



CITY OF BLACK DIAMOND
December 5, 2019 Regular Business Meeting Agenda
25510 Lawson St., Black Diamond, Washington

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

AGENDA REVIEW AND APPROVAL:

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

1) AB19-067 - Confirmation of Mayor's Re-appointment of Steven Jensen to the Planning Commission

CONSENT AGENDA:

2) Claim Checks –December 5, 2019 Check No. 48221 through 48259 in the amount of \$407,036.43

3) Minutes - Work Session of November 14, 2019, Council Meeting of November 21, 2019

4) AB19-068 - Resolution No. 19-1326 Final Plat Approval for Ten Trails Parcel V24

Mr. Williamson

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 360-851-4564. Thank you for attending.

PUBLIC HEARINGS:

5) AB19-069 – Proposed Updates to the Stormwater Management Plan

Mr. Boettcher

6) AB19-070 - Proposed Sewer Rate Increase

Ms. Miller

UNFINISHED BUSINESS: None

NEW BUSINESS:

7) AB19-071 – Ordinance No. 19-1133 Regarding Utility Rate Structure Policy

Ms. Miller

8) AB19-072 – Ordinance No. 19-1134 Adopting 2020 Operating Budget

Ms. Miller

9) AB19-073 – Resolution No. 19-1327 Authorizing Contract with Madrona Law Group, PLLC for City Attorney Legal Services

Mayor Benson

DEPARTMENT REPORTS:

MAYOR'S REPORT:

COUNCIL REPORTS:

- Councilmember Oglesbee
- Councilmember Edelman
- Councilmember Stout
- Councilmember de Leon

- Councilmember Nelson
- Councilmember Paige
- Councilmember Dedy

ATTORNEY REPORT:

PUBLIC COMMENTS:

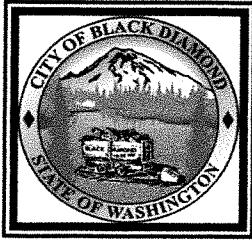
EXECUTIVE SESSION:

ADJOURNMENT:

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Confirming the Mayor's reappointment of Steve Jensen to Position #2 of the Black Diamond Planning Commission	Agenda Date: December 5, 2019	
	AB19-067	
	Mayor Carol Benson	X
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res –	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note): \$		
Fund Source: --		
Timeline:		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Application		
SUMMARY STATEMENT: <p>In late October staff advertised for an upcoming vacancy on the Planning Commission due to a term expiration. Mr. Jensen expressed interest in continuing to serve on the Planning Commission and submitted the only application the City received. Therefore, I am seeking Council confirmation for my reappointment of Steve Jensen to Position No. 2 on the Planning Commission; said term to expire on December 31, 2023.</p>		
FISCAL NOTE (Finance Department): N/A		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to confirm the Mayor's reappointment of Steve Jensen to Position #2 of the Black Diamond Planning Commission; said term to expire on December 31, 2023.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
December 5, 2019		



CITY OF BLACK DIAMOND

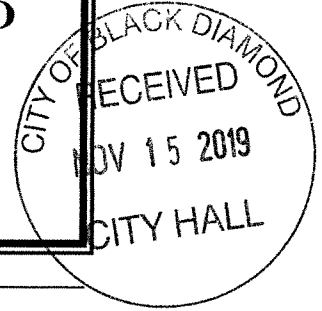
Commission Application

Mailing Address: PO Box 599

Physical Address: 24301 Roberts Drive

Black Diamond, WA 98010

Phone: 360.851.4500 - Fax: 360.851.4501



Name: Stephen Jensen

Address: [REDACTED], Black Diamond, WA 98010

Home Phone: 360-886-0724 Business Phone: [REDACTED] cell

Email address: Stevesharon2@comcast.net

How long at Residence: 15 years Best time to contact: _____

Commission desired: 1.) _____

2.) _____

Reason you are interested in serving: already serving

Previous community activities: _____

Applicable education, occupational, and specialized experience: on file

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

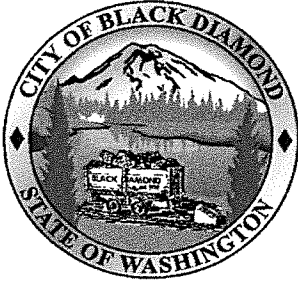
1.) Can you foresee possible conflicts of interest with any of your current employment or civic positions:

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? open as schedule allows

Signature: [Signature] Date: 11-12-19



CERTIFICATION

Date: November 21st 2019 Council Meeting

Check No.'s / EFT	Batch Name	Check / EFT Date	Amount
48221	Nov - Early 3rd Batch for 12/5/2019 Council	11/19/19	\$ 269,909.93
48222 - 48259	Nov - Early 2nd Batch for 11/21/19 Council	11/08/19	\$ 137,126.50
		TOTAL	\$ 407,036.43

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.

MAY MILLER, FINANCE DIRECTOR

CAROL BENSON, MAYOR

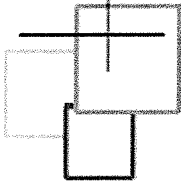
DATE

DATE

COUNCILMEMBERS

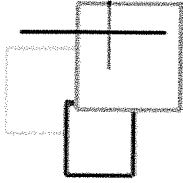
DATE

Voucher Directory with Transaction Date



Vendor	Transaction Number Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Void Amount
Mountain View Fire & Rescue				
48221	19-1035	11/12/2019	2019 - November - Early 3rd November Batch for 12/05 Council	
		Fire Protect Cont - July - Dec 2019		
		001-000-530-522-10-41-00	Fire Dist 44 Prof Serv	\$269,909.93
		2019 Contract - Second Half		\$269,909.93
		Total 19-1035		\$269,909.93
		Total 48221		\$269,909.93
		Total Mountain View Fire & Rescue		\$269,909.93
		Vendor Count	1	Grand Total

Voucher Directory with Transaction Date



Vendor	Transaction Number Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Void Amount
ADT Security Services (PA)				
48222	739721184	11/14/2019	2019 - December - 1st December Batch 12/05 Council	
	Service 11/30/19 - 12/29/19			
	001-000-254-518-20-49-00		Facilities Security	\$50.04
	Total 739721184			\$50.04
48222	740027152	11/13/2019	2019 - December - 1st December Batch 12/05 Council	
	Service 12/01/19 - 12/31/19			
	001-000-270-576-80-49-02		Security	\$1.09
	001-000-280-536-20-49-02		Security	\$2.17
	101-000-000-543-50-49-03		Security	\$11.94
	401-000-000-534-80-49-07		Security	\$13.03
	407-000-000-535-80-49-05		Security	\$13.03
	410-000-000-531-10-49-04		Security	\$13.03
	Total 740027152			\$54.29
	Total 48222			\$104.33
Total ADT Security Services (PA)				
AHBL, Inc.				
48223	114273	6/30/2019	2019 - December - 1st December Batch 12/05 Council	
	June 2019 Service			
	001-000-257-558-70-49-00		MDRT-Bldg Ins/Plan Ex/Official	\$21,485.00
	Lost Inv			
	Total 114273			\$21,485.00

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
	48223		9/30/2019	2019 - December - 1st December Batch 12/05 Council	
	115999				
		Sept 2019 Service			
		001-000-257-558-70-49-00		MDRT-Bldg Ins/Plan Ex/Official	\$13,567.50
	Total 115999				\$13,567.50
Total AHBL, Inc.	Total 48223				\$35,052.50
Association of Washington Cities					\$35,052.50
	48224		11/18/2019	2019 - December - 1st December Batch 12/05 Council	
	78250				
		Reg - Elected Officials Train 2019 - Covington			
		001-000-110-511-60-49-00		Training and Workshops	\$45.00
		001-000-110-511-60-49-00		Training and Workshops	\$45.00
		Council - Deady			
		Council - Cooper			
	Total 78250				\$90.00
Total Association of Washington Cities	Total 48224				\$90.00
BHC Consultants, LLC					\$90.00
	48225		11/6/2019	2019 - December - 1st December Batch 12/05 Council	
	0011569				
		Service from 9/30/2019 - 10/25/2019			
		001-000-240-558-51-41-03		Prof Svs-Inspection Svs	\$9,437.03
	Total 0011569				\$9,437.03
Total BHC Consultants, LLC	Total 48225				\$9,437.03
Black Diamond Auto Parts					\$9,437.03
	48226		10/6/2019	2019 - December - 1st December Batch 12/05 Council	
	441856				
		MDRT - Veh Maint			
		001-000-246-558-70-48-00		Vehicle Repair & Maintenance	\$5.43
	Total 441856				\$5.43
Total Black Diamond Auto Parts	Total 48226				\$5.43
					\$5.43

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number		Name Title	

CenturyLink (WA)

48227	11112019 CL	11/11/2019	2019 - December - 1st December Batch 12/05 Council		
	Oct 2019 Service				
	401-000-000-534-80-42-00		Telephone/DSL/Radios		\$309.90
	360-886-7235 830B: Water Reservoir		Telephone/DSL/Radios		\$66.25
	407-000-000-535-80-42-00		Telephone/DSL/Radios		\$58.50
	360-886-8146 712B: Old Lawson Pump Station		Telephone/DSL/Radios		\$52.38
	407-000-000-535-80-42-00		Telephone/DSL/Radios		\$53.47
	360-886-0474 006B: Ridge Sewer Pump Station		Telephone/DSL/Radios		\$540.50
	407-000-000-535-80-42-00		Telephone/DSL/Radios		\$540.50
	360-886-2835 784B: Morganville Pump Station		Telephone/DSL/Radios		\$540.50
	407-000-000-535-80-42-00		Telephone/DSL/Radios		\$540.50
	360-886-0537 580B: Diamond Glen Sewer				\$540.50
	Total 11112019 CL				\$540.50
Total 48227					\$540.50
Total CenturyLink (WA)					\$540.50

CHS/Cenex

48228	124244 103119	10/31/2019	2019 - December - 1st December Batch 12/05 Council		
	Oct 2019 Fuel - City				
	001-000-180-518-50-32-01		Fuel-Central Services		\$34.19
	001-000-181-518-30-32-00		Fuel		\$373.88
	001-000-181-518-30-32-00		Fuel		\$55.27
	001-000-215-521-10-32-00		Marine Fuel VRF		\$117.09
	001-000-270-576-80-32-00		Fuel		\$39.29
	001-000-280-536-20-32-00		Fuel		\$19.64
	101-000-000-543-50-32-00		Fuel		\$216.09
	101-000-000-543-50-32-00		Fuel		\$532.26
	401-000-000-534-80-32-00		Fuel		\$235.74
	407-000-000-535-80-32-00		Fuel		\$235.74
	410-000-000-531-10-32-00		Fuel		\$235.74
	Total 124244 103119				\$2,094.93
48228	124244 83119 ADJ	8/31/2019	2019 - December - 1st December Batch 12/05 Council		
	Aug 2019 Fuel - City				
	001-000-270-576-80-32-00		Fuel		\$14.81
	001-000-280-536-20-32-00		Fuel		\$7.40
	101-000-000-543-50-32-00		Fuel		\$81.41

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number		Name	Amount
		401-000-000-534-80-32-00		Fuel	\$88.81
		407-000-000-535-80-32-00		Fuel	\$88.81
		410-000-000-531-10-32-00		Fuel	\$88.81
	Total 124244 83119 ADJ				\$370.05
48228	128275 103119	10/31/2019	2019 - December - 1st December Batch 12/05 Council		
	Oct 2019 Fuel - Police				
		001-000-210-521-10-32-00		PD-Fuel	\$2,958.98
Total 48228	Total 128275 103119				\$2,958.98
Total CHS/Cenex					\$5,423.96
City of Black Diamond					\$5,423.96
48229	10312019 COBD	10/31/2019	2019 - December - 1st December Batch 12/05 Council		
	Oct 2019				
		001-000-212-521-50-47-01		Water	\$50.54
		2470.0 Police Water			
		001-000-212-521-50-47-02		Sewer	\$67.11
		2470.0 Police Sewer			
		001-000-212-521-50-47-03		Stormwater	\$95.00
		2470.0 Police Storm			
		001-000-248-518-20-47-01		MDRT BD Wtr, Swr, Storm	\$58.93
		2498.0 City Hall-MDRT (40%)			
		001-000-254-518-20-47-00		Facilities-Utilities	\$88.40
		2498.0 City Hall (60%)			
		001-000-270-575-30-47-01		Museum Water/Sewer/Storm	\$104.73
		2070.0 Museum-Water/Sewer			
		001-000-270-575-51-47-01		Gym-Stormwater	\$38.00
		1399.5 Museum-Storm			
		001-000-270-575-51-47-01		Gym-Stormwater	\$38.00
		1399.1 Gym-Stormwater			
		001-000-270-575-51-47-02		Gym-Sewer	\$67.11
		1399.0 Gym-Sewer			
		001-000-270-575-51-47-03		Gym-Water	\$48.59
		1399.0 Gym-Water			
		001-000-270-576-80-47-01		Water	\$35.63
		1582.0 Eagle Creek-Water			
		001-000-270-576-80-47-01		Water	\$35.63
		2306.0 Coal Car-Water			

Vendor	Transaction Number Transaction Reference	Invoice Date	Fiscal Description Name	Title	Void Amount
	001-000-270-576-80-47-01		1045.0 PW Shops-Water	Water	\$3.08
	001-000-270-576-80-47-02		1045.0 PW Shops-Sewer	Sewer	\$5.37
	001-000-270-576-80-47-03		1045.0 PW Shops-Storm	Stormwater	\$13.68
	001-000-270-576-80-47-03		1399.2 Boat Launch-Storm	Stormwater	\$114.00
	001-000-280-536-20-47-01		1045.0 PW Shops-Water	Water	\$0.77
	001-000-280-536-20-47-01		1457.0 Cemetery-Water	Water	\$35.66
	001-000-280-536-20-47-02		1045.0 PW Shops-Sewer	Sewer	\$1.34
	001-000-280-536-20-47-03		1045.0 PW Shops-Sewer	Stormwater	\$3.42
	001-000-530-522-10-47-01		2200.0 Fire Dept-Water	Water	\$36.07
	001-000-530-522-10-47-02		2200.0 Fire Dept-Sewer	Sewer	\$67.11
	001-000-530-522-10-47-03		1399.4 Fire Dept.-Storm	Stormwater	\$47.50
	101-000-000-543-50-47-01		1045.0 PW Shops-Water	Water	\$5.78
	101-000-000-543-50-47-01		2983.0 Railroad Ave Irrig.	Water	\$35.63
	101-000-000-543-50-47-02		1045.0 PW Shops-Sewer	Sewer	\$10.07
	101-000-000-543-50-47-03		1045.0 PW Shops-Storm	Stormwater	\$25.65
	401-000-000-534-80-47-01		1045.0 PW Shops-Water	Water	\$9.63
	401-000-000-534-80-47-02		1045.0 PW Shops-Sewer	Sewer	\$16.78
	401-000-000-534-80-47-03		1045.0 PW Shops-Storm	Stormwater	\$42.75
	407-000-000-535-80-47-01		1045.0 PW Shops-Water	Water	\$9.63
	407-000-000-535-80-47-02		1045.0 PW Shops-Sewer	Sewer	\$16.78
	407-000-000-535-80-47-03		1045.0 PW Shops-Storm	Stormwater	\$42.75

Vendor	Transaction Number Transaction Reference	Invoice Date	Fiscal Description Name	Title	Void Amount
Total City of Black Diamond	48230	11/10/2019	2019 - December - 1st December Batch 12/05 Council	407-000-000-535-80-47-03 Stormwater	\$114.00
				1399.3 Sewer Lagoon-Storm	
				410-000-000-531-10-47-01 Water	\$9.63
				1045.0 PW Shops-Water	
				410-000-000-531-10-47-02 Sewer	\$16.78
Comcast	48231	11/12/2019	2019 - December - 1st December Batch 12/05 Council	1045.0 PW Shops-Sewer	\$42.75
				410-000-000-531-10-47-03 Stormwater	
				1045.0 PW Shops-Storm	
				Total 10312019 COBD	\$1,454.28
				Total 48229	\$1,454.28
Total Comcast	48230	11/10/2019	2019 - December - 1st December Batch 12/05 Council	001-000-214-521-20-42-00 Police Tele/web/DSL/Air Cards	\$3.21
				Police Cable TV Act 8498 34 014 0106172	
				Total 111019 0106172	\$3.21
				Total 48230	\$3.21
				Total 48231	\$3.21
Dwayne Lane's Dodge	48231	11/12/2019	2019 - December - 1st December Batch 12/05 Council	2019 Dodge Ram PU	
				510-000-200-594-48-64-02 PW- Truck & Equip	
				Total KS715139	\$27,068.09
				Total 48231	\$27,068.09
				Total Dwayne Lane's Dodge	\$27,068.09
Emblem Enterprises, Inc.	48232	11/18/2019	2019 - December - 1st December Batch 12/05 Council	PD - Uniforms	
				001-000-210-521-10-31-04 PD-Uniforms	
				Total 773352	\$419.11
				Total 48232	\$419.11
				Total Emblem Enterprises, Inc.	\$419.11

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
Federal Eastern International					
48233	512736	11/8/2019	2019 - December - 1st December Batch 12/05 Council		
		PD Uniforms			
		001-000-210-521-10-31-04	PD-Uniforms		\$994.02
		HiLite - Soft Trauma Pk.			\$994.02
					\$994.02
Total 48233					\$994.02
Total Federal Eastern International					
FP Mailing Solutions					
48234	RI104274672	11/15/2019	2019 - December - 1st December Batch 12/05 Council		
		11/14/19 - 2/13/20 Service			
		001-000-180-518-50-45-01	Postage Meter Rental & Maint.		\$130.32
					\$130.32
					\$130.32
Total 48234					\$130.32
Total FP Mailing Solutions					
Galls, LLC					
48235	14545839	11/15/2019	2019 - December - 1st December Batch 12/05 Council		
		PD - Uniforms			
		001-000-210-521-10-31-04	PD-Uniforms		\$270.80
					\$270.80
					\$270.80
Total 48235					\$270.80
Total Galls, LLC					
Greater Maple Valley-Black Diamond Chamber of Commerce					
48236	11416	11/20/2019	2019 - December - 1st December Batch 12/05 Council		
		November Chamber Luncheon - Benson			
		001-000-130-513-10-43-00	Lodging, Meals & Mileage		\$22.00
		C. Benson			\$22.00
					\$22.00
Total 48236					\$22.00
Total Greater Maple Valley-Black Diamond Chamber of Commerce					

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number	Name	Title	Amount

Home Depot Credit Service

48237	1522339	11/8/2019	2019 - December - 1st December Batch 12/05 Council		
		PW - Supplies			
		101-000-000-544-90-31-00	PW Clearing Acct-Supplies		\$104.98
	Total 1522339				\$104.98
48237	4152091	11/15/2019	2019 - December - 1st December Batch 12/05 Council		
		PD Supplies			
		001-000-212-521-50-31-00	Police Bldg Mtc Sup		\$59.70
		Fire Ext			\$59.70
	Total 4152091				\$164.68
	Total 48237				\$164.68
	Total Home Depot Credit Service				\$164.68
	HWA GeoSciences Inc.				

48238	29807	10/26/2019	2019 - December - 1st December Batch 12/05 Council		
		Service through 10/26/2019			
		001-000-257-558-70-41-05	MDRT Geotech		\$400.00
	Total 29807				\$400.00
48238	29809	10/26/2019	2019 - December - 1st December Batch 12/05 Council		
		Service through 10/26/2019			
		001-000-257-558-70-41-05	MDRT Geotech		\$600.00
	Total 29809				\$600.00
48238	29841	11/8/2019	2019 - December - 1st December Batch 12/05 Council		
		Service through 11/8/2019			
		001-000-257-558-70-41-05	MDRT Geotech		\$17,719.20
	Total 29841				\$17,719.20
	Total 48238				\$18,719.20
	Total HWA GeoSciences Inc.				\$18,719.20

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number		Name Title	

Johnsons Home & Garden

48239	441525	11/13/2019	2019 - December - 1st December Batch 12/05 Council		
		Fac - Supplies			
		001-000-254-518-20-31-00	Facilities Operating Supplies		\$34.74
	Total 441525				\$34.74
48239	441528	11/13/2019	2019 - December - 1st December Batch 12/05 Council		
		PW - Supplies			
		401-000-000-534-80-31-01	Water Operating Supplies		\$28.23
	Total 441528				\$28.23
48239	441532	11/13/2019	2019 - December - 1st December Batch 12/05 Council		
		PW - Supplies			
		310-000-004-595-62-63-07	Rehab E Ginder Creek Prop		\$134.64
	Total 441532				\$134.64
Total 48239					\$197.61
Total Johnsons Home & Garden					\$197.61
King County Finance					
48240	101847-101847	10/31/2019	2019 - December - 1st December Batch 12/05 Council		
		October 2019 Service			
		101-000-000-542-64-41-02	Street Striping		\$7,136.09
	Total 101847-101847				\$7,136.09
48240	3002634	11/13/2019	2019 - December - 1st December Batch 12/05 Council		
		October 2019 Service			
		001-000-211-523-60-49-00	Jail Costs		\$2,057.55
	Total 3002634				\$2,057.55
Total 48240					\$9,193.64
Total King County Finance					\$9,193.64

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
King County Finance - I-Net					
48241	11008502	10/31/2019	2019 - December - 1st December Batch 12/05 Council		
		Oct 2019 Service			
		001-000-214-521-20-42-01	Police Comm KC I-Net		\$375.00
		PD INet			
		001-000-248-518-20-42-00	MDRT Telephone, Fax, Internet costs		\$150.00
		MDRT INet			
		001-000-254-518-20-42-00	Facilities-Telephones		\$225.00
		CH/CD INet			
	Total 11008502				
Total 48241					
Total King County Finance - I-Net					
King County Finance - Mental Health					
48242	2120352	11/8/2019	2019 - December - 1st December Batch 12/05 Council		
		Allocation 3rd Qtr 2019			
		001-000-182-566-00-49-01	KC Mental Health		\$305.79
	Total 2120352				\$305.79
Total 48242					\$305.79
Total King County Finance - Mental Health					
L.N. Curtis & Sons					
48243	INV333804	11/6/2019	2019 - December - 1st December Batch 12/05 Council		
		PD - Uniforms			
		001-000-210-521-10-31-04	PD-Uniforms		\$286.77
	Total INV333804				\$286.77
Total 48243					\$286.77
Total L.N. Curtis & Sons					
Legend Data Systems, Inc.					
48244	127159	9/9/2019	2019 - December - 1st December Batch 12/05 Council		
		PW - Supplies			
		101-000-000-544-90-31-00	PW Clearing Acct-Supplies		\$22.26

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number		Name	Amount
				Title	

ID Cards

Total 127159
 Total 48244
 Total Legend Data Systems, Inc.
 Maple Valley Royal Towing

48245 59313 8/2/2019 2019 - December - 1st December Batch 12/05 Council
 August 2019 Service
 001-000-210-521-10-49-06 PD-Towing Services

Total 59313
 Total 48245
 Total Maple Valley Royal Towing
 Office Products Nationwide

48246 1070096-0 11/11/2019 2019 - December - 1st December Batch 12/05 Council
 Crt - Supplies
 001-000-120-512-50-31-00 Operating Supplies

48246 1071088-0 11/15/2019 2019 - December - 1st December Batch 12/05 Council
 CH - Supplies
 001-000-180-518-50-31-00 Office Supplies City Hall
 001-000-254-518-20-31-00 Facilities Operating Supplies

Total 1071088-0
 48246 1071399-0 11/18/2019 2019 - December - 1st December Batch 12/05 Council
 CH - Supplies
 001-000-180-518-50-31-00 Office Supplies City Hall

Total 1071399-0
 \$22.26
 \$22.26
 \$22.26
 \$135.75
 \$135.75
 \$135.75
 \$135.75
 \$57.72
 \$57.72
 \$59.93
 \$125.66
 \$185.59
 \$47.77
 \$47.77

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
48246	1071466-0	11/18/2019	2019 - December	Batch 12/05 Council	
		CH - Supplies			
		001-000-180-518-50-31-00	Office Supplies	City Hall	\$241.92
		CH Office Supplies			\$241.92
					\$533.00
					\$533.00
Total 48246					
Total Office Products Nationwide					
Parametrix, Inc.					
48247	14274	11/18/2019	2019 - December	Batch 12/05 Council	
		Service through 11/2/2019			
		402-000-003-594-34-63-06	Springs Water Project		\$6,325.25
					\$6,325.25
48247	14498	11/18/2019	2019 - December	Batch 12/05 Council	
		Service through 11/2/2019			
		001-000-257-558-70-41-03	MDRT Traffic Engineering-Parametrix		\$851.25
					\$851.25
48247	14499	11/18/2019	2019 - December	Batch 12/05 Council	
		Service through 11/2/2019			
		001-000-257-558-70-41-03	MDRT Traffic Engineering-Parametrix		\$1,504.60
					\$1,504.60
48247	14500	11/18/2019	2019 - December	Batch 12/05 Council	
		Service through 11/2/2019			
		001-000-257-558-70-41-03	MDRT Traffic Engineering-Parametrix		\$1,157.50
					\$1,157.50
					\$9,838.60
					\$9,838.60
Total 48247					
Total Parametrix, Inc.					
Puget Sound Energy					
48248	110719 PSE	11/7/2019	2019 - December	Batch 12/05 Council	
		Oct 2019 Service			
		001-000-212-521-50-47-00	Electric/gas		\$66.06

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
	Account Number	Name	Title		
	001-000-212-521-50-47-00	220013379882: Police Storage	Electric/gas		\$542.02
	001-000-248-518-20-47-00	200009377470: PD/CT Elec	MDRT Electricity		\$340.91
	001-000-254-518-20-47-00	220013379841: MDRT Mod Bldgs Elec	Facilities-Utilities		\$76.65
	001-000-254-518-20-47-00	200008062016: City Hall Elec	Facilities-Utilities		\$511.36
	001-000-254-518-20-47-00	220013379841: CD/PW Mod Bldgs Elec	Facilities-Utilities		\$173.67
	001-000-270-575-30-47-00	200008061844: City Hall Elec	Museum Electric/Gas		\$300.72
	001-000-270-575-51-47-00	220013378793: Museum	Gym- Electricity and Gas		\$326.52
	001-000-270-576-80-47-00	220013379652: Gym	Electric/Gas		\$10.45
	001-000-270-576-80-47-00	220013379221: Lake Sawyer Boat Launch	Electric/Gas		\$4.96
	001-000-280-536-20-47-00	220013379635: PW Shop-Parks 4%	Electric/Gas		\$2.48
	101-000-000-542-63-47-01	220013379635: PW Shop-Cemetery 2%	Street Lighting		\$46.65
	101-000-000-542-63-47-01	220013379197: Cov Sawyer & 216th	Street Lighting		\$1,842.38
	101-000-000-542-63-47-01	220013397355: PSE Streetlights	Street Lighting		\$10.45
	101-000-000-542-63-47-01	220013379247: 216th Signal & Street Lights	Street Lighting		\$13.87
	101-000-000-542-63-47-01	220013379601: Baker St Crosswalk	Street Lighting		\$201.30
	101-000-000-542-63-47-01	220014704229: Intersection Light 219th & SE 296th St	Street Lighting		\$82.67
	101-000-000-543-50-47-00	220013379817: Ped Lighting Roberts	Electric/Gas		\$27.26
	401-000-000-534-80-47-00	220013379635: PW Shop-Street 22%	Electric/Gas		\$20.14
	401-000-000-534-80-47-00	220013378850: .5 Mil Gal Resv	Electric/Gas		\$29.74
	401-000-000-534-80-47-00	220013379635: PW Shop-Water 24%	Electric/Gas		\$2,388.32
		220013378835: Booster Station			

Vendor	Transaction Number Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Void Amount
		401-000-000-534-80-47-00	Electric/Gas	\$329.35
		220013378868: 4.3 Mil Gal Resv		
		407-000-000-535-80-47-00	Electric/Gas	\$31.72
		220013379643: Diamond Glen Sewer		
		407-000-000-535-80-47-00	Electric/Gas	\$11.79
		220013379619: Sewer Pump		
		407-000-000-535-80-47-00	Electric/Gas	\$29.74
		220013379635: PW Shop-Sewer 24%		
		407-000-000-535-80-47-00	Electric/Gas	\$73.08
		220013378819: Morganville Lift Station		
		410-000-000-531-10-47-00	Electric/Gas	\$29.74
		220013379635: PW Shop-Drainage 24%		
	Total 110719 PSE			\$7,524.00
	Total 48248			\$7,524.00
	Total Puget Sound Energy			\$7,524.00
	Regional Animal Services of King County			
	48249	11/20/2019	2019 - December - 1st December Batch 12/05 Council	
	112019 RAS			
		Lic Renewal		
	Total 112019 RAS	633-000-000-589-90-00-01	King County Animal License	\$15.00
	Total 48249			\$15.00
	Total Regional Animal Services of King County			\$15.00
	Roads Paving Washington, LLC			
	48250	9/24/2019	2019 - December - 1st December Batch 12/05 Council	
	06446			
		Paving Proj - 32820 3rd Ave		
		510-000-200-594-48-64-02	PW- Truck & Equip	\$3,909.60
	Total 06446			\$3,909.60
	Total 48250			\$3,909.60
	Total Roads Paving Washington, LLC			\$3,909.60
	Sound Publishing Inc.			
	48251	10/30/2019	2019 - December - 1st December Batch 12/05 Council	
	ECH879048			
		Fin - Legal Advertising		
		001-000-140-514-23-41-75	Advertising	\$72.75
	Total ECH879048			\$72.75

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description Name	Title	Void Amount
	48251	ECH879053	10/30/2019	2019 - December - 1st December Batch 12/05 Council		
		PLN - Legal Advertising				
		001-000-240-558-60-41-75		Advertising-Long range planning		\$131.40
	Total 48251	Total ECH879053				\$131.40
		Total Sound Publishing Inc.				\$204.15
		Sound Uniform Solutions/Bratwear				\$204.15
	48252	201911SU064	11/7/2019	2019 - December - 1st December Batch 12/05 Council		
		PD - Uniforms				
		001-000-210-521-10-31-04		PD-Uniforms		\$445.79
	Total 48252	Total 201911SU064				\$445.79
		Total Sound Uniform Solutions/Bratwear				\$445.79
		Southcenter Engraving				\$445.79
	48253	99708	10/31/2019	2019 - December - 1st December Batch 12/05 Council		
		Engraved name plates				
		001-000-110-511-60-49-01		Miscellaneous		\$22.00
	Total 48253	Total 99708				\$22.00
		Total Southcenter Engraving				\$22.00
		Summit Law Group, PLLC				\$22.00
	48254	108940	11/20/2019	2019 - December - 1st December Batch 12/05 Council		
		Oct 2019 Service				
		001-000-150-515-41-41-02		Legal Services -Employment		\$230.00
	Total 48254	Total 108940				\$230.00
		108941	11/20/2019	2019 - December - 1st December Batch 12/05 Council		
		Oct 2019 Service				
		001-000-150-515-41-41-08		Legal Svcs-Union Contracts		\$110.00
	Total 48254	Total 108941				\$110.00
		Total Summit Law Group, PLLC				\$340.00
						\$340.00

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number		Name	Amount
				Title	

Thomas C. Petek, PhD

48255	10614	10/31/2019	2019 - December - 1st December Batch 12/05 Council		
		October 2019 Service			
		001-000-213-521-10-41-00		Civil Service Testing	\$300.00
Total 48255	Total 10614				\$300.00
Total Thomas C. Petek, PhD					\$300.00
Truck Performance NorthWest					\$300.00
48256	46290	11/13/2019	2019 - December - 1st December Batch 12/05 Council		
		Utility Work Box for New Pick Up			
		510-000-200-594-48-64-02		PW- Truck & Equip	\$2,293.83
Total 46290					\$2,293.83
Total 48256					\$2,293.83
Total Truck Performance NorthWest					\$2,293.83
Voice of The Valley					
48257	21601	11/11/2019	2019 - December - 1st December Batch 12/05 Council		
		Fin - Misc Legal Advertising			
		001-000-180-518-50-41-04		Miscellaneous Costs	\$570.00
Total 21601					\$570.00
Total 48257					\$570.00
Total Voice of The Valley					\$570.00
Water Management Laboratories, Inc.					
48258	180771	11/11/2019	2019 - December - 1st December Batch 12/05 Council		
		November 2019 Service			
		401-000-000-534-80-41-02		Water Testing and Sampling	\$21.00
Total 180771					\$21.00
Total 48258					\$21.00
Total Water Management Laboratories, Inc.					\$21.00

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description Name	Void Amount
Yakima County Department of Corrections					
48259	111019 YAK	11/10/2019	2019 - December - 1st December Batch 12/05 Council		
	October 2019 Jail Service				
	001-000-211-523-60-49-00			Jail Costs	\$318.25
	5 days				\$318.25
	Total 111019 YAK				\$318.25
	Total 48259				\$318.25
	Total Yakima County Department of Corrections				\$318.25
	Vendor Count	38		Grand Total	\$137,126.50

**BLACK DIAMOND CITY COUNCIL
WORK SESSION MINUTES**

November 14, 2019

Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Benson called the regular work session meeting to order at 6:00 p.m. and led us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers, Deady, Oglesbee, Edelman, Stout, Wisnoski, and Paige.

ABSENT: Councilmembers Nelson (excused)

Staff present: May Miller, Finance Director; Chief Smith; and Brenda L. Martinez, City Clerk.

Mayor Benson welcomed and introduced Finance Director Miller who would be leading the presentation.

WORK SESSION:

1) Discussion and Review of Sewer Rate Study

Finance Director Miller introduced Ashley Emery of Peninsula Financial Consulting and shared that Mr. Emery has provided rate study analysis for the City in the past.

Mr. Emery commented on being here a while ago regarding rate increases and taking a look at all three utilities. He noted the sewer utility is the only one that an increase is being proposed for. He noted that all three funds are not going to be reliant on growth as in the past; they have passed that critical phase. The main focus will be on the sewer and then briefly discuss the other utility funds. He reviewed with Council the financial forecast model and explained the assumptions in the model. He noted this will help the City plan for the future.

Mr. Emery and Council explored the sewer fund with growth and without and no rate increase and other scenarios and rate options to help the fund recover and become solvent.

Following the rate analysis scenarios Council was comfortable with the 15% increase in 2020, 10% increase in 2021, and 5% increase in 2022 and in 2023 adding an inflationary increase of 3% yearly.

Mr. Emery briefly reviewed the other utility funds with Council.

ADJOURNMENT:

Councilmember Edelman **moved** to adjourn the meeting; **second** by Councilmember Deady. Motion **passed** with all voting in favor (6-0).

The meeting ended at 7:50 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of November 21, 2019
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 led us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Oglesbee, Edelman, Stout, Wisnoski, Nelson, and Paige.

ABSENT: None

Staff present: Andrew Williamson, MDRT/Ec Dev Director; Chief Smith; Kevin Esping, Facilities Coordinator, Seth Boettcher, Public Works Director; May Miller, Finance Director; David Linehan, City Attorney, and Brenda L. Martinez, City Clerk/HR.

AGENDA REVIEW AND APPROVAL:

Councilmember Deady **moved** to approve the agenda with the addition of an executive session at the end of the meeting; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (7-0).

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

Presentation - Mayor Benson presented Councilmember Wisnoski a Certificate of Appreciation for his service on the City Council.

CONSENT AGENDA:

Councilmember Deady **moved** to adopt the Consent Agenda; **second** Councilmember Stout. Motion **passed** with all voting in favor (7-0). The Consent Agenda was approved as follows:

- 1) **Claim Checks** –November 21, 2019 Check No. 48162 through 48220 and EFTs in the amount of \$508,172.52
- 2) **Payroll** – October 2019 – Check No. 19880 through No. 19890 and ACHS in the amount of \$364,567.52
- 3) **Minutes** –Special Meeting of November 7, 2019, Council Meeting of November 7, 2019
- 4) **AB19-057** – Resolution No. 19-1324 Accepting 2019 Lawson Street Patching Project

5) AB19-058 – Resolution No. 19-1325 Accepting East Ginder Creek Cottonwood Removal Project

PUBLIC COMMENTS:

Philip Acosta, Black Diamond spoke to Council.

Gary Davis, Black Diamond spoke to Council.

PUBLIC HEARINGS:

6) AB19-059 – Ordinance Regarding Utility Rate Structure

Public Works Director Boettcher spoke to Council on this item and discussed the changes being proposed.

Mayor Benson opened the public hearing at 7:11 p.m.

Jake Bond, representing Cedarbrook Mobile Home Park commented on appreciating the City's consideration of these changes and spoke on the lifeline accounts. He noted Cedarbrook priding itself on being an affordable option and would like to have some flexibility on the program and hopes the program is expanded. He also commented on the efficiency of manufactured homes and discussed their average consumption per household per day. He noted the new tiered structure will certainly help the cost savings and offset the additional sewer fee residents in the park will be paying.

Mayor Benson closed the public hearing at 7:14 p.m.

7) AB19-060 – 2020 Preliminary Budget

Finance Director Miller briefed Council on this item with the focus being on the process that has taken place so far and the budget being in balance for the capital and operating funds.

Mayor Benson opened the public hearing 7:17 p.m.

Kristen Bryant, Bellevue commented on attending the budget workstudies and wondered about a capital expenditure to do a traffic study she believes to set traffic mitigation fees and noted early this year it came up as something that might occur in 2019 and was put into 2020. She noted this being a really important item as we are all concerned about traffic and and shared two thoughts: 1) One way is the best way to mitigate traffic is to really look carefully at your zoning and development potential because adding the cars and to reduce traffics it's probably better not to add the cars in the first place and noted the city has a lot of development coming with Ten Trails, and 2) This study is really important and anything Council can do to ensure that is does get done and stays in the budget would be beneficial she believes.

Mayor Benson closed the public hearing at 7:19 p.m.

8) AB19-061 – Ordinance No. 19-1130 Regarding the City’s Lifeline Program

Finance Director Miller reported on this item to Council and highlighted the changes being proposed.

Mayor Benson opened the public hearing at 7:21 p.m.

Mike Gere, Black Diamond spoke in favor of this ordinance. He commented on being disabled and living on \$578 per month. He added is wife is disabled too and receives the same amount as he does. He said the lifeline program sounds good to him and asked if the lifeline program would apply to residents in Cedarbrook Mobile Home Park.

Mayor Benson closed the public hearing at 7:25 p.m.

Finance Director Miller continued to explain the lifeline changes being made and noted this program would extend to Cedarbrook Mobile Home Park residents.

Councilmember Stout **moved** to adopt Ordinance No. 19-1130 amending the Black Diamond Municipal Code to allow residents of Black Diamond Multi-family mobile home parks, apartments, duplex’s and ADU’s to apply for the utility discount program; **second** Councilmember Deady.

There was Council discussion on this with the focus being on could the monies from the affordable housing tax credit be used to support this program.

Vote: Motion **passed** with all voting in favor (7-0).

9) AB19-062 - 2020 Preliminary Budget of Revenue Sources and Possible Increase in Property Tax

Finance Director Miller briefed Council on this item.

Mayor Benson opened the public hearing at 7:36 p.m.

There was no oral testimony. Mayor Benson closed the public hearing 7:36 p.m.

UNFINISHED BUSINESS: None

NEW BUSINESS:

10) AB19-063 – Ordinance No. 19-1131 Adopting Percentage Increase in 2020 Property Tax
Finance Director Miller reported on this item.

Councilmember Deady **moved** to adopt Ordinance No. 19-1131 approving the property tax dollar increase and percentage as calculated by King County for 2020; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (7-0).

11) AB19-064 – Ordinance No. 19-1132 Adopting Total Property Tax Dollars for 2020 Budget

Finance Director Miller recapped this item for Council.

Councilmember Oglesbee **moved** to adopt Ordinance No. 19-1132 setting the estimated assessed valuation and maximum property tax dollar amount for 2020 to be used for public safety, including police, fire and emergency services; **second** Councilmember Deady. Motion **passed** with all voting in favor (7-0).

DEPARTMENT REPORTS:

FIRE – Commissioner Ferrell presented an appreciation of service award to Councilmember Wisnoski for his time on the Ad Hoc Committee. He also updated Council that the Board voted to enact unanimously the three-year notification to terminate service. He noted looking forward to working with the Council to solve this problem.

Chief Smith recapped the calls during the period November 7 – November 20. There were 22 incidents during this period for an average of 1.6 accidents per day. He updated Council on the new fire engine purchase and share the District's first audit with L&I went well, and also noted meeting with the MDRT Department on addressing in the MPD.

MAYOR'S REPORT:

Mayor Benson reported attending the SCATBd meeting and the Mayor's luncheon in Renton where the topic was homelessness.

COUNCIL REPORTS:

Councilmember Deady reported attending the Finance and Planning Committee meetings. She shared that it has been a pleasure to serve with Councilmember Wisnoski; she met with Public Works Director Boettcher regarding the wood piles from the clearing project.

Councilmember Oglesbee reported attending the Planning Committee meeting where they discussed code enforcement and she reminded everyone about the Community Thanksgiving Dinner sponsored by Kiwanis and the PTA from 11 a.m.-1 p.m. on Sunday.

Councilmember Edelman reported attending the Public Works Committee meeting, PIC meeting where the topic was the Regional Homeless Authority and draft SCA Legislative Agenda; she encouraged Councilmembers to attend the SCA networking dinner on December 4 and noted that SCA Director Deanna Dawson has mentioned coming to a Council meeting to talk about what SCA does. She mentioned she was going to miss Councilmember Wisnoski and thanked him for his service and what a pleasure it was to work with him.

Councilmember Stout reported attending the Public Works Committee and Finance Committee meetings, work session on sewer rates with Ashley Emery; attended PIC meeting where the discussion was on the homeless authority and noted having concerns with this and rushing it in. She also attended the Pre-PIC meeting.

Councilmember Wisnoski thanked Council, Staff, and Citizens during the time he served; it was great and he learned a lot. He mentioned that Council represents all of Black Diamond and wished everyone good luck.

Councilmember Nelson noted being consumed with getting his son ready for the army. He distributed flyers on the Richard Sherman challenge and shared what the challenge is about. He thanked Councilmember Wisnoski and stated he wished he could have worked with him longer. He stated Chris leaves some big shoes to fill and is looking forward to working with Kristiana.

Councilmember Paige reported attending the rate study work session where he noticed the commitment of fellow Councilmembers to be advocates for the residents and being cost conscious and evaluating whether an increase is needed or not and looking at avenues to avoid increases. He attended the Finance Committee meeting and scheduled meetings with staff. He shared the city having a good top caliber committed set of people working for the residents.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Bob Edelman, Black Diamond spoke to Council.

EXECUTIVE SESSION:

At 8:13 p.m. Mayor Benson announced that in accordance with RCW 42.30.110(1)(i) Council would be going into executive session to discuss pending and potential litigation with legal Counsel. The executive session was anticipated to last 20 minutes with no action to follow. She then asked the audience members to exit the Council Chambers. The executive session started at approximately 8:23 p.m.

There was a ten minute extension announced.

There was a five minute extension announced.

At 8:58 p.m. Mayor Benson called the meeting back to order.

ADJOURNMENT:

Councilmember Wisnoski **moved** to adjourn the meeting; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (7-0).

The meeting ended at 8:58 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: December 5, 2019	AB19-068
Authorizing the Mayor to execute the City's written final plat approval for The Villages MPD, Ten Trails Parcel V24 Final Plat	Mayor – Carol Benson	
	City Administrator –	
	City Attorney – David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res –	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	X
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note): None	Public Works – Seth Boettcher	
Fund Source: n/a	Court – Stephanie Metcalf	
Timeline:		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Proposed Resolution; Staff Report; Plat Map; Performance and Maintenance Bonds (exhibit within Staff Report).		
SUMMARY STATEMENT: <p>The Villages (also referred to as “Ten Trails”) Parcel V24 is a 61-lot plat that was granted Preliminary Approval under City File Number PLN18-0039. The plat is located within The Villages Master Planned Development Phase 1A and is zoned Master Planned Development (MPD). The owners, Oakpointe / CCD Black Diamond LLC, have completed the preliminary plat requirements and now are requesting final plat approval. Staff has worked with the applicants to ensure preliminary requirements have been met. Staff’s written findings and recommendation for approval are documented in a Staff Report for City Council’s review. If the Council determines that the final plat conforms to all terms of the preliminary plat approval set forth by the Hearing Examiner and that adequate bonds have been posted, then by resolution, it shall accept staff’s written findings and authorize the Mayor to execute the final plat approval by entering the City’s written approval on the face of the plat.</p>		
FISCAL NOTE (Finance Department): N/A		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt Resolution No. 19-1326 approving the final plat for Parcel V24 Ten Trails Phase 1A (PLN18-0039); setting forth supportive findings and fixing a time when the final plat shall become effective.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
December 5, 2019		

RESOLUTION NO. 19-1326

A RESOLUTION OF THE CITY OF BLACK DIAMOND, WASHINGTON, GRANTING APPROVAL OF THE FINAL PLAT FOR TEN TRAILS (F/K/A “THE VILLAGES”) PARCEL V24

WHEREAS, on September 20, 2010, the City Council adopted Ordinance No. 10-946 approving a Master Planned Development (“MPD”) permit for applicant CCD Black Diamond Partners LLC’s (“Oakpointe”), f/k/a Yarrow Bay, to develop of a master planned community known as “The Villages”; and

WHEREAS, on December 12, 2011, the City Council adopted Ordinance No. 11-970 approving The Villages Development Agreement (“DA”) with Oakpointe setting forth extensively negotiated requirements and agreed conditions governing commercial and residential development activity within The Villages MPD; and

WHEREAS, on December 10, 2012, the City’s Hearing Examiner conditionally granted Preliminary Plat Approval for the subdivision known as Phase 1A (“PP1A”) of The Villages MPD, and Oakpointe has since changed the name of The Villages MPD to “Ten Trails”; and

WHEREAS, on November 14, 2018, the City’s Hearing Examiner conditionally granted Preliminary Plat Approval for Ten Trails Parcel V24, which lies within Division 1 of the PP1A subdivision; and

WHEREAS, Oakpointe has applied for final plat approval (File No. PLN19-0084) for Ten Trails Parcel V24; and

WHEREAS, under the DA, Oakpointe’s application for final plat approval of Ten Trails Parcel V24 is vested to the Black Diamond Municipal Code in effect as of the date of the DA, which is attached as Exhibit E to the DA (“Vested Code”); and

WHEREAS, City staff and members of the Master Developer Review Team (“MDRT”) have reviewed the proposed final plat for Ten Trails Parcel V24 for compliance with all provisions of state law and the Vested Code, as well as all conditions imposed by the applicable MPD permit, the DA, the Hearing Examiner’s Preliminary Plat Approval, and the MPD Framework Design Standards and Guidelines (collectively, “Conditions of Approval”), and have prepared and provided to the City Council a Staff Report summarizing their findings in detail; and

WHEREAS, City staff and members of the MDRT, based on their review of the final plat application, recommend approval of Ten Trails Parcel V24 final plat, subject to Oakpointe’s submission of adequate security to ensure the completion of the remaining work; and

WHEREAS, City staff and members of the MDRT have reviewed and approved the bonds guaranteeing completion and maintenance of the infrastructure improvements required by the Conditions of Approval; and

WHEREAS, section 17.20.060.B of the Vested Code requires the City Council to review the Staff Report and proposed final plat to assure its conformance to all Conditions of Approval and that the required bonds, if applicable, have been posted, and further requires the City Council, by resolution, to make written findings to that effect and thereupon to authorize the Mayor to execute the City Council's approval in writing on the face of the final plat; and

WHEREAS, RCW 58.17.140 and Vested Code section 17.20.060 require that the City Council approve, disapprove, or return the final plat for modification within a limited time period, unless the applicant consents to a longer time; and

WHEREAS, RCW 58.17.195 prohibits the approval of any subdivision unless the City makes a formal, written finding of fact that the proposed subdivision conforms to applicable zoning ordinances and other land-use controls;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Final Plat Approval. The City Council finds, based on its review of the Staff Report and proposed final plat for Ten Trails Parcel V24, that all Conditions of Approval have been satisfied, or where they have not yet been satisfied, that adequate security has been or will be posted to ensure the full and prompt completion of all required improvements that have not yet been completed. Further, the City Council finds that the proposed subdivision conforms to applicable zoning ordinances and land-use controls of the City. Accordingly, the final plat for Ten Trails Parcel V24 is hereby approved on condition that Oakpointe provides bonds, in a form and amount acceptable to the City, guaranteeing completion of all infrastructure improvements required by the Conditions of Approval that have not yet been completed.

Section 2. Authorization. Upon Oakpointe's provision of the bond(s) described in Section 1, the Mayor is authorized to sign the final plat for Ten Trails Parcel V24, signifying the Council's approval.

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**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 5TH DAY OF
DECEMBER, 2019.**

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk



CITY OF BLACK DIAMOND

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November 27, 2019

STAFF REPORT – PLN19-0084 Ten Trails Parcel V24 Final Plat

Staff Report Notes

Dear City Council:

Due to ongoing review of this final plat application and time restraints resulting from the upcoming holiday, the Staff Report contained in your packet is to be considered a draft Staff Report. The information contained in your packet – namely the final plat drawings and draft Staff Report – provide enough information to become familiar with this application. As always, please contact Staff with any questions and/or clarifications.

The applicant is currently making minor text revisions to the final plat drawings to respond to Staff's review comments. The requested revisions are minor and can be considered corrections to scrivener's errors to text within the final plat document. Staff is confident that the final plat is adequate for Council review pending these minor revisions that will be made during the period between the draft Staff Report's inclusion in the Council packet and the City Council Meeting on December 5th.

City Council will be provided a final Staff Report ahead of the Council Meeting for review. Until final documents are provided to the City, the Staff Report cannot be signed as complete by reviewing departments.

The following list identifies items that are outstanding at the time of this Staff Report's inclusion in the City Council packet, but will be completed and provided to the Council ahead of the December 5th meeting:

- Specific CCR Section numbers as they relate to preliminary plat conditions; specifically on pages 8 and 10 of the draft Staff Report. These CCR section numbers will be updated upon final submittal of documents to the City and approval by the City Attorney of these items.
- Signatures of Staff Recommendation on page 14 of the Staff Report. Signatures will be provided upon review of final documents to be submitted to the City and will be included in the final Staff Report.
- Exhibits, as detailed on page 15 of the Staff Report. The list of exhibits is accurate, however the actual exhibits will be provided along with the final Staff Report and upon review of final documents to be submitted to the City.



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November 27, 2019

STAFF REPORT – PLN19-0084 Ten Trails Parcel V24 Final Plat

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Administrative Note: References to "Ten Trails" within this final plat application can be used interchangeably with "The Villages." The applicant has re-branded The Villages Master Planned Development as "Ten Trails," however the approved Master Planned Development Permit for The Villages (City File Number PLN09-0017) has not been amended to officially refer to the Master Planned Development as "Ten Trails."

Section I: Application Information

Staff Report Date: November 27, 2019

Name of Subdivision: Ten Trails Master Planned Development Parcel V24

Number of Lots: 61 total lots for residential development (Lots 1-61) and 16 tracts for access, utility, pedestrian access, landscape, and park uses.

Location: Unaddressed King County Parcel Numbers 857600-0800, 857600-0810, and 857600-1060

Zoning: Master Planned Development (MPD)

Comprehensive Plan Designation: Mixed-Use/Low Density Residential with MPD Overlay

Land Owner / Applicant: CCD Black Diamond Partners LLC, d/b/a Oakpointe, c/o: Colin Lund

Preliminary Plat Approval: Parcel V24 was originally included in The Villages Phase 1A Preliminary Plat, which was approved by the City's Hearing Examiner on December 10, 2012 under City File Number PLN11-0001 subject to 91 conditions of approval. Subsequent to the conditional approval of the Phase 1A Preliminary Plat, the Master Developer (Oakpointe) submitted a minor plat amendment to reduce the residential density of Parcel V24 from MPD-H (high density residential) to MPD-M (medium density residential). The density reduction was approved under an MPD Site Plan Minor Amendment (PLN18-0045) and associated MPD Development Agreement Minor Amendment (PLN18-0067).

Parcel V24 consists of Lots 80/81 and Tracts V/W of the Ten Trails Phase 1A – Division 1 Final Plat (processed under City File Number PLN17-0049 and adopted by Resolution No. 17-1188).

The Parcel V24 Preliminary Plat application, processed under City File Number PLN18-0039, was approved by the City's Hearing Examiner on November 14, 2018 subject to 26 conditions of approval. The conditions of approval imposed on the Parcel V24 Preliminary Plat identified the conditions of approval from the Phase 1A Preliminary Plat that would apply to the Parcel V24 Preliminary Plat. Compliance with the Parcel V24 Preliminary Plat conditions of approval is detailed in Section IV – Project Analysis of this Staff Report.

