anyway. The Mayor is the only person that can establish Council Committees so the resolution would be invalid to not going to allow those committees to go forward based on the Mayor's decision at tonight's meeting. She noted the Mayor may change her mind, but that was why she told the Mayor she could pull that item from the agenda.

She discussed the issue regarding the motion for reconsideration on the Funding Agreement. She stated Council can't reconsider absolutely every single action that's taken

by the Council, because some of the actions that Council takes and votes upon are executory, which means they are effective upon your vote and actions are taking in reliance upon that vote. She further stated you can't just say because we asked for reconsideration at the next meeting we should be able to withdraw that vote and change our minds. She noted this is possible for certain things and gave the example of a minor resolution that deals with gym rules. Should people not like the rules that were adopted you could reconsider that and amend them. However, when you are talking about an agreement that is between the City and the developer in which the developer has given a time period for performance and Council votes on this, then the developer has made and done actions upon reliance of the Council's vote, that is why this is not subject to reconsider. She noted heartedly disagreeing with the idea that just because Roberts Rules has procedures for reconsideration that absolutely every vote can be reconsidered.

Peter Rimbos, Maple Valley commented on being concerned about not having committees as they are useful and hopefully the public can participate. He hopes the committees can be discussed at the next meeting as they are important. He further commented that he's not sure that eliminating committees make sense and asked all to consider that.

Councilmember Deady discussed the written amendments that were proposed and suggested that the rules be a topic at a future workstudy so that all Council and citizens are aware of where she is going with the new rules.

Councilmember Morgan commented that the way she considered this happening is that she would hold a community meeting with citizens to review them and after the citizens have had their opportunity to line up what they think would be good for their participation she would then she would share their thoughts with the Council as a whole in some format. She agreed that having a workstudy on the Council rules is a really good thing so all Councilmembers are included and likes the idea of a collaboration between the Council, Mayor, staff and citizens.

Peter Rimbos, Maple Valley commented on the combined work session scheduled for next Tuesday and hopes the public would be able to get involved in the discussion as they have a lot of experience on Comp Plan. He noted that he would be in attendance at this meeting as well as other members from the Citizens Technical Advisory Team and the public.

Councilmember Edelman discussed that the workstudy coming up on Tuesday is a joint meeting with the Council consisting of five members and Planning Commission consisting of seven members to come up to speed on the Comp Plan update and does not feel it is appropriate to have public input at that time. She noted that public hearings will be held and there will be multiple opportunities to provide input throughout this process; however, this meeting is not the right place as it will be chaotic bringing 15 or 16 people up to speed. She also noted not discounting what he said she just doesn't feel it's the proper time right now.

EXECUTIVE SESSION: None

ADJOURNMENT:

A **motion** was made by Councilmember Weber and **seconded** by Councilmember Pepper to adjourn the meeting. Motion **passed** with all voting in favor (5-0).

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk

When Dave Gordon was elected mayor he assured everyone that he had no intention of firing any personnel. Then before he even took office he fired the City Administrator, Mark Hoppin, and hired a new City Administrator before the first Council meeting of the new year. Dave Gordon's integrity flew out the window and City staff began to fear they too might be fired. This caused them to feel the need for protection so they voted to unionize.

Last month during the first Council meeting for Councilmember Weber the vote on the budget for 2016 was held. Both Councilmembers Morgan and Weber voted no, while giving no apparent reasons for their no votes. Councilmember Taylor, on the other hand, had already informed other Councilmembers that he would vote no on the budget if it did not contain full funding for the Fire Study. The budget did not, so Councilmember Taylor voiced the reason, again, for not supporting the budget.

The following week a budget work study was held for the benefit of Councilmembers Morgan and Weber to air their concerns and gain understanding of the budget so it could be passed. At that time both voiced concern about not fully funding the Fire Study, and agreements were voiced by both that they would support the passage of the budget if the Fire Study was fully funded. Of course Councilmember Taylor was thrilled to support the budget when assured it would indeed fully fund the Fire Study.

At the very next Council meeting when the newly amended budget was brought to the floor again, I was shocked to see that Councilmembers Morgan and Weber did not keep their word as promised and both voted against the budget. Again, no reason was given as to why they would not support the budget, other than Councilmember Morgan stating she just didn't understand the budget and that was her failing.

Two issues here. Integrity. Dave Gordon said he wouldn't fire anyone, then turned around and did just that. Integrity, lost.

Councilmembers Morgan and Weber, you gave your word that you would support the budget, then you turned right around and voted against it. As Erika said, she would vote no because it was going to pass. I don't care that it was going to pass, you said you were going to support it, and you should have made good on your word! Brian, you said you would support it, then you also voted against it. Your second meeting as a Councilmember and you LOST your integrity right there on the spot. How can anyone again ever believe what either of you say after that? Brian, how can your fellow Councilmembers ever have any faith in you when you threw your integrity away so quickly?

Secondly. Neither of you gave a reason for not supporting the budget either time it was brought to a vote. No citizen knows why you would not support it. Councilmember Taylor gave his reason, just as the past Council always spoke to every issue brought before them giving

voice as to why they were supporting, or not supporting any given issue. Is this how the new Council, (Morgan, Weber and Pepper) plan on conducting business now that you have the majority votes? Is this how Save Black Diamond and Brian Derdowski plan on running the City? Integrity, openness and transparency be damned, because the Save Black Diamond Councilmembers have an agenda?

Remember, the "Yarrowbay" Councilmembers had an agenda and the citizens were extremely frustrated with them. Starting with Dave Gordon, then continuing on with Councilmembers Morgan and Weber, so far the "Save Black Diamond" Councilmembers don't smell any different from the "Yarrowbay" Councilmembers.

BTW, Councilmember Morgan, this was your 3rd budget process, yet this was the first time you voiced not understanding it, then using that as a reason to vote against the budget. I don't know for sure what the reasoning is behind you two voting against the budget, or why the reluctance to give a reason. The way you both conducted yourselves does not, and should not, give anyone confidence in your desire to govern openly. The track record of the Save Black Diamond candidates has proven to be one lacking in integrity and transparency, beginning with Dave Gordon and now Morgan and Weber. It remains to be seen if Councilmember Pepper will maintain her integrity, or throw it away just as quickly as Councilmember Weber did.

Resolution No. 16-1063 – Confirming the Mayor’s Appointments to the Council Standing Committees is amended as follows:

To the Title, delete “~~Confirming the Mayor’s Appointments to the~~” and add the following title:

“Resolution No. 16-1063 – Council Standing Committees.”

To the Resolution, add the following:

“The Rules of Procedure of the City Council of the City of Black Diamond, Washington are amended as follows:

Delete existing Section 18.1.2 and insert a new Section 18.1.2 as follows:

18.1.2 Appointment of Council Standing Committee Chair and Members. Annually at its first meeting in January, or as soon thereafter as practicable, the Council upon a majority vote of at least the whole membership of the Council shall approve the membership and Chairs of the Council Standing Committees. Committee Chairs and members may be removed or added by a majority vote of the full Council at a Regular or Special City Council meeting.”

To the Resolution, remove the two “Whereas” clauses and replace with:

“WHEREAS, in accordance with Council Rules of Procedure Section 18.1.2 as amended above in this resolution, the City Council will select the membership of Council Standing Committees; and

WHEREAS, this resolution is to put forth Council appointments to the Council Standing Committees;”

To the Resolution, delete and replace the committee names, chairs, and membership in Section 1 with:

“2016 Budget, Finance, Administration Committee
Chair Brian Weber, Erika Morgan

2016 Cemetery and Parks Committee
Chair Erika Morgan, Pat Pepper

2016 Planning and Community Services Committee
Chair Pat Pepper, Brian Weber

2016 Public Works Committee
Chair Erika Morgan, Janie Edelman

2016 Public Safety Committee
Chair Tamie Deady, Brian Weber"

To the Resolution, add the following:

"The Mayor Pro-Tempore, with another Councilmember of his/her selection, is requested to propose an amended 'Rules of Procedure of the City Council of the City of Black Diamond, Washington' at the next Regular Meeting of the City Council. The rules should accomplish the following objectives:

1. Transparency and Public Participation should be maximized. Access to records with reasonable and predictable opportunities for public review should be ensured.
2. New policies to improve Public Notice, Access to Records, and Minutes should be considered.
3. Council Standing Committees and Task Force Committees should be better aligned with Council priorities and streamlined to enable efficient participation by the public and staff.
4. Council Standing Committees should be empowered to review all legislation and be more clearly accountable to the legislative process.
5. Council authority to control and manage its legislative duties and functions should be simplified and clarified.
6. Councilmembers should have effective support for the conduct of their individual and collective legislative authority.
7. Rules of conduct should maintain high ethical standards and should recognize the authority of elected officials to serve the public to the best of their ability."

