

RESOLUTION NO. 18-1276

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON ACCEPTING AND AUTHORIZING THE MAYOR TO EXECUTE A GRANT AGREEMENT BETWEEN THE STATE OF WASHINGTON, OFFICE OF THE SECRETARY OF STATE, ARCHIVES AND RECORDS MANAGEMENT DIVISION, AND THE CITY OF BLACK DIAMOND

WHEREAS, a local government grants program was authorized and funded by Chapter 303, State of Washington Laws of 2017; and

WHEREAS, the purpose of this program is to help local governments improve their records retention, management and disclosure of public records, as authorized under RCW 40.14.026, through the Archives and Records Management Division's Local Records Grant Program; and

WHEREAS, said grants program was established to provide funds to local entities to conduct this program; and

WHEREAS, City staff applied for a grant to "Organize the File Room" and by virtue of a competitive process was awarded a grant;

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

Section 1. The City Council hereby accepts this grant and authorizes the Mayor to execute a grant agreement between the State of Washington, Office of the Secretary of State, Archives and Records Management Division, and the City of Black Diamond, substantially in the form attached hereto as Exhibit A.

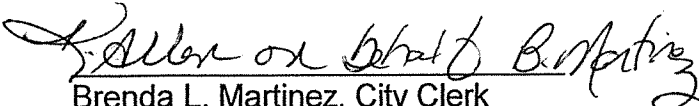
PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 1ST DAY OF NOVEMBER 2018.

CITY OF BLACK DIAMOND:



Carol Benson, Mayor

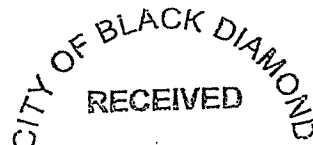
Attest:


Brenda L. Martinez, City Clerk



Secretary of State

Kim Wyman



OCT 01 2018

BY _____

CITY HALL

Legislative Building
PO Box 40220
Olympia, WA 98504-0220
Tel: 360.902.4151
sos.wa.gov

October 1, 2018

City of Black Diamond
Brenda Martinez
PO Box 599
Black Diamond, WA 98010

Dear Brenda,

Congratulations on your selection as one of the award recipients of the 2018-2019 Washington State Archives Local Records Grant Program! A total 170 applications were received requesting over \$2,800,000.

Due to the volume of quality requests, we are not able to fully fund all of the worthy projects that were submitted during this grant cycle. After reviewing all 170 applications, the Archives Oversight Committee has recommended that your grant proposal receive up to \$8,800 for your Organize the File Room Grant. I encourage you to continue working with your regional branch archivist or records consultants to answer any questions you may have regarding your project. To find your local archivist, please visit www.sos.wa.gov/archives.

To accept your award, please send a letter of acceptance to Mark Vessey at the Washington State Archives, PO Box 40238, Olympia, WA, 98504-0238. Once your acceptance letter is received, you will be sent a Grant Agreement requiring your signature. This Grant Agreement is necessary for your agency to receive the grant funds.

I am very pleased to make this award announcement to your agency, and I look forward to the successful completion of your very worthwhile project.

Sincerely,

KIM WYMAN
Secretary of State

STEVE EXCELL
State Archivist

EXHIBIT A**AWARD DETERMINATION
CITY OF BLACK DIAMOND**

The following table illustrates the grant budget as proposed by your agency - with the items that were funded, and the items that were awarded with conditions.

Budget Item	Amount Requested	Amount Funded	Stipulations/Conditions
Temporary Personnel/Supplies	\$8,800	\$8,800	Temporary staff will be used to remove duplicates, inventory, re-box, label, and identify boxes for destruction. Purchase of shelving and Archives boxes. To be completed by May 31, 2019
TOTAL		\$8,800	Not to exceed amount listed.

**GRANT AGREEMENT BETWEEN
THE STATE OF WASHINGTON,
OFFICE OF THE SECRETARY OF STATE,
ARCHIVES AND RECORDS MANAGEMENT DIVISION,
AND THE
CITY OF BLACK DIAMOND**

This Grant Agreement is entered into between the state of Washington, Office of the Secretary of State, Division of Archives and Records Management, hereinafter referred to as the "OSOS", and City of Black Diamond; hereinafter referred to as the "Grantee."

RECITALS

WHEREAS, a local government grants program was authorized and funded by Chapter 303, State of Washington Laws of 2017, and

WHEREAS, the purpose of this program is to help local governments' use technology to improve their records retention, management and disclosure of public records, as authorized under RCW 40.14.026, through the Archives and Records Management Division's Local Records Grant Program.

WHEREAS, said grants program was established to provide funds to local entities to conduct this program, and

WHEREAS, by virtue of a competitive process, this grant is awarded to named Grantee herein, and

NOW, THEREFORE, in consideration of the terms and conditions contained herein, or attached and incorporated and made a part hereof, OSOS and Grantee mutually agree as follows:

STATEMENT OF WORK

The Grantee will provide services and staff, and otherwise do all things necessary for or incidental to the performance of work.

The Grantee will perform the work as described and included as set forth in the Award Determination form, attached as Exhibit A.

