



CITY OF BLACK DIAMOND
November 15, 2012 Meeting Agenda
25510 Lawson St., Black Diamond, Washington

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

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

PUBLIC HEARINGS:

- | | |
|---|------------|
| 1.) AB12-084 – Property Tax Levy | Ms. Miller |
| 2.) AB12-085 – 2013 Budget | Ms. Miller |
| 3.) AB12-086 – Comprehensive Plan Updates | Ms. Welsh |

APPOINTMENTS, PRESENTATIONS, ANNOUNCEMENTS:

Proclamation – Employee Learning Week	Mayor Olness
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UNFINISHED BUSINESS:

NEW BUSINESS:

- | | |
|---|-----------------|
| 4.) AB12-087 – Resolution Authorizing Bill of Sale to Covington Water District | Mr. Butkus |
| 5.) AB12-088 – Ordinance Repealing B & O Tax | Mr. Butkus |
| 6.) AB12-089 – Ordinance Setting Property Tax Levy for 2013 | Ms. Miller |
| 7.) AB12-090 – Ordinance Relating to Councilmember’s Refusing Compensation | Mr. Bacha |
| 8.) AB12-091 – Resolution Authorizing Agreement with City of Enumclaw for Jail Services | Chief Kiblinger |

DEPARTMENT REPORTS:

MAYOR’S REPORT:

COUNCIL REPORTS:

ATTORNEY REPORT:

PUBLIC COMMENTS:

CONSENT AGENDA:

- 9.) **Claim Checks** – November 15, 2012 Check No. 38972 through No. 39020 in the amount of \$323,487.42
- 10.) **Payroll Checks** – October 31, 2012 No. 17889 through No. 17918 and ACH Pay in the amount of \$286,750.46
- 11.) **Minutes** – Council Workstudy Notes of October 29, 2012, Council Workstudy Notes of November 1, 2012 and Council Minutes of November 1, 2012

EXECUTIVE SESSION:

ADJOURNMENT:

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Public Hearing on Setting Property Tax Levy for 2013	Agenda Date: November 15, 2012	
	AB12-084	
	Department/Committee/Individual	
	Mayor Rebecca Olness	
	City Administrator – Pete Butkus	
	City Attorney – Chris Bacha	
	City Clerk – Brenda L. Martinez	
	Finance – May Miller	X
	Public Works – Seth Boettcher	
	Economic Devel. – Andy Williamson	
Cost Impact	Police – Jamey Kiblinger	
Fund Source:	Court – Stephanie Metcalf	
Timeline:		
Attachments: Proposed Ordinances, Levy certifications, Preliminary KC worksheet.		
<p>SUMMARY STATEMENT: Per RCW 84.52.020 the property tax certifications must be filed with King County no later than November 30, 2012 for Property Taxes to be collected in 2013 to be used for Public Safety including Fire, Police and Emergency Services. Adoption of two ordinances is required, one to set a maximum levy dollar amount and a second one to approve the 1% increase over last years levy which is allowed for cities under 10,000 population.</p> <p>King County has sent a preliminary Levy Limit worksheet showing last year’s levy of \$1,389,750 and the allowed 1% increase of \$13,898.for total base levy of \$1,403,648, which does not include New Construction, State Assessed property and any adjustments. A preliminary estimate has also been included for the New Construction, Annexations, State Assessments and adjustments but these amounts usually change in the final worksheet which is not expected until about December 5, 2012 after we adopt our levy. Since we will not know the final amount until after the adoption, I have included an estimate of \$30,000 to cover the possible additional tax items for a total possible levy of \$1,433,648. Our levy will be adjusted down by King County to the actual final amounts, but cannot be increased.</p> <p>King County estimates our total city Assessed Valuation at \$499,048,433 a decrease of \$37,532,233 or a 7% decrease. This will not cause the Black diamond citizens taxes to decrease because the base dollar amount the city can collect over last year’s is limited to an increase of 1%. Each property tax bill is calculated by the county and they set the actual levy rate once they have finalized all assessments and individual valuations.</p> <p>All of Black Diamonds Property Taxes funds are used for Public Safety and provide approximately 64% of the revenue needed to cover Public Safety costs.</p>		
COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: Public Hearing.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
November 15, 2012		

ORDINANCE NO. 12-XXX

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, LEVYING THE GENERAL PROPERTY TAXES FOR THE CITY FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2013 ON ALL PROPERTY BOTH REAL AND PERSONAL, IN SAID CITY, WHICH IS SUBJECT TO TAXATION FOR THE PURPOSE OF PROVIDING REVENUE FOR PUBLIC SAFETY FOR THE CITY OF BLACK DIAMOND FOR THE ENSUING YEAR AS REQUIRED BY LAW, PROVIDING FOR SEVERABILITY AND ESTABLISHING THE EFFECTIVE DATE.

WHEREAS, the City Council of Black Diamond, Washington has met and considered the Public Safety budgets for the year of 2013; and

WHEREAS, the Cities under 10,000 population may increase the regular property tax levy from the previous year by up to one percent, and

WHEREAS, A Public Hearing was held on November 15, 2012 regarding the 2013 Budget and the property tax levy, and

WHEREAS, the City Council has properly given notice of the Public Hearing held public hearings on November 15, 2012 to consider the City's 2013 Preliminary Budget including the Revenue Sources, pursuant to RCW 84.55.120; and

WHEREAS, King County requires that the 2013 Property Tax Levies be submitted by November 30, 2012;

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

Section 1. Levy Amount A regular property tax is hereby levied in the amount \$1,403,648 which includes the allowed one percent increase over last year's levy of \$1,389,750. This one percent increases property taxes by \$13,898. This total levy dollar amount is exclusive of the additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, and any increase in the value of state assessed property or any annexations that have occurred and any refunds or adjustment made by the county. The additional property taxes are estimated to add \$30,000 to the levy for new construction or any increase in the annexation, value of state-assessed property or adjustments. The final dollar amount of Property Taxes is determined by King County.

Section 2. 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 preempted by State or Federal law or regulations, such decisions or preemptions shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

Introduced the 15th day of November, 2012

Mayor Rebecca Olness

Attest:

Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:

Chris Bacha, City Attorney

Published: _____

Posted: _____

Effective Date: _____



Ordinance / Resolution No. 12-XXXXA
RCW 84.55.120

WHEREAS, the Council of City of Black Diamond, has met and considered
Washington
(Governing body of the taxing district) (Name of the taxing district)
its budget for the calendar year 2013; and,

WHEREAS, the districts actual levy amount from the previous year was \$ 1,389,750.00; and,
(Previous year's levy amount)

WHEREAS, the population of this district is more than or less than 10,000; and now, therefore,
(Check one)

BE IT RESOLVED by the governing body of the taxing district that an increase in the regular property tax levy
is hereby authorized for the levy to be collected in the 2013 tax year.
(Year of collection)

The dollar amount of the increase over the actual levy amount from the previous year shall be \$ 13,898.00
which is a percentage increase of 1% % from the previous year. This increase is exclusive of
(Percentage increase)

additional revenue resulting from new construction, improvements to property, newly constructed wind turbines,
any increase in the value of state assessed property, any annexations that have occurred and refunds made.

Adopted this 15 day of November, 2012.

If additional signatures are necessary, please attach additional page.

This form or its equivalent must be submitted to your county assessor prior to their calculation of the property tax levies. A certified budget/levy request, separate from this form is to be filed with the County Legislative Authority no later than November 30th. As required by RCW 84.52.020, that filing certifies the total amount to be levied by the regular property tax levy. The Department of Revenue provides the "Levy Certification" form (REV 64 0100) for this purpose. The form can be found at: <http://dor.wa.gov/docs/forms/PropTx/Forms/LevyCertf.doc>.

For tax assistance or to request this document in an alternate format, visit <http://dor.wa.gov/content/taxes/property/default.aspx> or call (360) 534-1400. Teletype (TTY) users may call (360) 705-6718.

PRELIMINARY LEVY LIMIT WORKSHEET – 2013 Tax Roll

TAXING DISTRICT: City of Black Diamond

The following determination of your regular levy limit for 2013 property taxes is provided by the King County Assessor pursuant to RCW 84.55.100.

Annexed to Library District (Note 1) Estimated Library rate: 0.50000

Using Limit Factor For District	Calculation of Limit Factor Levy	Using Implicit Price Deflator
1,389,750	Levy basis for calculation: (2012 Limit Factor) (Note 2)	1,389,750
1.0100	x Limit Factor	1.0295
1,403,648	= Levy	1,430,748
1,642,975	Local new construction	1,642,975
0	+ Increase in utility value (Note 3)	0
1,642,975	= Total new construction	1,642,975
2.59196	x Last year's regular levy rate	2.59196
4,259	= New construction levy	4,259
1,407,907	Total Limit Factor Levy	1,435,007
Annexation Levy		
0	Omitted assessment levy (Note 4)	0
1,407,907	Total Limit Factor Levy + new lid lifts	1,435,007
499,048,433	+ Regular levy assessed value less annexations	499,048,433
2.82118	= Annexation rate (cannot exceed statutory maximum rate)	2.87549
0	x Annexation assessed value	0
0	= Annexation Levy	0
Lid lifts, Refunds and Total		
0	+ First year lid lifts	0
1,407,907	+ Limit Factor Levy	1,435,007
1,407,907	= Total RCW 84.55 levy	1,435,007
4,034	+ Relevy for prior year refunds (Note 5)	4,034
1,411,941	= Total RCW 84.55 levy + refunds	1,439,041
	Levy Correction: Year of Error _____ (+or-)	
1,411,941	ALLOWABLE LEVY (Note 6)	1,439,041
Increase Information (Note 7)		
2.82927	Levy rate based on allowable levy	2.88357
1,391,562	Last year's ACTUAL regular levy	1,391,562
12,086	Dollar increase over last year other than N/C – Annex	39,186
0.87%	Percent increase over last year other than N/C – Annex	2.82%
Calculation of statutory levy		
	Regular levy assessed value (Note 8)	499,048,433
	x Maximum statutory rate	3.10000
	= Maximum statutory levy	1,547,050
	+Omitted assessments levy	0
	=Maximum statutory levy	1,547,050
	Limit factor needed for statutory levy	Not usable

ALL YEARS SHOWN ON THIS FORM ARE THE YEARS IN WHICH THE TAX IS PAYABLE.
Please read carefully the notes on the reverse side.

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: November 15, 2012	AB12-085
Public Hearing – 2013 Preliminary Budget	Department/Committee/Individual	
	Mayor Rebecca Olness	
	City Administrator –Pete Butkus	
	City Attorney –Chris Bacha	
	City Clerk – Brenda L. Martinez	
	Finance – May Miller	X
	Public Works – Seth Boettcher	
	Economic Devel. – Andy Williamson	
	Police – Jamey Kiblinger	
Cost Impact:	Court – Stephanie Metcalf	
Fund Source:	Comm. Dev. – Steve Pilcher	
Timeline:		
Attachments: Memo; 2013 Preliminary Budget		
<p>SUMMARY STATEMENT:</p> <p>Please see attached memo.</p>		
COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: Public Hearing only.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
November 15, 2012		

TO: THE CITIZENS OF BLACK DIAMOND
FROM: MAYENE MILLER, FINANCE DIRECTOR
SUBJECT: DRAFT BUDGET FOR 2013
DATE: 11/2/2012

The Mayor's first draft of the preliminary 2013 Budget is attached "as presented" to Council at three workstudy sessions over the last few weeks.

The balancing of the budget is an on-going process and will take several more weeks.

The public is encouraged to participate in the 2013 budget process. The City has scheduled public hearings for the 2013 budget and property Tax revenue. A Public hearing is for Property Tax Revenue at the November 15, 2013 Council meeting. An additional public hearing for the first review of the 2013 Budget will also be held on November 15, 2012. A second and final public hearing will be held on the budget at the December 3rd Council meeting. Public participation and input are encouraged through the process and comments may be submitted in writing as well as by attending the hearings.

Please check the City's website at www.ci.blackdiamond.wa.us for updates as well as notices of Council meeting, workstudy meetings or Special Council meetings.



**CITY OF BLACK DIAMOND
PROPOSED PRELIMINARY
2013 BUDGET**

NOVEMBER 1, 2013

City of Black Diamond
Proposed Preliminary 2013 Budget
November 1, 2013

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General Fund Summary - Preliminary

2013 Detail by Category

	2012 Budget	2013 Budget	Chg \$ 2012- 2013	Change %	Public Safety	General Govt	Yarrow Bay
REVENUE							
Public Safety Revenue support							
1 Property Taxes	1,383,500	1,397,335	13,835	1.0%	1,397,335		
2 Utility & Gambling Taxes	468,400	470,950	2,550	0.5%	470,950		
3 Criminal Justice Sales Tax	87,000	91,930	4,930	5.7%	91,930		
4 Liquor Tax	19,800	5,000	-14,800	-74.7%	5,000		
5 Liquor Profits	31,800	36,500	4,700	14.8%	36,500		
6 Business License, Cable Franchise Fees and Misc.	81,250	80,100	-1,150	-1.4%	80,100		
7 Fire EMS Taxes	53,511	53,700	189	0.4%	53,700		
8 Grants & Charges for Service & Misc.	79,243	72,990	-6,253	-7.9%	72,990		
9 Subtotal Public Safety Revenue	2,204,504	2,208,505	4,001	0.2%	2,208,505		
General Government Support							
10 Sales Tax	270,000	270,000	0	0.0%		270,000	
11 Court Fines and Fees	135,900	105,000	-30,900	-22.7%		105,000	
12 Land Use and Permitting Fees	72,050	61,290	-10,760			61,290	
13 State Assistance	39,000	32,000	-7,000	-17.9%		32,000	
14 Recycle Grants & Misc. Grants	19,202	15,920	-3,282			15,920	
15 Grant Reimb. & Charges for Service	26,000	15,180	-10,820	-41.6%		15,180	
16 Parks & Cemetary Fees	18,050	21,000	2,950	16.3%		21,000	
17 Passport Fees & Misc Revenue	9,618	10,625	1,007	10.5%		10,625	
18 Alloc for software Mtc, Cr Card Fees, TR/AP post-print	20,463	22,698	2,235	10.9%		22,698	
19 Alloc for code update. It, Fin, Permit Mtc-non YB	87,000	56,349	-30,651	-35.2%		56,349	
20 Subtotal General Government Revenue	697,283	610,062	-87,221	-12.5%		610,062	
21 Subtotal Operating Revenue	2,901,787	2,818,567	-83,220	-2.9%			
22 YarrowBay Funding Agreement - Preliminary	1,526,680	1,574,230	47,550	3.1%			1,574,230
23 Total General Fund Operating Revenue	4,428,467	4,392,797	-35,670	-0.8%	2,208,505	610,062	1,574,230
EXPENDITURES							
Public Safety Expenditures							
24 Police Department	1,788,860	1,853,054	64,194	3.6%	1,853,054		
25 Fire Department	446,337	459,954	13,617	3.1%	459,954		
26 Subtotal Public Safety Expenditures	2,235,197	2,313,008	77,811	3.5%	2,313,008		
27 Executive	14,076	13,686	-390	-2.8%		13,686	
28 Legislative	12,599	13,408	809	6.4%		13,408	
29 Administration	213,258	259,379	46,121	21.6%		103,128	156,251
30 City Clerk	75,308	80,480	5,172	6.9%		80,480	
31 Finance	283,110	297,470	14,360	5.1%		57,366	240,104
32 Information Services	141,867	143,194	1,327	0.9%		8,294	134,900
33 Legal	56,500	61,750	5,250	9.3%		61,750	
34 Prosecution	48,000	24,000	-24,000	-50.0%		24,000	
35 Municipal Court	204,319	152,934	-51,385	-25.1%		152,934	
36 Natural Resources/Parks	166,094	168,647	2,553	1.5%		22,123	146,524
37 Master Development Review Team	235,231	407,159	171,928	73.1%			407,159
38 Community Development	296,800	237,677	-59,123	-19.9%		44,326	193,351
39 Hearing Examiner(including SEPA Appeal)	5,000	30,000	25,000	500.0%		30,000	
40 Economic Development	45,864	8,064	-37,800	-82.4%		1,050	7,014
41 Facilities-staff & Misc	99,821	101,477	1,656	1.7%		7,384	94,093
42 Facilities Bldg Mtc-Funding agreement	180,000	180,000	0	0.0%			180,000
43 Animal Control	9,762	8,368	-1,394	-14.3%		8,368	
44 Emergency Management	5,000	5,000	0	0.0%		5,000	
45 Parks	69,323	72,116	2,793	4.0%		57,282	14,834
46 Cemetery	17,277	17,755	478	2.8%		17,755	
47 Central Services and Employee Recognition	36,727	46,008	9,281	25.3%		46,008	
48 Subtotal General Government	2,215,936	4,641,580	112,636	5.1%		754,342	1,574,230
49 Total General Fund Operating Expenditures	4,451,133	4,641,580	190,447	4.3%	2,204,434	754,342	1,574,230
50 Total Out of Balance		-248,783			(104,503)	(144,280)	0
51 Economic Development	45,864	8,064	-37,800	-82.4%			
52 Community Development	301,800	237,677	-64,123	-21.2%			
53 Master Development Review Team	235,231	407,159	171,928	73.1%			
54 Total Comm Deve/Ec Deve/MDRT	582,895	652,900	70,005	12.0%			

**City of Black Diamond, Wa
General Fund only**

2013 Budget Balancing

Original Out of Balance		732,700
Cuts		
Keep frozen two Police Officers,	(229,362)	
Reduce Court Administrator to 4 days, and half time court clerk to \$7,637	(40,823)	
Take out all non-union steps	(40,087)	
Reduce non-union Cola's from 3% to 1%	(30,199)	
Continue 4 furlough days for non-union	(24,421)	
Take out Gen Fund Sal & Bene of FT City Administrator	(134,388)	
Take out Hiring costs	(15,000)	
Add back GF contracted City Adm-reduced to 4 days	95,625	
Department line item cuts	(77,965)	
Sub total cuts	<u>(496,620)</u>	
Out of Balance October 2, 2012		236,500
additional cuts and additions		
Reduce Court Prosecution from 28,800 to 24,000	(4,800)	
Move Police Tiberon upgrade & Mtc to Capital Budget	(15,250)	
Add additional Insurance for assessment	2,253	
Add Special Elections costs for 2011 election billed 2013	5,500	
Add Hearing Examiner-SEPA Appeal/Prelim Plat	25,000	
Additional (net0) increases	<u>12,703</u>	
New Out of Balance October 10, 2012		248,783

C. Cable Utility Tax (only), city-wide	C. Cable Utility Tax increase from 1% to 5% would generate approximately \$57,000 annually and \$23,750 for 5 month collection in 2013. Cable already has a 5% Franchise Fee.	C. Cable may apply city-wide. A Council decision. Existing Ordinance is a mix of franchise fee and utility tax – staff suggests the current mix be looked reviewed. A 6% Utility Tax & 5% Franchise would equal an 11% Cable charge.
Establish a Transportation Benefit District and then impose the “car tab tax” at the \$20 level	Based on 01 JULY 2013 implementation (6 mo. delay as / RCW 36.73.065) with 4,794 vehicles in city: \$20/vehicle= \$47,900 in 2013; \$95,800 in 2014. \$40 per vehicle = \$95,880 in 2013; \$191,760 in 2014	Car tax @ \$20 is Council-imposed. A vote of the people required for more than \$20 per vehicle. This gives NO benefit to the General Fund, as there is no GF \$ going to “streets.” The sole benefit is to generate more \$ for street M & O.
Implement B&O Tax	\$20,000 to \$80,000 1%-4% on Local Business	Council approval required, but might cause businesses to close or move, which would then reduce Sales Tax Revenue.
Increase Permit Fees to cover annual cost of Permit software maintenance	A 10% increase in Permit Fees could generate between \$2,500-3,500 toward the Annual Software Maintenance Cost of \$9,000 a year. This amount would increase as building activity increases	Would require Council approval.
Increase Business License	Increase renewals from \$60 a year to \$70 may generate up to \$3,500 a year.	Would require council approval. May discourage businesses from locating in Black Diamond. Minimal \$ received.
Increase Misc. Park & Cemetery Charges	Difficult to estimate ongoing effect of a possible \$1,000 to \$2,000 a year increase	Would require Council approval. Staff now reviewing current fees and charges for later consideration of selected fee increases. Minimal \$ received.