Brenda Martinez

From: Erika Morgan
Sent: Thursday, January 07, 2016 4:27 PM
To: Brenda Martinez; Erika Morgan; Janie Edelman; ouronlymayamelia@comcast.net; Tamie Deady
Cc: Carol Benson
Subject: Resolution 15-1018: proposed amendment

Resolution 15-1018:

I propose an additional amendment to section 1 of this resolution so the first sentence reads:

"The FIRE PROTECTION JOINT AD HOC COMMITTEE will continue to be composed of two appointed members of the City Council plus one member of the public at large and two appointed members of the Fire District Board of Fire Commissioners."

supporting notes;

1. I propose that a citizen at large is added to the list of the city appointees to be chosen by the City Council as a whole.
2. These Ad Hoc Committees are charged with completing a particular and defined assignment, and are disbanded when that assignment is completed.
3. This adjustment will allow for continuity, directness and the passing on of the institutional knowledge of the committee as it completes its stated assignment, which is not assured if the parties on the committee change with elections and re-assignments. The responsiveness of the committee to the possibility of a new mandate from the public will be adequately represented by the two elected City Councilor participants on the committee.
4. I asked Chief Smith about this idea before bringing it to you; my understanding of what he told me is that, "he thought the District would welcome this addition, and that he personally would welcome the continuity and institutional knowledge that Ron Taylor can bring."
5. I propose Ron Taylor as the member of the public to be added at this time because of his current institutional knowledge of the proposed pre-annexation issue and the issues around our fire service as the previous Chair Person of the Council Safety Committee and member of this particular Ad Hoc Committee.
6. An informational / educational element will be needed to finance improvements we need to make to our fire service. This must happen before there can be any annexation. Active participation by the Taylor's, will be an important contribution to the cause.

thank you
Erika Morgan
BDCC pos #2

Amend Resolution No. 16-1065 as follows:

Delete Section 1 and insert the following:

An Ad Hoc Traffic & Transportation Committee of the Council be established to include two members of the Council, the Mayor, and one member of the public. The two Councilmembers and the member of the public will be appointed by Council resolution. The Chair of the committee shall be chosen by the Mayor and Councilmembers.

BLACK DIAMOND CITY COUNCIL MINUTES

February 4, 2016

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

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

ROLL CALL:

PRESENT: Councilmembers Deady, Morgan, Edelman, Weber and Pepper.

ABSENT: None

Staff present were: Andrew Williamson, MDRT/Economic Development; Seth Boettcher, Public Works Director; Jamey Kiblinger, Police Chief; Carol Morris, City Attorney and Brenda L. Martinez, City Clerk.

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS: None

CONSENT AGENDA:

A **motion** was made by Councilmember Weber and **seconded** by Councilmember Morgan to adopt the Consent Agenda. Motion **passed** with all voting in favor (5-0). The Consent Agenda was approved as follows:

- 1) **Claim Checks** - February 4, 2016 - No. 43136 through No.43186 (void 43182) and EFTs in the amount of \$64,879.99

PUBLIC COMMENTS:

Judy Goodwin, Black Diamond thanked Mayor Benson and the Council for the opportunity to speak. She stated feeling angry, frustrated and saddened by the premature passage of the resolution to change how Black Diamond's City government works. She discussed the speed at which the changes were done did not allow the citizens to study these changes and reflect on their implications. She commented on Mayor Gordon and the changes he made while in office which cost the city over \$200,000. She stated the following words of wisdom "No one is better suited for places of authority than those who can submit to authority". She commented on being reminded that we should love our neighbors as we love ourselves and stated she was going to set her anger aside tonight and pray for all the Councilmembers.

George McPherson, Black Diamond read his written comments into the record which are attached and incorporated into the minutes. He further discussed articles that were written in the newspaper and wondered if staff was ever contacted about the new rules. He also wondered what the additional costs would be regarding the new format for the Council Committees and the impacts this will have for staff and asked who will be directing staff.

Robbin Taylor, Black Diamond read her written comments into the record which are attached and incorporated into the minutes.

Brian Derdowski, Issaquah commented on serving on the King County Council and working with the Council to see how he could help them do a better job. He read a memo from Larry Gossett's Chief of Staff Cindy Domingo outlining the King County Council's process for Council Committees. He referred to minutes from the Transportation Committee of the King County Council and noted this being proof through the minutes that this quorum type of committee structure is correct and can be done. He stated that a number of jurisdictions do this and gave an example of the City of Spokane as having the same practice of having quorum committees and stressed they are not illegal meetings.

Kristen Bryant, Bellevue stated being a part of the group Save Black Diamond. She commented on being happy with the new approach as this is a welcomed change. She also commented that the rules seem very reasonable to her and noted that they are going to be improved. In closing she stated that she along with others are looking forward to improving the City's traffic and environmental ordinances.

Patrick Nelson, Black Diamond commented on feeling as if he has been spit in the face. He stated residents are very disheartened with what Councilmembers Pepper, Morgan and Weber are doing and feels that his vote has been taken away. He stated that Save Black Diamond's agenda is to stop growth – and noted that is never going to happen. He asked that Council either change their mind or step down from their position as they are wasting everyone's time.

Bob Edelman, Black Diamond commented on Black Diamond not being the King County Council - Black Diamond is a City of roughly 4,000 people. He stated that King County has a large number of issues they deal with weekly and that is far more than here in Black Diamond. He discussed the new process and feels things can be discussed at the Council meetings and acted upon at that time.

City Attorney Morris discussed sending to the Council a copy of the Attorney General opinion #9 that addresses the issue of the Council Committee quorum that was proposed by the Council's rules. She read an excerpt from this opinion which is attached and incorporated into the minutes. She further discussed how the meeting notifications need to be noticed.

Councilmember Pepper read into the record an excerpt from an opinion that agrees with some things said at the meeting. She stated the opinion was prepared by a law firm and

would be happy to distribute the entire opinion to anyone who wants a copy. The complete legal opinion on the Open Public Meetings Act is attached and incorporated into the minutes.

Councilmember Edelman shared with Council the research she has done over the past few weeks on the Council Committee issue. She noted that in King County they have went from 11 Councilmembers down to nine and the City of Black Diamond has five. She compared King County Council's committees with Black Diamond's and discussed the King County Council's February 1 agenda that had 36 items of legislation on it and the results of actions taken at that meeting. She noted that tonight's agenda for Black Diamond has only three resolutions. She also noted that all of King County's committee meetings are held during regular business hours.

PUBLIC HEARINGS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

Resolution No. 16-1073, awarding Contract to Iversen and Sons for Downtown Watermain Project

Public Works Director Boettcher reported that this project has been in the works for quite some time. He discussed the following items on the project: 1) planning for the project, 2) benefits of the project, 3) where the project is, 4) timing, and 5) project budget and funding which includes REET funds. He asked Councilmember Weber if he called the agency in regards to this project as someone named Brian who said they were from the City called with some concerns as they felt this project was benefiting developers. Councilmember Weber commented he did not call any agency.

Councilmember Morgan asked if the REET funds from Crown Development purchase are in this amount. Mayor Benson commented that those funds are not here yet. She also commented on noticing gaps on the maps and wondered if those gaps are where breaks have happened in the past. In addition she noted being concerned with sink holes in that area and with the early spring time wondered if there is any contingency for wet weather. Mr. Boettcher noted there are some missing links within the water system and explained where those missing links are. He also noted that the City can give extension days due to bad weather.

