CITY OF BLACK DIAMOND

October 7, 2021 - Regular Business Meeting Agenda –

THIS IS OFFERED AS A ZOOM MEETING ONLY.
CALL IN AND JOINING INFORMATION FOLLOWS:

Zoom link to join meeting:
https://zoom.us/j/4454477047?pwd=eGxRY3ZEeU14SVM2cGRBcUxCSjdmZz09
(Note: You do not need a web cam to join the meeting, but you will need audio to hear the proceedings.)
Meeting ID: 445 447 7047
Password: Council

Telephone dial in options:
+1 253 215 8782 US (Tacoma)
+1 206 337 9723 US (Seattle)
Meeting ID: 445 447 7047
Password:426953 (phone in only)

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

AGENDA REVIEW AND APPROVAL:

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

CONSENT AGENDA:

1) **Claim Checks –** October 7, 2021 Check No. 50475 through 50521 in the amount of $484,166.75
2) **Minutes** –Work Session of September 9, 2021, Special Council Meeting of September 16, 2021, Council Meeting of September 16, 2021

PUBLIC COMMENTS: Persons wishing to address the City Council regarding items of new business are encouraged to do so at this time. Please use the "raise your hand" feature and once recognized by the Chair you may unmute and state your name and city for the record. Please limit your comments to 3 minutes. For those dialing in please press *9 to raise your hand and *6 to unmute yourself.

PUBLIC HEARINGS: None

UNFINISHED BUSINESS: None
NEW BUSINESS:

3) **AB21-061** – Ordinance Adding to the Black Diamond Municipal Code a New Chapter 3.80 Entitled Transportation Impact Fees — Mr. Boettcher

DEPARTMENT REPORTS:

MAYOR'S REPORT:

COUNCIL REPORTS:

- Councilmember O'Donnell
- Councilmember Page
- Councilmember Deady
- Councilmember Oglesbee
- Councilmember Wisnoski
- Councilmember Mulvihill
- Councilmember de Leon

ATTORNEY REPORT:
PUBLIC COMMENTS:
EXECUTIVE SESSION:
ADJOURNMENT:

CERTIFICATION

Date: **October 7, 2021 Council Meeting**

Check No.'s / EFT	Batch Name	Check / EFT Date	Amount
50475	Early 5th August Batch	09/21/21	$ 94,760.49
50476 - 50520	3rd September Batch	10/08/21	$ 385,427.07
50521	1st October Batch	10/08/21	$ 3,979.19
			$
		TOTAL	**$ 484,166.75**

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

MAY MILLER, FINANCE DIRECTOR

Sept 21, 2021

DATE

CAROL BENSON, MAYOR

DATE

COUNCILMEMBERS:

DATE:

Voucher Directory with Transaction Date

Vendor	Transaction Number	Transaction Reference	Invoice Date	Account Number	Fiscal Description	Name	Title	Void	Amount
King County Finance - Wastewater Treat Div.									
	50475		**8/1/2021**		**2021 - August - Early 5th August for 10/7/2021 Council**				
		30032323							
						Retro Wastewater Billing 12/2020 - 7/31/2021			
				407-000-000-535-80-41-04			Metro Sewer Charges		$52,059.63
				407-000-000-585-00-00-00			Extra Ordinary remit of KC Metro Sewer		$42,700.86
		Total 30032323							**$94,760.49**
	Total 50475								**$94,760.49**
Total King County Finance - Wastewater Treat Div.									**$94,760.49**

Vendor Count 1 **Grand Total $94,760.49**

Voucher Directory with Transaction Date

Vendor	Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description	Name	Title	Void	Amount
2 Watch Monitoring, Inc.									
	50476			**9/1/2021**	**2021 - September - 3rd September Batch**				
		43421							
			August 2021 Service						
			001-000-211-523-60-49-01			Electronic Home Monitor Costs			$387.50
		Total 43421							**$387.50**
	Total 50476								**$387.50**
Total 2 Watch Monitoring, Inc.									**$387.50**
Alpine Products Inc.									
	50477			**9/8/2021**	**2021 - September - 3rd September Batch**				
		TM-204759							
			PW - Supplies						
			101-000-000-542-30-31-03			Streets Operating Supplies			$494.07
					Traffic Cones				
		Total TM-204759							**$494.07**
	Total 50477								**$494.07**
Total Alpine Products Inc.									**$494.07**
Amazon Capital Services, Inc.									
	50478			**8/25/2021**	**2021 - September - 3rd September Batch**				
		14YF-FMVJ-GWTY							
			CH - Supplies						
			001-000-180-518-50-31-00			Office Supplies City Hall			$52.87
		Total 14YF-FMVJ-GWTY							**$52.87**
	50478			**9/16/2021**	**2021 - September - 3rd September Batch**				
		16K9-DVNG-MPF1							
			CH - Supplies						
			001-000-180-518-50-31-00			Office Supplies City Hall			$68.46
		Total 16K9-DVNG-MPF1							**$68.46**

Vendor	Transaction Number / Transaction Reference	Invoice Date / Account Number	Fiscal Description / Name / Title	Void / Amount
	50478	**9/13/2021**	**2021 - September - 3rd September Batch**	
	16L4-JJHT-3PYY			
		PW - Supplies		
		407-000-000-535-80-48-02	Sewer System Rep & Mtc-Ext/Int	$405.99
	Total 16L4-JJHT-3PYY			**$405.99**
	50478	**7/31/2021**	**2021 - September - 3rd September Batch**	
	1FK9-KJ9X-GVFF			
		IT - Return COVID Supplies		
		001-000-195-525-60-49-03	COVID Technology Costs	($26.37)
			HDMI Cord	
	Total 1FK9-KJ9X-GVFF			**($26.37)**
	50478	**9/10/2021**	**2021 - September - 3rd September Batch**	
	1JGY-7KLV-FLF7			
		CH - Supplies		
		001-000-180-518-50-31-00	Office Supplies City Hall	$23.92
	Total 1JGY-7KLV-FLF7			**$23.92**
	50478	**9/20/2021**	**2021 - September - 3rd September Batch**	
	1JQW-7CJG-37GF			
		EM - IT Wiring supplies		
		001-000-195-525-60-49-03	COVID Technology Costs	$17.36
			CWiring Cable Clips -Counc Chamb	
	Total 1JQW-7CJG-37GF			**$17.36**
	50478	**8/8/2021**	**2021 - September - 3rd September Batch**	
	1JRV-4W3G-WVLX			
		Ch - Supplies		
		001-000-254-518-20-31-00	Facilities Operating Supplies	$50.78
			Restroom Supplies	
	Total 1JRV-4W3G-WVLX			**$50.78**
	50478	**8/30/2021**	**2021 - September - 3rd September Batch**	
	1KG9-G93L-R7JF			
		CH - Supplies		
		001-000-180-518-50-31-00	Office Supplies City Hall	$57.58
	Total 1KG9-G93L-R7JF			**$57.58**

Vendor	Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description	Name	Title	Void	Amount
	50478			8/26/2021	2021 - September - 3rd September Batch				
		1L6X-GXV3-JYX6							
		PW - Desks							
			001-000-180-518-50-31-04			Gen Bldg chairs & Misc Furniture			$2,860.70
							5 ea Desks		
		Total 1L6X-GXV3-JYX6							$2,860.70
	50478			9/10/2021	2021 - September - 3rd September Batch				
		1LYG-WJKX-LN34							
		EM- COVID Supplies							
			001-000-195-525-60-31-02			COVID PPE & Safety Supplies			$161.96
							Earbuds		
		Total 1LYG-WJKX-LN34							$161.96
	50478			7/31/2021	2021 - September - 3rd September Batch				
		1PCW-99K3-G9FN							
		IT - Return COVID Supplies							
			001-000-195-525-60-49-03			COVID Technology Costs			($659.50)
							Video Camera for Conf Room		
		Total 1PCW-99K3-G9FN							($659.50)
	50478			9/12/2021	2021 - September - 3rd September Batch				
		1Prx-4VFR-FL61							
		CH - Supplies							
			001-000-180-518-50-31-00			Office Supplies City Hall			$57.38
		Total 1Prx-4VFR-FL61							$57.38
	50478			9/19/2021	2021 - September - 3rd September Batch				
		1QMQ-DFF4-VR37							
		CH - Supplies							
			001-000-180-518-50-31-00			Office Supplies City Hall			$21.73
							Lablels		
		Total 1QMQ-DFF4-VR37							$21.73
	50478			8/20/2021	2021 - September - 3rd September Batch				
		1QQC-FTD1-JQPL							
		PW - Supplies							
			401-000-000-534-80-49-04			Printing			$23.91
							Door Hangers		
			407-000-000-535-80-49-03			Printing			$23.91
							Door Hangers		
			410-000-000-531-10-49-03			Printing			$11.95

Vendor	Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description	Name	Title	Void	Amount
			Door Hangers						
		Total 1QQC-FTD1-JQPL							**$59.77**
	50478			**9/11/2021**	**2021 - September - 3rd September Batch**				
		1QV3-KWMN-QP1P							
			IT - Supplies						
			001-000-195-525-60-49-03			COVID Technology Costs			$49.56
			USB Adapter						
		Total 1QV3-KWMN-QP1P							**$49.56**
	50478			**8/29/2021**	**2021 - September - 3rd September Batch**				
		1THP-F6LM-PXCH							
			CH - Supplies						
			001-000-180-518-50-31-00			Office Supplies City Hall			$247.11
		Total 1THP-F6LM-PXCH							**$247.11**
	50478			**9/16/2021**	**2021 - September - 3rd September Batch**				
		1WX3-K767-MQ1P							
			CH - Supplies						
			001-000-180-518-50-31-00			Office Supplies City Hall			$16.29
		Total 1WX3-K767-MQ1P							**$16.29**
	50478			**8/25/2021**	**2021 - September - 3rd September Batch**				
		1YFJ-CVPG-6YFY							
			IT - Return COVID Supplies						
			001-000-195-525-60-49-03			COVID Technology Costs			($139.77)
			Camera						
		Total 1YFJ-CVPG-6YFY							**($139.77)**
	Total 50478								**$3,325.82**
Total Amazon Capital Services, Inc.									**$3,325.82**
AquaTechnex									
	50479			**9/11/2021**	**2021 - September - 3rd September Batch**				
		13466							
			September 2021 Service						
			001-000-270-553-60-49-00			Lk Swyr-Weed Control-KC Grant			$1,864.21
		Total 13466							**$1,864.21**
	Total 50479								**$1,864.21**
Total AquaTechnex									**$1,864.21**

Vendor / Transaction Number / Transaction Reference	Invoice Date / Account Number	Fiscal Description / Name / Title	Void / Amount
Architects Rasmussen Triebelhorn AIA/PS			
50480	**9/8/2021**	**2021 - September - 3rd September Batch**	
1797 ART			
	August 2021 Service		
	310-000-002-594-18-62-03	Gen Govt Campus Improvements	$2,560.00
	City Hall Remod Project		
Total 1797 ART			**$2,560.00**
Total 50480			**$2,560.00**
Total Architects Rasmussen Triebelhorn AIA/PS			**$2,560.00**
Black Diamond Auto Parts			
50481	**8/6/2021**	**2021 - September - 3rd September Batch**	
456431			
	PW - Veh Maint		
	101-000-000-544-90-48-02	PW Clearing- Shared Veh/Equip Maint	$161.81
Total 456431			**$161.81**
50481	**8/3/2021**	**2021 - September - 3rd September Batch**	
458224			
	PW - Veh Maint		
	101-000-000-544-90-48-02	PW Clearing- Shared Veh/Equip Maint	$14.33
Total 458224			**$14.33**
Total 50481			**$176.14**
Total Black Diamond Auto Parts			**$176.14**
Brim Tractor Company Inc.			
50482	**8/27/2021**	**2021 - September - 3rd September Batch**	
IP30096			
	PW - EQ Maint		
	101-000-000-544-90-48-02	PW Clearing- Shared Veh/Equip Maint	$5,646.48
	Various Repair and Maint. Parts		
Total IP30096			**$5,646.48**
50482	**9/14/2021**	**2021 - September - 3rd September Batch**	
IP30325			
	PW - EQ Maint		
	101-000-000-544-90-48-02	PW Clearing- Shared Veh/Equip Maint	$59.19
Total IP30325			**$59.19**

Vendor Transaction Number	Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Void Amount
50482		9/16/2021	2021 - September - 3rd September Batch	
	IP30365			
	PW - Credit Overcharge			
		101-000-000-544-90-48-02	PW Clearing- Shared Veh/Equip Maint	($2,958.05)
			Correct Overchg on Inv IP30096	
	Total IP30365			**($2,958.05)**
Total 50482				**$2,747.62**
Total Brim Tractor Company Inc.				**$2,747.62**
Canon Solutions America, Inc.				
50483		9/9/2021	2021 - September - 3rd September Batch	
	147465588			
	CH - Supplies			
		001-000-180-518-50-31-00	Office Supplies City Hall	$240.23
			Toner	
	Total 147465588			**$240.23**
Total 50483				**$240.23**
Total Canon Solutions America, Inc.				**$240.23**
CHS/Cenex				
50484		8/31/2021	2021 - September - 3rd September Batch	
	12424408312021 CH			
	CH - Fuel for August 2021			
		001-000-180-518-50-32-01	Fuel-Central Services	$39.00
			Central Services - CH	
		001-000-181-518-30-32-00	Fuel	$269.00
			Facilities Clearing	
		001-000-215-521-10-32-00	Marine Fuel VRF	$90.01
			Police - VRF Grant	
		001-000-240-558-51-32-00	Fuel	$143.23
			Com Dev / Inspections	
		001-000-246-558-70-32-00	Fuel	$640.13
			MDRT	
		001-000-270-576-80-32-00	Fuel	$43.00
			PARKS 4%	
		001-000-280-536-20-32-00	Fuel	$21.50
			CEMETERY 2%	
		101-000-000-543-50-32-00	Fuel	$236.48
			STREETS 22%	

Vendor Transaction Number	Transaction Reference	Invoice Date / Account Number	Fiscal Description / Name / Title	Void Amount
		401-000-000-534-80-32-00	Fuel	$257.98
			WATER 24%	
		407-000-000-535-80-32-00	Fuel	$257.98
			SEWER 24%	
		410-000-000-531-10-32-00	Fuel	$257.98
			STORM WATER 24%	
	Total 12424408312021 CH			**$2,256.29**
50484		**8/31/2021**	**2021 - September - 3rd September Batch**	
	12827508312021 PD			
		PD - Fuel for August 2021		
		001-000-210-521-10-32-00	PD-Fuel	$3,089.23
			Police	
	Total 12827508312021 PD			**$3,089.23**
Total 50484				**$5,345.52**
Total CHS/Cenex				**$5,345.52**

City of Black Diamond/Retained Funds

50485		**9/17/2021**	**2021 - September - 3rd September Batch**	
	1 Pac Civ			
		Retainage		
		402-000-003-594-34-63-06	Springs Water Project	$8,452.72
			Pmt 1 Retainage Pacific Civil and Infrastructure	
	Total 1 Pac Civ			**$8,452.72**
Total 50485				**$8,452.72**
Total City of Black Diamond/Retained Funds				**$8,452.72**