2012 General Fund Year-End Estimates

	2012 Budget	2012 Actual thru 8/31/2012	2012 Actual thru 12/31/2012	\$ Diff 2012 Budget/ Est Dec 2012	% Diff 2012 Budget/ Est Dec 2012	2013 Budget Request
REVENUE						
1 310's Taxes						
2 - Property Tax	1,383,500	718,597	1,374,000	(9,500)		1,397,335
3 - Sales Tax	270,000	171,039	270,000	0		270,000
4 - Solid Waste Utility Tax	28,500	22,448	28,500	0		28,500
5 - Cable TV Utility Tax	11,200	5,625	11,200	0		11,200
6 - Telephone Utility Tax	126,000	83,397	124,000	(2,000)		122,000
7 - Gas Utility Tax	750	467	750	0		750
8 - Electric Utility Tax	215,000	164,152	220,000	5,000		220,000
9 - Water Utility Tax	27,000	17,409	26,800	(200)		26,800
10 - Stormwater Utility Tax	16,500	11,250	17,000	500		16,000
11 - Wastewater Utility Tax	39,900	25,136	39,900	0		42,700
12 - Gambling and prior year B&O Tax	3,500	998	3,000	(500)		3,000
13 Total Tax Revenue	2,121,850	1,220,518	2,115,150	(6,700)	-0.3%	2,138,285
14 320's Licenses and Permits				0		
15 - Business Licenses	24,320	22,305	22,600	(1,720)		22,600
16 - Cable Franchise Fees	57,200	43,609	57,500	300		57,500
17 Total Bus License, Cable Franchise Fees	81,520	65,914	80,100	(1,420)	-1.7%	80,100
18 330's Intergovernmental Revenue (no Police)						
19 - KC Ems Levy	53,511	53,689	53,689	178		53,700
20 - Liquor Tax	19,800	15,322	15,322	(4,478)		5,000
21 - Liquor Profits	31,800	22,654	40,618	8,818		36,500
22 - State Assistance	39,000	15,963	36,950	(2,050)		32,000
23 - Animal Control		6,330	6,330	6,330		0
24 - Recycle & Misc Grants	19,000	15,919	15,920	(3,080)		15,920
25 Total Intergovernmental Revenue	163,111	129,877	168,829	5,718	3.5%	143,120
26 340's Charges for services (Excludes Police/Com)						
27 - Interfund Charges for Services	107,463	71,642	107,463	0		79,247
28 - Other Grant Reimb & Chg for Svcs	27,500	9,007	6,682	(20,818)		15,180
29 - Passport Fees	5,000	5,357	7,000	2,000		8,000
30 Subtotal Charges for Service	139,963	86,006	121,145	(18,818)		102,427
31 - Lake Sawyer Parking Fees	12,000	10,024	12,000	0		13,000
32 - Cemetery Fees and Charges	6,050	11,260	12,000	5,950		8,000
33 Total Charges for Service Revenue	158,013	107,290	145,145	(12,868)	-8.1%	123,427
34 350's Court Fines, Forfeits and Fees	135,900	68,770	104,853	(31,047)	-22.8%	105,000
35 360's Miscellaneous Operating Revenue						
36 - Miscellaneous Income	500	945	550	50		600
37 - Insurance recovery		3,950	3,950			0
38 - Interest Income	1,100	1,765	1,925	1,825		1,825
39 - Sale of Surplus Property	1,500	0	0	0		0
40 Subtotal Miscellaneous Operating Revenue	3,100	6,660	6,425	3,325	107.3%	2,425
41 Police Revenue (210's)						
42 - Police Boat Vessel & Other Grants	43,343	33,535	35,720	(7,623)		39,000
43 - Police Traffic School	20,000	14,026	20,000	0		20,000
44 - Police DUI Cost Recovery	6,500	2,585	4,690	(1,810)		4,690
45 - Police Misc Rev (incl Gun Permits, Donations)	6,400	5,163	5,350	(1,050)		6,800
46 - One time L&I Reimb		2,431	2,431	2,431		0
47 Subtotal Police Revenue (210's)	76,243	57,740	68,191	(8,052)		70,490
48 - Local Criminal Justice Funds	82,000	55,625	81,600	(400)		86,500
49 - Criminal Justice Special Programs	5,000	3,964	5,250	250		5,430
50 - Grants, Donations and Forfeitures	3,000	500	500	(2,500)		2,500
51 Subtotal Criminal Justice Revenue (216's)	90,000	60,089	87,350	(2,650)		94,430
52 Total Police Revenue	166,243	117,829	155,541	(5,150)	-3.1%	164,920

2012 General Fund Year-End Estimates

	2012 Budget	2012 Actual thru 8/31/2012	2012 Actual thru 12/31/2012	\$ Diff 2012 Budget/ Est Dec 2012	% Diff 2012 Budget/ Est Dec 2012	2013 Budget Request
53						
54	Land Use and Permitting (240's)					
55	- Building and Other Permits	31,200	23,686	26,000	(5,200)	33,990
56	- Land Use and Annexation Fees	13,350	7,039	4,700	(8,650)	4,300
57	- Plan Check Fees	20,500	11,715	18,000	(2,500)	18,000
58	- Hearing Examiner Reimbursement	5,000	0	0	(5,000)	1,000
59	- Deposits and Misc Pass thru Services	2,000	1,552	4,000	2,000	4,000
60	Total Land Use and Bldg Permit Revenue	72,050	43,992	52,700	(19,350)	-26.9%
61	Total GF Direct Revenue	2,901,787	1,760,850	2,828,743	(67,492)	-2.3%
62	Other GF REVENUE					
63	- YarrowBay Funding Agreement	1,526,680	944,548	1,526,680	0	1,574,230
64	Subtotal OPERATING	4,428,467	2,705,398	4,355,423	(73,044)	-1.6%
65	Other GF Revenue					
66	- MPD & Sepa Developer Reimburse	434,000	196,169	434,000	0	59,000
67	- MDRT Consultant Funding	375,000	69,853	325,000	(50,000)	700,000
68	- Studies and Deposits, Misc		50,000	50,000	50,000	0
69	TOTAL GENERAL FUND REVENUE	5,237,467	3,021,420	5,164,423	(73,044)	-1.4%
70	- Cash and Investment Unassigned	424,069	424,069	424,069	0	
71	- Cash & Investment-Criminal Justice				0	
72	- C & I Used to Balance Budget				0	
73	- C & I Funding Agreement	497,145	497,145	497,145	0	
74	Total Cash & Investment	921,214	921,214	921,214	0	0
75	General Fund Total Sources	6,158,681	3,942,634	6,085,637	(73,044)	-1.2%

2012 General Fund Year-End Estimates

		2012 Budget	2012 Actual thru 8/31/2012	2012 Actual thru 12/31/2012	\$ Diff 2012 Budget/ Est Dec 2012	% Diff 2012 Budget/ Est Dec 2012	2013 Budget Request
76	GEN FUND EXPENDITURES BY DEPARTMENT						
77	Legislative-Council	12,599	6,504	12,399	(200)		13,408
78	Municipal Court	204,319	116,418	182,994	(21,325)		152,934
79	Executive-Mayor	14,076	8,751	13,276	(800)		13,686
80	Administration	213,258	112,812	212,658	(800)		259,379
81	City Clerk	75,308	47,943	71,308	(4,000)		80,480
82	Finance	283,110	163,578	263,610	(19,500)		297,470
83	Information Services	141,867	89,698	137,367	(4,500)		143,194
84	Legal	56,500	34,088	56,500	0		61,750
85	Legal-Dec Judgement/CFD costs	0	14,300	14,300	14,300		0
86	Legal-Prosecuting Attorney	48,000	25,600	35,200	(12,800)		24,000
87	Central Services	36,727	22,718	36,727	0		46,008
88	Facilities	99,821	61,527	96,821	(3,000)		101,477
89	Facilities-Bldg costs	180,000	117,196	180,000	0		180,000
90	Animal control	9,762	11,988	11,988	2,226		8,368
91	EMS Management	5,000	134	2,000	(3,000)		5,000
92	Police Department	1,788,860	1,099,992	1,743,860	(45,000)		1,853,054
93	Natural Resources	166,094	112,623	163,094	(3,000)		168,647
94	Community Development	296,800	186,531	278,800	(18,000)		237,677
95	Hearing Examiner-SEPA Appeal	5,000		5,000	0		30,000
96	Economic Development	45,864	40,718	45,764	(100)		8,064
97	MDRT	235,231	122,289	229,331	(5,900)		407,159
98	Parks	69,323	39,182	67,523	(1,800)		72,116
99	Cemetery	17,277	13,145	19,777	2,500		17,755
100	Fire Department	446,337	224,893	446,337	0		459,954
101	Total Operating Expenses	4,451,133	2,672,628	4,326,634	(124,499)	-2.8%	4,641,580
102	Other Expenditures (Reimbursables & MPD FD Legal)	759,000	246,117	759,000	0		759,000
103	Refund App 2 and deposits, fees MPD	261,400	301,458	301,458	40,058		0
104	Total Expenditures	5,210,133	3,220,203	5,387,092	176,959		5,400,580
105	Ending C&I Balance - Unreserved	401,403	423,611	452,858	51,455	12.8%	
106	Ending C&I Unreserved (Funding Agreement)	547,145	298,820	245,687	(301,458)		
107	Total Ending Cash & Investment	948,548	722,431	698,545	(250,003)		
108	Total General Fund Uses	6,158,681	3,942,634	6,085,637	(73,044)		(248,783)



2013 General Fund Preliminary Budget Summary

Description	2011 Actual	2012 Budget	2013 Budget	Budget Change \$	Budget Change %
REVENUE					
General Fund					
Taxes:					
1 General Property Taxes	1,360,492	1,383,500	1,397,335	13,835	1.0%
2 Sales Taxes	297,333	270,000	270,000	0	0.0%
3 Solid Waste Tax	26,217	28,500	28,500	0	0.0%
4 Cable TV Utility Tax	11,519	11,200	11,200	0	0.0%
5 Telephone Tax	129,585	126,000	122,000	-4,000	-3.2%
6 Gas Utility Tax	560	750	750	0	0.0%
7 Electrical Tax	222,222	215,000	220,000	5,000	2.3%
8 Water Utility Tax	26,861	27,000	26,800	-200	-0.7%
9 Stormwater Utility Tax	16,037	16,500	16,000	-500	-3.0%
10 Wastewater Utility Tax	37,541	39,900	42,700	2,800	7.0%
11 Pull Tabs and Punch Board Tax	3,617	3,500	3,000	-500	-14.3%
12 Total Tax Revenue	2,131,984	2,121,850	2,138,285	16,435	0.8%
Licenses and Permits:					
14 Business Licenses & Permits	23,785	24,320	22,600	-1,720	-7.1%
15 Cable Franchise Fees	56,899	57,200	57,500	300	0.5%
16 Total Business Licenses & Cable Franchise Fees	80,684	81,520	80,100	-1,420	-1.7%
Intergovernmental Revenue (no Police)					
18 KC EMS Levy	53,115	53,511	53,700	189	0.4%
19 Liquor Tax	20,418	19,800	5,000	-14,800	-74.7%
20 Liquor Profits	28,947	31,800	36,500	4,700	14.8%
21 State Assistance	38,489	39,000	32,000	-7,000	-17.9%
22 Animal Control	4,656	0	0	0	0.0%
23 Recycle & Miscellaneous Grants	19,002	19,000	15,920	-3,080	-16.2%
24 Total Intergovernmental Revenue	164,627	163,111	143,120	-19,991	-12.3%
Charges for services (Excludes Police/Com)					
26 Interfund Charges for Services	104,841	107,463	79,047	-28,416	-26.4%
27 Other Grant Reimbursement & Chg for Services	60,254	27,500	15,380	-12,120	-44.1%
28 Passport Fees	4,900	5,000	8,000	3,000	60.0%
29 Subtotal Charges for services	169,995	139,963	102,427	-37,536	-26.8%
30 Lake Sawyer Parking Fees	11,573	12,000	13,000	1,000	8.3%
31 Cemetery Fees and Charges	3,685	6,050	8,000	1,950	32.2%
32 Total Charges for Service Revenue	185,254	158,013	123,427	-34,586	-21.9%
33 Court Fines, Forfeits and Fees	120,803	135,900	105,000	-30,900	-22.7%
Miscellaneous Operating Revenue					
35 Miscellaneous Income	930	500	600	100	20.0%
36 Insurance Recovery	0	0	0	0	0.0%
37 Interest Income	1,170	1,100	1,825	725	65.9%
38 Sale of Surplus Property	1,398	1,500	0	-1,500	-100.0%
39 Subtotal Miscellaneous Operating Revenue	3,498	3,100	2,425	-675	-21.8%
Police Revenue					
41 Police Boat Vessel & Other Grants	23,098	43,343	39,000	-4,343	-10.0%
42 Police Traffic School Fee	14,000	20,000	20,000	0	0.0%
43 DUI Cost Recovery	4,981	6,500	4,690	-1,810	-27.8%
44 Police Misc. Rev (incl Gun Permits, Donations)	5,268	6,400	6,800	400	6.3%
45 One-Time L&I Reimbursement	8,099				
46 Subtotal Police	55,446	76,243	70,490	-5,753	-7.5%
47 Local Criminal Justice Funds	83,540	82,000	86,500	4,500	5.5%
48 Criminal Justice Special Programs	5,366	5,000	5,430	430	8.6%
49 Grants, Donations and Forfeitures	2,675	3,000	2,500	-500	0.0%
50 Subtotal Criminal Justice Revenue	91,580	90,000	94,430	4,430	4.9%
51 Total Police Revenue	147,026	166,243	164,920	-1,323	-0.8%
Land Use and Permitting					
53 Building and Other Permits	36,170	31,200	33,990	2,790	8.9%
54 Land Use and Annexation Fees	308,950	13,350	4,300	-9,050	-67.8%
55 Plan Check Fees	14,679	20,500	18,000	-2,500	-12.2%
56 Hearing Examiner Reimbursement	0	5,000	1,000	-4,000	-80.0%
57 Deposits and Misc Pass thru Services	14,343	2,000	4,000	2,000	100.0%
58 Total Land Use and Bldg Permit Revenue	374,141	72,050	61,290	-10,760	-14.9%
59 Total GF Operating Revenue	3,208,018	2,901,787	2,818,567	-83,220	-2.9%
Other GF Revenue					
61 YarrowBay Funding Agreement	1,404,173	1,526,680	1,574,230	47,550	3.1%
62 Subtotal Operating	4,612,191	4,428,467	4,392,797	-35,670	-0.8%

	Description	2011 Actual	2012 Budget	2013 Budget	Budget Change \$	Budget Change %
63						
64						
65	Other GF Revenue					
66	MPD & Sepa Developer Reimburse	652,224	434,000	59,000	-375,000	-86.4%
67	MDRT Consultant Funding	0	375,000	700,000	325,000	86.7%
68	Studies and Deposits, Misc	0				
69	TOTAL GENERAL FUND REVENUE	5,264,415	5,237,467	5,151,797	-85,670	-1.6%
70	Cash and Investment Unassigned	178,560	424,069		-424,069	-100.0%
71	Cash & Investment-Criminal Justice					
72	C & I Used to Balance Budget					
73	C & I Funding Agreement	163,790	497,145		-497,145	-100.0%
74	Total Cash and Investment	342,350	921,214	0	-921,214	-100.0%
75	General Fund Total Sources	5,606,765	6,158,681	5,151,797	-1,006,884	-16.3%
76	Total Operating Expenses	4,081,995	4,451,133	4,641,580	190,447	4.3%
77	<i>Other Expenditures (Reimbursables & MPD FD Legal</i>	603,557	759,000	759,000	0	0.0%
78	<i>Refund App 2 and deposits, fees MPD</i>		261,400	0	-261,400	-100.0%
79	Total Expenditures	4,685,552	5,210,133	5,400,580	190,447	3.7%
80	Ending C&I Balance - Unreserved	424,069	401,403		-401,403	-100.0%
81	Ending C&I Unreserved (Funding Agreement)	497,145	547,145		-547,145	-100.0%
82	Total Ending Cash & Investment	921,214	948,548		-948,548	-100.0%
83	Total General Fund Uses	5,606,766	6,158,681	-248,783	-6,407,464	-104.0%



**2013 EXPENDITURES
General Fund Preliminary Budget**

City of Black Diamond - Legislative
2013 Budget Development Summary

Legislative	Actual	Budget	Actual thru August	Budget Request	Budget Increase (Decrease)	Budget Increase (Decrease)
	2,011	2012	2012	2013	\$	%
Wages (1)	10,080	10,080	5,040	10,080	-	0.00%
Benefits (2)	38	38	25	57	19	48.89%
Wages & Benefits Subtotal	10,118	10,118	5,065	10,137	19	0.18%
Services (3)	1,759	2,481	1,340	3,271	790	31.85%
Legislative Total	11,877	12,599	6,405	13,408	809	6.42%

- (1) Council wages have zero increase in 2013.
 (2) Increase represents mandatory industrial insurance increase.
 (3) Services includes \$1,200 Town Hall Meeting expense.