Councilmember Weber commented that normally an item with this budget would go to the Budget, Finance and Administration committee he chairs. He discussed the timeline and believes the recommendation is reasonable. He asked why the loan request from the State Revolving Fund was denied for this project. Mr. Boettcher reported that those funds are primarily set aside for upgrade projects and this project was for repair and maintenance and should be funded by city dollars.

Councilmember Weber also discussed the funding that is proposed in the agenda bill and asked about the water reserve funds and the remaining balance meeting emergency needs.

A **motion** was made by Councilmember Weber and **seconded** by Councilmember Morgan to adopt Resolution No. 16-1073, authorizing the Mayor to execute a contract with Iversen and Sons Inc. for the Downtown AC Watermain Replacement and Looping project and to appropriate additional funds from REET 2 and Water Fund reserves for the completion of this project.

Councilmember Pepper stated being inclined to support this resolution and noted it being sad the project didn't meet the criteria of the State Revolving Fund. She also asked if the City has a Water System Plan and if it expired last summer. Mr. Boettcher noted the City does have a plan and yes it is expired. Motion **passed** with all voting in favor (5-0).

Resolution No. 16-1074, accepting Department of Ecology Grant for 2015-2017 Biennial Stormwater Capacity Grant

Public Works Director Boettcher reported this being the fourth capacity grant the City has received from the Department of Ecology since the City first started our Stormwater Utility and asked for the acceptance of these grant funds.

A **motion** was made by Councilmember Pepper to review this item to the Growth Management, Land Use and Community Services Committee which will hopefully be meeting on Wednesday, February 10th at 6:30 p.m.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Deady to amend that motion to suspend the rules to take action on this resolution tonight.

Councilmember Deady commented on fully supporting this item. She also commented that the citizens and Council have had time to review this item since last Friday and no one has contacted her or commented on this item tonight.

Vote: Motion **failed** (2-3, Morgan, Weber, Pepper)

Councilmember Pepper **amended** her motion to say the next scheduled meeting of the Growth Management, Land Use and Community Services Committee. The motion was **seconded** by Councilmember Morgan. Motion **passed** as amended (3-2, Edelman, Deady).

Resolution No. 16-1075, establishing an Employee Wellness Program

City Clerk Martinez reported last year Mayor Benson tasked her with implementing a City wellness program for employees through the Association of Washington Cities (AWC) Wellness Program. She noted that approval of this resolution would be the first step in implementing this program.

She discussed how wellness programs have been proven to aid in the prevention of illnesses and injuries, promoting better morale, reduced absenteeism, and enhanced productivity and performance among City employees. She noted that in addition to these benefits, the City will be able to apply for a WellCity Award through AWC and if awarded will be eligible for a 2% premium discount for health benefits; this discount would apply for 2018 premiums costs, and would be approximately \$9,500 annually based on our 2015 actual rates.

In addition, she explained that participation in this program by employees is voluntary. She also discussed that participation in the program does require the City to budget a minimum of \$10 per employee, which would be approximately \$300 annually. These funds will be used to put on wellness activities and provide incentives for employees.

Once the program is established by Council the Wellness Committee will be formed and be comprised of 4 – 7 employees who will be working together to develop and implement the program using the ACW WellCity Standards.

In closing she commented that staff is excited to get this program up and going and recommends adoption of this resolution.

Councilmembers discussed their support of this program.

A **motion** was made by Councilmember Edelman and **seconded** by Councilmember Pepper to adopt Resolution No. 16-1075, establishing an Employee Wellness Program Motion passed with all voting in favor (5-0).

DEPARTMENT REPORTS: None

MAYOR'S REPORT:

Mayor Benson reported attending the short course in local planning held in Covington, the Farmer's Market kickoff meeting, and noted she will be holding Planning Commission interviews on Friday.

COUNCIL REPORTS:

Councilmember Deady reported attending the short course in local planning held in Covington.

Councilmember Morgan alerted folks to watch for the calendar for the upcoming Council Committee dates and times. She also noted the agendas for these committees meeting will be up soon. She discussed attending the Sound Cities Association meeting and discussed the homelessness issue.

Councilmember Edelman discussed the homeless issue and referred to a presentation that was done recently by the committee for homelessness. She reported attending the short

course in local planning, the Lake Sawyer Community Club meeting. She noted the next Public Issues Committee meeting is February 10th, and encouraged Council to attend the STEM luncheon at the Enumclaw School District on February 11th at 11: 30 p.m.

Councilmember Weber reported he was not able to attend the short course on local planning and will do the course online. He discussed the Open Public Meetings Act and believes the City Attorney made several wrong assumptions regarding committee meetings. He stated based on his research the new council rules are legally defensible and reasonable and is disappointed that the City Attorney has taken the position that he feels is incorrect on this and other matters and for this reason has lost confidence in his ability to obtain accurate and impartial legal advice from the City Attorney. He commented on appreciating the full attendance at the Council meeting and encouraged them to continue attending.

Councilmember Pepper reported attending a parliamentary procedure meeting in Olympia put on by Jurassic Parliament. She also reported attending the short course in local planning held in Covington. She noted doing comprehensive work regarding committee structure and procedure. She also noted that these committee meetings will follow the open public meetings act. She stated doing her very best to comply with the open public meetings act and she followed the law when she called for a special meeting and did not violate the Open Public Meetings Act when helping draft the rules and has consulted with attorneys and experts in the field. In closing she thanked everyone for coming out tonight to the meeting.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Brian Derdowski, Issaquah referred to page 25 of the Council rules and stated the committee chair shall set the agenda and all meetings shall be noticed in the same manner as special meetings. He discussed the Attorney General's opinion and Council is addressing that issue. He congratulated Councilmembers who asked thoughtful questions. He commented believing the committee meetings will be a good thing for the public as they will get about 14 days to review and at least three opportunities to make input. He further added that staff will adapt and the Council meetings will be more efficient and effective.

George McPherson, Black Diamond asked Council what the impacts will be on staff and how much will it cost to have the committee meetings as structured in the Council rules. Mayor Benson stated the attorney bill for this month was three times the normal amount and should it continue at this rate we will run out of budget by June. She also stated that she will probably not be staffing the Council Committee meetings as she has not been asked to have them staffed.

Dennis Box, Black Diamond commented that this dispute is going to go on forever and the need to get some outside help and the need to contact the Attorney General. He noted he is in favor of letting the lawsuits fly. He also discussed meeting attendance.

Pat Nelson, Black Diamond commented on the City having an attorney that is doing a good job and hopes that the amazing Black Diamond logo doesn't disappear by changing the way business is done. He asked Council to take the advice of the City attorney and to fix the problem or to please step down and find someone who can do it right.

Robbin Taylor, Black Diamond commented on being at a Save Black Diamond meeting where the rules were being discussed. She noted how the Council Committees were previously staffed and the process. She also discussed the process that Councilmember Morgan outlined at the Save Black Diamond meeting.

Brock Deady, Black Diamond, commented that the Community Gym is doing good and activities continue to be booked there. He also commented that the health program passed without going to committee.

Kristen Bryant, Black Diamond stated she recognizes the need to keep order at the meeting and noted she shouldn't have spoken out earlier during the meeting. She discussed addressing stormwater repeatedly at Council meetings. She noted it being important to send the stormwater grant to committee. She also stated that Black Diamond is clearly not like other cities; it is a small town and three committees make more sense. She commented on the City Attorney having one concern at the last meeting and another concern with the rules at this meeting. She discussed the old rules not pointing out how committee meetings would be noticed and the new rules have a special notice requirement.

City Attorney Morris pointed out that she did not have one concern at the last meeting and then another concern at this meeting. She referred to a confidential memo that was sent to Councilmembers on why these rules are problematic and stated the reason the old rules did not address notice was because only two Councilmembers were on each committee and not a quorum of the Council was meeting. The issue now is that we have a quorum of the Council on committees. She commented on what language does not appear in the new rules.

EXECUTIVE SESSION: None

ADJOURNMENT:

A **motion** was made by Councilmember Weber and **seconded** by Councilmember Pepper to adjourn the meeting. Motion **passed** with all voting in favor (5-0).