City of Issaquah

50486		**9/9/2021**	**2021 - September - 3rd September Batch**	
	21000317			
		August 2021 Service		
		001-000-211-523-60-49-00	Jail Costs	$6,160.00
			44 days	
	Total 21000317			**$6,160.00**
Total 50486				**$6,160.00**
Total City of Issaquah				**$6,160.00**

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

CIVICPLUS

Transaction Number	Transaction Reference	Invoice Date	Account Number	Fiscal Description / Name / Title	Amount
50487		9/17/2021		2021 - September - 3rd September Batch	
	215073				
			Website Maint Agreement through 9/2022		
			001-000-145-518-80-41-07	CivicPlus-CityClerk Svs Chg.	$2,853.38
				Service through 9/2022	
	Total 215073				$2,853.38
Total 50487					$2,853.38
Total CIVICPLUS					**$2,853.38**

Enumclaw Chrysler Jeep Dodge Ram

Transaction Number	Transaction Reference	Invoice Date	Account Number	Fiscal Description / Name / Title	Amount
50488		9/10/2021		2021 - September - 3rd September Batch	
	6103020/4				
			PW - Veh Maint		
			101-000-000-544-90-48-02	PW Clearing- Shared Veh/Equip Maint	$1,264.33
	Total 6103020/4				$1,264.33
Total 50488					$1,264.33
Total Enumclaw Chrysler Jeep Dodge Ram					**$1,264.33**

Financial Consultants International Inc

Transaction Number	Transaction Reference	Invoice Date	Account Number	Fiscal Description / Name / Title	Amount
50489		2/26/2021		2021 - September - 3rd September Batch	
	17143				
			PD - Veh Maint		
			001-000-210-521-10-48-01	PD-Vehicle/Eq. Mtc. & Repair	$218.00
				Remove old/install new radar	
	Total 17143				$218.00
50489		6/4/2021		2021 - September - 3rd September Batch	
	17236				
			PD - Veh Maint		
			001-000-210-521-10-48-01	PD-Vehicle/Eq. Mtc. & Repair	$81.76
				Dock Install	
	Total 17236				$81.76
50489		6/8/2021		2021 - September - 3rd September Batch	
	17237				
			PD - Veh Maint		
			001-000-210-521-10-48-01	PD-Vehicle/Eq. Mtc. & Repair	$218.00
				Install dock, reprogram lights	
	Total 17237				$218.00

Vendor Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description / Name / Title	Void	Amount
50489			**6/22/2021**	**2021 - September - 3rd September Batch**		
	17251					
		PD - New Veh Maint				
		510-000-300-594-21-64-00		Police Vehicles-replace		$1,427.90
				Ion Gille, Microns Grille, Ions rear,		
	Total 17251					**$1,427.90**
Total 50489						**$1,945.66**
Total Financial Consultants International Inc						**$1,945.66**

First Net

Vendor Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description / Name / Title	Void	Amount
50490			**9/5/2021**	**2021 - September - 3rd September Batch**		
	287294109909X09132021					
		August 2021 Service				
		001-000-145-518-80-42-00		Tele Communications		$101.76
				IT		
		001-000-145-518-80-42-01		Telephone, DSL, Web, and Radios		$734.94
				Data Plans		
		001-000-195-525-60-49-03		COVID Technology Costs		$471.70
				Telecommuters - Covid		
		001-000-214-521-20-42-00		Police Tele/web/DSL/Air Cards		$610.56
				Police		
		001-000-240-558-51-42-00		Telephone		$199.27
				Com Dev		
		001-000-246-558-70-42-01		Telephones		$192.68
				MDRT		
		001-000-254-518-20-42-00		Facilities-Telephones		$101.76
				City Clerk		
		001-000-254-518-20-42-00		Facilities-Telephones		$50.88
				Facilities Management		
		001-000-270-576-80-42-00		Telephone/DSL/Radios		$17.35
				4% Parks		
		001-000-280-536-20-42-00		Telephone, DSL & Radios		$8.68
				2% Cemetery		
		101-000-000-542-30-42-01		Telephone/DSL/Radios		$95.45
				22% Streets		
		401-000-000-534-80-42-00		Telephone/DSL/Radios		$104.13
				24% Water		
		407-000-000-535-80-42-00		Telephone/DSL/Radios		$104.13
				24% Sewer		
		410-000-000-531-10-42-00		Telephone/DSL/Radios		$104.12

Vendor	Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description	Name	Title	Void	Amount
			24% Drainage						
		Total 287294109909X09132021							$2,897.41
	Total 50490								$2,897.41
Total First Net									$2,897.41

Gunderson Law Firm

Vendor	Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description	Name	Title	Void	Amount
	50491			9/13/2021	2021 - September - 3rd September Batch				
		1155							
			August 2021 Service						
			001-000-151-515-41-41-04				Court Legal-Pros Attorney		$3,400.00
		Total 1155							$3,400.00
	Total 50491								$3,400.00
Total Gunderson Law Firm									$3,400.00

Home Depot Credit Service

Vendor	Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description	Name	Title	Void	Amount
	50492			9/19/2021	2021 - September - 3rd September Batch				
		0011405							
			PW/CD - Bld Supplies						
			001-000-254-518-20-49-01				Facilities Bldg.Custodial & Maint.		$10.60
		Total 0011405							$10.60
	50492			9/17/2021	2021 - September - 3rd September Batch				
		2011115							
			Fac - Supplies						
			001-000-180-518-50-31-04				Gen Bldg chairs & Misc Furniture		$432.63
			Wood Rolling Table						
		Total 2011115							$432.63
	50492			9/17/2021	2021 - September - 3rd September Batch				
		2032958							
			Fac - Supplies						
			001-000-180-518-50-31-04				Gen Bldg chairs & Misc Furniture		$438.20
			Rolling Table						
		Total 2032958							$438.20

Vendor	Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description	Name	Title	Void	Amount
	50492			9/17/2021	2021 - September - 3rd September Batch				
		2520337							
			PW - Bld Supplies						
			101-000-000-544-90-48-01			PW Clearing-shared Shop Cost			$29.68
		Total 2520337							$29.68
	50492			9/16/2021	2021 - September - 3rd September Batch				
		3616534							
			PD - Supplies						
			001-000-212-521-50-48-02			Police Bldg Repairs & Maintenance			$9.63
					Flour. Light Bulbs				
		Total 3616534							$9.63
	50492			9/2/2021	2021 - September - 3rd September Batch				
		7614410							
			Fac - Supplies						
			310-000-001-594-10-63-00			Skate Park Project			$19.03
		Total 7614410							$19.03
	Total 50492								$939.77
Total Home Depot Credit Service									$939.77

Honey Bucket/Northwest Cascade Inc.

Vendor	Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description	Name	Title	Void	Amount
	50493			8/3/2021	2021 - September - 3rd September Batch				
		0552247824							
			August 2021 Service						
			001-000-270-576-80-31-00			Portable Restroom Facilty			$123.00
					Regional Park w/ Hand Sanitizer: 0071400003				
		Total 0552247824							$123.00
	50493			9/14/2021	2021 - September - 3rd September Batch				
		0552328292							
			September 2021 Service						
			001-000-270-576-80-31-00			Portable Restroom Facilty			$98.00
					Parks-Boat Launch Rental: 145291				
		Total 0552328292							$98.00
	50493			9/14/2021	2021 - September - 3rd September Batch				
		0552328293							
			September 2021 Service						
			001-000-270-576-80-31-00			Portable Restroom Facilty			$98.00

Vendor Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
				Lake Sawyer Regional Park: 71400002	
	Total 0552328293				**$98.00**
Total 50493					**$319.00**
Total Honey Bucket/Northwest Cascade Inc.					**$319.00**

HWA GeoSciences Inc.

50494			**8/21/2021**	**2021 - September - 3rd September Batch**	
	32075				
		August 2021 Service			
		001-000-257-558-70-41-05		MDRT Geotech	$400.00
	Total 32075				**$400.00**
Total 50494					**$400.00**
Total HWA GeoSciences Inc.					**$400.00**

Johnsons Home & Garden

50495			**8/31/2021**	**2021 - September - 3rd September Batch**	
	458435				
		PW - Supplies			
		101-000-000-544-90-31-00		PW Clearing Acct-Supplies	$337.59
				Adhesive Letters	
	Total 458435				**$337.59**
50495			**9/5/2021**	**2021 - September - 3rd September Batch**	
	458568				
		Community Events Supplies			
		001-000-000-369-91-00-07		Community Events	$19.02
				Tent stakes, nuts, bolts & Screws	
	Total 458568				**$19.02**
50495			**9/9/2021**	**2021 - September - 3rd September Batch**	
	458662				
		EM - COVID Supplies			
		001-000-195-525-60-31-02		COVID PPE & Safety Supplies	$45.57
				Sign Supplies	
	Total 458662				**$45.57**

Vendor	Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description / Name / Title	Void / Amount
	50495			**9/13/2021**	**2021 - September - 3rd September Batch**	
		458746				
			PW - Supplies			
			101-000-000-544-90-31-00		PW Clearing Acct-Supplies	$248.50
					Bandsaw blades, liners, fittings, pipe, can liners	
		Total 458746				**$248.50**
	50495			**9/15/2021**	**2021 - September - 3rd September Batch**	
		458812				
			PW - Supplies			
			101-000-000-544-90-31-00		PW Clearing Acct-Supplies	$508.94
					Misc Nuts & Bolts, Infrared Thermom, Torch Kit	
		Total 458812				**$508.94**
	50495			**9/18/2021**	**2021 - September - 3rd September Batch**	
		458885				
			EM - COVID Supplies			
			001-000-195-525-60-31-02		COVID PPE & Safety Supplies	$34.07
					Distancing table	
		Total 458885				**$34.07**
	Total 50495					**$1,193.69**
Total Johnsons Home & Garden						**$1,193.69**
Kalpna Bentler						
	50496			**9/8/2021**	**2021 - September - 3rd September Batch**	
		09082021 KB				
			September 2021 Service			
			001-000-120-512-50-41-04		Court Interpreter	$130.00
		Total 09082021 KB				**$130.00**
	Total 50496					**$130.00**
Total Kalpna Bentler						**$130.00**
King County Finance						
	50497			**8/31/2021**	**2021 - September - 3rd September Batch**	
		114369-114370				
			August 2021 Service			
			101-000-000-542-64-48-01		Traffic Signal Maintenance	$908.76
		Total 114369-114370				**$908.76**
	Total 50497					**$908.76**
Total King County Finance						**$908.76**

Vendor / Transaction Number / Transaction Reference	Invoice Date / Account Number	Fiscal Description / Name / Title	Void	Amount
King County Finance - I-Net				
50498	**8/30/2021**	**2021 - September - 3rd September Batch**		
11010397				
	August 2021 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 costs		$150.00
	MDRT INet			
	001-000-254-518-20-42-00	Facilities-Telephones		$225.00
	CH/CD INet			
Total 11010397				**$750.00**
Total 50498				**$750.00**
Total King County Finance - I-Net				**$750.00**
King County Radio Comm Services				
50499	**8/31/2021**	**2021 - September - 3rd September Batch**		
17502				
	August 2021 Service			
	001-000-214-521-20-41-03	K/C 800 Mhz Radio Costs		$1,483.76
Total 17502				**$1,483.76**
50499	**8/31/2021**	**2021 - September - 3rd September Batch**		
453021				
	PD - Radios			
	510-000-300-594-21-64-01	Police Radios		$4,825.55
Total 453021				**$4,825.55**
Total 50499				**$6,309.31**
Total King County Radio Comm Services				**$6,309.31**
McClure and Sons, Inc.				
50500	**9/13/2021**	**2021 - September - 3rd September Batch**		
09132021 MCS				
	Pmt 8			
	402-000-003-594-34-63-06	Springs Water Project		$106,974.12
Total 09132021 MCS				**$106,974.12**
Total 50500				**$106,974.12**
Total McClure and Sons, Inc.				**$106,974.12**

Vendor	Transaction Number / Transaction Reference / Account Number	Invoice Date	Fiscal Description / Name / Title	Void / Amount
Mountain View Fire & Rescue				
	50501	**9/13/2021**	**2021 - September - 3rd September Batch**	
	21-1066			
	Reimbursement for Fire Truck Equipment			
	310-000-031-594-22-64-01		Fire Improv. Equip	$9,378.40
	Total 21-1066			**$9,378.40**
	Total 50501			**$9,378.40**
Total Mountain View Fire & Rescue				**$9,378.40**
Office Products Nationwide				
	50502	**8/26/2021**	**2021 - September - 3rd September Batch**	
	1153135-0			
	PD - Supplies			
	001-000-210-521-10-31-00		PD-Operating Supplies	$40.40
			PD Office Supplies	
	Total 1153135-0			**$40.40**
	50502	**9/9/2021**	**2021 - September - 3rd September Batch**	
	1154527-0			
	Com Dev - Siupplies			
	001-000-240-558-51-31-04		Clg-Office Supplies-CD/PW	$49.52
			CD/PW - Office Supplies Split	
	Total 1154527-0			**$49.52**
	50502	**9/17/2021**	**2021 - September - 3rd September Batch**	
	1155414-0			
	CH - Supplies			
	001-000-254-518-20-31-00		Facilities Operating Supplies	$80.83
			Bldg Maint Supplies	
	Total 1155414-0			**$80.83**
	Total 50502			**$170.75**
Total Office Products Nationwide				**$170.75**
Pacific Civil and Infrastructure				
	50503	**9/13/2021**	**2021 - September - 3rd September Batch**	
	1 PCI			
	Pmt 1			
	402-000-003-594-34-63-06		Springs Water Project	$175,309.41

PMT 1 Transmission Main

Total 1 PCI	**$175,309.41**
Total 50503	**$175,309.41**
Total Pacific Civil and Infrastructure	**$175,309.41**

Pollardwater.com-West

Transaction Number / Reference / Account	Invoice Date	Fiscal Description / Name / Title	Amount
50504	**9/16/2021**	**2021 - September - 3rd September Batch**	
0199652			
PW - Supplies			
401-000-000-534-80-31-04		Water Meters	$2,181.78
		Hydrant Meter, Dbl Ck Vlv	
Total 0199652			**$2,181.78**
50504	**9/16/2021**	**2021 - September - 3rd September Batch**	
0199656			
PW - Supplies			
401-000-000-534-80-31-01		Water Operating Supplies	$141.26
		Fire Hose Assembly	
Total 0199656			**$141.26**
Total 50504			**$2,323.04**
Total Pollardwater.com-West			**$2,323.04**

Puget Sound Energy

Transaction Number / Reference / Account	Invoice Date	Fiscal Description / Name / Title	Amount
50505	**9/7/2021**	**2021 - September - 3rd September Batch**	
09072021 PSE			
August 2021 Service			
001-000-212-521-50-47-00		Electric/gas	$33.20
		220013379882: Police Storage	
001-000-212-521-50-47-00		Electric/gas	$533.86
		200009377470: PD/CT Elec	
001-000-248-518-20-47-00		MDRT Electricity	$249.90
		220013379841: MDRT Mod Bldgs Elec	
001-000-254-518-20-47-00		Facilities-Utilities	$374.84
		220013379841: CD/PW Mod Bldgs Elec	
001-000-254-518-20-47-00		Facilities-Utilities	$37.15
		200008062016: City Hall Elec	
001-000-254-518-20-47-00		Facilities-Utilities	$210.01
		200008061844: City Hall Elec	