City of Black Diamond - Municipal Court

2013 Budget Summary

Municipal Court	Actual	Budget	Actual thru August	Budget Request	Budget Increase (Decrease)	Budget Increase (Decrease)
	2,011	2012	2012	2013	\$	%
Wages (1)	92,679	89,944	62,814	61,782	-28,162	-31.31%
Benefits (2)	21,334	23,287	15,268	19,672	-3,615	-15.53%
Wages & Benefits Subtotal	114,014	113,231	78,082	81,454	-31,777	-28.06%
Supplies (3)	49,356	54,438	(10,429)	41,911	-12,527	-23.01%
Services (4)	29,440	36,650	16,894	29,570	-7,080	-19.32%
Municipal Court Total	192,810	204,319	84,547	152,935	-51,384	-25.15%

- (1) Wages include a 1% Cola and Reduction to 80% time for the Court Administrator. Part-time reduced to 300 hours.
 (2) Benefits include mandatory employer costs (taxes, retirement & medical which represents the majority of the increase), together with reductions from full time to 80% time for the Court Administrator.
 (3) Supplies-operating supplies.
 (4) Services include telephone, security, court interpreters, witness costs as well as printing of forms, insurance and credit card processing costs for receiving court payments.

City of Black Diamond - Executive

2013 Budget Summary

Executive	Actual	Budget	Actual thru August	Budget Request	Budget Increase (Decrease)	Budget Increase (Decrease)
	2,011	2012	2012	2013	\$	%
Wages (1)	12,000	12,000	9,000	12,000	0	0.00%
Benefits (2)	972	976	702	986	10	1.01%
Wage & Benefit Subtotal	12,972	12,976	9,702	12,986	10	0.08%
Supplies	14	100	29	100	0	0.00%
Services	582	1,000	215	600	(400)	-40.00%
Total Executive	13,568	14,076	9,946	13,686	(390)	-2.77%

- (1) Wages for the Mayor are unchanged for 2013.
 (2) Represents mandatory industrial insurance increase.

City of Black Diamond - Administration

2013 Budget Summary

Administration	Actual	Budget	Actual thru	Budget	Budget	Budget
	2,011	2012	August	Request	Increase	Increase
			2012	2013	(Decrease)	(Decrease)
					\$	%
Wages (1)	111,228	111,654	86,763	111,655	1	0.00%
Benefits (2)	33,161	38,026	31,350	42,850	4,824	12.69%
Wage & Benefit Subtotal	144,389	149,680	118,113	154,506	4,826	3.22%
Supplies	-	-	342	200	200	100.00%
Services (3)	2,958	63,578	(41,661)	104,673	41,095	64.64%
Total Department Cost	147,347	213,258	76,793	259,378	46,120	21.63%

- (1) Wages are not increased for administrative personnel. Furlough Days deduction equal to 2012. Salaries and benefits are 100% reimbursed through the funding agreement.
- (2) Benefits include mandatory employer costs (taxes, retirement & medical which represents the majority of the increase). Fully funded cost.
- (3) Services include \$95,652 for 4 days a week City Administrator contract. 2013 increase is the General Fund portion of this contract for a full year. This cost is not funded by the funding agreement.

City of Black Diamond - City Clerk

2013 Budget Summary

City Clerk	Actual	Budget	Actual thru	Budget	Budget	Budget
	2011	2012	August	Request	Increase	Increase
			2012	2013	(Decrease)	(Decrease)
					\$	%
Wages (1)	35,496	35,635	27,743	35,994	359	1.01%
Benefits (2)	16,337	18,165	13,906	19,202	1,037	5.71%
Wage & Benefit Subtotal	51,833	53,800	41,649	55,196	1,396	2.59%
Supplies	571	200	199	250	50	25.00%
Services (3)	16,601	21,308	-12,076	25,035	3,727	17.49%
City Clerk Total	69,005	75,308	29,773	80,481	5,173	6.87%

- (1) Wages include 1% Cola increase and Furlough Day deductions. Salaries & Benefits represent 60% of the Deputy City Clerk and 10% of the Administrative Assistant.
- (2) Benefits include mandatory employer costs (taxes, retirement & medical which represents the majority of the increase).
- (3) Services include \$5,500 2012 Special Elections costs plus \$11,600 for 2012 General election costs all paid in 2013 and \$4,000 for a city code update.

City of Black Diamond - Finance

2013 Budget Summary

Finance	Actual	Budget	Actual thru	Budget	Budget	Budget
	2,011	2012	August	Request	Increase	Increase
			2012	2013	(Decrease)	(Decrease)
					\$	%
Wages (1)	216,556	221,179	158,796	223,394	2,215	1.00%
Benefits (2)	44,605	52,231	28,674	57,521	5,290	10.13%
Wage & Benefit Subtotal	261,161	273,410	187,470	280,915	7,505	2.74%
Supplies	536	600	212	400	(200)	-33.33%
Services (3)	12,185	9,100	7,282	16,155	7,055	77.53%
Finance Total	273,882	283,110	194,964	297,470	14,360	5.07%

- (1) Wages include 1% Cola increase for non management and Furlough Days deducted. Finance Director and Deputy Finance Director salary and benefits 100% reimbursed through the funding agreement.
- (2) Benefits include mandatory employer costs (taxes, retirement & medical which represents the majority of the increase)
- (3) 2013 costs increase due to the semi annual audit.

City of Black Diamond - Information Services

2013 Budget Summary

Information Services	Actual	Budget	Actual thru August	Budget Request	Budget Increase (Decrease)	Budget Increase (Decrease)
	2011	2012	2012	2013	\$	%
	Wages (1)	98,868	99,248	77,507	100,242	994
Benefits (2)	33,255	33,459	24,774	34,660	1,201	3.59%
Wage & Benefit Subtotal	132,123	132,707	102,281	134,902	2,195	1.65%
Supplies	253	300	23	300	0	0.00%
Services (3)	7,192	8,860	3,941	7,994	-866	-9.78%
Information Services Total	139,567	141,867	106,245	143,195	1,328	0.94%

(1) Wages include 1% Cola increase and Furlough Days deducted. Salaries & Benefits are 100% reimbursed through the Funding Agreement.

(2) Benefits include mandatory employer costs (taxes, retirement & medical which represents the majority of the increase) All benefits are 100% fully funded through the Funding Agreement.

(3) Services include \$2,000 for IS training on new products and \$2,500 professional services assistance.

City of Black Diamond - Legal

2013 Budget Summary

Legal	Actual	Budget	Actual thru August	Budget Request	Budget Increase (Decrease)	Budget Increase (Decrease)
	2011	2012	2012	2013	\$	%
	Legal Services - All (1)	55,479	56,500	40,491	61,750	5,250
Declaratory Judgement & Capital Facilities Cost	-	-	14,212	-	-	-
Legal Total	55,479	56,500	54,702	61,750	5,250	9.29%

Prosecutor

Prosecuting Attorney (2)	48,200	48,000	30,400	24,000	-24,000	-50.00%
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(1) Legal Services in these areas include a 4% increase. NOTE: The rate has remained steady during 2011 so the increase is over a three-year period.

(2) Prosecuting Attorney fees reduced from \$4,000 a month to \$2,000 a month in 2013.

City of Black Diamond - Central Services

2013 Budget Summary

Central Services	Actual	Budget	Actual thru August	Budget Request	Budget Increase (Decrease)	Budget Increase (Decrease)
	2011	2012	2012	2013	\$	%
	Supplies (1)	5,151	9,700	4,931	7,000	-2,700
Services (2)	27,489	23,927	14,139	37,961	14,034	58.65%
KC Mental Health	1,012	3,100	895	1,300	-1,800	-58.06%
Central Services Total	33,652	36,727	19,965	46,261	9,534	25.96%

(1) Supplies include \$3,500 for postage & \$2,253 for General Insurance.

(2) Services include AWC & Suburban City Membership, Software Maintenance, Bank Fees & an unexpected costs fund.

City of Black Diamond - Facilities
2013 Budget Summary

Facilities	Actual	Budget	Actual thru August	Budget Request	Budget Increase (Decrease)	Budget Increase (Decrease)
	2011	2012	2012	2013	\$	%
Wages (1)	68,152	68,019	52,622	68,700	681	1.00%
Benefits (2)	21,864	23,141	16,822	25,392	2,251	9.73%
Wage & Benefit Subtotal	90,016	91,160	69,445	94,092	2,932	3.22%
Supplies (3)	2,685	4,650	1,491	3,100	-1,550	-33.33%
Services (4)	2,602	4,011	2,463	4,284	273	6.81%
Total Facility Costs	95,302	99,821	73,399	101,476	1,655	1.66%

(1) Wages include 1% Cola increase and Furlough Days deducted. Salaries & Benefits are 100% reimbursed through the Funding Agreement.

(2) Benefits include mandatory employer costs (taxes, retirement & medical which represents the majority of the increase)

(3) Supplies include fuel & tools.

(4) Services include vehicle costs.

Yarrow Bay Facility Cost	Actual	Budget	Actual thru August	Budget Request	Budget Increase (Decrease)	Budget Increase (Decrease)
	2011	2012	2012	2013	\$	%
Yarrow Bay Facility Cost (1)	183,433	180,000	143,030	180,000	0	0.00%
Total YB Facility Costs	183,433	180,000	143,030	180,000	0	0.00%

(1) Yarrow Bay facilities costs includes rental of land & buildings, modules, utilities, maintenance and general facility costs at City Hall site. These costs are 100% reimbursed through the Funding Agreement.

City of Black Diamond - Animal Control & Emergency Management

2013 Budget Summary

Animal Control	Actual	Budget	Actual thru August	Budget Request	Budget Request Increase (Decrease)	Budget Request Increase (Decrease)
	2,011	2012	2012	2013	\$	%
Animal Control Prof Svcs	15,663	9,762	11,988	8,368	(1,394)	-14.28%
Animal Control Total	15,663	9,762	11,988	8,368	(1,394)	-14.28%

Emergency Management	Budget	Actual thru August	Budget Request	Budget Request	Budget Request	
	2012	2012	2013	2013	2013	
Emergency Management Training	270	-	89	2,500	2,500	100.00%
EMS MGMT Operating Supplies	233	5,000	45	2,500	(2,500)	-50.00%
Emergency Management Total	502	5,000	134	5,000	-	0.00%

City of Black Diamond - Police Department

2013 Budget Summary

Police Department	Actual	Budget	Actual thru August	Budget Request	Budget Increase (Decrease)	Budget Increase (Decrease)
	2,011	2012	2012	2013	\$	%
Operating						
Wages (1)	969,316	1,017,356	767,443	1,076,117	58,761	5.78%
Benefits (2)	337,094	362,964	263,537	395,939	32,975	9.08%
Wages & Benefits Subtotal	1,306,410	1,380,320	1,030,979	1,472,056	91,736	6.65%
Supplies (3)	52,599	58,400	44,981	57,650	-750	-1.28%
Services (4)	78,872	81,166	84,648	88,690	7,524	9.27%
Police Operating Total	1,437,881	1,519,886	1,160,609	1,618,396	98,510	6.48%
Communication						
Communication Expense (5)	97,652	147,425	96,806	122,100	-25,325	-17.18%
Safety Equip.						
Safety Equipment	2,287	3,000	940	1,000	-2,000	-66.67%
Jail						
Jail Expense	18,153	28,000	10,203	23,300	-4,700	-16.79%
Police Facilities						
Police Facilities	20,569	19,995	20,603	23,298	3,303	16.52%
Civil Service						
Civil Service	1,757	2,660	2,021	2,550	-110	-4.14%
Marine						
Marine	24,552	33,429	34,717	36,000	2,571	7.69%
Criminal Justice						
Criminal Justice (6)	29,181	34,465	26,678	26,410	-8,055	-23.37%
Total Police Dept.						
Police Department Total	1,632,032.09	1,788,860.00	1,352,576.94	1,853,054.22	64,194	3.59%

(1) Wages include Step Increases (\$21,803) & 3% Cola (\$34,583) for represented personnel.

(2) Benefits include mandatory employer costs (taxes & medical which represents the majority of the increase).

(3) Supplies includes \$38,000 for fuel, \$7,400 for uniforms and \$7,000 for fire arms.

(4) Services includes \$57,000 for liability, building & vehicle insurance, a \$12,300 increase over 2012 and \$17,000 vehicle maint.

(5) Communication decrease due to reduced Valley Comm fees.

(6) No longer renting the exercise facility (\$7,590).

City of Black Diamond - Natural Resources

2013 Budget Summary

Natural Resources	Actual	Budget	Actual thru August	Budget Request	Budget Increase (Decrease)	Budget Increase (Decrease)
	2,011	2012	2012	2013	\$	%
Wages (1)	101,831	101,921	79,788	101,921	(0)	0.00%
Benefits (2)	33,592	41,101	30,401	44,602	3,501	8.52%
Wages & Benefits Subtotal	135,423	143,022	110,189	146,522	3,500	2.45%
Supplies	348	50	-	100	50	100.00%
Services (3)	22,386	23,022	(21,765)	22,025	(997)	-4.33%
Natural Resources Total	158,157	166,094	88,424	168,647	2,553	1.54%

(1) Wages do not increase for management personnel and include Furlough Days deducted. All Salary & Benefit costs are 100% fully funded through the Funding Agreement.

(2) Benefits include mandatory employer costs (taxes, retirement & medical which represents the majority of the increase)

(3) Services include \$15,920 of recycle expenditures covered by grant revenue.

City of Black Diamond - Development & Planning

2013 Budget Summary

Community Development

Planning	Actual	Budget	Actual thru	Budget	Budget	Budget Increase
	2011	2012	August	Request	Increase (Decrease)	(Decrease)
			2012	2013	\$	%
Wages (1)	65,788	61,413	51,812	38,601	-22,812	-37.15%
Benefits (2)	17,490	16,370	13,494	10,692	-5,678	-34.69%
Wage & Benefit Subtotal	83,279	77,783	65,306	49,293	-28,490	-36.63%
Supplies	1,276	850	327	300	-550	-64.71%
Services	86,279	1,334	2,584	3,063	1,729	129.58%
Planning Total	170,833	79,967	68,217	52,655	-27,312	-34.15%
Permitting						
Wages (1)	79,426	93,439	73,915	88,903	-4,536	-4.85%
Benefits (2)	19,556	25,067	18,747	25,199	132	0.53%
Wage & Benefit Subtotal	98,982	118,506	92,662	114,102	-4,404	-3.72%
Supplies	1,297	850	154	2,050	1,200	141.18%
Services (3)	245,026	133,559	28,767	38,140	-95,419	-71.44%
Permitting Total	345,305	252,915	121,583	154,292	-98,623	-38.99%
Code Enforcement						
Wages (1)	3,468	10,684	8,068	10,714	30	0.28%
Benefits (2)	541	2,596	1,911	2,742	146	5.64%
Wage & Benefit Subtotal	4,009	13,280	9,979	13,456	176	1.33%
Supplies	-	-	-	50	50	100.00%
Services (4)	24,399	35,605	13,596	17,223	-18,382	-51.63%
Code Enforcement Total	28,409	48,885	23,575	30,730	-18,155	-37.14%
Hearing Examiner						
Professional Services (5)	2,245	5,000	2,709	30,000	25,000	500.00%
Hearing Examiner Total	2,245	5,000	2,709	30,000	25,000	500.00%
Community Development Total	546,792	386,767	216,085	267,677	(119,090)	-30.79%

(1) Wages include 1% Cola increase for non management and Furlough Days deducted. Salaries & Benefit costs for all personnel as well as Code Enforcement contract services are 100% reimbursed through the funding agreement.

(2) Benefits include mandatory employer costs (taxes, retirement & medical which represents the majority of the increase) (Fully Funded)

(3) Permitting Services include \$25,500 Inspection Service cost & \$9,000 Permit Software maintenance cost.

(4) Code Enforcement Services include Code Enforcement Service of \$16,500, down \$18,500 from 2012. 100% Funded via Funding Agreement.

(5) Includes \$26,000 for Hearing Examiner Services to cover the cost of SEPA appeal. Overall Community Development cost reductions

City of Black Diamond - Economic Development

2013 Budget Summary

Economic Development	Actual	Budget	Actual thru	Budget	Budget	Budget Increase
	2011	2012	August	Request	Increase (Decrease)	(Decrease)
			2012	2013	\$	%
Wages (1)	100,404	32,755	30,247	5,035	-27,720	-84.63%
Benefits (2)	32,647	12,336	11,103	1,978	-10,358	-83.97%
Wage & Benefit Subtotal	133,051	45,091	41,350	7,013	-38,078	-84.45%
Supplies	20	300	12	500	200	66.67%
Services	2,072	473	517	550	77	16.28%
Economic Development Total	135,143	45,864	41,878	8,063	-37,801	-82.42%

(1) Wages include 1% Cola increase for non management and Furlough Days deducted. The large reduction reflects the reallocation of Economic Development Director costs to the Master Development Review Team (MDRT). All Salary & Benefit costs are 100% reimbursed through the Funding Agreement.

(2) Benefits include mandatory employer costs (taxes, retirement & medical). As in wages, the reduction in benefits reflects the reallocation of Economic Development cost to MDRT.

City of Black Diamond - MDRT
2013 Budget Summary

MDRT	Actual	Budget	Actual thru August	Budget Request	Budget Increase (Decrease)	Budget Increase (Decrease)
	2,011	2012	2012	2013	\$	%
Wages (1)	n/a	166,756	109,380	244,410	77,654	46.57%
Benefits (2)	n/a	45,024	29,177	88,799	43,775	97.23%
Wages & Benefits Subtotal	n/a	211,780	138,557	333,209	121,429	57.34%
Supplies (3)	n/a	2,000	1,119	2,400	400	20.00%
Services (4)	n/a	21,451	13,571	71,550	50,099	233.55%
Capital (5)						
MDRT Total	n/a	235,231	153,246	407,159	171,928	73.09%

All Master Plan Development Team costs are 100% fully reimbursed through the Funding Agreement.

(1) Wages include 1% Cola increase for non management and Furlough Days deducted. Large increase for 2013 reflects the reallocation of Community & Economic Development Director costs to the Master Plan Review Team (MDRT). Also included in the 2013 increase is a full year of the Senior Accountant position which was only funded a half year in 2012. (Reimbursed 100% through the Funding Agreement.

(2) Benefits include mandatory employer costs (taxes, retirement & medical). As with wages, the large increase in 2013 reflects the reallocation of personnel costs from Community & Economic Development Director costs to MDRT.

(3) Supplies includes fuel, postage and supplies

(4) Services include vehicle insurance & maintenance as well as memberships and training.

(5) Capital includes the acquisition of a vehicle for \$45,000.

City of Black Diamond - Parks
2012 Budget Summary

Parks	Actual	Budget	Actual thru August	Budget Request	Budget Increase (Decrease)	Budget Increase (Decrease)
	2,011	2012	2012	2013	\$	%
Wages (1)	26,553	26,145	20,668	26,368	223	0.85%
Benefits (2)	9,244	9,944	7,611	11,073	1,129	11.35%
Wages & Benefits Subtotal	35,797	36,089	28,278	37,441	1,352	3.75%
Supplies	8,467	10,760	7,500	10,460	(300)	-2.79%
Services	23,117	22,474	18,117	24,215	1,741	7.75%
Parks Department Total	67,381	69,323	53,895	72,116	2,793	4.03%

(1) Wages include 1% Cola increase for non management and Furlough Days deducted for non Public Works personnel.