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk

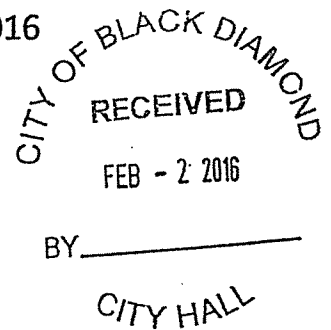
To: City Council, Black Diamond, Washington

February 2, 2016

From: George McPherson

29062 222nd Pl. SE

Black Diamond, WA



My understanding is at a past meeting of the council it was established that there would be 3 council members on each of the 3 standing committees instead of 2 members. I also understand this was done despite the recommendation of the city attorney and the city's insurance representative to not make this change.

As I understand it, each of the three committees will now have a quorum of the council at each meeting. This would appear to mean that decisions made at committee meetings will no longer need to be fully discussed at council meetings because a vote will already have been taken at committee level.

This change will no doubt require additional staff time to attend each council and committee meeting, take minutes, see that the minutes are posted, prepare necessary documents, and announce times of future committee meetings so the public can be made aware of these meetings. Also, as is now the case when the council meets, the city attorney is present. I assume the attorney will need to be present when committee meetings are held since committee votes at these meetings can be a final one. I also assume that in order to have additional staff and the city attorney available the city's budget will no doubt be impacted.

In order for citizens to be fully aware of city activities it appears an individual will need to attend at least 5 city meetings a month or--- actually--- council meetings might not be necessary as final decisions can be made at the committee level.

It surprised me to hear the council took this action against the advice of both their attorney and their insurance representative. To me this action appears to be extremely risky. Who will be held responsible if the council is challenged regarding committee actions? Will this new procedure be legal under our state's open meeting laws? What could the costs be if legal action is taken against the city's new council arrangement? Will taxpayers be footing the bill or will individual council members be held financially responsible for additional costs?

I believe this council action unnecessarily puts the city in jeopardy. I hope the council will reconsider its vote on this matter.

FEB 04 2016

BY: BZM

Horses have been used throughout history to herd cattle. A well-tempered horse with experience herding cattle is one that can be trusted. It knows that the job isn't chasing cattle, it is working cattle. The horse and rider form a team that works together to accomplish a task. A cowhand does not take a green broke horse out to do serious work. This type of horse is able to be ridden at best but has no experience working as a team. If a green broke horse is taken out to work cattle, it could take the bit and racing off it will run blindly into trouble. This is not a team, this is a disaster waiting to happen.

Face it, the new majority is green broke. Even the senior member has professed not understanding the Budget, or the confidential memos from the City Attorney and the City Insurance carrier. None of you appear to understand that you did not separate powers with your flawed Rules changes, but rather you blurred the line of separation even further. Several citizens have admonished the new Council minority to give the new majority a chance to learn the ropes, as if two Councilmembers have the power to stop anything the new majority wants to do. It would have been nice if the new majority actually wanted to learn the ropes. Instead you have taken the bit and run off half wild and blundered into trouble.

Would it not have been a better strategy to at least try to be reasonable in your cause, to collaborate and use diplomacy in order to bring the minority members over to your side? Instead you came in with clubs the first meeting and you succeeded in creating opposition to your cause. Where there could have been strength, now there are fractures. Now everything will be a fight, and you as the majority will still get your way, but is it truly the best way to accomplish what this City needs?

This method of entry onto the Public stage didn't happen out of the blue and you are not the first to be given bad advice. Joe May, Tamie Deady and Ron Taylor were all counseled to come in strong, stand united, vote unanimously, put up a strong front and take control of the Council. They did not follow this advice but they did get control of the Council. It happened with Dave Gordon when he came in and treated the sitting Council as if they were the enemy. Reality is, we are all fighting for the same thing, a better, well protected Black Diamond yet we are continually being squared off against one another by outside forces from Bellevue and Issaquah. Please remember, the new majority was strong in their opinion that they did not want anyone from outside the City limits having positions of influence on the Planning Commission. There is a dichotomy between thought and action taking place within the new majority when you continue to allow Bellevue and Issaquah to influence what you do on the City Council.



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[Home](#) > Meetings Of Committee Attended By Other Members Of Governing Body

Attorney General Rob McKenna

OPEN PUBLIC MEETINGS ACT—Meetings Of Committee Attended By Other Members Of Governing Body

The Open Public Meetings Act requires that notice be properly given of a meeting of the governing body. This requirement is not satisfied by notice given for a meeting of a standing committee of a city council as a governing body, where a quorum of members of the city council attend the meeting and take action as defined in the act, such that a meeting of the city council as a governing body takes place.

November 30, 2010

The Honorable Barbara Bailey
State Representative, District 10
PO Box 40600
Olympia, WA 98504-0600

**Cite As:
AGO 2010 No. 9**

Dear Representative Bailey:

By letter previously acknowledged, you requested our opinion on four questions, which we have consolidated into two as follows:

1. If a meeting of a standing committee of a city council is regularly scheduled, noticed, and open to the public, and a majority of the city council members attend, but do not participate in, the standing committee meeting, is there both a standing committee meeting and a council meeting; and must notice for a special meeting be provided separately for the council meeting, in addition to the notice for the standing committee meeting, in order for the meeting to comply with the Open Public Meetings Act?

2. If a meeting of a standing committee of a city council is regularly scheduled, noticed, and open to the public, and a majority of the city council members attend and participate in the meeting, is there both a standing committee meeting and a council meeting; and must notice for a special meeting be provided separately for the council meeting, in addition to the notice for the standing committee meeting, in order for the meeting to comply with the Open Public Meetings Act?

[original page 2]

BRIEF ANSWER

The answers to your questions depend on whether a meeting of the city council takes place when notice has been given only of a standing committee meeting. A meeting of the city council may occur if a quorum of the city council members take action at the standing committee meeting, as action is defined in RCW 42.30.020(3). If so, a separate meeting of the city council has occurred (in addition to the standing committee's meeting). In that case, the additional meeting must comply with the Open Public Meetings Act's notice requirements. Where the city council takes action at a standing committee's meeting, it is not sufficient to rely on the notice that was provided for the standing committee meeting.

BACKGROUND

Before turning to your precise questions, we explain the general legal framework of the Open Public Meetings Act (Act), RCW 42.30, which governs our answers to your questions. The Act requires that all meetings of the governing body of a public agency shall be open and public. RCW 42.30.030. "Public agency" includes any "subagency of a public agency which is created by or pursuant to statute, ordinance, or other legislative act" RCW 42.30.020(1)(c). "Governing body" may include the "policy or rule-making body of a public agency [such as the city council], or any committee thereof when the committee acts on behalf of the governing body, conducts hearings, or takes testimony or public comment." RCW 42.30.020(2). The Act is only concerned with a meeting where action is taken. RCW 42.30.020(4). "'Action' means the transaction of the official business of a public agency by a governing body including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions." [1] RCW 42.30.020(3).

There are two types of meetings contemplated under the Act: regular and special meetings. Regular meetings are scheduled by ordinance, resolution, bylaws, or rule. RCW 42.30.070. The Act does not require that public agencies provide an agenda as part of the notice requirements for a regular meeting. *Hartman v. State Game Comm'n*, 85 Wn.2d 176, 181, 532 P.2d 614 (1975); *Dorsten v. Port of Skagit Cnty.*, 32 Wn. App. 785, 789-90, 650 P.2d 220, review denied, 98 Wn.2d 1008 (1982). [2] Special meetings are meetings other than regular meetings. See *Mead Sch. Dist. 354 v. Mead Educ. Ass'n*, 85 Wn.2d 140, 142, 530 P.2d 302 (1975). They may be called with at least twenty-four hours' notice to each member of the governing body and to each local newspaper and radio or television station which has previously requested in writing to be notified of special meetings. RCW 42.30.080. The notice for special

[original page 3]

meetings must specify the time and place of the special meeting and the business to be transacted. RCW 42.30.080.