Vendor Transaction Number / Transaction Reference / Account Number	Invoice Date	Fiscal Description / Name / Title	Void Amount
001-000-270-575-30-47-00		Museum Electric/Gas	$202.07
	220013378793: Museum		
001-000-270-575-51-47-00		Gym- Electricity and Gas	$233.82
	220013379652: Gym		
001-000-270-576-80-47-00		Electric/Gas	$3.80
	220013379635: PW Shop-Parks 4%		
001-000-270-576-80-47-00		Electric/Gas	$12.89
	220013379221: Lake Sawyer Boat Launch		
001-000-280-536-20-47-00		Electric/Gas	$1.90
	220013379635: PW Shop-Cemetery 2%		
101-000-000-542-63-47-01		Street Lighting	$2,055.60
	220013397355: PSE Streetlights		
101-000-000-542-63-47-01		Street Lighting	$48.46
	220013379197: Cov Sawyer & 216th		
101-000-000-542-63-47-01		Street Lighting	$12.37
	220019188881: Intersection Light 24430 Morgan St		
101-000-000-542-63-47-01		Street Lighting	$146.78
	220014704229: Intersection Light 219th & SE 296th St		
101-000-000-542-63-47-01		Street Lighting	$9.15
	220024466751: 24619 Morgan St		
101-000-000-542-63-47-01		Street Lighting	$76.39
	220013379817: Ped Lighting Roberts		
101-000-000-542-63-47-01		Street Lighting	$75.67
	220024468559: Roberts Dr & Bruckners Way		
101-000-000-542-63-47-01		Street Lighting	$14.81
	220013379601: Baker St Crosswalk		
101-000-000-542-63-47-01		Street Lighting	$11.53
	220013379247: 216th Signal & Street Lights		
101-000-000-543-50-47-00		Electric/Gas	$20.90
	220013379635: PW Shop-Street 22%		
401-000-000-534-80-47-00		Electric/Gas	$22.81
	220013379635: PW Shop-Water 24%		
401-000-000-534-80-47-00		Electric/Gas	$294.80
	220013378868: 4.3 Mil Gal Resv		
401-000-000-534-80-47-00		Electric/Gas	$36.58
	220013378850: .5 Mil Gal Resv		
401-000-000-534-80-47-00		Electric/Gas	$3,501.59
	220013378835: Booster Station		
407-000-000-535-80-47-00		Electric/Gas	$12.66
	220013379619: Sewer Pump		
407-000-000-535-80-47-00		Electric/Gas	$93.23
	220013378819: Morganville Lift Station		

Vendor	Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description	Name	Title	Void	Amount
			407-000-000-535-80-47-00				Electric/Gas		$34.71
						220013379643: Diamond Glen Sewer			
			407-000-000-535-80-47-00				Electric/Gas		$22.80
						220013379635: PW Shop-Sewer 24%			
			410-000-000-531-10-47-00				Electric/Gas		$22.80
						220013379635: PW Shop-Drainage 24%			
		Total 09072021 PSE							**$8,407.08**
	Total 50505								**$8,407.08**
Total Puget Sound Energy									**$8,407.08**
Reano Construction & Logging Inc.									
	50506			**8/31/2021**	**2021 - September - 3rd September Batch**				
		2258							
			August 2021 Service						
			320-000-045-595-30-41-00				Ashpalt Overlay Const Costs		$2,554.45
						Limb up trees to give eqp access to area			
		Total 2258							**$2,554.45**
	Total 50506								**$2,554.45**
Total Reano Construction & Logging Inc.									**$2,554.45**
Scott Hanis									
	50507			**9/13/2021**	**2021 - September - 3rd September Batch**				
		09132021 SH							
			Mileage Reimbursement - Training 09/07 - 9/10/2021						
			101-000-000-542-30-43-00				Lodging, Meals & Mileage		$36.96
						Leadership Skills 9/7/2021 - 9/10/2021 - Spanaway, WA			
			401-000-000-534-80-43-00				Lodging, Meals & Mileage		$36.96
						Leadership Skills 9/7/2021 - 9/10/2021 - Spanaway, WA			
			407-000-000-535-80-43-00				Lodging, Meals & Mileage		$36.96
						Leadership Skills 9/7/2021 - 9/10/2021 - Spanaway, WA			
			410-000-000-531-10-43-00				Lodging, Meals & Mileage		$36.96
						Leadership Skills 9/7/2021 - 9/10/2021 - Spanaway, WA			
		Total 09132021 SH							**$147.84**
	Total 50507								**$147.84**
Total Scott Hanis									**$147.84**

Vendor / Transaction Number / Transaction Reference / Account Number	Invoice Date	Fiscal Description / Name / Title	Void	Amount
Shope Concrete Products				
50508	**9/1/2021**	**2021 - September - 3rd September Batch**		
10013318				
PW - Repair & Maint				
407-000-000-535-80-48-02		Sewer System Rep & Mtc-Ext/Int		$319.32
	Grade Rings			
410-000-000-531-10-48-02		Stormwater Repair & Maint Shops		$319.31
	Grade Rings			
Total 10013318				**$638.63**
Total 50508				**$638.63**
Total Shope Concrete Products				**$638.63**
Signs By Tomorrow				
50509	**9/13/2021**	**2021 - September - 3rd September Batch**		
Inv-36807				
Banner - Goal thermometer				
310-000-001-594-10-63-00		Skate Park Project		$208.27
Total Inv-36807				**$208.27**
50509	**9/13/2021**	**2021 - September - 3rd September Batch**		
INV-37044				
PW - New Veh				
510-000-200-594-48-64-02		PW- Truck & Equip		$77.16
	City Logo Sign			
Total INV-37044				**$77.16**
Total 50509				**$285.43**
Total Signs By Tomorrow				**$285.43**
Sound Publishing Inc.				
50510	**8/4/2021**	**2021 - September - 3rd September Batch**		
ECH933757				
CD - Adv				
001-000-240-558-60-41-75		Advertising-Long range planning		$255.60
	Ammend Comp Plan			
Total ECH933757				**$255.60**
50510	**8/11/2021**	**2021 - September - 3rd September Batch**		
ECH934403				
PW - Adv				
320-000-038-544-40-41-00		Tr Impact Fee Prof Svs		$221.10

Vendor	Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description / Name / Title	Void	Amount
					Transporation Impact Fee		
		Total ECH934403					**$221.10**
	50510			**8/11/2021**	**2021 - September - 3rd September Batch**		
		ECH935116					
			CD - Adv				
			001-000-240-558-60-41-75		Advertising-Long range planning		$69.30
					Ordinance re: Sr. Housing		
		Total ECH935116					**$69.30**
	50510			**8/25/2021**	**2021 - September - 3rd September Batch**		
		ECH935618					
			PW - Adv				
			401-000-000-534-80-41-75		Advertising		$221.10
					Ammend Comp Plan		
		Total ECH935618					**$221.10**
	50510			**8/25/2021**	**2021 - September - 3rd September Batch**		
		ECH936182					
			Com Dev - Adv				
			001-000-240-558-60-41-75		Advertising-Long range planning		$185.22
					Site Plan Rev - Med. Office		
		Total ECH936182					**$185.22**
	50510			**8/25/2021**	**2021 - September - 3rd September Batch**		
		ECH936184					
			Pln - Adv				
			001-000-240-558-60-41-75		Advertising-Long range planning		$161.76
					Change Eco Dev Plan		
		Total ECH936184					**$161.76**
	Total 50510						**$1,114.08**
Total Sound Publishing Inc.							**$1,114.08**
South Correctional Entity							
	50511			**9/10/2021**	**2021 - September - 3rd September Batch**		
		5444					
			001-000-211-523-60-49-00		Jail Costs		$10,672.00
					58 days		

Vendor	Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description	Name	Title	Void	Amount
			001-000-211-523-60-49-02				Prisoner Lang/ Medical Costs		$2,448.00
		Total 5444							**$13,120.00**
	Total 50511								**$13,120.00**
Total South Correctional Entity									**$13,120.00**
State Auditor's Office									
	50512			**9/13/2021**	**2021 - September - 3rd September Batch**				
		L144009							
						September 2021 Service			
			001-000-140-514-23-41-01				State Auditor Services		$14.14
			101-000-000-543-30-41-02				State Auditor Services		$3.39
			401-000-000-534-80-41-03				State Auditor Services		$13.01
			407-000-000-535-80-41-07				State Auditor Services		$13.01
			410-000-000-531-10-41-02				State Auditor Services		$13.00
		Total L144009							**$56.55**
	Total 50512								**$56.55**
Total State Auditor's Office									**$56.55**
Thomson Reuters - West									
	50513			**9/1/2021**	**2021 - September - 3rd September Batch**				
		844943755							
						September 2021 Service			
			001-000-210-521-10-41-07				PD-Prof Serv/Leads Online-Pawn shop		$195.66
		Total 844943755							**$195.66**
	Total 50513								**$195.66**
Total Thomson Reuters - West									**$195.66**
TRM Wood Products Co. Inc.									
	50514			**9/16/2021**	**2021 - September - 3rd September Batch**				
		405030							
						PW - Supplies			
			101-000-000-544-90-31-00 2/4 posts				PW Clearing Acct-Supplies		$36.78
		Total 405030							**$36.78**
	Total 50514								**$36.78**
Total TRM Wood Products Co. Inc.									**$36.78**

Vendor / Transaction Number / Transaction Reference / Account Number	Invoice Date	Fiscal Description / Name / Title	Void	Amount
UBM				
50515	**9/7/2021**	**2021 - September - 3rd September Batch**		
INV457262				
August 2021 Copy Charges				
001-000-120-512-50-49-02		Printing and Binding		$74.83
Total INV457262				**$74.83**
Total 50515				**$74.83**
Total UBM				**$74.83**
Uline				
50516	**9/2/2021**	**2021 - September - 3rd September Batch**		
138185483				
PW - Supplies				
101-000-000-544-90-31-00		PW Clearing Acct-Supplies		$174.26
Utility Cart				
Total 138185483				**$174.26**
Total 50516				**$174.26**
Total Uline				**$174.26**
Valley Communications Center				
50517	**9/10/2021**	**2021 - September - 3rd September Batch**		
0025861				
August 2021 Service				
001-000-214-521-20-41-00		Valley Comm - Dispatch Service		$8,710.85
196.5 calls				
Total 0025861				**$8,710.85**
Total 50517				**$8,710.85**
Total Valley Communications Center				**$8,710.85**
Valley Mobile Trailer Repair				
50518	**9/7/2021**	**2021 - September - 3rd September Batch**		
29527 VMT				
PW - Veh Maint				
101-000-000-544-90-48-02		PW Clearing- Shared Veh/Equip Maint		$548.77
Veh Maint				
Total 29527 VMT				**$548.77**
Total 50518				**$548.77**
Total Valley Mobile Trailer Repair				**$548.77**

Vendor	Transaction Number / Transaction Reference / Account Number	Invoice Date	Fiscal Description / Name / Title	Void / Amount
W. Anneke Berry				
	50519	**9/8/2021**	**2021 - September - 3rd September Batch**	
	09082021 WAB			
	August 2021 Service			
	001-000-120-512-50-41-02		Protem Judge	$120.00
	Total 09082021 WAB			**$120.00**
	Total 50519			**$120.00**
Total W. Anneke Berry				**$120.00**
Water Management Laboratories, Inc.				
	50520	**9/9/2021**	**2021 - September - 3rd September Batch**	
	196647			
	August 2021 Service			
	401-000-000-534-80-41-02		Water Testing and Sampling	$21.00
	Total 196647			**$21.00**
	Total 50520			**$21.00**
Total Water Management Laboratories, Inc.				**$21.00**

Vendor Count 45 **Grand Total $385,427.07**

Voucher Directory with Transaction Date

Vendor	Transaction Number	Transaction Reference	Account Number	Invoice Date	Fiscal Description / Name / Title	Void	Amount
Sorci Family LLC							
	50521			**10/1/2021**	**2021 - October - 1st October Batch for 10.07.2021 Council**		
		10.01.2021 SF LLC					
			October 2021 Rent				
			001-000-248-518-20-45-02		MDRT Property Rental Cost		$687.90
			001-000-254-518-20-45-02		Facilities-Prop Rental		$1,031.84
			001-000-254-518-20-45-05		Facilities City Hall Bldg Rental		$2,259.45
		Total 10.01.2021 SF LLC					**$3,979.19**
	Total 50521						**$3,979.19**
Total Sorci Family LLC							**$3,979.19**

Vendor Count 1 **Grand Total $3,979.19**

Register

Fiscal: 2021
Deposit Period: 2021 - October, 2021 - September, 2021 - August
Check Period: 2021 - October - 1st October Batch for 10.07.2021 Council, 2021 - September - 3rd September Batch, 2021 - August - Early 5th August for 10/7/2021 Council

Number	Name	Print Date	Clearing Date	Amount
Columbia Bank				
Check				
50475	King County Finance - Wastewater Treat Div.	9/21/2021		$94,760.49
50476	2 Watch Monitoring, Inc.	10/8/2021		$387.50
50477	Alpine Products Inc.	10/8/2021		$494.07
50478	Amazon Capital Services, Inc.	10/8/2021		$3,325.82
50479	AquaTechnex	10/8/2021		$1,864.21
50480	Architects Rasmussen Triebelhorn AIA/PS	10/8/2021		$2,560.00
50481	Black Diamond Auto Parts	10/8/2021		$176.14
50482	Brim Tractor Company Inc.	10/8/2021		$2,747.62
50483	Canon Solutions America, Inc.	10/8/2021		$240.23
50484	CHS/Cenex	10/8/2021		$5,345.52
50485	City of Black Diamond/Retained Funds	10/8/2021		$8,452.72
50486	City of Issaquah	10/8/2021		$6,160.00
50487	CIVICPLUS	10/8/2021		$2,853.38
50488	Enumclaw Chrysler Jeep Dodge Ram	10/8/2021		$1,264.33
50489	Financial Consultants International Inc	10/8/2021		$1,945.66
50490	First Net	10/8/2021		$2,897.41
50491	Gunderson Law Firm	10/8/2021		$3,400.00
50492	Home Depot Credit Service	10/8/2021		$939.77
50493	Honey Bucket/Northwest Cascade Inc.	10/8/2021		$319.00
50494	HWA GeoSciences Inc.	10/8/2021		$400.00
50495	Johnsons Home & Garden	10/8/2021		$1,193.69
50496	Kalpna Bentler	10/8/2021		$130.00
50497	King County Finance	10/8/2021		$908.76
50498	King County Finance - I-Net	10/8/2021		$750.00
50499	King County Radio Comm Services	10/8/2021		$6,309.31
50500	McClure and Sons, Inc.	10/8/2021		$106,974.12
50501	Mountain View Fire & Rescue	10/8/2021		$9,378.40
50502	Office Products Nationwide	10/8/2021		$170.75
50503	Pacific Civil and Infrastructure	10/8/2021		$175,309.41
50504	Pollardwater.com-West	10/8/2021		$2,323.04
50505	Puget Sound Energy	10/8/2021		$8,407.08
50506	Reano Construction & Logging Inc.	10/8/2021		$2,554.45
50507	Scott Hanis	10/8/2021		$147.84
50508	Shope Concrete Products	10/8/2021		$638.63
50509	Signs By Tomorrow	10/8/2021		$285.43