(2) Benefits include mandatory employer costs (taxes, retirement & medical which represents the majority of the increase)

(3) Supplies include annual cost of the portable restroom facility as well as Museum insurance and utility costs and Community Center insurance costs.

(4) Services include the annual cost of the venue pay station (\$2,000), parks share of shop costs. Primary increase due to insurance increase.

City of Black Diamond - Cemetery
2013 Budget Summary

Cemetery	Actual	Budget	Actual thru August	Budget Request	Budget Request Increase (Decrease)	Budget Request Increase (Decrease)
	2011	2012	2012	2013	\$	%
Wages (1)	10,072	9,983	7,765	10,074	91	0.92%
Benefits (2)	3,980	4,283	3,237	4,766	483	11.28%
Wage & Benefit Subtotal	14,052	14,266	11,002	14,841	575	4.03%
Supplies (3)	335	1,395	1,157	1,220	(175)	-12.54%
Services (4)	1,055	1,516	3,378	1,294	(222)	-14.63%
Taxes/Transfers/Other (5)	54	100	213	400	300	300.00%
Total	15,497	17,277	15,750	17,755	478	2.77%

(1) Wages include 1% Cola increase for non management and Furlough Days deducted for non Public Works personnel.

(2) Benefits include mandatory employer costs (taxes, retirement & medical which represents the majority of the increase)

(3) Supplies include fuel, safety equipment & tools.

(4) Services include share of shop & vehicle maintenance & security costs.

(5) Excise taxes.

City of Black Diamond - Fire Department
2013 Budget Summary

Fire Department	Actual	Budget	Actual thru August	Budget Request	Budget Increase (Decrease)	Budget Increase (Decrease)
	2,011	2012	2012	2013	\$	%
Fire Dist 44 Prof Serv (1)	428,585	442,300	221,150	455,569	13,269	3.00%
PR Svcs KC Fire Investigation	2,130	2,032	2,649	2,728	696	34.25%
Other Operating cost	1,450	2,005	1,320	1,657	-348	-17.36%
Fire Department Total	432,165	446,337	225,119	459,954	13,617	3.05%

(1) 2013 Contract Services for Fire District 44 include a 3% CPI estimate.

Total General Fund Exp.	4,081,995	4,451,133	2,672,628	4,641,580	190,447	4.3%
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City of Black Diamond - Funding & MPD EIS
2013 Budget Summary

Funding Agreement	Actual	Budget	Actual thru August	Budget Request	Budget Increase (Decrease)	Budget Increase (Decrease)
	2011	2012	2012	2013	\$	%
Yarrow Bay SEPA Costs	591,175	490,250	127,727	84,000	-406,250	-82.87%
Refund Application Fees	0	0	305,336	0	0	
Yarrow Bay SEPA Cost Subtotal	591,175	490,250	433,063	84,000	-406,250	-82.87%
MDRT Consultant Costs:						
MDRT Legal	0	34,000	10,288	60,000	26,000	76.47%
MDRT Fiscal Analysis Henderson & Young	0	100,000	57,533	50,000	-50,000	-50.00%
MDRT Civil Engineering -RH2 Engineering	0	100,000	80,604	200,000	100,000	100.00%
MDRT Traffic Engineering Parametrix	0	60,000	10,755	55,000	-5,000	-8.33%
MDRT Environmental Consultant-Perteet	0	70,000	18,957	30,000	-40,000	-57.14%
MDRT Geotech-Sub Terra	0	60,000	0	30,000	-30,000	-50.00%
MDRT Surveyor-Parametrix	0	60,000	1,858	50,000	-10,000	-16.67%
MDRT Surveyor-Parametrix	0	0	0	200,000	200,000	100.00%
MDRT Consultant Cost Subtotal	0	484,000	179,996	675,000	191,000	200.00%
Funding Agreement Total (1)	591,175	974,250	613,059	759,000	-215,250	-22.09%

(1) All Costs are 100% Reimbursed through the Funding Agreement.

Total Expenditures	4,685,552	5,210,133	3,220,203	5,400,580	190,447	3.7%
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101 Street Fund Finance Report

	2011 Actual	2012 Budget	Sept 2012 (75%)	2012 YE Est Act	2013 Budget	% Change 2012 to 2013
STREET FUND REVENUE						
1 Street Gas Tax	87,246	85,870	62,524	83,295	84,000	-2.2%
2 Annex-Diverted Road Tax	6,200	0		0		
3 Street/Sidewalk cut/Curb variance	300	300		0		-100.0%
4 Right of way permit	3,000	3,000	1,650	2,000	1,000	-66.7%
5 Grant Reim. Proj mgmt	18,276	0		0		
6 Charges for service/Misc	1,620	0	30	30		
7 Operating Revenue	116,642	89,170	64,204	85,325	85,000	-4.7%
8 YarrowBay-Sal & Ben Reimb	40,765	42,946	33,031	42,946	49,941	16.3%
9 Investment Interest	629	610	423	560	600	-1.6%
10 Total Other Revenue	41,394	43,556	33,454	43,506	50,541	16.0%
11 Total All Revenue	158,036	132,726	97,658	128,831	135,541	2.1%
12 Beginning Cash & Invest. Balance -Unreserved	323,854	328,145	328,145	328,145	258,379	-21.3%
13 Total Sources	481,890	460,871	425,803	456,976	393,920	-14.5%
STREET FUND EXPENDITURES						
15 Salaries 1	67,440	69,497	50,988	69,497	75,132	8.1%
16 Benefits 2	25,354	27,769	21,748	27,769	33,814	21.8%
17 Total Salaries and Benefits	92,794	97,266	72,736	97,266	108,946	12.0%
18 Supplies 3	5,701	7,019	5,563	7,219	8,600	22.5%
19 Services 4	62,498	69,424	47,879	64,112	71,517	3.0%
20 Total Operating Expenses	160,993	173,709	126,178	168,597	189,063	8.8%
21 Total Transfers for Equip & Projects 5	(7,248)	30,000	30,000	30,000	10,000	-66.7%
22 Total All Expenditures	153,745	203,709	156,178	198,597	199,063	-2.3%
23 Three Months Cash and Investments	40,248	42,959	42,959	42,959	47,435	10.4%
24 Unreserved C&I Balance	287,897	214,203	226,666	215,420	147,422	-31.2%
25 Total Ending Cash & Investments	328,145	257,162	269,625	258,379	194,857	-24.2%
26 Total Uses	481,890	460,871	425,803	456,976	393,920	-14.5%

1 Salaries include step increases & a 1% COLA for non management personnel.

2 Benefit increase includes mandatory employer costs (taxes, retirement and medical-which represents the majority of the increase).

3 Supplies include sand & salt (\$1,300), fuel (\$3,000), and operating supplies, tools, uniforms and small parts.

4 Services include the PSE street light cost (\$28,500), insurance (\$7,674), street portion of the City Administrator contract (\$3,189), traffic signal maint. (\$3,500), professional services (\$1,000), and the balance for equipment and street maintenance cost.

5 Transfer to Equipment Replacement Fund for future equipment and radio replacement.

401 Water Fund Financial Report

September 30, 2012

	2011 Actual	2012 Budget	Sept 2012 (75%)	2012 YE Est Act	2013 Budget	% Change 2012 to 2013
WATER FUND REVENUE						
1 User Charges	426,263	454,000	320,063	430,000	430,000	-5.3%
2 Surcharge @ \$2.30 per customer	28	0	28	0		
3 Late Charges & Name Changes	16,127	15,000	12,885	16,500	16,500	10.0%
4 Subtotal Operating Revenue	442,418	469,000	332,976	446,500	446,500	-4.8%
6 YarrowBay PW Reimbursement	47,724	70,013	42,458	70,013	64,719	-7.6%
7 Deposits and Reimbursements	1,326	700	-2	100	100	-85.7%
8 New water meter setting & Misc.	3,929	4,000	2,085	2,090	2,000	-50.0%
9 Investment Interest	228	260	99	132	125	-51.9%
10 Insurance Reimbursement	26,584	0	5,006	5,006	0	
11 Transfer from Water Capital Fund	125,000	125,000	125,000	150,000	150,000	20.0%
12 Subtotal Other Revenue	204,791	199,973	174,646	227,341	216,944	8.5%
13 Total Revenue	647,209	668,973	507,622	673,841	663,444	-0.8%
14 Beg Cash and Investment Balance - Reserved	78,790	89,620	89,620	89,620	99,392	10.9%
15 Beg C&I Balance - Unreserved	67,271	18,077	18,077	18,077	-1,964	-110.9%
16 Total Cash & Investment	146,061	107,697	107,697	107,697	97,428	-9.5%
17 Total Sources	793,270	776,670	615,319	781,538	760,872	-2.0%
WATER FUND EXPENDITURES						
19 Salary 1	119,019	133,050	93,832	133,050	131,154	-1.4%
20 Furlough Days 2		(1,099)		(1,099)	(1,053)	-4.2%
21 Benefits 3	44,587	54,692	39,067	54,692	58,942	7.8%
22 Total Salaries and Benefits	163,606	186,643	132,899	186,643	189,043	1.3%
23 Supplies 4	28,942	32,476	19,573	27,498	31,050	-4.4%
24 Services 5	165,931	178,448	132,547	174,583	186,126	4.3%
25 Total Operating Expenditures	358,479	397,567	285,019	388,724	406,219	2.2%
26 Subtotal Other Expenditures (Net Debt Payment) 6	327,096	296,770	295,386	295,386	293,557	-1.1%
27 Total Expenditures	685,575	694,337	580,405	684,110	699,776	0.8%
28 Three Months Cash and Investments	89,620	99,392	99,392	99,392	101,555	2.2%
29 Unreserved C&I Balance	18,075	-17,059	-61,478	-1,964	-40,459	137.2%
30 Total Ending Cash & Investments	107,695	82,333	38,914	97,428	61,096	-25.8%
31 Total Uses	793,270	776,670	619,319	781,538	760,872	-2.0%

1 Salaries include step increases for non office and non management personnel and a 1% COLA for non management personnel.

2 Furlough represents unpaid days off for office and management personnel.

3 Benefit increase includes mandatory employer costs (taxes, retirement and medical which represents the majority of the increase).

4 Supplies include caustic (\$12,500), fuel (\$4,000), and operating and maintenance supplies, uniforms and small tools.

5 Services include insurance (\$30,714), Electricity/Gas (\$32,000), utility & B&O taxes (\$49,500), water portion of the City Administrator contract (\$9,562), legal & professional services (\$17,000), audit (\$6,050), with the remainder for other maintenance and operating costs.

6 Includes the transfer to equipment replacement fund for future equipment (\$10,000) and the 2013 debt payment on the Public Works infrastructure loans and internal sewer loan for meter replacement (\$283,557).

407 Sewer Fund Financial Report

	2011 Actual	2012 Budget	2012 Actual thru Sept 2012(75%)	2012 YE Est Actual	2013 Budget	% Change 2012 to 2013
SEWER FUND REVENUE						
1 User Charges	622,521	650,000	474,076	634,000	693,000	6.6%
2 Operating Revenue	622,521	650,000	474,076	634,000	693,000	
3 Other Revenues						
4 Misc Reimb	3,402	2,100	1,320	1,500	1,500	-28.6%
5 YarrowBay PW Director Reimburse	47,724	70,013	48,233	70,013	64,719	-7.6%
6 Investment Interest	176	150	63	100	100	-33.3%
7 Insurance Recovery			1,975	1,975	1,974	100.0%
8 Transfer from Capital or Operating	50,000	50,000	50,000	50,000	85,000	70.0%
9 Total Other Revenue	101,302	122,263	101,591	123,588	153,293	25.4%
10 Total Revenue	723,823	772,263	575,667	757,588	846,293	9.6%
11 Beg Cash & Investments - Unreserved	79,000	81,085	81,085	81,085	81,240	0.2%
12 Beg C&I Bal-Reserved	30,589	799	799	799	(403)	-150.4%
13 Total Beg Cash and Investments	109,589	81,884	81,884	81,884	77,449	-5.4%
14 Total Sources	833,412	854,147	657,551	839,472	927,130	8.5%
SEWER FUND EXPENDITURES						
16 Salaries 1	119,018	131,250	93,782	131,250	130,017	-0.9%
17 Furlough Days 2		(1,099)		(1,099)	(1,053)	-4.2%
18 Benefits 3	44,588	55,175	39,067	55,175	58,752	6.5%
19 Total Salaries & Benefits	163,606	185,326	132,849	185,326	187,716	1.3%
20 Supplies 4	12,781	14,976	9,978	13,523	13,350	-10.9%
21 Services 5	118,696	124,038	87,142	118,529	136,897	10.4%
22 Subtotal Operating Expenses	295,083	324,340	229,969	317,378	337,963	4.2%
23 Other Expenses						
24 King County Metro 6	446,413	448,000	325,983	434,645	494,000	10.3%
25 Total Operating Expenditures	741,496	772,340	555,952	752,023	831,963	7.7%
26 Capital Expenses 7	10,000	10,000	10,000	10,000	10,000	0.0%
27 Total Expenses	751,496	782,340	565,952	762,023	841,963	7.6%
28 Three Months Cash and Investments	73,779	81,085	81,085	81,240	84,491	4.2%
29 Unreserved C&I Balance	8,137	(9,278)	10,514	(403)	676	-107.3%
30 Total Ending Cash and Investments	81,916	71,807	91,599	77,449	85,167	18.6%
31 Total Uses	833,412	854,147	657,551	839,472	927,130	8.5%

1 Salaries include step increases for non office and non management personnel and a 1% COLA for non management personnel.

2 Furlough represents unpaid days off for office and management personnel.

3 Benefit increase includes mandatory employer costs (taxes, retirement and medical which represents the majority of the increase).

4 Supplies include fuel (\$4,000), and other maintenance and operating supplies.

5 Services include insurance (\$13,900), sewer portion of City Administrator contract (\$9,562), legal & professional services (\$17,700), Utility and B&O taxes (\$51,200), audit (\$6,050), with the remainder for other maintenance and operating costs.

6 King County Metro includes a 10.2% rate increase for 2013.

7 Transfer to Equipment Replacement Fund for future equipment and radio replacement.

410 Stormwater Fund Financial Report

September 30, 2012

	2011 Actual	2012 Budget	2012 Actual thru Sept 2012(75%)	2012 YE Est Actual	2013 Budget	% Change 2012 to 2013
REVENUE						
1 Operating Revenue	267,265	270,000	210,596	280,800	275,000	1.9%
2 Other Revenue						
3 YarrowBay-PW Dir Reimburse	47,724	70,012	48,233	70,012	64,719	-7.6%
4 Insurance recovery			1,975	1,975	0	
5 Investment Interest	89	200	71	100	100	-50.0%
6 Total Other Revenue	47,813	70,212	50,279	72,087	64,819	-7.7%
8 Beginning Cash and Investment Balance-Unreserved	41,287	57,827	41,287	57,827	80,840	39.8%
9 Total Sources	356,365	398,039	302,162	410,714	420,659	5.7%
EXPENDITURES						
11 Salaries 1	119,018	129,647	95,957	129,647	127,744	-1.5%
12 Furlough Days 2		(1,099)		(1,099)	(1,053)	-4.2%
13 Benefits 3	44,588	54,144	39,100	54,144	58,372	7.8%
14 Total Salaries & Benefits	163,606	182,692	135,057	182,692	185,063	1.3%
15 Supplies 4	12,094	11,828	11,290	14,748	14,000	18.4%
16 Services 5	96,384	97,659	60,492	92,268	106,196	8.7%
17 Total Operating Expenses	272,084	292,179	206,839	289,708	305,259	4.5%
18 Total Other Expenditures 6	41,500	48,400	40,165	40,165	40,165	-17.0%
19 Total Expenditures	313,584	340,580	247,004	329,874	345,424	1.4%
20 Reserved C&I Balance	68,021	68,021	68,021	68,021	76,315	12.2%
21 Unreserved C&I Balance	(25,240)	(10,562)	(12,863)	12,819	(1,080)	-89.8%
22 Total Ending Cash & Investments	42,781	57,459	55,158	80,840	75,235	30.9%
23 Total Uses	356,365	398,039	302,162	410,714	420,659	5.7%

1 Salaries include step increases for non office and non management personnel and a 1% COLA for non management personnel.

2 Furlough represents unpaid days off for office and management personnel.

3 Benefit increase includes mandatory employer costs (taxes, retirement and medical which represents the majority of the increase).

4 Supplies include fuel (\$4,000), and other maintenance and operating supplies.

5 Services include insurance (\$6,654), Stormwater portion of City Administrator contract (\$9,562), legal & professional services (\$20,708), Utility and B&O taxes (\$32,500), audit (\$6,050), with the remainder for other maintenance and operating costs.

6 Transfer to Equipment Replacement Fund for future equipment and radio replacement (\$10,000), debt repayment on internal sewer loan for stormwater start-up (30,165).