Final Plat Application: The City initially received an application for final plat approval on November 18, 2019. The applicant provided revised final plat drawings and additional information to the City on November 26, 2019.

Section II: Summary of Request

This application is for the final platting of Parcel V24, which received preliminary plat approval on November 14, 2018. The Parcel V24 final plat contains the following:

- 61 Single-Family Residential Lots
 - Residential lot sizes range from 2,208 square feet (0.05 acres) to 3,540 square feet (0.08 acres). The average residential lot size is 2,439 square feet (0.06 acres).
- 16 Tracts
 - Tract uses include access, utility, pedestrian access, landscape, and park uses. Refer to the Tract Areas table on Sheet 3 of the final plat.
 - Tracts A, D, G, and K are identified as pocket parks, ranging from 5,180 square feet (0.12 acres) to 10,523 square feet (0.24 acres) in size. The total size of pocket parks is 28,723 square feet (0.66 acres). The average size of the pocket parks is 7,181 square feet (0.16 acres).
 - Tracts C, F, J, and M are identified as pedestrian access tracts, which will connect the pocket parks (Tracts A, D, G, and K) to open spaces and trails adjacent to the final plat.
 - Tract P is identified as SE Spruce Street / Cypress Avenue SE, which is a private road providing vehicular connectivity to the adjacent SE Dogwood Street and Ten Trails Parkway SE.
 - Tracts E (Lookout Lane) and I (Eagle Peak Lane) are private alleys providing access to adjacent residential lots and parking areas adjacent to pocket parks.

Section III: Process

The applicant is required to receive preliminary plat approval prior to submittal and approval of a final plat. The Parcel V24 Preliminary Plat was approved by the City's Hearing Examiner on November 14, 2018 subject to 26 conditions. The applicant filed a complete final plat application for Parcel V24 on November 18, 2019 for review by the City. The applicant provided revised final plat drawings and additional information to the City on November 26, 2019. The final plat was reviewed by City Staff and MDRT consultants for compliance with applicable preliminary plat conditions of approval (see Section IV – Project Analysis below). This Staff Report provides written findings related to the Parcel V24 final plat application and a recommendation to the City Council for final plat approval.

It is the City Council's responsibility to make a final determination on the final plat based on the conditions of preliminary plat approval and applicable laws and regulations. This Staff Report serves to provide Staff's review of the final plat application and findings regarding compliance with applicable conditions of associated permits, including the preliminary plat application. If the final plat application complies with all applicable conditions and regulations, the City Council is required to enter written findings to that effect and authorize the Mayor to execute the City's written approval on the face of the plat (BDMC 17.20.060.B and RCW 58.17.170). Final Plat approval is a Type 6 – City Council Decision (BDMC 18.08.030). The Code defines Type 6 decisions as quasi-judicial or other decisions that are made by the City Council following a recommendation by staff (BDMC 18.08.090).

Section IV: Project Analysis

- RCW 58.17.170(1), regarding written approval of Final Plat Applications:

“When the legislative body of the city, town, or county, or such other agency as authorized by RCW 58.17.100, finds that the subdivision proposed for final plat approval conforms to all terms

of the preliminary plat approval, and that said subdivision meets the requirements of this chapter, other applicable state laws, and any local ordinances adopted under this chapter which were in effect at the time of preliminary plat approval, it shall suitably inscribe and execute its written approval on the face of the plat. The original of said final plat shall be filed for record with the county auditor. One reproducible copy shall be furnished to the city, town, or county engineer. One paper copy shall be filed with the county assessor. Paper copies shall be provided to such other agencies as may be required by ordinance.”

- BDMC Chapter 17, regarding the City’s Subdivision Ordinance:

The applicant submitted a preliminary plat application for Parcel V24 in compliance with the provisions of Black Diamond Municipal Code Chapter 17.12 under City File Number PLN18-0039. The application was approved by the Hearing Examiner on November 14, 2018 with 26 conditions of approval. This final plat application complies with the applicable conditions of approval established by the preliminary plat (refer to Section IV – Project Analysis: Compliance with Associated Conditions of Approval – The Parcel V24 Preliminary Plat Conditions of Approval (PLN18-0039) below).

The applicant has submitted final plat drawings in compliance with the provisions of Black Diamond Municipal Code Section 17.20 under this City File Number, PLN19-0084. The submitted final plat drawings include all required contents and standards (as established by BDMC 17.20.020), required surveys and monumentation (as established by BDMC 17.20.030), required certificates (as established by BDMC 17.20.040), and required improvements/bonds (as established by BDMC 17.20.050). Bonds are provided as Exhibit A of this Staff Report.

In summary, the final plat meets all standards established by the City’s Subdivision Ordinance. Written approval from the designated Public Works Director, Surveyor, and Fire Chief are provided as Exhibit B of this Staff Report.

- BDMC 17.20.060, regarding the City’s process for final plat review and decision:

“Final plats shall be approved, disapproved or returned to the applicant for modification or correction within sixty days from the date of filing thereof unless the applicant consents to an extension of such time period.”

This section of the vested Black Diamond Municipal Code further provides for Staff Review and findings (BDMC 17.20.060.A.), followed by a City Council decision on the final plat (BDMC 17.20.060.B). Specifically:

“The city council shall review the findings of the public works director or designee and review the proposed final plat to assure that there is conformance with all terms of the preliminary plat approval and, where applicable, MPD approval, the MPD development agreement, and MPD design standards. If the council determines that the final plat conforms with these requirements, and adequate bonds, if applicable, have been posted, then, by resolution, it shall enter written findings to that effect, and shall authorize the mayor to execute the city’s written approval on the face of the plat.”

Pursuant to BDMC 17.08.010, the public works director is defined as the “person, firm, or corporation appointed or authorized (including contractual authorization) by the mayor of the city to carry out the duties of the public works director as prescribed by the chapter.”

- Compliance with Associated Conditions of Approval

- SEPA Environmental Review Mitigation Measures (PLN11-0002/PLN18-0040)

The City of Black Diamond prepared an Adoption of Existing SEPA Document (of the Phase 1A Preliminary Plat’s SEPA Mitigated Determination of Non-Significance (PLN11-0002)) and SEPA Addendum for the Parcel V24 Preliminary Plat (PLN18-0040). The SEPA Addendum was prepared to address new project-related environmental information that did not substantially change the analysis of significant impacts that was conducted in association with the Phase 1A Preliminary Plat SEPA Environmental Review. There were no new environmental mitigation measures adopted in association with the SEPA Addendum.

The following SEPA Mitigation Measures, as implemented by the Mitigated Determination of Non-Significance (MDNS) for the Phase 1A Preliminary Plat (completed under City File Number PLN11-0002), are not applicable to this final plat application:

SEPA Mitigation Measures #3, 4, and 8.

The following SEPA Mitigation Measures (written verbatim) from the Phase 1A MDNS have been completed or bonded for to the satisfaction of the City’s Master Development Review Team, Community Development Department, and Public Works Department:

SEPA Mitigation Measure #1: This mitigation measure provided three options to address pedestrian traffic and safety over the Rock Creek bridge. The applicant chose Option A, which states “The Applicant shall construct a safe pedestrian connection across Rock Creek for pedestrian linkage to Morgansville prior to the issuance of the certificate of occupancy of the 200th dwelling unit for The Villages MPD. In lieu of construction, the City shall have a financial commitment in place to complete the improvements within six years of PP1A approval.”

Staff Comment: The applicant has met the requirements of this condition for final plat approval. This project has been constructed and approved by the City.

SEPA Mitigation Measure #2: Prior to final plat approval of the first division, the Applicant shall acquire all required approvals from King County for the connection and/or discharge of all PP1A wastewater into King County’s wastewater collection and treatment system.

Staff Comment: This condition meets the requirements for final plat approval. The applicant has submitted verification of King County’s approval for the discharge of wastewater into the County wastewater collection and treatment system (Exhibit C).

SEPA Mitigation Measure #5: Off-site improvements required for PP1A within the Lake Sawyer Drainage Basin shall be constructed as the first “implementing project” as referenced in the September 19, 2011 memo from

Alan Fure in Ex. O of the Villages DA. “Baseline Monitoring,” as referenced in that Fure memo, shall be completed within the timeframes required by Ex. O.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Off-site improvements for PPIA within the Lake Sawyer Drainage Basin have been constructed, and the baseline monitoring has been completed and approved by the City (Exhibit D).*

SEPA Mitigation Measure #6: The sampling frequencies set by Ex. O of the Villages DA for setting baseline phosphorous levels for Rock Creek shall be increased to the extent necessary to address the sampling error identified by Robert Zisette in the first two full paragraphs of pg.3 of Ex. 27. An expanded baseline monitoring program in this regard shall be prepared by an MDRT team after consultation with the SEPA Appellants and the Applicant. At a minimum, the revised baseline monitoring shall include a significant increase in the amount of sampling to provide for an acceptable error of 0.05 and the use of hydrograph separation, smearing and other techniques to estimate separate loadings for base flows.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The revised baseline monitoring has been completed and approved by the City (Exhibit E).*

SEPA Mitigation Measure #7: SEPA Checklist A.10 shall be revised to provide that an HPA permit “may” be required for pedestrian improvements across Rock Creek Bridge. The checklist shall be sent to WDFW along with an invitation to comment within ten days. The SEPA Responsible Official is authorized to impose additional MDNS mitigation measures as reasonably necessary to address any impacts identified by WDFW. Except for WDFW comment and response, this condition shall not be construed as re-opening the SEPA review process.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. WDFW was provided the opportunity to review the revised SEPA Checklist and indicated that an HPA would be required for the construction of pedestrian improvements across Rock Creek Bridge (Exhibit F). The HPA was received pursuant to WDFW’s comments and the pedestrian crossing in this location has been completed and accepted by the City.*

SEPA Mitigation Measure #9: Prior to any clearing or grading of Parcels 34B, 27C, 1L or the area between 1L and 27C, the Applicant shall prepare and have approved an analysis by a qualified expert assessing whether any wildlife corridor connections between wetlands S, T, D4 and E1 have any significant environmental benefit and identify any measures to connect those wetlands that are reasonably feasible. The Applicant’s analysis shall be subject to peer review by the City’s MDRT team. The SEPA Responsible Official shall be responsible for approving the connectivity analysis and is authorized to impose reasonable mitigation measures to the extent

necessary to prevent probable significant adverse environmental impacts.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. The applicant submitted an analysis of wildlife corridors as required by this condition and determined that additional mitigation measures were not warranted. The analysis was approved by the City (Exhibit G).

○ **The Parcel V24 Preliminary Plat Conditions of Approval (PLN18-0039)**

The following Parcel V24 Preliminary Plat conditions of approval, as imposed by the Hearing Examiner's approval of the preliminary plat application, are not applicable to this final plat application:

Preliminary Plat conditions of approval #1–4, 6, 7, 9, 10, 13, 16, 21, 23–25.

These conditions of approval are specific to on-site construction activities associated with the approved utility permit application (City File Number PUB19-0003) for Parcel V24.

The following Parcel V24 Preliminary Plat conditions of approval (written verbatim) have been completed or bonded to the satisfaction of the City's Master Development Review Team, Community Development Department, and Public Works Department:

Preliminary Plat Condition #5: The proponent shall maintain operation of the noise control "hotline" to allow neighbors affected by noise to contact both the City and the construction contractor to ask questions or to complain about violations of the noise reduction program per Condition of Approval #41 of The Villages MPD permit.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. The noise control hotline remained active throughout the site development activities associated with the construction of the V24 Plat.

Preliminary Plat Condition #8: Infrastructure improvements shall be constructed as required by The Villages Development Agreement Section 11: Project Phasing, implementing project conditions of approval, and SEPA Mitigation Measures, including – but not limited to – the following items:

- a. The Applicant shall comply with the Roberts Dr. sidewalk and pedestrian connection requirement established by TV DA 11.6 prior to issuance of the Certificate of Occupancy for The Villages MPD's 200th Dwelling Unit.
- b. The design and the satellite fire station, pursuant to Section 13.4 of TV DA, must be selected, completed, and mutually agreed to by the City and Master Developer no later than the issuance of a Certificate of Occupancy for the 250th Dwelling Unit in The Villages MPD.
- c. Prior to issuance of certificates of occupancy for the 327th ERU (equivalent residential unit) within The Villages MPD, the proponent shall install a traffic

- signal at the intersection of SE Auburn-Black Diamond Rd. (Roberts Dr.) and Village Pl. SE (aka Main St.).
- d. Prior to approval of the 500th ERU, the Applicant shall complete a Water Conservation Check-up to identify if the water conservation strategies are compliant with the Development Agreement. This condition will be enforced with building permits.
 - e. The proponent shall model and monitor traffic at the midpoint of occupancy of Phase 1A and determine what additional requirements may be necessary to comply with the transportation concurrency requirements of the Comprehensive Plan.
 - f. Prior to the issuance of certificates of occupancy for the 1,128th ERU (equivalent residential unit) within The Villages MPD, the proponent shall construct a single-lane roundabout at the intersection of SE Auburn-Black Diamond Rd. (Roberts Dr.) and Villages Parkway SE (aka Community Connector "A").

Staff Comment: The applicant has met the requirements of this condition for final plat approval. The list of infrastructure improvements that are required throughout the development of Ten Trails, including items a-f listed above, is provided on Sheet 9 of the final plat. Refer to the Compliance with The Villages Development Agreement section below for additional information regarding infrastructure improvement timing and status.

Preliminary Plat Condition #11: At the time of building permit application, structures will be required to either have required fire flow available or to have a fire sprinkler system installed to allow for a reduction in required fire flow.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Conditions for Final Plat Note #12 on Sheet 3 of the final plat states this requirement.

Preliminary Plat Condition #12: All alleys shall be posted "No-Parking" with signage according to the International Fire Code; provisions for enforcement of these no parking zones shall be defined and accepted by the Designated Official prior to final plat approval.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Signage plans showing "No-Parking" sign locations were reviewed in association with the utility permit submittal (PUB19-0003). The CCRs associated with this plat establish enforcement provisions in Section 11.1.1. The CCRs have been reviewed and approved by the City Attorney (Exhibit H).

Preliminary Plat Condition #14: All easements shall be shown on the final plat.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. All easements associated with this final plat application have been shown on the final plat drawings.

Preliminary Plat Condition #15: Prior to final plat approval, the Applicant shall submit Covenants, Conditions and Restrictions (CCRs) for review and approval by the Designated Official.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The CCRs have been reviewed and approved by the City Attorney (Exhibit H).*

Preliminary Plat Condition #17: Pursuant to TV DA 4.9, the final plat for V24 will not be processed or approved until the Master Developer has acquired title to the needed TDRs and they have been assigned by the Master Developer to applicable parcels of the plat.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Master Developer has assigned 61 TDRs to the underlying residential parcels of this final plat application (Exhibit I).*

Preliminary Plat Condition #18: The Master Developer shall comply with Exhibit Q (Maple Valley Transportation Mitigation Agreement) of TV DA.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Conditions for Final Plat Note #10 on Sheet 3 of the final plat states this requirement.*

Preliminary Plat Condition #19: The Master Developer shall comply with Exhibit R (Covington Transportation Mitigation Agreement) of TV DA.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Conditions for Final Plat Note #11 on Sheet 3 of the final plat states this requirement.*

Preliminary Plat Condition #20: Tracts 901-916 shall be owned and maintained by the Master Developer (M.D.)/Applicable Owners Association (A.O.A.).

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Tract Table on Sheet 3 identifies that all tracts are granted and conveyed, including maintenance responsibilities, to the Ten Trails Residential Owners Association. For ease of reference, the following table identifies preliminary plat tract numbers and the corresponding final plat tract letter:*

Final Plat Tract Letter	Preliminary Plat Tract Number	Final Plat Tract Letter	Preliminary Plat Tract Number
A	915	I	911
B	901	J	904
C	902	K	910
D	914	L	905
E	913	M	906
F	903	N	907
G	912	O	908
H	909	P	916

Preliminary Plat Condition #22: All water mains shall be located in public rights of way or within utility easements that provide a minimum of 15' of unobstructed width for access and maintenance. This condition will be applied during Utility Permit review and approval.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All water mains comply with this requirement based on review of the utility permit for Parcel V24 (PUB19-0003).*

Preliminary Plat Condition #26: The MPD Development Agreement application (City File Number PLN18-0067) amending Table 4-1 of The Villages Development Agreement to revise the range of residential units for Parcel V24 must be recorded with King County prior to submitting a final plat application for Parcel V24.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Villages Development Agreement minor amendment of Table 4-1 impacting Parcel V24 has been recorded under King County Recording Number 20190228000493.*

○ **The Villages Master Planned Development Conditions of Approval (PLN09-0017)**

The following MPD Permit conditions of approval, as required by the Hearing Examiner's approval of the MPD Permit application, are not applicable to this final plat application:

MPD Permit conditions of approval #1 – 8 and 10 – 164.

These conditions are implemented by the approved Development Agreement for The Villages.

The following MPD Permit condition of approval (written verbatim) has been completed to the satisfaction of the City's Master Development Review Team, Community Development Department, and Public Works Department:

MPD Permit Condition #9: Homeowners Association(s) conditions, covenants and restrictions (CCRs) and/or the proposed Architectural Review Committee shall be required to allow the use of green technologies (such as solar panels) in all buildings. In addition, the CCRs shall include provisions, to be enforced by the HOA, prohibiting washing of cars in driveways or other paved surfaces, except for commercial car washes, and limiting the use of phosphorous fertilizers in common areas, so as to limit phosphorous loading in stormwater.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Residential CCRs have been reviewed for compliance with this condition and approved by the City Attorney. Sections 6.26, 9.2, and 7.4.2 of the Residential CCRs meet the requirements of this condition (Exhibit H).*

● **Compliance with The Villages Development Agreement (PLN10-0020/PLN11-0013)**

The Ten Trails Parcel V24 final plat application complies with all applicable Sections of the approved Development Agreement for The Villages, as established through the review process of the preliminary plat application. In regards to Section 11 – Project Phasing, the following construction thresholds relating to this final plat approval have been completed or bonded for to the satisfaction of the City's Master Development Review Team, Community Development Department, and Public Works Department:

- The Villages MPD Community Connector (Ten Trails Parkway)
Construction Threshold: The first phase will be constructed or bonded prior to recording Division 1 of Preliminary Plat 1A.
Staff Comment: *This project has been submitted to the City and approved. The applicant has provided the City with a completion bond form for the construction of this project in association with the approved Phase 1A – Division 2 final plat (PLN18-0034).*
- The Ring Road (Willow Avenue SE)
Construction Threshold: The first phase will be constructed or bonded prior to recording Division 1 of Preliminary Plat 1A, but also must be completed and accepted by the City of Black Diamond's Master Development Review Team/Public Works prior to the issuance of the first certificate of occupancy in Division 1 of Preliminary Plat 1A.
Staff Comment: *This project has been completed.*
- Frontage Improvements on SE Auburn-Black Diamond Road (Roberts Drive)
Construction Threshold: The first phase will be constructed or bonded prior to recording Division 1 of Preliminary Plat 1A. The second phase will be constructed prior to occupancy of the 726th Dwelling Unit in Preliminary Plat 1A. The third phase will be constructed concurrent with the development of the adjacent multi-family parcel 1H of Preliminary Plat 1A.
Staff Comment: *This project has been completed. All three phases of the Roberts Drive frontage improvements have been approved by the City.*
- Intersection of Community Connector and SE Auburn-Black Diamond Road
Construction Threshold: Constructed as a single lane roundabout prior to the occupancy of the 726th Dwelling Unit within Preliminary plat 1A, with the second phase of SE Auburn-Black Diamond Road frontage improvements.
Staff Comment: *This project has been completed.*
- Intersection Improvements at SE Auburn-Black Diamond Road (Roberts Drive) and Ring Road (Willow Avenue SE)
Construction Threshold: This project will be constructed or bonded prior to recording Division 1 of Preliminary Plat 1A.
Staff Comment: *This project has been completed.*
- The Villages MPD Small Interim Wastewater Pumping Station
Construction Threshold: This project will be complete and operational prior to issuance of the first building permit for any structure that might discharge sanitary sewer into the utility system.
Staff Comment: *This project has been completed and is operational (Exhibit J).*
- The Villages MPD Interim Sewer Force Main

Construction Threshold: This project will be complete and operational prior to the issuance of the first building permit for any structure that might discharge sanitary sewer into the utility system.

Staff Comment: *This project has been completed and is operational (Exhibit K).*

- The Interim Stormwater Pond and Infiltration Facility

Construction Threshold: This project will be constructed in phases as determined necessary by the MDRT / Public Works through final engineering review of each division within Preliminary Plat 1A.

Staff Comment: *This project has been completed and is operational (Exhibit L).*

- The Village Green (Park at Roundabout)

Construction Threshold: This project will be commenced or bonded prior to recording Division 1 of Preliminary Plat 1A and will be completed no later than when Certificates of Occupancy or final inspection has been issued for 60% of the dwelling units located within ¼ mile of this park.

Staff Comment: *This project has been completed and approved by the City.*

- Civic Park in The Villages MPD

Construction Threshold: This project will be commenced or bonded prior to recording Division 1 of Preliminary Plat 1A and will be completed no later than when Certificates of Occupancy or final inspection has been issued for 60% of the dwelling units located within ¼ mile of this park.

Staff Comment: *This project has been completed and approved by the City.*

- SR169 / Roberts Drive (Interim Improvement)

Construction Threshold: Completed engineering, design, and construction drawings and related application materials necessary for permit issuance for this interim improvement will be submitted to WSDOT prior to the City of Black Diamond's issuance of the first residential or commercial building permit associated with Division 1 of Preliminary Plat 1A.

Staff Comment: *The applicant has submitted the required application materials to WSDOT for review (Exhibit M).*

- SR169 / SE Black Diamond-Ravensdale Road (Interim Improvement)

Construction Threshold: Completed engineering, design, and construction drawings and related application materials necessary for permit issuance for this interim improvement will be submitted to WSDOT prior to the City of Black Diamond's issuance of the first residential or commercial building permit associated with Division 1 of Preliminary Plat 1A.

Staff Comment: The applicant has submitted the required application materials to WSDOT for review (Exhibit M).

- SE 288th Street / 216th Avenue SE Rechannelization
Construction Threshold: The rechannelization shall occur no later than recording of Division 1 of Preliminary Plat 1A.
Staff Comment: This project has been completed and approved by the City (Exhibit N).
- Water Main Extension (from Black Diamond Library to The Villages MPD)
Construction Threshold: Construction will occur prior to recording of Division 1 of Preliminary Plat 1A. The dual water main must be completed, tested, and in-service prior to the first occupancy permit being issued for a dwelling unit or commercial use within Preliminary Plat 1A.
Staff Comment: This project has been completed and is operational (Exhibit O).
- Roberts Drive Sidewalk/Safe Pedestrian Connection
Construction Threshold: The Applicant shall construct a safe pedestrian connection across Rock Creek for pedestrian linkage to Morgansville prior to the issuance of the certificate of occupancy of the 200th dwelling unit for The Villages MPD. In lieu of construction, the City shall have a financial commitment in place to complete the improvements within six years of PP1A approval.
Staff Comment: This project has been completed and accepted by the City.
- Satellite Fire Station
Construction Threshold: The design of the satellite fire station, pursuant to Section 13.4 of TV DA, must be selected, completed, and mutually agreed to by the City and Master Developer no later than the issuance of a Certificate of Occupancy for the 250th Dwelling Unit in The Villages MPD.
Staff Comment: This siting and site design of the satellite fire station has been approved by the Master Developer, the City, and Mountain View/Black Diamond Fire & Rescue (Exhibit P).

Section V: Staff Recommendation

Based on the information and materials provided in the Staff Report, the City's Community Development Department, Public Works Department, and Master Development Review Team have determined that the Ten Trails Parcel V24 Final Plat application meets all applicable requirements for final plat approval.

The City Staff recommends that the City Council adopt the findings in this report and **APPROVE** the Ten Trails Parcel V24 Final Plat, City File Number PLN19-0084.

_____ Date: _____

Andy Williamson – MDRT Designated Official

_____ Date: _____

Dan Ervin, PE – MDRT Reviewing Engineer

_____ Date: _____

Alex Campbell, AICP – MDRT Reviewing Planner

Section VI: Exhibits

The following Exhibits are hereby incorporated by reference into the findings of this Staff Report:

Exhibit A – Completion and Maintenance Bond Forms for Ten Trails Parcel V24 Final Plat, prepared by Triad on behalf of Oakpointe and reviewed by Varius, Inc. – dated 08/01/2018

Exhibit B – Final Plat Approval Letters, prepared by Varius, Inc., Parametrix, and Mountain View/Black Diamond Fire and Rescue – various dates

Exhibit C – King County Wastewater Discharge Approval, prepared by King County Wastewater Treatment Division – dated 09/28/2017

Exhibit D – Stormwater and Baseline Monitoring Final Document Review, prepared by RH2 Engineering – dated 11/23/2015

Exhibit E – Approval of Phosphorus Baseline Monitoring Plan, prepared by City of Black Diamond MDRT – dated 11/23/2015

Exhibit F – Washington Department of Fish & Wildlife (WDFW) Review of Revised SEPA Checklist, prepared by WDFW – dated 12/20/2012

Exhibit G – Analysis of Wildlife Corridors, prepared by City of Black Diamond – dated 09/18/2013

Exhibit H – CC&R Review Memo, prepared by Kenyon Disend – dated 08/14/2018

Exhibit I – TDR Application and Assignment

Exhibit J – Sewer Lift Station Approval, prepared by RH2 Engineering – dated 09/05/2017

Exhibit K – Sewer Force Main Approval, prepared by RH2 Engineering – dated 09/05/2017

Exhibit L – Regional Stormwater Pond Approval, prepared by RH2 Engineering – dated 09/05/2017

Exhibit M – WSDOT Applications for SR169 Improvements, prepared by TranspoGroup – dated 09/08/2017

Exhibit N – Re-Channelization of SE 288th Street and 216th Avenue SE Approval, prepared by City of Black Diamond MDRT / Parametrix – dated 09/11/2017

Exhibit O – Off-Site Water Main Extension Approval, prepared by RH2 Engineering – dated 09/05/2017

Exhibit P – Fire Station Siting/Design Approval

TEN TRAILS

V-24

VOL/PG

PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF INTEREST IN THE LAND HEREBY SUBDIVIDED, HEREBY DECLARE THIS PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SUBDIVISION MADE HEREBY.

TRACTS A, D, G, AND K, PARK, LANDSCAPE, PEDESTRIAN ACCESS AND UTILITY TRACTS; TRACTS B, C, F, J AND M, LANDSCAPE, PEDESTRIAN ACCESS AND UTILITY TRACTS; TRACT E, PEDESTRIAN ACCESS, UTILITY AND ACCESS TRACT; TRACTS I, L AND P, UTILITY AND ACCESS TRACTS; TRACT H, NATURAL LANDSCAPE, PEDESTRIAN ACCESS, UTILITY AND LANDSCAPE TRACT; TRACT N, UTILITY AND LANDSCAPE TRACT; AND TRACT O, NATURAL LANDSCAPE, UTILITY AND LANDSCAPE TRACT, ARE HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION.

NOTWITHSTANDING THE DEDICATIONS CONTAINED WITHIN THIS FINAL PLAT, CCD BLACK DIAMOND PARTNERS LLC, A DELAWARE LIMITED LIABILITY COMPANY, RETAINS AND RESERVES UNTO ITSELF CERTAIN RIGHTS WITH RESPECT TO TRACTS A, B, C, D, E, F, G, H, I, J, K, L, M, N, O AND P INCLUDING, WITHOUT LIMITATION, THE RIGHT OF INGRESS, EGRESS AND ACCESS, AND TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN ANY FACILITIES OR IMPROVEMENTS WITHIN SAID TRACTS AND THE RIGHT TO TEMPORARILY SUSPEND PUBLIC ACCESS TO SAID TRACTS FOR PURPOSES OF CONSTRUCTION AND MAINTENANCE.

A PERMANENT PUBLIC ACCESS AND PEDESTRIAN ACCESS EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE PUBLIC OVER TRACTS A, C, D, E, F, G, H, I, J, K, L, M AND P. TRAILS SHALL BE CONSTRUCTED AND MAINTAINED AS DIRECTED IN THE VILLAGES MPD DEVELOPMENT AGREEMENT, RECORDED UNDER RECORDING NUMBER 20120130000655 AND AMENDED UNDER RECORDING NUMBERS 20120906000762, 20120906000763, 20140103000655, 2014112001375 AND 20171206000581. MAINTENANCE SHALL BE THE OBLIGATION OF THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION.

A ONE-FOOT SIDEWALK EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE CITY OF BLACK DIAMOND UPON THE EXTERIOR ONE FOOT OF LOTS 1 THROUGH 37, INCLUSIVE, LOTS 46, 47, 55, 56 AND 61 AND TRACTS A, B, C, D, E, F, G, H, I, J, K, L, M, N, AND O ABUTTING TRACT P FOR THE PURPOSES OF CONSTRUCTING, INSTALLING, MAINTAINING, REPLACING AND OPERATING A SIDEWALK FOR THE PUBLIC USE TOGETHER WITH THE RIGHT TO ENTER UPON SAID EASEMENT AT ALL TIMES FOR THE PURPOSES STATED ABOVE. SEE SHEET 2 OF 9 FOR GENERAL DETAIL-1 OF EASEMENT LOCATION OVER INDIVIDUAL SAID LOTS AND TRACTS.

A ONE-FOOT CONCRETE BAND EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION FOR THE PURPOSES OF CONSTRUCTING, INSTALLING, MAINTAINING, REPLACING AND OPERATING A CONCRETE BAND TOGETHER WITH THE RIGHT TO ENTER UPON SAID EASEMENT AT ALL TIMES FOR THE PURPOSES STATED ABOVE. SEE SHEET 2 OF 9 FOR GENERAL DETAIL-1 OF EASEMENT LOCATION OVER INDIVIDUAL SAID LOTS AND TRACTS.

THIS SUBDIVISION AND DECLARATION ARE MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS.

IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS.

CCD BLACK DIAMOND PARTNERS LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: OAKPOINTE LLC, A WASHINGTON LIMITED LIABILITY COMPANY,
ITS MANAGER
BY:

BRIAN ROSS, MANAGER

ACKNOWLEDGMENT

STATE OF WASHINGTON)
COUNTY OF KING) SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN PERSONALLY APPEARED BRIAN ROSS, KNOWN TO ME TO BE THE MANAGER OF OAKPOINTE LLC, THE MANAGER OF CCD BLACK DIAMOND PARTNERS LLC, THE LIMITED LIABILITY COMPANY THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY, FOR THE PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE SAID INSTRUMENT.

SIGNATURE OF _____ DATE _____
NOTARY PUBLIC

MY APPOINTMENT EXPIRES _____

COUNCIL APPROVAL

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2019.

COUNCIL RESOLUTION NUMBER _____.

MAYOR, CITY OF BLACK DIAMOND

STATE OF WASHINGTON)
COUNTY OF KING) SS

THIS IS TO CERTIFY THAT ON THIS DAY, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED CAROL BENSON TO ME KNOWN TO BE THE MAYOR OF THE CITY OF BLACK DIAMOND THAT EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CITY, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT SHE WAS AUTHORIZED TO EXECUTE THE SAID INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____DAY OF _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT _____

MY APPOINTMENT EXPIRES _____

PUBLIC WORKS DIRECTOR

THE PUBLIC WORKS DIRECTOR FOR THE CITY OF BLACK DIAMOND HAS APPROVED THE SURVEY DATA, THE LAYOUT OF THE STREETS, ALLEYS AND OTHER RIGHTS OF WAYS, DESIGN OF BRIDGES, SEWAGE AND WATER SYSTEM AND OTHER STRUCTURES.

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2019.

PUBLIC WORKS DIRECTOR

COMMUNITY DEVELOPMENT DIRECTOR

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2019.

COMMUNITY DEVELOPMENT DIRECTOR

TREASURER CERTIFICATE

I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED, DEDICATED AS STREETS, ALLEYS OR FOR OTHER PUBLIC USE, ARE PAID IN FULL.

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2019.

TREASURER

DEPUTY

DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2019.

KING COUNTY ASSESSOR

DEPUTY KING COUNTY ASSESSOR

FIRE CHIEF APPROVAL

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2019.

CITY OF BLACK DIAMOND FIRE CHIEF

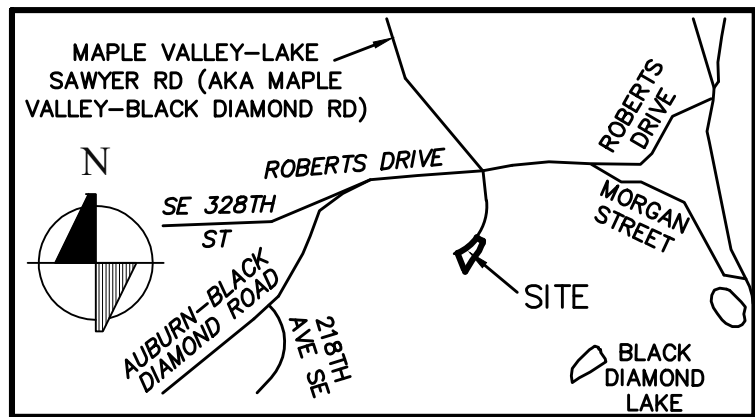
ORIGINAL TAX PARCEL NUMBERS

8576000800, 8576800810, 8576001060

LEGAL DESCRIPTION

LOTS 80 AND 81 OF TEN TRAILS PP1A DIVISION 1, ACCORDING TO THE PLAT THEREOF FILED IN VOLUME 280 OF PLATS, PAGES 1 THROUGH 8, INCLUSIVE, RECORDED UNDER RECORDING NO. 20171107001311 AND LOT 4 OF CITY OF BLACK DIAMOND LOT LINE ADJUSTMENT NO. PLN 18-0041, RECORDED UNDER RECORDING NUMBER 20190130900005, ALL RECORDS OF KING COUNTY, WASHINGTON.

ALL SITUATE IN THE CITY OF BLACK DIAMOND, COUNTY OF KING, STATE OF WASHINGTON



VICINITY MAP
N.T.S.

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF TEN TRAILS, V24, CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF CCD BLACK DIAMOND PARTNERS LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND SAID SURVEY WAS BASED UPON AN ACTUAL SURVEY OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 6 EAST AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS ACTUALLY SURVEYED; THAT THE COURSES AND DISTANCES SHOWN HEREON ARE CORRECT; THAT (1) MONUMENTS AS DESCRIBED AND SHOWN HEREON, UNLESS STATED OTHERWISE HEREON, WILL BE OR HAVE BEEN SET AT ALL LOT CORNERS AS SHOWN; (2) MONUMENTS AS DESCRIBED AND SHOWN HEREON AS "SET" WILL BE OR HAVE BEEN SET; AND (3) ALL MONUMENTS DESCRIBED AND SHOWN HEREON THAT ARE SHOWN "TO BE SET" WITHIN THE RIGHT-OF-WAY, WITHIN AND WITHOUT THE BOUNDARY OF THIS SUBDIVISION, WILL BE SET AFTER THE STREET IS PAVED.



MARY H. MCDOWELL, PLS
SURVEYOR. CERTIFICATE NO. 36805
DAVID EVANS AND ASSOCIATES, INC.
20300 WOODINVILLE SNOHOMISH RD NE
SUITE A-WOODINVILLE, WA 98072
PHONE: (425) 415-2000

RECORDING CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF DAVID EVANS AND ASSOCIATES, INC. THIS _____ DAY OF _____, 2019, AT _____ MINUTES PAST _____M. AND RECORDED IN VOLUME _____ OF PLATS, PAGE(S) _____, RECORDS OF KING COUNTY, WASHINGTON.

DIVISION OF RECORDS AND ELECTIONS

MANAGER

SUPERINTENDENT OF RECORDS

TEN TRAILS, V-24
CITY OF BLACK DIAMOND
FILE NUMBER: PLN19-0084
CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



DAVID EVANS
AND ASSOCIATES INC.

20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425.415.2000 f: 425.486.5059

PORTION OF THE NE 1/4 OF SW 1/4 OF SECTION 15,
TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M.
CITY OF BLACK DIAMOND, WA

JOB NO 16-001

SHEET 1 OF 9

VOL/PG

CITY OF BLACK DIAMOND FILE NO. PLN19-0084

REVIEW COPY
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TEN TRAILS
V-24

VOL/PG

PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

EASEMENT PROVISIONS

EASEMENT PROVISIONS

PUBLIC UTILITY EASEMENTS ARE HEREBY GRANTED AND CONVEYED, UPON THE RECORDING OF THIS PLAT, TO PUGET SOUND ENERGY, ANY TELEPHONE COMPANY, ANY CABLE TELEVISION COMPANY, ANY BROADBAND OR TELECOMMUNICATIONS COMPANY, CITY OF BLACK DIAMOND AND ITS SUCCESSORS AND ASSIGNS, UNDER AND UPON TRACTS A, B, C, D, E, F, G, H, I, J, K, L, M, N, O AND P. ALL LOTS DESIGNATED WITH A STRIP FOR PUBLIC UTILITY EASEMENTS IN WHICH TO CONSTRUCT, OPERATE, MAINTAIN, REPAIR, REPLACE AND ENLARGE UNDERGROUND PIPES, CONDUITS, CABLES, CATCH BASINS, MANHOLES, CLEANOUTS, WIRES, WATER METERS AND FIRE HYDRANTS WITH ALL NECESSARY OR CONVENIENT UNDERGROUND OR GROUND-MOUNTED APPURTENANCES THERETO FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, GAS, SEWER, STORM, WATER AND OTHER UTILITY SERVICES, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS, TRACTS, AND SPACES AT ALL TIMES FOR THE PURPOSE HEREIN STATED. THE LANDS ENTERED UPON FOR THESE PURPOSES SHALL BE RESTORED AS NEAR AS POSSIBLE TO THEIR ORIGINAL CONDITION. NO LINES OR WIRES FOR TRANSMISSION OF ELECTRIC CURRENT OR FOR TELEPHONE USE OR CABLE TELEVISION SHALL BE PLACED OR PERMITTED TO BE PLACED UPON ANY LOT OR TRACT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING.

ALL PRIVATE STORM DRAINAGE EASEMENTS SHOWN HEREON ARE HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION FOR THE PURPOSES OF OPERATING, MAINTAINING, REPAIRING AND RENEWING THE PRIVATE STORM DRAINAGE FACILITIES AND APPURTENANCES INSTALLED DURING THE INITIAL CONSTRUCTION OF THIS SUBDIVISION IN ACCORDANCE WITH THE TRACT TABLE ON SHEET 3 OF 9.

IN ADDITION THE APPLICABLE ASSOCIATION SHALL BE RESPONSIBLE FOR OPERATING, MAINTAINING, REPAIRING AND RENEWING ALL PRIVATE STORM DRAINAGE FACILITIES AND APPURTENANCES INSTALLED DURING THE INITIAL CONSTRUCTION OF THIS SUBDIVISION LYING WITHIN THE TRACTS OWNED BY SUCH ASSOCIATION IN ACCORDANCE WITH THE TRACT TABLE ON SHEET 3 OF 9.

ALL TRAIL EASEMENTS SHOWN HEREON ARE HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION FOR THE PURPOSES OF OPERATING, MAINTAINING, REPAIRING AND RENEWING A PATH FOR TRAVELING AND LANDSCAPING IN ACCORDANCE WITH THE TRACT TABLE ON SHEET 3 OF 9.

ALL SINGLE FAMILY RESIDENTIAL LOTS SHALL BE SUBJECT TO AN EASEMENT 2.5 FEET IN WIDTH, PARALLEL WITH AND ADJACENT TO ALL INTERIOR LOT LINES, AND 5 FEET IN WIDTH, PARALLEL WITH AND ADJACENT TO ALL REAR LOT LINES, FOR THE PURPOSE OF PRIVATE DRAINAGE. IN THE EVENT LOT LINES ARE ADJUSTED AFTER THE RECORDING OF THIS PLAT, THE EASEMENTS SHALL MOVE WITH THE ADJUSTED LOT LINES. MAINTENANCE OF ALL PRIVATE DRAINAGE EASEMENTS ON THIS PLAT SHALL BE THE RESPONSIBILITY OF ALL LOTS DERIVING BENEFIT FROM SAID EASEMENT. NO STRUCTURES OTHER THAN FENCES SHALL BE CONSTRUCTED WITHIN THESE EASEMENTS. SEE SHEET 4 OF 9 FOR DETAIL.

RESTRICTIONS

- FOLLOWING ORIGINAL REASONABLE GRADING OF ROADS AND WAYS HEREON, NO DRAINAGE WATERS ON ANY LOT OR LOTS SHALL BE DIVERTED OR BLOCKED FROM THEIR NATURAL COURSE SO AS TO DISCHARGE UPON ANY PUBLIC ROAD RIGHTS-OF-WAY TO HAMPER PROPER ROAD DRAINAGE. THE OWNER OF ANY LOT OR LOTS, PRIOR TO MAKING ANY ALTERATION IN THE DRAINAGE SYSTEM AFTER THE RECORDING OF THE PLAT, MUST MAKE APPLICATION TO AND RECEIVE APPROVAL FROM THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS FOR SAID ALTERATION. ANY ENCLOSING OF DRAINAGE WATERS IN CULVERTS OR DRAINS OR REROUTING THEREOF ACROSS ANY LOT AS MAY BE UNDERTAKEN BY OR FOR THE OWNER OF ANY LOT SHALL BE DONE BY AND AT THE EXPENSE OF SUCH OWNER
- NO LOT OR PORTION OF A LOT IN THIS PLAT SHALL BE DIVIDED AND SOLD OR RESOLD OR OWNERSHIP CHANGED OR TRANSFERRED WHEREBY THE OWNERSHIP OF ANY PORTION OF THIS PLAT SHALL BE LESS THAN THE AREA REQUIRED FOR THE USE DISTRICT IN WHICH LOCATED.
- THIS PLAT IS SUBJECT TO THE COVENANTS, CONDITIONS, AND RESTRICTIONS OF THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION AS RECORDED UNDER KING COUNTY RECORDING NO. 20171107001312 AND AS AMENDED BY KING COUNTY RECORDING NOS. 20171227000507, 20180619000316 AND 20180627001396.
- THIS PLAT IS SUBJECT TO THE COVENANTS, CONDITIONS, AND RESTRICTIONS OF THE TEN TRAILS COMMUNITY COUNCIL AS RECORDED UNDER KING COUNTY RECORDING NO. 20171107001314 AND AS AMENDED BY KING COUNTY RECORDING NOS. 20171227000508, 20180619000315 AND 20180627001395.
- DECORATIVE TYPE ENTRY SIGNS EITHER FOR BEAUTIFICATION OR ADVERTISEMENT OF THIS PLAT SHALL NOT UNDER ANY CIRCUMSTANCES BE PLACED IN PUBLIC RIGHT OF WAY.

INSTRUMENTATION NOTE

PRIMARY CONTROL POINTS AND ACCESSIBLE MONUMENT POSITIONS WERE FIELD MEASURED UTILIZING GLOBAL POSITIONING SYSTEM (GPS) SURVEY TECHNIQUES USING LEICA SR 9500 EQUIPMENT. MONUMENT POSITIONS THAT WERE NOT DIRECTLY OBSERVED USING GPS SURVEY TECHNIQUES WERE TIED INTO THE CONTROL POINTS UTILIZING A 1 MINUTE THEODOLITE AND ELECTRONIC DISTANCE MEASURING UNIT. PROCEDURES USED IN THIS SURVEY WERE FIELD TRAVERSE, MEETING OR EXCEEDING STANDARDS SET BY WAC 332-130-090.

MONUMENT NOTE

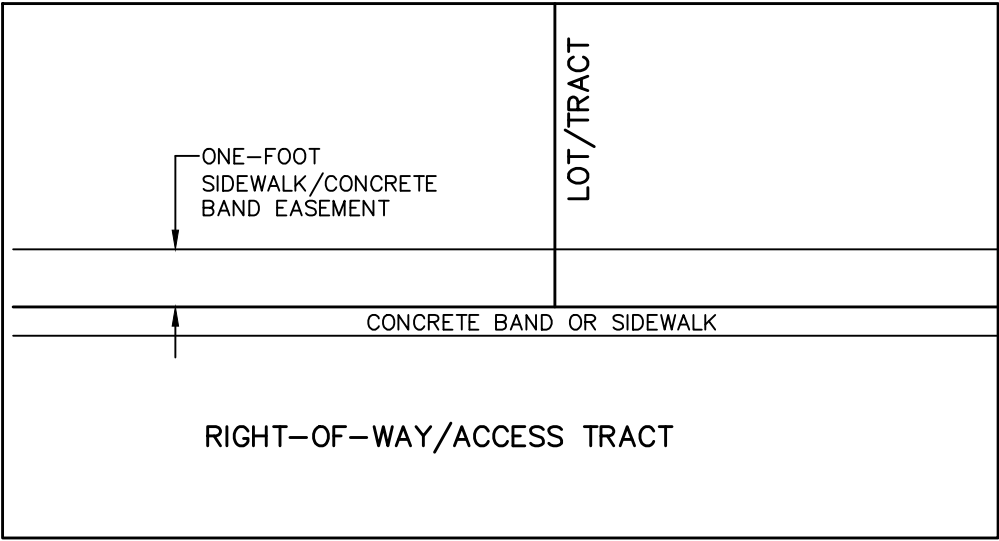
PROPERTY CORNERS SHALL BE SET AS FOLLOWS UNLESS OTHERWISE SPECIFIED.

- ALL TRACT CORNERS ARE SET 1/2" X 24" REBAR WITH CAP "LS NO. 36805" UNLESS OTHERWISE NOTED.
- ALL TACK IN LEAD WITH WASHERS ARE SET ON THE STREETWARD PROJECTION OF THE LATERAL LOT OR LOT/TRACT LINES.
- SET 1/2" X 24" REBAR WITH CAP "LS NO 36805" AT ALL SIDE AND REAR LOT CORNERS.

ADDRESSING NOTE

ADDRESSES FOR INDIVIDUAL LOTS HAVE BEEN SHOWN ON SHEET 3 OF 9 ON THIS PLAT PURSUANT TO BDMC 17.20.020 OF THE VESTED CODE, BUT THESE ADDRESSES WERE ASSIGNED WITHOUT BUILDING OR SITE PLANS AVAILABLE FOR EACH LOT. ANY ADDRESS CHANGES REQUIRED SUBSEQUENT TO RECORDING OF THIS FINAL PLAT SHALL NOT CONSTITUTE A PLAT ALTERATION AS DEFINED IN BDMC 17.20.090.B. OF THE VESTED CODE. REFER TO THE CITY OF BLACK DIAMOND (OR ITS SUCCESSOR AGENCY) BUILDING OR PLANNING DEPARTMENT RECORD ADDRESSES TO CONFIRM BUILDING ADDRESSES.

DETAIL-1
SIDEWALK EASEMENT AND CONCRETE BAND EASEMENT
NOT TO SCALE



REVIEW COPY
NOT FOR RECORDING



EXCEPTIONS NOTED IN TITLE REPORT

PARAGRAPH NUMBERS ARE FROM FIDELITY NATIONAL TITLE INSURANCE COMPANY, GUARANTEE/CERTIFICATE NO. 20400944-SC, AMENDMENT 1, DATED JULY 10, 2019 AT 8:00 AM.

- SUBJECT TO ANY INTEREST IN ANY OIL, GAS AND/OR MINERALS, AS DISCLOSED BY DOCUMENT ENTITLED DEED TO PLUM CREEK TIMBER COMPANY, L.P. RECORDED ON JULY 7, 1989 UNDER RECORDING NO. 8907070390. THE PRESENT OWNERSHIP OR ANY OTHER MATTERS AFFECTING SAID OIL, GAS AND/OR MINERALS ARE NOT SHOWN HEREIN. SAID DEED WAS CORRECTED BY DEED RECORDED UNDER RECORDING NUMBER 9301152402. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "CONVEYANCE OF OIL AND GAS RESERVED UNDER DEED TO PLUM CREEK TIMBER COMPANY, L.P." RECORDED JULY 7, 1989 AS 8907070392. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "PARTIAL WAIVER OF SURFACE USE RIGHTS" RECORDED JUNE 23, 1992 AS 9206230401. NOTE: THE "RESERVED MINERALS" RESERVED BY PCTC, INC. IN THE DEED RECORDED UNDER RECORDING NUMBER 8907070390 AND CONVEYED TO MERIDIAN MINERAL COMPANY UNDER DEED RECORDED UNDER RECORDING NUMBER 8907070391 WERE CONVEYED TO MERIDIAN MINERAL COMPANY TO PLUM CREEK TIMBER COMPANY UNDER DEED RECORDED UNDER RECORDING NUMBER 9112301747, PLUM CREEK TIMBER COMPANY MERGED INTO PLUM CREEK LAND COMPANY AND THE "RESERVED MINERALS" MERGED INTO FEE OWNERSHIP OF THE REAL PROPERTY. PLUM CREEK LAND COMPANY CONVEYED THE ENTIRE FEE INCLUDING THE "RESERVED MINERALS" TO BD VILLAGE PARTNERS LP UNDER DEEDS RECORDED UNDER RECORDING NUMBERS 20060922001106, 20090930002172 AND 20090930002098. ALL RECORDS OF KING COUNTY, WASHINGTON.
- SUBJECT TO A MITIGATION AGREEMENT AND THE TERMS AND CONDITIONS THEREOF, RECORDED UNDER RECORDING NO. 20110422000249, RECORDS OF KING COUNTY, WASHINGTON.
- SUBJECT TO A COMPREHENSIVE SCHOOL MITIGATION AGREEMENT AND THE TERMS AND CONDITIONS THEREOF, RECORDED UNDER RECORDING NO. 20110624001156 AND AMENDED BY SCHOOL MITIGATION ENHANCEMENT AGREEMENT RECORDING NO. 20150130000466, RECORDS OF KING COUNTY, WASHINGTON.
- SUBJECT TO THE VILLAGES MPD, DEVELOPMENT AGREEMENT BETWEEN CITY OF BLACK DIAMOND, WASHINGTON AND BD VILLAGE PARTNERS, L.P. AND THE TERMS AND CONDITIONS THEREOF RECORDED UNDER RECORDING NO. 20120130000655 AND SUBSEQUENT AMENDMENTS UNDER RECORDING NOS 20120906000762, 20120906000763, 20140103000655, 20141112001375, 20171206000581, 20181011000280, 20181011000281, 20190228000492 AND 20190228000493, ALL RECORDS OF KING COUNTY, WASHINGTON. THESE AGREEMENTS ARE BLANKET IN NATURE AND AFFECT THE ENTIRE PROPERTY. REFER TO THOSE INSTRUMENTS FOR THEIR FULL PARTICULARS.
- SUBJECT TO A TEMPORARY ACCESS AND UTILITY EASEMENT AND THE TERMS AND PROVISIONS THEREOF, RECORDED UNDER RECORDING NO. 20141105000251, RECORDS OF KING COUNTY, WASHINGTON. THIS EASEMENT IS BLANKET IN NATURE AND CANNOT BE GRAPHICALLY DEPICTED HEREON.
- SUBJECT TO A BLANKET POWER EASEMENT AND THE TERMS AND PROVISIONS THEREOF, RECORDED UNDER RECORDING NO. 20170518000241 AND MODIFIED BY RECORDING NO. 20180313000130, RECORDS OF KING COUNTY, WASHINGTON. REFER TO SAID INSTRUMENT FOR ITS FULL PARTICULARS.
- SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH ON TEN TRAILS PP1A DIVISION 1 UNDER RECORDING NO: 20171107001311, RECORDS OF KING COUNTY, WASHINGTON.
- SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH ON THE FOLLOWING DOCUMENT:

RECORDING NO: 20171107001312

AND AMENDMENTS THERETO:

RECORDED: DECEMBER 27, 2017, JUNE 19, 2018 AND JUNE 27, 2018
RECORDING NO.: 20171227000507, 20180619000316 AND 20180627001396
ALL RECORDS OF KING COUNTY, WASHINGTON.

- SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH ON THE FOLLOWING DOCUMENT:

RECORDING NO: 20171107001314

AND AMENDMENTS THERETO:

RECORDED: DECEMBER 27, 2017, JUNE 19, 2018 AND JUNE 27, 2018
RECORDING NO.: 20171227000508, 20180619000315 AND 20180627001395
ALL RECORDS OF KING COUNTY, WASHINGTON.