Number	Name	Print Date	Clearing Date	Amount
50510	Sound Publishing Inc.	10/8/2021		$1,114.08
50511	South Correctional Entity	10/8/2021		$13,120.00
50512	State Auditor's Office	10/8/2021		$56.55
50513	Thomson Reuters - West	10/8/2021		$195.66
50514	TRM Wood Products Co. Inc.	10/8/2021		$36.78
50515	UBM	10/8/2021		$74.83
50516	Uline	10/8/2021		$174.26
50517	Valley Communications Center	10/8/2021		$8,710.85
50518	Valley Mobile Trailer Repair	10/8/2021		$548.77
50519	W. Anneke Berry	10/8/2021		$120.00
50520	Water Management Laboratories, Inc.	10/8/2021		$21.00
50521	Sorci Family LLC	10/8/2021		$3,979.19
		Total	**Check**	**$484,166.75**
				$484,166.75
		Grand Total		**$484,166.75**

BLACK DIAMOND CITY COUNCIL
WORK SESSION MINUTES
September 9, 2021
Virtual Meeting Via Zoom

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, Wisnoski, de Leon, O'Donnell

ABSENT: Councilmembers Mulvihill and Page (excused)

Staff present: Deputy City Clerk Carina Thornquist

WORK SESSION:

1) Discussion on Discharge of Fireworks within the City Limits

Below are some concerns that Councilmembers discussed:

- If we were to have fireworks ban, how would it be enforced? Enforcing the action of someone lighting off fireworks is almost impossible. Every Police officer is on duty already and fire fighters aren't enforcers. It was expressed that we won't be eliminating fireworks in Black Diamond no matter what we do.
- Insurance rates were a huge concern since the houses are getting closer and closer together.
- People need to be reminded that there are consequences to misusing illegal fireworks as well as using them outside of the allowed time.

Councilmembers suggested and discussed some possible solutions which are listed below:

- It is important for citizens to have good communication with their neighbors; whether it's about their pets, getting up early for work, etc.
- People need to be educated on the use of fireworks and feel it's a bigger issue than just fireworks.
- Residents need to be responsible, educated, have water and tools handy and clean up the mess in the roads after they're done.
- Maybe adding a survey to the utility bills?
- Taking it back to the Public Safety Committee for discussion.

- Possibly having an Advisory Vote in August 2022.

Councilmembers had some back-and-forth discussion regarding the method to decide if fireworks will be allowed or banned. Also, conversation took place if Councilmembers were in favor of having fireworks or against fireworks. Those discussion points are below:

- A few Councilmembers expressed that they are not in favor of Advisory Votes and went on to say Councilmembers should make the decision and then citizens can make an informed decision and vote them out if they don't believe in their decisions. It was also stated that an Advisory Vote would take a long time.
- Others expressed their approval of fireworks and how much they love the tradition. They stated fireworks should be ok but, used responsibly and needs to be enforced. The fireworks over Lake Sawyer this year was amazing, and they do not want to stop having fireworks in Black Diamond.
- Councilmembers disagreed whether Council should be the ones making the decision or it should be put out to the citizens for an Advisory Vote.
- Also expressed was the Council having bigger issues to work on such as transportation, building a civic center or City Hall, City Administrator, etc.
- It's still going to take more time to discuss and to reach a decision. Spending several different meetings to discuss hours of fireworks is time well spent.

Mayor Benson turned it over to Fire Chief Smith for his comments. He stated that it's usually not the legal fireworks that cause the issues and injuries but it's the larger, illegal fireworks. He also stated the Fire Department "staffs up" for possible brush fires during this time of year.

ADJOURNMENT:

Councilmember Oglesbee **moved** to adjourn the meeting; **second** by Councilmember Deady. Motion **passed** with all voting in favor (5-0). The meeting ended at 7:33 p.m.

ATTEST:

______________________________	______________________________
Carol Benson, Mayor	Carina Thornquist, Deputy City Clerk

BLACK DIAMOND CITY COUNCIL MINUTES
Special Council Meeting of September 16, 2021
Virtual Meeting Via Zoom

CALL TO ORDER, FLAG SALUTE:

Mayor Benson called the special meeting to order at 6:30 p.m. and led us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Oglesbee, Wisnoski, de Leon, O'Donnell, Page. (Councilmember Deady was not present during roll call and entered the meeting at 6:34 p.m.)

ABSENT: Councilmember Mulvihill (excused)

Staff present: Mona Davis, Community Development Director, Andrew Williamson, MDRT/Ec Dev Director; Jamey Kiblinger, Police Chief; Seth Boettcher, Public Works Director; May Miller, Finance Director; David Linehan, City Attorney; and Brenda L. Martinez, City Clerk/HR Manager.

WORK SESSION:

1) Discussion Regarding Possible Uses for ARPA 2022 Funds, Including Funding for Black Diamond Community Center to administer Rent and Utility Assistance

Mayor Benson stated that the purpose of tonight's meeting is to have a discussion regarding possible uses for ARPA funding, including funding for the Black Diamond Community Center to administer rent and utility assistance. She noted that because of the water issue, staff came up with a spreadsheet showing possible uses for this year's funding and wanting to get buy-in from Council. Council would have a lot more discretion for next year's uses.

Finance Director Miller shared a worksheet she prepared showing the expected ARPA funds for the City along with possible uses for this year's funding. She discussed each of the three possible uses: 1) Assist Black diamond residents with past due rent and utilities assistance, 2) Fund a portion of the North Commercial Watermain Distribution Updgrade, and 3) Cover costs of City COVID related PPE, legal and technology. During Ms. Miller's presentation she suggested that the City not use ARPA funding for item 3, but rather fund these expenditures through city funds.

There was Council discussion regarding the proposed uses with City Attorney Linehan suggesting that Council continue this conversation at their regular meeting tonight at 7 p.m.

ADJOURNMENT:

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

The meeting ended at approximately 6:59 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of September 16, 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, Wisnoski, de Leon, O'Donnell, and Page.

ABSENT: Councilmember Mulvhill (excused)

Staff present: Mona Davis, Community Development Director; Seth Boettcher, Public Works Director; May Miller, Finance Director; Jamey Kiblinger, Police Chief; MDRT Ec/Dev Director, Andrew Williamson; David Linehan, City Attorney; and Brenda L. Martinez, City Clerk/HR Manager.

AGENDA REVIEW AND APPROVAL:

Councilmember de Leon **moved** to add the continue discussion on ARPA funding to the end of the agenda; **second** Councilmember Wisnoski. Motion **passed** with all voting in favor (6-0).

Councilmember de Leon **moved** to approve the agenda as amended; **second** Councilmember Deady. Motion **passed** with all voting in favor (6-0).

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS: None

CONSENT AGENDA:

Councilmember Deady **moved** to adopt the Consent Agenda; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (6-0). The Consent Agenda was approved as follows:

1) **Claim Checks –** September 16, 2021 Check No. 50410 through 50474 and EFTs in the amount of $441,106.82
2) **Payroll –** August 2021, Check No. 20110 through 20118 and ACHS in the amount of $439,824.37
3) **Minutes** –Council Meeting of September 2, 2021

PUBLIC COMMENTS:

Sarah Jolk, spoke to Council

PUBLIC HEARINGS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

4) AB21-057 – Ordinance Amending the 2021 Salary Schedule

City Clerk/HR Manager Martinez and Finance Director Miller briefed Council on this item.

Councilmember de Leon **moved** to adopt Ordinance No. 21-1164 amending the 2021 Salary Schedule as adopted by Ordinance No. 21-1161 and authorizing the two additional positions; **second** Councilmember Wisnoski.

There was Council discussion between staff and Councilmembers with the focus on the senior accountant position.

Roll call vote: Deady, **no**; Oglesbee, **yes**; Wisnoski, **yes**; de Leon, **yes**, O'Donnell, **yes**; Page, **no**. Motion **passed** 4-2 (Deady, Page)

5) AB21-058 – Resolution Amending the 2019-2024 Capital Improvement Plan

Public Works Director Boettcher reviewed the item with Council.

There was a robust conversation on this agenda item.

Councilmember O'Donnell **moved** that we approve the Resolution amending the 2019-2024 Capital Improvement Plan as discussed here tonight; **second** Councilmember de Leon.

Roll call vote: Deady, **no**; Oglesbee, **no**; Wisnoski, **yes**; de Leon, **yes**, O'Donnell, **yes**; Page, **yes**. Motion **passed** 4-2 (Deady, Oglesbee)

6) AB21-059 – Resolution Regarding Fire Services

MDRT/Ec Dev Director Williamson reported on this agenda item.

There was Council discussion.

Councilmember Deady **moved** to approve Resolution No. 21-1442 authorizing the Mayor to execute a new contract with Mountainview Fire & Rescue for fire protection and emergency medical services; **second** Councilmember Wisnoski. Motion **passed** with all voting in favor (6-0).

7) Continuation of Discussion on ARPA Funds
There was continued discussion on the North Loop Water Project and how the funds will be divided to different areas of the project. Also discussed was the funding to the Black Diamond Community Center for distribution of rent and utility assistance payments.

ACTION: Councilmember Wisnoski **moved** to authorize a minimum of $100,000 and not to exceed $165,000 of the ARPA funding to be allocated to the Black Diamond Community Center for distribution of rent and utility assistance payments; **second** Councilmember O'Donnell. Motion passed with all voting in favor (6-0).

DEPARTMENT REPORTS:

Fire – Chief Smith thanked Council for the adoption of the agreement tonight and thanked Andy and David too. He shared that the Enumclaw Courier Herald has a great article about vaccines. He mentioned that Tough Mudder and the bicycle race which is part of the IRONMAN will be coming through town. He again thanked the Council for adopting the agreement.

Community Development – Director Davis updated Council on the skate park projects and donations. She also discussed the upcoming meeting on Oct 5 to be held at the community gym on the PROs plan. She discussed increased staffing levels in the department and items that will be discussed by the Planning Commission as part of the docket process.

MAYOR'S REPORT:

Mayor Benson reported attending the South-end Mayor's meeting where they discussed the new police legislations and meeting with legislators and police. She also attended a Mayor/CEO meeting and noted us being way ahead of ARPA funding allocations. She discussed the bike rodeo and announced there were 96 participants and 200+ family members. She discussed other events that took place for Labor Days and noted it being a little bit slower than in previous years and feels this was due to COVID and hopes next year it will pick up - it was a successful event.

COUNCIL REPORTS:

Councilmember de Leon reported attending her committee meetings, was present during Labor Days and enjoyed meeting people and volunteering for doggie days.

Councilmember O'Donnell noted being proud he was not one of the dissenters tonight and feels their pain as he's been in that position. He shared that in hiring he hopes we provide the equity and social justice lens to our hiring practices. He feels we are finally getting stuff done and gave examples.

Councilmember Page thanked the City of Black Diamond and the Enumclaw School District for supporting Labor Days. She thanked all the people who participated in the community to make the event special. She noted the bike rodeo was a huge hit and gave a big shout out to Sgt. Sharif as it couldn't have happened without him and thanked all the Councilmembers who volunteered too. She brought up the Enumclaw School District work session where they discussed the Black Diamond Elementary School enrollment and where they are in terms of capacity. She mentioned serving on the King County Chamber

Coalition and wondered what the Council does to set a legislative agenda. She suggested having this discussed at un upcoming work session.

Councilmember Deady reported attending all her committee meetings and the PIC meeting. She noted that Labor Days was a huge success and thanked all the volunteers and commented on the new fire truck being in the parade. She thanked Sgt. Sharif and everyone who made the bike rodeo a successful event. She shared that Public Works staff put up a communication board between the museum and antique store and to look for it. She congratulated the City and Mountain View Fire for a great contract moving forward and looks forward to continuing our service with them.

Mayor Benson announced that Sergeant Sharif has resigned from the department.

Councilmember Oglesbee gave her sincere thank you for being chosen as Civil Servant this year. She noted changing her mind on the senior accountant position and can discuss this more moving forward in the budget process. She looks forward to what our future holds for a city campus and the need to focus on this financially. She noted at the last meeting we did not recognize that Suicide Prevention Awareness is September 5 -11 and reminded everyone to be humble, be patient, and be kind as you don't know what struggles someone may be going through.

Councilmember Wisnoski reported attending his committee meetings and noted having a great time at Labor Days and it being good to see the new fire truck. He is excited about the contract with the fire department and discussed how tonight was a good example for people to see exactly what happens, we are a Council who does disagree, we evaluate, discuss, and come to a decision and are not rubber stampers and is a good illustration of what we should do - have independent thoughts. He expressed being sorry to hear about Sgt. Sharif as he will be a huge loss to the city and wished him the best of luck.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Theron Smith, Black Diamond spoke to Council.

John Olson, Black Diamond spoke to Council as a citizen.

EXECUTIVE SESSION: None

ADJOURNMENT:

Councilmember Deady **moved** to adjourn the meeting; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (6-0). The meeting ended at 9:57 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: **Ordinance Adding a new BDMC Chapter 3.80, Transportation Impact Fees, and Adopting the Transportation Impact Fee Rate Study**	**Agenda Date: October 7, 2021**	**AB21-061**
	Mayor Carol Benson	
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev – Mona Davis	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
Cost Impact (see also Fiscal Note):	Police – Chief Kiblinger	
Fund Source:	Public Works – Seth Boettcher	**X**
Timeline: To take effect on January 1, 2022	Court – Stephanie Metcalf	

Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator

Attachments: Proposed Transportation Impact Fee Ordinance; Proposed Transportation Impact Fee Rate Study

SUMMARY STATEMENT: City Council first reviewed the proposed new BDMC Ch. 3.80, Transportation Impact Fees, at its July 8, 2021, Work Study. Additionally, the City Council held a public hearing on the proposed ordinance on August 19, 2021.

As previously discussed, Transportation Impact Fees are a long-accepted method established by state law for collecting funds from developers for their share of the cost of capacity-adding projects. Transportation Impact Fees will assist the City in ensuring that those transportation facilities necessary to support development will be adequate to serve the development at the time the development is available for occupancy and use, or within the period provided by law, without decreasing the City's level of service standards. The majority of cities in Washington State implement Transportation Impact Fee systems.

The Transportation Impact Fee Ordinance is a shift in policy for the City of Black Diamond in collecting traffic Impact / mitigation fees from non MPD developers through SEPA to a set established Transportation Impact Fee (previously accomplished through SEPA mitigation and RCW 82.02.020 agreements). The establishment of a Transportation Impact Fee provides another tool for the City to achieve mitigation of transportation impacts with more predictability, easier administration, easier tracking, and greater efficiency.