In your request, you provide factual background that frames the scope of our opinion. For purposes of analyzing your questions, we assume these facts. First, you indicate that city councils have created a number of standing committees by ordinance. You explain that the ordinance requires regularly-scheduled and noticed committee meetings. You further state, in your letter, that "[t]he requirements for standing committee meetings are intended to be the same as or substantially similar to the requirements for full council meetings in order to ensure compliance with the [Act]."

Additionally, as you describe in your letter, the applicable ordinance provides that standing committees are composed of less than a quorum of city council members, however, city council members may attend the standing committee meetings if desired. No votes or final actions may be taken at standing committee meetings.

ANALYSIS

1. **If a meeting of a standing committee of a city council is regularly scheduled, noticed, and open to the public, and a majority of the city council members attend, but do not participate in, the standing committee meeting, is there both a standing committee meeting and a council meeting; and must notice for a special meeting be provided separately for the council meeting, in addition to the notice for the standing committee meeting, in order for the meeting to comply with the Open Public Meetings Act?**

The Act's requirements are triggered at any point that the governing body of a public agency has a meeting as defined by the Act. RCW 42.30.030. Since, according to your request, standing committee meetings are already regularly noticed and scheduled, [3] a concern arises under the Act only if an additional meeting results from the attendance or participation of other city council members at the standing committee meetings.

A city council is a distinct entity from a standing committee. RCW 42.30.020(3) (defining a "governing body" both as a council and a committee acting on behalf of the

[original page 4]

council). Although a standing committee may be created by and made up of members of the city council, it is a "governing body" when it "acts on behalf of the governing body, conducts hearings, or takes testimony or public comment." RCW 42.30.020(2); see also AGO 1971 No. 33, at 8-9. Meetings of the city council must comply with the Act, and may not rely upon the notice provided of a standing committee meeting.

Your question, therefore, depends on whether a meeting of the city council occurs, despite the fact that notice was given for only a committee meeting. This would occur only if a quorum of the full council takes an "action," as that term is defined in statute. RCW

42.30.020(4). The statutory definition of "action" is quite broad. *Miller v. City of Tacoma*, 138 Wn.2d 318, 327, 979 P.2d 429 (1999); AGO 1971 No. 33, at 19. The Act defines "action" as "the transaction of the official business of a public agency by a governing body including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions." RCW 42.30.020(3). As noted by the court in *Eugster v. City of Spokane*, 110 Wn. App. 212, 39 P.3d 380 (2002), the definition includes a list that is not exhaustive of conduct that might constitute action. If an additional meeting occurs because the city council—a governing body distinct from the standing committee—attends and takes action, that new meeting requires separate compliance with the requirements of the Act. To put the matter differently, the Act is not satisfied by giving notice of a meeting of a standing committee, if the meeting turns out to constitute a meeting of the city council itself. Such notice would not satisfy the purpose of the Act—to assure advance notice to the public of meetings of a governing body, so that the actions of a governing body are "taken openly and . . . deliberations [are] conducted openly." RCW 42.30.010 (declaration of legislative intent). Therefore, in answering your questions, we consider whether either of the described scenarios constitutes a "meeting" of the city council implicating the Act.

Although your request frames the question based on whether or not the council members "participate" in the standing committee's meeting, the relevant inquiry is whether the council members take action while attending the meeting. RCW 42.30.020(4) (defining a meeting as a meeting at which action is taken). We concluded in 2006 that a quorum of city or county council members could attend a public meeting called by a third party without violating the Act, as long as the council members did not take action. AGO 2006 No. 6. [4] We emphasized that whether members take action depends on whether the particular circumstances fall within the "transaction of the official business" of the governing body." AGO 2006 No. 6, at 2. For example, council members are taking action where they deliberate or discuss a decision they might eventually make. AGO 2006 No. 6, at 2 (citing *In re Recall of Beasley*, 128 Wn.2d 419, 908 P.2d 878 (1996)).

Additionally, for example, action occurs where a governing body receives public testimony. AGO 2006 No. 6, at 2. As we cautioned in the 2006 opinion, council members

[original page 5]

would need to consider whether they are receiving public testimony or taking other action while attending the meeting. Ultimately, whether a quorum of the city council is taking action is a fact-specific analysis that cannot be answered in the abstract, and accordingly, cannot be answered in the context of this opinion.

However, it bears mentioning that it is more likely in the scenarios you present, than in the situation discussed in the 2006 opinion, that the council members would be taking action while attending the standing committee meeting. In the questions that you present, the standing committee is a subpart of the city council—it is created by the city council and the business it is transacting is almost certainly within the scope of the city council's official business. That makes the present scenario quite different from attendance at a completely unrelated third party's meeting discussed in the 2006 opinion. It is more likely that city council members attending a meeting of the council's own standing committee could be receiving public testimony, considering proposals, or

performing other types of action.

This is not to suggest that council members cannot attend committee meetings. We do not conclude that council members who are not members of the committee are disqualified from attending what is otherwise an open public meeting; we merely conclude that if such a meeting is one at which the council takes "action," then compliance with the Open Public Meetings Act is required. Moreover, even where the council members' attendance constitutes a meeting of the council under the Act, they are not prohibited from attending the standing committee meetings by the Act. Rather, as long as the council follows the requirements for a special meeting under RCW 42.30.080, the members may attend and take action at the standing committee meeting. AGO 2006 No. 6, at 3.

2. If a meeting of a standing committee of a city council is regularly scheduled, noticed, and open to the public, and a majority of the city council members attend and participate in the meeting, is there both a standing committee meeting and a council meeting; and must notice for a special meeting be provided separately for the council meeting, in addition to the notice for the standing committee meeting, in order for the meeting to comply with the Open Public Meetings Act?

As mentioned above, the relevant question for purposes of analyzing whether the city council members' attendance triggers additional notice requirements under the Act depends on whether the city council takes action (as it is defined by RCW 42.30.020(3)) at the standing committee meeting. Assuming it does, a meeting of the city council has occurred in addition to a meeting of the standing committee. In such a situation, the Act requires notice of the city council's meeting in addition to notice of the standing committee's meeting.

When a quorum of the city council takes action at a standing committee meeting, a city council meeting has occurred, and the city council must provide notice of its meeting consistent with the Act. The standing committee meeting is a separate governing body from the

[original page 6]

city council. It is not sufficient to rely on the notice that was provided for the standing committee meeting.

We trust that the foregoing will be useful to you.

ROB MCKENNA
Attorney General

ALICIA O. YOUNG
Assistant Attorney General

wros

Attachment 1

[1] "'Final action' means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance." RCW 42.30.020(3).

[2] However, other statutes may impose additional notice requirements. For example, RCW 35.23.221 requires second class cities to notify the public of the preliminary agenda for the forthcoming council meeting. See also RCW 35A.12.160.

[3] Because the ordinances you reference treat standing committee meetings as regular meetings under the Act, we need not explore under what circumstances such meetings would be subject to the Act. For general reference, however, such meetings would be subject to the Act if the standing committee constitutes a public agency under RCW 42.30.020(1)(c) ("public agency" defined to include any "subagency of a public agency which is created by or pursuant to statute, ordinance, or other legislative act"). See also AGO 1971 No. 33, at 8–9 (concluding subcommittees created by statute or ordinance are agencies under the Act). Even if the standing committee does not constitute a public agency, it would be subject to the Act when it acts as a governing body by either acting on behalf of the city council or by conducting hearings, or taking testimony or public comment. RCW 42.30.020(2).

[4] Because we cite our 2006 opinion several times during the course of this analysis, a copy is attached for ease of reference.