- SUBJECT TO A UTILITY EASEMENT AND THE TERMS AND CONDITIONS THEREOF, RECORDED ON DECEMBER 27, 2017 UNDER RECORDING NO. 20171227000506, RECORDS OF KING COUNTY, WASHINGTON. SAID EASEMENT HAS BEEN GRAPHICALLY DEPICTED HEREON. REFER TO SAID INSTRUMENT FOR ITS FULL PARTICULARS.
- SUBJECT TO A TEMPORARY ACCESS EASEMENT AND THE TERMS AND CONDITIONS THEREOF, RECORDED ON JUNE 28, 2018 UNDER RECORDING NO. 20180628001322, RECORDS OF KING COUNTY, WASHINGTON. SAID EASEMENT HAS BEEN GRAPHICALLY DEPICTED HEREON. REFER TO SAID INSTRUMENT FOR ITS FULL PARTICULARS.
- SUBJECT TO A POWER EASEMENT AND THE TERMS AND PROVISIONS THEREOF, RECORDED AUGUST 24, 2018 UNDER RECORDING NO. 20170824000131, RECORDS OF KING COUNTY, WASHINGTON. SAID EASEMENT HAS BEEN GRAPHICALLY DEPICTED HEREON. REFER TO SAID INSTRUMENT FOR ITS FULL PARTICULARS.

TEN TRAILS

V-24

PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

CITY OF BLACK DIAMOND CONDITIONS FOR FINAL PLAT

MINE WORKING WARNING:

WARNING: THE CITY OF BLACK DIAMOND OVERLIES NUMEROUS MINE SHAFTS, TUNNELS, AND OTHER WORKINGS, THE EXACT LOCATION, DEPTH, AND SIZE OF WHICH ARE UNKNOWN. THE LAND ENCOMPASSED BY THIS SUBDIVISION MAY OR MAY NOT OVERLIE SUCH A WORKINGS. IN APPROVING THIS SUBDIVISION, THE CITY OF BLACK DIAMOND MAKES NO REPRESENTATIONS AND ASSUMES NO LIABILITY OR RESPONSIBILITY WITH RESPECT TO THE SUITABILITY OF THIS SITE FOR THE DEVELOPMENT CONTEMPLATED OR THE SUITABILITY OR INTEGRITY OF THE SUBSOIL AGAINST SUBSIDENCE OR COLLAPSE.

APPROVED MPD STATEMENT:

THIS PLAT IS PART OF AN APPROVED MASTER PLANNED DEVELOPMENT (MPD). ALL DEVELOPMENT AND CONSTRUCTION WITHIN THIS PLAT MUST BE CONSISTENT WITH THE APPLICABLE REQUIREMENTS OF THE MPD DEVELOPMENT AGREEMENT, MPD DESIGN STANDARDS, AND MITIGATION REQUIREMENTS.

GENERAL NOTES:

1) UNLESS OTHERWISE NOTED WITHIN THIS PLAT, ALL WATER AND SEWER PIPELINES WILL BE PUBLICLY OWNED AND OPERATED AND WILL BE WITHIN DEDICATED EASEMENT OR RIGHT OF WAY. STORMWATER PIPELINES MAY BE PRIVATELY OWNED AS LONG AS THE AREA SERVED BY THE PIPELINE IS ENTITLED BY EASEMENT AND OWNED BY THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION.

2) WATER CAPITAL FACILITY CHARGES AND SEWER CAPITAL FACILITY CHARGES SHALL NOT BE IMPOSED FOR DEVELOPMENT IN THIS PLAT.

3) ALL STORMWATER TREATMENT SYSTEMS SHALL BE OWNED BY THE APPLICABLE ASSOCIATION IN ACCORDANCE WITH THE TRACT TABLE ON THIS SHEET.

4) SCHOOL MITIGATION FEES SHALL BE DUE PRIOR TO BUILDING PERMIT ISSUANCE FOR EACH SINGLE FAMILY AND MULTI-FAMILY DWELLING UNIT. THE MITIGATION FEE SHALL BE THE RATE ADOPTED BY THE CITY OF BLACK DIAMOND SCHOOL IMPACT FEE OR SCHOOL MITIGATION FEE ORDINANCE, IF ANY, PROVIDED THAT THE MAXIMUM SCHOOL MITIGATION FEE DUE FOR EACH DWELLING UNIT SHALL BE \$12,453 PER SINGLE FAMILY DWELLING UNIT AND \$4,003 PER MULTI-FAMILY DWELLING UNIT, AS APPLICABLE, BUT IN NO EVENT, EVEN IN THE ABSENCE OF A SCHOOL IMPACT FEE OR MITIGATION FEE ORDINANCE, SHALL THE MITIGATION FEES BE LESS THAN \$7,783.00 PER SINGLE FAMILY DWELLING UNIT AND \$2,502.00 PER MULTI-FAMILY DWELLING UNIT.

5) THE VILLAGES MPD DEVELOPMENT AGREEMENT SECTION DA 5.5.7.0: IN THE EVENT THAT THE APPLICABLE ASSOCIATION FAILS TO PERFORM ANY MAINTENANCE OF PRIVATE ALLEY, AUTO COURT OR PUBLIC STREET-SIDE LANDSCAPING FEATURE AS REQUIRED BY SECTION 5.5.7 OF THE VILLAGES MPD DEVELOPMENT AGREEMENT AND, AS A RESULT, THE CITY OF BLACK DIAMOND PERFORMS SAID MAINTENANCE, THE LOT OWNERS OF THE PLAT ACKNOWLEDGE AND AGREE ON BEHALF OF THEMSELVES AND ALL SUCCESSORS AND ASSIGNS THAT, IF NOT PAID WITHIN THIRTY (30) DAYS OF INVOICING BY THE CITY, THE CITY'S TOTAL COST ARISING FROM THE CITY'S PERFORMANCE OF SAID REQUIRED LANDSCAPING MAINTENANCE PLUS ANY PENALTIES AND INTEREST THEREON AS PROVIDED BY THE VILLAGES MPD DEVELOPMENT AGREEMENT RECORDED UNDER KING COUNTY RECORDING NO. 20120130000655 SHALL BE A LIEN AGAINST ALL PROPERTY, INCLUDING INDIVIDUAL LOTS, WITHIN THIS PLAT, AND SAID LIEN MAY BE FORECLOSED IN THE SAME MANNER PROVIDED FOR THE FORECLOSURE OF LIENS FOR UNPAID SEWER RATES AND CHARGES SET FORTH IN RCW 35.67.220 - .280, AS AMENDED.

6) THE VILLAGES MPD DEVELOPMENT AGREEMENT SECTION DA 6.5.B: IN THE EVENT THAT THE APPLICABLE ASSOCIATION FAILS TO PERFORM ANY MAINTENANCE OF PRIVATE STREET, ALLEY, OR AUTO COURT AS REQUIRED BY SECTION 6.5 OF THE VILLAGES MPD DEVELOPMENT AGREEMENT RECORDED UNDER KING COUNTY RECORDING NO. 20120130000655 AND, AS A RESULT, THE CITY OF BLACK DIAMOND PERFORMS SAID REQUIRED MAINTENANCE, THE LOT OWNERS OF THE PLAT ACKNOWLEDGE AND AGREE ON BEHALF OF THEMSELVES AND ALL SUCCESSORS AND ASSIGNS THAT, IF NOT PAID WITHIN THIRTY (30) DAYS OF INVOICING BY THE CITY, THE CITY'S TOTAL COST ARISING FROM THE CITY'S PERFORMANCE OF SAID REQUIRED PRIVATE STREET MAINTENANCE PLUS ANY PENALTIES AND INTEREST THEREON AS PROVIDED BY THE VILLAGES MPD DEVELOPMENT AGREEMENT SHALL BE A LIEN AGAINST ALL PROPERTY, INCLUDING INDIVIDUAL LOTS, WITHIN THIS PLAT, AND SAID LIEN MAY BE FORECLOSED IN THE SAME MANNER PROVIDED FOR THE FORECLOSURE OF LIENS FOR UNPAID SEWER RATES AND CHARGES SET FORTH IN RCW 35.67.220 - .280, AS AMENDED.

7) ALL BIO-RETENTION CELLS (RAIN GARDENS) WITH APPURTENANT STORM CONVEYANCE SYSTEMS DRAINING TO THEM, WHETHER IN PUBLIC OR PRIVATE PROPERTY, SHALL BE MAINTAINED BY THE APPLICABLE ASSOCIATION.

8) INFRASTRUCTURE IMPROVEMENTS SHALL BE CONSTRUCTED AS REQUIRED BY THE VILLAGES MPD DEVELOPMENT AGREEMENT SECTION 11: PROJECT PHASING, IMPLEMENTING PROJECT CONDITIONS OF APPROVAL, AND SEPA MITIGATION MEASURES, INCLUDING, BUT NOT LIMITED TO, ITEMS LISTED ON SHEET 9 OF 9.

9) PRELIMINARY PLAT CONDITION #12: ALL ALLEYS SHALL BE POSTED "NO PARKING" IN ACCORDANCE WITH THE INTERNATIONAL FIRE CODE (IFC); AND PROVISIONS FOR ENFORCEMENT OF THESE NO PARKING ZONES SHALL BE DEFINED AND ACCEPTED BY THE DESIGNATED OFFICIAL PRIOR TO FINAL PLAT APPROVAL.

10) PRELIMINARY PLAT CONDITION #18 OF THE VILLAGES DEVELOPMENT AGREEMENT: THE MASTER DEVELOPER SHALL COMPLY WITH EXHIBIT "Q" (MAPLE VALLEY TRANSPORTATION MITIGATION AGREEMENT)

11) PRELIMINARY PLAT CONDITION #19 OF THE VILLAGES DEVELOPMENT AGREEMENT: THE MASTER DEVELOPER SHALL COMPLY WITH EXHIBIT "R" OF TVDA (MAPLE VALLEY TRANSPORTATION MITIGATION AGREEMENT)

12) PRELIMINARY PLAT CONDITION #11 OF THE VILLAGES DEVELOPMENT AGREEMENT: AT THE TIME OF BUILDING PERMIT APPLICATION, STRUCTURES WILL BE REQUIRED TO EITHER HAVE REQUIRED FIRE FLOW AVAILABLE OR TO HAVE A FIRE SPRINKLER SYSTEM INSTALLED TO ALLOW FOR A REDUCTION IN REQUIRED FIRE FLOW.

LOT AREAS

LOT NO.	AREA	LOT NO.	AREA	LOT NO.	AREA
1	2,543 SF	22	2,208 SF	43	2,208 SF
2	2,551 SF	23	2,208 SF	44	2,208 SF
3	2,551 SF	24	2,208 SF	45	2,208 SF
4	2,551 SF	25	2,208 SF	46	2,591 SF
5	2,551 SF	26	2,208 SF	47	2,591 SF
6	2,551 SF	27	2,208 SF	48	2,208 SF
7	2,551 SF	28	2,248 SF	49	2,208 SF
8	2,551 SF	29	2,944 SF	50	2,219 SF
9	2,551 SF	30	2,208 SF	51	2,639 SF
10	2,551 SF	31	2,208 SF	52	2,947 SF
11	2,551 SF	32	2,208 SF	53	2,208 SF
12	2,551 SF	33	2,208 SF	54	2,208 SF
13	2,551 SF	34	2,208 SF	55	2,600 SF
14	2,551 SF	35	2,208 SF	56	2,591 SF
15	2,551 SF	36	2,659 SF	57	2,208 SF
16	2,551 SF	37	2,591 SF	58	3,262 SF
17	2,549 SF	38	2,208 SF	59	2,218 SF
18	3,540 SF	39	2,208 SF	60	2,208 SF
19	2,588 SF	40	2,208 SF	61	2,591 SF
20	2,208 SF	41	2,940 SF		
21	2,208 SF	42	2,242 SF		

TRACT AREAS

TRACT NO.	AREA	USE	TYPE OF PARK	GRANTED AND CONVEYED TO
A	7,147 SF	PARK, LANDSCAPE, PEDESTRIAN ACCESS AND UTILITY	POCKET PARK	TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
B	1,009 SF	LANDSCAPE, PEDESTRIAN ACCESS AND UTILITY		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
C	1,609 SF	LANDSCAPE, PEDESTRIAN ACCESS AND UTILITY		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
D	5,180 SF	PARK, LANDSCAPE, PEDESTRIAN ACCESS AND UTILITY	POCKET PARK	TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
E	9,167 SF	PEDESTRIAN ACCESS, UTILITY AND ACCESS		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
F	1,609 SF	LANDSCAPE, PEDESTRIAN ACCESS AND UTILITY		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
G	5,873 SF	PARK, LANDSCAPE, PEDESTRIAN ACCESS AND UTILITY	POCKET PARK	TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
H	27,126 SF	NATURAL LANDSCAPE, PEDESTRIAN ACCESS, UTILITY AND LANDSCAPE		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
I	8,524 SF	UTILITY AND ACCESS		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
J	1,609 SF	LANDSCAPE, PEDESTRIAN ACCESS AND UTILITY		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
K	10,523 SF	PARK, LANDSCAPE, PEDESTRIAN ACCESS AND UTILITY	POCKET PARK	TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
L	599 SF	UTILITY AND ACCESS		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
M	759 SF	LANDSCAPE, PEDESTRIAN ACCESS AND UTILITY		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
N	543 SF	UTILITY AND LANDSCAPE		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
O	4,391 SF	NATURAL LANDSCAPE, UTILITY AND LANDSCAPE		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
P	35,972 SF	UTILITY AND ACCESS		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION

LOT ADDRESS TABLE

LOT NO.	STREET NAME	ADDRESS	LOT NO.	STREET NAME	ADDRESS
1	SE DOGWOOD STREET	23403	32	CYPRESS AVENUE SE	33106
2	SE DOGWOOD STREET	23391	33	CYPRESS AVENUE SE	33098
3	SE DOGWOOD STREET	23385	34	CYPRESS AVENUE SE	33090
4	SE DOGWOOD STREET	23379	35	CYPRESS AVENUE SE	33082
5	SE DOGWOOD STREET	23371	36	CYPRESS AVENUE SE	33074
6	SE DOGWOOD STREET	23363	37	EAGLE PEAK LANE	33067
7	SE DOGWOOD STREET	23355	38	EAGLE PEAK LANE	33075
8	SE DOGWOOD STREET	23343	39	EAGLE PEAK LANE	33083
9	SE DOGWOOD STREET	23335	40	EAGLE PEAK LANE	33091
10	SE DOGWOOD STREET	23327	41	EAGLE PEAK LANE	33099
11	SE DOGWOOD STREET	23319	42	EAGLE PEAK LANE	33096
12	SE DOGWOOD STREET	23307	43	EAGLE PEAK LANE	33088
13	SE DOGWOOD STREET	23297	44	EAGLE PEAK LANE	33080
14	SE DOGWOOD STREET	23289	45	EAGLE PEAK LANE	33072
15	SE DOGWOOD STREET	23283	46	EAGLE PEAK LANE	33064
16	SE DOGWOOD STREET	23271	47	LOOKOUT LANE	33054
17	SE DOGWOOD STREET	23263	48	LOOKOUT LANE	33042
18	SE DOGWOOD STREET	23251	49	LOOKOUT LANE	33030
19	TEN TRAILS PARKWAY SE	33084	50	LOOKOUT LANE	33018
20	TEN TRAILS PARKWAY SE	33092	51	LOOKOUT LANE	33008
21	TEN TRAILS PARKWAY SE	33108	52	LOOKOUT LANE	33013
22	TEN TRAILS PARKWAY SE	33118	53	LOOKOUT LANE	33023
23	TEN TRAILS PARKWAY SE	33130	54	LOOKOUT LANE	33035
24	TEN TRAILS PARKWAY SE	33142	55	LOOKOUT LANE	33047
25	TEN TRAILS PARKWAY SE	33154	56	LOOKOUT LANE	32963
26	TEN TRAILS PARKWAY SE	33166	57	LOOKOUT LANE	32971
27	TEN TRAILS PARKWAY SE	33174	58	LOOKOUT LANE	32983
28	TEN TRAILS PARKWAY SE	33182	59	LOOKOUT LANE	32974
29	CYPRESS AVENUE SE	33130	60	LOOKOUT LANE	32966
30	CYPRESS AVENUE SE	33122	61	LOOKOUT LANE	32960
31	CYPRESS AVENUE SE	33114			

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CITY OF BLACK DIAMOND FILE NO. PLN19-0084

TEN TRAILS
V-24
CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



DAVID EVANS
AND ASSOCIATES INC.
20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425 415 2000 f: 425 486 5059

JOB NO 16-001
SHEET 3 OF 9

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TEN TRAILS
V-24

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PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

CONSERVATION EASEMENT DEED
PARTIAL RELINQUISHMENT
OPEN SPACE TABLE

THE CITY OF BLACK DIAMOND AND CCD BLACK DIAMOND PARTNERS LLC HEREBY AMEND THOSE CERTAIN CONSERVATION EASEMENT DEEDS RECORDED UNDER KING COUNTY RECORDING NOS. 20060323001818 ("CED1") AND 20060323001819 ("CED2") AS FOLLOWS:

TRACTS A, B, C, D, F, G, H, J, K, M, N AND O ARE HEREBY ESTABLISHED AS AND DECLARED TO BE "CONSERVATION ZONES," AS DEFINED IN CED1 AND CED2.

TRACTS A, B, C, D, F, G, H, J, K, M, N AND O ARE LANDSCAPED AREAS CONSISTING OF 67,378 SQUARE FEET, WHICH PROVIDE PERMANENT PUBLIC ACCESS AND TRAILS. SAID TRACTS PROTECT AND CONSERVE THE CONSERVATION VALUES IDENTIFIED IN CED1 AND CED2 PARAGRAPH 2.3 BY ENHANCING THE VALUE TO THE PUBLIC OF ABUTTING OR NEIGHBORING PARKS OR OTHER OPEN SPACE.

THE APPLICABLE OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE PRESERVATION AND PROTECTION OF THE CONSERVATION VALUES OF THE CONSERVATION ZONE ESTABLISHED HEREBY, AND THE CITY OF BLACK DIAMOND SHALL HAVE THE RIGHT TO ENFORCE SUCH PRESERVATION AND PROTECTION, PURSUANT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS OF THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION AS RECORDED UNDER KING COUNTY RECORDING NO. 20171107001312 AND AS AMENDED BY KING COUNTY RECORDING NOS, 20171227000507, 20180619000316 AND 20180627001396.

THE CITY OF BLACK DIAMOND HEREBY TERMINATES AND RELEASES ALL OF ITS RIGHTS, TITLE AND INTEREST IN CED1 AND CED2 WITH RESPECT TO ALL PROPERTY IN THE PLAT NOT EXPRESSLY ESTABLISHED AS CONSERVATION ZONES HEREIN. THIS RELEASE IS INTENDED TO REMOVE CED1 AND CED2 FROM TITLE TO ALL PROPERTY IN THE PLAT NOT EXPRESSLY ESTABLISHED AS CONSERVATION ZONES HEREIN. THIS AMENDMENT AND RELEASE IS AN ADDENDUM TO CED1 AND CED2.

UPON RECORDING OF THIS AMENDMENT AND RELEASE, THE TOTAL SIZE OF THE CONSERVATION ZONES ESTABLISHED WITHIN THE PLAT AND THE REMAINING MINIMUM SIZE OF CONSERVATION ZONES TO BE ESTABLISHED SUBSEQUENTLY ARE AS FOLLOWS:

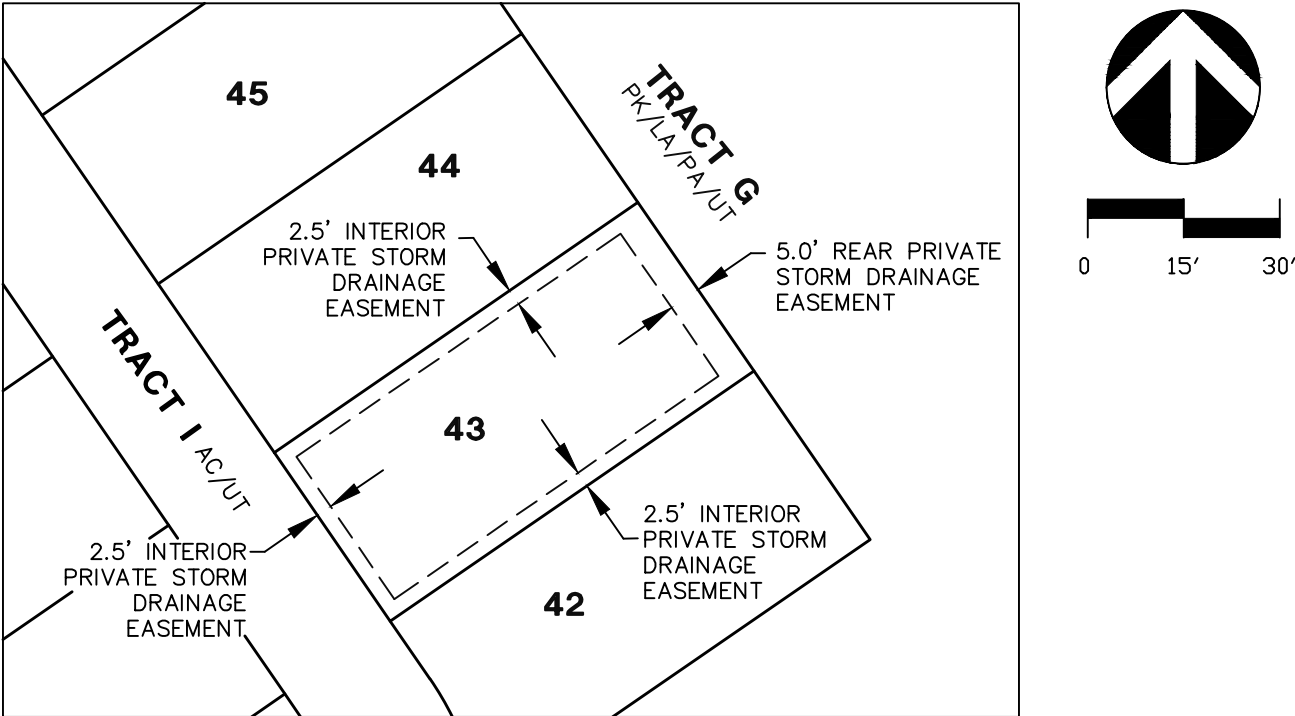
Table with 9 columns: GROSS ACRES, BDUGAA/ OPEN SPACE REQUIREMENT, MPD REQUIREMENT (IF APPLICABLE), REQUIRED OPEN SPACE, OPEN SPACE PREVIOUSLY RECORDED, REQUIRED OPEN SPACE LESS PREVIOUS PLATS, OPEN SPACE PROVIDED IN THIS PLAT, REMAINING OPEN SPACE REQUIRED. Rows include WEST ANNEXATION AREA, PARCEL C, PARCEL D, PARCEL G, PARCEL E, and TOTAL IN CITY/UGA MPD OPEN SPACE.

* - AN EXCESS OF 19.19 ACRES OF OPEN SPACE HAS BEEN RECORDED WITHIN PARCEL E.

Table with 6 columns: SOURCE OF REQUIREMENT: TABLE 9-1 OF THE VILLAGES DEVELOPMENT AGREEMENT, TOTAL CZ ACREAGE REQUIRED, TOTAL CZ ACREAGE ESTABLISHED BY PREVIOUS PLATS OF TEN TRAILS, CZ ACREAGE REMAINING LESS PREVIOUS PLATS, TOTAL CZ ACREAGE ESTABLISHED BY PLAT OF TEN TRAILS, REMAINING MINIMUM CZ ACREAGE TO BE ESTABLISHED BY FUTURE PLATS WITHIN THE WEST ANNEXATION AREA. Rows include CED 1 and CED 2.

PRIVATE DRAINAGE EASEMENT DETAIL

TYPICAL WITH ALL PRIVATE LOTS



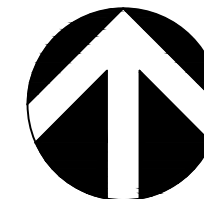
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TEN TRAILS

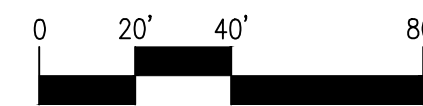
V-24

VOL/PG

PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON



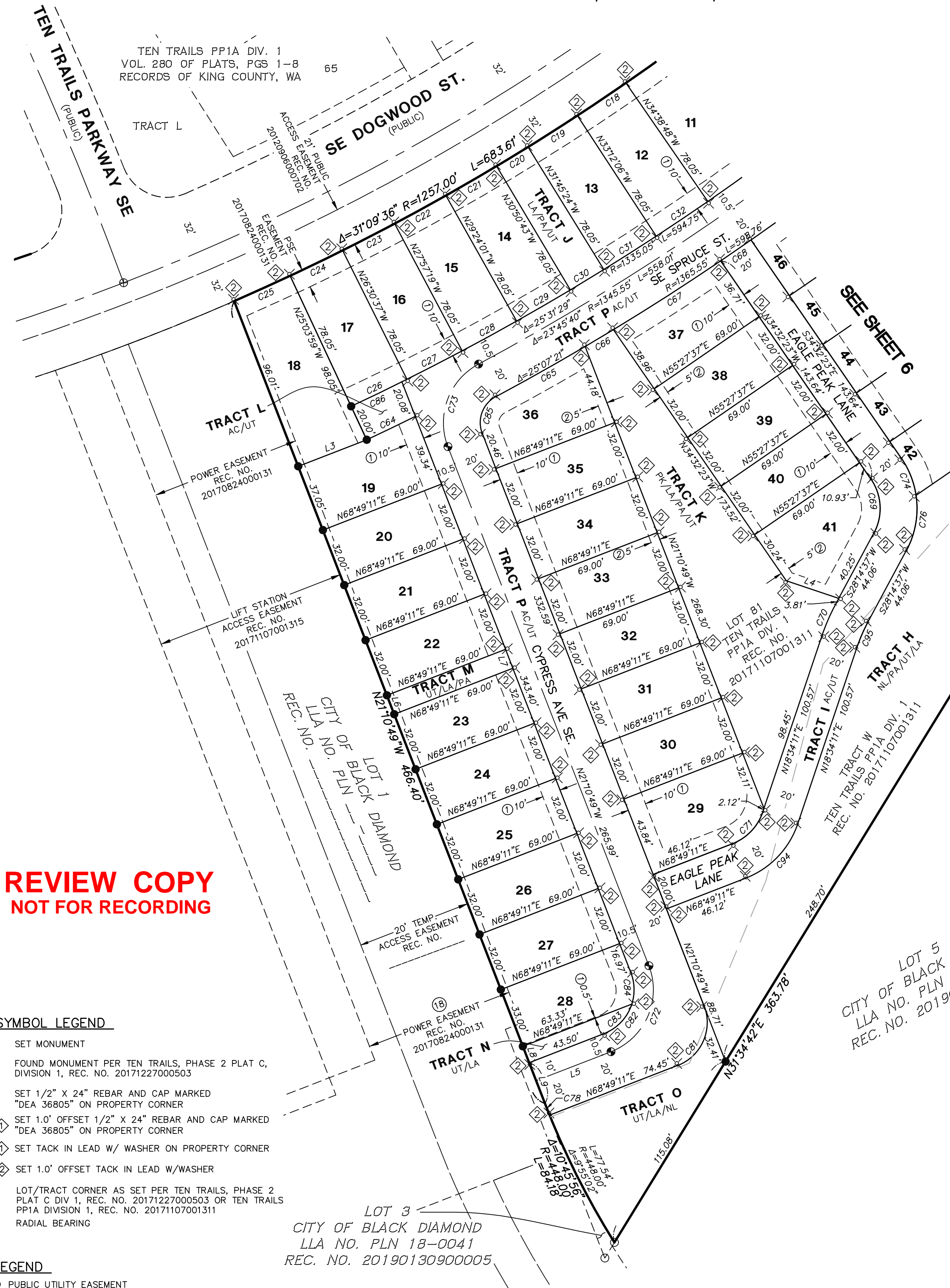
NORTH



SCALE: 1" = 40'

SEE SHEET 3 OF 9
FOR ADDRESSES

SEE SHEET 7 OF 9 FOR
LINE AND CURVE TABLES



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SYMBOL LEGEND

- SET MONUMENT
- FOUND MONUMENT PER TEN TRAILS, PHASE 2 PLAT C, DIVISION 1, REC. NO. 20171227000503
- SET 1/2" X 24" REBAR AND CAP MARKED "DEA 36805" ON PROPERTY CORNER
- SET 1.0' OFFSET 1/2" X 24" REBAR AND CAP MARKED "DEA 36805" ON PROPERTY CORNER
- SET TACK IN LEAD W/ WASHER ON PROPERTY CORNER
- SET 1.0' OFFSET TACK IN LEAD W/WASHER
- LOT/TRACT CORNER AS SET PER TEN TRAILS, PHASE 2 PLAT C DIV 1, REC. NO. 20171227000503 OR TEN TRAILS PP1A DIVISION 1, REC. NO. 20171107001311
- (R) RADIAL BEARING

LEGEND

- ① PUBLIC UTILITY EASEMENT
- ② PRIVATE STORM DRAINAGE EASEMENT
- LA - LANDSCAPE
- PA - PEDESTRIAN ACCESS
- PK - PARK
- SA - SENSITIVE AREA AND BUFFER
- FD - FUTURE DEVELOPMENT
- UT - UTILITY
- AC - ACCESS
- NL - NATURAL LANDSCAPE

CITY OF BLACK DIAMOND FILE NO. PLN19-0084

TEN TRAILS
V-24
CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



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SHEET 5 OF 9

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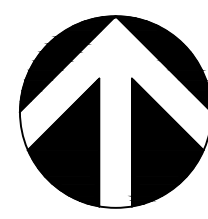


TEN TRAILS

V-24

PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

VOL/PG



NORTH



SCALE: 1" = 40'

TAHOMA PLACE

TEN TRAILS PHASE 2
PLAT C DIVISION 1
REC. NO.
20171227000503

TRACT B
DIVISION 2 PLAT C
REC. NO. 20171227000503

LOT 5
CITY OF BLACK DIAMOND
LLA NO. PLN 18-0041
REC. NO. 20190130900005

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LEGEND

- ① PUBLIC UTILITY EASEMENT
- ② PRIVATE STORM DRAINAGE EASEMENT
- LA - LANDSCAPE
- PA - PEDESTRIAN ACCESS
- PK - PARK
- SA - SENSITIVE AREA AND BUFFER
- FD - FUTURE DEVELOPMENT
- UT - UTILITY
- AC - ACCESS
- NL - NATURAL LANDSCAPE

SYMBOL LEGEND

- ⊕ SET MONUMENT
- ⊕ FOUND MONUMENT PER TEN TRAILS, PHASE 2 PLAT C, DIVISION 1, REC. NO. 20171227000503
- SET 1/2" X 24" REBAR AND CAP MARKED "DEA 36805" ON PROPERTY CORNER
- ◊ SET 1.0" OFFSET 1/2" X 24" REBAR AND CAP MARKED "DEA 36805" ON PROPERTY CORNER
- ✕ SET TACK IN LEAD W/ WASHER ON PROPERTY CORNER
- ✕ SET 1.0" OFFSET TACK IN LEAD W/WASHER
- LOT/TRACT CORNER AS SET PER TEN TRAILS, PHASE 2 PLAT C DIV 1, REC. NO. 20171227000503 OR TEN TRAILS PP1A DIVISION 1, REC. NO. 20171107001311
- (R) RADIAL BEARING

SEE SHEET 5

SEE SHEET 3 OF 9
FOR ADDRESSES

SEE SHEET 7 OF 9 FOR
LINE AND CURVE TABLES



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TEN TRAILS
V-24

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PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

Table with 3 columns: Line #, Direction, Length. Rows L1 to L9.

Table with 16 columns: Curve #, Delta, Radius, Length. Rows C1 to C99.



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TEN TRAILS
V-24
CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON

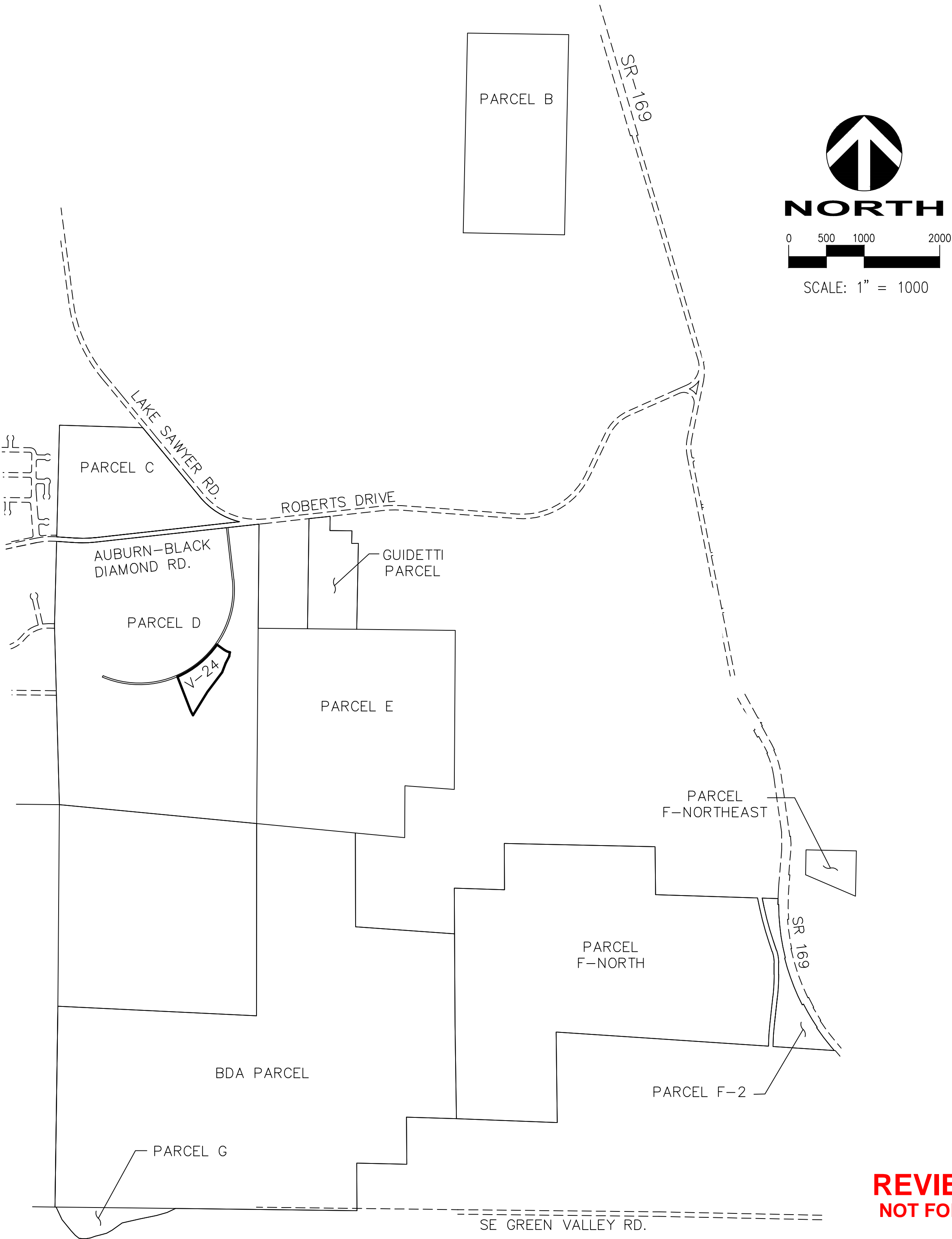
DAVID EVANS AND ASSOCIATES INC.
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p: 425.415.2000 f: 425.486.5059

TEN TRAILS

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PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON



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TEN TRAILS
V-24

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PORTION OF THE SW 1/4 OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

INFRASTRUCTURE IMPROVEMENT TIMING

(INFRASTRUCTURE IMPROVEMENTS SHALL BE CONSTRUCTED AS REQUIRED BY THE VILLAGES DEVELOPMENT AGREEMENT SECTION 11: PROJECT PHASING, INCLUDING – BUT NOT LIMITED TO – THE FOLLOWING ITEMS:)

PROJECT IDENTIFICATION	DESCRIPTION	
VILLAGE GREEN	CONSTRUCT A 1.17–ACRE PARK ON THE ROUNDABOUT IN PARCEL D.	COMMENCED OR BONDED PRIOR TO RECORDING DIVISION 1A OF PRELIMINARY PLAT 1A AND COMPLETED NO LATER THAN WHEN THE CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION HAS BEEN ISSUED FOR 60% OF DWELLING UNITS LOCATED WITHIN 1/4 MILE OF PARK.
CIVIC PARK	CONSTRUCT THE 1.65–ACRE CIVIC PARK.	COMMENCED OR BONDED PRIOR TO RECORDING DIVISION 1A OF PRELIMINARY PLAT 1A AND COMPLETED NO LATER THAN WHEN THE CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION HAS BEEN ISSUED FOR 60% OF DWELLING UNITS LOCATED WITHIN 1/4 MILE OF PARK.
SIDEWALK/SAFE PEDESTRIAN CONNECTION	PROVIDED AN EXPERT STUDY CONFIRMS ENGINEERING FEASIBILITY AND THAT CONSTRUCTION COSTS WILL BE REASONABLE AND CUSTOMARY, PROVIDE A CONNECTING SIDEWALK AND SAFE PEDESTRIAN CONNECTION FROM THE FRONTAGE IMPROVEMENTS ALONG PARCEL V13 TO THE NORTHEAST CORNER OF THE GUIDETTI PARCEL ALONG ROBERTS DRIVE.	CONSTRUCT A SAFE PEDESTRIAN CONNECTION ACROSS ROCK CREEK FOR PEDESTRIAN LINKAGE TO MORGANVILLE PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY OF THE 200TH DWELLING UNIT FOR THE VILLAGES MPD. IN LIEU OF CONSTRUCTION, THE CITY SHALL HAVE A FINANCIAL COMMITMENT IN PLACE TO COMPLETE THE IMPROVEMENTS WITHIN SIX YEARS OF PP1A APPROVAL.
SATELLITE FIRE STATION	THE SITING AND DESIGN OF THE SATELLITE FIRE STATION SHALL BE PROVIDED BY THE APPLICANT AND AGREED TO BY THE CITY.	NO LATER THAN THE TIME OF ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 250TH DWELLING UNIT WITHIN THE VILLAGES.
TRAFFIC SIGNAL AT THE INTERSECTION OF SE AUBURN–BLACK DIAMOND RD. (ROBERTS DR.) AND VILLAGE PL. SE (AKA MAIN ST.)	SIGNALIZE INTERSECTION.	PRIOR TO ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE 327TH ERU (EQUIVALENT RESIDENTIAL UNIT) WITHIN THE VILLAGES MPD
WATER CONSERVATION CHECK–UP	IDENTIFY IF THE WATER CONSERVATION STRATEGIES ARE COMPLIANT WITH THE DEVELOPMENT AGREEMENT. THIS CONDITION WILL BE ENFORCED WITH BUILDING PERMITS.	PRIOR TO APPROVAL OF THE 500TH ERU (EQUIVALENT RESIDENTIAL UNIT)
TRAFFIC MONITORING	THE PROPONENT SHALL MODEL AND MONITOR TRAFFIC AND DETERMINE WHAT ADDITIONAL REQUIREMENTS MAY BE NECESSARY TO COMPLY WITH THE TRANSPORTATION CONCURRENCY REQUIREMENTS OF THE COMPREHENSIVE PLAN.	AT THE MIDPOINT OF OCCUPANCY OF PHASE 1A
ROUNDABOUT AT THE INTERSECTION OF SE AUBURN–BLACK DIAMOND RD. (ROBERTS DR.) AND VILLAGES PARKWAY SE (AKA COMMUNITY CONNECTOR "A").	CONSTRUCT A SINGLE–LANE ROUNDABOUT	PRIOR TO THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE 1,128TH ERU (EQUIVALENT RESIDENTIAL UNIT)
RING ROAD	PHASE 2: WEST FROM COMMUNITY CONNECTOR TO ROAD G.	PRIOR TO OCCUPANCY WITHIN DIVISIONS G (DIVISION 3), J (DIVISION 6), AND K (DIVISION 5) OF PP1A. DIVISIONS G, J, AND K ARE NOW REFERRED TO AS DIVISIONS 3, 5 AND 6 PER PLAT ALTERATION PLN 16–0059.
INTERSECTION SR 169/ROBERTS DRIVE INTERSECTION	PHASE 1: (INTERIM IMPROVEMENT) SHIFT ROBERTS DRIVE TO THE SOUTH TO PROVIDE APPROXIMATELY 500 FEET OF SEPARATION WITH SE BLACK DIAMOND RAVENSDALE ROAD. RECONFIGURE THE INTERSECTION AS A T, SIGNALIZE.	COMPLETED ENGINEERING, DESIGN, AND CONSTRUCTION DRAWINGS AND RELATED APPLICATION MATERIALS SUBMITTED TO WSDOT PRIOR TO THE ISSUANCE OF THE FIRST RESIDENTIAL OR COMMERCIAL BUILDING PERMIT ASSOCIATED WITH PP1A. CONSTRUCTION SHALL COMMENCE PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT FOR 327TH ERU WITHIN PP1A, PLUS ANY ADDITIONAL TIME DEMONSTRATED TO THE REASONABLE SATISFACTION OF THE CITY'S DESIGNATED OFFICIAL TO BE NECESSARY DUE TO ACTION, INACTION, OR EVENTS OUTSIDE OF THE MASTER DEVELOPER'S CONTROL.
SR 169/SE BLACK DIAMOND–RAVENSDALE ROAD	PHASE 1: (INTERIM IMPROVEMENT) FOUR–WAY SIGNALIZED INTERSECTION TO MAINTAIN ACCESS TO PALMER COKING COAL PROPERTY.	COMPLETED ENGINEERING, DESIGN, AND CONSTRUCTION DRAWINGS AND RELATED APPLICATION MATERIALS SUBMITTED TO WSDOT PRIOR TO THE ISSUANCE OF THE FIRST RESIDENTIAL OR COMMERCIAL BUILDING PERMIT ASSOCIATED WITH PP1A. CONSTRUCTION SHALL COMMENCE PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT FOR 327TH ERU WITHIN PP1A, PLUS ANY ADDITIONAL TIME DEMONSTRATED TO THE REASONABLE SATISFACTION OF THE CITY'S DESIGNATED OFFICIAL TO BE NECESSARY DUE TO ACTION, INACTION, OR EVENTS OUTSIDE OF THE MASTER DEVELOPER'S CONTROL.
SE AUBURN BLACK DIAMOND ROAD/COMMUNITY CONNECTOR INTERSECTION	SINGLE LANE ROUNDABOUT.	PRIOR TO OCCUPANCY OF THE 726TH DWELLING UNIT WITHIN PP1A.
COMMUNITY CONNECTOR	PHASE 2: CONNECT PHASE 1 WITH SE AUBURN BLACK DIAMOND ROAD.	PRIOR TO OCCUPANCY OF THE 726TH DWELLING UNIT WITHIN PP1A, OR IF NECESSARY TO PROVIDE DUAL EMERGENCY ACCESS ROUTES TO ANY DEVELOPED LOTS WITHIN PP1A.
SE AUBURN–BLACK DIAMOND ROAD FRONTAGE IMPROVEMENTS	PHASE 2: COMPLETE FRONTAGE IMPROVEMENTS BETWEEN COMMUNITY CONNECTOR AND MAIN STREET, MAIN STREET SIGNALIZED.	PRIOR TO OCCUPANCY OF THE 726TH DWELLING UNIT WITHIN PP1A.
SE AUBURN–BLACK DIAMOND ROAD FRONTAGE IMPROVEMENTS	PHASE 3: COMPLETE FRONTAGE IMPROVEMENTS FROM ROUNDABOUT AT COMMUNITY CONNECTOR TO WEST PROPERTY LINE.	CONCURRENT WITH THE ADJACENT MULTI–FAMILY PARCEL 1H OF PP1A.
COMMUNITY CONNECTOR	EXTEND COMMUNITY CONNECTOR IN SEVERAL PHASES FROM END OF CONSTRUCTION IN PHASE 1A, NEAR INTERSECTION OF VILLAGES PARKWAY SE AND SE DOGWOOD STREET, INCLUDING APPROXIMATELY 2,800 LINEAR FEET OF ROADWAY.	CONSTRUCTED IN PHASES AS NECESSARY TO PROVIDE ACCESS TO EACH PHASE 2 PLAT THAT TAKES ACCESS FROM THE COMMUNITY CONNECTOR. EACH PHASE OF CONSTRUCTION WILL BE COMPLETED THROUGH THE INTERSECTION OF THE STREET THAT PROVIDES ACCESS TO EACH PHASE 2 PLAT WITHIN THE VILLAGES MPD.
NEIGHBORHOOD STREET	CONSTRUCT A NEIGHBORHOOD STREET, INCLUDING 64 FEET OF RIGHT–OF–WAY, TO THE INTERIM LIFT STATION.	THIS NEIGHBORHOOD STREET WITH BIKE LANES WILL BE CONSTRUCTED IN PHASES AS NECESSARY TO SERVE DEVELOPMENT WITHIN PHASE 2 OF THE VILLAGES MPD. THIS ROAD WILL BE CONSTRUCTED TO THE PLAT ENTRANCE TO PHASE 2 PLAT A WITH CONSTRUCTION OF PHASE 2 PLAT A. RIGHT–OF–WAY WILL BE DEDICATED FOR THE REMAINDER OF THE ROAD TO THE SOUTH PROPERTY LINE OF PARCEL D WITH THE RECORDING OF PHASE 2 PLAT A FINAL PLAT. THE REMAINDER OF THIS ROAD WILL BE CONSTRUCTED WITH DEVELOPMENT SOUTH OF PARCEL D OR CONSTRUCTION OF THE ULTIMATE LIFT STATION.
OFF–SITE WATER MAIN PARALLEL LOOP	EXTEND WATER MAIN TO SITE.	PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE DWELLING UNIT THAT USES THE 1,019TH ERU, AS NECESSARY TO SUPPLY FIRE FLOW REQUIRED FOR A SPECIFIC IMPLEMENTING PROJECT, OR AS UPDATED MODELING MAY ALLOW.
WASTEWATER STORAGE	CONSTRUCT A WASTEWATER STORAGE FACILITY SUFFICIENT TO SERVE PROPOSAL.	PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE DWELLING UNIT THAT USES THE 1,151ST ERU.
PIPELINE ROAD	CONSTRUCT PIPELINE ROAD FROM SR169 TO LAKE SAWYER ROAD SE.	PRELIMINARY DESIGN AND DEDICATION OF RIGHT–OF–WAY MUST BE DONE PRIOR TO BUILDING PERMIT FOR 1,200TH DWELLING UNIT. CONSTRUCTION MUST OCCUR AND THE ROAD OPEN TO TRAFFIC PRIOR TO BUILDING PERMIT FOR 1,746TH DWELLING UNIT (UNLESS REQUIRED EARLIER BY INCREASED DELAY OR LOS IMPACT).
SR 169/SE 288TH STREET INTERSECTION	SIGNALIZE INTERSECTION.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,393RD ERU.
ROBERTS DRIVE/MORGAN STREET INTERSECTION INTERSECTION	SIGNALIZE INTERSECTION.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,393RD ERU.
SE KENT KANGLEY ROAD/LANDBURG ROAD SE	CONSTRUCT SOUTHBOUND LEFT–TURN LANE.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,393RD ERU.
SE 288TH STREET/216TH AVENUE SE INTERSECTION	SIGNALIZE INTERSECTION.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,462ND ERU.
SE AUBURN–BLACK DIAMOND ROAD/SE GREEN VALLEY ROAD INTERSECTION	RECHANNELIZE THE WEST LEG OF THE INTERSECTION TO PROVIDE A REFUGE/MERGE AREA FOR NORTHBOUND–TO–WESTBOUND LEFT TURNING VEHICLES.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,687TH ERU.
SE AUBURN BLACK DIAMOND ROAD/LAKE SAWYER ROAD SE/RING ROAD INTERSECTION	PHASE 2: CONSTRUCT A RIGHT–TURN SLIP LANE ON THE NORTHWEST CORNER OF THE INTERSECTION.	ONLY NECESSARY IF VILLAGES PARKWAY SE IS NOT CONSTRUCTED BETWEEN ROBERTS DRIVE AND LAKE SAWYER ROAD SE. IF VILLAGES PARKWAY SE IS NOT CONSTRUCTED BETWEEN ROBERTS DRIVE AND LAKE SAWYER ROAD SE, CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,857TH ERU.

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JOB NO 16–001
SHEET 9 OF 9

VOL/PG

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: December 5, 2019 AB19-069	
Public Hearing for the 2020 Stormwater Management Program (SWMP) Plan	Mayor Carol Benson	
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res –	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note): \$0	Public Works – Seth Boettcher	X
Fund Source: --	Court – Stephanie Metcalf	
Timeline: 2020		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Draft 2020 Stormwater Management Program Plan		
<p>SUMMARY STATEMENT:</p> <p>The City is required by the Department of Ecology to update its Stormwater Management Program (SWMP) Plan. This SWMP Plan shows how the City is currently meeting the Department of Ecology's requirements in the National Pollutant Discharge Elimination System (NPDES) Permit, as well as shows future requirements of this Permit. The SWMP Plan is updated annually.</p> <p>The purpose of the public hearing is to gather input for this SWMP Plan from the community, which is a requirement of the NPDES Permit.</p> <p>FISCAL NOTE (Finance Department): This is an update to a plan. Future costs are unknown at this time.</p>		
<p>COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:</p> <p>Public Works Committee reviewed November 26th, 2019 and recommended to move to full council for a Public Hearing on December 5th.</p>		
RECOMMENDED ACTION: Public hearing only.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
December 5, 2019		

RESOLUTION NO. 19-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
ADOPTING THE STORMWATER MANAGEMENT
PROGRAM (SWMP) PLAN 2020 UPDATE**

WHEREAS, City staff prepared the Stormwater Management Program (SWMP) Plan update for 2020; and

WHEREAS, the City is required to update the SWMP Plan annually by the Western Washington Phase II National Pollutant Discharge Elimination System (NPDES) Permit issued by the State of Washington Department of Ecology; and

WHEREAS, the purpose of the SWMP Plan is to detail actions that the city is currently taking and will need to take to maintain compliance with the conditions of the NPDES Permit, and to reduce the discharge of pollutants from the City's municipal separate storm sewer system to the maximum extent practicable; and

WHEREAS, the City Council held a public hearing on December 5, 2019 to take public comment on the SWMP Plan;

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

Section 1. The City Council hereby adopts the Stormwater Management Program Plan 2019 update.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 19TH DAY OF DECEMBER, 2019.

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

2020 SWMP Plan

Summary of Significant Changes

Section 1 - Introduction

- Added 3 categories of for permit compliance (now 9, previously 6)

Section 2 – Monitoring, Reporting, and Assessment

- Only minor changes – very minimal impact on staff time/resources

Section 3 – Stormwater Planning (new section)

- Before August 1, 2020, the City needs to convene an inter-disciplinary team to inform and assist in the development, progress, and influence of the Stormwater Management Program.

- Probably a team consisting of reps from Public Works, Planning, and MDRT

- Report on how stormwater management needs are (or are not) influencing planning updates and policies (comp plan, ordinances, policies with developers, businesses, etc.).

- Update from the 2013-2019 Permit cycle by March 31, 2021

- Update from the 2019-2024 Permit cycle by January 1, 2023

- Develop a Stormwater Management Action Plan (SMAP) for one priority basin within the City. Several steps are involved:

- Complete a receiving water assessment by March 31, 2022. Assessment includes an inventory of the watershed, description of receiving waters and contributing areas. Need to select receiving waters to include and map delineating basins.

- Need to list and rank prioritized receiving waters by June 30, 2022 and document how the ranking process was determined. A high priority basin will need to be selected at this point.

- Complete the SMAP for one priority catchment area by March 31, 2023. SMAP will need to detail the retrofits needed for the area, land management/development strategies identified in the area for water quality management, targeted or customized implementation of stormwater management actions (e.g. IDDE field screening, O&M inspections, public education and outreach), identify needed changes to long-range plans (if needed), a proposed schedule of short term (within 6 years) and long term (within 7-20 years) actions, and provide feedback for future assessment of the process.

- SMAP is going to require a lot of time and effort, and probably the assistance of a consultant.

Section 4 – Public Education and Outreach

- Evaluate effectiveness of ongoing behavior change program from 2013-2018 Permit by July 1, 2020 (online survey).

- Social marketing campaign (City will be required to utilize social marketing).