Staff notes that the City's consultant, Parametrix, has suggested several edits to the Transportation Impact Fee Rate Study previously prepared in May of this year. First, certain rounding errors have been corrected on Table 4, the Impact Fee Schedule. Additionally, the Appendix B Land Use Definitions portion of the study has been revised to ensure that the explanations of the land use definitions are easier to understand.

FISCAL NOTE (Finance Department): A separate fund will be set up for the deposit and distribution of transportation impact fees. The City's administrative costs for administering the impact fee program are covered by the separate application fee authorized per the Ordinance, codified at BDMC 3.80.040.D.
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: Public Works Committee recommended moving the ordinance forward to the full council.
RECOMMENDED ACTION: **MOTION to adopt Ordinance No. 21-1165 adding a new Chapter 3.80 to the Black Diamond Municipal Code, entitled "Transportation Impact Fees," and adopting the Parametrix rate study.**

RECORD OF COUNCIL ACTION

Meeting Date	***Action***	***Vote***
August 19, 2021	Public Hearing was held	
October 7, 2021		

ORDINANCE NO. 21-1165

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, AMENDING TITLE 3 OF THE BLACK DIAMOND MUNICIPAL CODE TO ESTABLISH A NEW CHAPTER 3.80 ENTITLED "TRANSPORTATION IMPACT FEES"; ADOPTING A RATE STUDY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City has authority to adopt impact fees to address the impact on transportation facilities caused by new development, pursuant to Ch. 82.020 RCW; and

WHEREAS, the City Council desires to ensure that those transportation facilities necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use, or within the period provided by law, without decreasing the current service levels below established minimum standards for the City; and

WHEREAS, the City Council finds that it is in the public interest for the City to have a diversity of housing options and that it is in the public interest for the City to provide the option of an exemption from full transportation impact fees in order to incentive the construction of low-income housing; and

WHEREAS, the City Council finds that it is in the public interest for the City to have early learning facilities to serve its residents and that it is in the public interest for the City to provide the option of an exemption from full transportation impact fees for early learning facilities; and

WHEREAS, the City Council finds that it is in the public interest for the City to have a diversity of housing options and that it is in the public interest for the City to provide the option of an exemption from full transportation impact fees in order to incentive the construction of accessory dwelling units; and

WHEREAS, the City Council held a public hearing and considered this Ordinance during its regular City Council meeting of August 19, 2021;

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

<u>Section 1. New Municipal Code Chapter</u>. Title 3 of the Black Diamond Municipal Code is amended to add a new Chapter 3.80, entitled "Transportation Impact fees," containing the following provisions:

Commented [EK1]: Corresponds with Optional Provision #1 below. If there is no Council consensus for Optional Provision #1, this WHEREAS clause to be deleted.

Commented [EK2]: Corresponds with Optional Provision #2 below. If there is no Council consensus for Optional Provision #2, this WHEREAS clause to be deleted.

Commented [EK3]: Corresponds with Optional Provision #3 below. If there is no Council consensus for Optional Provision #3, this WHEREAS clause to be deleted.

Chapter 3.80
TRANSPORTATION IMPACT FEES

3.80.010 Authority and Purpose.

A. This Chapter is enacted pursuant to the Growth Management Act as codified in chapter 36.70A RCW and the provisions of RCW 82.02.050 through 82.02.100.

B. The purposes of this Chapter are to:

1. Develop a program consistent with the City's Comprehensive Plan for joint public and private financing of transportation facilities as such facilities are necessitated in whole or in part by development within the City;

2. Ensure that those transportation facilities necessary to support Development shall be adequate to serve the Development at the time the Development is available for occupancy and use, or within the period established by law, without decreasing current service levels below established minimum standards for the City.

3. Create a mechanism to charge and collect Transportation Impact Fees to ensure that all new Development bears its proportionate share of the capital costs of transportation facilities reasonably related to new Development; and

4. Establish standards and procedures so that new Development pays a proportionate share of costs for new facilities and services and does not pay arbitrary or duplicative fees for the same impact.

C. The City has conducted studies documenting the procedures for measuring the impact of new growth and Development on public transportation facilities, has commissioned the preparation of a fee study, has reviewed the fee study, and hereby incorporates these studies into this Chapter by reference. Based on the foregoing, the City has prepared a formula and method of calculating Transportation Impact Fees to serve new Development that provides a balance between Transportation Impact Fees and other sources of public funds.

D. The provisions of this Chapter shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, and welfare.

3.80.020 Definitions.

For purposes of this Chapter, the following terms have the indicated meanings:

A. “Applicant” means a person, firm, company, partnership, or corporation, and all successors in interest thereto, proposing a Development in the city.

B. "Capital Facilities Element" means the capital facilities plan element of the City of Black Diamond’s Comprehensive Plan currently in effect or as subsequently amended.

C. “City” means the City of Black Diamond.

D. “Commercial” means any activity carried out for the purpose of financial gain for an individual or organization, whether profit or nonprofit.

E. “Developer” means a person or persons or entity or entities that owns, or holds purchase options or other control over, property on which Development is proposed.

F. “Development” means any:

1. construction or expansion of a building, structure, or use;
2. change in use of a building or structure; or
3. change in the use of land

that creates additional demand for transportation facilities.

G. “Dwelling Unit” means a dwelling unit as defined in Section 18.100.270 of the Black Diamond Municipal Code currently in effect or as subsequently amended.

H. “Encumber” means to transfer impact fee dollars from the Transportation Impact Fee Fund to a fund for a particular system improvement that is fully funded in the current year’s budget or for which a construction contract or contracts have been let.

I. “Low-Income Housing” means housing that has a monthly cost of no greater than thirty percent of eighty percent of the median family income adjusted for family size, for King County, as reported by the United States Department of Housing and Urban Development.

J. “P.M. Peak Hour” means the consecutive 60-minute period between the hours of 4:00 p.m. and 6:00 p.m. during which the highest volume of traffic occurs.

K. “Project Improvements” means site improvements and facilities that are planned and designed to provide service for a particular Development project and that are necessary for the use and convenience of the occupants or users of the project, and are not System Improvements.

L. “System Improvements” means traffic capacity-adding transportation facilities that are included in the City’s Six-year Transportation Improvement Plan and are designed to provide service to the community at large, in contrast to Project Improvements or existing transportation facility preservation projects, such as repaving projects.

M. “Transportation Impact Fee” means a payment of money imposed upon Development as a condition of development approval and/or building permit approval to mitigate all or any portion of the transportation impact from the Development. "Transportation Impact Fee" does not include a reasonable permit or application fee, administrative fees for collecting and handling impact fees, the cost of reviewing independent fee calculations, or the administrative fee required for an appeal.

N. “Transportation Impact Fee Fund” means the fund established for the transportation facilities for which Transportation Impact Fees are collected.

O. "Transportation Impact Fee Schedule" means the table of Transportation Impact Fees adopted by the City Council establishing the standard amounts that Applicants shall pay for various types of projects as a condition of Development within the City.

P. “Transportation Impact Fee Study” means the rate study conducted by Parametrix, Inc., dated May 2021, which determined the Transportation Impact Fees to include in the Traffic Impact Fee Schedule, and includes any subsequent updates thereto.

3.80.030 Council Adoption and Review of Impact Fees.

A. The City Council hereby adopts Table 4 of the Transportation Impact Fee Study as the Transportation Impact Fee Schedule for the City. The methodology described in the Transportation Impact Fee Study shall apply in calculating Transportation Impact Fees, including for any Development that does not fit squarely within the land use categories listed in Table 4.

B. The Transportation Impact Fee Schedule may be reviewed and amended by resolution of the City Council from time to time, as the City Council deems appropriate.

C. The Transportation Impact Fee Schedule shall be automatically updated for inflation annually using the following procedures:

1. The Public Works Director shall use the Construction Cost Index for Seattle (June-June) published by the Engineering News Record to calculate annual inflation adjustments in the Transportation Impact Fee Schedule. The Transportation Impact Fee Schedule shall not be adjusted for inflation if the index is unchanged.

2. The indexed Transportation Impact Fee Schedule shall be effective January 1 of each year. A copy of the indexed Transportation Impact Fee Schedule shall be provided to the City Council each December, but it shall become effective without further Council action.

D. The Public Works Director shall review the Transportation Impact Fee Schedule annually to determine whether a new Transportation Impact Fee rate study should be prepared.

3.80.040 Applicability.

A. A Transportation Impact Fee is hereby imposed on every Development activity in the City based upon the rates established in the Transportation Impact Fee Schedule. The Transportation Impact Fee Schedule shall establish such rates based upon the land use as defined within the Transportation Impact Fee Schedule. Should a definition of a particular land use category (such as, but not limited to: single family residential, etc.) otherwise contained within the Black Diamond Municipal Code conflict with a land use category definition contained within the Transportation Impact Fee Schedule, the definition contained within the Transportation Impact Fee Schedule shall control for purposes of calculating the Transportation Impact Fees due.

B. Any Transportation Impact Fee imposed shall be reasonably related to the impact caused by the Development and shall not exceed a proportionate share of the costs of System Improvements that are reasonably related to the Development.

C. Transportation Impact Fees shall be based on the Capital Facilities Element and on the City's Six-year Transportation Improvement Plan.

D. The City shall also impose an application fee to cover the City's reasonable costs to administer the Transportation Impact Fee program. The administrative fee shall be paid by the Applicant to the City at the time of building permit application. The administrative fee shall be deposited into an administrative fee account within the Transportation Impact Fee Fund. Administrative fees shall be used to defray the cost incurred by the City in the administration and update of the Transportation Impact Fee program, including, but not limited to, review of independent fee calculations and the value of credits. The administrative fee is not creditable or refundable and is not subject to deferral.

3.80.050 Service Area.

There shall be one service area which shall be consistent with the corporate limits of the City.

3.80.060 Assessment of Transportation Impact Fees.

A. The City shall assess Transportation Impact Fees from any Applicant seeking a building permit from the City, using the Transportation Impact Fee Schedule in effect at the time of building permit issuance, unless payment is deferred pursuant to this Chapter, in which case the Transportation Impact Fees shall be assessed based on the Transportation Impact Fee Schedule in effect at the time of the deferral application.

B. Unless the proposed Development is exempt or subject to adjustments, credits, or an independent fee calculation accepted by the City, the City shall not issue building permit(s) unless and until the Transportation Impact Fees have been paid.

3.80.070 Collection of Transportation Impact Fees.

A. Except as provided in subsection (B) of this section, the Transportation Impact Fees imposed under this Chapter are due and payable at the time of issuance of a building permit.

B. Transportation Impact Fee payments may be deferred for single-family detached and attached residential construction (as such terms are defined within the Transportation Impact Fee Schedule) until the City conducts a final building inspection, as authorized by RCW 82.02.050(3). Each Applicant for Transportation Impact Fee deferral is entitled annually (per calendar year) to obtain deferral for only the first 20 single-family residential construction building permits applied for by that Applicant.

1. In order to defer the payment of Transportation Impact Fees, all Applicants and legal owners of the subject property upon which the Development activity is to occur must sign an impact fee deferral agreement in a form acceptable to the City Attorney. The Applicant must also pay an administrative fee, along with fees necessary for recording the agreement in the King County real property records. The impact fee deferral agreement shall require the applicant to grant and record an impact fee lien as required by RCW 82.02.050(3)(c) prior to issuance of the building permit. The City shall withhold final building inspection approval, issuance of a certificate of occupancy, and any other equivalent final certification until the deferred Transportation Impact Fees have been paid in full.

2. In no event shall the term of an impact fee deferral exceed 18 months.

3. In the event that the Transportation Impact Fees are not paid within the time provided in this subsection, the City may commence foreclosure proceedings under the process set forth in Chapter 61.12 RCW, except as may be revised herein. The then-present owner shall also pay the City's reasonable attorney fees and costs incurred in the foreclosure process. Notwithstanding the foregoing, the City shall not commence foreclosure proceedings until 30 calendar days after providing written notification to the then-present owner of the property via certified mail with return receipt requested advising of its intent to commence foreclosure proceedings. If the then-present owner cures the default within the 30-day cure period, no attorney fees and/or costs will be owed. In addition, the City retains its full authority to withhold inspections and to suspend, revoke, or refuse to issue certificates of occupancy and other building permits and to commence enforcement actions due to nonpayment of impact fees.

4. Upon written request following full payment of Transportation Impact Fees that have been deferred pursuant to this chapter, the City shall execute a written release of the lien recorded pursuant to this Chapter. The release shall be in a form approved by the

City Attorney and shall be recorded against the title of the subject property by and at the expense of the current landowner.

3.80.080 Exemptions.

The following Development activities do not create any additional transportation impacts or have been determined by the City Council to be exempt from paying Transportation Impact Fees pursuant to this ordinance:

A. Existing Dwelling Unit. Any alteration, expansion, reconstruction, remodeling, replacement, or demolition/removal of an existing Dwelling Unit that does not result in the generation of any new P.M. Peak Hour trips.

B. Existing Nonresidential Building. Any alteration, expansion, reconstruction, remodeling, replacement, or demolition/removal of an existing nonresidential building that does not result in the generation of any new P.M. Peak Hour trips.

C. Condominium projects in which existing Dwelling Units are converted into condominium ownership and that do not result in the generation of any new P.M. peak hour trips.

D. Any Development activity that is exempt from the payment of a Transportation Impact Fee pursuant to RCW 82.02.100, due to mitigation required by the State Environmental Policy Act ("SEPA").

E. Any Development activity for which transportation impacts have been mitigated pursuant to a condition of Development approval or development agreement to pay fees, dedicate land, or construct or improve facilities, unless the condition of the Development approval or a development agreement provides otherwise; provided that the condition of the Development approval or development agreement predates the effective date of this Chapter.

F. Any Development activity for which transportation impacts have been mitigated pursuant to a voluntary agreement entered into with the City pursuant to RCW 82.02.020 to pay fees, dedicate land, or construct or improve transportation facilities, unless the terms of the voluntary agreement provide otherwise; provided that the agreement predates the effective date of this Chapter.

G. A Developer who is constructing, reconstructing, or remodeling any form of Low-Income Housing may request an exemption of up to [XX] percent of the required Transportation Impact Fees. Any claim for an exemption for Low-Income Housing must be made prior to payment of the Transportation Impact Fee, and any claim not so made shall be deemed

Commented [EK4]: Optional Provision #1:

Council may set this percentage at whatever number it deems to be appropriate.

If Council wishes to provide an exemption for over 80%, the statute provides the remaining percentage of the exempted fee must be paid from public funds other than impact fee accounts. RCW 82.02.060(3).

waived. Prior to issuance of a certificate of occupancy for any portion of the Development, the owner shall execute and record against the property in the King County real property records a City-prepared covenant guaranteeing that the Low-Income Housing shall continue in perpetuity, which covenant shall run with the land, address annual reporting requirements to the City, include price restrictions and household income limits, and be consistent with the provisions of RCW 82.02.060(3) as now adopted or hereafter amended. In the event that an exempt housing unit is converted to any use other than Low-Income Housing, the then-current owner shall pay the applicable Transportation Impact Fees in effect at the time of conversion.