104 REET I Gen Gov't Fund

	Actual 2011	2012 Amended Budget	2012 Act thru September	2013 Preliminary Budget	12 to 13 Budget Change	% Budget Change
1 REVENUE						
2 R1 1/4% REET	35,271	38,500	31,921	42,500	4,000	10.4%
3 LGIP Investment Interest	1,258	1,200	405	500	(700)	-58.3%
4 Transfer in from REET II	70,000	93,500	93,500		(93,500)	-100.0%
5 Subtotal Revenue	106,529	133,200	125,826	43,000	(90,200)	-67.7%
6 Beginning Cash & Investments	401,486	325,165	325,165	282,875	(42,290)	-13.0%
7 Total REET I 104 Fund Sources	508,014	458,365	450,991	325,875	(132,490)	-28.9%
8 EXPENDITURES						
9 Transfer to 310 Gen Gov't Capital Fund	139,000	98,750	98,750	103,150	4,400	4.5%
10 Trans 510 Fund - Police & Fire Equipment	43,850	79,915	79,915	45,000	(34,915)	-43.7%
11 Subtotal Expenditures	182,850	178,665	178,665	148,150	(30,515)	-17.1%
12 Ending Cash & Investments	325,164	279,700	272,326	177,725	(101,975)	-36.5%
13 Total REET I 104 Fund Uses	508,014	458,365	450,991	325,875	(132,490)	-28.9%

310 Government Capital Fund

	Actual 2011	2012 Amended Budget	2012 Act thru September	2013 Preliminary Budget	12 to 13 Budget Change	% Budget Change	
REVENUE							
1							
2	Transfer in REET I	12,500	98,750	98,750	103,150	4,400	4.5%
3	King Co Parks Tax Levy	8,461	8,000	4,687	8,000		0%
4	Tree Mitigation	700			1,000	1,000	100%
5	RCO Boat Launch Grant				85,000	85,000	
6	DOE Grant for Lake Sawyer Weed Management				25,000		
7	King Co Regional Park Environmental Grant				10,000	10,000	100%
8	Ginder Creek Land Grants						
9	Trail Grants		20,000				
10	KC Conservation Grant-Ginder Cr Easement		300,000		15,000	(285,000)	
11	DOE Grant for Shoreline MP	39,521	13,776	13,776		(13,776)	-100.0%
12	Conservation Grant-Ginder Cr ROW Acq.				150,000	150,000	100%
13	Loan- Fire Truck & surplus -\$365,000-Deferred until spring CIP Update						
14	Culture or DOC Mine Hazard Study				15,000	15,000	100%
15							
16	Impact fees, in-kind or developer		17,500		105,000	87,500	500.0%
17	Subtotal Revenue	61,182	458,026	117,213	517,150		
18	Beginning Cash & Investments	86,178	250,227	250,302		(250,227)	-100%
19	Total 310 Govt Capital Fund Sources	147,360	708,253	367,515	517,150	(191,103)	-27.0%
EXPENDITURES							
20							
21	Lake Sawyer Boat Launch Improvement	8,312		103	115,000	115,000	
22	Lake Sawyer Acuatic Weed Mgmt Plan				40,000		
23	Ginder Creek Easement				30,000	30,000	100%
24	Ginder Creek ROW Acquisition		300,000		150,000	(150,000)	-50.0%
25	Ginder Creek Trail Restoration				28,000		
26	Grant Matching	26,804	77,056	281	10,000	(67,056)	-87.0%
27	Mine Hazard Assesment Study/Map			121	15,000	15,000	100%
28	Tree Mitigation	1,058	3,010	755	1,000	(2,010)	-66.8%
29	Lake Sawyer Regional Park bulkhead				10,000		
30	Trails Projects		52,555				
31	Parks Signs & Mower		16,515	3,046			
32	Shoreline Master Plan		10,000	11,537			
33	Prior year & Carry over park projects	30,220		338			
34	Council Chambers, Police & Court Building	11,124	79,349	2,582		(79,349)	-100%
35	Police Technology & other	15,876	15,396	4,437	16,300	904	5.9%
36	Police Tiberon required revision-added				15,250		
37	Police record system loan payment - principal	40,000	40,000	40,000	40,000		0%
38	Police record system loan - interest	800	2,000	1,600	1,600	(400)	0%
39	Fire Impact Fees & CF Henderson/Young		65,300	12,489		(65,300)	-100%
40	Fire Station 99 study & design		1,250		25,000	23,750	1900%
41	General Government technology	21,844	21,822	12,804	20,000	(1,822)	-8.3%
42	Way Finding Signs		24,000			(24,000)	-100%
43	Subtotal General Govt Capital Projects	147,725	708,253	90,093	517,150	(320,283)	-45.2%
44	Ending Cash & Investments	310,164		277,422			
45	Total 310 Gen Govt Capital Fund Uses	457,889	708,253	367,515	517,150	(320,283)	-45.2%

46 * Note that fire and police vehicles and equipment are funded out of the 510 Fund

105 REET II Public Works Capital Projects

	Actual 2011	2012 Amended Budget	2012 Act thru September	2013 Preliminary Budget	12 to 13 Budget Change	% Budget Change
REVENUE						
1 R2 1/4% REET Tax	34,973	38,500	31,921	42,500	4,000	10.4%
2 LGIP Investment Interest	1,390	2,000	564	2,000		
3 Subtotal REET II Fund Revenue	36,363	40,500	32,485	44,500	4,000	9.9%
4 Beg Cash & Investments	543,991	487,785	487,785	329,002	(158,783)	-32.6%
5 Total REET II Fund Sources	580,354	528,285	520,270	373,502	(154,783)	-29.3%
EXPENDITURES						
7 Transfer to REET I	70,000	93,500	93,500		(93,500)	-100.0%
8 Transfer out 320 PW Capital	120,000	168,782	108,783	120,000	(48,782)	-28.9%
9 Transfer to 320 Fund - Misc Overlays - Match	32,000					
10 Trans Back from RR Project	(145,670)					
11 Transfer to 288th Project	16,239					
12 Total REET I Fund Expenditures	92,569	262,282	202,283	120,000	(142,282)	-54.2%
13 Ending Cash & Investments	487,785	266,003	318,007	253,502	(12,501)	-4.7%
14 Total REET II Fund Uses	580,354	528,285	520,290	373,502	(154,783)	-29.3%

320 REET II Public Works Capital Projects

	Actual 2011	2012 Amended Budget	2012 Act thru September	2013 Preliminary Budget	12 to 13 Budget Change	% Budget Change	
REVENUE							
1	Transfers Street Fund	20,000	20,000	(22,224)	(20,000)	-100%	
2	Transfers REET II	323,283	108,783	(145,670)	120,000	11,217	10.3%
3	TIB Grants	908,362	283,189	39,714	130,000	(153,189)	-54.1%
4	CDBG Grant	62,839					
5	Transfers to and from Utilities	40,000		(17,715)			
6	Developer or In Kind				560,000	560,000	100%
7	Grant Matching and Reimbursements			79,007			100%
8	Subtotal PW Capital Fund Revenue	1,354,484	411,972	(66,888)	810,000	398,028	96.6%
9	Beginning Cash & Investments	149,741	170,635	170,635		(170,635)	-100%
10	Total PW Capital Fund Sources	1,504,225	582,607	103,747	810,000	227,393	39.0%
EXPENDITURES							
12	St Mtc, Asphalt, Chip Seal, Striping, Signs		135,256	4,796	30,000		
13	Lawson & Misc Street paving		6,724	1,773		(6,724)	-100.0%
14	288th Street Overlay				150,000		
15	Roberts Sidewalk/ Morgan St to KC Library		340,829	44,626		(340,829)	-100.0%
16	Roberts Drive/Sr 169 Roundabout				550,000		
17	Intersection at Morgan St				40,000		
18	Railroad Avenue Project	947,265		10,647			
19	Morgan Street Project	395,725		90,839			
20	Rock Crk Bridge prelim engr (grant matching)		20,000	1,885		(20,000)	100%
21	Elevate Abrahms preliminary engineering		20,000	6,305		(20,000)	100%
22	233rd Ave Street Repair	34,783					
23	FEMA Disaster Clean up			78,621			
24	Grant Matching - Streets		59,798		40,000	(19,798)	0%
25	Subtotal PW Capital Fund Projects	1,377,774	582,607	239,492	810,000	227,393	39.0%
26	Ending Cash & Investments Unreserved	126,451		81,571			
27	Total PW Capital Fund Uses	1,504,225	582,607	321,063	810,000	227,393	39.0%

EQUIPMENT REPLACEMENT FUNDS

510 -1 Fire Equipment Reserves		Actual 2011	2012 Amended Budget	2012 Act thru September	2013 Preliminary Budget	12 to 13 Budget Change	% Budget Change
REVENUE							
1	LGIP Investment Interest Fire Equipment	173	100	74		(100)	0%
2	Transfer in REET I		34,915	34,915		(34,915)	100%
3	Sale of Fire Surplus Vehicles				10,000		
4	Fire Fee - Eagle Creek Plat						
5	Subtotal Revenue	173	35,015	34,989	10,000		0%
6	Beg Cash & Invest Unreserved - Fire Equip	58,510	34,637	34,637		(34,637)	-100.0%
7	Total Fire Equipment Revenue	58,682	69,652	69,626	10,000	(59,652)	-85.6%
EXPENDITURES							
9	Fire Truck Repairs & Maintenance						
10	Two Fire Support Vehicles		69,500			(69,500)	100%
11	Subtotal Fire Expenditures		69,500			(69,500)	-100.0%
12	Ending Cash & Investments - Fire	58,682	152	69,262	10,000	9,848	6478.9%
13	Subtotal 510 Fire Equipment Uses	58,682	69,652	69,262	10,000	(59,652)	-85.6%

510 -2 PW Equipment Reserves		Actual 2011	2012 Amended Budget	2012 Act thru September	2013 Preliminary Budget	12 to 13 Budget Change	% Budget Change
REVENUE							
14	LGIP Investment Interest City Equipment	424	300	203	300		
15	Sale of PW Equip			9,500			
16	Subtotal Interest & Other Revenue	424	300	9,703	300		
17	Transfer in from Water Fund	10,000	10,000	10,000	10,000		0%
18	Transfer in from Wastewater Fund	10,000	10,000	10,000	10,000		0%
19	Transfer in from Stormwater Fund	10,000	10,000	10,000	10,000		0%
20	Transfer in from Street Fund	10,000	10,000	10,000	10,000		0%
21	Subtotal 510 Fund Transfers	40,000	40,000	40,000	40,000		
22	Subtotal 510 Fund Revenue	40,424	40,300	49,703	40,300		
23	Beg Cash & Invest Unreserved - City Equip	163,675	134,578	134,578	140,878	6,300	4.7%
24	Total 510 Fire Equip. Fund Sources	204,099	174,878	184,281	181,178	6,300	3.6%
EXPENDITURES							
26	Utility Truck Purchase		25,000	25,762	30,000	5,000	20%
27	Grass mower Deck or Attachment				6,500		
28	Pw Sander/Snow Plow		10,000			(10,000)	-100%
29	Pw Utility Trailer		3,500				
30	Radios for Utilities		5,000	4,735	5,000		
31	Surplus Costs			691			
32	Dump Truck 2010 Purchase	24,705					
33	Subtotal City Equipment Expenditures	24,705	43,500	31,188	41,500	(2,000)	-4.6%
34	Ending Cash & Investments - City	179,394	131,378	153,093	139,678	8,300	6.3%
35	Total 510 City Equip. Fund Sources	204,099	174,878	184,281	181,178	6,300	3.6%

510 -3 Police Vehicle Reserve

	Actual 2011	2012 Amended Budget	2012 Act thru September	2013 Preliminary Budget	12 to 13 Budget Change	% Budget Change
REVENUE						
1		45,000	45,000	45,000		100%
2			4,975			
3		45,000	49,975	45,000		100%
4						
5		45,000	49,975	45,000		100%
EXPENDITURES						
7			522	45,000	45,000	100.0%
8		45,000	44,834	45,000		
9		45,000	5,141	45,000		

WATER CAPITAL & RESERVE FUNDS

402 WSSFA Fund*		Actual 2011	2012 Amended Budget	2012 Act thru September	2013 Preliminary Budget	12 to 13 Budget Change	% Budget Change
*Water Supply Facility Funding Agreement							
REVENUE							
1	Developer Contribution Springs/Task 3		300,000	89,311	225,000	(75,000)	100%
2	Springs/Task 3 - Palmer CC	4,343					
3	LGIP Investment Interest	38		42			
4	Subtotal WSSFA Revenue	4,381	300,000	89,353	225,000	(75,000)	-25.0%
5	Beg Cash & Investments	28,881	33,262	33,262	119,976	86,714	260.7%
6	Total WSSFA Fund Sources	33,262	333,262	122,615	344,976	11,714	3.5%
EXPENDITURES							
8	Reservoir Construction-Tacoma Water						
9	Springs/Task 3- Engineering		300,000	2,639	225,000	(75,000)	-25.0%
10	Total WSSFA Expenditures		300,000	2,639	225,000	(75,000)	-25.0%
11	Ending Cash & Investments Unreserved	33,262	33,262	119,976	119,976	86,714	260.7%
12	Total WSSFA Fund Uses	33,262	333,262	122,615	344,976	11,714	3.5%

404 Water Capital Fund		Actual 2011	2012 Amended Budget	2012 Act thru September	2013 Preliminary Budget	12 to 13 Budget Change	% Budget Change
REVENUE							
13	In From REET II				30,000		
14	LGIP Investment Interest	919	1,000	490		(1,000)	0%
15	Water Connection Charges	23,906	20,000	17,929	20,000		0%
16	CDBG Grant 5th Ave Water Main		175,000		160,000	(15,000)	100%
17	Transfer reimb from Developer Contribution			281,115			
18	Subtotal Water Capital Fund Revenue	24,825	196,000	299,534	210,000	14,000	7.1%
19	Beg Cash & Investment Unreserved	580,436	377,226	392,226	649,825	272,599	72.3%
20	Total Water Capital Fund Sources	605,261	573,226	691,760	859,825	286,599	50.0%
EXPENDITURES							
21	5th Ave Water Main Replacement		175,000	672	175,000		100%
22	Meter Replacement Project	93,940	6,060	332		(6,060)	-100%
23	Reservoir Painting & Mtc.				15,000		
24	Transfer out to Water Fund 401-for debt	125,000	125,000	125,000	150,000	25,000	0%
25	Professional Services - Water		5,000	3,719		(5,000)	100%
26	Previous year WSFFA Transfer	155		6,476			
27	Subtotal Water Capital Fund Expenditures	219,095	311,060	136,199	340,000	28,940	9.3%
28	Ending Cash & Investments	386,166	262,166	555,561	519,825	257,659	98.3%
29	Total Water Capital Fund Uses	605,261	573,226	691,760	859,825	286,599	50.0%

Sewer & Stormwater Capital and Reserve Funds

408 Sewer Capital Fund		Actual 2011	2012 Amended Budget	2012 Act thru September	2013 Preliminary Budget	12 to 13 Budget Change	% Budget Change
REVENUE							
1	Connection/Hook up Fees	6,400	6,400	4,800	6,000	(400)	0%
2	Loan Repay - Stormwater	30,000	30,400	30,000	30,000	(400)	0%
3	Loan Repay - Technology	40,000	40,000	40,000	40,000		0%
4	Loan Repay - Water Meters	46,000	46,000	46,000	46,000		0%
5	Loan repay, Interfund	7,289	4,050	630	2,180	(1,870)	0%
6	LGIP Investment Interest	1,414	1,600	1,058	1,600		
8	Insurance Claim recovery		36,871	36,815		(36,871)	
7	Trans in from Wastewater Projects		12,000			(12,000)	0%
9	Subtotal Wastewater Capital Revenue	131,103	177,321	159,303	125,780	(51,541)	-29.1%
10	Beginning Cash & Investments	728,893	765,302	765,302	685,766	(79,536)	-10.4%
11	Total Wastewater Capital Sources	859,996	942,623	924,605	811,546	(131,077)	-13.9%
EXPENDITURES							
12	Infiltration & Inflow	2,309	30,000	2,640	30,000		
13	Lawson Lift Station Engineering		50,000			(50,000)	-100%
14	Preserve Wastewater Treatment Plant		24,456			(24,456)	-100%
15	Sewer Comprehensive Plan	5,766	5,240			(5,240)	-100%
16	Wastewater Storage Project/RH2 Engineering		12,000			(12,000)	-100%
17	Emergency Repairs	36,872		3,745			
18	Morganville Wastewater Lift Station		80,000			(80,000)	100%
19	Transfers out to Sewer Operating	50,000	50,000	50,000	85,000	35,000	70%
20	Subtotal Wastewater Capital Expenditures	94,947	251,696	56,385	115,000	(136,696)	-54.3%
21	Ending Cash & Investments	815,049	690,927	868,220	696,180	5,253	0.8%
22	Total Wastewater Capital Fund Uses	909,996	942,623	924,605	811,180	(131,443)	-13.9%

410 Stormwater Capital Fund		Actual 2011	2012 Amended Budget	2012 Act thru September	2013 Preliminary Budget	12 to 13 Budget Change	% Budget Change
REVENUE							
23	Department of Ecology Grant #1	27,953					
24	Department of Ecology Grant #2	500	130,576	9,536	70,576	(60,000)	-46.0%
25	Transfer from Stormwater operating for capital		8,000			(8,000)	-100%
26	Total Stormwater Capital Revenue	28,453	138,576	9,536	70,576	(68,000)	-49.1%
27	Beginning Cash & Investments	(3,236)					
28	Total Stormwater Capital Sources	25,217	138,576	9,536	70,576	(68,000)	-49.1%
EXPENDITURES							
30	Stormwater Management Program	15,975					
31	DOE Grant #1 Catch Basin Cleaning	9,310					
32	Dept of Ecology Grant #1	24,171		102			
33	Dept of Ecology Grant #2	500	70,576		35,576	(35,000)	-49.6%
34	DOE Grant #2 Catch Basin Cleaning		35,000		35,000		
35	DOE Grant #2 PW Wash Rack Project		25,000	11,537			
36	Transfer back from RR Proj.	(11,810)					
37	Total Stormwater Capital Expenditures	38,146	130,576	11,639	70,576	(60,000)	-46.0%
38	Ending Cash & Investments		8,000	(2,103)			
39	Total Stormwater Capital Uses	38,146	138,576	9,536	70,576	(68,000)	-49.1%



CITY OF BLACK DIAMOND

2012 Calendar for 2013 Budget

Process	Workstudy	City Council Meetings	State Law Limitations
1 Budget Requests and instructions go out to all Departments			Sep 10
2 Finance prepares revenue sources and preliminary expenditures for salaries and benefits			N/A
3 Introduction to the 2013 Budget Process	Aug 16		
4 Departments provide budget requests to City Administrator's office			N/A
5 Estimates to be filed with the City Clerk and Administration			Sep 24
6 City Clerk submits to CAO the proposed preliminary budget setting forth the complete financial program			Oct 1
7 CAO provides Council with current info on revenue from all sources as adopted in 2012 budget, and provides the Clerk's proposed preliminary budget setting forth the proposed General Fund Revenues	Oct 18		Nov 2
8 Mayor and department heads review General Fund Expenditure budgets with Council	Oct 18		Nov 2
9 Council reviews Public Works budgets for Revenues And Expenditures for all Public Works budgets, including Street, Water, Sewer, drainage and all Associated funds. 4:30 PM	Oct 29		Nov 2
10 Council Work Study - REET 1 & 2 and Gen Govt, Utilities & Capital Projects. 5:30 PM	Nov 1		
11 City Clerk publishes Notice of Public Hearing on 2013 Budget for two weeks out & filing of preliminary budget – once a week for two consecutive weeks – Draft budget submittal ready			Nov 2-15
12 Copies of Preliminary Budget made available to Public			Nov 19
13 City Council holds 1 st public hearing on revenue sources and expenditures for the upcoming budget year including possible increases in property tax revenue		Nov 15	Nov 19
14 Public Hearing and adoption of Property Tax for 2013		Nov 15	Nov 30
15 City Council holds 2 nd final public hearing on 2013 Budget		Dec 3	Dec 3
16 City Council adopts Final 2013 Budget and transmits to the State Auditor's Office (plus possible amendment to property taxes)		Dec 20	Dec 31

Bold = Regular or Special Council Meeting Night

City of Black Diamond
2013 – 2020 “Council” Budget Framework
October 29, 2012

General Fund Budget History & Outlook

- Budget Silos
- Why General Fund Budget Deficits are a Long Term Structural Problem in Black Diamond and other Communities
- Black Diamond Budget History

2013 – 2020 Budget Strategy

- Principles & Priorities
- Specific Goals for 2013, 2014 and 2015
- Budget Framework & Recommendations
- Next Steps

Why Are General Fund Budgets A Long Term Structural Problem?