- Determine a target audience (e.g. businesses, students, etc.).

- Campaign needs to be developed by February 1, 2021.

- Begin implementing the social marketing campaign by April 1, 2021.

- Evaluate the social marketing campaign by March 31, 2024

Section 5 – Public Involvement and Participation

-Only big change requires public involvement in the development of the SMAP (Section 3).

Section 6 – MS4 Mapping and Documentation

-Mapping of the Municipal Separate Storm Sewer System (MS4) used to be in the Illicit Discharge Section (Section 7).

-No major changes. The data the City currently has is being refined, as needed. Some time will need to be dedicated in order to keep improving the data that we have.

Section 7 – Illicit Discharge Detection and Elimination

-No major changes. There are some procedural changes for illicit discharge tracking and reporting, and we will need to compare our current protocols for investigation with Ecology's new recommended manual for investigating illicit connections and illicit discharges.

Section 8 – Controlling Runoff from New Development, Redevelopment, and Construction Sites

-Need to adopt the new Stormwater Manual by June 30, 2022 to implement updated Best Management Practices (BMPs) and updated Low Impact Development (LID) criteria.

-Need to make sure our code gives us the right authority to inspect and enforce stormwater maintenance standards for private facilities by June 30, 2022. It is likely that we have this authority already in the code, but we will make sure it is still compatible with the new Permit requirements.

Section 9 – Operations and Maintenance

-Update the maintenance standards to be in line with the new Stormwater Manual by June 30, 2022. This will involve a comparison of the City's drafted standards and the updated standards in the Manual. We had to update the standards as part of our previous Permit.

-While we are still required to annually inspect private stormwater facilities physically connected to the City's stormwater system, we need to make sure we are keeping inspection records in one location, and records of inspections, enforcement actions, warning letters, etc. are kept. Not too much of a change and there aren't many private facilities connected to the City's system. We need to verify Code aligns with these requirements.

-Required to document the practices, policies, and procedures to reduce stormwater impacts from lands owned or operated by the City (property, right-of-way, parks, PW shop, etc.) by December 31, 2022. Basically, we need to establish/update standard operating procedures for activities such as pipe cleaning, ditch maintenance, snow and ice control, and others (15 items total) and make sure we are addressing the reduction of stormwater impacts, where feasible.

-Other changes in this section are minimal.

Section 10 – Source Control for Existing Development (new section)

Ecology has been pushing for this section for a while. It will require the City to look at all businesses, schools, industrial areas that may have pollutant generating sources (such as a parking lot). This includes businesses, such as PCC and the auto-wrecking yard, that have their own NPDES Permit from Ecology. This section transfers the inspection and enforcement responsibility from Ecology to the City.

Requirements:

- Applies to sites that discharge to the City's stormwater system (such as flowing from a parking lot into a City-owned catch basin).
- Adopt an ordinance requiring BMPs that meet the criteria outlined in the Permit by August 1, 2022. We will need to adopt the BMPs outlined in the 2019 Stormwater Manual. We will have to determine if this portion will be covered by how we adopt the manual in Section 8, or if we'll need to add a new section to the code.
- Establish an inventory of applicable sites by August 1, 2022.
- Start an inspection program for these applicable sites by January 1, 2023.
 - Need to inspect 20% of the sites annually.
 - Need to provide education materials to the sites.
 - City has to enforce implementation of BMPs at sites, including sites covered by their own NPDES Permit.
 - Staff performing these inspections need to be trained.

CITY OF BLACK DIAMOND

STORMWATER MANAGEMENT PROGRAM PLAN (SWMP PLAN)

20~~2019~~ UPDATE



PREPARED BY
Public Works Department
CITY OF BLACK DIAMOND
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LIST OF ACRONYMS AND ABBREVIATIONS

AKART	All Known and Reasonable Treatment
BMP	Best Management Practices
CESCL	Certified Erosion and Sediment Control Lead
DOE	Department of Ecology
<u>GIS</u>	<u>Geographic Information Systems</u>
GROSS	Grants of Regional or Statewide Significance
IDDE	Illicit Discharge Detection and Elimination
LID	Low Impact Development
MPD	Master Planned Development
MS4	Municipal Separate Storm Sewer System
NPDES	National Pollutant Discharge Elimination System
O&M	Operations and Maintenance
RSMP	Regional Stormwater Management Program
<u>SAM</u>	<u>Stormwater Action Monitoring</u>
SIDIR	Source Identification Information Repository
<u>SMAP</u>	<u>Stormwater Management Action Plan</u>
SWMMWW	Stormwater Management Manual for Western Washington
SWMP	Stormwater Management Program
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load

THIS PLAN IS BASED ON THE REQUIREMENTS OUTLINED IN THE WESTERN WASHINGTON PHASE II MUNICIPAL STORMWATER PERMIT. MUCH OF THE LANGUAGE INCLUDED IN THIS DOCUMENT DESCRIBING PERMIT REQUIREMENTS HAS BEEN TAKEN DIRECTLY FROM THIS PERMIT AND HAS BEEN SUMMARIZED FOR EASE OF THE READER.

FOR COMPLETE REQUIREMENTS AND DETAILS, PLEASE REFER TO SECTION S5.C OF THE WESTERN WASHINGTON PHASE II MUNICIPAL STORMWATER PERMIT FROM THE DEPARTMENT OF ECOLOGY.

SECTION 1 – INTRODUCTION

1.1 INTRODUCTION

This document constitutes the City of Black Diamond's Stormwater Management Program (SWMP) Plan as required under Condition S5 of the Western Washington Phase II Municipal Stormwater Permit (the Permit). In addition to the City's permit, the SWMP includes the Total Maximum Daily Load (TMDL) requirements on Lake Sawyer as published in the TMDL document 09-10-053.

The purpose of the SWMP Plan is to detail actions that the City of Black Diamond has taken and will take to maintain compliance with conditions in the permit. This SWMP Plan will be an attachment to the *Annual Report Form for Cities, Towns, and Counties* which is required to be submitted to the Department of Ecology (DOE) by March 31 of each year.

The City's SWMP is intended to reduce the discharge of pollutants from the City's Municipal Separate Storm Sewer System (MS4) to the Maximum Extent Practicable, meet Washington State's All Known and Reasonable Treatment (AKART) requirements, and protect water quality. This goal is accomplished by the inclusion of all Permit SWMP components, minimum measures, and implementation schedules into the City's SWMP.

In compliance with Permit requirements, where the City is already implementing actions or activities called for in this document, the City will continue those actions or activities regardless of the schedule called for in this document. The City will adapt these actions or implement new activities as required by Permit deadlines and as City staff measures the effectiveness of current actions or activities. ~~This version of the SWMP Plan focuses on requirements in the 2013-2018 Permit, which is set to expire July 31, 2019. Permit language for the 2019-2024 Permit has not been finalized and is subject to change. Any draft requirements for 2019 in the draft 2019-2024 Permit will be included in this SWMP Plan. Requirements beyond 2019 will be included in the 2020 SWMP Plan once the 2019-2024 Permit is finalized.~~

The City is active in all ~~69~~ areas of permit activity including:

- Monitoring the MS4 and reporting to DOE
- Stormwater planning
- Public education and outreach

- Public involvement and participation
- MS4 mapping and documentation
- Illicit Discharge Detection and Elimination (IDDE)
- Controlling runoff from new development, redevelopment and construction sites
- Municipal ~~e~~Operations and maintenance (O&M)
- Source Control Program for Existing Development

SECTION 2 –MONITORING, REPORTING AND ASSESSMENT

2.1 PERMIT REQUIREMENTS AND DATES

Section S5.A, S8, and S9 of the Western Washington Phase II Municipal Stormwater Permit requires the City to develop, monitor, and report the City's SWMP. The SWMP shall be designed to reduce the discharge of pollutants from the City's MS4 to the maximum extent practicable and to protect water quality. The monitoring, reporting and assessment requirement helps keep the City on track with Best Management Practices (BMPs) to reduce the discharge of pollutants to stormwater. ~~The requirements are set to change in the 2019-2024 Permit. This section reflects the changes in the 2019-2024 Permit.~~ Specific dates are outlined below:

- Submit a one-time payment of \$717 into a collective fund to implement regional small streams and marine nearshore areas status and trends monitoring in Puget Sound. Payment is due by December 1, 2019 (completed September 2019).
- Notify DOE in writing the City's decision whether or not to participate in contributing to a collective fund to implement regional receiving water status and trends monitoring, at an annual cost of \$717, by December 1, 2019 (completed October 16, 2019). Participation in this monitoring meets City requirements for regional status and trends monitoring. Annual payments will begin August 15, 2020.
- Submit a one-time payment of \$1,310 into a collective fund to implement effectiveness studies and source identification studies. Payment is due by December 1, 2019 (completed September 2019).
- Notify DOE in writing the City's decision whether or not to participate in contributing to a collective fund to implement Stormwater Action Monitoring (SAM) effectiveness and source identification studies, at an annual cost of \$1,310, by December 1, 2019 (completed October 16, 2019). Participation in this collective fund meets City requirements for effectiveness and source identification studies. Annual payments will begin August 15, 2020.

2.2 CURRENT ACTIVITIES

The current city activities associated with Monitoring and reporting include:

- Submit the online *Annual Report Form for Cities, Towns, and Counties* which is intended to summarize the City's compliance with the conditions of the Permit. The annual report shall be submitted by March 31 of each calendar year covering the previous calendar year.
- Prepare written documentation of the SWMP and update at least annually for submittal with the City's annual reports to DOE.

- Include with the annual report, notification of any annexations, incorporations, or jurisdictional boundary changes resulting in an increase or decrease in the City's geographic area of permit coverage during the reporting period.
- Track the number of inspections, follow-up actions as a result of inspections, official enforcement actions and types of public education activities for inclusion in the City's annual reports to DOE.
- ~~Provide a description of any stormwater monitoring or studies conducted by the City during the reporting period for inclusion in the City's annual reports to DOE. The City is not required to report on monitoring or studies conducted by the Regional Stormwater Monitoring Program (RSMP).~~
- Track the cost or estimated cost of development and implementation of the SWMP.
- Coordinate, as necessary, with other entities covered under a municipal stormwater National Pollutant Discharge Elimination System (NPDES) permit to encourage coordinated stormwater-related policies, programs and projects within adjoining or shared areas.
- The Development Agreement for the major Master Planned Developments requires extensive water quality monitoring by the developer before, during and after construction; including a yearly review by the Water Quality Review Committee.
- ~~The City is participating-contributing to the collective fund to implement regional receiving water status and trends monitoring in the RSMP, the RSMP effectiveness studies, and the SIDIR.~~
- The City is contributing to the collective fund to implement SAM effectiveness and source identification studies.

2.3 PLANNED ACTIVITIES

The City will continue with the current monitoring and reporting activities in 202019. The City will pay into the collective funds for regional ~~small streams and marine nearshore areas~~receiving water status and trends monitoring ~~in Puget Sound~~, and for SAM effectiveness ~~studies~~ and source identification studies. ~~The City will also notify DOE of its intent to contribute annually to these programs.~~

SECTION 3 –STORMWATER PLANNING

3.1 PERMIT REQUIREMENTS AND DATES

Section S5.C.1 of the Western Washington Phase II Municipal Stormwater Permit requires the City to implement a Stormwater Planning program to inform and assist in the development of policies and strategies as water quality management tools to protect aquatic resources. Specific program components and dates are outlined below:

- Continue to require Low Impact Development (LID) Principles and LID BMPs when updating, revising, and developing new local development-related codes, rules, standards, or other enforceable documents, as needed.
- Convene an inter-disciplinary team to inform and assist in the development, progress, and influence of this program no later than August 1, 2020.
- Report on how stormwater management needs and protection/improvement of receiving water health are (or are not) informing the planning update processes and influencing policies and implementation strategies in their jurisdiction in relation to long-range plan updates. Reports shall describe the water quality and watershed protection policies, strategies, codes, and other measures intended to protect and improve local receiving water health through planning, or taking into account stormwater management needs or limitations.
 - Describe how anticipated stormwater impacts on water quality were addressed, if at all, during the 2013-2019 permit term in updates to the Comprehensive Plan and in other locally initiated or state-mandated, long-range land use plans that are used to accommodate growth or transportation in the annual report due March 31, 2021.
 - Submit a report responding describing how anticipated stormwater impacts on water quality were addressed, if at all, during the current 2019-2024 permit cycle in updates to the Comprehensive Plan and in other locally initiated or state-mandated, long-range land use plans that are used to accommodate growth or transportation no later than January 1, 2023.
- Continue to require LID principles and LID BMPs when updating, revising, and developing new local development-related codes, rules, standards, or other enforceable documents, as needed, in order to minimize impervious surfaces, native vegetation loss, and stormwater runoff in all types of development.
 - Annually assess and document any newly identified administrative or regulatory barriers to implementation of LID principles or LID BMPs and measures developed to address the barriers. The report shall also describe mechanisms developed to encourage or require implementation of LID principles or LID BMPs.

- Develop a Stormwater Management Action Plan (SMAP) for at least one priority catchment within the City in accordance with Section S5.C.1.d.
 - Document and existing information related to local receiving waters and contributing area conditions to identify receiving waters that are most likely to benefit from stormwater management planning.
 - Submit a watershed inventory and include a brief description of the relative conditions of the receiving waters and the contributing areas, the findings of the stormwater management influence assessment for each basin, and indicate which receiving waters will be prioritized for the implementation of stormwater facility retrofits no later than March 31, 2022.
 - Develop and implement a prioritization method and process to determine which receiving waters will receive the most benefit from implementation of stormwater facility retrofits, tailored implementation of SWMP actions, and other land/development management actions and document the prioritized and ranked list no later than June 30, 2022.
 - Develop a SMAP for at least one high priority catchment area no later than March 31, 2023.

3.2 CURRENT ACTIVITIES

The City is continuing to assess if there are any administrative or regulatory barriers in implementation of LID principles or LID BMPs.

3.3 PLANNED ACTIVITIES

The City will continually assess, and report annually, any newly identified administrative or regulatory barriers to implementation of LID principles or LID BMPs and measures to address the barriers.

City staff will look at options for assessing local receiving waters and contributing area conditions for development of a SMAP. Staff will look at the workload this effort will take to complete in house and determine if this effort will require the assistance of a consultant. Staff will also look for grant funding to help with the costs of completing these assessments and reports.

~~SECTION 3~~ **SECTION 4 –PUBLIC EDUCATION AND OUTREACH**

34.1 PERMIT REQUIREMENTS AND DATES

Section S5.C.~~24~~ of the Western Washington Phase II Municipal Stormwater Permit requires the City to include an education and outreach program designed to build general awareness about methods to address and reduce impacts from stormwater runoff, effect behavior change to reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts, and create stewardship opportunities that encourage community engagement and participation in addressing the impacts from stormwater runoff. ~~No later than February 2, 2016, the City shall measure the understanding and adoption of targeted behaviors for at least one target audience (either the General Public and Businesses; or Engineers, Contractors, Developers and Land Use Planners – completed January 26, 2016).~~ The City must meet the following deadlines:

- Conduct an evaluation of the effectiveness of the ongoing behavior change program required in the 2013-2018 Permit no later than July 1, 2020, unless a new target audience and BMP behavior change campaign will be utilized for social marketing.
- Develop a social marketing campaign tailored to the community, including development of a program evaluation plan no later than February 1, 2021.
- Begin implementing the social marketing campaign and strategy no later than April 1, 2021.
- Evaluate and report on the changes in understanding and adoption of targeted behaviors resulting from the implementation of the strategy, and any planned or recommended changes to the campaign in order to be more effective, along with a description of strategies and process to achieve the results, no later than March 31, 2024.

34.2 CURRENT ACTIVITIES

The City has educated the public through stormwater articles in the city newsletter, posting educational materials on the City website, handing out materials at City sponsored events, workshops to train City staff and elected officials, and meeting with businesses and owners of private stormwater systems. The current City activities associated with Public Education and Outreach include:

- Educating the public about the need of the stormwater utility and the collaborative effort needed from everyone in the City to improve stormwater quality within the City.

- Training, on an as-needed basis, for City employees regarding illicit discharges.
- Meeting, as-needed, with businesses and the general public about the hazards associated with illicit discharges and improper disposal of waste.
- Distribute illicit discharge information to target audiences through individual meetings.
- Continue to track and maintain records of public education and outreach activities.
- The City is utilizing feedback received from the previous education survey to determine how to educate the public regarding stormwater.
- In cooperation with the Lake Sawyer Park Foundation, educational signs on the importance of water quality were posted in the Lake Sawyer Regional Park.

34.3 PLANNED ACTIVITIES

The City has the following goals for continued Permit compliance in public education and outreach:

- City staff will continue to utilize feedback received from previous survey results on education efforts and will continue to evaluate the understanding of target behaviors.
- Either conduct a survey on behavior change efforts or select a new target audience and/or BMP behavior change campaign driven by social marketing.
- ~~Summarize the public education activities in the annual report.~~
- Educate the general public (including overburdened communities or school age children) and/or businesses (including home-based or mobile businesses) on:
 - ~~General impacts of stormwater on surface waters- including impacts from impervious surfaces.~~
 - ~~Impacts from impervious surfaces.~~
 - ~~Impacts of illicit discharges and how to report them.~~
 - ~~Low Impact Development (LID) principles and LID BMPs.~~
 - ~~Opportunities to become involved in stewardship activities.~~
 - The City will provide education on the City's website and articles in the City newsletter as staff time and opportunity allows.
- Encourage behavior change from the general public and/or businesses providing education on the City's website and articles in the City newsletter to address ~~any or all~~ at least one of the BMPs ~~as~~ outlined below:
 - Use of storage of pesticides, fertilizers, and/or other household chemicals.
 - Use and storage of automotive chemicals, hazardous cleaning supplies, carwash soaps and/or other hazardous materials.
 - ~~Equipment maintenance.~~
 - Prevention of illicit discharges.
 - Yard care techniques protective of water quality.

- ~~Use and storage of pesticides and fertilizers and other household chemicals.~~
- ~~Carpet cleaning and auto repair and maintenance.~~
- Repair and maintenance BMPs for vehicles, equipment and/or home/building maintenance.
- Pet waste management and disposal.
- LID principles and LID BMPs.
- Stormwater facility maintenance, including LID facilities.
- Dumpster and trash compactor maintenance.
- Litter and debris prevention.
- Sediment and erosion control.

~~SECTION 4~~**SECTION 5 – PUBLIC INVOLVEMENT AND PARTICIPATION**

45.1 PERMIT REQUIREMENTS AND DATES

Section S5.C.~~32~~ of the Western Washington Phase II Municipal Stormwater Permit requires the City to provide ongoing opportunities for public involvement and participation. The City will comply with applicable state and local public notice requirements in developing elements of the SWMP and SMAP. The annual report and updated SWMP Plan are required to be published on the City's website by May 31 of each year.

45.2 CURRENT ACTIVITIES

The current compliance activities associated with public involvement and participation include:

- The City has posted the SWMP Plan and annual report on the City website (click on "Public Works", then "Stormwater").
- Provide opportunities for public involvement in the review of the stormwater comprehensive plan updates, SWMP Plan updates, changes to the stormwater utility charges, or other stormwater codes or similar environmental policies at the early consideration stages at the Public Works Committee level.
- Provide opportunities for public involvement and comment in the consideration of the SWMP Plan by holding a public hearing prior to implementation.
- Review the SWMP Plan with the Public Works Committee and receive public comments in a public hearing prior to implementation.
- Make the SWMP Plan, the annual report, and all other submittals required by the Phase II Permit, available to the public.
- Post the updated SWMP Plan and the annual report on the City's website.

45.3 PLANNED ACTIVITIES

The City will continue with the public involvement and participation activities each year for the SWMP Plan and will continue to make the annual report available for public review by posting it on the City website.

The City will provide opportunities for public involvement in development and finalization of the SMAP through at least one public hearing.

The City has “No Dumping” stencils that can be made available to volunteers for marking around catch basins. City staff will look at options for soliciting help from community volunteers to assist with these markings.

~~SECTION 5~~ **SECTION 6 – MS4 MAPPING AND DOCUMENTATION**

6.1 PERMIT REQUIREMENTS AND DATES

Section S5.C.4 of the Western Washington Phase II Municipal Stormwater Permit requires the City to an ongoing program for mapping and documenting the MS4. Specific program components are outlined below:

- ~~Maintain a MS4 map that shall be periodically updated and shall include following information~~ mapping data for the features listed below:
 - Known MS4 outfalls and known MS4 discharge points.
 - Receiving waters, other than groundwater.
 - Stormwater treatment and flow control BMPs/facilities owned or operated by the City.
 - Tributary conveyances to all known outfalls with a 24-inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems, mapping the following features and/or attributes:
 - Tributary conveyance type, material, and size where known.
 - Associated drainage areas.
 - Land use.
 - All connections to the MS4 authorized or allowed by the Permittee after February 16, 2007.
 - Connections between the MS4 and other municipalities or public entities.
 - Geographic areas served by the MS4 that do not discharge stormwater to surface waters.
- The shall make appropriate mapping updates by the following deadlines:
 - Collect size and material data for all known MS4 outfalls during normal course of business and update records, as necessary, before January 1, 2020.
 - Complete mapping of all known connections from the MS4 to privately owned stormwater systems by August 1, 2023.
- Upon request, make all maps available ~~electronically to the~~ DOE.
- Upon request, and to the extent appropriate, provide mapping information available to federally-recognized Indian Tribes, municipalities, and other permittees at a reasonable cost.

6.2 CURRENT ACTIVITIES

The City currently implements activities and programs that meet Permit requirements. The current compliance activities associated with the above Permit requirements include:

- Continue to make updates to stormwater features in Geographic Information Systems (GIS) software as new information becomes available.

6.3 PLANNED ACTIVITIES

The City will continue with updates to MS4 mapping in GIS. Specifically, the City will verify and update information for all known outfalls during field screenings, inspections, and/or maintenance. The City will also make sure all private connections are known, documented, and mapped, and future private connections to the City's MS4 will be documented and mapped.

~~SECTION 6~~SECTION 7 – ILLICIT DISCHARGE DETECTION AND ELIMINATION

57.1 PERMIT REQUIREMENTS AND DATES

Section S5.C.~~53~~ of the Western Washington Phase II Municipal Stormwater Permit requires the City to maintain an ongoing program designed to prevent, detect, characterize, trace and eliminate illicit connections and illicit discharges into the MS4. Specific program components are outlined below:

- ~~Maintain a MS4 map that shall be periodically updated and shall include following information:~~
 - ~~Known MS4 outfalls.~~
 - ~~Receiving waters, other than ground water.~~
 - ~~Stormwater treatment and flow control BMPs/facilities owned or operated by the City.~~
 - ~~Tributary conveyances to all known outfalls with a 24-inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems, mapping the following attributes:~~
 - ~~Tributary conveyance type, material, and size where known.~~
 - ~~Associated drainage areas.~~
 - ~~Land use.~~
 - ~~All connections to the MS4 authorized or allowed by the Permittee after February 16, 2007.~~
 - ~~Geographic areas served by the MS4 that do not discharge stormwater to surface waters.~~
 - ~~Upon request, make all maps available electronically to the DOE.~~
 - ~~Upon request, and to the extent appropriate, provide mapping information available to federally-recognized Indian Tribes, municipalities, and other permittees at a reasonable cost.~~^[SH1]
- Include procedures for reporting and correcting or removing illicit connections, spills, and other illicit discharges when they are suspected or identified. Illicit connections and illicit discharges must be identified through (but not limited to) field screening, inspections, complaints/reports, construction inspections, maintenance inspections, source control inspections, and/or monitoring information, as appropriate.
- Informing public employees, businesses, and the general public of hazards associated with illicit discharges and improper disposal of waste.
- Implement ~~Enforce~~an ordinance 18-1099, which ~~or other regulatory mechanism to~~ effectively prohibits non-stormwater, illicit discharges into the City's MS4 to the maximum extent allowable under state and federal law ~~by February 2, 2018 (completed February 1, 2018). The ~~o~~Ordinance 18-1099 or regulatory mechanism shall address~~:
 - Allowable discharges (as outlined in S5.C.~~5.c.i3.b.i~~ of the NPDES Permit).

- Conditionally allowable discharges (as outlined in S5.C. ~~5.c.ii3-b.ii~~ of the NPDES Permit).
- ~~Further address a~~Any category of allowable or conditionally allowable discharges if the discharges are identified as significant sources of pollutants to waters of the State.
- Escalating enforcement procedures and actions for repeat offenders.
- ~~A compliance strategy that includes informal compliance actions such as public education and technical assistance as well as the enforcement provisions of the ordinance or other regulatory mechanism. To implement an effective compliance strategy, the ordinance or other regulatory mechanism may need to include the application of operational and/or structural source control BMPs for pollutant generating sources associated with existing land uses and activities where necessary to prevent illicit discharges and the maintenance of stormwater facilities which discharge into the MS4 in accordance with maintenance standards outlined in the NPDES Permit where necessary to prevent illicit discharges.~~
- Implement an ongoing program designed to detect and identify non-stormwater discharges and illicit connections into the City's MS4. The program shall include:
 - Procedures for conducting investigations, including field screening and methods for identifying potential sources (which may also include source control inspections), implementing a field screening methodology appropriate to the characteristics of the MS4 and water quality concerns. Screening for illicit connections may be conducted using: *Illicit Connection and Illicit Discharge Field Screening Detection and Elimination: A Source Tracing Guidance Manual for Program Development and Technical Assessments*, Center for Watershed Protection, October 2004 (Herrera Environmental Consultants, Inc.; May 2013), or another methodology of comparable or improved effectiveness. The City shall document the field screening methodology in the ~~relevant~~ annual report. The City shall complete field screening for at least 40% of the MS4 shall be complete no later than December 31, 2017 and an average of 12% of the MS4 each year. Tracking shall begin August 1, 2019, thereafter (100% achieved by September 13, 2017).
 - A publicly listed and publicized hotline or telephone number for public reporting of spills and other illicit discharges. Upon discussions with first responders, it was determined that the public should call 911 to report a spill or other illicit discharge. Responding fire and/or police will contact Public Works for assistance and reporting. Public Works can still be contacted for non-emergencies (360-~~851-4446886-5700~~ during business hours; 253-569-0525360-851-4517 for emergencies after hours).
 - An ongoing training program on the identification of an illicit discharge and/or connection, and on the proper procedures for reporting and responding to the illicit discharge and/or connection, for all municipal field staff, who, as part of their normal job responsibilities, might come into contact with or otherwise observe an illicit discharge and/or illicit

connection to the MS4. Follow-up training shall be provided as needed. City shall document and maintain records of the trainings provided and the staff trained.

- ~~Informing public employees, businesses, and the general public of hazards associated with illicit discharges and improper disposal of waste.~~^[SH2]
- Implement an ongoing program designed to address illicit discharges, including spills and illicit connections, into the MS4. The program shall include:
 - Procedures for characterizing the nature of, and potential public or environmental threat posed by, any illicit discharges found or reported to the City. Procedures shall address the evaluation of whether the discharge must be immediately contained and steps to be taken for the containment of the discharge.
 - Procedures for tracing the source of an illicit discharge; including visual inspections, and when necessary, opening manholes, using mobile cameras, collecting and analyzing water samples, and/or other detailed inspection procedures.
 - Procedures for eliminating the discharge; including notification of appropriate authorities; notification of the property owner; technical assistance; follow-up inspections; and implementation and use of the compliance strategy mentioned above, including escalating enforcement and legal actions if the discharge is not eliminated.
 - The City must meet the following timelines and be responsible for the following actions:
 - Immediately respond to all illicit discharges, including spills, which are determined to constitute a threat to human health, welfare, or the environment by taking appropriate action to correct or minimize the threat to human health, welfare, and/or the environment; notifying DOE and other appropriate spill response authorities within 24 hours of learning about the illicit discharge or spill; and immediately report spills or discharges of oils or hazardous substances to DOE and the Washington Emergency Management Division.
 - Investigate (or refer to the appropriate agency with the authority to act) within 7 days any complaints, reports, or monitoring information that indicates a potential illicit discharge.
 - Initiate an investigation within 21 days of any report or discovery of a suspected illicit connection to determine the source of the connection, the nature and volume of discharge through the connection, and the party responsible for the connection.
 - Upon confirmation of an illicit connection, use the compliance strategy in a documented effort to eliminate the illicit connection within 6 months. All known illicit connections to the MS4 shall be eliminated.
 - Track and maintain records of illicit discharges, spills, and illicit connections, including those that were found by, reported to, or investigated by the City. Data shall be submitted annually in the Annual

Report following the instructions, timeline, and format found in Appendix 12 of the Permit.

57.2 CURRENT ACTIVITIES

The City currently implements activities and programs that meet Permit requirements. The current compliance activities associated with the above Permit requirements include:

- Through Ordinance 18-1099, city staff has the ability to intervene and stop illicit discharges, to get involved to educate those that pollute unknowingly and follow up with additional enforcement actions not complying with corrective actions.
- City staff responsible for identification, investigation, termination, cleanup, and reporting of illicit discharges, including spills and illicit connections, shall be trained to conduct these activities. Follow-up training shall be provided as needed to address changes in procedures, techniques, requirements or staffing. The training provided and staff trained shall be documented. Six Public Works staff members received Illicit Discharge Detection and Elimination (IDDE) training on November 15, 2018.
- Continue to respond to reported illicit discharge reports and documenting the actions taken to eliminate them.
- Continue to follow up on hotline illicit discharge tips.
- ~~Update, as needed, the MS4 maps, highlighting those areas that have higher probability of illicit discharges or connections to the MS4.~~
- ~~Continue with the primary focus of the City's IDDE program, which involves individual meetings with business owners and those responsible for private stormwater system maintenance.~~
- Implement the City IDDE program to detect and stop illicit discharges to the City's MS4 by:
 - Characterizing the nature of illicit discharges
 - Tracing the source
 - Removing the source
 - Educating those responsible
 - Enforcing the City's code to stop illicit discharges

57.3 PLANNED ACTIVITIES

The City will field screen a minimum of 12% of the City's outfalls and discharge points for illicit connections ~~prior to December 31, 2019~~ to meet the requirement of screening 12% of all outfalls each year ~~after the initial screening in 2017 (all outfalls screened prior to December 31, 2022).~~

The City will provide training to new Public Works staff for IDDE.

~~SECTION 7~~ **SECTION 8 – CONTROLLING RUNOFF FROM NEW DEVELOPMENT, REDEVELOPMENT AND CONSTRUCTION SITES**

68.1 PERMIT REQUIREMENTS AND DATES

Section S5.C.64 of the Western Washington Phase II Municipal Stormwater Permit requires the City to implement and enforce a program to reduce pollutants in stormwater runoff to the City's MS4 from new development, redevelopment and construction site activities, which applies to private and public development, including transportation projects. Specific program components are outlined below.

- The City will implement an ordinance or other enforceable mechanism that addresses runoff from new development, redevelopment, and construction site projects no later than June 30, 2022. This program will apply to all applications (projects with a complete project description, site plan, and, if applicable, a SEPA checklist) on or after July 1, 2022, prior to January 1, 2017 that have not started construction by January 1, 2022, and those between January 1, 2022 and July 1, 2022 that have not started construction by July 1, 2027.~~continue with a program to reduce pollutants in stormwater runoff from new development, redevelopment and construction site activities. This program shall be applied to all sites as determined by Section 3 of Appendix 1 of the Permit. The program shall apply to private and public development, including new roads (as determined in Section 3.4 of Appendix 1 of the Permit).~~
 - In order to comply with new requirements regarding site planning requirements; BMP selection criteria; BMP design criteria; BMP infeasibility criteria; LID competing needs criteria; and BMP limitations, the City should adopt the DOE 2019⁹² Stormwater Management Manual for Western Washington (the 2019 SWMMWW)~~as amended in 2014 (the 2014 SWMMWW)~~. Adoption and implementation of the ~~DOE-2019~~⁹⁴ SWMMWW will meet the requirements of the Permit. The mechanism to meet these requirements shall be in place by June 30, 2022~~December 31, 2016 (adopted February 2017)~~.
 - The City shall have the legal authority in place by ~~December 31, 2016~~June 30, 2022, through the approval process for new development and redevelopment, to inspect and enforce maintenance standards for private stormwater facilities that discharge to the City's MS4.
- ~~Before December 31, 2016, the City shall review, revise and make effective local development-related codes, rules, standards, or other enforceable documents to incorporate and require LID principles and LID BMPs as DOE has determined LID as the preferred and commonly-used approach to site development. The revisions are designed to minimize impervious surfaces,~~

- ~~native vegetation loss, and stormwater runoff in all types of development situations (adopted May 2017).~~
- ~~• Include with the annual report, due March 31, 2017, a summary of a review and revision process in regards to requiring LID principles and LID BMPs, considering the range of issues outlined in the document, *Integrating LID into Local Codes: A Guidebook for Local Governments* published by the Puget Sound Partnership in 2012. The summary shall be organized as follows:~~
 - ~~○ Measures to minimize impervious surfaces;~~
 - ~~○ Measures to minimize loss of native vegetation; and~~
 - ~~○ Other measures to minimize stormwater runoff.~~
- ~~• Participate in watershed-scale stormwater planning (WRIA 9) led by King County. As needed and as appropriate, the City shall:~~
 - ~~○ Provide existing water quality and flow records.~~
 - ~~○ Provide existing and future land use and zoning maps to facilitate land cover projections.~~
 - ~~○ Participate in the development of strategies to prevent future impacts and address existing impacts.~~
 - ~~○ Provide monitoring locations.~~

68.2 CURRENT ACTIVITIES

The City code currently implements the activities and programs to meet Permit requirements. The current compliance activities associated with the above Permit requirements include:

- The City conducts construction and stormwater site inspections during the pre-construction and construction phases.
- The City has implemented a permitting process with plan review, inspection and enforcement capability for both private and public projects, ~~for compliance with the 2014 SWMMWW and the Master Planned Development (MPD) agreements.~~ This program applies to all sites as determined by Section 3 of Appendix 1 of the Permit.
- The City reviews stormwater site plans for proposed development activities.
- The City inspects, prior to clearing and construction, all known development sites that have a high potential for sediment transport.
- The City inspects all known permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls. The City will enforce as necessary based on the inspection.
- The City inspects all permitted development sites upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent stormwater controls such as stormwater facilities and structural BMPs. Also, the City will verify a maintenance plan is completed and responsibility for maintenance is assigned. Enforcements will be made, as necessary, based on the inspection.

- The City must perform at least 80% of ~~scheduled~~required inspections in order to achieve Permit compliance. Staff schedules all inspections through the City's PermitTrax software and records of inspections are maintained in PermitTrax by inspectors. Routine inspections not set in PermitTrax will be tracked separately by Public Works maintenance staff.
- Inspections of all permanent stormwater treatment and flow control BMPs/facilities and catch basins in new residential developments every six months until 90% of the lots are constructed (or when construction is stopped and the site fully stabilized) to identify maintenance needs and enforce compliance with maintenance standards as needed.
- The City implements an enforcement strategy to respond to issues of non-compliance.
- ~~The City implements a long-term O&M program for private post-construction stormwater facilities and BMPs.~~
- ~~Annual inspections (reduced if the City provides records and/or statements to DOE justifying a reduced schedule for specific facilities) of all stormwater treatment BMPs/facilities that were permitted by the City, including those permitted since 2007.~~
- ~~Inspections of all permanent stormwater treatment and flow control BMPs/facilities and catch basins in new residential developments every six months until 90% of the lots are constructed (or when construction is stopped and the site fully stabilized) to identify maintenance needs and enforce compliance with maintenance standards as needed.~~
- ~~Enforceable mechanism in place that clearly identifies the party responsible for maintenance, requires inspection of facilities, and establishes enforcement procedures.~~
- The City ensures that all staff responsible for implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement, are trained to conduct these activities. The City has three Certified Erosion and Sediment Control Leads (CESCL) on staff and two Certified Stormwater Inspectors trained by the NPDES National Stormwater Center.
- ~~Copies-Links foref the~~ DOE's "Notice of Intent for Construction Activity" and "Notice of Intent for Industrial Activity" are available to representatives of proposed new development and redevelopment on the City's website.
- ~~Activities for the "Controlling Runoff from New Development, Redevelopment and Construction Sites" component of the annual report will be summarized annually, beginning in the annual report due March 31, 2015.~~
- In addition to the above requirements and with the TMDL for phosphorus on Lake Sawyer, City staff (and/or King County, and/or citizen volunteers) continues to take water quality samples at Lake Sawyer. The schedule for meeting goals in the TMDL called for testing that would end in 2014, but the City has continued with the testing.

- The City used the ~~DOE~~ 2005 SWMMWW and the Lake Sawyer TMDL in the Development Agreement for the major Master Planned Developments (MPDs) in Black Diamond.

68.3 PLANNED ACTIVITIES

The City has a program to help reduce stormwater runoff from new development and construction sites. The City will review and implement~~ed~~ the ~~DOE~~ 201~~9~~4 SWMMWW to maintain compliance by June 30, 2022. The City will continue to:

- Update and implementing process codes, fees and standards as necessary and as identified needs arise.
- Determine staff training needs and develop training strategies as updates to Permit requirements are implemented by DOE.
- Conduct testing on Lake Sawyer.

~~SECTION 8~~ **SECTION 9 – MUNICIPAL OPERATIONS AND MAINTENANCE**

79.1 PERMIT REQUIREMENTS AND DATES

Section S5.C.75 of the Western Washington Phase II Municipal Stormwater Permit requires the City to implement and document a program to regulate maintenance activities and to conduct maintenance activities that prevent or reduce stormwater impacts. ~~an O&M program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.~~ Specific program components are outlined below.

- Establish maintenance standards that are as protective, or more protective, of facility function that those specified in Chapter 4 of Volume V of the DOE-20194 SWMMWW by December 31, 2016. ~~June 30, 2022.~~ The purpose of the maintenance standard is to determine if maintenance is required and is not a measure of the facility's required condition at all times between inspections. ~~(Completed December 2016)~~
- Program to verify adequate long-term O&M of stormwater facilities regulated by the City. Verification shall be established by records of inspections and enforcement actions by City staff. Program components include:
 - Ordinance or other enforceable mechanism in place that clearly identifies the party responsible for maintenance; requires inspections of facilities, and establishes enforcement procedures.
 - Annual inspections of all stormwater treatment and flow control BMPs/facilities that discharge to the MS4 and were permitted by the City. The inspection frequency may be reduced if documentation from actual inspections shows a reduced frequency may be used according to Section S.5.C.7.b.i(b) of the Permit. The City must achieve at least 80% of required inspections.
- Annual inspection of all municipally owned or operated ~~permanent~~ stormwater treatment and flow control facilities and taking appropriate maintenance actions. Inspection frequency may be reduced as outlined in Section S5.C.7.c.i5.b of the Permit.
- Spot checks of potentially damaged ~~permanent~~ treatment and flow control BMPs/facilities after major storm events (10 year storm).
- Inspection of all catch basins and inlets owned or operated by the City ~~at least once before August 1, 2017 and once every two years thereafter. The City is developing an inspection and maintenance schedule for each catch basin and inlet as some catch basins will not need inspections as frequently and other catch basins will need to be inspected and maintained more frequently than required by the Permit~~

~~to ensure functionality. A Reduced frequency in inspections can be permitted based on documentation will be~~ in accordance with Section S5.C.7.c.iii(a)5.d.i of the Permit. ~~(Completed July 2017)~~

- ~~Establish and implement~~ practices, policies and procedures to reduce pollutants in discharges stormwater impacts associated with runoff from all lands owned or maintained by the City, including but not limited to: streets, parking lots, roads, highways, buildings, parks, open space, road right-of-way, maintenance yards, and stormwater treatment and flow control BMPs/facilities. Documentation of these practices, policies, and procedures shall be completed no later than December 31, 2022. Activities to be addressed include pipe cleaning; cleaning of culverts that convey stormwater in ditch systems; ditch maintenance; street cleaning; road repair and resurfacing (including pavement grinding); snow and ice control; utility installation; pavement striping maintenance; maintenance of roadside areas (including vegetation management); dust control; application of fertilizers, pesticides, and herbicides according to the instructions for their use (including reducing nutrients and pesticides using alternatives that minimize environmental impacts); sediment and erosion control; landscape maintenance and vegetation disposal; trash and pet waste management; and building exterior cleaning and maintenance.
- Implement an on-going training program for City staff whose construction, operations or maintenance job functions may impact stormwater quality. Records of training shall be kept and shall include dates, activities or course descriptions, and names and positions of staff in attendance.
- Continue to implement a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the City (the Public Works Shop). SWPPPs shall be updated no later than December 31, 2022. The SWPPP shall include components outlined in S5.C.7.f.i-v.
- Keep records of inspections and maintenance or repair activities.

79.2 CURRENT ACTIVITIES

The City currently has activities and programs that meet Permit requirements. The current compliance activities associated with the above Permit requirements include:

- The City has a program for maintaining and inspecting catch basins ~~inspections~~ with the most recent inspections and maintenance occurring in the summer of 2019 ~~July 2017~~ (302 cleaned and inspected).
- The City has completed a site assessment of City facilities, including the fire station, the police station, the public works facility, and the water reservoir and pump station.

- The City inspects City owned stormwater treatment facilities and has adapted inspections and inspection criteria as identified in the ~~DOE~~ 2014 SWMMWW.
- The City has trained employees whose construction, operations or maintenance job functions may impact stormwater quality in the implementation of BMPs that will reduce or eliminate pollution from entering the MS4 from City facilities or operations.
- The City has established maintenance standards that are as protective as those specified in the 2014 SWMMWW.
- The City is reviewing the maintenance standards specified in the 2019 SWMMWW.
- The City performs maintenance within required timeframes when an inspection identifies an exceedance of the maintenance standard. For each exceedance of the required timeframe, the City will document the circumstances and how they were beyond the City's control.
- The City annually inspects all municipally owned or operated permanent stormwater treatment and flow control facilities and maintains facilities according to the adopted maintenance standards.
- The City performs maintenance on City ponds and BMPs within required timeframes when an inspection identifies a maintenance standard has been exceeded. If the City does not perform maintenance within the required timeframe, the City will document the circumstances and how they were beyond their control, and will submit documentation to DOE.
- After major storm events (classified as a 10-year storm), the City conducts spot checks of potentially damaged stormwater facilities.
- The City implements practices to reduce stormwater impacts associated with runoff from streets, parking lots, roads or highways owned or maintained by the City, and road maintenance activities conducted by the City.
- Procedures are in place to reduce pollutants in discharges from all lands owned or maintained by the City and subject to this Permit, including but not limited to: parks, open space, road right-of-way, maintenance yards, and stormwater treatment and flow control facilities. Procedures include:
 - Proper application of fertilizer, pesticides, and herbicides
 - Sediment and erosion control (the City has three CESCLs on staff)
 - Proper landscape maintenance and vegetation disposal
 - Proper trash management
 - Proper maintenance and cleaning of City buildings
- City employees, whose construction, operations or maintenance job functions may impact stormwater quality, receive training on an as-needed basis.
- SWPPPs are in place for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the City in areas subject to this Permit that are not required to have coverage

under the Industrial Stormwater General Permit. The latest update to the SWPPP for the Public Works Maintenance Facility was completed in ~~October~~November, 2019~~7~~.

- Tracking and documentation methods, along with procedures associated with inspection, maintenance or repair activities, are being utilized by City staff.
- The washing of City vehicles and large equipment is performed at the City's equipment washing facility at the City's maintenance site. Staff using the facility is trained prior to use in accordance with standard operating procedures for the facility.

79.3 PLANNED ACTIVITIES

The City will continue with current activities to prevent pollution from municipal maintenance operations.

- The City tries to sweep arterial and collector streets at least twice per year as budgets and schedules allow.
- Street waste is disposed of according to BMPs.
 - The City utilizes guidance from the 2014 SWMMWW to determine how to handle stockpiled sweepings, will refer to Appendix IV-B of the 2019 SWMMWW, and will utilize Appendix 6 of the Permit.
 - Clean soil and compost materials will be mixed and reused in the City, where needed, and in accordance with BMPs.
- The City will ~~inspect~~ clean all catch basins at least once every two years. As part of catch basin cleaning, the City will ~~continue to track sediment levels in all catch basins to help determine frequencies for each individual catch basin~~ inspect each catch basin to check for deficiencies that may prevent catch basins from functioning properly.
- Continue to review the 2019 SWMMWW and prepare for adoption before June 30, 2022.
- Prepare documentation of practices, policies, and procedures to reduce stormwater impacts associated with runoff prior to December 31, 2022.

SECTION 10 –SOURCE CONTROL FOR EXISTING DEVELOPMENT

10.1 PERMIT REQUIREMENTS AND DATES

Section S5.C.8 of the Western Washington Phase II Municipal Stormwater Permit requires the City to implement a program to prevent and reduce pollutants in runoff from areas that discharge to the City's MS4. Specific program components and dates are outlined below:

- Apply operational source control BMPs, and if necessary, structural source control BMPs or treatment BMPs/facilities, or both, to pollution generating sources associated with existing land use activities.
- Inspections of pollutant generating sources at publicly and privately owned institutional, commercial, and industrial sites to enforce implementation of required BMPs to control pollution discharging into the MS4.
- Application and enforcement of local ordinances at sites located within the City that meet the criteria of Appendix 8 of the Permit as well as home-based businesses and multi-family sites.
 - Practices must also be implemented to reduce polluted runoff from the application of pesticides, herbicides, and fertilizers at these sites.
- Adopt or make effective an ordinance, or other enforceable documents, requiring the application of source control BMPs for pollutant generating sources associated with land uses within the City that meet the criteria of Appendix 8 of the Permit no later than August 1, 2022. This requirement is met by using the source control BMPs in the 2019 SWMMWW.
- Establish an inventory that identifies publicly and privately owned institutional, commercial, and industrial sites which have the potential to generate pollutants no later than August 1, 2022. This includes sites within the City that meet the criteria of Appendix 8 of the Permit and other pollutant generating sources, such as home-based businesses and multi-family sites.
- Implement an inspection program for identified sites in the City that meet the criterial of Appendix 8 of the Permit, no later than January 1, 2023.
 - Identified sites shall be provided education about activities that may generate pollutants and the source control requirements applicable to those activities.
 - Complete inspections for at least 20% of identified sites annually. Sites can be inspected more than once and follow-up compliance inspections in following years can count towards the 20%

- requirement. It is not a requirement to inspect 100% of identified sites over a five-year period.
 - Complete inspections for 100% of sites identified through credible complaints received by the City.
 - Attempted inspections where entry is denied by the property owner count towards the total.
- Implement a progressive enforcement policy that requires sites to comply with stormwater requirements no later than January 1, 2023. Compliance with regulations shall follow the following steps:
 - If, after a reasonable amount of time, a site has failed to adequately implement required BMPs, the City shall take appropriate follow-up action(s), which may include phone calls, reminder letters, emails, or follow-up inspections.
 - If, after a reasonable amount of time, a site has failed to adequately implement required BMPs following follow-up action(s), the City shall take enforcement action as allowed through the City Code or ordinances, or through the judicial system.
 - The City shall maintain records, including documentation of each site visit, inspection reports, warning letters, notices of violation, and other enforcement records, demonstrating the City's efforts to bring sites into compliance. Records shall also be maintained for sites in which the City was denied entry for inspection.
 - Non-emergency violations of local ordinances can be referred to DOE, provided that the City has made a documented effort of progressive enforcement.
- Staff responsible for implementing the source control program shall be trained to conduct these activities. Follow-up trainings shall be provided, as necessary. Training shall cover the legal authority for source control, source control BMPs and their proper application, inspection protocols, lessons learned, typical cases, and enforcement procedures. The City shall document and maintain records of the training provided and the staff trained.

10.2 CURRENT ACTIVITIES

The City currently inspects private properties with stormwater facilities that discharge directly to the City's MS4 and looks at BMPs that are currently in place in relation to the connection point. The has an inventory in its PermitTrax system showing the businesses that are within the City. With this information, City staff will be able to determine which sites would be subject to this program and the applicable BMPs for those sites.

10.3 PLANNED ACTIVITIES

The City will look at how current adopted rules and regulations measure up to the BMPs outlined in Volume IV of the 2019 SWMMWW and how those might apply to existing sites within the City. The City will first analyze which sites in the City meet the criteria in Appendix 8 of the Permit and will investigate which BMPs will apply to those specific sites, and which BMPs are currently in place at those sites. The City will look into DOE's role with investigations on properties within the City that have their own NPDES Permit from DOE.

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Public Hearing for a city 15% City Sewer rate increase per Equivalent Residential Unit (ERU) per month effective January 1, 2020, with future increases of 10% for 2021, 5% for 2022, and an annual increase of 3% in 2023 and beyond, effective on January 1st each year.	Agenda Date: December 5, 2019	
	AB19-070	
	Mayor Carol Benson	
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res –	
	Finance – May Miller	X
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note):	Public Works – Seth Boettcher	
Fund Source: --City Sewer Utility Fund	Court – Stephanie Metcalf	
Timeline: January 1, 2020		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Resolution; Financial model Analysis & rate comparisons		
<p>SUMMARY STATEMENT: This is a Public Hearing to receive public input on a recommended City Sewer rate increase of 15% a month (rounded up or down to the nearest 50 cents) for all residential equivalent units (ERUs). The attached worksheet shows the proposed 2020 rate that would increase from \$21.78 to \$25.00 per month effective January 1, 2020. For the following years the rates would increase by 10% in 2021, 5% in 2022, and 3% in 2023 and each year thereafter. The proposed rates will affect all residential and commercial customers based on the number of ERUs. In the future, rates will be reviewed every two years, to determine if any future changes need to be made.</p> <p>The last time the Sewer rates were increased was in 2014. Ashley Emery, of Peninsula Financial Consulting, demonstrated various rates and growth models at the November 14, 2019 Council workstudy meeting. A rate increase is urgently needed for the City Sewer Operations, to insure needed cashflow. The proposed rate increase and steady growth will stabilize the future Sewer Fund operations but does not provide funding for future Capital Projects. If the growth rate increases, then future revenues will increase. Capital projects will be developed in 2020 but will need to be funded by Grants or REET II revenue. The city will utilize the consultant again in the future to review the City Sewer Fund as well as other Utility Funds.</p> <p>The attached 2019 Utility rate structure model prepared by Peninsula Financial Consulting, provides detail analysis of the assumptions and rate effects on the Operating Revenue, Expenditures and end-of-year cash flow expectations for the next six years. Without the proposed rate increases, the operations are at a deficit every year. It is urgent that we correct the City Sewer rates to cover the cost of operations.</p>		

Mr. Ashley Emery of Peninsula Financial Consulting was hired to update the financial computer models that he created when we increased the rates in 2013 and 2014. A work session was held on November 14, 2019 where the Finance Director, Public Works Director and Mr. Emery reviewed with the City Council the Financial Analysis and the impact of different growth scenarios and the long-term impact on the city Sewer Fund with different rate structures

Based on the discussing and analysis, Council and staff recommend a multi-year approach for the Sewer rate increases. Based on this, the 2020 ERU rate would increase by \$3.22 per month from \$21.78 to \$25.00 beginning January 1, 2020. Qualified lifeline residential customer rates would increase by \$1.61 from \$10.89 to \$12.50 per ERU per month. For the following years, they recommended that rates increase by 10% in 2021, 5% in 2022, and 3% in 2023 and each year thereafter. The Financial model demonstrated that the multi-year approach will stabilize the Sewer fund and help ensure that City Sewer rates increase more slowly over time but still keep up with inflationary costs. Attached worksheets show the effect of the 2020 increase for some residential and commercial customers. The portion of the city's Sewer bills that is attributable to King County Metro Sewer rates is not affected by this rate increase.

Council and the city have the responsibility to ensure that utility funds have adequate rates in place to cover the cost of operating, capital and possible future debt costs. Currently, the rates proposed are primarily covering the City Sewer Fund operating costs.

FISCAL NOTE (Finance Department): A 2020 City Sewer rate increase is essential to provide operating cash for 2020 and beyond. The 2020 Budget included a proposed rate increase.

COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: The Full Council reviewed and recommended the proposed rate increase at the November 14, 2019 work-study special meeting.

RECOMMENDED ACTION: Public Hearing only.