H. A Developer who is constructing, reconstructing, or remodeling any form of Early Learning Facility (as defined in RCW 43.31.565 as adopted or later amended) may request an exemption of up to [YY] percent of the required Transportation Impact Fees.

I. A Developer who is constructing, reconstructing, or remodeling any form of accessory dwelling unit ("ADU") as defined by BDMC 18.56.005, may request an exemption of up to [ZZ] percent of the required Transportation Impact Fees. Any claim for an exemption for ADUs must be made prior to payment of the Transportation Impact Fee, and any claim not so made shall be deemed waived. Impact fees from such Development activity shall be paid from public funds other than impact fee accounts per RCW 82.02.060(2).

3.80.090 Determination of Transportation Impact Fees, Reductions, Credits, Adjustments and Independent Calculations, and Appeals.

A. Determination of Transportation Impact Fees. The City shall determine the amount of a Developer's Transportation Impact Fees according to the Transportation Impact Fee Schedule.

B. Reductions. The Transportation Impact Fee amount established by the Transportation Impact Fee Schedule shall be reduced by the amount of any payment previously made for the Development activity in question, either as a condition of Development approval (such as, but not limited to a SEPA condition) or pursuant to a voluntary agreement.

C. Credits.

1. Whenever a Developer is subject to a Development condition that the Developer actually construct a System Improvement acceptable to the City or improve an existing System Improvement, the Developer shall be entitled to a credit for the actual cost of constructing or improving such System Improvement(s) against the

Commented [EK5]: Optional provision #2:

Should Council adopt this provision, the exemption percentage is adjustable. Council has discretion under the statute to provide no exemption from TIF for early learning facilities, or may exempt any amount thereof, up to 100%.

If Council wishes this number to be higher than 80%, the City does NOT have to make up that difference with other funds like with low income housing, but in that case, the City would require recording a covenant against the property providing the facility must serve at least 25% low income families and provide annual reports to the City to that end. If there is Council consensus to adopt this exemption and set it at higher than 80%, we will need to insert additional language for second reading.

Commented [EK6]: Optional Provision #3

Transportation Impact Fee that would be chargeable under the Transportation Impact Fee schedule, unless an applicable development agreement between the City and the Developer provides otherwise. The cost of construction of such System Improvement(s) shall be estimated for purposes of calculating an estimated credit, but must be documented, and the documentation confirmed after the construction is completed to assure that an accurate credit amount is provided. If construction costs are less than the calculated fee amount, the difference remaining shall be chargeable as a Transportation Impact Fee.

2. Whenever a Developer is subject to a Development condition that the Developer dedicate land to the City to mitigate its transportation impacts, the Developer shall be entitled to a credit against the Transportation Impact Fee chargeable under the Transportation Impact Fee Schedule, unless an applicable development agreement between the City and the Developer provides otherwise. The value of a credit for dedication of land shall be established on a case-by-case basis by an appraiser selected by or acceptable to the City. The appraiser must be licensed in good standing by the state of Washington for the category of the property appraised. The appraisal and review shall be at the expense of the Applicant. The appraisal shall be in accordance with the most recent version of the Uniform Standards of Professional Appraisal Practice, as published by The Appraisal Foundation, and shall be subject to review and acceptance by the City. If the amount of a credit is less than the calculated fee amount, the difference remaining shall be chargeable as a Transportation Impact Fee.

3. In the event the amount of a credit calculated under this section is greater than the amount of the Transportation Impact Fees due, the Applicant may apply such excess credit toward impact fees imposed on other Developments within the same service area; provided, however if the System Improvement is one for which a latecomers agreement would be authorized, then the Applicant shall only be entitled to a latecomers agreement. In any event the City shall not be responsible for payment to the Applicant of any amount credited and not used.

4. No credit shall be given for Project Improvements.

5. An Applicant must request a credit pursuant to this section prior to payment of the Transportation Impact Fees and the issuance of the first building permit associated with the Development. Any claim not timely made shall be waived.

D. Adjustments.

1. An Applicant may request an adjustment to a Development's calculated Transportation Impact Fees by preparing and submitting to the City's Public Works Director an independent fee calculation for the Development activity for which a building permit is sought. The documentation submitted shall show the basis upon which the independent fee calculation was made. Independent fee calculations for Transportation Impact Fees shall use the same formulas and methodology used to establish the Transportation Impact Fees in this Chapter and shall be limited to adjustments in trip generation rates used in the Transportation Impact Fee Study, and shall not include travel demand forecasts, trip distribution, transportation assignment, transportation service areas, costs of road projects, or cost allocation procedures. If the City's Public Works Director agrees with the independent fee calculation, a written agreement to accept such amount shall be transmitted to the Applicant who shall, in turn, present it to the City when Transportation Impact Fees are collected.

2. Pursuant to RCW 82.02.060(5), an Applicant may request an adjustment to their calculated Transportation Impact Fees on the basis that the Applicant's specific case presents unusual circumstances and that imposition of the Transportation Impact Fees as calculated based on the Transportation Impact Fee Schedule results in unfairness.

3. An Applicant must request an adjustment pursuant to this section prior to payment of the Transportation Impact Fees and the issuance of the first building permit associated with the Development. Any claim not timely made shall be waived.

E. Appeals.

1. Notwithstanding any other provision of the BDMC, any decision of the City with regard to Transportation Impact Fee amounts, including any credits or adjustments, shall be appealable by the Applicant to the City's hearing examiner.

2. Any appeals must be filed within ten (10) days of the decision being appealed. The notice of appeal shall be made by the Applicant upon a form to be supplied by the City. A nonrefundable fee of two hundred fifty dollars shall be paid at the time the notice of appeal is submitted. A hearing shall then be scheduled before the hearing examiner within thirty days of the filing of the notice of appeal and appeal fee.

3. Notwithstanding any other provision of the Black Diamond Municipal Code, only the Applicant has standing to appeal Transportation Impact Fee matters.

4. The appeal procedures and decision requirements shall follow the provisions set forth in BDMC Chapter 2.30, Hearing Examiner, or as hereafter amended.

F. Transportation Impact Fees may be paid under protest in order to obtain a permit or other approval of Development activity.

3.80.100 Transportation Impact Fee Accounts and Refunds.

A. Transportation Impact Fee receipts shall be earmarked specifically and retained in the Transportation Impact Fee Fund. All Transportation Impact Fees and any investment income generated by such fees shall remain in that fund until spent, Encumbered, or refunded pursuant to the provisions of this Chapter.

B. On an annual basis, the City's Finance Director shall provide a report to the City Council on the Transportation Impact Fee Fund showing the source and amount of all monies collected, earned, or received, and System Improvements that were financed in whole or in part by Transportation Impact Fees. Additionally, on an annual basis, the City's Public Works Director shall provide a report to the City Council on the amount of Transportation Impact Fees that were not collected as a result of the provisions of this Chapter.

C. The current owner of property for which Transportation Impact Fees have been paid may receive a refund of such fees if the Transportation Impact Fees have not been expended or Encumbered within 10 years of their receipt by the City. In determining whether fees have been expended or Encumbered, fees shall be considered expended or Encumbered on a first-in, first-out basis. Notwithstanding the above, this refund mechanism only applies to Transportation Impact Fees and shall not apply to funds expended for mitigation projects or funds collected pursuant to a mitigation and/or development agreement.

D. The City shall provide for the refund of fees according to the requirements of this section and RCW 82.02.080.

1. The City shall notify potential claimants of the refund availability by first-class mail deposited with the United States Postal Service addressed to the owner of the property as shown in the county tax records.

2. A request for a refund must be submitted to the City's Finance Director in writing within one year of the date the right to claim the refund arises or the date that notice is given, whichever date is later.

E. Any Transportation Impact Fees that are not expended or Encumbered within 10 years of their receipt by the City, and for which no application for a refund has been made within this one-year period, shall be retained by the City and expended consistent with the provisions of this chapter.

F. Refunds of Transportation Impact Fees shall include any interest earned on the fees.

G. Should the City seek to terminate all Transportation Impact Fee requirements, all unexpended or unencumbered funds, including interest earned, shall be refunded to the current owner of the property for which an impact fee was paid. Upon the finding that all fee requirements are to be terminated, the City shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first-class mail addressed to the owner of the property as shown in the county tax records. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the City, but must be expended for the original purposes, consistent with the provisions of this Chapter. The notice requirement set forth above shall not apply if there are no unexpended or unencumbered balances within the account or accounts being terminated.

H. An Applicant may request and shall receive a refund on paid Transportation Impact Fees, including interest earned on the Transportation Impact Fees, when:

1. The Applicant does not proceed to finalize the Development activity as required by statute or City code or the International Building Code; and
2. The City has not expended or Encumbered the Transportation Impact Fees prior to the application for a refund. In the event that the City has expended or Encumbered the fees in good faith, no refund shall be forthcoming. However, if within a period of three years, the same or subsequent owner of the property proceeds with the same or substantially similar Development activity, the owner shall be eligible for a credit against any then-existing Transportation Impact Fee requirement. The owner must petition the City in writing and provide receipts of Transportation Impact Fees paid by the owner for a Development of the same or substantially similar nature on the same property or some portion thereof. The City shall determine

whether to grant a credit and such determinations may be appealed by following the procedures set forth in this Chapter.

3.80.110 Use of Funds.

A. Transportation Impact Fees shall:

1. Be used for System Improvements that will reasonably benefit new Development; and

2. Not be imposed to make up for deficiencies in the facilities serving existing Development; and

3. Not be used for maintenance or operation.

B. Transportation Impact Fees will be spent for System Improvements listed in the City's Six-Year Transportation Improvement Plan and identified as being funded in whole or part by Transportation Impact Fees. Expenditures may include but are not limited to: facility planning, land acquisition, site improvements, necessary off-site improvements, construction, engineering, permitting, financing, grant match funds and administrative expenses, mitigation costs, capital equipment pertaining to public facilities, and any other capital cost related to a particular System Improvement.

C. Transportation Impact Fees may also be used to recoup costs previously incurred by the City to finance System Improvements identified per subsection (B) of this section and directly benefiting new growth and Development.

D. In the event that bonds or similar debt instruments are or have been issued for the construction of a public facility or System Improvement for which Transportation Impact Fees may be expended, Transportation Impact Fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this chapter and are used to serve new Development.

3.80.120 Existing Authority Unimpaired.

Nothing in this Chapter is designed to supersede or replace the provisions of BDMC Chapter 11.11, Concurrency Management. Further, nothing in this Chapter shall preclude the City from requiring an Applicant to mitigate adverse environmental impacts of a specific Development pursuant to the State Environmental Policy Act, Chapter 43.21C RCW, based on the environmental documents accompanying the underlying Development approval process, and/or Chapter 58.17 RCW governing plats and subdivisions; provided, that the exercise of the City's existing authority is consistent with the provisions of Chapters 43.21C and 82.02 RCW.

Section 2. Adoption of Rate Study. The City Council hereby adopts the Transportation Impact Fee Rate Study, dated May 2021, prepared by Parametrix and attached hereto as Exhibit A and as referenced in new BDMC 3.80.020.P, above.

Section 3. 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 4. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force on January 1, 2022.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND AT A REGULAR MEETING THEREOF ON THE 7TH DAY OF OCTOBER, 2021.

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:

EXHIBIT A

Transportation Impact Fee Rate Study

Prepared for

City of Black Diamond
24301 Roberts Drive
Black Diamond, WA 98010

Prepared by

Parametrix
719 2nd Avenue, Suite 200
Seattle, WA 98104
T. 206.394.3700 F. 1.855.542.6353
www.parametrix.com

May 2021 | 554-3043-036

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ACRONYMS AND ABBREVIATIONS

CIP	Capital Improvement Plan
GFA	gross floor area
GMA	Growth Management Act
ITE	Institute of Transportation Engineers
LOS	level of service
PSRC	Puget Sound Regional Council
RCW	Revised Code of Washington
RIRO	right-in-right-out
SEPA	State Environmental Policy Act
SF	square foot
SR	State Route
TIP	Transportation Improvement Program

1. INTRODUCTION

This report summarizes the policy and technical development of the Transportation Impact Fee program for the City of Black Diamond, Washington.

1.1 Definition of Impact Fees

Impact fees are a broad category of charges on new development assessed to pay for capital improvements (e.g., parks, schools, roads, etc.) necessitated by new development. Cities collect transportation impact fees to fund improvements that add capacity to the transportation system accommodating the travel demand added by new development.

The City developed this Traffic Impact Fee program based on the following findings:

- Development activity in the City, including residential, commercial, retail, office, and industrial development, will create additional demand and need for public road facilities.
- The City of Black Diamond is authorized under the state's Growth Management Act (Chapter 36.70A RCW) and RCW 82.02.050 et seq. to require new growth and development within the City to pay a proportionate share of the cost of new road facilities serving that new growth and development through the imposition of impact fees.
- Impact fees may be collected and spent for public road facilities needed for system improvements that are included within a capital facilities plan element of the City's comprehensive plan.
- Impact fees cannot pay for road maintenance and repair. These costs are paid by the City's general street fund, Real Estate Excise tax, grants, or other funding sources.

1.2 Statutory Basis for Impact Fees

The primary mechanism for imposing impact fees in Washington State is the Growth Management Act (GMA). Prior to the passage of the GMA, local agencies primarily relied on the State Environmental Policy Act (SEPA) process to require developers to fund mitigation projects necessitated by new development.

The GMA, passed in 1990, added RCW 82.02.050-.100 regarding impact fees and specifically authorized the use of impact fees for jurisdictions planning under the Growth Management Act. Impact fees are not mandatory and state law imposes strict limitations on the collection and use of impact fees. These limitations are intended to assure property owners that the fees collected are reasonably related to the actual impacts of development and will not be used for unrelated purposes, such as remedying preexisting deficiencies.

For a city to impose GMA impact fees, the following specific provisions are required:

- The city must have an ordinance authorizing impact fees.
- Fees may be collected and spent only for improvements identified in a Capital Facilities Plan element of the city's comprehensive land use plan.
- The city must establish one or more geographic service areas for fees.
- The city must have an established formula or other method for calculating impact fees.

- The fees cannot be used to finance any portion of improvements needed to remedy existing capacity deficiencies.
- The fees can be used to recoup the cost of improvements already made that address the needs of future development.
- The fees may not be arbitrary or duplicative of other fees imposed on development for the same impact.
- The fees must be earmarked specifically for eligible transportation improvements and be retained in special interest-bearing accounts.
- Fees may be paid under protest.
- Fees not expended within 10 years must be refunded with interest.
- The city cannot rely solely on impact fees to pay for needed improvements.

An accounting system is important to ensure that the impact fees collected are assigned to the appropriate improvement projects and the developer is not charged twice for the same improvement.

1.3 Impact Fee Structure

The methodology and results described next are consistent with the requirements of the GMA. All calculations are based on the adopted transportation facilities list described in the City's Capital Improvement Plan (CIP) and the City's Transportation Improvement Plan (TIP). The procedures described herein can be formally enacted by an impact fee ordinance incorporating this report by reference.