Our current budget crisis was entirely predictable

Following is a budget analysis prepared with the help of Finance Director May Miller and dates back to November 2010. It was intended to illustrate the inherent structural problems that we face with our General Fund budgeting. Although the specific numbers have changed, actual events over the last several years have served to just reinforce the message here. Tax revenues are constrained while costs for providing services are going up at a higher rate. After passing a levy, it is imperative that these levy proceeds not be spent in the early years and must be placed in reserve for the inevitable deficits to come.

	Budget					Assumed
	2011	2012	2013	2014	2015	Inflation
						2012-2015
General Fund Revenue						
Property Taxes	\$1,369,803	\$1,383,501	\$1,397,336	\$1,411,309	\$1,425,422	1%/Year
Other Taxes	\$752,836	\$775,421	\$798,684	\$822,644	\$847,324	3%/Year
Other Revenue	\$757,915	\$780,652	\$804,072	\$828,194	\$853,040	3%/Year
Total	\$2,880,554	\$2,939,575	\$3,000,092	\$3,062,148	\$3,125,786	
General Fund Spending						
Public Safety	\$2,433,837	\$2,555,529	\$2,683,305	\$2,817,471	\$2,958,344	5%/Year
Other General Fund	\$412,495	\$424,870	\$437,616	\$450,744	\$464,267	3%/Year
Total	\$2,846,332	\$2,980,399	\$3,120,921	\$3,268,215	\$3,422,611	
Beginning Reserves	\$115,167	\$151,889	\$111,065	-\$9,765	-\$215,832	
Ending Reserves	\$151,889	\$111,065	-\$9,765	-\$215,832	-\$512,657	
Change in Reserves	\$36,722	-\$40,824	-\$120,829	-\$206,067	-\$296,825	

Note: Excludes Yarrow Bay and the Funding Agreement

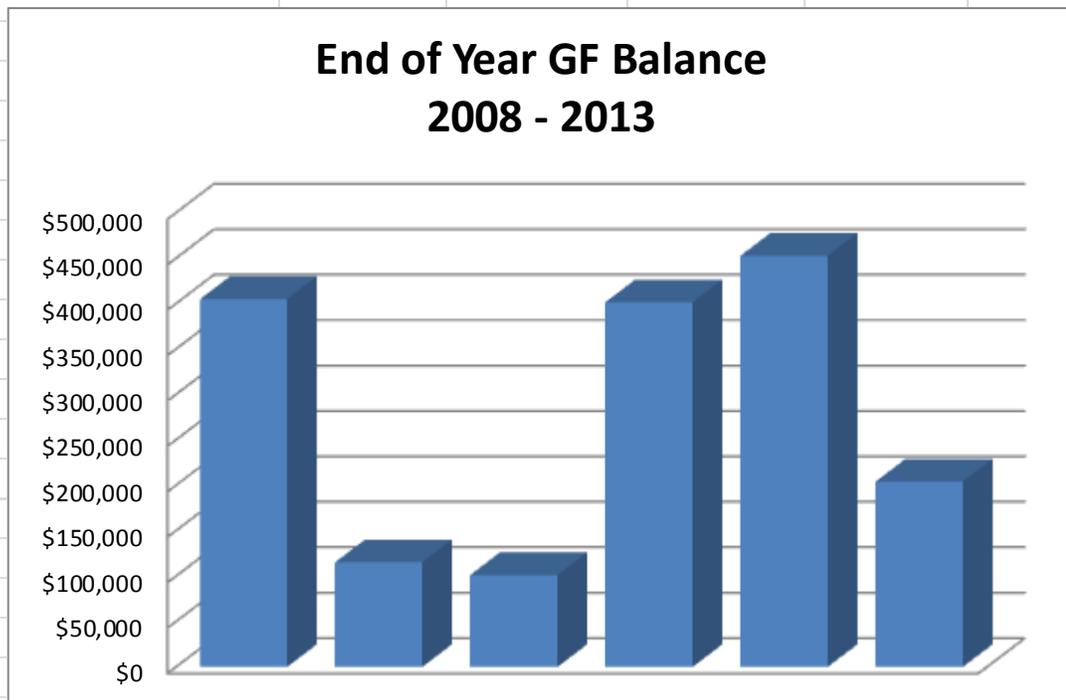
Won't The Planned Yarrow Bay MPD's Solve this General Fund Structural Deficit Problem?

No – Based on the Fiscal Analysis submitted as part of the Preliminary Plat for Phase 1-A, the General Fund problem will get worse, not better, at least in the short term! Following is a summary of the forecast General Fund annual fiscal deficits attributable to Phase 1-A based on Yarrow Bay's fiscal consultant report.

2014	\$66,838
2015	(\$347,500)
2016	(\$569,712)
2017	(\$439,084)
2018	(\$292,068)
2019	(\$288,315)
2020	(\$279,367)
2021	(\$272,289)
Cumulative	(\$2,421,496)

Please note, the report concludes that the overall fiscal impact of Phase 1-A including one time sales tax revenues, REET revenues etc. will be positive, but given current budget silos as prescribed by law and the limited level of commercial development in Phase 1-A, this will not help us with the General Fund.

Black Diamond General Fund Budget History					
(Excludes Yarrow Bay & Funding Agreement)					
					Mayor Budget 2013
	2009	2010	2011	2012	
General Fund Revenue					
Property Taxes	\$978,661	\$998,553	\$1,360,492	\$1,383,500	\$1,397,335
Other Taxes	\$756,492	\$736,600	\$771,492	\$738,350	\$811,170
Other Revenue	\$935,936	\$781,115	\$1,076,034	\$779,937	\$610,062
Total	\$2,671,089	\$2,516,268	\$3,208,018	\$2,901,787	\$2,818,567
General Fund Spending					
Total	\$3,185,964	\$2,566,736	\$2,879,880	\$2,924,453	\$3,067,350
Beginning Reserves	\$404,901	\$115,167	\$101,251	\$401,503	\$452,858
Ending Reserves	\$115,167	\$101,251	\$401,503	\$452,858	\$204,075
Change in Reserves	-\$289,734	-\$13,916	\$300,252	\$51,355	-\$248,783



2008	2009	2010	2011	2012	2013
\$404,901	\$115,167	\$101,251	\$401,503	\$452,858	\$204,075

Note: 2011 benefited from a one-time revenue windfall of \$200,000+ for MPD permits

2013 – 2015 General Fund Budget Strategy

Principles & Priorities

- Public Safety is Priority #1
- Efficient and Effective implementation of MPD development is essential
 - This means having a professional City Administrator/Manager not paid for by Yarrow Bay to lead and manage staff
- We must think ahead and not take actions today that are expedient for the short-term at the sacrifice of our long-term future.

Specific Goals for 2013, 2014 and 2015

- Take the steps necessary to achieve a balanced or very nearly balanced budget in 2013 without having to dip into General Fund Reserves
- Provide a 3 year sustainable budget for police and fire
- Enact a combination of revenue increases and budget reductions now that will allow us to continue core services through 2013, 2014 and 2015 and providing time to develop longer term budget solutions that extend from 2015 and beyond

Budget Recommendations – A Framework

- Increasing 2013 - 2015 revenues is imperative
 - Imposing a 5% utility tax on cable (an increase from the current 1% city utility tax rate) appears to represent the highest priority and most equitable near term option for increasing revenue
 - Revenue impact in 2013 is estimated to be \$23,750
 - Revenue impact in 2014 is estimated to be \$57,000
- Increasing City permit fees to cover costs should also be a near term priority. Please note that permit fees should not and cannot be considered as a “profit center” for the City’s general fund. Permit fees are intended just to cover the city’s cost of processing and issuing permits, and if I understand it correctly, according to state law, the City cannot increase permit fees just to generate extra revenue.
 - Based on City staff recommendations, a permit fee increase of \$2,500 to \$3,500 would be warranted to help cover current fixed costs.
 - This presumes that a \$9,000 per year permit management software maintenance fee is appropriate and justified. This should be challenged and justified prior to enacting an increase in fees.
 - It would also seem prudent to increase the cost of special permits for events lasting more than one day to be more consistent with the extra City costs incurred. Estimated added annual revenue is \$3,000.
- Unfortunately, any current and intermediate term solution to current budget imbalances will require some changes to Police Department staffing and service levels.
 - My recommendation is to reduce police staffing levels from the current 10 officers down to 9 total officers and maintain this level through 2015. This is equivalent to the staffing levels we had in 2010. Staff estimates that this will reduce annual budget expenditures by \$108,574. Providing stability here is critical.
 - As much as I love our K-9 unit, it does come at an expense of approximately \$30,000 per year including all factors and is used less and less given current court restrictions. Consistent with our long-

term goals, I recommend that this program be eliminated. The general fund cannot bear this expense.

- The budget should and does include full funding for the D.A.R.E. program. However, there would seem to be great opportunity to work with the PTA and other community groups for program fund raising. A minimum goal of \$2,500 for community support of the D.A.R.E. program is realistic.
- Regarding other general fund categories, our City Council should take the lead. A total of \$13,408 was included by the Mayor in her budget for the legislative branch in 2013. I recommend reducing this by \$10,000 – eliminating any City compensation paid to Council. It is important that the Council take the lead in setting an example of personal service and fiscal discipline. This will leave approximately \$3,000 in the budget to cover a needed planning retreat and other out of pocket expenses.
- In the current fiscal climate, parks and cemeteries expenditures are a low priority. Based on a review of past expenditures and budget items presented by staff, a reduction from the Mayor's budget on the order of \$35,000 appears to be possible and should be part of any new budget adopted by Council.
- Though further work is required to confirm the potential for budget savings, there appear to be several additional areas for further savings/budget reductions that should be considered. At this point, I would set a goal of further reducing General Fund budgets by about \$10,000 per year based on these opportunities including:
 - Increasing staff furlough days from the current 4 days to 13 days as they were in 2010
 - Eliminate the 1% COLA increase currently budgeted for any and all staff
 - Eliminate step increases for all employees not covered by a collective bargaining agreement
 - Consider closing central City offices 1 day per week similar to other area cities
 - Other ideas?

- There are city general overhead costs currently incurred and paid for by the General Fund that are not covered by the existing \$15,000 per month Funding Agreement with Yarrow Bay – although these budget items are arguably attributable to the MPD’s. For example, City Liability insurance costs for land use actions cannot be covered and are now absorbed by the General Fund. I would target a \$15,000 reduction in general MPD overhead costs and reduce the general fund burden by this same amount while living within existing agreements with respect to the Funding Agreement.
- The Mayor’s budget presumes that the City is responsible to fund legal costs should any party appeal Preliminary Plat applications. \$25,000 for the year 2013 is included within the Mayor’s budget. This is a new budget item and expenditure not previously required of the City. Through the MPD and Development Agreement process, the cost of such legal costs has been clearly the responsibility of Yarrow Bay. Why are these costs all of a sudden the responsibility of the City, particularly given the General Fund deficits created by these developments?

General Fund Budget				
2013 - 2015				
(Excludes Yarrow Bay and the Funding Agreement)				
	2013	2014	2015	
	Budget	Budget	Budget	
	Goal	Outlook	Outlook	
General Fund Revenue				
Mayor Proposed Budget	\$2,818,567	\$2,846,753		
Cable Utility Tax	\$23,750	\$57,000		
Permit Fee Increases	\$5,500	\$6,500		
Total	\$2,847,817	\$2,910,253	\$2,939,355	+ 1%/yr
General Fund Expense				
Mayor Proposed Budget	\$3,067,350			
Reduce Police Staff by one Officer	-\$108,574			
Eliminate K-9 unit	-\$30,000			
D.A.R.E. Program Fund Raising	-\$2,500			
City Council Reductions	-\$10,408			
Parks & Cemeteries Reductions	-\$35,000			
Administrative Reductions	-\$10,000			
Funding Agreement Expense Reductions	-\$15,000			
PPA Legal Costs	-\$25,000			
Total	\$2,830,868	\$2,915,794	\$3,003,268	+ 3%/yr
General Fund Balance				
Mayor Proposed Budget	-\$248,783			
Council Proposed Budget	\$16,949	-\$5,541	-\$63,913	
End of Year General Fund Reserves				
Mayor Proposed Budget	\$204,075			
Council Proposed Budget	\$469,807	\$464,266	\$400,353	
Reserves as % of GF Expense	16.6%	15.9%	13.3%	
Note: For the years 2014 and 2015, general fund revenues are projected to increase by 1% per year and general fund expenses by 3% per year.				

Next Steps

1. Public Hearings
2. Schedule special work sessions between the Finance Committee, Mayor and appropriate City staff to explore in detail each of the budget recommendations included above. Report back to the full Council in a work study to be scheduled for late November on these and other items brought forward by the public through the public hearing process.
3. Research the advantages and disadvantages of hiring a City Administrator on a contract basis rather than as an employee (Finance Committee, Mayor and City Administrator).
4. Work with the PTA and other community groups to develop a fund raising campaign to support the D.A.R.E. program. (Special Committee of the Council and Mayor)
5. Schedule a work session between the Finance Committee and Yarrow Bay to discuss budget saving opportunities.
6. Explore the potential for changing the State audit schedule from every 2 years to every 3 years. The Mayor's 2013 General Fund budget proposal includes \$25,000 to cover audit costs. (Mayor, Finance Director, City Administrator)
7. Develop a plan for supporting legislation that would allow the City of Black Diamond to impose utility taxes on Sewer and Water Districts that serve our community, just as the City currently charges a utility tax on our own Sewer and Water Utilities. (Mayor, City Administrator and Mayor ProTem).
8. Begin to explore the opportunity for potential cost savings down the road should Black Diamond, Covington and/or Maple Valley work together to

provide police services on a more regional basis while maintaining local control. This would be similar to what the cities of Bend and Snoqualmie are now planning on.

9. Evaluate in depth the specific budget impacts that our city will face in 2015 with development of MPD Phase 1-A and report back to the City Council in July 2013 (Mayor, City Administrator, Finance Director and Finance Committee).

10. Evaluate potential changes in city employee health care coverage to be more consistent with plans offered in the private sector and report back to the Council in September 2013 (Mayor, City Administrator, Finance Director and Finance Committee).

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION			
SUBJECT: Public Hearing on 2012 Proposed Comprehensive Plan Amendments Cost Impact: NA Fund Source: NA Timeline: Action scheduled for 12/20/12	Agenda Date: November 15, 2012		AB12-086
	Department/Committee/Individual		
	Mayor Rebecca Olness		
	City Administrator – Pete Butkus	X	
	City Attorney – Chris Bacha		
	Finance – May Miller		
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Jamey Kiblinger		
	Parks/Nat. Resources – Aaron Nix		
Community Develop. – Steve Pilcher	X		
Attachments: Staff report (includes Planning Commission recommendations)			
<p>SUMMARY STATEMENT: The Washington State Growth Management Act provides that cities may amend their Comprehensive Plans generally no more frequently than once per calendar year. Procedures for the City’s plan amendment process are included within Title 16 of the Municipal Code.</p> <p>There are four text amendments under consideration this year. One (the General Sewer Plan) is the product of a City-initiated planning program; two were initiated by the City Council; and one was initiated by the Planning Commission. All proposals were transmitted to the State Dept. of Commerce for the required 60-day review, which commenced on September 25th. At this time, no comments have been received as a result of that process.</p> <p>The Commission evaluated these proposals during August and September and then conducted a public hearing on October 9th and 23rd. No member of the public commented on any of the proposals.</p> <p>A SEPA Determination of Nonsignificance for the proposals was issued on October 26th.</p> <p>The attached staff report describes each proposal and the Planning Commission’s recommendation on each. Staff’s recommendation is to conduct the public hearing on November 15th and plan on final action at Council’s December 20th meeting. Action cannot occur prior to that date since the Dept. of Ecology has a 90-day review process for the General Sewer Plan.</p>			
COMMITTEE REVIEW AND RECOMMENDATION: The Planning Commission’s recommendations are included in the staff report.			
RECOMMENDED ACTION: Conduct the public hearing.			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
November 15, 2012			



CITY OF BLACK DIAMOND
PLANNING COMMISSION
25510 Lawson Street, Black Diamond, Washington

STAFF REPORT 2012 COMPREHENSIVE PLAN AMENDMENTS WITH PLANNING COMMISSION RECOMMENDATIONS

Introduction

The Washington State Growth Management Act and Black Diamond Municipal Code (Title 16) provide that the City may amend its Comprehensive Plan no more than once each year. Each year, there is an annual amendment process that establishes processes by which proposed amendment may be considered. There are a variety of means by which amendments may be initiated:

1. A City-initiated planning program;
2. Initiation by City Council resolution;
3. Initiation by Planning Commission resolution; or
4. Initiation by private application.

This year's amendment cycle includes four text amendments. One (the General Sewer Plan) is the result of a City-initiated planning program. Two were initiated by City Council Resolution and one was initiated by the Planning Commission. There are no privately-initiated amendments this year.

The City Council adopted Resolution No. 12-808 that initiated two potential amendments, both which were previously considered as part of the 2011 amendment process. These deal with the issues of 1) whether residential densities should be based upon "gross" or "net" acreage and 2) whether SR-169 should be subject to transportation concurrency testing within the city limits of Black Diamond.

At its July meeting, the Planning Commission adopted a resolution (No. 12-01) initiating consideration of potential amendments to the Plan to recognize the existing Bryant airstrip and its possible expansion.

The Planning Commission reviewed these proposals during work study sessions and conducted a public hearing on October 9th for public comments. However, no testimony was provided on any of the proposed amendments. The Commission continued the public hearing until October 23rd in order to conclude its deliberations and render recommendations. The following summarizes each amendment proposal and includes the recommendation of the Planning Commission on each. Also attached to this report are the suggested text amendments (including the draft General Sewer Plan) and minutes from the Planning Commission meetings of October 9th and 23rd.

CPT12-01 “Net” vs. “Gross” acres

City Council Resolution 12-808 did not provide guidance regarding the potential scope of this amendment. Currently, all residential land use categories in the Comprehensive Plan discuss intended densities in terms of an allowed range of dwelling units per *gross* acre. Staff had assumed the Council intended the Commission to consider whether densities should instead be considered in terms of number of dwelling unit per *net* acre. Currently, neither term is defined in the Comprehensive Plan, nor did the Council resolution provide direction as to how those terms might be defined.

The Zoning Code (BDMC 18.100.060 & 070) contains definitions for both “gross acres” and “net acres”:

Acres or acreage, gross. The total area of a parcel of land; may be expressed in square feet or fractions of an acre.