RECORD OF COUNCIL ACTION

<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
Dec 5, 2019		

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON,
INCREASING RATES FOR CITY SEWER SERVICE
BEGINNING IN 2020 AND ANNUALLY THEREAFTER TO
PROVIDE NEEDED CASH FLOWS FOR SEWER
OPERATIONS.**

WHEREAS, the City Council, by Ordinance No. 19-____, adopted a Utility Rate Schedule wherein all customer rates for City utility services are included in a single document, which may be amended from time to time by the City Council in its discretion, consistent with RCW 35.92.010 and 35.92.020; and

WHEREAS, the City's base charge for sewer utility services has not increased since 2014; and

WHEREAS, the City Council held a public work session on November 14, 2019, to review the adequacy of its sewer utility rates with its consultant, Mr. Ashley Emery of Peninsula Financial Consulting ("Consultant"); and

WHEREAS, the Consultant determined, based on his computer modeling and a detailed analysis of expected conditions over the next six years, that a rate increase is urgently needed to ensure adequate cash flow to cover the cost of sewer operations; and

WHEREAS, based on the recommendations of the Consultant and the City's Finance and Public Works Staff, the City Council finds that the following increases to the City's base sewer service charges are needed to stabilize the City Sewer Fund and provide adequate cash flow for sewer operations: 15% in 2020; 10% in 2021; 5% in 2022; 3% in 2023 and annually thereafter; and

WHEREAS, a public hearing for the Council to receive public input on these proposed multi-year sewer utility rate adjustments was held on November 21, 2019.

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

Section 1. Effective January 1, 2020, the City's Utility Rate Schedule shall be amended to reflect a fifteen percent (15%) increase in the base sewer service charge over the rate in effect on December 31, 2019.

Section 2. Effective January 1, 2021, the City's Utility Rate Schedule shall be amended to reflect a ten percent (10%) increase in the base sewer service charge over the rates in effect on December 31, 2020.

Section 3. Effective January 1, 2022, the City's Utility Rate Schedule shall be amended to reflect a five percent (5%) increase in the base sewer service charge over the rates in effect on December 31, 2021.

Section 4. Effective January 1, 2023, the City's Utility Rate Schedule shall be amended to reflect a three percent (3%) increase in the base sewer service charge over the rates in effect on December 31, 2022.

Section 5. Effective January 1, 2024, and annually on January 1 of each year thereafter, the City's Utility Rate Schedule shall be amended to reflect a three percent (3%) increase in the base sewer service charge over the rates in effect the previous year, to account for anticipated future inflation.

Section 6. The City Council intends to conduct a further review of the adequacy of utility rates for City sewer services at least once every two years after the date of this resolution to determine if any additional adjustments should be made to ensure adequate funding for sewer operations, maintenance, and capital needs.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS ____ DAY OF DECEMBER, 2019.

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

City of Black Diamond

Monthly Utility Rates

15% Sewer Rate Increase with Rate Restructure Comparison

AVERAGE RESIDENTIAL CUSTOMER

Rate Comparison for 800 cu ft. Water

	2018	2019	2020	Monthly Difference	Percentage
Water	\$58.53	\$58.53	\$58.53	\$0.00	
Metro Sewer	\$44.22	\$45.33	\$45.33	\$0.00	
City Sewer	\$21.02	\$21.78	\$25.00	\$3.22	
Stormwater	\$16.00	\$19.00	\$19.50	\$0.50	
Total Monthly	\$139.77	\$144.64	\$148.36	\$3.72	2.57%

Increase of 12 cents a day

AVERAGE RESIDENTIAL w/LIFELINE DISCOUNT

Monthly Rate Comparison for 800 cu ft. Lifeline customer

	2018	2019	2020	Monthly Difference	Percentage
Water	\$29.27	\$29.27	\$29.27	\$0.00	
Metro Sewer	\$44.22	\$45.33	\$45.33	\$0.00	
City Sewer	\$10.51	\$10.89	\$12.50	\$1.61	
Stormwater	\$8.00	\$9.50	\$9.75	\$0.25	
Total Monthly	\$92.00	\$94.99	\$96.85	\$1.86	1.96%

Increase of 6 cents a day

Cedar brook MHP

2018 & 2019 assume Commercial class charges, as is now, with 79,200 cu ft. (800 usage per 99 units)

2020 assumes Change from Commercial to Residential, with rate increase, restructure & allotment for 99 units

	2018	2019	2020	Monthly Difference	Percentage
Water	\$6,395.06	\$6,395.06	\$5,794.47	(\$600.59)	
Metro Sewer	\$5,810.30	\$5,952.62	\$4,487.67	(\$1,464.95)	
City Sewer	\$1,001.02	\$1,211.78	\$2,475.00	\$1,263.22	
Stormwater (75.5)	\$1,208.00	\$1,434.50	\$1,472.25	\$37.75	
Total Monthly	\$14,414.38	\$14,993.96	\$14,229.39	(\$764.57)	-5.10%

Decrease of 25 dollars a day, or 26 cents a day per unit

Cedar brook MHP Comparison showing one MHP Residential amount

2018 & 2019 assume Commercial class charges split between 99 units, with same usage as above (79,200)

2020 assumes Change from Commercial to Residential, with rate increase, restructure & allotment for 99 units

	2018	2019	2020	Monthly Difference	Percentage
Water	\$64.60	\$64.60	\$58.53	(\$6.07)	
Metro Sewer	\$58.69	\$60.13	\$45.33	(\$14.80)	
City Sewer	\$10.11	\$12.24	\$25.00	\$12.76	
Stormwater	\$12.20	\$14.49	\$14.87	\$0.38	
Total Monthly	\$145.60	\$151.45	\$143.73	(\$7.72)	-5.10%

Decrease of 26 cents a day

City of Black Diamond
Monthly Utility Rates
15% Sewer Rate Increase with Rate Restructure Comparison

AVERAGE RESIDENTIAL CUSTOMER [1 Residential unit]

Rate Comparison for 800 cu ft. Water

	2018	2019	2020	Monthly	Percentage
				Difference	
Water	\$58.53	\$58.53	\$58.53	\$0.00	
Metro Sewer	\$44.22	\$45.33	\$45.33	\$0.00	
City Sewer	\$21.02	\$21.78	\$25.00	\$3.22	
Stormwater	\$16.00	\$19.00	\$19.50	\$0.50	
Total Monthly	\$139.77	\$144.64	\$148.36	\$3.72	2.57%
Increase of 12 cents a day					

Diamond Village Owners Association #2 [13 Residential units]

Rate Comparison for 800 cu ft. Water per unit [10,400 cu ft.]

2020 assumes Change from Commercial to Residential, with rate increase, restructure & allotment for 13 units

	2018	2019	2020	Monthly	Percentage
				Difference	
Water	\$729.06	\$729.06	\$760.89	\$31.83	
Metro Sewer	\$753.50	\$771.98	\$589.29	(\$182.69)	
City Sewer	\$141.02	\$141.78	\$325.00	\$183.22	
Stormwater [13]	\$208.00	\$247.00	\$253.50	\$6.50	
Total Monthly	\$1,831.58	\$1,889.82	\$1,928.68	\$38.86	2.06%
Increase of \$1.30 a day, 10 cents a day per unit					

Diamond Square [18 Commercial units]

Rate Comparison for 800 cu ft. Water per unit [14,400 cu ft.]

	2018	2019	2020	Monthly	Percentage
				Difference	
Water	\$952.55	\$952.55	\$952.55	\$0.00	
Metro Sewer	\$1,047.50	\$1,073.18	\$1,073.18	\$0.00	
City Sewer	\$191.02	\$191.78	\$220.50	\$28.72	
Stormwater [45.5]	\$728.00	\$864.50	\$887.25	\$22.75	
Total Monthly	\$2,919.07	\$3,082.01	\$3,133.48	\$51.47	1.67%
Increase of \$1.72 cents a day, 10 cents a day per unit					

Black Diamond Bakery [1 Commercial Unit of water/ 2 Commercial Units of Sewer]

Rate Comparison for with avg 2019 usage [5,079]

	2018	2019	2020	Monthly	Percentage
				Difference	
Water	\$212.79	\$212.79	\$212.79	\$0.00	
Metro Sewer	\$362.40	\$371.30	\$371.30	\$0.00	
City Sewer	\$31.02	\$31.02	\$36.50	\$5.48	
Stormwater [5]	\$80.00	\$95.00	\$97.50	\$2.50	
Total Monthly	\$686.21	\$710.11	\$718.09	\$7.98	1.12%
Increase of 24 cents a day					

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: December 5, 2019 AB19-071	
Adopt Ordinance regarding Utility Rate Structure policy changes and minor administrative changes	Mayor Carol Benson	
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev – Barb Kincaid	
	Finance – May Miller	X
	MDRT/Ec Dev – Andy Williamson	
Cost Impact (<i>see also Fiscal Note</i>):	Police – Chief Kiblinger	
Fund Source: water, sewer, stormwater	Public Works – Seth Boettcher	X
Timeline: this fall	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: Ordinance, Attachments A (Sewer), B (Water), C (Stormwater), and D (Utility Rates), and Exhibit 1 (Rate Restructure Comparison)		
SUMMARY This ordinance proposes to: <ul style="list-style-type: none"> Residential customers in multi-family structures and mobile home parks are currently billed as a commercial customer. This ordinance changes the water and sewer billing structure for these residential customers from a commercial rate structure to residential. Move all utility rates from the municipal code to a utility rate sheet that will be adopted by resolution. (housekeeping item) Cleans up reference language for consistency with current city positions and labeling Opens up eligibility of residents in mobile home parks and multi family structures to the lifeline program in concert with changes made to the lifeline ordinance. 		
FISCAL NOTE (Finance Department): For customers in a multi-family complex that have high water use this ordinance will lower the water bill and increase the sewer bill for minimal overall impact (see exhibit). There will be slight improvement to the City Sewer Revenue and a slight decrease in the expected revenue for the water department due to the rate structure changes. See the attached rate comparison sheet.		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: The Public Works Committee reviewed this ordinance on September 10 th , September 24 th , October 8 th , October 29 th , and November 12 th . The Public Works Committee recommended moving this to full council. A public hearing was held on November 21 st , 2019.		
RECOMMENDED ACTION: A motion to adopt Ordinance 19-1133 amending chapters 13.04, 13.20, 13.24, and 14.02 of the Black Diamond Municipal Code.		

RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
November 21, 2019	Public Hearing	
December 5, 2019		

ORDINANCE NO. 19-1133

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, AMENDING CHAPTERS 13.04, 13.20, 13.24, AND 14.02 OF THE BLACK DIAMOND MUNICIPAL CODE TO PROVIDE MORE EQUITY IN RATES CHARGED TO CITY WATER, SEWER, AND STORMWATER UTILITY CUSTOMERS, SHIFT ALL UTILITY RATES AND CHARGES TO A COMBINED RATE SCHEDULE, UPDATE STAFF TITLE AND FUNCTION REFERENCES, AND PROVIDE DISCOUNTED RATES FOR LIFELINE CUSTOMERS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City's current utility rate codes and policies treat residential customers in apartment and manufactured home parks as commercial customers; and

WHEREAS, the City Council desires to provide better customer equity for residential utility customers regardless of whether they live in a single-family home, manufactured home, or apartment; and

WHEREAS, RCW 35.92.020(1) authorizes cities to, among other things, manage, regulate, operate, control, and fix the price of service and facilities of systems, plants, sites, or other facilities of sewerage within and without the limits of the city or town; and

WHEREAS, RCW 35.92.020(2) provides that the rates charged for sewer service shall be uniform for the same class of customers or service and facilities, taking into account the following factors at the discretion of the City Council:

- (a) The difference in cost of service and facilities to customers;
- (b) The location of customers within and without the city or town;
- (c) The difference in cost of maintenance, operation, repair, and replacement of the parts of the system;
- (d) The different character of the service and facilities furnished to customers;
- (e) The quantity and quality of the sewage delivered and the time of its delivery;
- (f) Capital contributions made to the systems, plants, sites, or other facilities, including but not limited to, assessments;
- (g) The nonprofit public benefit status, as defined in RCW 24.03.490, of the land user; and
- (h) Any other factors that present a reasonable difference as a ground for distinction; and

WHEREAS, RCW 35.92.010 grants cities full power to regulate and control the use, distribution, and price of waterworks for the purpose of furnishing the city and its

inhabitants, and any other persons, with an ample supply of water for all purposes, public and private; and

WHEREAS, RCW 35.92.010 provides that the rates charged by cities for water utility services must be uniform for the same class of customers or service, taking into account any or all of the following factors in the City Council's discretion: The difference in cost of service to the various customers; location of the various customers within and without the city or town; the difference in cost of maintenance, operation, repair, and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the water furnished; the time of its use; the achievement of water conservation goals and the discouragement of wasteful water use practices; capital contributions made to the system including, but not limited to, assessments; and any other matters which present a reasonable difference as a ground for distinction; and

WHEREAS, the City Council finds that charging the same rates to all residential customers within the City limits, regardless of whether they live in a single-family residence, manufactured home park, or apartment best meets the objectives of RCW 35.92.010 and 35.92.020(2) to ensure uniformity of rates for the same class of customers or service of the City's water, sewer, and stormwater utilities; and

WHEREAS, shifting all City utility rates and charges to a single rate schedule to be adopted by City Council resolution will avoid outdated rates in the Black Diamond Municipal Code ("BDMC") and the high administrative cost of updating the BDMC every time a utility rate is adjusted; and

WHEREAS, the BDMC currently contains outdated references to staff titles, duties, and processes, and therefore needs to be updated consistent with modern City practices and job functions; and

WHEREAS, the City Council desires to continue providing discounts to utility lifeline customers and to update the utility codes to harmonize the lifeline program with the other changes implemented in this Ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment to BDMC Chapters 13.20 and 13.24. Black Diamond Municipal Code Sections 13.20.010 and 13.20.070 and Sections 13.24.010 and 13.24.030 are hereby amended as shown on Attachment A hereto.

Section 2. Amendment to BDMC Chapter 13.04. Black Diamond Municipal Code Section 13.04.280 is hereby amended as shown on Attachment B hereto.

Section 3. Amendment to BDMC Chapter 14.02. Black Diamond Municipal Code Sections 14.02.110, 14.02.120, and 14.02.130 are hereby amended as shown on Attachment C hereto.

Section 4. Adoption of City Utility Rate Schedule. A City of Black Diamond Utility Rate Schedule is hereby adopted as shown on Attachment D hereto, with an effective date of January 1, 2020. The Utility Rate Schedule shall be amended from time to time by resolution of the City Council at its discretion, consistent with RCW 35.92.010 and 35.92.020.

Section 5. Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 6. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND AT A REGULAR MEETING THEREOF ON THE 5TH DAY OF DECEMBER 2019.

CITY OF BLACK DIAMOND

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

Approved as to form:

David Linehan, City Attorney

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

13.20.010 Definitions.

As used in this chapter, the following definitions shall be applicable:

- A. "BOD" means biochemical oxygen demand, a parameter of organic strength of water or wastewater, determined by measuring the amount of oxygen utilized during microbial decomposition.
- B. "cfs" means cubic feet per second.
- C. "Coliform" means bacterial organisms found in the digestive tract of warm blooded animals.
- D. "DOE" means the State Department of Ecology.
- E. "Domestic flow" refers to wastewater from residential uses.
- F. "EPA" means the US Environmental Protection Agency.
- G. "ERU" or "Equivalent Residential Unit" means usage of 750 cubic feet per month or approximately 187 gpd.
- H.G. "gpd" means gallons per day.
- I.H. "lb/day" means pounds per day.
- J.I. "mgd" means million gallons per day (flow).
- K.J. "mg/l" means milligrams per liter, a unit of the concentration of water or wastewater constituent. It is 0.001 grams of the constituent in one thousand milliliters of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and wastewater analysis.
- L.K. "pH" refers to the negative log of the hydrogen ion concentration. It is a measure of the relative acidic or basic content of a liquid. pH ranges from one to fourteen; one being the highest acid content and fourteen the basic content. A pH of seven is a neutral solution.
- M.L. "ppm" means parts per million. The number of weight or volume units of a minor constituent present with each one million units of the major constituent of a solution or mixture. Formerly used to express the results of most water and wastewater analyses, but more recently replaced by the ratio milligrams per liter.
- N.M. "Sanitary sewer" and "public sewer" mean a pipeline (eight inches in diameter and larger) designed to carry domestic and industrial wastes which run from manhole to manhole, and in some cases from cleanout to manhole, but does not include side sewers.

~~Q.N.~~ "Sewer extension" refers to the extension of the sanitary sewer not including side sewers which can be connected to the extended sewer.

~~P.O.~~ "Side sewers," "connecting sewer" and "service connection" mean the pipeline (usually four inches or six inches in diameter) that carries domestic and industrial waste from a building or residence to the sewer line (usually connecting directly into the sewer pipe between manholes via side sewer tees).

~~Q.P.~~ "Storm sewers" means a pipeline designed to carry surface water and ground water which can discharge to a drainage way or stream.

13.20.070 Connection permit.

- A. It shall be unlawful for any persons to make any opening in any sewer or drain or connect any private sewer to city sewer or service connection without complying with all of the provisions of this chapter, and obtaining a connection permit from the city to make such connection or opening. The sewer ~~connection~~capital facility charges called for in Section 13.20.080 shall be collected by the city ~~clerk-treasurer~~ Permit Technician prior to issuance of any building permit or connection permit.
- B. In order to obtain a permit, the property owner or his designated agent shall file an application stating the name of the owner or occupant of the premises to be connected, the number of buildings thereon, and the purposes for which they are to be occupied, together with plans and specifications showing the course and depth of the drain from the connection with the public sewer to its terminus within the building and premises, which plans and specifications shall be made in duplicate and presented at the time of application. The city ~~building inspector~~Public Works Director or designee shall examine the plans and may change or modify the same and designate the manner and route from which the connecting sewer shall be connected with the building and places where such connections with the public sewer shall be made, and specify the material and size of such connecting sewer in accordance with Section 13.20.100, and shall endorse his approval on such plans and specifications originally prepared, or as modified and changed, and retain one copy thereof in the ~~office of the city clerk-treasurer~~building permit file or such other place as the council may designate. Upon presentation of the plans so approved by the ~~city building inspector~~Public Works Director or designee, the city ~~clerk-treasurer~~building official shall issue the permit, which permit shall contain or have attached to it the other copy of the approved plans and specifications; and it shall be unlawful for any person to extend any private sewer or drain beyond the limits of the building or property for which a permit has been given.

13.24.010 Monthly rates designated.

Effective January 1, ~~2017~~2020 sewer service charges shall be as follows:

- A. General. The sewer service charge shall be the total of the base sewer service charge, the King County surcharge, and, for commercial and industrial customers, the applicable additional flow and unit charges.
- B. Base Sewer Service Charge. The base sewer service charge shall be ~~twenty dollars and fifty-one cents~~per equivalent residential unit as set by the city Utility Rate Schedule. The base sewer service charge is for the City of Black Diamond local costs of providing sewer connection services.
- C. King County Surcharge. There shall be, in addition to the city base sewer service charge, a surcharge reflecting the cost of service charged to the city by King County for wastewater transmission, storage and treatment. The surcharge shall be as set by the city Utility Rate Schedule~~forty-four dollars and twenty-two cents.~~
- D. ~~Single-family~~ Residential Sewer Charge. Residential ~~customers~~ users served by a single meter to the residence shall be subject to the base sewer service charge plus the King County ~~S~~urcharge. Owners of multiple residential units, whether apartments, condominiums, manufactured home parks, or other multi-family residential structures, shall also be subject to the base sewer service charge plus the King County Surcharge for each permitted residential unit in the manufactured home park, structure, or complex served by a single meter. For purposes of this chapter, a "permitted residential unit" in a manufactured home park means a manufactured home for which a landing permit has been issued.
- E. Lifeline Utility Program. Residential users ~~served by a single meter~~ who have been approved under the lifeline utility program will receive a discount on the city ~~share of the sewer rate~~ base sewer service charge as shown on the city ~~fee~~Utility Rate ~~S~~chedule.
- F. ~~Other users; Additional Flow and Unit Charges~~Commercial and Industrial Customers. For each water meter in use, commercial users, industrial, institutional, and non-residential customers shall multi-family residences and mobile home parks shall, for each water meter in use, be subject to the base sewer service charge plus the King County ~~S~~urcharge plus additional flow charges ~~of seven dollars and thirty-five cents for each one hundred cubic feet of water consumed each month~~ as set by the city Utility Rate Schedule for monthly water consumption in excess of seven hundred fifty cubic feet, as measured by such water meter. The user shall, for each water meter in use that serves more than one unit, be subject to an additional unit charge ~~of ten dollars as set by the city Utility Rate Schedule~~ for each additional unit served by that water meter. For purposes of this section, the word "unit" shall be defined as any ~~dwelling unit, home, condominium, mobile~~

~~home, manufactured home~~ structure or location at which a distinct business, service, or industry is conducted.

- G. Irrigation and Landscaping. Any user subject to an additional flow charge may apply to the city for installation of a separate meter to monitor water usage solely for irrigation and landscaping purposes. The individual or entity requesting such a meter shall pay the city for the cost of the meter and cost of installation according to the city Utility Rate Schedule. Water consumed for these purposes shall not be subject to ~~any~~the base sewer service charges and surcharge but shall ~~not~~ be subject to the water service charges according to the City Utility Rate Schedule~~additional flow charge~~.
- H. Home occupations. For purposes of this chapter, home occupations shall not be considered a second use.
- I. Taxes. Federal, state and local taxes, where applicable, shall be added to the sums as set forth above.
- J. CPI-U Annual Adjustment. The monthly base sewer service, additional flow and unit charges set forth ~~herein in the city Utility Rate Schedule~~ shall be adjusted annually at 12:01 a.m. on January 1st of each year by the annual percentage of change in the all urban consumer price index ("CPI-U") published by the Bureau of Labor Statistics of the U.S. Department of Labor for the Western Region, using the July index for the year immediately preceding the year of the adjustment.* In no event shall the monthly charges decrease as a result of the CPI-U adjustment without separate and specific action by the city council. The CPI-U adjustment shall apply to the base sewer service, additional flow and unit charges, as annually adjusted pursuant to this section.

13.24.030 Periodic review.

The charges and fees established by this chapter shall be reviewed periodically by the city council. As part of such review, the city's finance department shall present to the city council proposed amendments to any rates and charges necessary to enable the city to pay all costs to be incurred by the city's sewer system. Amendments to rates and charges shall be adopted by city council resolution and shall be reflected in the city Utility Rate Schedule.

13.04.280 Rates—Consumption ~~and meter installation.~~**A.**

1. The water service rates for customers of the city's water utility shall be as set forth in subsections (2) ~~and through (38)~~ below, ~~plus two dollars and nine cents per one hundred cubic feet of water used, for water consumption ranging between zero to six hundred cubic feet of water, per month, plus two dollars and forty cents per one hundred cubic feet of water used, for water consumption ranging between six hundred one to one thousand two hundred cubic feet of water per month, plus two dollars and seventy-six cents per one hundred cubic feet of water used, for consumption greater than one thousand two hundred cubic feet of water per month.~~
2. Except as described in subsection D, below, each residential customer on a single meter shall be billed for the amount of water consumed each month according to the prices for each tier noted in the city Utility Rate Schedule. The Tier 1 water price will apply for 0 – 600 cubic feet of water consumed per month. The Tier 2 water price will apply for 600 – 1200 cubic feet of water consumed per month. The Tier 3 water price will apply for consumption greater than 1200 cubic feet per month.
3. Except as described in subsection D, below, each customer will be billed a fixed base fee by meter size according to the most recently adopted city Utility Rate Schedule.
- ~~2. All five-eighths-inch and three-fourths-inch meters shall be charged a minimum fee of twenty-six dollars and ninety-four cents per month. Each additional dwelling/business served from the above-described meter shall be charged seventeen dollars and nineteen cents for each additional unit for each month inside the city limits and thirty-four dollars and thirty-nine cents for each additional unit for each month outside the city limits.~~
- ~~3. All one-inch meters shall be charged thirty-four dollars and six cents per month plus the additional amount per unit served by such meter as established in subsection (A)(2) above.~~
- ~~4. All one and one-half inch meters shall be charged thirty-six dollars and seventy-four cents per month plus the additional amount per unit served as established in subsection (A)(2) above.~~
- ~~5. All two-inch meters shall be charged sixty-four dollars and twelve cents per month plus the additional amount per unit served as established in subsection (A)(2) above.~~

- ~~6. All three-inch meters shall be charged a minimum of seventy-seven dollars and eighty cents per month plus the additional amount per unit served as established in subsection (A)(2) above.~~
- ~~7. All four-inch meters shall be charged a minimum of one hundred and forty-six dollars and ten cents per month. For additional dwellings, apartments, or units, there shall be a minimum charge of seventeen dollars and nineteen cents per month for each additional dwelling, apartment or unit, and seventeen dollars and nineteen cents for each additional commercial use.~~
- ~~8. All six-inch meters shall be charged a minimum of three hundred and seventy-seven dollars and eighty cents per month. For additional dwellings, apartments, or units, there shall be a minimum charge of seventeen dollars and nineteen cents per month for each additional dwelling, apartment, or unit, and seventeen dollars and nineteen cents for each additional commercial use.~~
- ~~9. Effective 12:01 a.m. January 1, 2014, the flow rates set forth in Subsection (A)(1) of this section and the minimum charges set forth in Subsections (A)(2) through (A)(8) of this section, shall be increased by fifteen percent. Fractions shall be rounded to the nearest whole number.~~
- ~~10. Effective 12:01 a.m. January 1, 2015, the flow rates set forth in subsection (A)(1) of this section, as adjusted pursuant to subsection (A)(9) of this section, and the minimum charges set forth in Subsections (A)(2) through (A)(8) of this section, as adjusted pursuant to Section (A)(9) of this section, shall be increased by fifteen percent. Fractions shall be rounded to the nearest whole number.~~

B. Customers outside city limits. The minimum monthly water rates for all users outside the city limits shall be twice the monthly rate charged to in-city users pursuant to subsection (A). In addition, in the event of a shortage of water, all water users within the city limits shall have a first priority over users outside the city limits.

C. Change of owner or renter. An additional service charge as set forth in the most recently-adopted city fee schedule shall be assessed each time the water billing records are required to be amended as a result of change from owner to renter, or from seller to new owner, or as a result of any other change due to the actions of the owner or user of water.

D. Multiple Residential Customers on a Single Meter. For apartments, condominiums, manufactured home parks, or other multi-family residential structures connected to a single meter, the landlord, owner, or homeowners association, as applicable, shall be billed one base fee (for a 5/8-inch meter) for each permitted residential unit in the manufactured home park, structure, or complex served by the meter, whether or not the units are occupied, plus a consumption charge for the amount of water used each month, as shown on the city's adopted Utility Rate Schedule. The monthly water consumption charge will be calculated by multiplying the Tier 1 price for

water used between 0 and 600 cubic feet times the number of residential units, plus the Tier 2 price for water used between 600 and 1200 cubic feet times the number of residential units, plus the Tier 3 price for water used in excess of 1200 cubic feet times the number of residential units. The Tier 2 and Tier 3 price levels will not be charged unless the total consumption for all units connected to the meter exceeds the number of units multiplied by 600 cubic feet (for Tier 2) or 1200 cubic feet (for Tier 3). For purposes of this chapter, "permitted residential unit" in a manufactured home park means a manufactured home for which a landing permit has been issued.

14.02.110 Service charge rates.

A.

~~Stormwater and surface water management utility~~ Service charges are hereby imposed on each developed parcel of real property within the city ~~limits~~served by or to which is available for service the stormwater and surface water management utility.

B.

~~The following~~ Stormwater and surface water management utility service charges ~~rate is hereby shall be~~ established by resolution of the city counsel and incorporated into the city Utility Rate Schedule ~~for all parcels of real property in the city~~, subject to any credits as described in subsection C, below.:

- ~~1. Fourteen dollars per ERU per month.~~
- ~~2. Effective January 1, 2014, the service charge rate shall increase to sixteen dollars per ERU per month.~~

C.

Credits. Where applicable, the following credits may be applied in calculating the service rate for a parcel of real property within the City of Black Diamond:

1. Department of ecology permit credit. Any customer within the City of Black Diamond that is required to obtain a general or individual wastewater permit from the Washington State Department of Ecology shall receive a credit, prorated monthly, in the amount paid each year for such permit toward the amount owed to the City of Black Diamond under this chapter. In order to qualify for this credit, the business must provide the city with a copy of the department of ecology permit and proof of payments along with a letter to the city utility clerk requesting the credit.
2. Storm pond investment credit. Any customer that is assessed a stormwater utility fee under Section 14.02.070(B)(4) and that constructs and has approved by the city a storm water detention/retention facility shall be eligible for a credit toward the storm water utility rate for the site served by the facility, subject to the following:
 - (a) To qualify for a credit, the detention/retention pond and associated facilities must adequately perform storm water treatment functions through the use of such methods as oil/water separators, bioswales, wet ponds, cartridge filter systems, or other means. The city may revoke any credit granted under this

section upon a determination that the facilities are out of compliance with this section.

- (b) The owner of record must provide the city's public works department with a copy of the facility's "as built" plans, stamped and signed by the owner's engineer, to verify that the drainage system has adequate capacity to meet the design criteria for which the owner is requesting a credit. The engineer shall also provide a stamped and signed operations manual for the retention/detention pond. New capacity calculations, "as built" plans, and a new operations manual shall be provided to the city if the retention/detention pond is increased or decreased in size.
- (c) Annually by January 1 of the year preceding the year for which the credit is being requested, each owner of record shall provide a certified statement on a form provided by the city verifying that all required maintenance has been performed in accordance with the operations manual. Once every five years, the certified statement shall be stamped and signed by the owner's engineer.
- (d) The owner of record shall provide the city with a "hold harmless" statement on a form provided by the city that indemnifies the city from any loss arising from the construction and maintenance and operation of the retention/detention pond and associated private drainage facilities for both the quantity and quality of water runoff from the owner's property. This statement shall be signed by the owner and will be recorded with the county auditor by the owner of record. The owner of record shall provide a copy to the city showing the county auditor's recording number stamped on it before the credit will be given by the city.
- (e) Each owner of record must enter into an agreement that allows the city to enter upon the owner's property to inspect the retention/detention pond and associated drainage facilities and verify all information submitted by the owner and his or her engineer. The agreement shall be on a form provided by the city and shall be recorded with the county auditor by the owner. The owner shall provide a copy to the city showing the county auditor's recording number stamped on it before the credit will be given by the city.
- (f) Credit shall be given as follows:
 - (1) Retention facilities:
 - a. One hundred-year storage: Eighty-five percent credit.
 - b. Fifty-year storage: Forty percent credit.
 - c. Twenty-five-year storage: Twenty percent credit.

- d. Ten-year storage: Ten percent credit.

(2) Detention facilities:

- a. One hundred-year storage facility with release rate of fifty percent of the predevelopment discharge rate for a two-year storm: Eighty-five percent credit.
- b. Fifty-year storage facility with release rate of fifty percent of the predevelopment discharge rate for a two-year storm: Forty percent credit.
- c. Twenty-five-year storage facility with release rate of fifty percent of the predevelopment discharge rate for a two-year storm: Twenty percent credit.
- d. Ten-year storage facility with release rate of fifty percent of the predevelopment discharge rate for a two-year storm: Ten percent credit.

14.02.120 Billing—Interest added to past due accounts—Collections authorized.

A.

Stormwater and surface water management utility charges shall be computed on a monthly basis. The amount billed shall be included on the city utility bill.

B.

In addition to any other fees or charges authorized by law, the city is authorized to add interest to the amount of any delinquent stormwater utility charges and associated fees at the rate of six percent per annum, as computed on a monthly basis.

C.

In addition to liens authorized by RCW 35.21.217, the city may also assign any delinquent charges and associated fees to a collections agency Pursuant to chapter 19.16 RCW, as currently enacted or hereafter amended, the city may assign any delinquent charges and associated fees to a collections agency; the The collections agency may add fees or charges to the original amount assigned to collections as allowed by law. No debt may be assigned to collections until at least thirty calendar days have elapsed from the time that the city attempts to notify the person responsible for the debt of the existence of the debt and that the debt may be assigned to

collections if the debt is not paid. Notice of potential assignment to collections shall be made by personal service or regular first class mail to the last known address of the person responsible for the debt¹; provided, the city's inability to ascertain a current mailing address shall not prohibit the debt from being assigned to collections.

14.02.130 Periodic review of charges and fees.

The charges and fees established by this ordinance and any other ordinances or resolutions of the city council establishing charges and fees for the stormwater and surface water management utility shall be reviewed periodically by the mayor or his or her designee. As part of such review, the finance director, in conjunction with the public works director, shall present to the city council a yearly budget for the utility and propose amendments to any rates and charges necessary to enable the city to pay all costs to be incurred by the utility. From time to time in its discretion, the city council may, by resolution amending the city Utility Rate Schedule, revise the fees and charges for the stormwater and surface water management utility.



CITY OF BLACK DIAMOND UTILITY RATES & INFORMATION 2020

The City of Black Diamond services water, sewer, and stormwater utilities. Water meters are read approximately 1 week prior to the end of each month. Bills containing water, sewer, and stormwater charges are combined and sent out on the first day of the following month.

Water

For Single Family Residential Customers, the water rate is determined by the size of the water meter plus water consumption. Water consumption is measured in volume based on one hundred cubic feet.

<u>Meter size</u>	<u>Base Monthly Charge</u>	<u>Lifeline Discount</u>
5/8" and 3/4"	\$35.63	50% = (\$17.82)
1"	\$45.05	50% = (\$22.53)
1 1/2"	\$48.59	
2"	\$84.80	
3"	\$102.89	
4"	\$193.22	
6"	\$499.96	

*For Multiple Residential Customers, such as manufactured home parks, apartments or other multi-family residential structures connected to a single meter, as well Commercial Customers with multiple units with a single water meter, each permitted unit will be charged a base monthly charge. Along with this monthly charge, each unit will receive a full water consumption allotment.

<u>Water Consumption</u>	<u>Rate per 100 cu. ft.</u>	<u>Lifeline Discount per cu. Ft.</u>
0 – 600	\$2.76	50% = (\$1.38)
601 – 1,200	\$3.17	50% = (\$1.59)
Over 1,200	\$3.65	50% = (\$1.83)

Black Diamond Sewer

Sanitary Sewer Utility operates and maintains the City's sewer collection lines and pump stations.

<u>Sewer Type</u>	<u>Base Monthly Charge</u>	<u>Lifeline Discount</u>
Residential Sewer (\$10.89)	\$21.78	50% =
Commercial Sewer Discount	\$21.78	(No)

*For Multiple Residential Customers, such as manufactured home parks, apartments or other multi-family residential structures connected to a single meter, each permitted unit will be charged a base monthly charge. Commercial Customers will receive an additional \$10.00 per unit charge for multiple units attached to a single meter.

King County Sewer (Metro)

King County charges each agency a monthly amount for providing wastewater treatment. That amount is based on King County's monthly sewer rate and the number of customers served by the local agency. In turn, the local agencies pass along those charges to the residences, businesses and industries in their wastewater collection system.

<u>Sewer Type</u>	<u>Monthly Charge</u>	<u>Lifeline Discount</u>
King County Discount	\$45.33	(No)

*King County applies an additional \$45.33 flat charge to Residential customers for each additional dwelling unit, such as a mobile home or apartment unit.

*King County applies an additional consumption charge to Commercial customers for all usage exceeding 750 cubic feet at \$7.53 per 100 cu. ft.

Stormwater

Stormwater rate will be billed monthly to each parcel of improved property within the City. The rate is based on service charges for the stormwater and surface water management utility. Some properties are billed directly through King County; while others are billed through the City of Black Diamond. If you do not see "Stormwater" on your utility bill, the charge is included in your property tax from King County, shown as "Surface Water".

	<u>Monthly charge</u>	<u>Lifeline Discount</u>
Single Family Residential Customers are 1 ERU	\$19.00 per ERU	50% = (\$9.50) per ERU
Multiple Residential Customers up to 4 ERUs	\$19.00 per ERU	50% = (\$9.50) per ERU*
Commercial and Multiple Residential Customers (above 4 ERUs) number of ERUs are based on actual impervious surface - (exempting gravel)		

*Lifeline Discounts for Multiple Residential Customers will be calculated on a case by case basis.

Other Charges

• Account Setup Fee: \$5.00 • Delinquency Notice: \$10.00 • Shut Off Notice plus Fee: \$45 • NSF Check Penalty: \$35.00

City of Black Diamond
Monthly Utility Rates
Rate Restructure Comparison

AVERAGE RESIDENTIAL CUSTOMER [1 Residential Unit]

Rate Comparison for 800 cu ft. Water

	Before	After	Monthly	Percentage
			Difference	
Water	\$58.53	\$58.53	\$0.00	0%
Metro Sewer	\$45.33	\$45.33	\$0.00	0%
City Sewer	\$21.78	\$21.78	\$0.00	0%
Stormwater	\$19.00	\$19.00	\$0.00	0%
Total Monthly	\$144.64	\$144.64	\$0.00	0.00%

No change to Single Family Residential Customers

Post Restructure Monthly Diff: \$0.00 (total)

AVERAGE RESIDENTIAL w/LIFELINE DISCOUNT [1 Residential Unit]

Monthly Rate Comparison for 800 cu ft. Lifeline customer

	Before	After	Monthly	Percentage
			Difference	
Water	\$29.27	\$29.27	\$0.00	0%
Metro Sewer	\$45.33	\$45.33	\$0.00	0%
City Sewer	\$10.89	\$10.89	\$0.00	0%
Stormwater	\$9.50	\$9.50	\$0.00	0%
Total Monthly	\$94.99	\$94.99	\$0.00	0.00%

No change to Single Family Residential Customers

Post Restructure Monthly Diff: \$0.00 (total)

Cedar brook MHP [99 Residential Units]

Before assumes Commercial class charges, as is now, with 79,200 cu ft. (800 usage per 99 units)

After assumes Change from Commercial to Residential, with rate restructure & allotment for 99 units

	Before	After	Monthly	Percentage
			Difference	
Water	\$6,395.06	\$5,794.47	(\$600.59)	-9%
Metro Sewer	\$5,952.62	\$4,487.67	(\$1,464.95)	-25%
City Sewer	\$1,211.78	\$2,156.22	\$944.44	77.9%
Stormwater	\$1,434.50	\$1,434.50	\$0.00	0.0%
Total Monthly	\$14,993.96	\$13,872.86	(\$1,121.10)	-7.48%

Post Restructure Monthly Diff: (\$1,121.10) (total) Decrease of 37.37 a day

Cedar brook MHP Comparison showing one MHP Residential amount

Before assumes same setup as above, split between 99 units, with the same usage as above [79,200]

After assumes Change from Commercial to Residential, with rate restructure & allotment for 99 units

	Before	After	Monthly	Percentage
			Difference	
Water	\$64.60	\$58.53	(\$6.07)	-9%
Metro Sewer	\$60.13	\$45.33	(\$14.80)	-25%
City Sewer	\$12.24	\$21.78	\$9.54	77.9%
Stormwater	\$14.49	\$14.49	\$0.00	0.0%
Total Monthly	\$151.45	\$140.13	(\$11.32)	-7.48%

Post Restructure Monthly Diff: (\$11.32) (total) Decrease of 38 cents a day

City of Black Diamond
Monthly Utility Rates
Rate Restructure Comparison

AVERAGE RESIDENTIAL CUSTOMER [1 Residential unit]

Rate Comparison using 800 cu ft. Water

	Before	After	Monthly	Percentage
			Difference	
Water	\$58.53	\$58.53	\$0.00	0%
Metro Sewer	\$45.33	\$45.33	\$0.00	0%
City Sewer	\$21.78	\$21.78	\$0.00	0%
Stormwater	\$19.00	\$19.00	\$0.00	0%
Total Monthly	\$144.64	\$144.64	\$0.00	0.00%

No Change to Single Family Residential Customers

Post Restructure Monthly Diff: **\$0.00 (total)**

Diamond Village Owners Association #2 [13 Residential units]

Rate Comparison using 800 cu ft. Water per unit [10,400 cu ft.]

After assumes Change from Commercial to Residential, with rate restructure & allotment for 13 units

	Before	After	Monthly	Percentage
			Difference	
Water	\$729.06	\$760.89	\$31.83	4%
Metro Sewer	\$771.98	\$589.29	(\$182.69)	-24%
City Sewer	\$141.78	\$283.14	\$141.36	99.7%
Stormwater [13]	\$247.00	\$247.00	\$0.00	0.0%
Total Monthly	\$1,889.82	\$1,880.32	(\$9.50)	-0.50%

Post Restructure Monthly Diff: **(\$9.50) (total)** **(\$0.73) (each)**

Diamond Square [18 Commercial units]

Rate Comparison using 800 cu ft. Water per unit [14,400 cu ft.]

	Before	After	Monthly	Percentage
			Difference	
Water	\$952.55	\$952.55	\$0.00	0%
Metro Sewer	\$1,073.18	\$1,073.18	\$0.00	0%
City Sewer	\$191.78	\$191.78	\$0.00	0%
Stormwater [45.5]	\$864.50	\$864.50	\$0.00	0%
Total Monthly	\$3,082.01	\$3,082.01	\$0.00	0.00%

No Change to Commercial Customers

Post Restructure Monthly Diff: **\$0.00 (total)**

Black Diamond Bakery [1 Commercial Unit of water/ 2 Commercial Units of Sewer]

Rate Comparison using average 2019 monthly usage [5,079]

	Before	After	Monthly	Percentage
			Difference	
Water	\$212.79	\$212.79	\$0.00	0%
Metro Sewer	\$371.30	\$371.30	\$0.00	0%
City Sewer	\$31.78	\$31.78	\$0.00	0%
Stormwater [5]	\$95.00	\$95.00	\$0.00	0%
Total Monthly	\$710.87	\$710.87	\$0.00	0.00%

No Change to Commercial Customers

Post Restructure Monthly Diff: **\$0.00 (total)**

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: December 5, 2019 AB19-072	
Ordinance adopting the 2020 Budget	Mayor Carol Benson	
	City Attorney Carol Morris	
	City Clerk – Brenda L. Martinez	
	Com Development – Barbara Kincaid	
	Finance – May Miller	X
	MDRT/Econ Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note):	Public Works – Seth Boettcher	
Fund Source: Various	Court Administrator – Stephanie Metcalf	
Timeline:		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Ordinance; 2020 Preliminary Budget; Exhibit A - 2020 Salary Schedule		
SUMMARY STATEMENT: <p>The City of Black Diamond Council has reviewed the 2020 Budget on September 26, 2019, October 17, 2019, October 24, 2019 and November 7, 2019 and held Public Hearings on November 21, 2019 and December 2, 2019. The Preliminary Budget document was available on the City web site and for purchase at City Hall before all public hearings.</p> <p>The 2020 Budget is in balance for all Operating and Capital funds. The Ordinance adopting the 2020 Budget is at the fund level and Exhibit A -the 2020 Salary Schedule is attached. The Budget Document is referenced and is available at City Hall or on the city website.</p> <p>State law requires that a 2020 Budget be adopted by December 31, 2019 to give the city authority to pay employees and bills effective January 1, 2020.</p> <p>FISCAL NOTE (Finance Department):</p> <p>The Mayor's proposed 2020 budget document includes balanced sources and uses for each operating and capital fund, with an increase to the General Fund's 2020's Budgeted Ending Fund Balance.</p>		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to approve Ordinance No. 19-1134 adopting the 2020 Budget.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
December 5, 2019		

ORDINANCE NO. 19-1134

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF BLACK DIAMOND, KING COUNTY, WASHINGTON,
ADOPTING THE BUDGET FOR CALENDAR YEAR 2020

WHEREAS, the Preliminary Budget was submitted to the City Council by the Mayor on November 1, 2019, and

WHEREAS, the City Council held Workstudy meetings and public hearings on the Budget on September 26, 2019, October 17, 2019, October 24, 2019 and November 7, 2019 and held Public hearings on November 21, 2019, and December 2, 2019; and

WHEREAS, the 2020 Budget must be adopted by 12/31/2019 for the City to have legal authority to pay employees and/or bills beginning January 1, 2020; and

WHEREAS, a copy of the Budget document was on file with the City Clerk for examination by the public during the time it was being considered by the City Council; now, therefore,

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

Section 1. The annual budget of the City of Black Diamond for the 2020 calendar year, a reference copy of the document which is on file with the City Clerk and is posted on the city website, is hereby adopted at the fund level as the annual budget for the City of Black Diamond for the calendar year 2020.

Section 2. The budget and information contained herein remain provisional to the extent they are subject to mandatory bargaining with the City's collectively bargained employees as required by Washington law.

Section 3. The total estimated revenue from all sources and expenditures by fund as set forth in the 2020 budget document is adopted as follows:

City of Black Diamond 2019 Budget		Estimated Revenue	Estimated Expenditures
001	General Fund	10,515,196	10,515,196
101	Street Fund	390,804	390,804
107	Fire Impact Fee Fund	741,099	741,099
108	Transportation Benefit District Fund	116,398	116,398
109	Traffic Mitigation Fee Fund	277,204	277,204
401	Water Fund	3,940,475	3,940,475
407	Sewer Fund	1,594,803	1,594,803
410	Stormwater Fund	710,329	710,329
310	General Government Capital Projects Fund	2,016,597	2,016,597
320	Street and Public Works Capital Projects Fund	1,200,103	1,200,103
510	Internal Service Fund	369,124	369,124
Total 2019 Budget		\$21,872,132	21,872,132

Section 4. This Ordinance shall include the 2020 Salary Schedule as shown in the attachment as Exhibit A.

Section 5. This Ordinance shall be in full force and effect five days after its passage, approval, posting and publication in summary form as provided by law.

Passed by a majority of the City Council at a regular meeting on 5th day of December 2019.

Mayor Carol Benson

Attest:

Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:

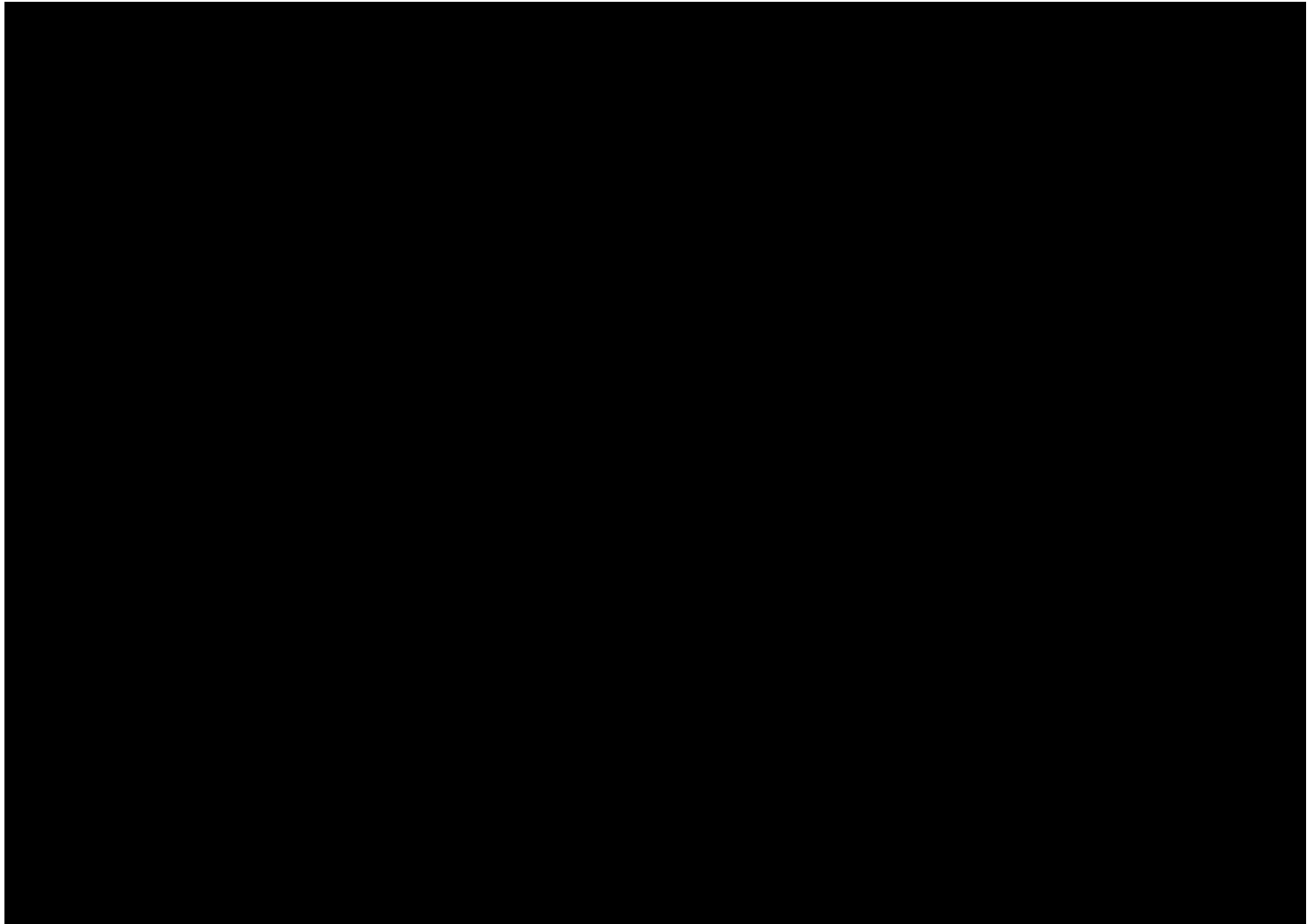
David Linehan, City Attorney

Published:
Posted:
Effective Date:

**BLACK
DIAMOND
Preliminary
BUDGET**

2020

Pacific Northwest Wildflowers



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October 25, 2020

City Council and Black Diamond Residents,

It is with great honor as the Mayor of the City of Black Diamond that I present the 2020 Preliminary Budget to both the City Council and citizens. Staff and I have worked very hard to bring forward a balanced budget that retains the municipal services our citizens have been provided for many years. I believe this document does an excellent job of blending values and goals with the financial realities that must always be considered.

The total 2020 Preliminary Budget for both Operating and Capital totals \$21,872,132, with the General Fund portion at \$10,515,196. The General Fund includes a budgeted increase to the ending cash and investment balance, of \$2,145,964. This amount equals 25.2% of operating expenditures which exceeds the policy adopted of at least a 10% ending balance. A healthy fund balance is also important for cash flow, due to the collection of property tax in April and October. Moving forward the Administration will be recommending to Council to change the policy and increase the ending balance to 17%, per the new standards and recommendation from MRSC.

The General Fund, which is the main operating fund of the city, continues to support the safety of our citizens as a priority, with 52% of the operating budget planned for Police, Fire, Court and Emergency Management. 100% of property tax as well as other revenues are used to fund Public Safety.

Public Safety continues to be a top priority, and due to increased calls for service and in preparation of future growth, the 2020 budget includes filling one of the previously frozen police officer positions, along with the required equipment and vehicle. The Police Department continues their emphasis on community relations, investigations, as well as both commercial vehicle and traffic safety. The 2020 budget also includes the third debt payment for the 2017 purchase of our new police vehicles and one additional police vehicle is budgeted to replace a high mileage car in 2020 as outlined in the adopted vehicle replacement schedule. Local and federal grants continue to support areas including marine services on Lake Sawyer, traffic safety emphasis patrols, and local donations to assist with the DARE program at the Black Diamond Elementary School.

The Fire Department has made progress toward the new Satellite Fire Station on Lawson Hills. The site was selected, and the land was purchased in 2019 by the developer. The Fire Station site design and architectural design are scheduled for 2020. The City Council authorized in 2019 the fire department to finalize the fire engine specs, solicit bids, award a contract and order a new fire engine. Funds are being accumulated for the payment of the delivered new fire engine in 2020. The 2020 Fire Budget also includes \$272,000 for the replacement of SCBAs and Defibrillators.

Another priority in the 2020 Budget is to provide additional review and inspection staff due to the increased building activity in Black Diamond. The Ten Trails development is booming, and commercial projects are starting in 2020. Along with several new in-fill residential developments, the Community Development Department is keeping busy. Their budget includes funds for one additional Building Inspector/Code Compliance Official to meet the demands for building inspections and to increase emphasis on code enforcement and legal review. Also included are funds for beginning the Parks Comprehensive Plan and other long-range planning activities.

Looking back, 2019 was an exciting year, with the completion and ribbon cutting of the Rock Creek Bridge Improvement and walk way that connects the historic area of Black Diamond to the new Ten Trails development. This bridge allows for safe passage for school children from the new Ten Trails homes to the elementary school, library, as well as the historic museum and bakery. Every day I see people using this walkway safely uniting our community. This project was entirely paid for with a TIB Grant and Oakpointe matching funds.

We were fortunate in 2019 to see the completion of a second traffic roundabout paid for entirely by the Master Planned Development. This is an efficient safety feature that benefits our citizens without any cost to the city.