HARRISON-BENIS, LLP

ATTORNEYS AT LAW

2101 Fourth Avenue, Suite 1900, Seattle, WA 98121-2315

FAX 206.448.1843

206.448.0402

Christopher T. Benis

James C. Harrison*

*Also admitted in California

of counsel

Katherine A. George

RECEIVED
CLERK OFFICE

FEB 04 2016

BY: BYM

To: Patricia Pepper and Erika Morgan

From: Katherine A. George, WSBA # 36288

Re: Application of Open Public Meetings Act, Chap. 42.30 RCW

Date: February 4, 2016

Thank you for seeking guidance about how to comply with the Open Public Meeting Act (OPMA), Chapter 42.30 RCW, as members of the Black Diamond City Council. I regularly practice law in the area of open government, advocating for the right of citizens to know what their governments are doing. I also serve on the board of the Washington Coalition for Open Government and chair its legal committee. I commend you for making an exceptional effort to clarify a statute that is often muddled in confusion.¹

I. Brief Summary of the OPMA

In adopting the OPMA decades ago, the Legislature expressed the following intent:

The legislature finds and declares that all public commissions, boards, councils, committees, subcommittees... and all other public agencies of this state and subdivisions thereof exist to aid in the conduct of the people's business. It is the intent of this chapter that their actions be taken openly and that their deliberations be conducted openly.

See RCW 42.30.010.

To carry out that intent, the Legislature adopted RCW 42.30.030, which says:

All meetings of the governing body of a public agency shall be open and public, and all persons shall be permitted to attend any meeting of the governing body of a public agency, except as otherwise provided in this chapter.

Thus, openness is required if: 1) a "governing body" of a public agency 2) has a "meeting." These terms are defined in RCW 42.30.020. In a nutshell, a governing body meets when it conducts official business, including discussing or considering policies.

1 The OPMA is notorious for its lack of clarity. Consider, for example, the circular language in RCW 42.30.020(3), which says: "'Meeting' means meetings at which action is taken." OPMA suits are relatively rare, resulting in little guidance from the courts. In light of the scant definitions in the statute, the paucity of case law, and the strong public interest in transparency, it is prudent to err on the side of openness.

A governing body's meeting must be regularly scheduled or announced at least 24 hours in advance, so that the public has a meaningful opportunity to observe the policymaking process. See RCW 42.30.060, RCW 42.30.070 and RCW 42.30.080. If the meeting is specially scheduled, the governing body cannot take final action on any business that was not included in the meeting announcement.

There are 15 exceptions permitting closed meetings ("executive sessions") for specific, limited purposes such as reviewing an employee's performance. See RCW 42.30.110. Before closing a meeting, the governing body chair must announce the purpose of closure and how long it will last. Under RCW 42.30.120, any member of a governing body who knowingly violates the OPMA may be personally liable for a \$100 civil penalty, and the agency must pay attorney fees for any lawsuit that proves an OPMA violation.

II. Can Standing Committees Have a Quorum of Council Members?

You asked whether it is legal under the OPMA for a majority of council members to serve on a standing committee of a council. The answer is **yes**, as long as the committee's meetings meet the same openness requirements that apply to full council meetings.

Washington courts have consistently held that a "meeting" of a "governing body" occurs when a majority of the full body's members gather with the intent to conduct official business. See, for example, *Wood v. Battle Ground School District*.² Thus, when at least three members of a five-member council gather to consider official business, it doesn't matter whether it's called a committee meeting or a council meeting – the presence of a council majority makes it a "meeting" for purposes of requiring openness under RCW 42.30.030.

If the council plans to meet regularly as a standing committee, it should adopt a regular schedule so that the public can anticipate opportunities to attend committee meetings. RCW 42.30.070 says, "The governing body of a public agency shall provide the time for holding regular meetings by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body." Also, agendas for regular meetings should be posted online at least 24 hours in advance pursuant to RCW 42.30.077.

Alternatively, the council's presiding officer or a majority of council members can call a "special meeting" each time the council meets as a standing committee. A special meeting requires public notice to be posted 24 hours in advance on the agency's Web site and at the meeting site, at a minimum. See RCW 42.30.080(2). Unlike at a regular meeting, final action at a special meeting is limited to the matters specifically mentioned in the public notice.

There is nothing in the OPMA that limits the size of a council committee. In fact, it is not unusual for a council to have "a committee of the whole" consisting of all council members. As long as the public has the requisite notice and opportunity to attend, the

² 107 Wn.App. 550 (Div. 2, 2001).

governing body's meetings will satisfy the OPMA.

III. Can A Majority of Members, Acting As a Committee, Recommend Legislation to the Full Council?

You also asked whether the OPMA permits a majority of the council, acting as a standing committee, to recommend adoption of a proposal by the full council. The answer is yes, again assuming that notice and openness requirements are met.

RCW 42.30.020(2) defines "governing body" as the "committee, council, or other policy or rule-making body of a public agency, or any committee thereof when the committee acts on behalf of the governing body, conducts hearings, or takes testimony or public comment." So in order to constitute a "governing body" for OPMA purposes, a committee must hold a public hearing, take testimony or comments, or "act on behalf of" the full body. Last October, in *Citizens Alliance for Property Rights Legal Fund v. San Juan County*,³ the Washington Supreme Court addressed for the first time what it means to "act on behalf of" a full council. If a committee was "created or specifically authorized" by the council, and "exercises actual or de facto decision-making authority on behalf of the governing body," then it is a governing body itself for open-meeting purposes.

That decision and the statutory definition of "governing body" seem to contemplate that a full council may grant its decision-making authority to a committee. Whether that is a good idea, or even permissible under applicable city and state codes, is beyond the scope of this memo. But if all the committee does is *recommend* passage by the full council, then regardless of whether the full council has formally granted any decision-making authority to the committee, the council still retains the *final* decision-making authority. It is certainly possible for committee resolutions to be drafted so that recommendations are not binding, and to make clear that the committee is merely assisting in, but not assuming control of, decision-making by the full council.

A committee recommendation process can improve opportunities for public participation. Standing committees can develop an expertise in a particular policy area and hold more in-depth public meetings than the full council can. Also, a "do pass" recommendation is a clear signal to the public as to which way the political wind is blowing, and can help mobilize concerned citizens to point out information or considerations that have been overlooked.

I hope this brief memo has been helpful, and look forward to answering any additional questions you may have.

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Resolution No. 16-1076, confirming the Mayor's appointment to the Planning Commission	Agenda Date: February 18, 2016	
	AB16-018	
	Mayor Carol Benson	X
	City Administrator	
	City Attorney Carol Morris	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res – Barb Kincaid	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
Cost Impact (see also Fiscal Note): \$	Police – Chief Kiblinger	
Fund Source: --	Public Works – Seth Boettcher	
Timeline:	Court – Stephanie Metcalf	
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. 16-1076; application		
SUMMARY STATEMENT: <p>Staff advertised for the three vacancies on the Planning Commission and four applications were received. An interview committee consisting of Mayor Benson, Councilmember Edelman, Councilmember Dedy, and Community Development Director Barbara Kincaid interviewed all three applicants (one applicant withdrew from the process).</p> <p>After careful consideration, the Mayor is seeking confirmation of her appointment of Richard LaConte to the Black Diamond Planning Commission Position No. 1, with said term to expire December 31, 2018.</p> <p>FISCAL NOTE (Finance Department): N/A</p>		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt Resolution No. 16-1076, authorizing the Mayor's Planning Commission appointment of Richard LaConte to the Black Diamond Planning Commission Position No. 1.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
February 18, 2016		

RESOLUTION NO. 16-1076

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
CONFIRMING THE MAYOR'S APPOINTMENT TO THE
PLANNING COMMISSION**

WHEREAS, in accordance with Black Diamond Municipal Code 2.24.010, members of the Planning Commission shall be appointed by the Mayor and confirmed by the City Council; and

WHEREAS, this Resolution confirms the Mayor's appointment to the City of Black Diamond Planning Commission;

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

Section 1. That the Mayor's appointment of Richard LaConte to the City of Black Diamond Planning Commission Position No. 1 is hereby confirmed; said term to expire on December 31, 2018.