Acres or acreage, net. The area of a parcel of land, less the area devoted to streets, roads or alleys, public or private; may be expressed in square feet or fractions of an acre.

However, throughout the Zoning Code, the term “acre” is typically used without distinction as to whether the intent is “gross” or “net”. Only in the Residential Cluster Development chapter (BDMC 18.86), is there a specific reference that maximum densities are to be based upon the *gross* acreage of a site (BDMC 18.86.040).

The terms as defined in the Zoning Code are fairly standard as used in analysis of project-specific land development. For example, the definition of “net acres” is commonly used when evaluating subdivisions. (The City’s subdivision regulations call for this calculation to be made in a preliminary plat proposal).

The staff-drafted amendment proposes a different definition that is more appropriate at the broader level of consideration that is typical of a Comprehensive Plan and in other planning analyses. For example, all jurisdictions within King County are required to conduct a periodic “buildable lands” analysis to determine their theoretical capacity to accommodate additional growth, based upon their adopted zoning maps and regulations. At that level of review, non-buildable lands (i.e., critical/sensitive areas and their required buffers) are excluded from calculations, as they are assumed to be unavailable for development. A definition of “net” that makes this exclusion is appropriate for use in the Comprehensive Plan, in lieu of the Zoning Code definition noted above.

While considering this issue during last year’s amendment process, staff had raised concerns that switching from “gross” to “net” would undermine the City’s transfer of development rights (TDR) program. Subsequent legal analysis reveals that would probably not be the case, as the City’s TDR program assigns transferable development rights to designated parcels (or portions thereof), known as “sending areas,” without regarding to their zone classification (which determines their density). This is similar to King County’s TDR program, which in some zones (e.g., Agriculture), allocates more development rights per acre that can be transferred than can otherwise be developed on the sending parcel. In other words, TDRs are assigned to specific properties (sending areas) without regard to the allowed density of development on that parcel (which is determined by zone classification).

Should a definition of “net” be established that excludes sensitive areas and their required buffers, that action would create a Comp Plan/regulation inconsistency issue with the Residential Cluster Development (RCD) provisions of the Zoning Code. As noted, densities for RCD are based upon the *gross* acreage of a parcel. If the policy direction is changed to state that residential densities should be based upon “*net*” acres, then this section of the code should be amended. Properties that feature sensitive areas and/or buffers would not be able to use those portions for calculating overall allowed density, which will result in a reduction in their development potential. If these properties are also designated “sending areas” per the TDR program, these property owners would still be eligible to sell assigned TDRs to owners of lands designated as TDR “receiving areas.” (Currently, the majority of receiving areas are located in The Villages MPD, which will need to purchase approx. 2800 TDRs in order to reach the total number of units authorized by the MPD permit approval).

It should also be noted that, since the two MPDs have already received approval, this amendment would not affect those projects in terms of their allowed density. The change would be limited to other lands within the city limits that have yet to develop. As noted, this may result in a reduction in potential density for these lands.

The attached text includes those areas within the Comprehensive Plan text where amendments are proposed to implement this proposal.

Planning Commission recommendation: The Commission recommends the City Council **not** adopt the proposed amendment.

CPT12-02 Transportation concurrency on SR-169

This issue was also considered during last year’s amendment cycle. The Planning Commission recommended approval (with a split vote), but the amendment was not adopted by the City Council. The proposal, brought forth by a group self-identified as the “Citizens’ Technical Action Team”, provided specific amendment language. In initiating this matter for consideration as part of this year’s amendment cycle, the City Council did not indicate it wished to see any changes made to that proposal, which was (and remains) as follows:

PROPOSED TEXT AMENDMENT

“7.2. Level of Service

A level of service (LOS) standard measures the performance of an existing transportation system and the adequacy of the planned future improvements. Additionally, LOS standards establish the basis for the concurrency requirements in the GMA. Agencies are required to “adopt and enforce ordinances which prohibit development approval if the development causes the LOS on a transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with development.” (RCW 36.70A.070(6)(b)). Therefore, setting the LOS standard is an essential component of regulating development.

7.2.2. LOS and Concurrency

The concurrency provisions of the GMA require that local governments permit development only if adequate public facilities are—or can be guaranteed to be—available within 6 years to support the new development. The GMA requires each local jurisdiction to identify future facility and service needs based on its LOS standards. To ensure that future development will not cause the City’s transportation system performance to fall below the adopted LOS, the jurisdiction must do one or a

combination of the following: modifying the land use element, limiting or “phasing” development, requiring appropriate mitigation, or changing the adopted standard.

The requirements of Black Diamond’s Transportation Concurrency Management program may apply to transportation facilities designated by the Washington State Department of Transportation (WSDOT) as ‘highways of statewide significance.’ The portions of certain highways of statewide significance that do not have limited access and function like city arterials may be included in the Black Diamond concurrency test.

7.2.4. Level of Service Methodology

The City has established specific methods to calculate the LOS for evaluating the performance of the roadway intersections and transit service and facilities. This section describes those methods.

Intersection Level of Service

For signalized and unsignalized intersections, the LOS is calculated using the procedures described in the latest edition of the Highway Capacity Manual (2000 edition). At signalized and all-way stop-controlled intersections, the LOS is based on the weighted average delays for all movements, whereas the LOS for two-way stop-controlled intersections is defined by the weighted average delay for the worst movement.

State Highway Level of Service

1998 amendments to the GMA require local jurisdictions to address state-owned transportation facilities, as well as local transportation system needs in their comprehensive plans. House Bill (HB) 1487 requires that the transportation element of local comprehensive plans include the LOS standards for Highways of Statewide Significance (HSS). HB 1487 clarified that the concurrency requirement of the GMA does not apply to HSS or other transportation facilities and services of statewide significance. HB 1487 also requires local jurisdictions to estimate traffic impacts to state-owned facilities resulting from land use assumptions in the Comprehensive Plan.

However, since SR-169, a ‘highway of statewide significance,’ does not have limited access and, thus, functions like a city arterial, it may be included in the Black Diamond concurrency test. Such a ‘highway of statewide significance that does not have limited access and, thus, functions like a city arterial’ means those ‘highways of statewide significance’ that:

1. Allow driveways and side streets to connect directly to the highway;
2. Provide primary connections between major centers of activity; and
3. Function as high traffic corridors for intra-area travel between business districts and communities.

The City shall adopt a LOS standard for State highways to the maximum extent of its authority. The LOS shall be based on local mobility requirements, and shall be consistent with other traffic standards within the City.” [end of proposed amendment]

The Washington State Department of Transportation did not comment during the required 60-day agency review period last year, so staff specifically sought their comment this year, once this amendment was initiated. In an email response, WSDOT noted that SR-169 is designated as a Highway of Statewide Significance (HSS). They also noted the following:

“State Highways and Local Concurrency Programs. RCW 36.70A.070(6)(b) requires jurisdictions fully planning under the Growth Management Act to

...adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development.

These transportation concurrency requirements

...do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes.[RCW 36.70A.070(6)(a)(iii)(C)].

Read together, these statutory provisions do not require local governments (except in Island County) to adopt a transportation concurrency requirement for highways of statewide significance, but neither do they prohibit local governments from doing so. Therefore state highways, whether or not designated as highways of statewide significance, may be included in local transportation concurrency programs if a city or county chooses to do so.

Level of Service Standards on Highways of Statewide Significance. RCW 47.06.140 specifically states that only the State may set the level of service for highways of statewide significance:

(2) The department of transportation, in consultation with local governments, shall set level of service standards for state highways and state ferry routes of statewide significance. Although the department shall consult with local governments when setting level of service standards, the department retains authority to make final decisions regarding level of service standards for state highways and state ferry routes of statewide significance. In establishing level of service standards for state highways and state ferry routes of statewide significance, the department shall consider the necessary balance between providing for the free interjurisdictional movement of people and goods and the needs of local communities using these facilities. When setting the level of service standards under this section for state ferry routes, the department may allow for a standard that is adjustable for seasonality.

The level of service standard for urban highways of statewide significance (LOS D) applies to SR 169 through Black Diamond. This is the level of service standard that must be included in the transportation element of your comprehensive plan [RCW 36.70A.070(6)(a)(iii)(C)]. The methodology you use when evaluating SR 169 for concurrency must be consistent with the level of service standard set by WSDOT.”

The City's LOS standard for all other arterials within the city limits is LOS “C.” The proposal indicates the City should consider establishing a LOS standard for the highway that is consistent with the arterial standard used elsewhere in the city, which is LOS “C”. This appears to conflict with information provided by WSDOT.

Planning Commission recommendation: The Commission recommends the City Council **not** adopt the proposed amendment.

CPT12-03 Bryant Airstrip

The Planning Commission passed a resolution to initiate potential text amendments to the Comprehensive Plan, to recognize the existing airstrip that is operated by the Bryant family on their properties on the north side of Roberts Drive, west of SR 169.

As part of its review and analysis, staff contacted the Aviation Division of WSDOT. In our communications, they clarified that since this is a private airstrip, WSDOT has no jurisdiction. (WSDOT only has jurisdiction over public airport facilities). They also clarified that a private airstrip such as the Bryant's is not considered to be an essential public facility pursuant to the Growth Management Act and therefore, can be made subject to local land use regulations (such as conditional use permits).

Even though State regulations are not directly applicable to this issue, they do contain principles that are appropriate in consideration of any air facility. These principles relate to discouraging the siting of incompatible land uses adjacent to airports. Those land uses could include residential uses; public buildings; and other buildings where people congregate (e.g., churches). Discouraging these land uses is typically done for both the protection of those land uses and also to help prevent conflicts between them and air operations.

Mr. Darrell Bryant submitted expansion plans for the airstrip, but he did not submit suggested amendment language in support of the request. There are likely to be numerous regulatory actions that either need to or should occur before expansion activities begin. At this time, the suggested amendment will put a "placeholder" within the text of the Comprehensive Plan that recognizes the existence of the airstrip; acknowledges its potential expansion; and lays the foundation for future Zoning Code (and potentially other) regulatory amendments that will be needed in order to permit airstrip expansion.

The suggested language is attached to this report.

Planning Commission recommendation: The Commission recommends the City Council adopt the proposed amendment, with the following change to the staff-drafted language:

Change the last line to strike that portion that reads "allow the airstrip to expand its operations" and substitute "evaluate the potential expansion of its operations".

CPT12-04 General Sewer Plan

The Sewer Plan is an outcome of a City-initiated planning program, begun several years ago by an engineering consultant under contract to the City. City staff has subsequently amended, added to and redrafted the Plan that is currently under consideration. The Sewer Plan is required per Washington Administrative Code (WAC 173-240-050) and for coordination purposes with King County, the City's wastewater treatment service provider.

The Plan addresses the City's sewer service area, which includes all of existing incorporated Black Diamond except for the Lake Sawyer area (northwest portion of the city), where Soos Creek Water and Sewer District is the service provider. The City operates a sewer collection system, but does not provide wastewater treatment. Collected sewage is transported through

King County and Soos Creek sewer mains north to the County-operated treatment plan in Renton.

The Sewer Plan is primarily a technical document, describing the characteristics of the service area; inventorying the current system; summarizing contracts with external agencies; projecting population and other growth; and recommends some changes to current policies and inclusion of new policies. The Plan both evaluates current sewer flows and projects future flows so that needed improvement projects can be appropriately sized and timed. It proposes a second connection to King County regional facilities in the western portion of the city.

Planning Commission recommendation: The Commission recommends the City Council adopt the proposed General Sewer Plan.

Industrial

Two areas within the City are currently zoned for industrial use: along the south side of Roberts Drive at Morganville, which contains Anesthesia Equipment Supply, the City's only industrial use, and office space; and the area west of SR 169, north of Roberts Drive. For the past 100 years, the latter area has been used for mineral extraction, processing activities, and associated industrial uses (an auto wrecking yard, a meat market, fuel supply station, truck and equipment repair facilities and several storage warehouses). The area is currently available for redevelopment.

Bryant Airstrip

For over four decades, a privately-owned airstrip has been operated by the Bryant family on their property located on the north side of Roberts Drive, west of its intersection with SR-169. Historically, the airstrip has had only minimal use. However, both the potential and interest exists to expand the scope of the airstrip to include the installation of hangars, a fueling facility and a helipad. Currently, the airstrip is considered to be a legal nonconforming use, as it is situated such that it crosses through three distinct land use categories and zone districts (Industrial, Community Commercial and Medium Density Residential). The City should consider zoning and other land use regulation amendments as may be necessary to allow the airstrip to expand its operations.

5.2.3. A New Direction

The community's vision is for the City to guide and manage growth carefully and creatively, in a manner which protects its sensitive areas and treasured places (e.g., historical structures and sites) and retains open spaces that form the natural beauty of the City. Given the abundance of these features throughout the City, future development is likely to occur in numerous "villages" separated by these features. New development can be accommodated within this framework and landscape.

Preparation of the Land Use Element considered and identified areas that are appropriate for development and those which should be protected as sensitive areas and open space. The result is a comprehensive pattern of greenbelts and buffers shaped through a variety of policies, regulations, and incentive programs, such as transfer of development rights (TDR)—i.e., providing development "credits" for constrained or open space areas that can be transferred and used on other, more appropriate lands. The program allows property owners to realize much of the value of lands that cannot be developed to their full potential because of physical constraints. While every square foot of land has value to the land owners, not every square foot has to be built upon to achieve that value.

residents. Providing places for active and passive interaction – such as parks, adult schools, community centers, and clubs—can also perpetuate the sense of community possessed by the City now. The recently acquired Lake Sawyer Park site provides a unique opportunity for this important social interaction to be centered on a high quality recreational amenity, connected to each of the City’s existing and future large-scale development areas by an integrated trail system. Continuing the community bulletin boards and /or newsletters will also help.

New areas for socializing may include a cafe or tavern, community gardens, community center, the Lake Sawyer Park site, the Ginder Creek open space area, or a lakeside park for swimming. To foster a sense of community and history for old and new residents alike, the City could revive the Black Diamond Band, open a speakeasy (specialty brew), revive the City’s community baseball and soccer teams, or create festivals to celebrate the City’s history or celebrate nature’s bounty.

5.4. Implementing the Comprehensive Plan Future Land Use

5.4.1. Extent of Proposed Land Use

The following is a list and description of the City of Black Diamond Comprehensive Plan land use designations. Complete lists of allowed uses (permitted, conditional, and unclassified) are identified in the adopted development regulations.

The following section identifies the purpose, allowed uses and designation criteria, and helps explain the intent of each designation on the Future Land Use Map.

When densities are referred to in this chapter, they are expressed in the number of units per net acre of land. “Net acre” means the total area within a parcel boundary, except any portion of a parcel within a defined sensitive area and its required buffer pursuant to the Chapter 19.10 Black Diamond Municipal Code, excluding geologically hazardous areas.

Urban Reserve Designation

Purpose: The Urban Reserve designation recognizes existing low-density residential development surrounding the Lake 12 Potential Annexation Area and that it should not be allowed to develop at higher densities until such time that public water, sewer and other services are made available. Pursuant to other policies in this plan, annexation of this area will not be considered until a plan for extending required utilities is developed and financed.

Allowed Use and Description: The Urban Reserve designation allows for single-family residential uses, their accessory uses and public and semi-public uses that meet appropriate development standards. Development at urban densities could occur in the future when public water and sanitary sewer service is made available.

Designation Criteria: Properties designated Urban Reserve should be only be those areas currently lacking public water and sanitary sewer service within the City's Potential Annexation Area.

Master Planned Development (MPD) Overlay

Purpose: The MPD overlay is applied to areas to take advantage of opportunities to create a clustered mix of residential, commercial and civic uses along with open space and public facilities, on large sites in appropriate locations. These sites typically consist of large parcels in common ownership where a master plan will be developed to guide unified development over a period of many years. The MPD designation is applied to meet the special needs and opportunities presented by such sites while managing impacts on nearby uses.

Allowed Uses and Descriptions: The MPD overlay is applied to areas that are intended to allow a mix of those land uses and residential densities as depicted on the Future Land Use Map. Areas with an MPD overlay designation are intended to develop only subsequent to approval of an MPD permit pursuant to Black Diamond Municipal Code. An MPD may include residential and commercial uses clustered around private and community open space, supported by adequate services and facilities. As part of the process of approving an MPD, a specific development plan or site plan will be prepared and will specify the residential and non-residential uses, densities and intensities, phasing of development, and specific development standards that will apply to the site. Densities are intended to be urban in nature (minimum of 4 dwelling units per ~~gross~~ net acre) and will be established as part of the MPD approval process; some MPD sites may also be designated as TDR receiving areas. An approved development plan should contain a provision for periodic updates. Significant opportunities for public involvement should be provided in the consideration of any MPD. An MPD is implemented through the provisions of BDMC 13.98 and provisions of any pre-annexation agreement that is in place for properties in this designation.

Areas developing as MPDs are expected to incorporate innovative site design and utilization of progressive techniques to provide for environmentally sustainable development. This may include the use of "low impact" engineering techniques, employment of "green building" technologies, extensive incorporation of trails and pathways, etc.

Designation Criteria: Properties to which the MPD overlay is applied should generally reflect all of the following criteria:

1. Existing or planned public facilities are adequate to support the planned development density.
2. The area is not predominated by environmentally sensitive areas, and/or the development plan contains standards that will allow development while providing appropriate protection to the environmentally sensitive areas. The level of protection must be equal or better than that provided by the City's environmentally sensitive area policies and regulations.
3. There is either a need for or benefits will clearly derive from providing flexibility in zoning that cannot be provided by other mechanisms.
4. The parcel is at least 80 acres in area and in single or unified ownership, or is subject to a pre-annexation agreement that requires an MPD for the parcel.
5. The development plan requires flexibility to meet the requirements of a MPD.
6. The MPD will provide public benefits, in the form of preservation or enhancement of physical characteristics, conservation of resources, provision of employment, improvement of the City's fiscal performance, provision of adequate facilities, and other public benefits identified by the City.
7. At least 50% of the MPD site is devoted to open space uses, which may include recreational amenities.
8. Adequate mitigation for adverse impacts on the community, neighborhood, and environment is provided.

Low Density Residential Designation

Purpose: The Low Density Residential designation provides primarily for single-family residential neighborhoods on lands suitable for residential development. This designation provides for stable and attractive residential neighborhoods. It should be applied to both existing developed neighborhoods and areas intended for future development. Some of these areas have a MPD overlay designation and are also designated as TDR receiving areas. Urban density development in these areas will only be possible upon the receipt of transferred development rights from other areas.