The key steps involved in the impact fee process are shown in **Figure 1**. Steps include developing a list of roadway system improvements and costs, allocating growth-related costs within the City, and identifying available funding. The remaining costs can be charged as impact fees, which are displayed in the form of a fee schedule. Each step is described in more detail in subsequent sections of this report.

Road impact fees for Black Diamond will be collected and expended within a signal service area that includes the entire City because of the compact size of the City.

To achieve the goal of simplicity, impact fee calculations are applied on an average basis for the entire transportation system rather than project-by-project. This is a key difference between impact fees and SEPA mitigation, whereby pro-rata shares of specific project improvements are collected.

Figure 1. – Steps to Develop a Traffic Impact Fee Program

1.4 Data Rounding

The data in this study were prepared using computer spreadsheet software. In some tables in this study, there will be very small variations from the results that would be obtained using a calculator to compute the same data. The reason for these insignificant differences is that the spreadsheet software calculated the results to more places after the decimal than are reported in the tables in the report.

2. IMPACT FEE PROJECT LIST

RCW 82.02.050 specifies that Transportation Impact Fees are to be spent on “system improvements.” System improvements can include physical or operational changes to existing roadways as well as new roadway connections that are built in one location to benefit projected needs at another location. These are generally projects that add capacity, such as new streets, additional lanes, widening, and signalization.

The impact fee structure for the City of Black Diamond was designed to determine the fair share of road improvement costs that may be charged to new developments. During the City's transportation planning process, the City identified projects needed by 2035 to meet the transportation needs of the adopted land uses in the Comprehensive Plan. The task was accomplished by examining existing roadway deficiencies and forecasting future needs. The City of Black Diamond used a cost model to estimate the costs for these capacity improvements. These capital projects form the basis for the impact fees project list, which includes public and private funding sources.

The impact fee project list was composed of projects from the City’s TIP and CIP that add capacity to the roadway system. The project list, shown in **Table 1**, includes six projects, totaling $23.08 million.

Table 1 List of Transportation Capacity Projects

Project #	Location	Description	Total Cost (in 2020 dollars)
1	SE 288th St & SE 216th St	Install roundabout	$4,800,000
2	Robert Drive/SR 169/Black Diamond-Ravensdale	Two roundabouts (SR 169/Roberts Drive and SR 169/Pipeline Road) and modify SR 169/Black-Diamond-Ravensdale to right-in-right-out (RIRO)	$10,000,000
3	SR 169/Baker Street	New traffic signal	$650,000
4	SR 169/Lawson Street	New traffic signal	$1,000,000
5	Morgan Street & Roberts Drive	New traffic signal	$625,000
6	Lawson Connector/Lawson Parkway	New minor arterial connection with SR 169 with pedestrian facilities, bike lanes and street lighting	$6,000,000
		TOTAL	$23,075,000

SR = State Route

3. COST ALLOCATION

3.1 Methodology

The City used an impact fee methodology that distinguishes between facility improvements that address existing deficiencies and those needed to serve new growth (described in more detail in the following section). For growth-related projects, this method assumes that traffic generated by future development is the reason for the improvement project(s). **Figure 2** diagrams the process**.**

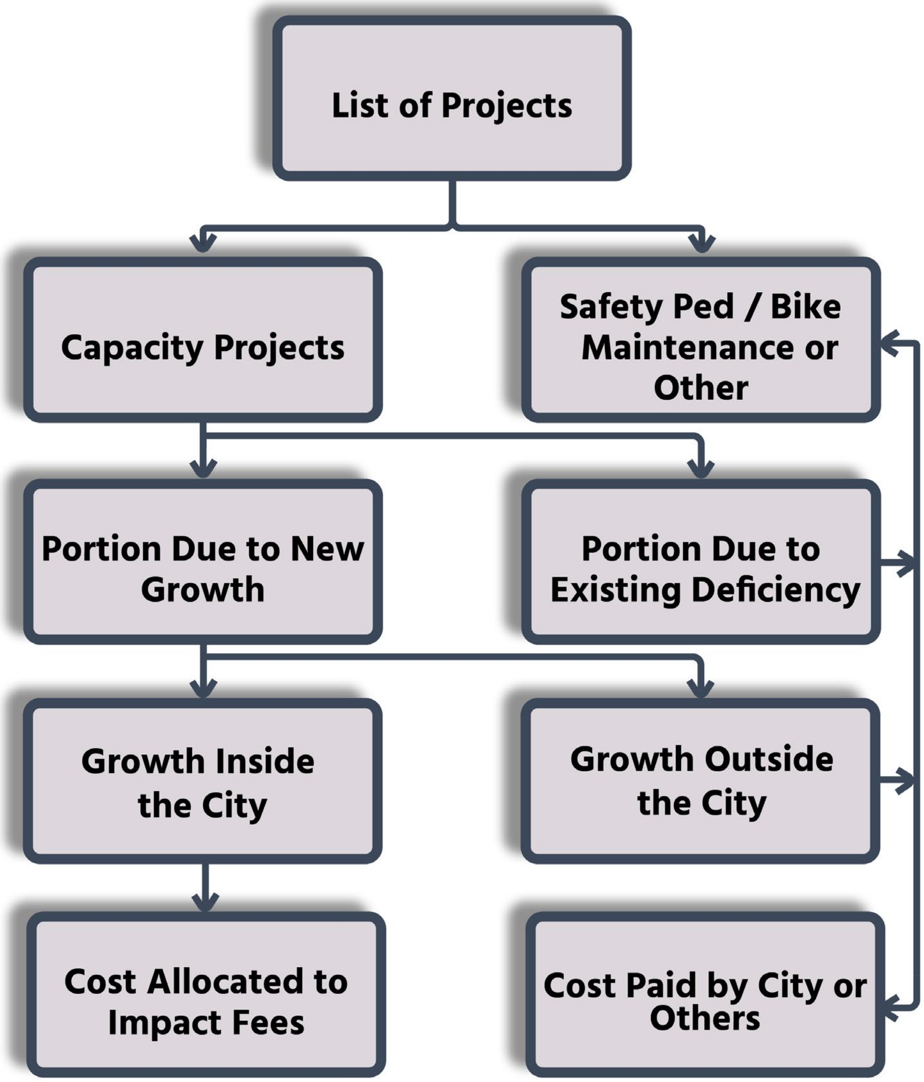

Figure 2. Impact Fee Cost Allocation Concept

3.2 Transportation Deficiencies

RCW 82.02.050(5)(a)(i) requires that the Capital Facilities element of a jurisdiction's comprehensive plan identify "deficiencies in public facilities serving existing development." Future development cannot be held responsible for the portion of added roadway capacity needed to serve existing development.

The City's 2019 Comprehensive Plan Transportation Element established a level of service (LOS) standard that is based on average vehicular delay experienced at intersections throughout the City. The adopted standard is LOS D for intersections along SR 169 and LOS C for all other arterial and collector roadways and transit routes within the Black Diamond city limits.

Using the level of service standards established in the City of Black Diamond Comprehensive Plan, two projects were found to have existing deficiencies with delays greater than the City's standards. **Table 2** summarizes the analysis findings.

Table 2. Transportation Deficiency Calculation

Intersection	2020 PM Peak Hour LOS	LOS Standard	Existing Deficiency %
Roberts Drive/SR 169/Black Diamond-Ravensdale	LOS F	LOS D	35%
SR 169/Lawson Street	LOS E	LOS D	20%

Next, the City needed to determine the "existing deficiency portion" (as opposed to the portion that would be attributable to new growth). Under the GMA, the City is responsible for financing the existing deficiency portion, but the City can charge new development for the remainder of the roadway improvement. The City can select from several approaches to proportionately allocate the cost between existing deficiencies and the impacts of new development. The Black Diamond Impact Fee Program uses a method based on the amount of excess "existing and future new traffic" that exceeds the current threshold capacity of the roadway facility. The service threshold capacity represents the amount of traffic volume that an intersection can accommodate and still operate within City of Black Diamond LOS standards (e.g., LOS D for intersections along SR 169 and LOS C for all other arterial and collector roadways.)

The formula for determining the existing deficiency percentage is as follows:

Existing Deficiency Percentage = Existing Excess Traffic / (Existing Excess Traffic +New Traffic)

= (Existing Traffic - Service Threshold) / [(Existing Traffic - Service Threshold)
+ (2026 Traffic - Existing Traffic)]

3.3 Travel Growth

The City's travel demand model, developed in Emme software, was used in this study to prepare traffic forecasts. The model generated "PM peak hour" vehicle trips based on housing and employment data provided by the City and the Puget Sound Regional Council (PSRC). Then the model distributed the trips between different zones within the City. Finally, the model assigned the trips to the roadway network to predict traffic volumes.

To match the City's TIP schedule, a 6-year land use growth estimate was used in the forecasts. **Table 3** shows Black Diamond land uses in terms of housing units (single-family and multi-family) and employment (retail, office, and industrial) growth anticipated between 2020 and 2026.

Table 3. Black Diamond Population and Employment Growth

Land Use	Growth 2020–2026	% Growth
Households (single and multi-family)	1,908	28%
Employment (retail, office and industrial)	1,724	70%

Using these land-use forecasts, it is estimated that 4,960 new PM peak hour vehicle trip ends would be generated within the City during the 6-year period. This growth in vehicle trip ends was used to calculate the impact fee rates.

3.4 Cost Allocation Results

The cost allocation process distributes the growth costs for each project based upon the travel patterns within and outside the City limits. The City's traffic model was used to perform a "select link" assignment. A select link assignment provides origin and destination information for each vehicle trip traveling through a particular improvement project group. Trips that pass through Black Diamond, but do not have any origins or destinations internal to Black Diamond (e.g., through-trips), cannot be included in the calculation of impact fees.

Figure 3 illustrates the cost allocation results. The dollar amounts shown in Figure 3 are approximate values expressed in millions of dollars. The actual amounts used in the calculations are accurate to a single dollar.

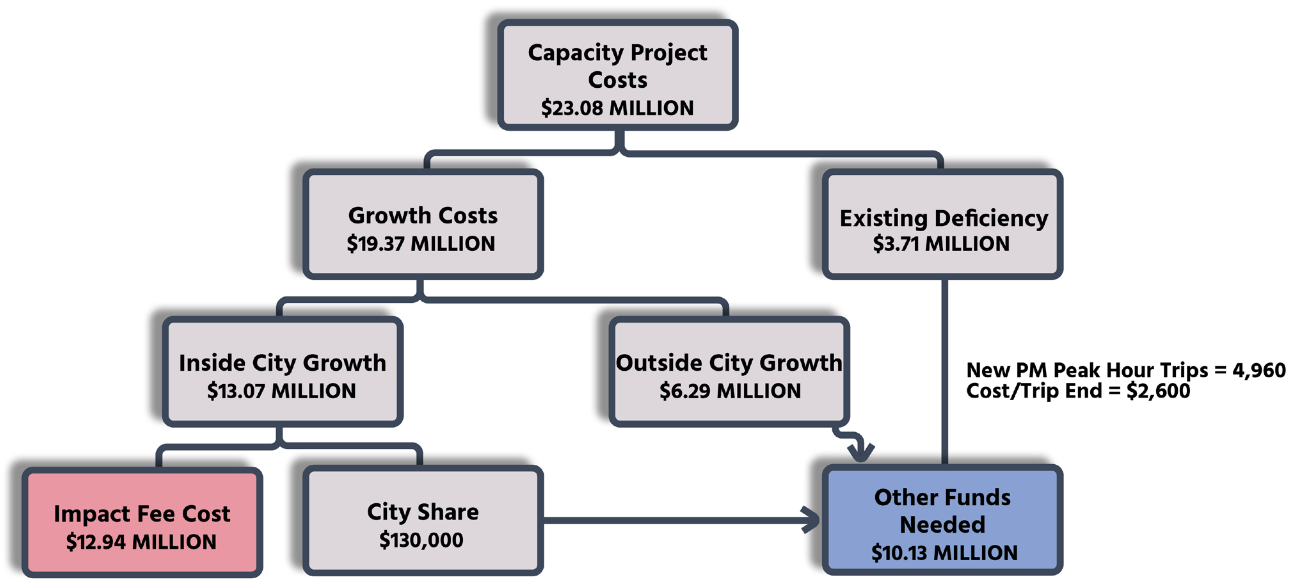

Figure 3. Impact Fee Cost Allocation Results

The total cost of the capacity projects on the capacity project list is approximately $23 million, as previously shown in **Table 1**. This was divided into growth costs and existing deficiencies, estimated to be approximately $3.7M. The growth costs were further divided into “in-City growth” and “outside City growth” components using the City’s traffic model data. The details of this calculation are shown in **Appendix A**.

As shown in **Figure 4**, the City’s responsibility is 44 percent ($10.13 million) of the $23.08 million project list. This includes the existing deficiencies, growth outside the City and the City’s share of growth in the city. The $10.13 million would be expected to be obtained from City funds, new grants and other sources. The remaining $12.94 million would be funded using impact fees.

Impact fees would constitute the remaining 56 percent ($12.94 million) of the approximate total $23 million cost of the improvement projects.

The final step in the cost allocation process dealt with calculating the "cost per new trip end" within Black Diamond, derived by dividing the total eligible project cost by the total number of new PM peak hour trip ends based in Black Diamond.

A total of 4,960 new PM peak hour vehicle trip ends are estimated to occur within the City between 2020 and 2026. With a total impact fee cost of $12.88 million, the cost per trip end is approximately $2,600.

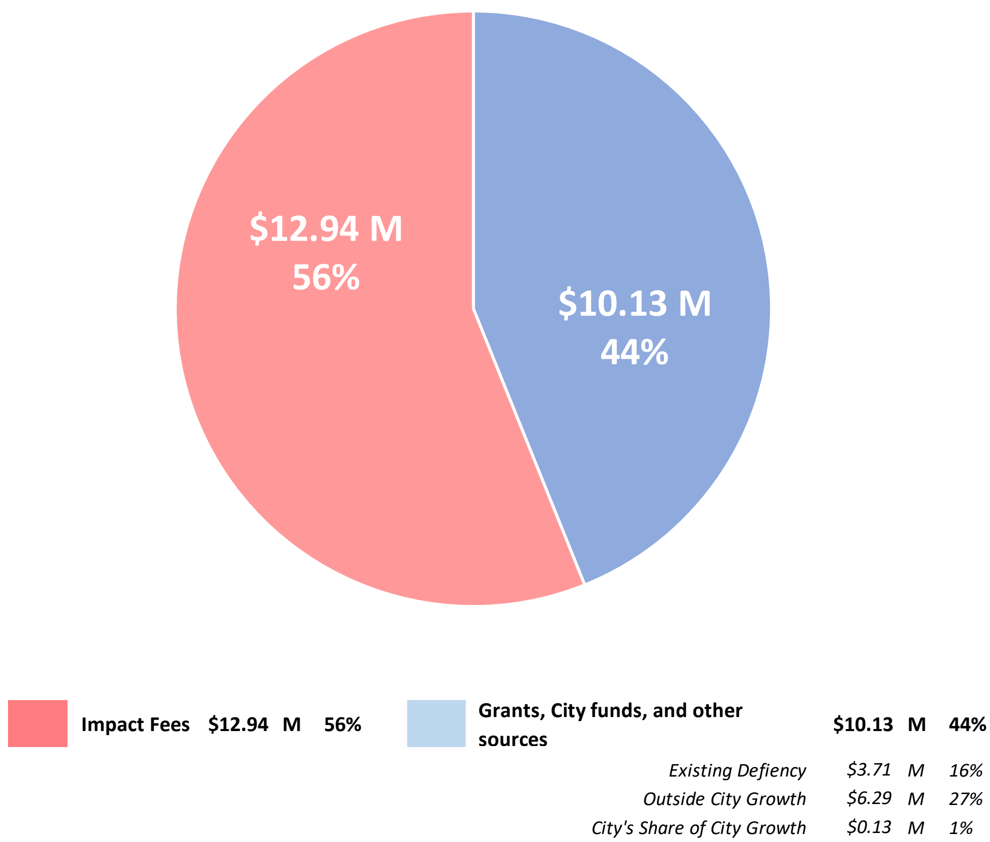

Figure 4. Impact Fee Program Funding Sources

4. IMPACT FEE SCHEDULE

The impact fee schedule was developed by adjusting the "cost per trip end" information to reflect differences in trip-making characteristics for a variety of land use types within the study area. In other words, the impact fees paid are a function of the trip generation estimated for each new project. The fee schedule is a table where fees are represented as dollars per unit for each land use category. **Table 4** shows the various components of the fee schedule (trip generation rates and new trip percentages).