The 2020 Budget includes funds for Morgan Street Seal Coat, Street Asphalt Overlay and Chip-Seal Projects as well as a 232nd Ave. SE Asphalt Overlay Project that will proceed if the State TIB Grant is approved in late 2019. Also included are funds for the Gym and Wayfinding signs, as well as funds for a sub area plan for the Historic Downtown area, with a focus on the parking area.

A King County Water Quality Grant has been obtained and will be used as a match to apply for a Department of Ecology Grant for the North Commercial Stormwater Pond vault project. A King County grant was received and 2020 will see the continuation of the engineering for the Covington Culvert Project. A King County Grant is anticipated and will be used to cover part of the costs of the Asbestos Water main replacement at Morganville. Completion of the city's Water Comp Plan is anticipated and included in 2020.

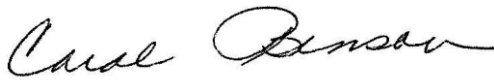
Sustaining the budget for maintenance and operation of the Street and Utility Funds is of continuing importance. The upcoming vote on the Car Tab Initiative could cause the loss of revenue to the Street Fund which receives the \$20 car tab fee of more than \$100,000 a year. Passage of this initiative will require the City to provide other sources of funding to support such activities such as roadway striping, traffic signage, pothole repair, streetlights, pavement, signals, sidewalks and road safety improvements as well as tree removal, snow and ice maintenance, to the detriment of our citizens.

The Water and Stormwater 2020 operating budgets are in balance. The Sewer Operating 2020 budget includes an anticipated increase in rates and revenue from a needed rate increase in 2020. A work session, public hearing and approval have been scheduled for November and December of 2019. This will allow Council time to review needed rate increase options. It is important that rates and revenue from utility customers cover the cost of operations and debt service. The costs of sewer operations have continued to exceed the revenue and reduced the fund balance below the required amount.

A conservative yet forward looking preliminary budget is presented again this year. Although we are beginning to see growth and new homes being built, the selling of the homes and sustained long term revenue has only begun to show increases. The resulting increase in construction activity is starting to affect all the departments of the city. A limited number of new staff have been added to 2019 and 2020 to help off-set the demands for customer service. However, we must continue to guard against too fast a rise in operating costs until more actual long-term sustainable revenue streams are in place to support additional new staffing or costs.

I thank you in advance for your review and consideration of this preliminary budget and I look forward to your input. I also want to thank City Staff for their hard work and dedication to develop a balanced 2020 Preliminary Budget within the resources we have. I am proud that the city has maintained a level of service which makes Black Diamond a better place to live, work, play and do business.

Sincerely,



Mayor



**Black Diamond Elected Officials
Adopting 2020 Budget**

Mayor
Carol Benson
Expires 12/31/2021

Position 1
Tamie Deady
Mayor Pro Tem
Expires 12/31/2019

Position 2
Melissa Oglesbee
Expires 12/31/2021

Position 3
Janie Edelman
Expires 12/31/2019

Position 4
Erin Stout
Expires 12/31/2021

Position 5
Chris Wisnoski
Term Expires after
2019 Nov. Election

Position 6
Patrick Nelson
Term Expires after
2021 Nov. Election

Position 7
Steven Paige
Term Expires after
2021 Nov. Election



'Monarch Promise' Tropical Milkweed

History of Black Diamond, Washington – Coal Town

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

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

Beginning with the Master Plan Development Agreement growth, the city is growing. At 4,525 citizens, population projections may reach above 20,000 in the next 20 years. Over past years, major annexations have increased the population and acreage of Black Diamond. The annexation of the Lake Sawyer area in 1998 doubled the number of citizens.

Form of Government

Black Diamond is a “Code City” as described under Title 35A in the Revised Code of Washington. The city operates under a strong mayor form of government with five elected council members serving staggered four-year terms. The Mayor serves as the chief administrative officer of the city. The City Council acts as the legislative body. The city expanded to a seven-member council in fall of 2019. The city is served by Legislative Congressional District 8 and Legislative District 5.

Budget Process

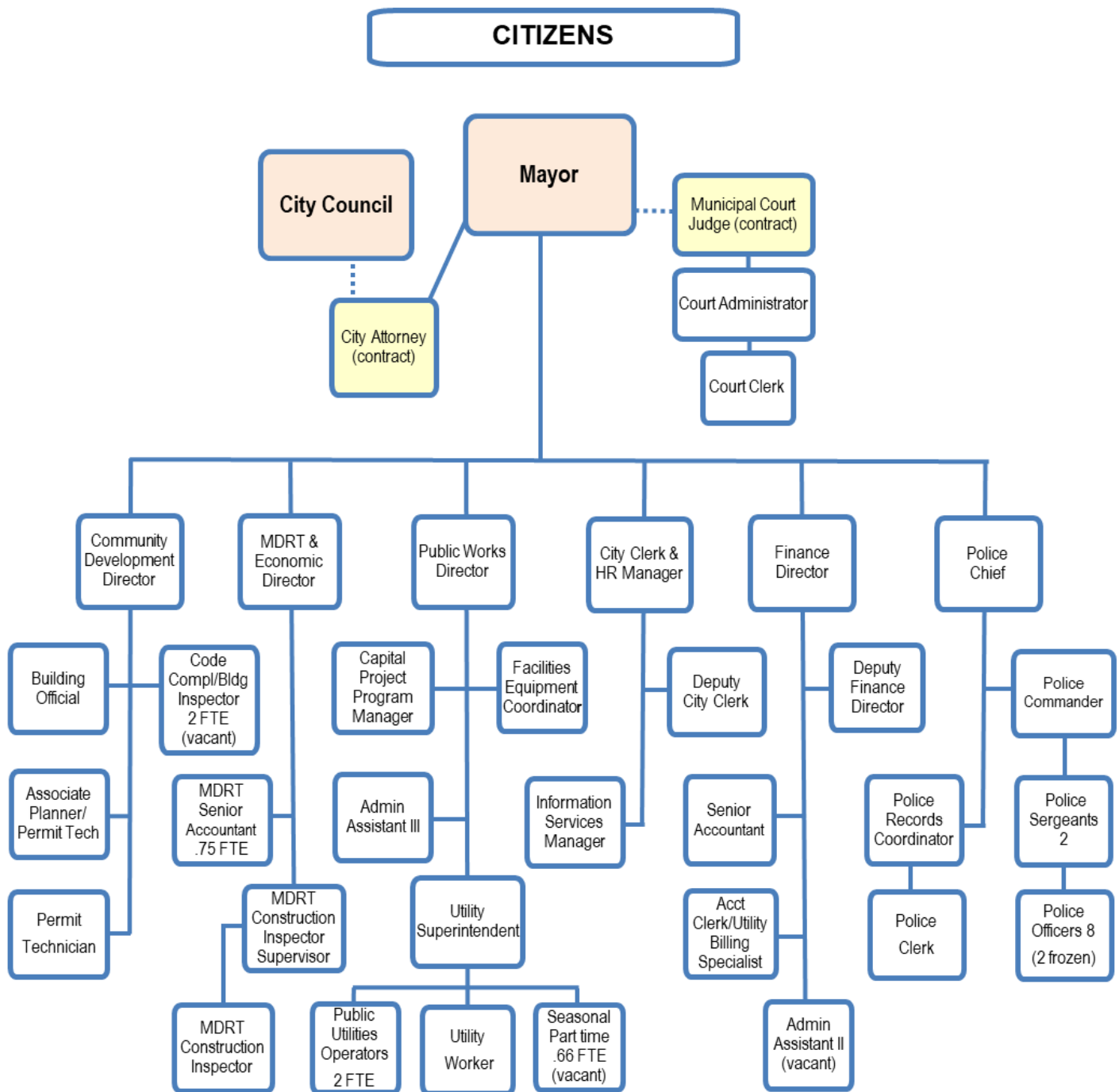
Budgeting is an essential element of the financial planning, control and evaluation process of government. The planning process involves determining the types and levels of services to be provided by the various departments, programs and functions.

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

How Black Diamond Serves the Community

The City of Black Diamond strives to provide a safe and enjoyable environment for residents, businesses and visitors alike. Foremost, safety is a priority in Black Diamond. Our city’s Police Department and Mountain View Fire and Rescue employees are both dedicated and top notch. City employees provide other important services such as road maintenance, planning, permitting, code enforcement, a municipal court, parks maintenance, water utility services, stormwater management and a sewer utility.

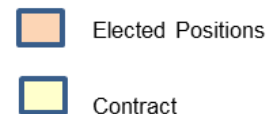
City of Black Diamond 2020 Organization Chart



This Chart represents budgeted positions for 2020 = 41.06 FTE

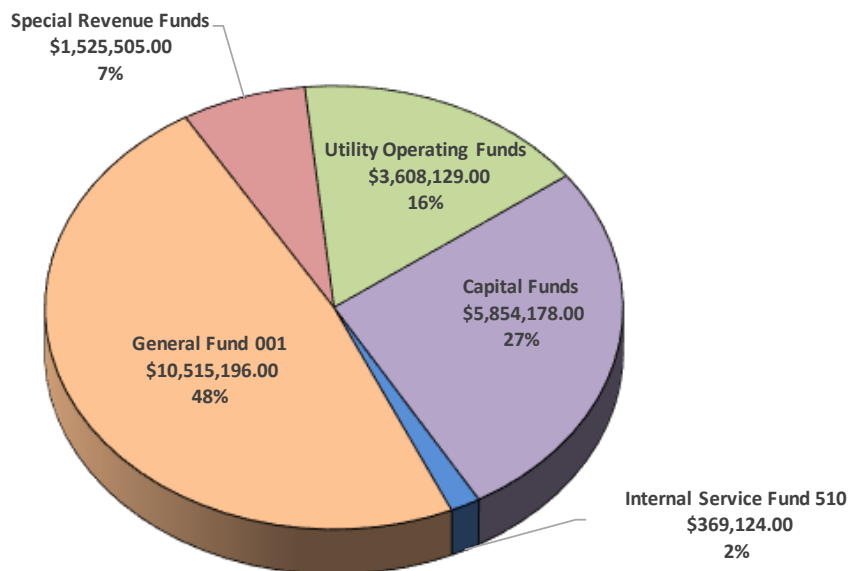
Each position is filled by 1 FTE, unless otherwise noted.

Black Diamond is served by Mountain View Fire and Rescue



Combined 2020 Preliminary Budget - All Funds

	Beginning Fund Balance	2020 Revenue	Total Source	2020 Expenditures	Ending Fund Balance	Total Uses
1 General Fund 001	2,387,486	8,127,710	10,515,196	8,369,232	2,145,964	10,515,196
2 Special Revenue Funds						
3 101 Street Fund	85,449	305,355	390,804	332,041	58,763	390,804
4 107 Fire Impact Fees	325,599	415,500	741,099	600,000	141,099	741,099
5 108 Trans Benefit District Fund	9,948	106,450	116,398	100,000	16,398	116,398
6 109 Traffic Mitigation Fees	204,204	73,000	277,204	277,204	-	277,204
7 Utility Operating Funds						
8 401 Water Fund	479,002	1,226,503	1,705,505	1,370,317	335,188	1,705,505
9 407 Sewer Fund	169,476	1,140,500	1,309,976	1,165,563	144,413	1,309,976
10 410 Stormwater Fund	105,148	487,500	592,648	488,444	104,204	592,648
11 Capital Funds						
12 310 Gen. Government CIP Fund	225,064	1,155,500	1,380,564	1,380,564	-	1,380,564
13 REET I	296,783	339,250	636,033	545,390	90,643	636,033
14 320 Street CIP Fund	-	477,000	477,000	477,000	-	477,000
15 REET II	383,853	339,250	723,103	377,000	346,103	723,103
16 402 Water Supply and Facility Fund	70,000	920,000	990,000	990,000	-	990,000
17 404 Water Capital Fund	467,970	777,000	1,244,970	939,000	305,970	1,244,970
18 408 Sewer Capital Fund	230,437	54,390	284,827	120,000	164,827	284,827
19 410 Stormwater Capital Fund	-	117,681	117,681	117,681	-	117,681
20 Internal Service Fund 510	205,424	163,700	369,124	240,738	128,386	369,124
21 Grand Total All Funds	5,645,843	16,226,289	21,872,132	17,890,174	3,981,958	21,872,132

Total Black Diamond 2020 Preliminary Budget


General Fund

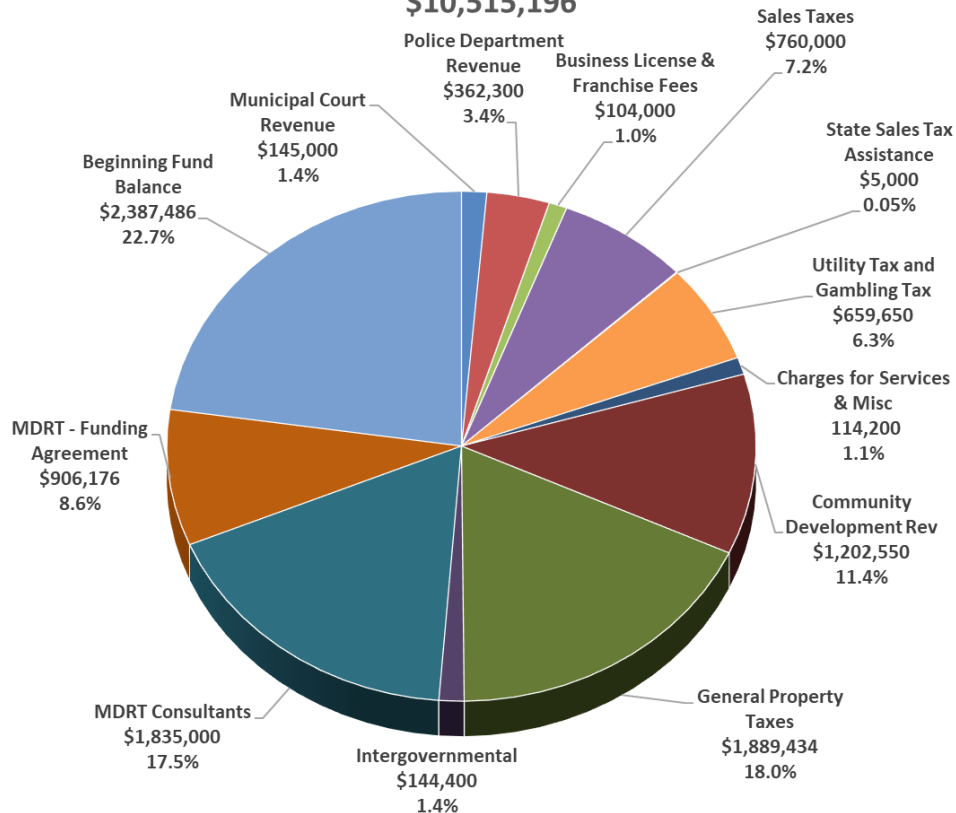
The General Fund is the primary fund of the city. It is similar to a firm's general ledger account and records all assets and liabilities of the entity that are not assigned to a special purpose fund. It provides the resources necessary to sustain day-to-day city activities.



Alpine Collomia
A small midsummer Alpine flower

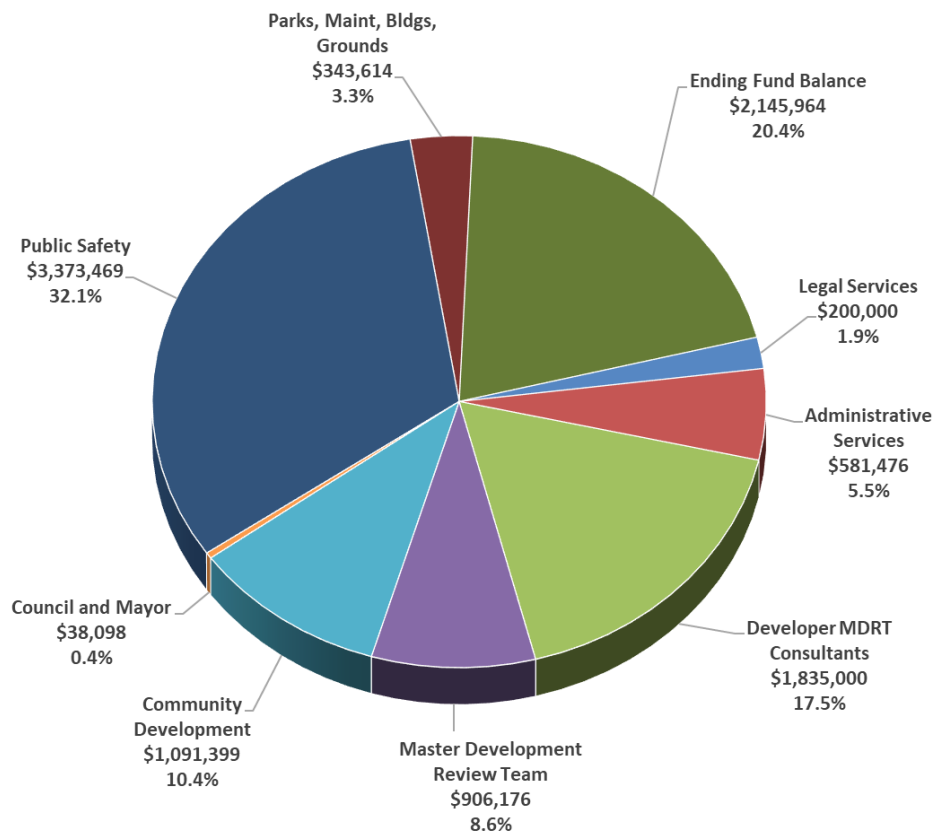
2020 General Fund Sources

\$10,515,196



2020 General Fund Uses

\$10,515,196



2020 BLACK DIAMOND PRELIMINARY BUDGET

City of Black Diamond General Fund Revenue Projection for 2020			2019			2020		
	Budget	Actuals Thru June	Estimated Year End			Prelim Budget	\$ Budget Change	% Budget Change
REVENUES								
1 Beginning Cash and Investments	1,366,173	1,794,462	1,794,462			2,387,486	1,021,313	74.8%
2 General Property Taxes	1,646,137	852,547	1,704,274			1,889,434	243,297	14.8%
3 Sales Taxes	660,000	398,869	750,000			760,000	100,000	15.2%
4 State Sales Tax Assistance	-	4,670	7,000			5,000	5,000	
5 Utility Tax and Gambling Tax	678,914	340,584	625,150			659,650	(19,264)	-2.8%
6 Cable Franchise Fees	80,000	36,604	74,000			73,000	(7,000)	-8.8%
7 Business License	31,000	16,750	29,000			31,000	0	0.0%
8 Liquor Excise Tax	22,000	11,947	22,900			29,700	7,700	35.0%
9 Liquor Board Profits	36,000	17,773	35,500			36,000	0	0.0%
10 KC EMS Levy, Recycle Grants & Misc	74,000	13,817	81,000			78,700	4,700	6.4%
11 Community Development Rev	902,550	827,604	1,282,550			1,202,550	300,000	33.2%
12 Police Department Revenue	379,900	181,239	340,715			362,300	(17,600)	-4.6%
13 Municipal Court Revenue	151,350	67,959	150,300			145,000	(6,350)	-4.2%
14 Charges for Services	9,050	27	50			9,100	50	0.6%
15 Miscellaneous Revenue	26,880	30,096	64,200			61,200	34,320	127.7%
16 Parks Revenue	35,400	15,592	31,400			35,400	0	0.0%
17 Cemetery Revenue	6,000	14,700	16,200			8,500	2,500	41.7%
18 Funding Agreement - MDRT	829,505	452,177	829,505			906,176	76,671	9.2%
19 Total Operating Revenues	5,568,686	3,282,955	6,043,744			6,292,710	724,024	13.0%
Developer Reimburse-MDRT								
20 Consultants	1,520,000	559,443	1,520,000			1,835,000	315,000	20.7%
21 TOTAL GENERAL FUND SOURCES	8,454,859	5,636,860	9,358,206			10,515,196	2,060,337	24.4%

City of Black Diamond General Fund Expenditure Projection for 2020			2019			2020		
	Budget	Actuals Thru June	Estimated Year End			Prelim Budget	\$ Budget Change	% Budget Change
EXPENDITURES								
22 Legislative - Council	16,174	6,064	1,490			22,341	6,167	38.1%
23 Executive - Mayor	15,663	7,163	14,750			15,757	94	0.6%
24 Administrative Services	525,746	213,378	511,300			581,476	55,730	10.6%
25 Legal Services	156,500	23,465	160,000			200,000	43,500	27.8%
26 Prosecuting Atty and Public Defender	83,500	28,750	74,800			95,000	11,500	13.8%
27 Municipal Court	276,268	128,948	268,000			322,062	45,794	16.6%
28 Police Department	2,071,435	892,638	2,025,000			2,343,031	271,596	13.1%
29 Fire Department	558,650	285,334	573,575			571,376	12,726	2.3%
30 EMS/Recyl/Anim Cont/Mental Health	32,000	13,369	26,700			42,000	10,000	31.3%
31 Master Development Review Team	829,505	381,305	829,505			906,176	76,671	9.2%
32 Community Development	854,323	223,963	740,000			1,091,399	237,076	27.8%
33 Facilities	127,370	55,795	119,000			186,708	59,338	46.6%
34 Parks Department	101,914	47,632	94,500			128,146	26,232	25.7%
35 Cemetery	13,750	4,926	12,100			28,760	15,010	109.2%
36 Total Operating Expenditures	5,662,798	2,312,730	5,450,720			6,534,232	871,434	15.4%
37 Developer MDRT Consultants	1,520,000	435,267	1,520,000			1,835,000	315,000	20.7%
38 Total Expenditures	7,182,798	2,747,997	6,970,720			8,369,232	1,186,434	16.5%
39 Ending Cash and Investments	1,272,861	2,888,863	2,387,486			2,145,964	873,103	68.6%
40 TOTAL GENERAL FUND USES	8,455,659	5,636,860	9,358,206			10,515,196	2,059,537	24.4%

2020 BLACK DIAMOND PRELIMINARY BUDGET

General Fund Functions Supported by Types of Revenue		2019 Budget	2020 Prelim Budget	\$ Change	% Change	Public Safety	General Gov't	MDRT
REVENUES								
1	Beginning Cash and Investments	1,366,173	2,387,486	1,021,313	74.8%	24,000	2,300,486	63,000
2	Public Safety Revenue Funded With:							
3	General Property Taxes	1,646,137	1,889,434	243,297	14.8%	1,889,434		
4	Utility Tax and Gambling Tax	678,914	659,650	(19,264)	-2.8%	659,650		
5	Criminal Justice Sales Tax	135,200	138,000	2,800	2.1%	138,000		
6	Liquor Excise Tax and Profits	58,000	65,700	7,700	13.3%	65,700		
7	Municipal Court Revenue	151,350	145,000	(6,350)	-4.2%	145,000		
8	EMS Levy Taxes	60,000	62,000	2,000	3.3%	62,000		
9	Business License	31,000	31,000	0	0.0%	31,000		
10	Police Charges for Service, Grants, Misc	244,300	224,300	(20,000)	-8.2%	224,300		
11	Total Public Safety Revenue	3,004,901	3,215,084	210,183	7.0%	3,215,084		
12	General Government Funded With:							
13	Sales Taxes	660,000	760,000	100,000	15.2%		760,000	
14	Land Use and Permitting Fees	902,550	1,202,550	300,000	33.2%		1,202,550	
15	Cable Franchise Fees	80,000	73,000	(7,000)	-8.8%		73,000	
16	Sales Tax Assist	-	5,000	5,000			5,000	
17	Grants, Passports, Charges for Svs	50,330	87,000	36,670	72.9%		87,000	
18	Parks Revenue	35,400	35,400	0	0.0%		35,400	
19	Cemetery Revenue	6,000	8,500	2,500	41.7%		8,500	
20	Total General Government Revenue	1,734,280	2,171,450	437,170	25.2%		2,171,450	
21	Funding Agreement - MDRT	829,505	906,176	76,671	9.2%			906,176
22	Total GF Operating Revenue	5,568,686	6,292,710	513,841	9.2%	3,215,084	2,171,450	906,176
23	TOTAL GENERAL FUND SOURCES	6,934,859	8,680,196	1,745,337	25.2%	\$3,239,084	\$4,471,936	\$969,176
EXPENDITURES								
24	Public Safety (Fire, Police, Court, EM.)	3,021,853	3,373,469	351,616	11.6%	3,373,469		
25	Community Development	854,323	1,091,399	237,076	27.8%		1,091,399	
26	Legal	156,500	200,000	43,500	27.8%		200,000	
27	Parks, Cemetery & Building Mtc.	243,034	343,614	100,580	41.4%		343,614	
28	Legislative, Executive, Adm, Tech, CS.	557,583	619,574	61,991	11.1%		619,574	
29	Master Development Review Team MDRT	829,505	906,176	76,671	9.2%			906,176
30	Total Operating Expenditures	5,662,798	6,534,232	871,434	15.4%	3,373,469	2,254,587	906,176
31	Ending Cash and Investments	1,272,861	2,145,964	873,103	68.6%	(134,385)	2,217,349	63,000
32	TOTAL GENERAL FUND USES*	6,935,659	8,680,196	1,744,537	25.2%	\$3,239,084	\$4,471,936	\$969,176

* Analysis doesn't include MDRT Consultant Revenues and Expenses in 2019 or 2020

General Fund Revenue

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

Top Twenty General Fund Revenue Sources

1	General Property Taxes	1,889,434
2	Land Use and Permitting Fees	1,202,550
3	Sales Taxes	760,000
4	Electric Utility Tax	240,000
5	Police Traffic School Fees	150,000
6	Municipal Court Fees	145,000
7	Local Criminal Justice Funds	138,000
8	Stormwater Utility Tax	91,000
9	Cable Utility Tax	80,000
10	Cable Franchise Fees	73,000
11	Water Utility Tax	71,500
12	Sewer Utility Tax	71,000
13	LGIP Interest on Investments	70,000
14	Liquor Board Profits & Excise Tax	65,700
15	KC EMS VLS Contract	62,000
16	Telephone Utility Tax	60,000
17	Solid Waste Utility Tax	40,000
18	Business License	31,000
19	Lake Sawyer Parking	21,000
20	Gym Revenue	14,400



General Fund Taxes

Locally levied taxes represent Black Diamond's largest portion of revenues of \$3,309,084 of the city's General Fund operating revenue. Taxes include real and personal property tax, local sales tax, utility taxes on utility services (water, sewer, stormwater, electric, gas, cable and telephone) and gambling taxes. A 11.6% increase of \$324,033 is estimated.

General Fund Tax Revenue	Actual 2017	Actual 2018	Budget 2019	Actual 2019 Thru June	2020 Preliminary Budget	Budget \$ Change	Budget % Change
1 General Property Taxes	1,498,568	1,529,826	1,646,137	852,547	1,889,434	243,297	15.9%
2 Sales Taxes	599,718	630,007	660,000	398,869	760,000	100,000	15.9%
3 PSE Electric & Gas Utility Tax	245,985	231,896	260,000	136,418	240,000	(20,000)	-8.6%
4 Water Utility Tax	48,304	61,294	80,000	30,866	71,500	(8,500)	-13.9%
5 Stormwater Utility Tax	70,922	70,724	82,000	47,134	91,000	9,000	12.7%
6 Sewer Utility Tax	50,375	55,246	54,600	27,823	71,000	16,400	29.7%
7 Solid Waste Utility Tax	46,854	44,110	44,814	20,888	40,000	(4,814)	-10.9%
8 Cable TV Utility Tax	87,934	76,178	82,000	42,054	80,000	(2,000)	-2.6%
9 Telephone Utility Tax	77,071	75,832	70,000	32,136	60,000	(10,000)	-13.2%
10 Gas Utility Tax	209	120	100	72	150	50	41.8%
11 Pull Tabs and Punch Board Tax	5,086	8,011	5,400	3,192	6,000	600	7.5%
12 Total General Fund Taxes	\$ 2,731,025	\$ 2,783,243	\$ 2,985,051	\$ 1,592,000	\$ 3,309,084	\$ 324,033	11.6%

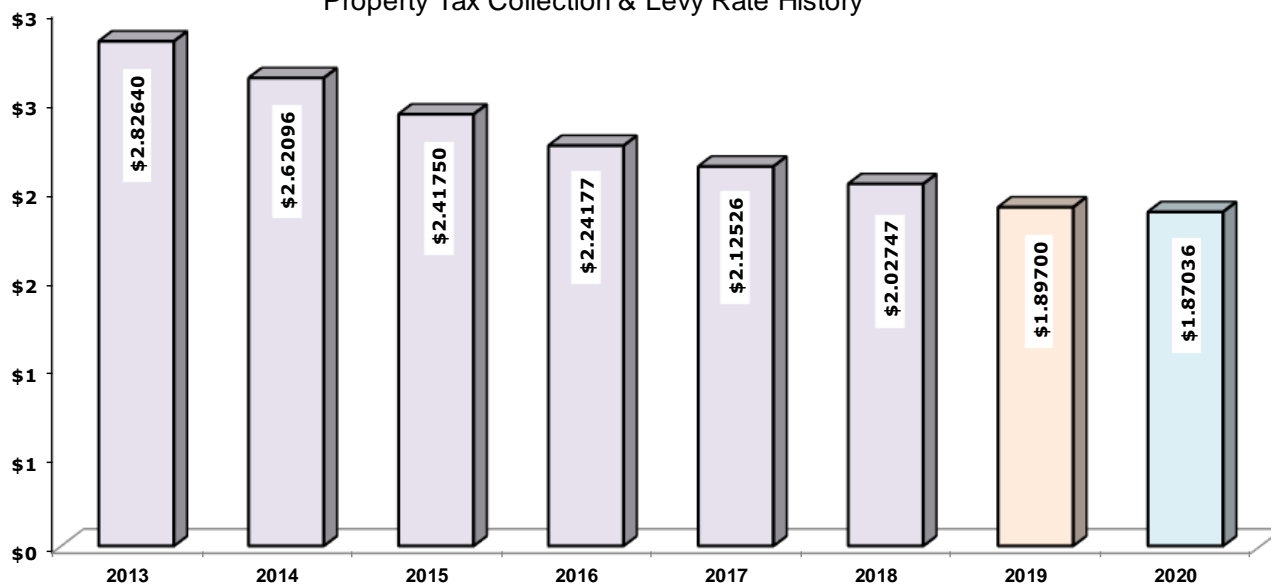


Subalpine Rosy Spirea: It is found in moist meadows, on streambanks, and open, rocky slopes.

Property taxes make up 57% of the General Fund's tax revenue and estimated to generate \$1,889,434 in revenue for the city. All revenues from property taxes go directly to the General Fund to support public safety for police, fire protection and emergency services. Black Diamond depends heavily on property tax collections, as the city has a small commercial base for generating sales tax revenue.

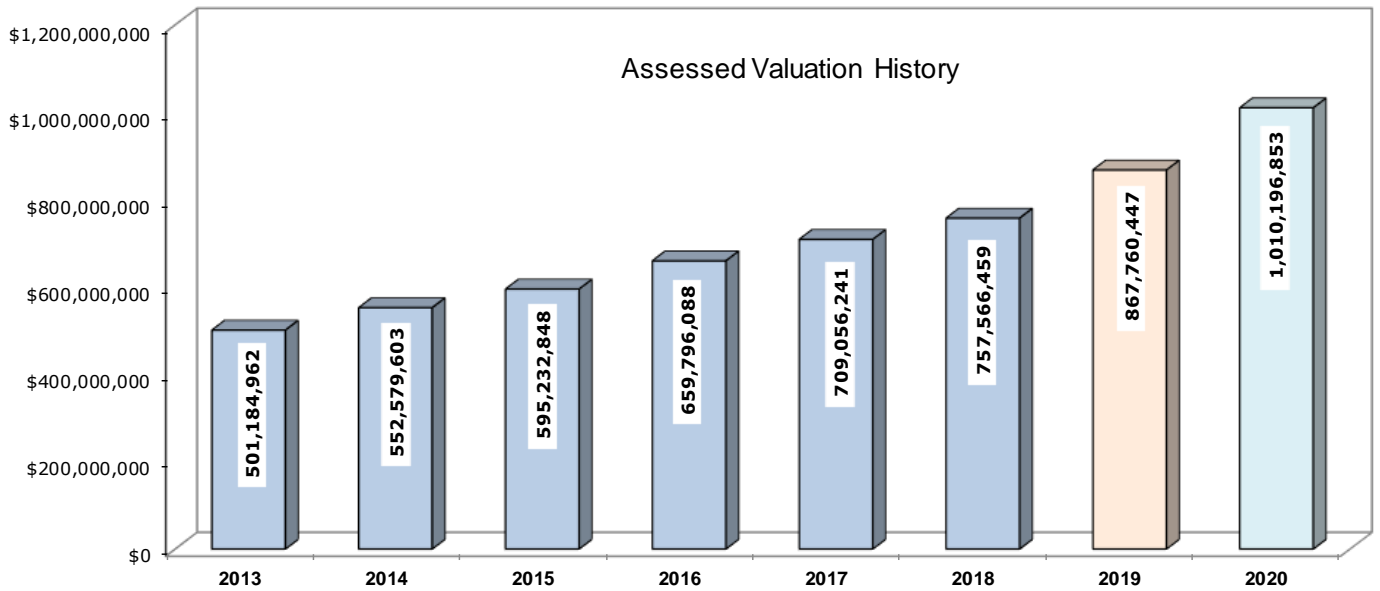
In Washington cities such as Black Diamond, property tax increases are limited to a 1% total dollar annual increase per year unless voters approve a lid-lift or larger percent increases plus any property tax from new construction. King County sets assessed valuation on property and calculates levy rates. Each taxing authority receives a portion of the tax amount, which King County collects and then passes on. In Black Diamond, there are four school districts with separate rates, so depending on which school district the property is in, the taxing amount will vary.

Property Tax Collection & Levy Rate History



Regular Levy Base	1,373,558	1,400,391	1,438,114	1,462,890	1,481,033	1,475,350	1,535,244	1,653,489
1% Increase	13,736	14,004	14,381	14,629	14,810	14,753	15,352	15,958
New Construction	4,256	11,833	3,145	11,905	13,378	11,470	95,541	219,986
Annexations								
Adjustments	8,841	11,886	5,137	-14,074	-534	698		
Total Property Taxes	\$1,400,391	\$1,438,114	\$1,460,777	\$1,475,350	\$1,508,687	\$1,502,271	\$1,646,137	\$1,889,434
Levy Rate per \$1000 AV	\$ 2.82640	\$ 2.62096	\$ 2.41750	\$ 2.24177	\$ 2.12526	\$ 2.02747	\$ 1.89700	\$ 1.87036
Allowable Levy	3.10	3.10	3.10	3.10	3.10	3.10	3.10	3.10
Assessed Valuation	\$501,184,962	\$552,579,603	\$595,232,848	\$659,796,088	\$709,056,241	\$757,566,459	\$867,760,447	\$1,010,196,853

Please note: 2020 numbers are preliminary



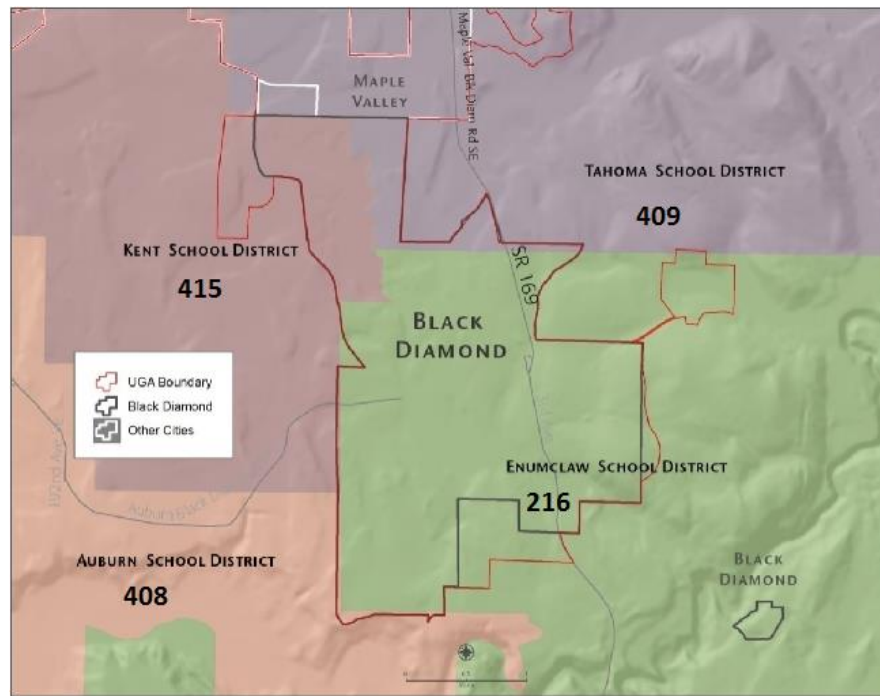
Base Assessed Valuation	501,181,815	552,573,142	595,228,592	659,792,943	709,042,334	757,554,989	867,664,906	1,009,976,867
New Construction	3,147	6,461	4,256	3,145	13,907	11,470	95,541	219,986
Final Assessed Valuation	501,184,962	552,579,603	595,232,848	659,796,088	709,056,241	757,566,459	867,760,447	1,010,196,853
% change from prior year	-7.0%	10.3%	7.7%	10.8%	7.5%	6.8%	14.5%	16.4%
Population	4,160	4,160	4,170	4,200	4,330	4,360	4,360	4,525
Property Tax Levy Rate	2.826	2.621	2.418	2.242	2.125	2.027	1.897	1.870
Increase in Base value	(37,909,810)	51,394,641	42,653,245	64,563,240	49,260,153	97,770,371	158,704,206	301,140,612
Percentage increase in base	-7.0%	10.3%	7.7%	10.8%	7.5%	14.8%	22.4%	42.5%

Please Note: 2019 numbers are preliminary



Pacific Bleeding Heart (*Dicentra Formosa*)

School Districts in Black Diamond



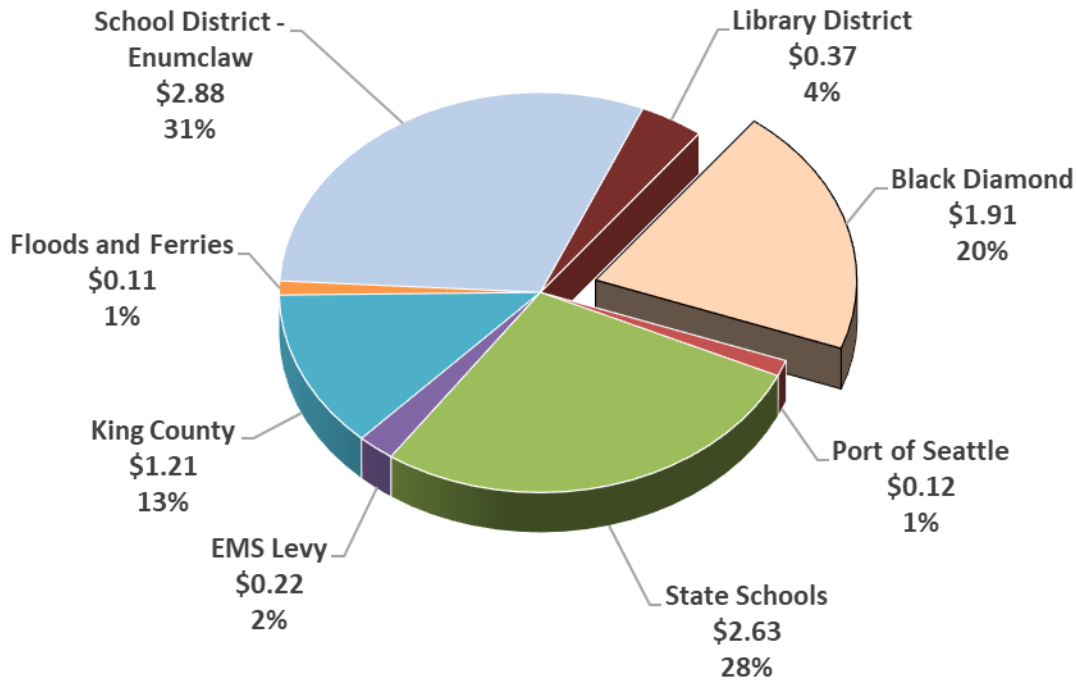
The total property tax rates in Black Diamond vary because of the four different school districts within our city limits.				
2019 Rates				
Local School District	2.88	3.47	3.64	3.81
Washington State for Schools Part 1	1.92	1.92	1.92	1.92
*McCleary Decision for Schools Part 2	0.71	1.01	1.01	1.01
King County	1.21	1.21	1.21	1.21
City of Black Diamond	1.91	1.91	1.91	1.91
Port of Seattle	0.12	0.12	0.12	0.12
Library District	0.37	0.37	0.37	0.37
Emergency Medical Services	0.22	0.22	0.22	0.22
King County Flood Levy	0.11	0.11	0.11	0.11
Total Levy Rate 2019	9.45	10.34	10.51	10.68
* McCleary Part 2 was reduced by State-2019				
Total 2018 Levy Rates	11.45	12.60	11.37	13.48

MONTHLY 2019 Property Tax Rates on a \$386,000 Appraised Home

Translate to:

Total Monthly Taxes of \$298.18

Black Diamond's Portion: \$55.57



King County Taxing District	Levy Rate per \$1000 in Value	Percent of Property Taxes Collected	2019 Annual Tax on a \$386,000 Home	Monthly Tax on a \$386,000 Home
Port of Seattle	0.12266	1%	\$47.35	\$3.95
State Schools	2.62922	28%	\$1,014.88	\$84.57
EMS Levy	0.21762	2%	\$84.00	\$7.00
King County	1.20894	13%	\$466.65	\$38.89
Floods and Ferries	0.10672	1%	\$41.19	\$3.43
School District - Enumclaw	2.88249	31%	\$1,112.64	\$92.72
Library District	0.37441	4%	\$144.52	\$12.04
Subtotal	7.54206	80%	\$2,911.24	\$242.60
Black Diamond	1.90542	20%	\$666.90	\$55.57
Total	9.44748	100%	\$3,578.13	\$298.18

Sales Tax revenue for the 2020 budget is forecast to be \$760,000 of General Fund tax revenue. For every \$100 spent in Black Diamond, \$8.60 is collected by the State and is shared by various jurisdictions. These jurisdictions include our city, Washington State, King County and Criminal Justice programs. Black Diamond receives a bit less than 10% of the total.

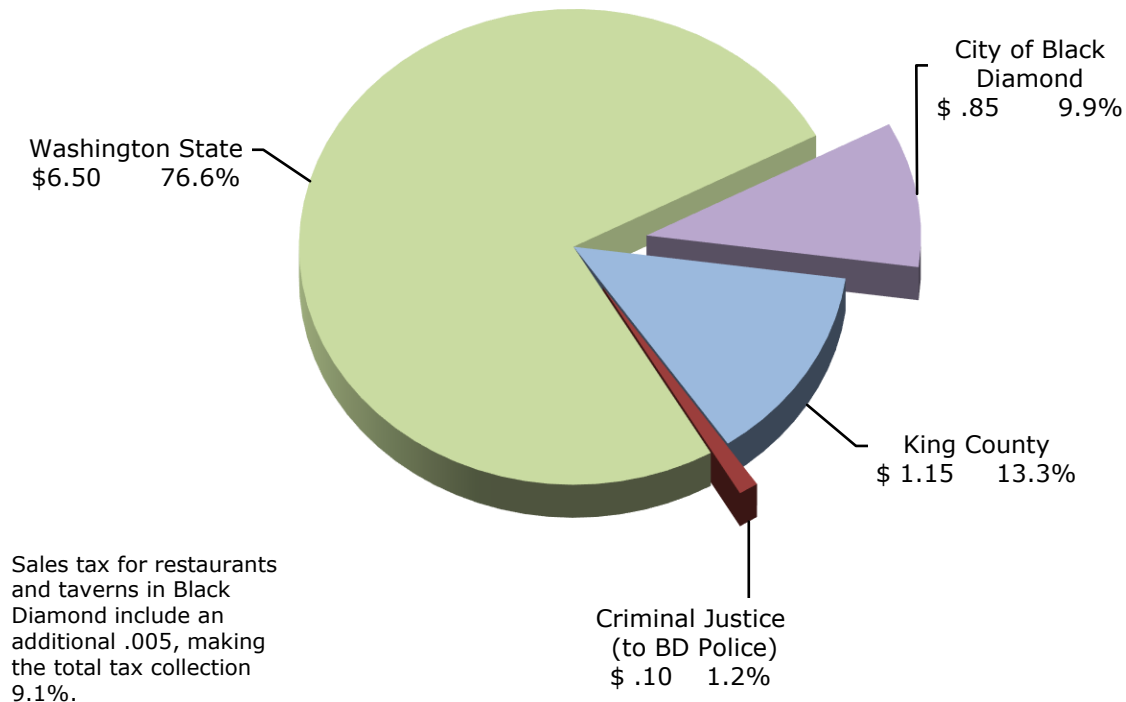
Black Diamond's sales tax revenues are dependent on retail sales of products and services sold or delivered to Black Diamond, as well as tax on new construction material. In fact, a considerable portion of our sales taxes are collected for construction services such as installing, repairing, cleaning, improving and other home services. Sales Tax Collection comparison in Black Diamond since 2013:

2013	2014	2015	2016	2017	2018	2019 Est	2020 Budget
\$290,795	\$302,927	\$311,927	\$447,147	\$599,718	\$630,007	\$750,000	\$760,000

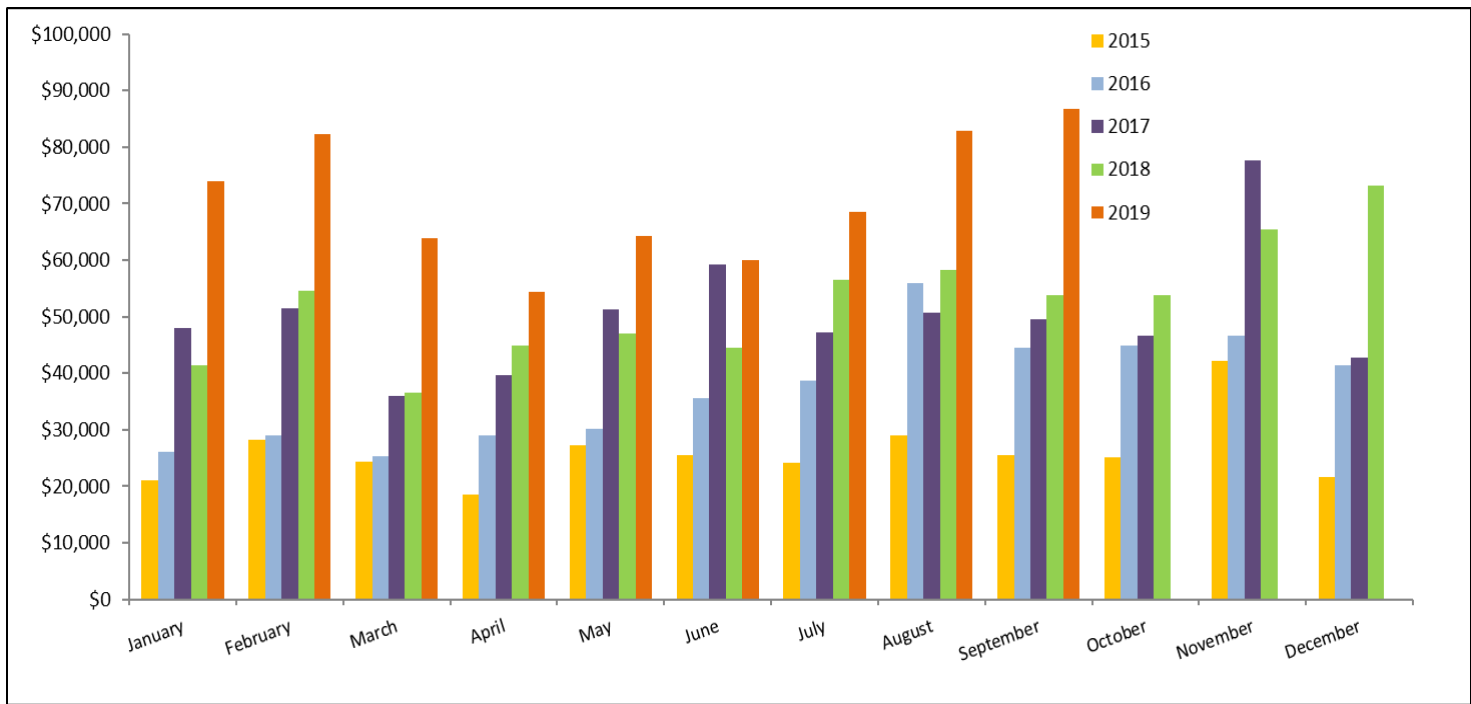
City of Black Diamond 2019 Sales Taxes

Taxed amount is 8.6% of retail sales

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



Black Diamond Sales Monthly Tax History



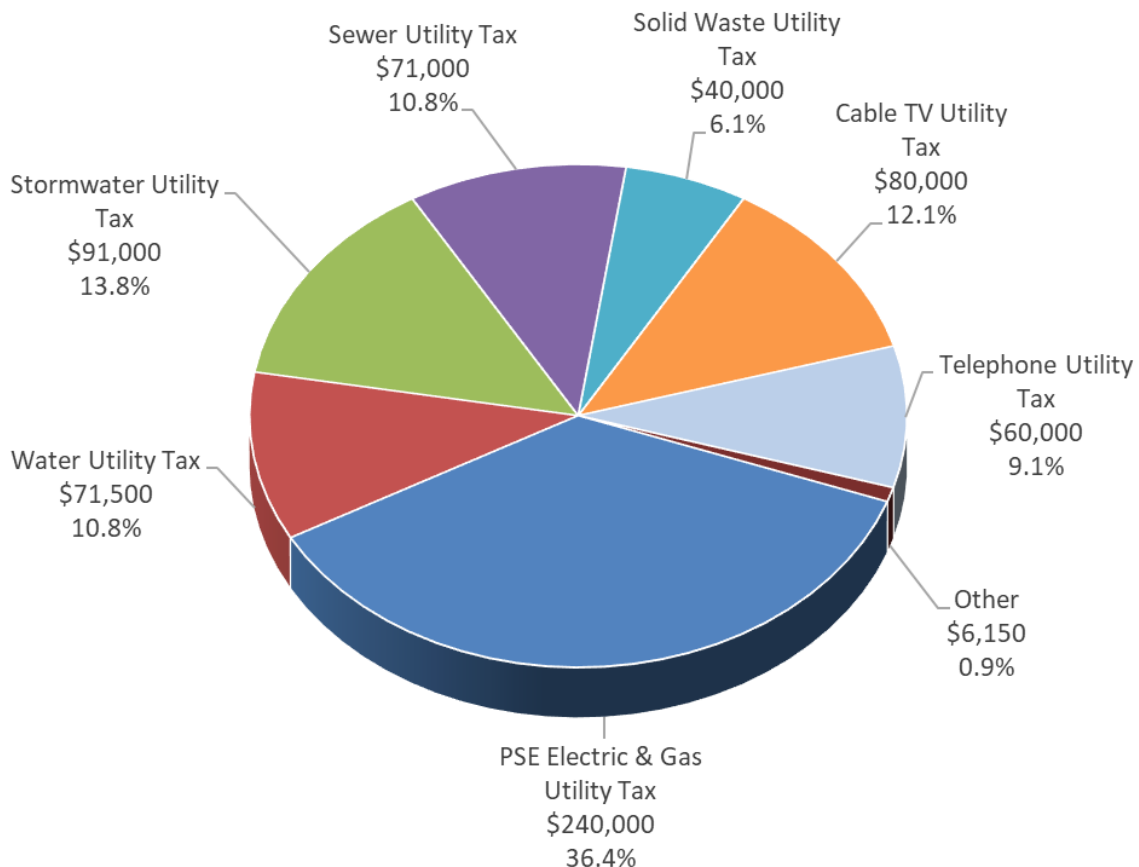
Sales Taxes	2015		2016		2017		2018		2019		Change from prior YTD 2018 to 2019
Month	Monthly	YTD	Monthly	YTD	Monthly	YTD	Monthly	YTD	Monthly	YTD	
January	21,108	21,108	26,157	26,157	47,902	47,902	41,433	41,433	74,030	74,030	68.0%
February	28,157	49,265	28,893	55,050	51,403	99,304	54,622	96,055	82,302	156,332	60.7%
March	24,264	73,529	25,356	80,406	35,950	135,254	36,471	132,526	63,858	220,189	64.8%
April	18,596	92,125	29,067	109,473	39,585	174,839	44,873	177,399	54,403	274,592	55.6%
May	27,148	119,273	30,198	139,671	51,299	226,139	47,054	224,454	64,235	338,827	50.6%
June	25,454	144,726	35,573	175,244	59,293	285,432	44,560	269,013	60,042	398,869	45.5%
July	24,092	168,818	38,663	213,907	47,268	332,700	56,569	325,583	68,463	467,332	42.6%
August	28,921	197,739	55,869	269,776	50,659	383,359	58,218	383,801	82,833	550,166	43.4%
September	25,410	223,149	44,537	314,313	49,452	432,810	53,745	437,546	86,783	636,949	46.1%
October	25,076	248,225	44,945	359,258	46,642	479,452	53,891	491,437			
November	42,141	290,366	46,588	405,846	77,612	557,064	65,400	556,837			
December	21,561	311,927	41,301	447,147	42,654	599,718	73,172	630,009			
TOTAL	311,927		447,147		599,718		630,009		636,949		

Criminal Justice taxes are an additional local sales/use tax of 0.1 percent to be used for criminal justice programs. This tax is levied by the county and is imposed countywide, but the receipts are shared with King County cities, based on population. Of the revenues collected for criminal justice, 1 percent is retained for administration, 10 percent is distributed to the county and 90 percent goes to cities on a per-capita basis based on their official April 1 populations. Black Diamond's population is currently 4,525.