**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT
A SPECIAL MEETING THEREOF, THIS 18TH DAY OF FEBRUARY, 2016.**

CITY OF BLACK DIAMOND:

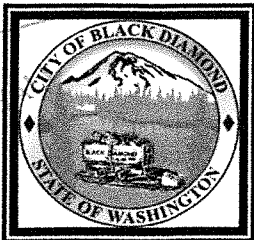
Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

CITY OF BLACK DIAMOND
RECEIVED
JAN 7 2016

BY _____
CITY CLERK



CITY OF BLACK DIAMOND

Commission Application

Mailing Address: PO Box 599

Physical Address: 24301 Roberts Drive

Black Diamond, WA 98010

Phone: 360.886.5700 - Fax: 360.886.2592

Name: RICHARD J. LACONTE

Address: 22035 SE 288TH ST BLACK DIAMOND WA 98010

Home Phone: 360 886 2906 ^{CELL} Business Phone: 206 550 5428

Email address: RICCO451@comcast.net

How long at Residence: 20 YEARS Best time to contact: ANY TIME ON CELL PHONE

Commission desired: 1.) PLANNING

2.) _____

Reason you are interested in serving: TO BE INVOLVED IN THE

DEVELOPMENT OF BLACK DIAMOND'S FUTURE

Previous community activities: ELECTION CAMPAIGNING

Applicable education, occupational, and specialized experience: BS. AEROSPACE ENGRG

(I'M AN AEROSPACE DESIGNER EXPERIENCED IN READING, WRITING,
INTERPRETING AND EXECUTING DETAILED SPECIFICATION,
Commissions make recommendations regarding monetary expenditures and/or benefits to certain areas of the Community.

1.) Can you foresee possible conflicts of interest with any of your current employment or civic positions:

NO

2.) When making these recommendations do you feel you could be impartial and base your decision on the overall need and benefit of the Community: YES

Are there any days or evenings you are unavailable to meet? WEEKLY AFTER 4:30 PM

Signature: Richard J. LaConte Date: JAN 6 2016

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Resolution No. 16-1077, confirming the Mayor's appointment to the Planning Commission	Agenda Date: February 18, 2016 AB16-019	
Cost Impact (see also Fiscal Note): \$ Fund Source: -- Timeline:	Mayor Carol Benson	X
	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		
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. 16-1077; application		
SUMMARY STATEMENT: <p>Staff advertised for the three vacancies on the Planning Commission and four applications were received. An interview committee consisting of Mayor Benson, Councilmember Edelman, Councilmember Deady, and Community Development Director Barbara Kincaid interviewed all three applicants (one applicant withdrew from the process).</p> <p>After careful consideration, the Mayor is seeking confirmation of her appointment of Tori Ammons to the Black Diamond Planning Commission Position No. 2, with said term to expire December 31, 2019.</p> <p>FISCAL NOTE (Finance Department): N/A</p>		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt Resolution No. 16-1077, authorizing the Mayor's Planning Commission appointment of Tori Ammons to the Black Diamond Planning Commission Position No. 2.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
February 18, 2016		

RESOLUTION NO. 16-1077

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
CONFIRMING THE MAYOR'S APPOINTMENT TO THE
PLANNING COMMISSION**

WHEREAS, in accordance with Black Diamond Municipal Code 2.24.010, members of the Planning Commission shall be appointed by the Mayor and confirmed by the City Council; and

WHEREAS, this Resolution confirms the Mayor's appointment to the City of Black Diamond Planning Commission;

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

Section 1. That the Mayor's appointment of Tori Ammons to the City of Black Diamond Planning Commission Position No. 2 is hereby confirmed; said term to expire on December 31, 2019.

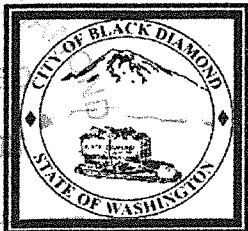
**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT
A SPECIAL MEETING THEREOF, THIS 18TH DAY OF FEBRUARY, 2016.**

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk



CITY OF BLACK DIAMOND

Commission Application

Mailing Address: PO Box 599

Physical Address: 24301 Roberts Drive
Black Diamond, WA 98010

Phone: 360.886.5700 - Fax: 360.886.2592

Name: Tori Ammons

Address: PO Box 388 Black Diamond, WA 98010

Home Phone: 253-205-1734 cell Business Phone: 360-469-4637

Email address: tammons@auburn.wednet.edu

How long at Residence: 11 yrs Best time to contact: afternoons or evenings

Commission desired: 1.) Planning Commission #7, #1 or #5
2.) _____

Reason you are interested in serving: To serve our community. I am a resident

and business owner and I want to continue to make Black Diamond a great place to live.

Previous community activities: Labor Day Committee (Vendor Chair) 2014-2015,
Miners Day Committee (5K co-Race director, M.C.) 2012-2015

Applicable education, occupational, and specialized experience: BA - Sociology - focus law and

social control, B.A. - Social Studies, 2nd Teaching Certificate, Minor Women Studies, Business Owner - Black Bear Outpost - Resume attached.
Commissions make recommendations regarding monetary expenditures and/or benefits to certain areas of the Community.

1.) Can you foresee possible conflicts of interest with any of your current employment or civic positions:

No

2.) When making these recommendations do you feel you could be impartial and base your decision on the overall need and benefit of the Community: Yes

Are there any days or evenings you are unavailable to meet? no

Signature: Tori Ammons

Date: 11/13/15

Please return completed form and any additional information to:

City of Black Diamond - Attn: City Clerk, 24301 Roberts Drive., PO Box 599, Black Diamond, WA 98010

For more information please call (360) 886-5700

TORI T. AMMONS

**PO Box 388
Black Diamond, WA 98010
253-205-1734
tammons@auburn.wednet.edu**

EDUCATION:

Washington State University, December 1996
B.A.—Sociology, focus in Law and Social Control
Minor—Women Studies
Eastern Washington University, December 2003
B.A.—Social Studies
Secondary Teaching Certificate endorsed in Social Studies and History

SKILLS SUMMARY:

Organizational

- Organized and planned 50+ vendors for local events
- Co-directed local 5k race
- Organized and facilitated group activities and projects
- Prepared lessons and classroom for efficient learning
- Used online record keeping for all track meets and athletes
- Proficient in Microsoft and Google docs and forms

Communicative

- Instructed students in Advanced Placement US Government and Politics, World History, U.S. History, Global Issues, Civics, and WA State History
- Participated in teacher workshops and tuning protocols
- Provided personal and academic counseling to students
- Researched and led discussions on various topics

Administrative

- Member SIP Team, Leadership Team, Power Standards Team
- Department Head and PLC Team Leader
- Master Teacher for Student Teachers
- Coordinated AMHS Summer School and Recapture programs
- Supervised student leaders in Women Studies program
- Attended coaches meetings and made decisions as a head coach
- Managed busy fuel-supply company

WORK EXPERIENCE:

Teacher -- Auburn Mountainview High School, Auburn, WA
(2005-Current)

Assignments in AP US Government, World History Honors, World History, Sociology, Washington State History, Global Issues, Civics, Summer School and Recapture Teacher

Social Studies Department Chair – Auburn Mountainview High School,
Auburn, WA (2008-Current)

Business Owner – Black Bear Outpost, Black Diamond, WA (2013-Current) Propane sales, delivery, service work and gift shop

Head Cross Country and Head Track and Field Coach -- Green River Community College, Auburn, WA (2009 – 2014)
Auburn Mountainview High School, Auburn, WA (2005-2009)

Teacher -- Auburn Senior High School, Auburn, WA (2004-2005)
Assignments in World History and Global Issues

Assistant Track Coach -- Kent-Meridian High School, WA (2004-2005)
Medical Lake High School, WA (2003), Moscow, High School, ID (2002),
Enumclaw High School, WA (1998-2001)

Office Manager--TAAR Petroleum, Inc. Enumclaw, WA (1997-2001).

Teaching Assistant--Women Studies, Washington State University,
Pullman, WA (1996).

