

**BLACK DIAMOND CITY COUNCIL MINUTES**  
**Council Meeting of February 18, 2021**  
**Virtual Meeting Via Zoom**

**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, Stout, de Leon, O'Donnell, and Paige. (Councilmember Paige was not present during roll call and joined the meeting at 7:01 p.m.)

**ABSENT:** None

Staff present: Scott Hanis, Capital Project/Program Manager; Andrew Williamson, MDRT/Ec Dev Director; May Miller, Finance Director; Mona Davis, Community Development Director; David Linehan, City Attorney; and Brenda L. Martinez, City Clerk/HR Manager.

**AGENDA REVIEW AND APPROVAL:**

Councilmember de Leon **moved** to adopt the agenda; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (6-0).

(Councilmember Paige joined the meeting at 7:01 p.m.)

**APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:**

**Presentation** – State of the County Address – King County Councilmember Dunn

Councilmember Dunn shared with Council a PowerPoint presentation updating Council on happenings at the County level.

**Proclamation** - Mayor Benson read a proclamation regarding proclaiming February as National Black History Month.

**CONSENT AGENDA:**

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

- 1) **Claim Checks** – February 18, 2021 Check No. 49668 through 49721 and EFTs in the amount of \$426,736.39

- 2) **Payroll** - January 29, 2021 Check No. 20048 through 20055 and ACHs in the amount of \$410,842.82
- 3) **Minutes** – Work Session of January 14, 2021 Council Meeting of February 4, 2021

**PUBLIC COMMENTS:**

Kristen Bryant, Bellevue spoke to Council.

**PUBLIC HEARINGS:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

- 4) **AB21-009** – Resolution Approving Funding Agreement with King County Flood Control District for the Covington Creek Culvert Replacement Project

Capital Project/Program Manager Hanis briefed Council on this item.

There was discussion between Council and staff.

Councilmember Deady **moved** to adopt Resolution No. 21-1408 accepting funds from the King County Flood Control District and authorizing the Mayor to execute a funding agreement with the King County Flood Control District to fund the Covington Creek Culvert Replacement project; **second** Councilmember Wisnoski. Motion **passed** with all voting in favor (7-0)

- 5) **AB21-010** – Resolution Authorizing Professional Services Agreement with Architects Rasmussen/Triebelhorn, AIA/PS

Capital Project/Program Manager Hanis reported to Council on this agenda item.

There was discussion between Council and staff.

Councilmember Deady to **moved** adopt Resolution No. 21-1409 authorizing the Mayor to execute a Professional Services Agreement with Architects Rasmussen Triebelhorn, AIA/PS for architectural and engineering services related to the City Hall Building Tenant Improvements project; **second** Councilmember O'Donnell. Motion **passed** (6-1 (Oglesbee))

- 6) **AB21-011** – Resolution Authorizing Professional Service Agreement with the Falconer Group for the City Council's 2021 Planning Retreat

Mayor Benson discussed this item with Council.

Councilmember de Leon **moved** to approve Resolution No. 21-1410, authorizing the Mayor to execute a Professional Services Agreement with the Falconer Group to perform services

in connection with the City Council's 2021 Planning Retreat; **second** Councilmember Wisnoski. Motion passed with all voting in favor (7-0)

**7) AB21-012 – Discussion on Comprehensive School Mitigation Agreement**

City Attorney Linehan discussed this item with Council and explained how this agreement can be amended and better improved.

Denise Stiffarm, ESD Attorney shared with Council some proposed changes to the agreement. She started the presentation by sharing background on how and why this agreement came to be and what was agreed to in the agreement. She also discussed the 2014 Enhancement Agreement between the School District and the Developer. She also shared the timeline for working towards the adoption of this amended and restated agreement.

City Attorney Linehan briefed Council on what their role is on adoption of this amended and restated agreement.

**New Item:** Councilmember Deady noted needing to add an item for Ms. Davis where she needs to get the Council's direction and approval on her vote regarding the Watershed Restoration & Enhancement Committee plan.

Community Development Director Davis reported on the WRIA 9 Duwamish-Green River Watershed Restoration & Enhancement Committee the City has been involved in with DOE. She noted the next step in the process is having all members approve the plan before moving on to DOE for their review and adoption. She explained that this doesn't affect our watershed in Black Diamond and our caucus representative couldn't see any challenges that this project presented to Black Diamond from surrounding cities. She noted she is looking to affirm that the City Council has no issue with her casting a "yes" vote to recommend approval of this plan with DOE. There was Council discussion and it was determined this was an administrative function and did not need any action from the City Council.

**DEPARTMENT REPORTS:**

**Community Development** – Ms. Davis discussed the City's Housing Action Plan and the process that has happened thus far and next steps moving forward. There was discussion and consensus to hold a joint PC/Council meeting on this.