4.1 Trip Generation

Trip-generation rates for each land use type are from the Institute of Transportation Engineers (ITE) Trip Generation (10th Edition). The trip-generation rates represent the total traffic entering and leaving a property at driveway points during the weekday PM peak hour. For certain land uses (e.g., supermarkets) a substantial amount of this traffic is already passing by the property and simply turns into and out of the driveway. Pass-by trips are an intermediate stop *on the* way from the trip origin to the primary destination. These trips were already on the adjacent roadway and are not considered to be "new" to the street system and therefore are subtracted out prior to calculating the impact fee. The resulting trips are considered "new" and are therefore subject to the impact fee calculations. The "new" trip percentages are derived from ITE data.

4.2 Schedule of Rate

The impact fee schedule of rates as well as the various components of the fee schedule are shown in **Table 4**. In the fee schedule, fees are shown as dollars per unit of development for various land use categories, as defined in **Appendix B**. The impact fee program is flexible in that if a use does not fit into one of the categories, an impact fee can be calculated based on the development's projected trip generation.

Two examples (residential and retail) of the impact fee rate calculation are shown below.

<u>Multi-Family Residential</u>

<u>The following is an example of a 6-unit multi-family housing project.</u>

New Trip Rate = PM Peak Hour Trip Generation Rate x Percent of New Trips
= 0.56 x 100% = 0.56 trips per dwelling unit

Impact Fee Rate = New Trip Rate x Average Cost per Trip End
= 0.56 trip/dwelling x $2,609 = $1,461/dwelling unit

Total Impact Fee = 6 units x $1,461/dwelling unit = $8,766

<u>General Retail</u>

The following is an example for a 25,000 square feet (10 ksf) general retail store.

New Trip Rate = PM Peak Hour Trip Generation Rate x Percent of New Trips
= 3.81 trips/ksf x 66% = 2.51 trips/ksf

Impact Fee Rate = New Trip Rate x Average cost per trip end
= 2.51 trip/ksf x $2,609 x 1ksf/1,000sf = $6.55/sf

Total Impact Fee = $6.55/sf x 25,000sf = $163,750

Table 4. Impact Fee Schedule

Land Use	Land Use Code	Unit of Measure[1]	Basic Rate PM Peak Trips/Unit[2]	New Trips %[3]	New Trip Rate	Impact Fee Rate
Residential						
Single Family	210	dwelling	0.99	100%	0.99	$2,583
Multi-Family	220	dwelling	0.56	100%	0.56	$1461
Senior Housing - attached	252	dwelling	0.26	100%	0.26	$678
Senior Housing - detached	251	dwelling	0.30	100%	0.3	$783
Assisted Living	253	dwelling	0.18	100%	0.18	$470
Mobile Home in Mobile Home Park	240	dwelling	0.46	100%	0.46	$1,200
Institutional						
Elementary/Middle School/Jr High School	520	student	0.17	100%	0.17	$444
High School	530	student	0.14	100%	0.14	$365
Church	560	SF GFA	0.49	100%	0.49	$1.28
Hospital	610	SF GFA	0.97	100%	0.97	$2.53
Library	590	SF GFA	8.16	100%	8.16	$21.21
Day Care	565	SF GFA	11.12	100%	11.12	$29.01
Industrial						
Light Industry/Industrial Park	110	SF GFA	0.63	100%	0.63	$1.64
Heavy Industry/Manufacturing	120, 140	SF GFA	0.67	100%	0.67	$1.75
Mini-Warehousing/Storage	151	SF GFA	0.17	100%	0.17	$0.44
Warehousing	150	SF GFA	0.19	100%	0.19	$0.50
Restaurant						
High-Turnover Restaurant	932	SF GFA	9.77	58%	5.7	$14.87
Fast-Food Restaurant with Drive-Through	934	SF GFA	32.67	50%	16.3	$42.53
Coffee Shop with Drive-Through	937	SF GFA	43.38	50%	21.7	$56.62
Commercial Services						
Bank with Drive-Through	912	SF GFA	20.45	53%	10.84	$28.28
General Retail	820	SF GFA	3.81	66%	2.51	$6.55
Supermarket > 5,000 SF	850	SF GFA	9.24	64%	5.91	$15.42
Convenience Market < 5,000 SF	851	SF GFA	49.11	39%	19.15	$49.96
Pharmacy/Drugstore with Drive-Through	880, 881	SF GFA	10.29	47%	4.84	$12.52
Hardware/Paint Store	816	SF GFA	2.68	74%	1.98	$5.22
Furniture Store	890	SF GFA	0.52	47%	0.24	$0.52
Car Sales - New/Used	840/841	SF GFA	3.75	100%	3.75	$9.91
Gas Station	944	fueling station	14.03	44%	6.17	$16,176
Autocare Center	942/943	SF GFA	2.26	100%	2.26	$6.00
Health Club	492	SF GFA	3.45	100%	3.45	$9.00
Commercial - Office						
Administrative Office	710, 715, 750	SF GFA	1.15	100%	1.15	$3.00
Medical Office/Dental Office	720	SF GFA	3.46	100%	3.46	$9.03

[1] For uses with unit of measure "SF GFA," the impact fee is dollars per square foot, and the trip rate is given as trips per 1,000 sq ft

[2] ITE Trip Generation (10th Edition): 4-6 PM Peak Hour Trip Ends

[3] Excludes pass-by trips: see "Trip Generation Handbook: An ITE Proposed Recommended Practice" (2014)

SF = square feet

GFA = gross floor area

5. FUTURE IMPACT FEE UPDATES

The City of Black Diamond impact fee rate analysis generated by this report should be reviewed and approved in the following manner:

1. The City of Black Diamond Municipal Code should be updated to include a chapter on "Transportation Impact Fees," authorizing the assessment and collection of transportation impact fees on development activity within the City, based on the methodology described in this rate study, and
2. The rate schedule in Table 4 should be reviewed and amended by the City Council as deemed appropriate after the effective date of the approved ordinance, and
3. Effective from the adoption of an ordinance, transportation impact fees should be adjusted annually based on the Construction Cost Index for Seattle. A major update with a new rate study should occur every 3 years or as needed to account for new projects added to the 6-Year Transportation Improvement Program (TIP) and the Capital Improvement Program (CIP).

EXHIBIT A

Appendix A

Cost Allocation Results

APPENDIX A

Cost Allocation Results

The cost allocation results are summarized in this Appendix. **Table A-1** illustrates how the impact fee project costs (shown in **Table 1**) were divided into growth-related costs attributable to the City. In order to determine this proportion, the City's travel demand model was used to identify the portion of trip-making associated with existing and growth-related traffic. A technique called" select-link" analysis was used to isolate the vehicle trips using each of the impact fee projects.

Table A-1. Cost Allocation

#	Intersection	Existing Deficiency	Project	Estimate of Project Costs	Existing Deficiency Portion of the Project	Total Growth Costs	Outside City Growth	Outside City Growth Costs	Inside City Growth	Inside City Growth Costs	City's Share of Inside Growth (1%)	Impact Fee Cost
1	SE 288th St & SE 216th St	0%	Roundabout	$4,800,000	$0	$4,800,000	5%	$229,474	95%	$4,570,526	$45,705	$4,524,821
2	SR 169 & SE Black Diamond-Ravensdale Rd SR 169 & Roberts Drive	35%	SR 169 Roundabouts	$10,000,000	$3,511,709	$6,488,294	39%	$2,518,788	61%	$3,696,507	$39,695	$3,929,812
3	SR 169 & Baker Street	0%	New signal	$650,000	$0	$650,000	36%	$236,888	64%	$413,112	$4,131	$408,981
4	SR 169 & Lawson Rd	20%	New signal	$1,000,000	$195,652	$804,348	46%	$370,177	54%	$434,171	$4,342	$429,829
5	Morgan Street & Roberts Drive	0%	New signal	$625,000	$0	$625,000	9%	$58,871	91%	$556,129	$5,661	$560,468
6	Lawson Connector/ Lawson Parkway	0%	New roadway	$6,000,000	$0	$6,000,000	48%	$2,880,000	52%	$3,120,000	$31,200	$3,088,800
			TOTAL	$23,075,000	$3,707,358	$19,367,642	32%	$6,294,197	68%	$13,073,445	$130,734	$12,942,711
											Project Costs Allowable for Impact Fees within City of Black Diamond	**$12,942,711**

Appendix B

Land Use Definitions

APPENDIX B

Land Use Definitions

The following land use definitions are a selection of the categories found in the ITE Trip Generation (10th Edition) manual. This selection was chosen to best represent common land uses, most likely to be applicable to development within the City of Black Diamond.

RESIDENTIAL

Single Family: One or more detached housing units located on an individual lot. Also includes accessory dwelling units and duplexes. (ITE # 210)

Multi Family: A building or buildings designed to house three or more families living independently of each other. Includes apartments, condos and attached townhouses. (ITE # 220, 221, 230, 233)

Senior Housing: Residential units similar to apartments or condominiums restricted to senior citizens. (ITE # 251, 255)

COMMERCIAL-SERVICES

The following land use categories fall under the impact fee category "Commercial Services" which represent a broad variety of uses.

- Walk-in Bank (ITE # 911)
- Drive-in Bank (ITE # 912)
- Hair Salon (ITE # 918)
- Copy, Print, and Express Ship Store (ITE # 920)
- Drinking Place (ITE # 925)
- Coffee/Donut Shop (ITE # 936, 937, 938)
- Bread/Donut/Bagel Shop (ITE # 939, 940)
- Automobile Care Center (ITE # 942)
- Automobile Parts and Service Center (ITE # 943)
- Automated Car Wash (ITE # 948)
- Health/Fitness Club (ITE # 492, 493)

COMMERCIAL-INSTITUTIONAL

School: The following land use categories fall under the impact fee category "school."

- Elementary School (ITE # 520)
- Middle School/Junior High School (ITE # 522)
- High School (ITE # 530)
- Private School (ITE # 534, 536)

Institutional: The following land use categories all fall under the impact fee category "Institutional."

- Church (ITE # 560)
- Day Care Center (ITE # 565)

- Museum (ITE # 580)
- Library (ITE # 590)
- Hospital (ITE #610)
- Elementary School/Middle School/Junior High School (ITE #520, 522)
- High School (ITE # 530)

INDUSTRIAL

Light Industrial/Industrial Park: Industrial parks are a mix of manufacturing, service, and warehouse facilities with a wide variation in the proportion of each type of use from one location to another. Industrial parks include research centers facilities or groups of facilities that are devoted nearly exclusively to research and development activities. Light industrial facilities include printing plants, material testing laboratories, bio-technology, medical instrumentation or supplies, communications and information technology, and computer hardware and software. (ITE #s 110, 130)

Warehousing/Storage: Facilities that are primarily devoted to the storage of materials, including vehicles. They may also include office and maintenance areas. (ITE # 150)

RESTAURANT

Restaurant: The following land use categories fall under the impact fee category "restaurant."

- Quality Restaurant (ITE # 931)
- High-Turnover (Sit-Down) Restaurant (ITE # 932)
- Fast-Food Restaurant (ITE # 933, 934, 935)

COMMERCIAL-RETAIL

General Retail: The following land use categories fall under the impact fee category "General Retail."

- Tractor Supply Store (ITE # 810)
- Construction Equipment Rental Store (ITE # 811)
- Building Materials and Lumber Store (ITE # 812)
- Free-Standing Discount Superstore (ITE # 813)
- Variety Store (ITE # 814)
- Free-Standing Discount Store (ITE # 820)
- Hardware/Paint Store (ITE # 816)
- Nursery (ITE # 817, 818)
- Shopping Center (ITE # 820)
- Factory Outlet Center (ITE # 823)
- Specialty Retail Center (ITE # 826)
- Automobile Sales (ITE # 841)
- Tire Store (ITE # 848, 849)
- Convenience Market (ITE # 851, 852)
- Discount Club (ITE # 857)

- Wholesale Market (ITE # 860)
- Sporting Goods Superstore (ITE # 861)
- Home Improvement Superstore (ITE # 862)
- Electronics Superstore (ITE # 863)
- Toy/Children's Superstore (ITE # 864)
- Baby Superstore (ITE # 865)
- Pet Supply Superstore (ITE # 866)
- Office Supply Superstore (ITE # 867)
- Book Store (ITE # 868)
- Discount Home Furnishing Store (ITE # 869)
- Bed and Linen Superstore (ITE # 872)
- Department Store (ITE # 875)
- Apparel Store (ITE # 876)
- Arts and Crafts Store (ITE # 879)
- Pharmacy/Drugstore (ITE # 880, 881)
- Furniture Store (ITE # 890)
- DVD/Video Rental Store (ITE # 896)
- Medical Equipment Store (ITE # 897)

Supermarket: Retail store which sells a complete assortment of food, food preparation and wrapping materials, and household cleaning and servicing items. (ITE # 850, 854)

COMMERCIAL-OFFICE

Administrative Office: An administrative office building houses one or more tenants and is the location where affairs of a business, commercial or industrial organization, professional person or firm are conducted. The building or buildings may be limited to one tenant, either the owner or lessee, or contain a mixture of tenants, including professional services, insurance companies, investment brokers, and company headquarters. Services such as a bank or savings and loan, a restaurant or cafeteria, miscellaneous retail facilities, and fitness facilities for building tenants may also be included. (ITE # 710)

Medical Office/Dental Clinic: A facility that provides diagnoses and outpatient care on a routine basis but is unable to provide prolonged in-house medical/surgical care. A medical office is generally operated by either a single private physician/dentist or a group of doctors and/or dentists. (ITE # 720)