ACTIVITIES:

- Miners Day Committee – 5K Race Co-Director (2012-Current)
- Labor Day Committee – Vendor and Citizenship Award Chair (2014-Present)
- Green River Community College Head X-C Coach (2009-2014)
- Green River Community College Head Track Coach (2011-2014)
- Auburn Mountainview High School Head X-C Coach (2005-2008)
- Auburn Mountainview High School Head Track Coach (2006-2009)
- Kent-Meridian High School Assistant Track Coach (2004-2005)
- Medical Lake High School Assistant Track Coach (2003)
- Eastern Washington University Assistant Track Coach (2002)
- Moscow High School Assistant Track Coach (2002)
- Enumclaw High School Assistant Track Coach (1998-2001)
- Washington State University Varsity Track and Field (1992-1996)

AWARDS:

- History Teacher of the Year – WA State – DAR (2014)
- Eastern Washington University Dean's List (2002-2003)
- Washington State University President's Honor Roll (2001-2002)
- PAC 10 All Academic Team (1996)
- MVP Women's Track, Washington State University (1995)
- Washington State Champion Track and Field 100m Hurdles (1991& 1992)
- Washington State Champion Track and Field 300m Hurdles (1991 & 1992)
- Washington State History Day Winner (1991)

REFERENCES:

-Terri Herren	AMHS Principal	253-804-4539
-Andrea McHenry	AMHS Assistant Principal	253-804-4539
-Monte Eckelman	AMHS Assistant Principal	253-804-4539
-Bob Kickner	GRCC Athletic Director	253-833-9111
-Eric Arnold	AMHS Social Studies Teacher	253-804-4539
-Todd Baker	Mentor Teacher	425-413-5672
-Mira Hoke	Community Outreach Coordinator	360-886-2963

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Resolution No. 16-1078, confirming the Mayor's appointment to the Planning Commission	Agenda Date: February 18, 2016	
	AB16-020	
	Mayor Carol Benson	X
	City Administrator	
	City Attorney Carol Morris	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res – Barb Kincaid	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
Cost Impact (see also Fiscal Note): \$	Police – Chief Kiblinger	
Fund Source: --	Public Works – Seth Boettcher	
Timeline:	Court – Stephanie Metcalf	
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. 16-1078; application		
SUMMARY STATEMENT: <p>Staff advertised for the three vacancies on the Planning Commission and four applications were received. An interview committee consisting of Mayor Benson, Councilmember Edelman, Councilmember Dedy, and Community Development Director Barbara Kincaid interviewed all three applicants (one applicant withdrew from the process).</p> <p>After careful consideration, the Mayor is seeking confirmation of her appointment of Tom Ekberg to the Black Diamond Planning Commission Position No. 5, with said term to expire December 31, 2016.</p> <p>FISCAL NOTE (Finance Department): N/A</p>		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt Resolution No. 16-1078, authorizing the Mayor's Planning Commission appointment of Tom Ekberg to the Black Diamond Planning Commission Position No. 5.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
February 18, 2016		

RESOLUTION NO. 16-1078

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
CONFIRMING THE MAYOR'S APPOINTMENT TO THE
PLANNING COMMISSION**

WHEREAS, in accordance with Black Diamond Municipal Code 2.24.010, members of the Planning Commission shall be appointed by the Mayor and confirmed by the City Council; and

WHEREAS, this Resolution confirms the Mayor's appointment to the City of Black Diamond Planning Commission;

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

Section 1. That the Mayor's appointment of Tom Ekberg to the City of Black Diamond Planning Commission Position No. 5 is hereby confirmed; said term to expire on December 31, 2016.

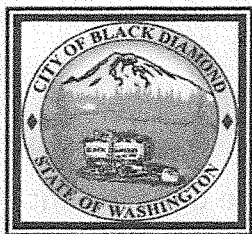
**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT
A SPECIAL MEETING THEREOF, THIS 18TH DAY OF FEBRUARY, 2016.**

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk



CITY OF BLACK DIAMOND

Commission Application

Mailing Address: PO Box 599
Physical Address: 24301 Roberts Drive
Black Diamond, WA 98010
Phone: 360.886.5700 - Fax: 360.886.2592

JAN 7 2016

Name: Tom Ekberg

Address: [REDACTED]

Home Phone: [REDACTED]

Business Phone: [REDACTED]

Email address: [REDACTED]

How long at Residence: 10 years

Best time to contact: 4:30 p.m.

Commission desired:

1.) Planning

2.)

Reason you are interested in serving:

I feel it is about time I gave something back to the city by serving on this commission.

Previous community activities: City of Anna Technology Board

Doorbelling for Save Black Diamond

Applicable education, occupational, and specialized experience: MBA with emphasis in Engineering,

BS and MS in Computer Science, 6 years at University of Washington Medical Center, (over)

Commissions make recommendations regarding monetary expenditures and/or benefits to certain areas of the Community.

1.) Can you foresee possible conflicts of interest with any of your current employment or civic positions:

No

2). When making these recommendations do you feel you could be impartial and base your decision on the overall need and benefit of the Community: absolutely certain

Are there any days or evenings you are unavailable to meet? None

Signature: Tom Ekberg

Date: January 6, 2016

Please return completed form and any additional information to:

City of Black Diamond - Attn: City Clerk, 24301 Roberts Drive., PO Box 599, Black Diamond, WA 98010

For more information please call (360) 886-5700

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Resolution No. 16-1079, confirming the Mayor's appointment to the Civil Service Commission	Agenda Date: February 18, 2016	
	AB16-021	
	Mayor Carol Benson	X
	City Administrator	
	City Attorney Carol Morris	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res – Barb Kincaid	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
Cost Impact (see also Fiscal Note): \$	Police – Chief Kiblinger	
Fund Source: --	Public Works – Seth Boettcher	
Timeline:	Court – Stephanie Metcalf	
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. 16-1079; application		
SUMMARY STATEMENT: <p>Staff advertised for the vacancy on the Civil Service Commission and one application was received. An interview committee consisting of Mayor Benson, Councilmember Edelman, Councilmember Deady, and Civil Service Secretary Luzville Goebel interviewed the applicant.</p> <p>After careful consideration, the Mayor is seeking confirmation of her appointment of Becky Arnold to the Black Diamond Civil Service Commission Position No. 3, with said term to expire December 31, 2020.</p> <p>FISCAL NOTE (Finance Department): N/A</p>		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt Resolution No. 16-1079, authorizing the Mayor's Civil Service Commission appointment of Becky Arnold to the Black Diamond Civil Service Commission Position No. 3.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
February 18, 2016		

RESOLUTION NO. 16-1079

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
CONFIRMING THE MAYOR'S APPOINTMENT TO THE CIVIL
SERVIE COMMISSION**

WHEREAS, in accordance with Black Diamond Municipal Code 2.64.020, members of the Civil Service Commission shall be appointed by the Mayor and confirmed by the City Council; and

WHEREAS, this Resolution confirms the Mayor's appointment to the City of Black Diamond Civil Service Commission;

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

Section 1. That the Mayor's appointment of Becky Arnold to the City of Black Diamond Civil Service Commission Position No. 3 is hereby confirmed; said term to expire on December 31, 2020.

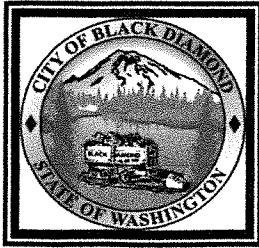
**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT
A SPECIAL MEETING THEREOF, THIS 18TH DAY OF FEBRUARY, 2016.**

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk



CITY OF BLACK DIAMOND

Commission Application

Mailing Address: PO Box 599

Physical Address: 24301 Roberts Drive

Black Diamond, WA 98010

Phone: 360.886.5700 - Fax: 360.886.2592

CITY OF BLACK DIAMOND
RECEIVED
NOV 5 2015
BY _____
CITY HALL

Name: Becky Arnold

Address: 30420 Cumberland Dr Black Diamond, WA 98010

Home Phone: 360-886-2536 Business Phone: _____

Email address: _____

How long at Residence: 9 yrs Best time to contact: evening

Commission desired: 1.) Black Diamond civil service commission
2.) _____

Reason you are interested in serving: _____

to support Black Diamond police Department

Previous community activities: None

Applicable education, occupational, and specialized experience: _____

work community center Bask program

Commissions make recommendations regarding monetary expenditures and/or benefits to certain areas of the Community.

1.) Can you foresee possible conflicts of interest with any of your current employment or civic positions:

None

2.) When making these recommendations do you feel you could be impartial and base your decision on the overall need and benefit of the Community: yes

Are there any days or evenings you are unavailable to meet? None

Signature: Becky Arnold Date: 11-22-2015