**Fire** – Chief Smith responded to a couple of issues from Councilmember Deady. He spoke on the drive time study/risk analysis responding from 98 to other parts of the City and also discussed other options during the construction phase of the Covington Creek culvert project. He stated that he will be getting a written report to Councilmembers on this over the next few weeks. He touched on the City Hall project issue and noted this would be a

Class B occupancy to see what the exit requirements need to be. He also noted the second floor accessibility is another issue to look at.

### **MAYOR'S REPORT:**

Mayor Benson announced that Dan Dal Santo is retiring from the City this month. She noted he began working for the City in 1995. The City will be giving him a plaque and later this year there will be retirement party for him. He has agreed to come back after 30 days to work as a consultant or temporary employee if needed.

### **COUNCIL REPORTS:**

Councilmember O'Donnell reported attending the Public Works Committee meeting. He touched on the contract with the architect that was approved tonight. He shared that he listened in on Duvall's Council meeting and they are looking at the bigger picture of future needs on facilities and encourages we stay the course on this too. He noted having the opportunity to meet with a developer and many constituents, and during these interactions he received positive comments about our new Community Development Director Mona Davis. He further noted that with all the transportation and construction activities happening in the summertime, it's important that we get the word out there as some will have some temporary impacts. Lastly, he commented on making sure the public has an opportunity to speak and that we encourage that and stressed that community engagement is really important.

Councilmember Paige agreed to the comments made by Councilmember O'Donnell related to Ms. Davis and her good job here at the City. He touched on public comments and noted it's a hard thing with where we are due to COVID and Zoom meetings, however public comment is important for us to reach out to all aspects of our community as it grows to get a balanced view of what our residents want. He mentioned the great presentation by Ms. Stiffarm and our legal counsel being very informative and a great partnership.

Councilmember Deady reported attending City Action Days via zoom and reported on the sessions she sat in on. She noted legislators like to hear from Council as a whole; it makes more of an impact than going on your own. She also reported attending the SCATBd meeting and the need to appoint and announce the City's representative and attended the Public Information Committee meeting and read updates from Deanna Dawson

Councilmember Oglesbee thanked King County Councilmember Dunn for his report. She thanked Councilmembers Deady and Stout for being able to go to other meetings and reporting back to Council on them.

Councilmember Wisnoski thanked the Public Works staff for their winter weather response. He thanked King County Councilmember Dunn for his presentation and his continued support of Black Diamond. He asked for an update on the website and to also add on to the April work session the discussion on the cannabis regulations and wondered if that would be enough time. He asked about the skate park and what is happening there.

He reminded everyone that there are a lot of bills out in committee in the legislature and folks can make comments or reach out to their legislators. He also reminded everyone to continue to support your local small businesses, keep safe, mask up, continue to practice social distancing and stay home if you are sick.

Councilmember Stout reported attending the SCA forum where the importance of composting was discussed. She also attended the Public Works Committee meeting and noted having one more chapter in the Water Comprehensive Plan to review. She attended City Action Days and updated everyone on the issues that were discussed. She shared having conversations with Mr. Williamson on the Roberts Drive project and Ms. Miller on cannabis business revenues the city could receive. She also shared having a conversation with Oakpointe where they discussed traffic, Roberts Drive, and the Oakpointe project at 288 to add an acceleration lane to merge onto Highway 169 from 288. She noted the development seems to be going slowly and an update will be forthcoming. She touched on how important communication with the community is and their need to do this. She suggested that at the groundbreaking of the new fire station and it would be good to have the new engine there.

Councilmember de Leon thanked and congratulated Dan Dal Santo on his retirement and the Public Works crew for their responsiveness during the bad weather. She reported having similar conversations with others and Oakpointe and the need to clarify who is paying for what and is excited about what is happening in the semi near future. She is excited to start using her established city zoom account as this will be an opportunity to meet with residents and have a more face to face feel. She appreciated Councilmember Dunn addressing what is happening at the County level. She reported attending her committee meetings and added the importance of the housing affordability plan and to keep on the horizon what it really means to have housing affordability. She stressed we need to think about true affordability metrics as we move ahead; a critical component as we make our decisions with an equity lens and what that looks like.

Councilmember Deady mentioned the skateboard park will be torn down and the City will get a lot of correspondence from the public and is hoping Scott could bring this up in the Public Works committee.

**ATTORNEY REPORT:** None

**EXECUTIVE SESSION:** None

**ADJOURNMENT:**

Councilmember Deady **moved** to adjourn the meeting; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (7-0). The meeting ended at 10:05 p.m.

ATTEST:



---

Carol Benson, Mayor



---

Brenda L. Martinez, City Clerk