Utility Taxes are collected for the city at the rate of 6% for electrical, telephone, cable TV, sewer, water and gas utilities. The stormwater utility tax is 18%. The Ten Trails development is driving the increase in this revenue source, primarily due to Water Utility Taxes from irrigation. Other agencies, such as telephone and cable, are seeing trend decreases.

General Fund Utility Tax & Misc Revenue	Actual 2017	Actual 2018	Budget 2019	Actual 2019 Thru June	2020 Preliminary Budget	Budget \$ Change	Budget % Change
1 PSE Electric & Gas Utility Tax	245,985	231,896	260,000	136,418	240,000	(20,000)	-7.7%
2 Water Utility Tax	48,304	61,294	80,000	30,866	71,500	(8,500)	-10.6%
3 Stormwater Utility Tax	70,922	70,724	82,000	47,134	91,000	9,000	11.0%
4 Sewer Utility Tax	50,375	55,246	54,600	27,823	71,000	16,400	30.0%
5 Solid Waste Utility Tax	46,854	44,110	44,814	20,888	40,000	(4,814)	-10.7%
6 Cable TV Utility Tax	87,934	76,178	82,000	42,054	80,000	(2,000)	-2.4%
7 Telephone Utility Tax	77,071	75,832	70,000	32,136	60,000	(10,000)	-14.3%
8 Gas Utility Tax	209	120	100	72	150	50	50.0%
9 Pull Tabs and Punch Board Tax	5,086	8,011	5,400	3,192	6,000	600	11.1%
10 Total Utility Taxes & Misc Revenue	\$ 632,739	\$ 623,411	\$ 678,914	\$ 340,584	\$ 659,650	\$ (19,264)	-2.8%

General Fund Utility Taxes \$659,650



Intergovernmental Revenue includes grants, entitlements, shared revenues and payments for goods and services provided to the city from the State or other governmental entities. They include per capita distributed revenues such as liquor excise and profit taxes and state and federal grants. Black Diamond's sales tax collections have exceeded the maximum allowed to be able to receive the state sales tax assistance.

General Fund Intergovernmental	Actual 2017	Actual 2018	Budget 2019	Actual 2019 Thru June	2020 Preliminary Budget	Budget \$ Change	Budget % Change
1 State Public Def Grant	-	4,000	4,000	4,000	-	(4,000)	-100.0%
2 State Grant-Court Judicial alloc	-	-	-	702	700	700	0.0%
3 Sales Tax Assistance from State	76,017	15,075	-	4,670	5,000	5,000	0.0%
4 Liquor Excise Tax	20,751	21,915	22,000	11,947	29,700	7,700	35.0%
5 Liquor Board Profits	36,347	35,919	36,000	17,773	36,000	-	0.0%
6 KC Recycle Grant EH 53669	10,090	22,090	10,000	9,115	16,000	6,000	60.0%
7 KC EMS VLS Contract	57,013	58,507	60,000	-	62,000	2,000	3.3%
8 Total Intergovernmental Revenue	\$ 200,217	\$ 157,506	\$ 132,000	\$ 48,207	\$ 149,400	\$ 17,400	13.2%

Community Development Revenue includes fees related to land use and construction activities such as plan checks and land use fees, building, mechanical and plumbing permits. This revenue does not include revenues from the Master Plan Development Team reviews. Estimates next year continue to be promising, as the city continues significant increases in building activity.

Community Development	Actual 2017	Actual 2018	Budget 2019	Actual 2019 Thru June	2020 Preliminary Budget	Budget \$ Change	Budget % Change
1 Building Permits	95,296	786,330	650,000	479,226	720,000	70,000	10.8%
2 Mechanic Permits	11,277	28,389	20,000	23,285	35,000	15,000	75.0%
3 Plumbing Permits	8,496	32,077	22,000	23,404	35,000	13,000	59.1%
4 Other Permits	9,616	(1,360)	9,600	16,376	26,800	17,200	179.2%
5 Total Permits	124,685	845,436	701,600	542,291	816,800	115,200	16.4%
6 Plan Check Review Fees	98,003	377,270	140,000	242,659	300,000	160,000	114.3%
7 Fire Plan Check Fees	2,430	2,608	3,000	915	2,500	(500)	-16.7%
8 Various Land Use Fees	18,116	5,277	4,000	10,094	24,500	20,500	512.5%
9 Various Shoreline Fees	4,870	4,069	3,100	1,785	3,000	(100)	-3.2%
10 CD Staff Review Fees	6,213	7,261	3,600	4,660	6,500	2,900	80.6%
11 SEPA Checklist/Misc. appeals	4,069	1,571	1,000	1,084	2,000	1,000	100.0%
12 Other Land Use Fees	2,984	2,990	250	2,778	6,750	6,500	2600.0%
13 Total Land Use and Misc Fees	136,686	401,045	154,950	263,975	345,250	190,300	122.8%
14 Hearing Examiner Fees	3,331	-	-	-	-	-	0.0%
15 Technology Cost Recovery Fee	12,890	36,262	25,000	24,142	40,000	15,000	60.0%
16 Copies of Maps, Books, Documents etc	425	856	1,000	213	500	(500)	-50.0%
17 Deposits	50,219	18,193	20,000	(362)	-	(20,000)	-100.0%
18 Total Community Development Rev.	\$ 328,236	\$ 1,301,792	\$ 902,550	\$ 830,259	1,202,550	\$ 300,000	33.2%

Police Department Revenue includes intergovernmental funding from criminal justice funds and payments for police services provided by the city to other governmental entities. Other revenue includes traffic school, which has increased considerably due to recent emphasis on the program, gun permits and fingerprinting revenue as well as donations and other minor sources. An increase in the criminal justice distribution is also expected next year. Grants we are applying for in 2019 include:

- **Marine, Washington State Parks** – the City receives annual monies from the State, divided amongst King County agencies, from VRF (vessel registration fees). In 2019, we continued to receive federal grant funds to support our efforts on Lake Sawyer. Because our officers do an excellent job with our marine program (education, outreach and inspections), we have been able to secure federal grant monies, which has allowed us to carry over our VRF funds for several years. We have applied again for 2020.
- **Traffic Safety Equipment funds** – The WA. State Traffic Safety Commission usually offers grant money to purchase traffic safety equipment such as radars, lidars, and portable breath tests. This year, with funding offered, we will request two new radar units.
- **Traffic Safety (including DUI/seatbelt emphasis) and CIT Crisis Intervention Training (staffing reimbursement for backfill)** – This funding is received through the WA. State Traffic Safety Commission for overtime to conduct emphasis patrols. These patrols typically cover a target area of DUI enforcement, seatbelt, distracted driving, and speed. The amount varies each year.
- **BJA Bulletproof Grant**- This federal grant, when applied for and approved covers the cost of half of a bulletproof vest. We continue to apply for and obtain BJA vest funds every year.

Police Department Revenue	Actual 2017	Actual 2018	Budget 2019	Actual 2019 Thru June	2020 Preliminary Budget	Budget \$ Change	Budget % Change
1 Criminal Justice Distribution	125,644	136,911	135,200	68,140	138,000	2,800	2.1%
2 Police Traffic School Fee	47,528	181,260	178,000	78,917	162,000	(16,000)	-9.0%
3 Vessel Registration Boat Safety	11,533	12,213	13,000	13,250	13,500	500	3.8%
4 Police Grants	22,801	24,389	22,000	9,863	22,700	700	3.2%
5 Electronic Home Monitoring	240	46	100	-	100	-	0.0%
6 Police Records and Misc.	454	458	300	328	600	300	100.0%
7 Gun Permits and Fingerprinting	2,453	2,465	2,300	1,034	2,400	100	4.3%
8 DARE Donations from Private Sources	500	500	500	500	500	-	0.0%
9 Reimbursements & Refunds	70,626	22,736	28,500	9,207	22,500	(6,000)	-21.1%
10 Total Police Department Revenue	\$ 281,779	\$ 380,977	\$ 379,900	\$ 181,239	\$ 362,300	\$ (17,600)	-4.6%



Native Viola

Municipal Court Revenue includes all revenue associated with the Black Diamond Municipal Court. As the Police Department is able to rehire frozen and unfilled positions, they are better able to concentrate on traffic control and increase revenue to the Court. However, with an emphasis on Traffic School this year, less Court revenue has resulted.

Municipal Court Revenue	Actual 2017	Actual 2018	Budget 2019	Actual 2019 Thru June	2020 Preliminary Budget	Budget \$ Change	Budget % Change
1 Court Traffic Infractions	53,713	87,188	95,000	46,141	95,000	-	0.0%
2 Administration/Correction Fees	19,391	28,224	26,350	11,015	24,400	(1,950)	-7.4%
3 Court Mand. Insurance Costs	1,218	1,158	1,350	255	1,000	(350)	-25.9%
4 Court Parking Fines	5,610	3,578	2,700	465	1,000	(1,700)	-63.0%
5 Court Criminal Traffic Misd.	3,754	6,912	8,100	4,748	8,100	-	0.0%
6 Court Cost Recoopment	2,616	6,100	8,000	3,781	7,000	(1,000)	-12.5%
7 Court DUI Fines	1,442	3,098	2,700	1,195	2,700	-	0.0%
8 Court Other Revenue	1,267	3,896	7,150	358	5,800	(1,350)	-18.9%
9 Total Municipal Court Revenue	\$ 89,010	\$ 140,154	\$ 151,350	\$ 67,959	\$ 145,000	\$ (6,350)	-4.2%

Cable Franchise Fees and Business Licenses are collected from a 5% cable franchise fee. Business license revenue helps cover the cost of public safety.

Cable Franchise Fees and Business Licenses Revenue	Actual 2017	Actual 2018	Budget 2019	Actual 2019 Thru June	2020 Preliminary Budget	Budget \$ Change	Budget % Change
1 Cable Franchise Fees	76,672	72,746	80,000	36,604	73,000	(7,000)	-8.8%
2 Business License	23,970	35,965	31,000	16,750	31,000	-	0.0%
3 Total Franchise/Business License F	\$ 100,642	\$ 108,711	\$ 111,000	\$ 53,354	\$ 104,000	\$ (7,000)	-6.3%

Other General Fund Revenue sources include parking fees at Lake Sawyer, passport revenue, gym revenue, the cemetery, and investment interest.

Other General Fund Revenue	Actual 2017	Actual 2018	Budget 2019	Actual 2019 Thru June	2020 Preliminary Budget	Budget \$ Change	Budget % Change
1 Lake Sawyer Parking Fee	22,322	20,343	21,000	7,977	21,000	-	0.0%
2 Gym Revenue	8,083	18,297	14,400	7,615	14,400	-	0.0%
3 Cemetery Revenue	7,670	4,700	6,000	14,700	8,500	2,500	41.7%
4 Passports	7,247	7,037	8,800	-	9,000	200	2.3%
5 Investment Interest	15,059	34,549	26,200	29,641	61,200	35,000	133.6%
6 Other and Miscellaneous	8,808	334	500	-	-	(500)	-100.0%
7 Total General Other Fund Revenue	\$ 69,189	\$ 85,259	\$ 76,900	\$ 59,933	\$ 114,100	\$ 37,200	48.4%

Funding Agreement Revenue is Master Planned Development Team revenue that covers ongoing costs.

Funding Agreement Revenue	Actual 2017	Actual 2018	Budget 2019	Actual 2019 Thru June	2020 Preliminary Budget	Budget \$ Change	Budget % Change
1 Funding Agreement Revenue	627,203	981,440	829,505	452,177	906,176	76,671	9.2%
2 Total Funding Agreement Op. Rev.	\$ 627,203	\$ 981,440	\$ 829,505	\$ 452,177	\$ 906,176	\$ 76,671	9.2%

Funding Agreement Consultant Revenue	Actual 2017	Actual 2018	Budget 2019	Actual 2019 Thru June	2020 Preliminary Budget	Budget \$ Change	Budget % Change
1 Building & Plan Chec Services	-	171,528	350,000	127,423	550,000	200,000	57.1%
2 Building Inspector	-	15,101	-	-	50,000	50,000	0.0%
3 Fiscal Reimbursements	-	-	10,000	-	20,000	10,000	100.0%
4 Civil Engineering Reimbursements	469,644	404,659	575,000	228,737	575,000	-	0.0%
5 Traffic Reimbursements	13,360	32,272	400,000	39,139	400,000	-	0.0%
6 Legal Reimbursements	29,535	62,005	50,000	81,878	80,000	30,000	60.0%
7 Environmental Reimbursements	2,750	14,675	30,000	13,716	40,000	10,000	33.3%
8 Geotech Reimbursements	47,455	15,202	25,000	19,025	40,000	15,000	60.0%
9 Surveyor Reimbursements	3,326	18,660	30,000	12,421	30,000	-	0.0%
10 Hearing Examiner Reimbursements	3,197	2,480	50,000	17,104	50,000	-	0.0%
11 Ten Trails LLC - Multi Family	-	-	-	20,000	-	-	0.0%
12 Total Funded Consultants	\$ 569,268	\$ 736,582	\$ 1,520,000	\$ 559,443	\$ 1,835,000	\$ 315,000	20.7%

Beginning General Fund Revenue is the money in the city's cash and investment accounts that carry over from the prior year's ending balance after all expenditures.

Beginning Cash and Investments	Actual 2017	Actual 2018	Budget 2019	Actual 2019 Thru June	2020 Preliminary Budget	Budget \$ Change	Budget % Change
1 Beg Cash & Invest Unreserved Gen Gov	1,336,570	1,154,656	1,303,173	1,794,461	2,324,486	1,021,313	78.4%
2 Beg Cash & Invest Unreserved Developer	118,500	63,000	63,000	63,000	63,000	-	0.0%
3 Total Beginning Fund Balance	\$ 1,455,070	\$ 1,217,656	\$ 1,366,173	\$ 1,857,461	\$ 2,387,486	\$ 1,021,313	74.8%

Total General Fund Sources of Revenue	Actual 2017	Actual 2018	Budget 2019	Actual 2019 Thru June	2020 Preliminary Budget	Budget \$ Change	Budget % Change
1 Total General Fund Sources	\$ 6,451,729	\$ 7,893,974	\$ 8,454,859	\$ 5,702,514	\$ 10,515,196	\$ 2,060,337	24.4%

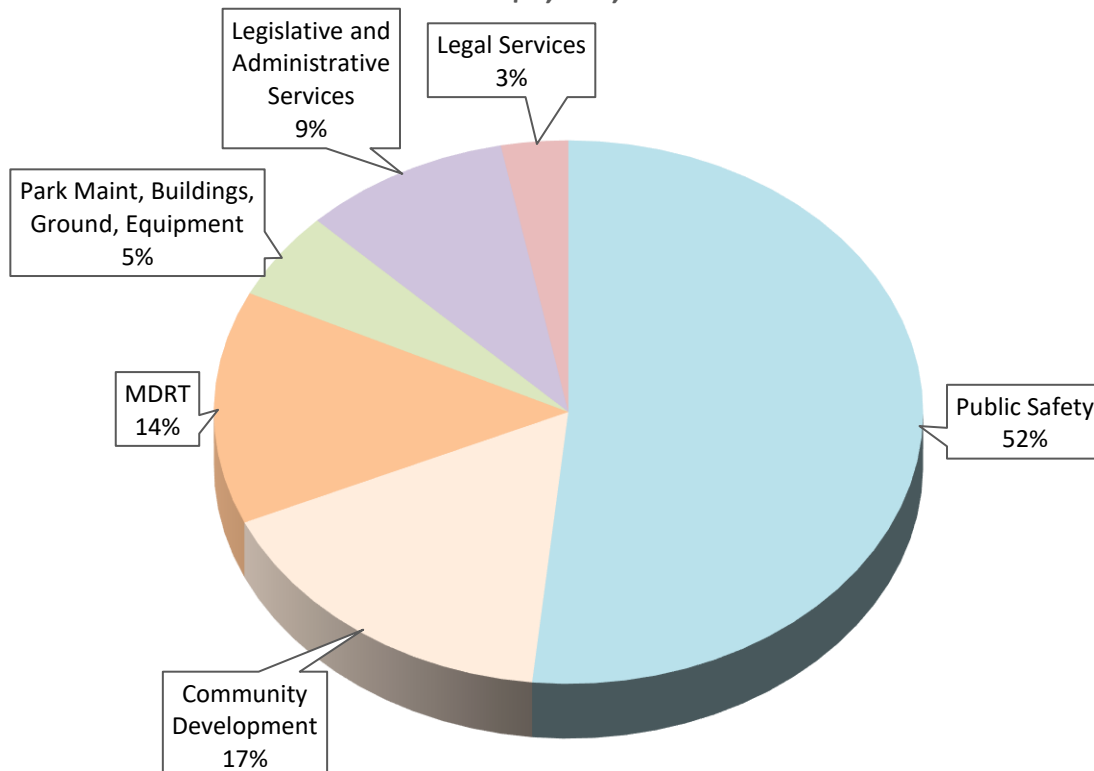


General Fund Expenditures

Expenditure Comparisons 2017 - 2020 by Function

	2017 Actual	2018 Actual	2019 Budget	2020 Budget	% of Total
Public Safety	2,522,578	2,849,948	2,995,053	3,373,469	51.6%
Community Development	367,757	709,884	854,323	1,091,399	16.7%
MDRT	726,116	803,187	829,505	906,176	13.9%
Park Maint, Buildings, Ground, Equipment	226,483	252,205	269,834	343,614	5.3%
Legislative and Administrative Services	454,527	491,758	557,583	619,574	9.5%
Legal Services	322,335	186,732	156,500	200,000	3.1%
Total General Fund Operations	4,619,795	5,293,713	5,662,798	6,534,232	100.0%

2020 Total GF Operating Expenditure Budget \$6,534,232



General Fund – Department Level Expenditure Summaries

Legislative – City Council - Expenditures

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

The City Council accomplishes city business during regular meetings and work studies each month. Council duties include approving the annual budget, authorizing inter-local agreements and contracts and deliberating on and passing ordinances and resolutions to set city policies. Six Councilmembers receive a stipend of \$160 per month, and the Mayor Pro Tem receives \$200 per month. Council positions increased to seven in fall of 2019

	Legislative - City Council Expenditures	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1	Wages	10,080	10,080	10,080	5,040	13,920	3,840	38.1%
2	Benefits	826	825	829	413	1,121	292	35.2%
3	Salaries and Benefits	10,906	10,905	10,909	5,453	15,041	4,132	37.9%
4	Charges for Services	1,712	2,038	5,265	612	7,300	2,035	38.7%
5	Total Legislative Expenditures	\$12,618	\$12,943	\$16,174	\$6,064	\$22,341	\$6,167	38.1%

Executive – Mayor’s Office - Expenditures

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

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

	Executive - Mayor's Office Expenditures	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1	Wages	12,000	12,000	12,000	6,000	12,000	-	0.0%
2	Benefits	1,055	1,059	1,063	527	1,057	(6)	-0.6%
3	Salaries and Benefits	13,055	13,059	13,063	6,527	13,057	(6)	-0.05%
4	Office and Operating Supplies	-	-	100	30	100	0	0.0%
5	Charges for Services	527	1,321	2,500	606	2,600	100	4.0%
6	Total Mayors Office Expenditures	\$13,583	\$14,380	\$15,663	\$7,163	\$15,757	\$94	0.6%

Administrative Services - Expenditures

This department includes the City Clerk, Finance, Human Resources, Utility Billing, Information Technology and Central Services, which captures shared costs for General Fund departments such as supplies, software maintenance costs, copier costs, postage, advertising, utilities, custodial services, building insurance, credit card and banking fees. Costs that benefit a variety of departments are paid from Central Services and then allocated through cost allocations. The 2020 budget increase is due to salary step progression, Election costs, State Auditor costs, an increase due to the IT Manager going from 80% to 100% FTE.

Administrative Services Expenditures		2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1	Wages	272,267	277,896	320,048	138,703	319,774	(274)	-0.1%
2	Benefits	112,301	105,061	112,069	50,786	147,134	35,065	31.3%
3	Total Salaries and Benefits	384,568	382,957	432,117	189,488	466,908	34,791	8.1%
4	Office and Operating Supplies	3,486	822	4,100	(613)	7,830	3,730	91.0%
5	Charges for Services	39,997	41,137	67,729	12,690	76,738	9,009	13.3%
6	Voter Costs and Registration	276	23,630	21,800	11,813	30,000	8,200	37.6%
7	Capital Outlay (pool car in 2018)	-	15,889	-	-	-	0	0.0%
8	Total Administrative Expenditures	\$428,326	\$464,435	\$525,746	\$213,378	\$581,476	\$55,730	10.6%
9	By Department							
10	City Clerk	161,147	147,026	176,810	62,238	194,729	17,919	10.1%
11	Finance Department	217,553	230,725	252,527	117,415	259,887	7,360	2.9%
12	Information Technology	40,478	59,483	68,383	31,658	98,744	30,361	44.4%
13	Central Services	9,148	27,201	28,026	2,068	28,116	90	0.3%
14	Total Administrative Expenditures	\$428,326	\$464,435	\$525,746	\$213,378	\$581,476	\$55,730	10.6%



Deer Orchid

Legal Department – Expenditures

The City Attorney provides civil legal service, preparing and review of ordinances and other legal documents to which the city is a party, maintaining up-to-date legal research materials including pending and adopted state legislation with municipal impact and personnel matters. A percentage of legal costs are shared with the MDRT, Street and Utility Fund budgets. Increases are due to ongoing legal appeals.

Legal Service Expenditures	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 General Government	43,724	36,376	64,000	10,321	65,000	1,000	1.6%
2 Lawsuits and Public Disclosures	257,446	119,313	40,000	5,846	77,500	37,500	93.8%
3 Union/General Employment	21,164	31,042	22,500	6,393	27,500	5,000	22.2%
4 Code Enforcement	-	-	30,000	905	30,000	0	0.0%
5 Total Legal Service Expenditures	\$322,335	\$186,732	\$156,500	\$23,465	\$200,000	\$43,500	27.8%

Municipal Court – Expenditures

The Black Diamond Municipal Court is one of limited jurisdiction. The Court operates adjacent to the Police Department on Lawson Street. Court cases involve infractions, misdemeanors and gross misdemeanors. Other matters such as felony cases are filed and disposed of in King County Superior Court.

Court is in session and is open to the public the 2nd and 4th Wednesday of each month. Budget for Court includes contracted services provided by a Judge, a Court Administrator and a full time Court Clerk. Budget is also provided for security and other miscellaneous expenses such as interpreters, office supplies and training. The 2020 budget increase is due to more Jury trials and the addition of a part time court clerk.

Municipal Court Expenditures	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Wages	106,907	135,836	141,881	69,416	163,350	21,469	15.1%
2 Benefits	36,953	48,265	49,923	22,169	57,382	7,459	14.9%
3 Salaries and Benefits	143,860	184,101	191,804	91,585	220,732	28,928	15.1%
4 Office and Operating Supplies	1,419	3,018	4,100	664	4,600	500	12.2%
5 Charges for Services	39,980	61,143	65,364	31,479	79,730	14,366	22.0%
6 Police Security	7,708	8,307	15,000	5,220	17,000	2,000	13.3%
7 Total Municipal Court Exp	\$192,968	\$256,570	\$276,268	\$128,948	\$322,062	\$45,794	16.6%

Court Legal Services	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
8 Prosecuting Attorney	26,000	51,172	41,000	17,000	45,500	4,500	11.0%
9 Defense Attorney	30,800	36,525	42,500	11,750	49,500	7,000	16.5%
10 Total Court Legal	\$56,800	\$87,697	\$83,500	\$28,750	\$95,000	\$11,500	13.8%

Police Department – Expenditures

OUR VISION

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

MISSION

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

Integrity - Committed to providing quality service by consistently holding ourselves to the highest moral and ethical principles.

Professionalism - Committed to providing the community with exceptional law enforcement by developing our personnel through effective training and leadership.

Excellence - Committed to providing innovative solutions to issues by working in partnership with our community.

Teamwork - Committed to providing a quality work environment by promoting coordination, cooperation, and communication with our members.

2020 Police Budget

Along with step progressions, inflationary adjustments were added to the Police budget. Jail Costs and Valley Com rates are rising next year. The overall increase in 2020 to the Police Department is due to the addition of a new officer and vehicle.

Police Department Expenditures	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Wages	951,124	1,029,871	1,074,328	492,723	1,168,537	94,209	8.8%
2 Benefits	341,291	361,231	404,795	163,388	449,356	44,561	11.0%
3 Salaries and Benefits	1,292,415	1,391,102	1,479,123	656,111	1,617,893	138,770	9.4%
4 Office and Operating Supplies	44,096	62,984	55,100	25,958	72,700	17,600	31.9%
5 Charges For Services	91,339	96,186	89,532	46,780	128,128	38,596	43.1%
6 Capital Outlay	5,117	1,817	3,000	1,097	3,000	0	0.0%
7 Debt Service to Sewer Reserves	-	32,800	32,800	34,880	34,560	1,760	5.4%
8 Transfer to Equip Replace Fund	-	50,000	-	-	60,000	60,000	0.0%
9 Subtotal Police Expenditures	\$1,432,967	\$1,634,890	\$1,659,555	\$764,826	\$1,916,281	256,726	15.5%
10 Jail Costs	73,190	80,854	85,000	20,096	85,150	150	0.2%
11 Building Maintenance	22,204	25,119	26,880	12,266	28,450	1,570	5.8%
12 Civil Service	7,535	824	4,200	2,293	8,300	4,100	97.6%
13 Communications	179,906	185,938	240,100	67,655	241,000	900	0.4%
14 Marine Program	16,182	21,814	25,000	6,106	29,000	4,000	16.0%
15 Criminal Justice	26,258	22,489	30,700	19,395	34,850	4,150	13.5%
16 Total Police Department Expenditures	\$1,758,243	\$1,971,927	\$2,071,435	\$892,637	\$2,343,031	\$271,596	30.4%

Police Debt Service

Issue Date	Issue Amount	Type	Purpose	Maturity Date	Loan Balance	Payments Principal	Interest	Total Debt Service
					12/31/2018			2018
2017	160000	Internal	Police Vehicles	2022	160,000	32,000	800	32,800
					12/31/2019			2019
					32,800	32,000	800	32,800
					12/31/2020			2020
					32,800	32,000	800	32,800
					12/31/2021			2021
					32,800	32,000	800	32,800
					12/31/2022			2022
2022				Paid	32,800	32,000	800	32,800
Total Equipment Replacement Fund Service (2017 - 2021)								164,000

Fire Department - Expenditures

The City of Black Diamond contracts with Mountain View Fire and Rescue, formerly King County Fire District No. 44, for fire services. The department's responsibilities include providing a minimum of two personnel on duty 24 hours a day, seven days a week in Black Diamond and providing rescue, fire suppression, fire prevention, fire marshal services, emergency medical services, disaster services, hazardous materials response, dispatch services, administrative services and public education activities to citizens. Fire investigation services are contracted through the King County Sheriff's Department. An increase of 2.3% over estimated budget this year was built into the 2020 budget to recognize cost of living adjustments and maintenance expenditures.

Fire Department Expenditures	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 MT. View Fire District Contract	504,910	520,058	535,600	269,910	552,236	16,636	3.1%
2 Charges for Services	9,450	12,238	23,050	18,079	19,140	(3,910)	-17.0%
3 Total Fire Department Expenditures	\$514,360	\$532,295	\$558,650	\$287,989	\$571,376	\$12,726	2.3%



Seattle Area Summer Wildflowers

Community Development - Expenditures

This department provides for the city's long-range planning, and land use and building permitting functions. The department also provides staffing to the City Planning Commission and performs code enforcement activities to address nuisances, code violations, and other issues. The 2020 budget increase is due to general growth and the addition of a Code Compliance Officer/Building Inspector.

Community Development Expenditures	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Wages	121,384	190,683	423,530	132,923	441,168	17,638	4.2%
2 Benefits	43,077	78,132	189,775	57,368	244,890	55,115	29.0%
3 Salaries and Benefits	164,461	268,815	613,305	190,291	686,058	72,753	11.9%
4 Office and Operating Supplies	2,325	3,706	3,450	2,377	3,600	150	4.3%
5 Charges for Services	198,525	411,670	202,568	29,876	366,741	164,173	81.0%
6 Capital Outlay (veh/software)	-	25,693	35,000	1,419	35,000	0	0.0%
7 Total Community Dev. Expenditures	\$365,311	\$709,884	\$854,323	\$223,963	\$1,091,399	\$237,076	27.8%
8 By Department							
9 Code Enforcement	-	3,829	53,222	10,412	105,014	51,792	97.3%
10 Permitting	346,108	673,092	709,918	183,314	852,605	142,687	20.1%
11 Long Range Planning	21,649	32,963	91,183	30,237	133,780	42,597	46.7%
12 Total Charges for Services	\$367,757	\$709,884	\$854,323	\$223,963	\$1,091,399	\$237,076	27.8%

The significant increase in Community Development in 2020 is due to the anticipated permitting demands from the new construction in the Ten Trails development and the addition of a new position. Capital outlay in 2020 includes new permitting software.



Tiger Lily

Master Development Review Team – Expenditures

This department was established to provide specific focus on the Master Planned Developments. There are two developments, Ten Trails and Lawson Hills. The review team and MDRT consultants are 100% funded by the developer. The team works closely with consultants hired to assist with financial analysis, civil and traffic engineering, environmental, surveying and geotechnical services. Their services are used to provide consulting and review of the Master Plan Developments according to the development agreements.

Infrastructure and landscaping are in, and homes are being constructed and beginning to sell.

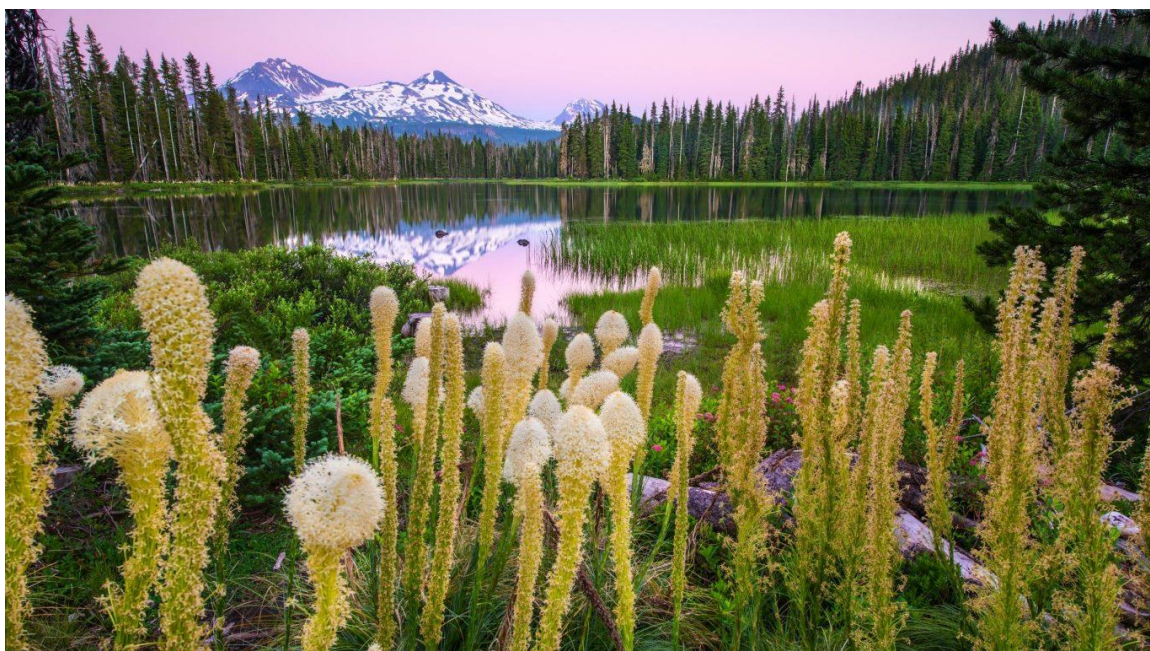
MDRT Funding Agreement Expenditures		2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1	Wages	374,282	506,099	541,385	250,199	576,350	34,965	6.5%
2	Benefits	131,151	162,955	174,850	84,005	197,941	23,091	13.2%
3	Salaries and Benefits	505,433	669,054	716,235	334,204	774,291	58,056	8.1%
4	Office and Operating Supplies	7,663	8,588	13,600	3,156	14,600	1,000	7.4%
5	Charges for Service	213,020	82,931	99,670	43,946	117,285	17,615	17.7%
6	Capital Outlay	-	42,614	-	-	-	-	0.0%
7	Total MDRT Expenditures	\$726,116	\$803,187	\$829,505	\$381,305	\$906,176	\$76,671	9.2%

MDRT Funding Agreement Expenditures		2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1	MDRT Legal Services	-	69,805	50,000	59,068	80,000	30,000	60.0%
2	MDRT Fiscal Analysis	43,193	-	10,000	-	20,000	10,000	100.0%
3	MDRT Civil Engineering	-	341,012	575,000	139,174	575,000	0	0.0%
4	MDRT Traffic Engineering	533,939	41,442	400,000	45,504	400,000	0	0.0%
5	MDRT Environmental Consultant	12,979	15,778	30,000	15,274	40,000	10,000	33.3%
6	MDRT Geotech	4,935	16,462	25,000	23,485	40,000	15,000	60.0%
7	MDRT Surveyor	3,925	13,024	30,000	9,860	30,000	0	0.0%
8	Hearing Examiner	10,189	2,480	50,000	17,104	50,000	0	0.0%
9	MDRT- Prof Svcs - Planning	3,197	227,698	350,000	121,733	550,000	200,000	57.1%
10	Village at Ten Trails	-	15,101	-	-	50,000	50,000	0.0%
11	Total MDRT Consultant Expenditures	\$612,357	\$742,800	\$1,520,000	\$431,202	\$1,835,000	\$315,000	20.7%

Parks Department - Expenditures

The Parks Department operates and maintains the following amenities: a basketball court, tennis court, skate park, three picnic areas, a boat launch, five coal car city entry monuments, BMX bike track, swimming area, 143 acres of passive lake front park with trails, city center viewing park, the historical monument park, two playground facilities and landscaping around the police building. The Parks Department provides the insurance, utilities and maintenance for the Recreation Center (gym), and utilities plus insurance coverage for the local historical museum. Costs associated with the ownership of resource lands also falls to the Parks Department. The 2020 budget increase is due to additional part time summer help and Gym management.

Parks Department Expenditures	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Wages	22,561	11,444	23,910	5,507	45,640	21,730	90.9%
2 Benefits	7,683	4,733	10,491	2,071	9,608	(883)	-8.4%
3 Salaries and Benefits	30,244	16,177	34,401	7,578	55,248	20,847	60.6%
4 Office and Operating Supplies	5,541	8,620	8,860	3,697	10,370	1,510	17.0%
5 Charges for Services	35,442	43,728	51,653	29,357	55,528	3,875	7.5%
6 Transfer to Equipment Rental	-	7,000	7,000	7,000	7,000	0	0.0%
7 Total Parks Expenditures	\$71,228	\$75,525	\$101,914	\$47,632	\$128,146	\$26,232	25.7%
8 By Department							
9 Museum	5,886	7,892	9,186	4,167	10,536	1,350	14.7%
10 Community Center	10,000	10,000	15,000	15,000	15,000	-	0.0%
11 Labor Day/Miner Day	-	-	3,000	-	3,000	0	0.0%
12 Gym	11,568	16,063	11,496	4,932	21,800	10,304	89.6%
13 Parks	43,773	41,570	63,232	23,533	77,810	14,578	23.1%
14 Total Charges for Services	\$71,228	\$75,525	\$101,914	\$47,632	\$128,146	\$26,232	25.7%



Lake Reeds

Black Diamond Cemetery - Expenditures

Black Diamond Historical Cemetery is in Black Diamond. The cemetery was founded in 1884. It sits on Cemetery Hill Road, off Roberts Drive.

The earliest gravestone dates back to 1880 and now contains over 1,100 graves. The tombstones show cultural diversity and tragedy that existed in town when coal mining was at its peak. At least half a dozen graves belong to those of mine workers who died in explosions in 1902, 1910 and 1915. Graves mark residents who came from countries such as Italy, Australia, Russia and Germany. A Civil War veteran was laid to rest there, as well as children who died in the early 1900s due to epidemics of smallpox and influenza.

The city operates and maintains the historic Black Diamond Cemetery. This involves coordinating burials, sale of plots, providing physical burial, and maintaining the grounds. The burial fees are set to cover the costs associated with the services. The Public Works crew mows and trims the cemetery once a week during the heavy grass growing months and once every two weeks or so for the drier months during the growing season. The 2020 budget increase is due to additional part time summer intern to update and reconcile our Cemetery records

Cemetery Expenditures	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Wages	9,809	6,030	6,923	2,793	19,154	12,231	176.7%
2 Benefits	4,137	2,586	2,761	1,134	5,363	2,602	94.2%
3 Salaries and Benefits	13,946	8,616	9,684	3,927	24,517	14,833	153.2%
4 Office and Operating Supplies	296	438	1,989	200	1,989	0	0.0%
5 Charges for Services	1,307	1,341	1,977	773	2,154	177	9.0%
6 Excise Taxes	-	65	100	26	100	0	0.0%
7 Cemetery Lot Buy Back	81	2,500	-	-	-	0	0.0%
8 Total Cemetery Expenditures	\$15,630	\$12,961	\$13,750	\$4,926	\$28,760	\$15,010	109.2%



California poppy, *Eschscholzia californica*

Facilities, Grounds Department and Special Programs - Expenditures

The City of Black Diamond's Facilities Department is responsible for the long-term planning of the city's building and equipment needs and to handle the daily needs of all departments in repair, replacement and installation of fixtures, furniture and equipment. The 2020 budget increase is due to additional funds for Campus Improvements and Equipment.

Facilities, Grounds and Building Expenditures	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Wages	18,160	18,864	19,527	11,443	18,255	(1,272)	-6.5%
2 Benefits	16,881	17,474	17,653	8,912	17,095	(558)	-3.2%
3 Total Salaries and Benefits	35,041	36,339	37,180	20,355	35,350	(1,830)	-4.9%
4 Office and Operating Supplies	3,440	5,221	5,000	1,675	4,600	(400)	-8.0%
5 Charges for Services	8,002	8,406	4,378	1,737	6,908	2,530	57.8%
6 Build Rental, Maint., Equip Leases	-	-	-	-	60,000	60,000	0
7 Total Facilities Expenditures	\$46,483	\$49,965	\$46,558	\$23,768	\$106,858	\$60,300	129.5%

Special Program Expenditures	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Emergency Management	207	1,460	5,200	375	6,800	1,600	30.8%
2 Recycling Costs	16,695	16,514	11,000	9,344	17,300	6,300	57.3%
3 Clean Air Assessment	3,355	3,432	3,600	3,429	3,600	0	0.0%
4 Animal Control	4,477	10,442	11,000	-	13,000	2,000	18.2%
5 Mental Health	1,141	1,159	1,200	596	1,300	100	8.3%
6 Total Special Program Expenditures	\$25,875	\$33,006	\$32,000	\$13,745	\$42,000	\$10,000	31.3%

Ending Fund Balance and General Fund Totals	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Ending Cash and Invest Unreserved	1,193,852	1,857,461	1,209,061	2,888,861	2,082,964	873,903	72.3%
2 Ending Cash and Invest Developer	63,000	-	63,000	63,000	63,000	0	0.0%
3 Contingency \$.375 Per \$1,000 AV	(39,195)	-	-	-	-	0	0.0%
4 Total Ending Fund Balance	1,217,657	1,857,461	1,272,061	2,951,861	2,145,964	873,903	68.7%
5 Total General Fund Uses	\$6,451,729	\$7,893,974	\$8,454,859	\$5,702,514	\$10,515,196	\$2,060,337	24.4%



White Glacier Lilies

Special Revenue Funds

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



Purple Monkey Flower (North Cascades)

Street Fund

Street Department responsibilities include maintaining, planning and upgrading public streets and sidewalks. Major maintenance activities include maintaining the street signs, pavement stripes and markings, roadside brush, trees and vegetation control, streetlights, pavement, signals, sidewalks and shoulder grading. Other activities include managing the right of way, street capital planning, seeking and managing grant funds and addressing traffic safety issues.

Revenues from gas tax and Transportation Benefit District (TBD) car tab fees are the primary sources of funds for the Street Department. Most Washington cities struggle to pay for street maintenance costs, as shared gas tax revenue doesn't keep pace with the costs. Beginning in mid-2015, the city created a Transportation Benefit District (TBD), which receives \$20 per car registered to Black Diamond residents or businesses. This money is required to be used exclusively for road maintenance and operations.

Street Fund 101	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 REVENUE							
2 Beginning Cash and Investments	129,840	134,234	103,964	114,449	85,449	(18,515)	-17.8%
3 Street Gas Tax	94,967	94,906	95,015	42,780	87,200	(7,815)	-8.2%
4 Right of Way Permit	17,676	11,609	14,000	3,682	12,000	(2,000)	-14.29%
5 Other Permits and Misc. Rev	16,066	29,920	22,516	10,190	36,155	13,639	60.6%
6 Subtotal Operating Revenue	128,709	136,435	131,531	56,652	135,355	3,824	2.9%
7 Transfer in From TBD Fund	-	112,000	120,000	50,000	100,000	(20,000)	-16.7%
8 Transfer in REET II	100,000				70,000	70,000	
9 Subtotal Street Fund Revenue	228,709	248,435	251,531	106,652	305,355	53,824	21.4%
10 Total Street Fund Sources	\$487,258	\$519,104	\$487,026	\$277,753	\$390,804	(\$96,222)	-19.8%

Street Fund 101	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Expenditures							
2 Wages	88,102	103,645	124,268	51,828	127,843	3,575	2.9%
3 Benefits	42,818	49,007	67,474	25,451	67,075	(399)	-0.59%
4 Salary and Benefits	130,920	152,652	191,742	77,279	194,918	3,176	1.7%
5 Supplies	7,433	7,815	12,068	4,140	13,168	1,100	9.1%
6 Services & Charges	75,962	97,753	98,042	34,095	113,955	15,913	16.23%
7 Subtotal Operating Expenditures	83,395	105,568	110,110	38,235	127,123	17,013	15.5%
8 Transfer out Capital Equip Replacement	10,000	10,000	10,000	10,000	10,000	-	0.0%
9 Subtotal Street Fund Expenditures	224,315	268,220	311,852	125,514	332,041	20,189	6.5%
10 Ending Cash and Investments	134,234	114,449	43,643	95,587	58,763	15,120	34.6%
11 Total Street Fund Uses	358,549	382,669	355,495	221,101	390,804	\$35,309	9.9%

Fire Impact Fee Fund

Per City Ordinance 12-980, Fire Impact Fees are charged to new development and building expansions within the City limits. For a new residential home in Black Diamond, the fee is \$1,783.13 for homes without sprinkler systems.

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

Fire Impact Fee Fund 107	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 REVENUE							
2 Beginning Cash and Investments	183,127	205,493	474,993	497,099	325,599	(149,394)	-31.5%
3 Fire Impact Fees	20,540	285,370	300,000	233,256	400,000	100,000	33.3%
4 Interest Income	1,826	6,236	6,000	7,003	15,500	9,500	158.33%
5 Subtotal Fire Impact Fee Revenue	22,366	291,606	306,000	240,259	415,500	109,500	35.8%
6 Total Fire Impact Fee Sources	\$205,493	\$497,099	\$780,993	\$737,358	\$741,099	(\$39,894)	-5.1%

Fire Impact Fee Fund 107	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Expenditures							
2 Transfer out to Fire Equipment & Building	-	-	600,000	-	600,000	-	-
3 Subtotal Fire Impact Fee Expenditures	-	-	600,000	-	600,000	0	0.0%
4 Ending Cash and Investments	205,493	497,099	180,993	737,358	141,099	(39,894)	-22.0%
5 Total Fire Impact Fee Uses	205,493	497,099	780,993	737,358	741,099	(\$39,894)	-5.1%



Washington's State Flower: Coast, Pacific, or Big Leaf Rhododendron

Transportation Benefit District Fund

To address declining revenues that support the Street Department, the City established a Transportation Benefit District in 2015. The city collects a twenty-dollar vehicle license fee pursuant to RCW 36.73.065 and RCW 82.80.140. Currently there are about 90 TBD districts in Washington State.

Transportation Benefit District Fund (TBD Fund) 108	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 REVENUE							
2 Beginning Cash and Investments	3,666	9,398	4,728	2,155	9,948	5,220	110.4%
3 TBD Car Tab Fee	105,460	104,439	120,000	53,500	106,000	(14,000)	-11.7%
4 TBD Investment Interest	272	318	500	267	450	(50)	-10.00%
5 Subtotal TBD Revenue	105,732	104,757	120,500	53,767	106,450	(14,050)	-11.7%
6 Total TBD Sources	\$109,398	\$114,155	\$125,228	\$55,922	\$116,398	(\$8,830)	-7.1%

Transportation Benefit District Fund (TBD Fund) 108	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Expenditures							
2 TBD Transfer to Street Fund	100,000	112,000	120,000	50,000	100,000	(20,000)	-17%
3 Subtotal TBD Expenditures	100,000	112,000	120,000	50,000	100,000	(20,000)	-16.7%
4 Ending Cash and Investments	9,398	2,155	5,228	5,922	16,398	11,170	213.7%
5 Total TBD Uses	109,398	114,155	125,228	55,922	116,398	(\$8,830)	-7.1%



Penstemon wildflowers are found in rocky outcroppings in the Coast range and the Cascades in Washington

Traffic Mitigation Fund

The Traffic Mitigation Fund was created in August 2016 for the purpose of collecting funds from the Enumclaw School District, in an agreement with the city to contribute to improving safety in four intersections nearby the new school. Since 2016, other traffic mitigation fees have been collected from developers for specific traffic improvements.

Traffic Mitigation Fees Fund 109					2020 Prelim Budget	Budget \$ Change	Budget % Change
	2017 Actual	2018 Actual	2019 Budget	2019 Thru June			
1 REVENUE							
2 Beginning Cash and Investments	74,307	84,305	125,805	133,404	204,204	78,399	62.3%
3 Traffic Mitigation Fees	9,259	76,907	70,000	-	70,000	-	0.0%
4 Income Interest	739	2,192	2,200	1,670	3,000	800	36.36%
5 Subtotal Traffic Mitigation Revenue	9,998	79,099	72,200	1,670	73,000	800	1.1%
6 Total Traffic Mitigation Sources	\$84,305	\$163,404	\$198,005	\$135,074	\$277,204	\$79,199	40.0%

Traffic Mitigation Fees Fund 109					2020 Prelim Budget	Budget \$ Change	Budget % Change
	2017 Actual	2018 Actual	2019 Budget	2019 Thru June			
1 Expenditures							
2 Transfer Out to Street Projects	-	-	-	-	-	-	
3 Transfer Out to Intersection Improvements	-	30,000	198,005	-	277,204	79,199	40.00%
4 Subtotal Traffic Mitigation Expenditures	-	30,000	198,005	-	277,204	79,199	40.0%
5 Ending Cash and Investments	84,305	133,404	-	-		0	
6 Total Traffic Mitigation Uses	84,305	163,404	198,005	135,074	277,204	\$79,199	40.0%



Western Skunk Cabbage: Named for the distinctive "skunky" odor that it emits

Internal Service Funds

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

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



As you wander through Washington's forests, meadows and steppes, keep your eyes trained low to the ground. Our native wildflowers are sometimes tiny beauties, but en masse can put on a spectacular color show.

Equipment Replacement Funds

Equipment Replacement Funds include Fire, Public Works, Police and General Government equipment replacements. Some examples of equipment are police and fire vehicles, utility trucks and machinery.