The Washington State Archives Grant Program requires both the narrative and financial components of program progress reports be completed during the project period. Documentation of expenditures is required. The Grantee shall submit reports to:

Mark Vessey, Coordinator
Local Records Grant Program
Washington State Archives
1129 Washington St SE
Olympia, WA 90504-0238

The **final report**, due on or before May 31, 2019, must provide a complete summary of the project and of all grant activities as described in the application and Exhibit A. The report **MUST** include a separate, itemized list of costs incurred and copies of receipts, and invoices, etc., to substantiate all figures.

PERIOD OF PERFORMANCE

Subject to its other provisions, the period of performance of this Agreement shall commence on date of execution, and be completed no later than May 31, 2019, unless terminated sooner as provided herein.

PAYMENT

No funds will be disbursed to the Grantee. All grant funds will be held by OSOS. In consideration for the work conducted as described in Exhibit A, Grantee shall submit invoices for completed work to the OSOS Project Manager for processing by OSOS. This grant is not to exceed amount of \$8800 as prescribed and incorporated by reference herein.

Payment for approved and completed work will be made by warrant or account transfer by OSOS within 30 calendar days of a satisfactorily completed invoice. Satisfactorily completed is defined as having all the information required for processing by OSOS Financial Services. In addition to a Federal Tax ID number, the Grantee must provide OSOS a Statewide Vendor Number (SWV#). Payment cannot be made without these numbers on file. **The Contract number G-6206 and Statewide Vendor number must be referenced on each reimbursement claim in order for the claim to be processed.**

Costs incurred prior to the effective date of the Grant Agreement shall be disallowed under the Grant. Should the Grantee incur costs prior to the effective date of the Grant Agreement, it does so at its own risk. WAC 434-670-020.

RECORDS MAINTENANCE AND MONITORING PROJECTS FOR PROGRAM AND FISCAL COMPLIANCE

Specific accounting requirements for the Local Records Grant Program include but are not limited to:

- All changes to the approved project (project scope, budget, personnel), must be requested in writing to, and approved by, the State Archivist.
- Imaging completed as a result of this grant must meet the Washington State Standards for Production and Use of Microfilm.
- Grant work must be monitored in progress. OSOS staff may visit the work site for review at any time during the project.
- The Grantee is responsible to adhere to their agencies purchasing policies and requirements.

GRANT MANAGEMENT

The Project Manager for each of the parties identified below shall be the contact person for communications regarding the performance of this Grant. Invoices shall be sent to the OSOS Project Manager. Should questions arise during processing of invoices send inquiries to payables@sos.wa.gov.

Brenda Martinez

City of Black Diamond
24301 Roberts Drive
Black Diamond, WA 98010
Phone: 360-886-5700
E-mail address: bmartinez@blackdiamondwa.gov

Mark Vessey

Office of the Secretary of State
Washington State Archives and Records Management
1129 Washington St. SE
Post Office Box 40238
Olympia, Washington 98504-0238
Phone: 360.586-7810
E-mail address: mark.vessey@sos.wa.gov

INDEPENDENT CAPACITY AND INDEMNIFICATION

The employees or agents of each party who are engaged in the performance of this Grant Agreement shall continue to be employees or agents of that party and shall not be considered for any purpose to be employees

or agents of the other party. Each party to this Grant Agreement shall be responsible for its own acts and/or omissions and those of its officers, employees and agents.

TERMINATION

Either party may terminate this Grant Agreement upon 30 days' prior written notification to the other party. If this Grant Agreement is so terminated, the parties shall be liable for performance rendered or costs incurred in accordance with the terms of this Grant Agreement prior to the effective date of termination.

TERMINATION FOR CAUSE

If for any cause, either party does not fulfill in a timely and proper manner its obligations under this Grant Agreement, or if either party violates any of these terms and conditions, the aggrieved party will give the other party written notice of such failure or violation. The responsible party will be given the opportunity to correct the violation or failure within 15 working days. If failure or violation is not corrected, this Grant Agreement may be terminated immediately by written notice of the aggrieved party to the other.

The rights and remedies of the OSOS provided in this section shall not be exclusive and are in addition to any other rights and remedies provided by law or under this Grant Agreement. Except as otherwise provided in this Grant Agreement, when a dispute arises between the parties and it cannot be resolved by direct negotiation, either party may request a dispute hearing with the Secretary of State. Nothing in this Grant Agreement shall be construed to limit the parties' choice of a mutually acceptable Alternate Dispute Resolution (ADR) method in addition to the dispute resolution procedure outlined above.

GOVERNANCE

In the event of any inconsistency in the terms of this Grant Agreement, or between its terms and any applicable statute or rule, the inconsistency shall be resolved by giving precedence in the following order:

- A. Applicable state and federal statutes and rules; and
- B. This Grant Agreement and any and all attached exhibits

GOVERNING LAW

This Grant Agreement shall be construed and interpreted in accordance with the laws of the state of Washington, and the venue of any action brought hereunder shall be in the Superior Court for Thurston County.

IN WITNESS WHEREOF, the parties have executed this Grant Agreement.

CITY OF BLACK DIAMOND

OFFICE OF THE SECRETARY OF STATE

Carol Benson 11/5/2018
 Authorized Signatory Date
 Print Name: Carol Benson
 Title: Mayor

 Sheri Nelson Date
 Deputy Secretary of State

APPROVED AS TO FORM
 Attorney General's Office