Fire Equipment Replacement Fund 510-100	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 REVENUE							
2 Beginning Cash and Investments	65,880	66,380	36,433	36,433	37,314	881	2.4%
3 Investment Interest	500	1,031	900	497	800	(100)	-11.1%
4 Transfer in REET I	-	-	-	-	-	-	0.0%
5 Subtotal Fire Equipment Revenue	500	1,031	900	497	800	(100)	-11.1%
6 Total Fire Equipment Sources	\$66,380	\$67,411	\$37,333	\$36,930	\$38,114	\$781	2.1%

Fire Equipment Replacement Fund 510-100	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Expenditures							
2 Fire Truck Repairs	-	30,978	37,333	-	38,114	781	2.1%
3 Future Fire Building and Equipment	-	-	-	-	-	0	
4 Subtotal Fire Equipment Expenditures	-	30,978	37,333	-	38,114	781	2.1%
5 Ending Cash and Investments	66,380	36,433	-	-	-	0	
6 Total Fire Equipment Uses	66,380	67,411	37,333	36,930	38,114	\$781	2.1%



Public Works Equipment Replacement Fund 510-200	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 REVENUE							
2 Beginning Cash and Investments	204,319	258,647	269,476	269,476	151,476	(118,000)	-43.8%
3 Investment Interest	2,344	4,833	6,000	2,329	3,700	(2,300)	-38.3%
4 Surplus Sales	4,550	-	-	145	200	200	0.0%
5 Transfer in From Water Operating	10,000	10,000	10,000	10,000	10,000	-	0.00%
6 Transfer in From Sewer Operating	10,000	10,000	10,000	10,000	10,000	-	0.00%
7 Transfer in From Stormwater Operating	10,000	10,000	10,000	-	-	(10,000)	-100.00%
8 Transfer in From Street Fund	10,000	10,000	10,000	10,000	10,000	-	0.00%
9 Transfer in From General Fund	-	12,000	7,000	7,000	7,000	-	0.00%
10 Transfer in REET I	7,500	-	-	-	-	-	0.00%
11 Subtotal PW Equipment Revenue	54,394	56,833	53,000	39,474	40,900	(12,100)	-22.8%
12 Total PW Equipment Sources	258,713	315,480	322,476	\$308,950	\$192,376	(\$130,100)	-40.3%

Public Works Equipment Replacement Fund 510-200	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Expenditures							
2 Truck and Equipment		41,924	53,829	-	-	(53,829)	-100.0%
3 Various Mowers and Equipment	-	-	15,000	-	17,000	2,000	13.3%
4 Computers and Radios	-	666	11,378	208	11,500	122	1.1%
5 Wood Chipper	-	-	-	-	45,000	45,000	
6 Back Hoe & Misc. Eq.	66	3,414	155,000	88,876	-	(155,000)	-100.00%
7 Subtotal PW Equipment Expenditures	66	46,004	235,207	89,084	73,500	(161,707)	-68.8%
8 Ending Cash and Investments	258,647	269,476	87,269	219,866	118,876	31,607	36.2%
9 Total PW Equipment Uses	258,713	315,480	322,476	308,950	192,376	(\$130,100)	-40.3%



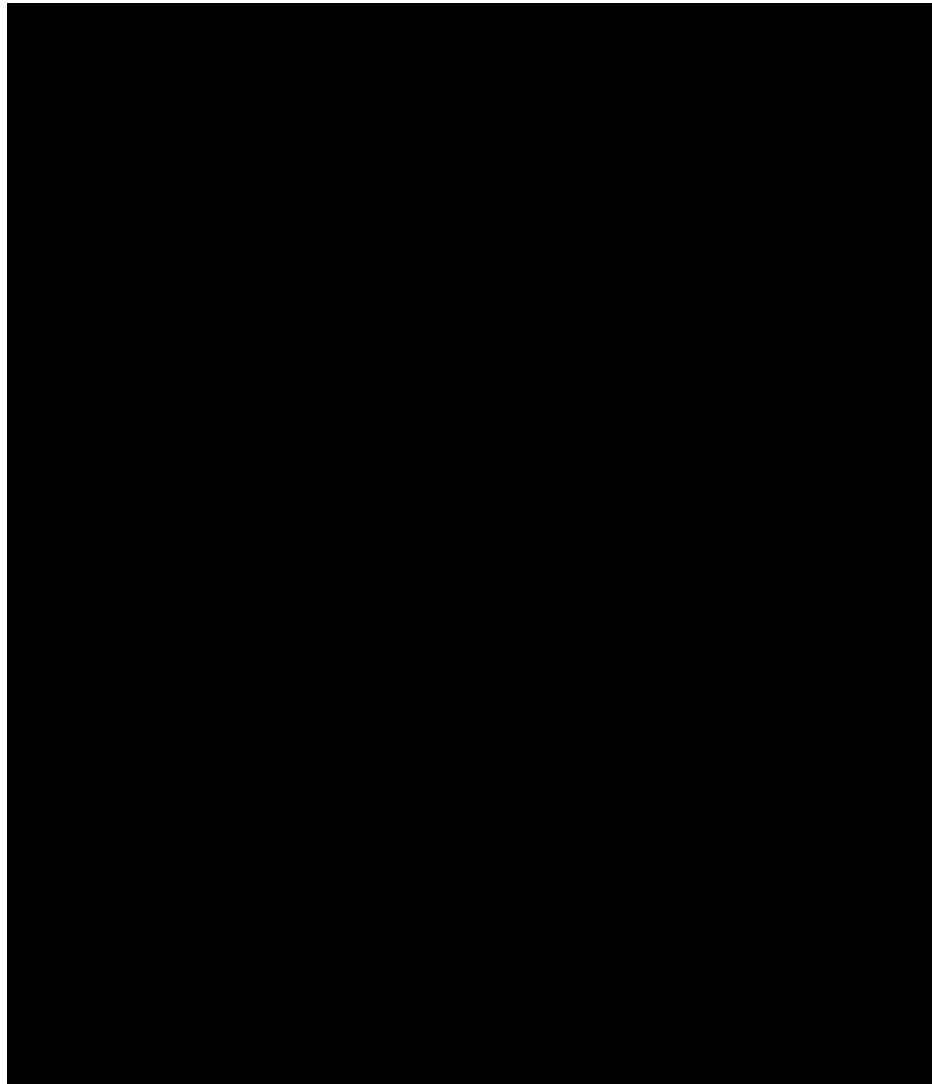
Police Equipment Replacement Fund 510-300	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 REVENUE							
2 Beginning Cash and Investments	26,331	6,934	58,639	58,638	16,634	(42,005)	-71.6%
3 Investment Interest	281	580	500	279	1,000	500	100.0%
4 Surplus Sales	-	1,600	3,000	-	1,000	(2,000)	-66.67%
5 Sewer Loan for Police Cars(4 in 2017)	160,000	-	-	-	-	-	0.00%
6 Transfer in From General Fund	-	50,000	-	-	60,000	60,000	0.00%
6 Transfer in From REET I			55,000		60,000	5,000	9.09%
7 Subtotal Police Equipment Revenue	160,281	52,180	58,500	279	122,000	63,500	108.5%
8 Total Police Equipment Sources	\$186,612	\$59,114	\$117,139	\$58,917	\$138,634	\$21,495	18.3%

Police Equipment Replacement Fund 510-300	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Expenditures							
2 Replace Police Vehicles	179,524	-	105,000	97,499	110,000	5,000	4.8%
3 Surplus Costs Police	155	476	1,000	105	2,000	1,000	100.0%
4 Police Radios	-	-	11,139	-	17,124	5,985	53.7%
5 Subtotal Police Equipment Expenditures	179,679	476	117,139	97,604	129,124	11,985	10.2%
6 Ending Cash and Investments	6,934	58,638	-	(38,687)	9,510	9,510	0.0%
7 Total Police Equipment Uses	186,613	59,114	117,139	58,917	138,634	\$21,495	18.3%

Utility Funds

Utility funds are used for services provided to the public on a user charge basis, similar to the operation of a commercial enterprise.

Black Diamond has Water, Sewer and Stormwater utilities.



One of the most spectacular aspects of Mt. Rainier National Park is its world-renowned wildflower meadows. No matter what the length of your stay, a stroll among these seemingly endless fields of wildflowers is a must-do. Each July and August, Mt. Rainier's meadows burst with color.

Water Operating Fund 401

The Water Department provides safe high-quality reliable drinking water to the residents of Black Diamond with the exception of residents on Covington Water in the Lake Sawyer area. The water utility is responsible for the operation and maintenance of the city's springs, fences, access roads, power lines, backup power, control systems, water storage tanks, water treatment systems, pump stations, water main, water quality testing, meter reading, installation and billing. Black Diamond households receive very high-quality drinking water delivered under pressure to their house to drink, wash dishes, wash clothes, and help run their households. Water also provides for fire protection.

In 2020, building activity will continue to increase water sales as well as the installation of new irrigation water meters.

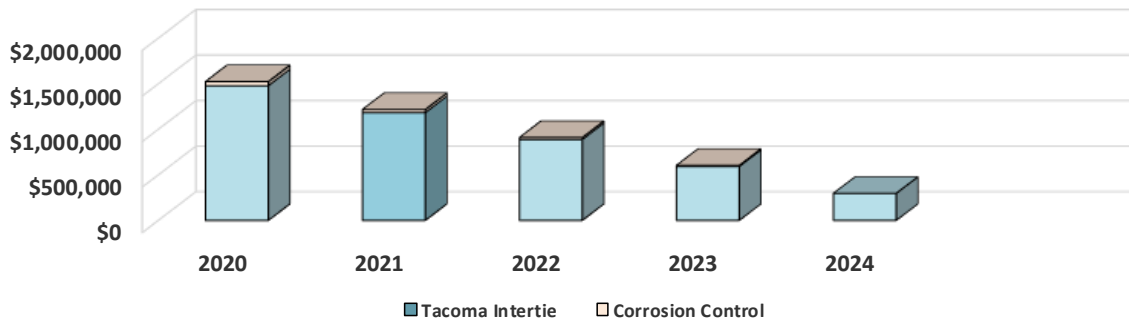
Water Fund 401	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 REVENUE							
2 Beginning Cash and Investments	330,194	429,813	378,871	497,143	479,002	100,131	26.4%
3 Water Charges	711,221	744,106	720,000	359,741	850,000	130,000	18.1%
4 Water Late Fees/Name Change Charge	17,606	16,150	29,000	8,165	15,000	(14,000)	-48.28%
5 Hydrant Water & Irrigation Meter Sales	35,892	96,917	102,000	30,780	90,000	(12,000)	-11.8%
6 Meter Purchases, Setting Fees, Inspections, misc.	37,477	157,234	107,250	109,586	162,017	54,767	51.06%
7 Interest, Refunds and Misc. Revenue	2,876	7,152	7,500	6,160	14,000	6,500	86.7%
8 Subtotal Water Operating Revenue	805,072	1,021,559	965,750	514,432	1,131,017	165,267	17.1%
9 Transfer in From Water Reserve	-	-	-	-	-	-	0.00%
10 Palmer Coking Coal Contribution	97,478	98,376	90,400	96,486	95,486	5,086	5.63%
11 Subtotal Water Fund Revenue	902,550	1,119,935	1,056,150	610,918	1,226,503	170,353	16.1%
12 Total Water Fund Sources	\$2,037,816	\$2,571,307	\$2,400,771	\$1,622,493	\$2,836,522	\$435,751	18.2%

Water Fund 401	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Expenditures							
2 Wages	158,738	181,104	216,982	91,442	245,010	28,028	12.9%
3 Benefits	69,132	77,119	102,195	39,591	118,065	15,870	15.53%
4 Salary and Benefits	227,870	258,223	319,177	131,033	363,075	43,898	13.8%
5 Supplies	38,070	95,580	76,480	41,873	122,420	45,940	60.1%
6 Services and Charges	208,095	242,040	286,625	122,754	385,527	98,902	34.51%
7 Capital Outlay	-	4,400	-	-	-	-	-
8 Subtotal Operating Expenditures	246,165	342,020	363,105	164,627	507,947	144,842	39.9%
9 Debt Services	318,896	317,362	315,829	315,828	314,295	(1,534)	-0.5%
10 Transfer out Capital Equip Replacement	10,000	10,000	10,000	10,000	10,000	-	0.0%
11 Transfer out Water Capital Fund	-	125,000	125,000	125,000	175,000	50,000	40.0%
12 Subtotal Water Fund Expenditures	802,931	1,052,605	1,133,111	746,488	1,370,317	237,206	20.9%
13 Ending Cash and Investments	429,813	497,143	301,910	361,573	335,188	33,278	11.0%
14 Total Water Fund Uses	1,232,744	1,549,748	1,435,021	1,108,061	1,705,505	\$270,484	18.8%

Water Debt Service 2020

Issue Date	Issue Amount	Type	Purpose	Maturity Date	12/31/2020 Debt Owed	2020 Principal	2020 Interest	2020 Total	2020 Debt Payment		
									Water Operating	Developer	Total 2020
2006	180,000	PWTF	Cor Contrl	2022	33,750	11,250	169	11,419	11,419		11,419
2005	3,407,063	PWTF	Tac 500mg	2024	984,766	197,070	4,924	201,994	201,994		201,994
	256,064	PWTF	Tac city 1st	2024							
	1,784,693	PWTF	Pump Fac, Res & lines	2024	492,676	98,419	2,463	100,882		100,882	
	5,447,820	PWTF			1,477,442	295,489	7,387	302,876	201,994	100,882	201,994
Totals	5,627,820				1,511,192.00	306,739	7,556	314,295	213,413	100,882	213,413
Less Developer Responsibility Palmer					(492,676)	213,413					
Net City Liability					1,018,516						

Water Debt thru 2024 (Principal Only)



Jeffery's Shooting Star

Sewer Operating Fund 407

The Sewer Department collects sewage from the homes and businesses in the old section of town for treatment and discharge. The area around Lake Sawyer is primarily served by an individual on-site wastewater disposal septic system, and a small area at the Northwest end of the Lake served by the Soos Creek Sewer system. The sewer utility provides for the planning, operation and maintenance of 17.5 miles of sewer lines and manholes, as well as five pump stations and provides local customer service and billing. This sewer utility also contracts with King County for transmission to the sewage treatment plant in Renton for treatment, discharge and bio-solids handling.

The city's share of the sewer revenue collected has not been covering the cost of operations, maintenance and administration. The city is studying rates in 2019 and staff will be recommending a rate adjustment to council for 2020.

Sewer Fund 407	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 REVENUE							
2 Beginning Cash and Investments	145,261	107,137	119,776	195,664	169,476	49,700	41.5%
3 King County Sewer Revenue	601,130	642,510	650,000	304,749	688,000	38,000	5.8%
4 Black Diamond Sewer Revenue	220,770	239,974	240,000	133,489	310,000	70,000	29.17%
5 Miscellaneous Revenue	16,349	38,291	43,500	25,484	57,500	14,000	32.2%
6 Subtotal Sewer Operating Revenue	838,249	920,775	933,500	463,722	1,055,500	122,000	13.1%
7 Transfer in From Sewer Reserve	100,000	130,000	130,000	130,000	85,000	(45,000)	-34.6%
8 Subtotal Sewer Fund Revenue	938,249	1,050,775	1,063,500	593,722	1,140,500	77,000	7.2%
9 Total Sewer Fund Sources	\$1,083,510	\$1,157,912	\$1,183,276	\$789,386	\$1,309,976	\$126,700	10.7%

Sewer Fund 407	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Expenditures							
2 Wages	157,411	162,794	183,729	76,983	180,344	(3,385)	-1.8%
3 Benefits	69,105	69,360	85,776	33,687	89,984	4,208	4.91%
4 Salary and Benefits	226,516	232,154	269,505	110,670	270,328	823	0.3%
5 Office and Operating Supplies	7,666	7,390	8,518	2,648	7,400	(1,118)	-13.1%
6 Services and Charges	137,344	139,365	159,573	61,970	189,835	30,262	18.96%
7 Capital Outlay	-	2,900	-	-	-	0	0.00%
8 Subtotal Operating Expenditures	145,010	149,655	168,091	64,618	197,235	29,144	17.3%
9 Metro Sewer Charges	594,847	570,438	657,000	316,993	688,000	31,000	4.7%
10 Transfer to Equipment Replacement Fund	10,000	10,000	10,000	10,000	10,000	-	0.0%
11 Subtotal Sewer Fund Expenditures	976,373	962,247	1,104,596	502,281	1,165,563	60,967	5.5%
12 Three Months Reserved Operating Cash	92,882	95,452	109,399	109,399	116,891	7,492	6.8%
13 Cash and Investment Balance	14,255	103,213	(30,719)	177,706	27,522	58,241	-189.6%
14 Subtotal Ending Cash and Investments	107,137	195,665	78,680	287,105	144,413	65,733	83.5%
15 Total Sewer Fund Uses	1,083,510	1,157,912	1,183,276	789,386	1,309,976	\$126,700	10.7%

Stormwater Operating Fund 410

The stormwater Utility maintains nine storm ponds, nine miles of storm pipe, 572 catch basins, two bio-infiltration systems, one stormwater filter system and approximately 20 miles of ditches and flow paths. These activities help preserve the public road system and protect the environment. The city also oversees activities dealing with controlling storm water quality including education, enforcing stormwater codes on construction and new development, monitoring private stormwater systems maintenance, monitoring the effectiveness of city programs, monitoring water quality in the city, participation in the WIRA 9 Water Quality Initiative, providing coverage for the Endangered Species Act claims, and reporting to the Department of Ecology.

The stormwater utility mitigates the storm water impact of urban living on the environment for \$19.50 per month per household.

Stormwater Fund 410	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 REVENUE							
2 Beginning Cash and Investments	99,074	103,277	86,864	101,196	105,148	18,284	21.0%
3 Stormwater Charges	378,643	366,092	370,000	249,666	415,000	45,000	12.2%
4 Ecology and Other Grants	-	25,098	25,000	24,902	37,000	12,000	48.00%
5 Stormwater Inspection/Civic Fees	14,376	24,778	30,800	10,685	31,500	700	2.27%
6 Interest and Misc.	992	2,041	2,400	1,504	4,000	1,600	66.67%
7 Subtotal Stormwater Fund Revenue	394,011	418,009	428,200	286,757	487,500	59,300	13.8%
8 Total Stormwater Fund Sources	\$493,085	\$521,286	\$515,064	\$387,953	\$592,648	\$77,584	15.1%

Stormwater Fund 410	2017 Actual	2018 Actual	2019 Budget	2019 Thru June	2020 Prelim Budget	Budget \$ Change	Budget % Change
1 Expenditures							
2 Wages	156,730	166,927	186,630	78,928	179,515	(7,115)	-3.8%
3 Benefits	68,619	71,491	87,048	34,568	86,980	(68)	-0.08%
4 Salary and Benefits	225,349	238,418	273,678	113,496	266,495	(7,183)	-2.6%
5 Supplies	6,315	6,983	8,560	2,698	9,360	800	9.3%
6 Services and Charges	148,144	163,189	183,146	76,433	212,589	29,443	16.08%
6 Capital Outlay	-	1,500	-	-	-	0	0.00%
7 Subtotal Operating Expenditures	154,459	171,672	191,706	79,131	221,949	30,243	15.8%
8 Transfer out Capital Equip Replacement	10,000	10,000	10,000	-	-	(10,000)	-100.0%
9 Subtotal Stormwater Fund Expenditures	389,808	420,090	475,384	192,627	488,444	13,060	2.7%
10 Ending Cash and Investments	103,277	101,196	39,680	195,326	104,204	64,524	162.6%
11 Total Stormwater Fund Uses	493,085	521,286	515,064	387,953	592,648	\$77,584	15.1%

Capital Project Funds

Capital project funds are used to account for the improvement, construction or acquisition of buildings, equipment and roads. Depending on its use, a fixed asset may instead be financed by a special revenue fund or a proprietary fund. Each capital project fund budget carries over every year until completion of that project.



Crimson Columbine: The flowers are edible, with a sweet taste—though the seeds can be fatal if eaten

Real Estate Excise Tax I – 311 (REET I)

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

This Fund is primarily to be used for General Government Capital Projects, Fund 310, and General Government Capital Expenditures in the 510 Fund. The 2020 budget anticipates an increase in revenue due to increasing construction and sale of homes & land.

General Government REET I Fund - 311					2020 Prelim Budget	Budget \$ Change	Budget % Change
	2017 Actual	2018 Actual	2019 Budget	2019 Thru June			
1 REVENUE							
2 Beginning Cash and Investments	165,857	131,816	176,516	192,220	296,783	120,267	68.1%
3 1/4% Real Estate Excise Tax	107,623	265,855	250,000	191,093	335,000	85,000	34.0%
4 LGIP Investment Interest	1,295	2,049	3,500	2,190	4,250	750	21.43%
5 Subtotal REET I Revenue	108,918	267,904	253,500	193,283	339,250	85,750	33.8%
6 Total REET I Sources	\$274,775	\$399,720	\$430,016	\$385,503	\$636,033	\$206,017	47.9%

General Government REET I Fund- 311					2020 Prelim Budget	Budget \$ Change	Budget % Change
	2017 Actual	2018 Actual	2019 Budget	2019 Thru June			
1 Expenditures							
2 Transfer to 310 Fund	135,458	207,500	179,626	159,390	485,390	305,764	170.2%
3 Transfer to 510 Fund - Police & Fire Equip	7,500	-	55,000	-	60,000	5,000	9.09%
4 Subtotal REET I Expenditures	142,958	207,500	234,626	159,390	545,390	310,764	132.5%
5 Ending Cash and Investments	131,816	192,220	195,390	226,113	90,643	(104,747)	-53.6%
6 Total REET I Uses	274,774	399,720	430,016	385,503	636,033	\$206,017	47.9%



Real Estate Excise Tax II

The collection of REET II is authorized by RCW 82.45.010 can be used for capital projects. This part of the real estate excise tax may only be levied by cities that plan under the Growth Management Act.

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

Midyear in 2011 the Washington State Legislature authorized for five years the usage of up to \$100,000 of REET monies for the maintenance of capital assets. REET II monies in Black Diamond are transferred to Fund 320 for Street and Public Works capital projects or maintenance in utility funds. The 2020 budget anticipates an increase in revenue due to new construction and sales of homes & land.

General Government REET II Fund - 321					2020 Prelim Budget	Budget \$ Change	Budget % Change
	2017 Actual	2018 Actual	2019 Budget	2019 Thru June			
1 REVENUE							
2 Beginning Cash and Investments	165,456	139,055	154,016	249,003	383,853	229,837	149.2%
3 1/4% Real Estate Excise Tax	107,622	265,220	250,000	191,093	335,000	85,000	34.0%
4 LGIP Investment Interest	1,203	2,727	3,500	2,900	4,250	750	21.43%
5 Subtotal REET II Revenue	108,825	267,947	253,500	193,993	339,250	85,750	33.8%
6 Total REET II Sources	\$274,281	\$407,002	\$407,516	\$442,996	\$723,103	\$315,587	77.4%

General Government REET II Fund - 321					2020 Prelim Budget	Budget \$ Change	Budget % Change
	2017 Actual	2018 Actual	2019 Budget	2019 Thru June			
1 Expenditures							
2 Transfer to Capital Projects	135,226	143,000	154,000	134,000	307,000	153,000	99.4%
3 Transfer to N. Commercial Storm Pond	-	-	-	-	-	-	0.0%
4 Transfer to Street Fund	-	-	-	-	70,000	70,000	0.0%
5 Transfer to Sewer Capital Fund	-	15,000	100,000	40,000	-	(100,000)	-100.0%
6 Transfer out to PW Facilities for Projects	-	-	-	-	-	-	0.0%
7 Subtotal REET II Expenditures	135,226	158,000	254,000	174,000	377,000	123,000	48.4%
8 Ending Cash and Investments	139,055	249,003	153,516	268,996	346,103	192,587	125.5%
9 Total REET II Uses	274,281	407,003	407,516	442,996	723,103	\$315,587	77.4%



General Government Capital Projects - Fund 310

Project Name	Project		Source of Revenue					Source of Expenditures			Ending Fund Balance	
	CIP #	Note	Beg C&I	REET I Trf In	Grant/Other	Trails Rev/Trf In	Total Uses	Expenditure	Trf Out	Total Expenditure	Ending Fund Balance	Total Uses
1 Ginder Creek Trails	P1		80,064		15,000	9,000	104,064	104,064		104,064		104,064
2 Grant Matching	P2			2,500			2,500	2,500		2,500		2,500
3 Parks Comp Plan	P3	Update					0			0		0
4 Gym HVAC & Deck Replacement	P7	Update		30,000			30,000	30,000		30,000		30,000
5 Skate Park Reconstruction	p9	Update		10,000			10,000	10,000		10,000		10,000
6 Replace Patrol Car	L1		60,000	60,000			120,000	120,000		120,000		120,000
7 New Fire Engine	F5	Update	85,000	78,890	586,110		750,000	750,000		750,000		750,000
8 Replace Fire SCBA & Defib	F2			272,000			272,000	272,000		272,000		272,000
9 General Govt/Police Tech	G1			75,000			75,000	75,000		75,000		75,000
10 General Government Reno	G2	Update					0	0		0		0
11 Gym/Way Finding Signs	G3			17,000			17,000	17,000		17,000		17,000
12 Total Gen Govt Projects			225,064	545,390	601,110	9,000	1,380,564	1,380,564	0	1,380,564	0	1,380,564

Public Works Capital Projects - Fund 320

Project Name	Project		Source of Revenue					Source of Expenditures			Ending Fund Balance	
	CIP #	Note	Beg C&I	REET II Trf In	Grants	Developer	Total Uses	Expenditure	Trf Out	Total Expenditure	Ending Fund Balance	Total Uses
1 Gen Street Improvements	T1			35,000			35,000	35,000		35,000		35,000
2 Grant Matching	T2			40,000			40,000	40,000		40,000		40,000
3 Downtown Public Parking: Sub area plan	T8			25,000			25,000	25,000		25,000		25,000
4 Morgan Creek Seal Coat	T6	Update		57,000			57,000	57,000		57,000		57,000
5 232nd Ave SE Asphalt Overlay	T7	Update		30,000	170,000		200,000	200,000		200,000		200,000
6 224th Guardrail @ Cov Creek	T13	Defer					0			0		0
7 Traffic Impact Study		New		80,000			80,000	80,000		80,000		80,000
8 Public Works Fac Improvements	A1			25,000			25,000	25,000		25,000		25,000
9 Rock Creel Bridge Rehab		New		15,000			15,000	15,000		15,000		15,000
10 Total PW Capital Projects			0	307,000	170,000	0	477,000	477,000	0	477,000	0	477,000

WSFFA Partners Capital Projects - Fund 402

	Project		Source of Revenue					Source of Expenditures			Ending Fund Balance	
	#	Note	Beg C&I		Grants	Partners	Total Uses	Expenditure	Trf Out	Total Expenditure	Ending Fund Balance	Total Uses
1 WSFFA Deposit			70,000				70,000	70,000		70,000		70,000
2 Spring Source Rehab	W1	Update				920,000	920,000	920,000		920,000		920,000
3 Total WSFFA Projects			70,000	0	0	920,000	990,000	990,000	0	990,000	0	990,000

Water Capital Projects - 404

	Project		Source of Revenue					Source of Expenditures			Ending Fund Balance	
	#	Note	Beg C&I	Trf In Wtr Res	CBDG Grant/Conn Chg/Int Inc	Trf in Wtr Op	Total Uses	Expenditure	Trf Out	Total Expenditure	Ending Fund Balance	Total Uses
1 Water Comp Plan	W4	Carryover	81,000				81,000	81,000		81,000		81,000
2 Fire Flow Loop/N Comm	W2	Defer					0			0		0
3 4.3 Mil Gal tank Mtc	W3	Carryover	35,000				35,000	35,000		35,000		35,000
4 Asbestos Wtr Main-Morganville	W5	Update		171,000	357,000		528,000	528,000		528,000		528,000
5 .5 MG Res Recoat	W7	defer					0			0		0
6 Telemetry System Imp	W10			10,000			10,000	10,000		10,000		10,000
7 Wtr Power Gen Facility		New		52,000			52,000	52,000		52,000		52,000
8 Water Capital Reserves			351,970		12,000	175,000	538,970		233,000	233,000	305,970	538,970
9 Total Water Capital Projects			467,970	233,000	369,000	175,000	1,244,970	706,000	233,000	939,000	305,970	1,244,970

Sewer Capital Projects - 408

Project		Source of Revenue					Source of Expenditures				
#	Note	Beg C&I	Trf In RII	Loan Repay	Int & Conn Chg	Total Uses	Expenditure	Trf Out	Total Expenditure	Ending Fund Balance	Total Uses
1 Cedarbrook Eng	S1	35,000				35,000	35,000		35,000		35,000
2 Sewer Capital Reserves		195,437		32,800	21,590	249,827		85,000	85,000	164,827	249,827
3 Total Sewer Capital Projects		230,437	0	32,800	21,590	284,827	35,000	85,000	120,000	164,827	284,827

Stormwater Capital Projects - 410

Project		Source of Revenue					Source of Expenditures				
#	Note	Beg C&I	Trf In RII	State DOE Grant	K/C W/Q & Opp. Grant	Total Uses	Expenditure	Trf Out	Total Expenditure	Ending Fund Balance	Total Uses
1 Covington Creek Culv-Eng	D3				67,681	67,681	67,681		67,681		67,681
2 Covington Creek Culv-Eng/Const	D3					0	0		0		0
3 N. Com Pond K/C Opt Grant	D1				50,000	50,000	50,000		50,000		50,000
4 Ginder Creek Headwall	D2					0	0		0		0
5 Basin Study	D4					0	0		0		0
6 Eagle Cr Pond to Park Imp	D8					0	0		0		0
7 Total Stormwater Capital Prj.		0	0	0	117,681	117,681	117,681	0	117,681	0	117,681



Phantom Orchid: a rare and beautiful plant found in deep soil and dark shade in PNW forests

2020 Employee Allocations by Funding Source							
Positions	Full Time Equivalent (FTE)	Funding Agreement	General Fund	Street Fund	Water Fund	Sewer Fund	Storm water Fund
1 City Clerk/HR Manager	1.00		0.70		0.10	0.10	0.10
2 Deputy City Clerk	1.00		0.50	0.13	0.13	0.12	0.12
3 Finance Director	1.00		0.70		0.10	0.10	0.10
4 Deputy Finance Director	1.00		0.72		0.09	0.10	0.09
5 Senior Accountant	1.00		0.60	0.04	0.12	0.12	0.12
6 Accounting Clerk/Utility Billing Specialist	1.00		0.15		0.50	0.20	0.15
7 Administrative Assistant II	1.00		0.43	0.03	0.25	0.23	0.06
8 Information Service Manager	1.00		0.68	0.02	0.11	0.11	0.08
9 Total Administration	8.00		4.48	0.22	1.40	1.08	0.82
10 Community Dev/Nat Resources Director	1.00		1.00				
11 Building Official	1.00		1.00				
12 Code Compliance Officer/Building Inspector	2.00		2.00				
13 Permit Technician	1.00		1.00				
14 Assistant Planner/Permit Technician	1.00		1.00				
15 Total Community Development	6.00		6.00				
16 Facilities Equipment Coordinator	1.00		0.80	0.05	0.05	0.05	0.05
17 Total Facilities	1.00		0.80	0.05	0.05	0.05	0.05
18 Police Chief	1.00		1.00				
19 Police Commander	1.00		1.00				
20 Sergeant	2.00		2.00				
21 Police Officers	6.00		6.00				
22 Police Records Coordinator	1.00		1.00				
23 Police Clerk	1.00		1.00				
24 Total Police Department	12.00		12.00				
25 MDRT & Economic Dev Director	1.00	1.00					
26 Construction Inspector Supervisor	1.00	1.00					
27 Construction Inspector	1.00	1.00					
28 Senior Accountant	0.75	0.75					
29 Total MDRT Review Team	3.75	3.75					
30 Court Administrator	1.00		1.00				
31 Court Clerk	1.00		1.00				
32 Court Clerk PT (hourly)	0.50		0.50				
33 Total Court	2.50		2.50				
34 Public Works Director	1.00		0.05	0.25	0.28	0.20	0.22
35 Capital Project/Program Manager	1.00			0.25	0.25	0.25	0.25
36 Public Works Administrative Asstant III	1.00		0.04	0.21	0.28	0.22	0.25
37 Utilities Superintendent	1.00		0.04	0.22	0.28	0.22	0.24
38 Utilities Operator	2.00		0.20	0.40	0.50	0.40	0.50
39 Utility Worker	1.00		0.10	0.20	0.25	0.20	0.25
40 Part Time (hourly)	0.15		0.15				
41 Utility Worker Seasonal (hourly)	0.66		0.30	0.13	0.13		0.10
42 Total Public Works	7.81		0.88	1.66	1.97	1.49	1.81
43 Total Budget Positions (FTE's)	41.06	3.75	26.66	1.93	3.42	2.62	2.68

Budgeted 2020 Positions	2020 Salary Schedule					
	BOLD = Filled Positions	Step 1	Step 2	Step 3	Step 4	5 & On
✓	City Administrator	9,345	9,649	10,112	10,478	10,848
	Assistant City Administrator	8,033	8,435	8,837	9,238	9,640
✓	Court Administrator	5,891	6,159	6,427	6,694	6,962
	Court Clerk (hourly)	20.23	21.93	23.61	25.30	26.98
✓	Court Clerk	3,507	3,801	4,093	4,385	4,677
	Accounts Payable Clerk (hourly)	17.91	19.34	20.89	22.56	24.93
✓	MDRT & Economic Director	7,498	7,899	8,301	8,703	9,104
	City Attorney	8,161	8,569	8,997	9,447	9,919
✓	City Clerk/HR Manager	7,498	7,899	8,301	8,703	9,104
✓	Deputy City Clerk	4,499	4,814	5,128	5,443	5,757
✓	Finance Director	7,498	7,899	8,301	8,703	9,104
✓	Deputy Finance Director	6,631	7,013	7,396	7,778	8,161
✓	Accounting Clerk/Utility Billing Specialist	4,181	4,391	4,610	4,840	5,082
✓	Senior Accountant	4,773	5,107	5,440	5,774	6,107
✓	MDRT Senior Accountant (hourly)	27.36	28.73	30.16	31.68	33.26
✓	Accountant 1 Journey (hourly)	16.61	17.43	18.30	19.22	20.18
	Administrative Assistant II	3,376	3,658	3,939	4,220	4,501
✓	Administrative Assistant I	2,356	2,544	2,731	2,919	3,106
	Information Services Manager	7,314	7,737	8,159	8,580	9,003
✓	Police Chief	10,236	10,585	11,008	11,287	11,692
✓	Police Commander	9,194	9,514	9,794	10,074	10,398
✓	Police Sergeant	8,292	8,757	-	-	-
✓	Police Officer	5,037	5,645	6,255	6,863	7,440
✓	Police Records Coordinator	4,499	4,814	5,128	5,443	5,757
✓	Police Clerk (hourly)	17.62	19.33	21.03	22.22	24.43
	Police Clerk	3,054	3,350	3,645	3,851	4,234
✓	Facilities Equipment Coordinator	4,727	5,058	5,388	5,719	6,048
✓	Human Resources Director	7,498	7,899	8,301	8,703	9,104
	Community Dev/Nat Resources Director	7,498	7,899	8,301	8,703	9,104
✓	Permit Technician Supervisor	5,891	6,159	6,427	6,694	6,962
	Permit Technician	4,727	5,058	5,388	5,719	6,048
✓	Permit Technician (hourly)	27.27	29.18	31.09	32.99	34.89
	Code Compliance Officer/Building Inspector	4,499	4,814	5,128	5,443	5,757
✓	Senior Planner	5,355	5,622	5,903	6,198	6,508
	Assistant Planner / Permit Technician	4,499	4,814	5,128	5,443	5,757
✓	MDRT Planner (hourly)	25.95	27.77	29.59	31.40	33.22
	Building Official	6,962	7,364	7,766	8,167	8,569
✓	Parks Department Director	7,498	7,899	8,301	8,703	9,104
	Public Works Director	7,498	7,899	8,301	8,703	9,104
✓	Utilities Superintendent	6,962	7,364	7,766	8,167	8,569
✓	Construction Inspector Supervisor	6,962	7,364	7,766	8,167	8,569
✓	Construction Inspector	5,852	6,190	6,528	6,865	7,202
✓	Public Utilities Operator	5,145	5,233	5,337	5,438	5,541
✓	Capital Projects Program Manager	5,626	5,907	6,202	6,512	6,837
✓	Public Works Administrative Asst. III	4,465	4,689	4,923	5,169	5,429
✓	Utility Worker-Facility/Eq/Utility Worker	3,576	3,922	4,267	4,614	4,982
	Utility Worker Seasonal (hourly)	15.00	-	-	-	-



CITY OF BLACK DIAMOND

2019 Calendar for 2020 Budget Meetings

As Passed by Resolution 19-1310

Adopted by Council Resolution No. 19-1310

	Process	Work Study	City Council	State Law Limitations
1	Budget CALL: Budget requests and instructions go out to all departments			By Sept 9
2	Estimates to be filed with Finance/ City Clerk			By Sept 23
3	<u>Special Meeting</u> Work Study 6pm - CAO provides Council with current info on Revenue from all sources as adopted in 2019 Budget, provides the Clerk's proposed Prelim 2020 Budget for General Fund and 2019 Budget totals for all funds including debt service & possible Revenue for Property Taxes.	Sept 26		October 7
4	City Clerk Submits to CAO the proposed prelim budget setting forth the complete financial program			October 1
5	Work Study Meeting 5:30 – General Fund Budget REV and EXP for Public Safety, Community Development, Parks etc. & possible Property Taxes.	Oct 17		Oct 16 – Nov 15
6	<u>Special Meeting</u> – Work Study – Public Works Budgets for REV and EXP for Street, Water, Sewer, Stormwater, REET I&II and Gen Govt, Utilities, Capital Projects and Debt Service.	Oct 24		Oct 16 – Nov 15
7	Mayor prepares Preliminary Budget and message and files with Council and Clerk		Nov 1	Nov 1
8	City Clerk publishes notice of Public Hearing on 2019 Budget and filing of Preliminary Budget – once a week for two consecutive weeks			Nov 1 – Nov 18
9	<u>Special Meeting</u> - Public Hearing on Revenue Sources including possible increases in Property Taxes.		Nov 7	Nov 1 – Nov 25
10	Copies of Preliminary Budget made available to the public		Nov 20	Nov 20
11	Preliminary 2020 Budget Document ready. City Council holds 1 st Public Hearing on 2019 Budget		Nov 21	Nov 1 – Nov 30
12	Adopt Property Tax 2020, forward to King County by 11/30/2019		Nov 21	Nov 30
13	<u>Special Meeting</u> - Final Budget Hearing on 2019 Budget		Dec 2	Dec 2
14	File Final Property tax worksheet and Ordinances with King County			Dec 5
15	City Council adopts Final 2020 Budget and submits to State Auditor and Association of Washington Cities		Dec 2 or 5	Dec 31

Budgeted 2019 Positions	2019 Salary Schedule					
	BOLD = Filled Positions	Step 1	Step 2	Step 3	Step 4	5 & On
	City Administrator	9,345	9,649	10,112	10,478	10,848
	Assistant City Administrator	8,033	8,435	8,837	9,238	9,640
✓	Court Administrator	5,891	6,159	6,427	6,694	6,962
	Court Clerk (hourly)	19.00	20.59	22.17	23.76	25.33
✓	Court Clerk	3,293	3,569	3,842	4,118	4,391
	Accounts Payable Clerk (hourly)	17.91	19.34	20.89	22.56	24.93
✓	MDRT & Economic Director	7,498	7,899	8,301	8,703	9,104
	City Attorney	8,161	8,569	8,997	9,447	9,919
✓	City Clerk/HR Manager	7,498	7,899	8,301	8,703	9,104
✓	Deputy City Clerk	4,499	4,814	5,128	5,443	5,757
✓	Finance Director	7,498	7,899	8,301	8,703	9,104
✓	Deputy Finance Director	6,631	7,013	7,396	7,778	8,161
	Utility Clerk	3,213	3,481	3,749	4,017	4,284
✓	Senior Accountant	4,589	4,910	5,231	5,552	5,872
✓	MDRT Senior Accountant (hourly)	25.79	27.08	28.43	29.86	31.35
	Accountant 1 Journey (hourly)	16.61	17.43	18.30	19.22	20.18
✓	Administrative Assistant 2	3,294	3,568	3,843	4,117	4,392
	Administrative Assistant 1	2,356	2,544	2,731	2,919	3,106
✓	Information Services Manager .8 FTE	6,962	7,364	7,766	8,167	8,569
✓	Police Chief	10,236	10,585	11,008	11,287	11,692
✓	Police Commander	9,194	9,514	9,794	10,074	10,398
✓	Police Sergeant	8,292	8,757	-	-	-
✓	Police Officer	5,037	5,645	6,255	6,863	7,440
✓	Police Records Coordinator	4,499	4,814	5,128	5,443	5,757
✓	Police Clerk (hourly)	16.56	18.16	19.70	20.88	22.96
	Police Clerk	2,870	3,148	3,415	3,619	3,980
✓	Facilities Equipment Coordinator	4,499	4,814	5,128	5,443	5,757
	Human Resources Director	7,498	7,899	8,301	8,703	9,104
✓	Community Dev/Nat Resources Director	7,498	7,899	8,301	8,703	9,104
✓	Permit Technician Supervisor	5,891	6,159	6,427	6,694	6,962
✓	Permit Technician	4,499	4,814	5,128	5,443	5,757
	Permit Technician (hourly)	25.96	27.77	29.59	31.40	33.22
	Compliance Officer	4,499	4,814	5,128	5,443	5,757
✓	Senior Planner	5,355	5,622	5,903	6,198	6,508
	Planner	4,499	4,814	5,128	5,443	5,757
	MDRT Planner (hourly)	25.95	27.77	29.59	31.40	33.22
	Associate Planner	4,482	4,707	4,942	5,189	5,448
	Assistant Planner	4,181	4,391	4,610	4,840	5,082
✓	Building Official	6,962	7,364	7,766	8,167	8,569
	Parks Department Director	7,498	7,899	8,301	8,703	9,104
✓	Public Works Director	7,498	7,899	8,301	8,703	9,104
✓	Utilities Superintendent	6,962	7,364	7,766	8,167	8,569
✓	Construction Inspector Supervisor	6,962	7,364	7,766	8,167	8,569
✓	Construction Inspector	5,570	5,892	6,213	6,534	6,855
✓	Public Utilities Operator	4,949	5,034	5,133	5,231	5,330
✓	Capital Projects Program Manager	5,355	5,622	5,903	6,198	6,508
✓	Public Works Administrative Asst. 3	4,250	4,463	4,686	4,920	5,167
✓	Utility Worker-Facility/Eq/Utility Worker	3,406	3,735	4,064	4,394	4,745
	Utility Worker Seasonal (hourly)	13.24	13.90	-	-	-

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Resolution approving a Two-Year Contract with Madrona Law Group, PLLC, for City Attorney Legal Services	Agenda Date: December 5, 2019	
	AB19-073	
	Mayor Carol Benson	X
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev – Barb Kincaid	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note):	Public Works – Seth Boettcher	
Fund Source: General Fund	Court – Stephanie Metcalf	
Timeline:		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Resolution, City Attorney Contract with Madrona Law Group, PLLC		
SUMMARY STATEMENT: <p>City Attorney David Linehan and four other attorneys from the Kenyon Disend law firm have founded a new law firm, Madrona Law Group, PLLC, effective November 25, 2019, where they will continue to serve the legal needs of Washington municipalities. With Mr. Linehan's departure from Kenyon Disend, a new contract for city attorney legal services is needed with Madrona Law Group so that Mr. Linehan can continue his role as City Attorney for Black Diamond. The new contract will be effective as of December 9, 2019. A copy of the contract is attached for approval.</p> <p>To ensure that the City did not have a gap in legal coverage between November 25 and December 9, Mayor Benson executed a short-term contract with Madrona Law Group on November 25, with a spending cap of \$15,000, to provide for legal services until a two-year contract could be presented to the City Council for approval pursuant to BDMC 2.14.030. The attached contract will replace the short-term \$15,000 contract.</p> <p>The previous Kenyon Disend contract with the City was entered in January 2018, and therefore was set to expire by the end of 2019, pursuant to the recently adopted Ordinance No. 19-1126, which limits city attorney contracts to a maximum of two years. Consistent with BDMC 2.14.030, the attached Madrona Law Group contract is for a two-year term and otherwise complies with the requirements of BDMC 2.14.030. The hourly rates for Mr. Linehan are the same as under the Kenyon Disend contract for 2019 and 2020. However, under the Madrona Law Group contract, the City will no longer be charged for use of standard online legal research databases (e.g., Westlaw).</p> <p>FISCAL NOTE (Finance Department): Funds for legal services for the City are included in the 2019 adopted budget and the 2020 proposed budget.</p>		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		

RECOMMENDED ACTION: A motion to adopt Resolution 19-1327 approving a two-year contract with Madrona Law Group, PLLC, for City Attorney legal services.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
December 5, 2019		

RESOLUTION NO. 19-1327

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, APPROVING A CONTRACT WITH MADRONA LAW GROUP, PLLC, FOR CITY ATTORNEY LEGAL SERVICES

WHEREAS, Washington state law applicable to noncharter code cities states, “Provision shall be made for obtaining legal counsel for the city, either by appointment of a city attorney on a full-time or part-time basis, or by any reasonable contractual arrangement for such professional services”; and

WHEREAS, BDMC 2.14.020 authorizes the mayor to select the city attorney, subject to council confirmation; and

WHEREAS, BDMC 2.14.030 provides that city attorney shall be retained on a professional service contract on terms deemed appropriate by the mayor with any necessary approval for budget purposes by the council; and

WHEREAS, BDMC 2.14.030 further provides that the city attorney shall advise all duly appointed and elected officials and staff of the city; and

WHEREAS, pursuant to BDMC 2.14.030, the city attorney contract shall be for an initial term of two years, with any extensions beyond two years requiring council confirmation; and

WHEREAS, the appointed city attorney, David Linehan, has founded a new law firm, Madrona Law Group, PLLC, effective November 25, 2019, where he and his co-founders will continue to serve Washington cities on all facets of municipal law; and

WHEREAS, a new contract for city attorney legal services is needed with Madrona Law Group so that Mr. Linehan can continue his role as City Attorney for Black Diamond; and

WHEREAS, the City Council acknowledges that Mayor Benson has used her authority under the BDMC to execute a short-term contract with Madrona Law Group, with a spending cap of \$15,000, to provide for legal services from November 25 until a long-term contract could be presented to the City Council pursuant to BDMC 2.14.030; and

WHEREAS, the attached contract with Madrona Law Group is for a two-year term and otherwise complies with the requirements of BDMC 2.14.030; and

WHEREAS, the City Council finds the terms of the attached city attorney contract to be fair and reasonable, with no increase in Mr. Linehan's hourly rates for 2019 or 2020, and with additional cost savings to the City resulting from Madrona Law Group's policy of not charging the City for use of online legal research tools;

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

Section 1. Pursuant to BDMC 2.14.030, the Mayor is hereby authorized to execute a two-year contract for city attorney legal services with Madrona Law Group, PLLC, as shown in the Attachment hereto.

Section 2. Approval of the attached contract with Madrona Law Group, PLLC, will allow David Linehan to continue to serve as the city attorney with no gap in legal coverage. Any extension of the city attorney contract beyond December 9, 2021, will require confirmation by the City Council pursuant to BDMC 2.14.030.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 5TH DAY OF DECEMBER 2019.

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

AGREEMENT FOR LEGAL SERVICES

This Agreement for Legal Services (“Agreement”) is made effective on the 9th day of December, 2019, between Madrona Law Group, PLLC (“Attorneys”) and the City of Black Diamond (“Client”).

SECTION 1. LEGAL SERVICES

Attorneys shall provide City Attorney legal services to Client under the primary direction of the Mayor. David Linehan will serve as the City Attorney and will serve at the pleasure of the Mayor. As City Attorney, Attorneys shall be principally responsible for performing all legal work for the Client, except for matters assigned to insurance counsel, criminal prosecution, matters in which Attorneys have a conflict, or matters assigned to other counsel by the Mayor.

SECTION 2. RESPONSIBILITIES OF ATTORNEYS AND CLIENT

Attorneys will perform the legal services called for under this Agreement in accordance with the rules of professional responsibility for attorneys in Washington State, keep Client informed of progress and developments, and respond promptly to Client’s inquiries and communications. Client will be truthful and cooperative with Attorneys, keep Attorney reasonably informed of developments, and timely make any payments required by this Agreement.

SECTION 3. COMPENSATION

- A. Client will pay Attorneys for the legal services provided under this Agreement pursuant to the fees listed in Exhibit A. Attorneys will charge in increments of one tenth of an hour, rounded off for each particular activity to the nearest one tenth of an hour. The minimum time charged for any particular activity will be one tenth of an hour. Attorneys will charge for all activities undertaken in providing legal services to Client under this Agreement, including, but not limited to, the following: attending meetings and conferences; appearing in court; preparing for and participating in depositions; reviewing and preparing correspondence and legal documents; performing legal research and writing legal opinions; drafting court papers, ordinances, and resolutions; and conducting telephone conversations. Attorneys will charge for their reasonable travel time at Attorneys’ normal hourly rates. When two or more of Attorneys’ personnel are engaged in working on a matter at the same time, such as in conferences between them, the time of each will be charged at his or her hourly rate.
- B. Fees and costs for Attorneys’ services when initially required to be paid to Client by permit applicants or other third parties pursuant to City ordinance, agreement, or other rule or regulation requiring reimbursement of City Attorney fees (“Pass-Through Fees”), may be subject to prior review for reasonableness by such third party. In the event that any third party challenges the reasonableness of Attorneys’ Pass-Through Fees, Client shall only be responsible to pay Attorneys for such portion of the challenged fees and costs as Client in its sole discretion deems reasonable.

- C. If applicable, Client will pay Attorneys for services related to public records pursuant to the fees listed in Exhibit A and as further defined below:
- i. Attorneys shall be compensated at the “Attorney” hourly rates for reviewing public records for responsiveness and exemptions, redacting exempt records, reviewing exemption logs, and providing legal advice related to Public Records Act (Ch. 42.56 RCW) compliance.
 - ii. Attorneys shall be compensated at the “Public Records Processing” rate for services such as, but not limited to, converting and deduplicating files, preparing exemption logs, downloading and transmitting files to and from Client, and other tasks typically performed by the Public Records Officer that do not call for the independent legal judgment of Attorneys.
- D. Attorneys will review their hourly rates once per year. If, while this Agreement is in effect, Attorneys implement an increase in the hourly rates being charged to clients, that increase may be applied to fees incurred under this Agreement, but only with respect to services provided thirty (30) days or more after written notice of the increase is mailed to Client. If Client declines to accept the increased rates, the parties may negotiate an alternate rate, or Client may terminate this Agreement by written notice effective when received by Attorneys, provided Client executes and returns a substitution-of-attorney form immediately on its receipt from Attorneys if Attorneys are Client’s attorney of record in any proceeding.

SECTION 4. COSTS

- A. Client will pay all costs in connection with Attorneys’ representation of Client under this Agreement. Costs may be advanced by Attorney and then billed to Client. Costs include, but are not limited to, court filing fees, deposition costs, expert fees and expenses, investigation costs, messenger service fees, postage fees, photocopying expenses, and process server fees.
- B. Attorneys shall not charge Client for mileage nor for long-distance telephone charges. In addition, Attorneys shall not charge Client for legal research fees incurred by Attorneys as part of their standard use of any online legal research database. Extraordinary legal research costs may be billed to the Client upon Client’s approval.
- C. Attorneys shall obtain, and maintain for the duration of this Agreement, a City business license at Attorneys’ sole expense.

SECTION 5. STATEMENTS

- A. Attorneys shall render to Client a statement for fees, costs, and expenses incurred on a periodic basis (generally monthly). Such statement(s) shall indicate the basis of the fees,

including the hours worked, the hourly rate(s), and a brief description of the work performed. Separate billing categories can be established to track costs associated with Client funding categories or to track project costs, or such other basis as the Client may direct. Reimbursable costs shall be separately itemized.

- B. Payments shall be made by Client within thirty (30) days of receipt of the statement, except for those specific items on an invoice which are contested or questioned and are returned by Client with a written explanation of the question or contest, within thirty (30) days of receipt of the invoice. Payments made more than thirty (30) days after the due date shall draw interest at the rate of 12% per annum.

SECTION 6. INDEPENDENT CONTRACTOR

Attorneys shall perform all legal services required under this Agreement as an independent contractor of Client, and shall remain, at all times as to Client, a wholly independent contractor with only such obligations as are required under this Agreement. Neither Client, nor any of its employees, shall have any control over the manner, mode, or means by which Attorneys, its agents or employees, render the legal services required under this Agreement, except as otherwise set forth and as required by the rules of professional conduct applicable to Attorneys. Client shall have no voice in the selection, discharge, supervision or control of Attorneys' employees, servants, representatives, or agents, or in fixing their number, compensation, or hours of service.

SECTION 7. INSURANCE

Attorneys shall maintain for the duration of this Agreement professional liability insurance with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit. Attorneys shall provide Client with written notice of any policy cancellation within two business days of their receipt of such notice. Failure on the part of Attorneys to maintain the insurance as required shall constitute a material breach of contract, upon which Client may, after giving five business days' notice to Attorneys to correct the breach, immediately terminate the contract.

SECTION 8. NOTICES

Notices required pursuant to this Agreement shall be given by personal service upon the party to be notified, or by delivery of same into the custody of the United States Postal Service, or its lawful successor; postage prepaid and addressed as follows:

CLIENT:

City of Black Diamond
Attn: Mayor Carol Benson
P.O. Box 599
Black Diamond, WA 98010

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ATTORNEYS:

Madrona Law Group, PLLC
14205 SE 36th Street
Suite 100, PMB 440
Bellevue, WA 98006

Service of a notice by personal service shall be deemed to have been given as of the date of such personal service. Notice given by deposit with the United States Postal Service shall be deemed to have been given two (2) consecutive business days following the deposit of the same in the custody of said Postal Service. Either party hereto may, from time to time, by written notice to the other, designate a different address or person which shall be substituted for that specified above.

SECTION 9. TERM

- A. This Agreement shall be effective upon mutual execution by the parties, and shall remain in full force and effect for two years, unless renewed for an additional two-year period by the City Council prior to the expiration of any term or until terminated by either party hereto. Client may discharge Attorneys at any time. Attorneys may withdraw from Client's representation at any time, to the extent permitted by law, and the Rules of Professional Conduct, upon thirty (30) days' notice to City.
- B. In the event of such termination or withdrawal, Client will pay Attorneys professional fees and costs, in accordance with this Agreement, for all work done (and costs incurred) through the date of cessation of legal representation.

SECTION 10. CONFLICTS

Attorneys have no present or contemplated engagements which are adverse to the Client. Attorneys agree that they shall not represent any other client in a matter (either litigation or non-litigation) in which Attorneys' representation would be adverse the Client. If, in the future, the Client asks Attorneys to represent the Client in a matter that is adverse to another current or former client of Attorneys, Attorneys will determine whether and under what circumstances Attorneys may undertake such representation and, if appropriate, seek informed consent(s) from affected parties.

SECTION 11. GENERAL PROVISIONS

This Agreement sets forth the entire agreement of the parties. Any amendments must be in writing and signed by both parties. This Agreement shall be construed under the laws of the State of Washington. If any provision of this Agreement is held to be invalid, illegal or unenforceable, the remaining portions of this Agreement shall remain in full force and effect and construed so as to best effectuate the original intent and purpose of this Agreement.

//

AGREED TO AND ACKNOWLEDGED BY:

CITY OF BLACK DIAMOND

MADRONA LAW GROUP, PLLC

By: _____

Carol Benson, Mayor

By: _____

David Linehan, Member

Dated: _____

Dated: _____

ATTEST:

By: _____

Brenda Martinez, City Clerk

Dated: _____

EXHIBIT A
MADRONA LAW GROUP, PLLC
2019-2020 HOURLY RATES

ATTORNEYS:

Eileen M. Keiffer	\$230
David A. Linehan	\$300
Kim Adams Pratt	\$300
Ann Marie J. Soto	\$230
Rachel B. Turpin	\$230

STAFF:

Paralegal	\$130
Legal Assistant	\$75
Public Records Processing	\$130