Allowed Uses and Description: The Low Density Residential designation permits single-family residential uses, their accessory uses and public and semi-public uses. Residential densities may range from a base density of 4 units per net acre to approximately 6 units per gross-net acre. Detached single-family residences should predominate, but these areas may also include duplexes, subject to dispersal

standards, a determination of consistency with design standards and following public review. ~~These areas should also be potentially eligible for additional density through the use of on-site transfer of density (to preserve open space) or through the acquisition of TDRs.~~

Designation Criteria: Properties designated Low Density Residential should generally reflect all of the following criteria:

1. Existing or planned public facilities are adequate to support residential development at this density.
2. The area is free of significant amounts of environmentally sensitive areas, excluding aquifer recharge areas.
3. If the area is undeveloped, it is proximate to a neighborhood of single-family dwellings or is well suited to that use and is not suited to more intense residential development. The area is identified for Low Density Residential development as part of an MPD.

Medium Density Residential Development

Purpose: The Medium Density Residential Development designation provides for stable and attractive residential neighborhoods of small lot, single-family homes, or attached single- and multifamily residences on lands suitable for these residential intensities. Medium Density Residential areas should be located near commercial services, employment, and arterial roads, and may also be located in mixed-use developments. ~~All MDR areas are also subject to a TDR Overlay.~~

Allowed uses and description: The base residential density in these areas should be eight units per ~~gross net~~ acre. If subject to a TDR overlay, increased density could be approved up to 12 units per gross net acre with the acquisition of transferred development rights.

Designation Criteria: Properties designated Medium Density Residential should generally reflect all of the following criteria:

1. Existing or planned public facilities are adequate to support residential development at this density.
2. If the area is undeveloped and not near the identified employment and commercial service areas, the area should be free of significant amounts of environmentally sensitive areas.
3. The area is separated by topography or another appropriate boundary from incompatible uses. Buffering or a density transition may be used to separate this designation from lower density residential designations.

4. The area meets at least one of the following descriptions:
 - a. The area is located outside of an existing single family neighborhood and fronts an arterial
 - b. The area is developed and consists of a mix of attached and detached housing types. A residential neighborhood that is primarily single family with a strip of multifamily housing along an arterial does not meet this criterion.
 - c. Medium density housing can be developed to be compatible with existing development.
 - d. Identified as a receiving site for density under the TDR program.
 - e. The area is identified for Medium Density Residential development as part of an MPD.

Commercial Designations

Purpose: The Commercial Designations are intended to lead to the development of several types of commercial areas, and are intended to be implemented through the application of multiple zoning classifications that help distinguish between types of areas based on their desired size and function. There are three types of commercial areas envisioned in this plan, each intended to have distinctive development standards and/or allowed uses:

1. Town Center;
2. Community Commercial; and
3. Neighborhood Commercial.

Town Center designation

The Town Center designation recognizes and continues the pattern of development found in the historic “Old Town” center as a community focal point. Uses in this area will include a mix of residential, civic, retail, commercial (including comparison commercial), office, entertainment, services and hospitality services (inns and meeting centers). Low to moderate rise in scale, the Town Center commercial area will be pedestrian oriented and include buildings and nearby parks that symbolize the City’s center. Buildings are intended to be located close to the street to create a pedestrian-oriented environment; required parking may be provided on the street or in lots to the sides or rear of buildings. Bike and pedestrian trails and sidewalks will connect the Town Center to the rest of the City. Upper story residential uses should be encouraged in this area and existing residential uses should be allowed to continue as an integral part of the fabric of the center.

**BLACK DIAMOND
PLANNING COMMISSION
MINUTES OF OCTOBER 9, 2012 MEETING**

CALL TO ORDER

Chair Keith Watson called the meeting to order at 7:02 p.m. with the introduction of the role and duties of the Planning Commission.

ROLL CALL

Present: Commissioners Keith Watson, Greg Thesenvitz, Sheri Roth, Kyle Danielson, Pam McCain and Pam Thurmond
Absent: Darryl Buss (excused)
Staff: Community Development Director Steve Pilcher and Senior Planner Stacey Welsh

APPROVAL OF MINUTES

Moved by Commissioner Thurmond, seconded by Commissioner McCain, to approve the minutes of the September 11, 2012 meeting. Passed 6-0.

PUBLIC COMMENTS

None

PUBLIC HEARING ON COMPREHENSIVE PLAN AMENDMENTS

Chair Watson reviewed the Rules of Procedure for public hearings.

Mr. Pilcher distributed an e-mail received from Mr. Rimbo and discussed historical records on two of the Comprehensive Plan Amendments. He stated that no other written comments were received.

CPT12-04 General Sewer Plan

Mr. Pilcher presented the staff report on item CPT12-04.

Public Testimony: None

Moved by Commissioner McCain, seconded by Commissioner Thurmond, to approve CPT12-04 as submitted by staff in September 2012. Passed 6-0.

CPT12-03 Bryant Airstrip

Mr. Pilcher presented the staff report on item CPT12-03 and explained that public hearing notices were mailed to people within 300' of the Bryant property, even though this proposal is not a Comprehensive Plan Map Amendment.

Public Testimony: None

Moved by Commissioner Thurmond to use the suggested language provided by staff. The Commission discussed additional text changes to the amendment.

Original motion amended by Commissioner Thurmond, seconded by Commissioner Thesenvitz, to amend the Bryant Airstrip recommended verbiage, changing the last line to read "evaluate the potential expansion of its operations", striking the last part of the verbiage, which says "allow the airstrip to expand its operations". Passed 6-0.

CPT12-01 "Net" vs. "Gross" acres

Mr. Pilcher presented the staff report on item CPT12-01 and reminded the Commission about the information previously submitted by Councilmember Goodwin regarding this amendment. The Commission asked what the benefit is to the community with this amendment. Mr. Pilcher stated it is a policy decision. He noted that it has the potential to reduce the total number of dwelling units that could be built in the City. The Commission asked about property limitations and what happens if nobody wants to buy TDRs (Transfer of Development Rights). The Commission discussed property development options and the number of TDRs in the City.

Public Testimony: None

Moved by Commissioner Thurmond, seconded by Commissioner McCain, to recommend that residential density should be based on "gross" acreage, as it currently stands. Passed 5-1 (Thesenvitz).

CPT12-02 Transportation concurrency on SR-169

Mr. Pilcher presented the staff report on item CPT12-02. The Commission asked what flexibility the City has on levels of service (LOS). Mr. Pilcher said that WSDOT (Washington State Department of Transportation) informed the City that WSDOT retains the authority to set LOS on state highways. He discussed LOS on SR-169 for King County and the City of Maple Valley.

Public Testimony: None

The Commission discussed the amendment language and asked whether the City had input on the existing LOS for SR 169. The Commission discussed potential amendment options. Mr. Pilcher asked of what additional information staff can provide to the Commission on this issue. The Commission asked whether there are other jurisdictions that have negotiated LOS with the State. The Commission discussed the Master Planned Development (MPD) mitigations on SR-169. The Commission continued discussion on amendment language revisions and reviewed Resolution 12-808.

Moved by Commissioner Danielson, seconded by Commissioner Roth, to ask the staff to look for additional testimony or information from other jurisdictions as was previously mentioned so to get a better understanding of just exactly what role the City has in developing an LOS standard on the state highway. Passed 4-2 (Thesenvitz & Thurmond).

The Commission will reconvene on Tuesday October 23rd; Chair Watson closed the public hearing.

UNFINISHED BUSINESS

None

DEPARTMENT REPORT

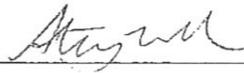
Mr. Pilcher said the Commission will probably not meet in November because the 11/6 meeting date conflicts with the upcoming hearing on The Villages Phase 1A Preliminary Plat.

PUBLIC COMMENTS

Councilmember Deady invited everyone to a Parks Committee cleanup at the Regional Park on October 27th, which is Make a Difference Day.

ADJOURN

Moved by Commissioner Thurmond, seconded by Commissioner Danielson, to adjourn.
Passed 6-0. The meeting adjourned at 9:13 p.m.

Minutes prepared by: Stacey Welsh, Senior Planner 


Keith Watson, Chairman

ATTEST:


Planning Commission Secretary

CITY OF BLACK DIAMOND

GENERAL SEWER PLAN

Prepared by:
Public Works Department
City of Black Diamond
Seth Boettcher, P.E.
PO Box 599
Black Diamond, WA 98010
(360) 886-5700



September 2012

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CITY OF BLACK DIAMOND

GENERAL SEWER PLAN

PREPARED BY:

Seth Boettcher, PE, Public Works Director

APPROVED BY:

CITY OFFICIALS & STAFF

Rebecca Olness, Mayor
Seth Boettcher, PE, Public Works Director

CITY COUNCIL MEMBERS

Tamie Deady
Craig Goodwin
Joe May
Carol Benson
Ron Taylor

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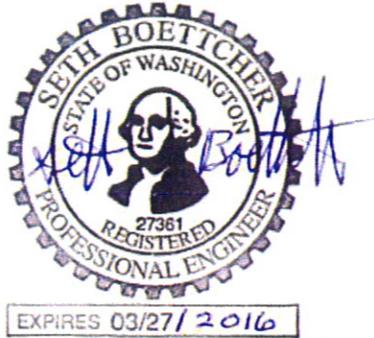
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ENGINEER'S CERTIFICATION

I hereby certify that this General Sewer Plan for the City of Black Diamond, Washington has been prepared under the supervision and direction of the undersigned, whose seal as a Licensed Professional Engineer of the State of Washington is affixed below.



Seth Boettcher, PE

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EXECUTIVE SUMMARY

This City of Black Diamond General Sewer Plan provides a long-term planning document for the City of Black Diamond's sewer system. It evaluates the system over a twenty-year planning horizon, and develops a list of recommended project improvements with a six-year financing plan. This plan has been prepared in accordance with Washington State Department of Ecology requirements as outlined in the Washington Administrative Code Chapter 173-240-050.

-

The City of Black Diamond owns all of the public sewer gravity lines, force mains, manholes, pump stations, and other system facilities that are within its service area. Additionally, the City maintains ownership of the transmission line leading from the Auburn-Black Diamond Road and Lake Sawyer Road intersection up to the Covington Pump Station located within the Soos Creek Water and Sewer District.

The City and the Soos Creek Water and Sewer District have entered into an agreement for Soos Creek to provide conveyance of Black Diamond's wastewater flows through district facilities to the King County Waste Water Divisions collection system above Kent. The City has an agreement with and relies on King County Wastewater Treatment Division (WTD) for regional conveyance of sewage to Renton and sewage treatment and disposal for our current customers and the future growth within our sewer service area. Additionally, the City's agreement with King County Waste Water Division assigns the operation, maintenance and repair of the Jones Lake Pump Station, associated sewer force main and sewage trunk line that runs from the City to the Covington Pump Station to King County as regional facilities.

The City sewer system currently consists of approximately 22.1 miles of gravity mains and 2.5 miles of force mains. The City has four operating pump stations that vary in size. These sewage pump stations pump the sewage from local low areas to the City of Black Diamond gravity sewer collection system that all drains to the King County maintained regional Jones Lake Pump Station. Sewage is pumped from the Regional Jones Lake Pump Station by force main to a gravity sewer transmission main in Lake Sawyer Road S.E., which drains to the Soos Creek system and then on to King County sewer facilities.

The City sewer system currently serves a population of approximately 2516 people (932 residences). The City has recently approved two major Master Planned Developments known as Lawson Hills and The Villages for 6000 residential units cumulatively plus 1.5 million square feet of commercial/office/retail. As a result, the City is preparing to experience substantial growth. The City's sewer system currently serves about 930 residential customers plus commercial. The City's sewer system will need to be enlarged and extended to serve approximately 7138 residential customers plus commercial at current growth projections. This General Sewer Plan includes an evaluation of projected future sewer flows and proposed improvements to serve the future growth.

EXECUTIVE SUMMARY

Wastewater flow monitoring has been conducted by both the City of Black Diamond at the Black Diamond Pump Station, as well as by King County WTD near the Covington Pump Station. Flow monitoring shows that the City sewer system is experiencing stormwater **inflow** and groundwater **infiltration** (I & I) into the sewer system at or just above the EPA threshold level for **I & I**. The City is proposing a significant annual expenditure to keep **I & I** under control as good stewardship of the City's sewer collection system.

Hydraulic modeling of the existing sewer system was completed to assess the capacity and sizing of the current system to convey flows. With the routing of new sewer flows to points in the western portion of the City the model shows that the existing sewer collection system has adequate capacity to serve meet the needs of the infill within the areas currently served by sewer. The model will allow the City to perform hydraulic analysis for interim connections from the Master Planned Development areas, commercial customers with very high water use or other future growth scenarios in response to specific development proposals received by the City.

The City of Black Diamond has approved the two Master Planned Developments discussed above and has negotiated and approved development agreements with the developer. The development agreements require that the developer provide all of the capacity adding projects required to serve the new developments. The City's Capital Improvement Plan includes the major local facility improvements for the un-sewered areas, maintenance projects, capacity projects, and equipment/facility improvement projects. Additionally, the proposed CIP for informational purposes also shows the planned sewage storage facility to be constructed by King County WTD to provide additional downstream conveyance capacity by reducing the peak flows. At some point beyond the 6 year period addressed in the CIP, King County will also need to construct an additional sewage transmission main from Black Diamond to points downstream in their system or provide local treatment options.

The current cash reserves are sufficient to meet the needs of the City funded portion of the planned capital program, provided that rates are set at a level so that cash reserves are protected. The financial outlook for the sewer fund will be stable. As King County raises their rates, Black Diamond will need to pass on those rate increases to Black Diamond customers.

The City of Black Diamond is committed to providing reliable quality service to its customers. The City is anticipating substantial growth in population over the next twenty-year planning period and this plan provides a means for ensuring the City sewer system is able to accommodate current and future customers at stable local rates.

ACRONYMS & DEFINITIONS

AAF Average Annual Flow	Average flow computed from year-long flow records and most commonly expressed in terms of millions of gallons per day.
ADF Average Design Flow (Maximum Month)	Average monthly flow of the maximum month, estimated for the design year of the sewage works.
ADWF Average Dry Weather Flow	ADWF is the sewage flow for an average day occurring in dry weather months of May through October and represents the baseline of sewage flow for the service area including infiltration and inflow during that season.
AWWF Average Wet Weather Flow	AWWF Average daily flow occurring in wet weather months of November through April
BOD Biochemical Oxygen Demand	A measurement of dissolved oxygen used by microorganisms in the biochemical oxidation of organic matter, typically measured over a 5-day period. This characteristic defines the strength of a wastewater and often determines the type and degree of treatment which must be provided to produce a required effluent quality.
City	City of Black Diamond
Combined Sewer	A sewer which receives both wastewater and storm or surface water. Combined sewers are not allowed in the City of Black Diamond.
Diurnal Curve	The curve or graphical representation of the cyclical rise and fall of wastewater flow during a 24-hour period in response to variation in water usage. When used in a general sense, it does not include inflow from storm events.
DAILY FLOW	The amount of flow pumped from the Black Diamond Pump Station at Jones Lake in one day as recorded by King County
DOE	Washington State Department of Ecology
DOH	Washington State Department of Health

ACRONYMS & DEFINITIONS

ERU	Equivalent Residential Unit = 187 gallons of sewage generated per household per day. This figure is the average of water metered during the wet season months by the residential customers. <i>Discussion: In recent years the tiered water rates, improved plumbing fixtures and the economy has reduced household water consumption. It is expected that the City will reduce the ERU figure for the water system with the next update of the water comprehensive plan.</i>
Fecal Coliform	The group of coliform bacteria of fecal origin. <i>Escherichia coli</i> is generally used as the measure of fecal contamination.
Firm Capacity	The available capacity when the largest unit is out of service.
Force Main	A sewer pipeline that flows full under pressure, discharging from a pump station (as opposed to an inverted siphon).
Fps	Feet per second
GPM	Gallons per minute
I & I	Infiltration and inflow
Infiltration	Groundwater that enters the sewer system through such methods as cracks, pipe joints, or porous pipe.
Inflow	Surface water that enters the sewer system through such methods as manhole covers or illegal connections such as footing drains, roof drains, area drains, and sump pumps.
Interceptor	A sewer that receives flow from a number of main or trunk sewers, force mains, etc.
Inverted Siphon	A sewer that dips below the hydraulic grade line to avoid an obstruction such as a creek or canyon.
MDF Maximum Daily Flow	Greatest total flow in a single day
MG	Million Gallons
MGD	Million gallons per day

ACRONYMS & DEFINITIONS

Peak Wet Weather Flow PWWF	The largest 60 minute flow rate over a 60 minute period from the study data set.
Peak Design Flow	Largest estimated flow rate sustained over a 60-minute period in the design year of the sewage works.
Sewage	The water-carried human wastes from residences, buildings, industrial establishments or other places together with such industrial wastes or underground, surface, storm, or other water, as may be present. The terms sewage and wastewater are used interchangeably.
SS	Suspended Solids
SSMH	Sanitary Sewer Manhole
STEP	Septic Tank Effluent Pump
Suspended Solids	An approximate measure of the quantity of sludge that will be removed from wastewater by sedimentation (clarification), typically expressed as mg/l. Suspended solids include solids that will settle to the bottom of a cone-shaped container in a 60-minute period.
Volatile Suspended Solids	The organic content of suspended solids. Volatile solids are that portion which will oxidize & be driven off as gas at 600 degrees C.
Wastewater	See sewage.
WTD	Wastewater Treatment Division (King County)
WWTP Wastewater Treatment Plant	A water pollution control facility engineered and constructed to remove pollutants from wastewater.

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1.0 INTRODUCTION

1.1 BACKGROUND AND PURPOSE

This “General Sewer Plan” provides a collection, measurement, inventory update, mapping and compilation of the relevant information on the City’s existing sanitary sewer program and recommends a comprehensive sanitary sewer plan for the City. This plan presents capital facilities needed to accommodate existing and future growth, and proposes strategies to address Sewer system needs consistent with the Black Diamond Comprehensive Plan and compatible with local needs and values.

The following are some of the primary topics covered within this plan:

- Sewer System Inventory
- Planning for Growth
- Sewer Model of Existing Conditions
- Sewer Model of Future Conditions
- Identification of System Deficiencies and Recommendation of Capital Projects

1.2 REGULATORY REQUIREMENTS

This General Sewer Plan has been prepared in conformance with the requirements for the preparation of general sewer plans as outlined in Washington Administrative Code (WAC) 173-240-050. Approval of this plan is required by the Department of Ecology.

1.3 LOCATION

The City of Black Diamond is located approximately 30 miles southeast of Seattle, Washington. Black Diamond community was established in 1880 and developed as a coal mining town over the next fifty years. Black Diamond was incorporated as a city in 1959. The City is located along State Route 169, just west of the Cascade Mountains. **Figure 1.1 Vicinity Map (Washington State)** illustrates the location of Black Diamond in the State of Washington. **Figure 1.2 Vicinity Map (King County)** illustrates the location of Black Diamond within King County.



Figure 1.1 Vicinity Map (Washington State)

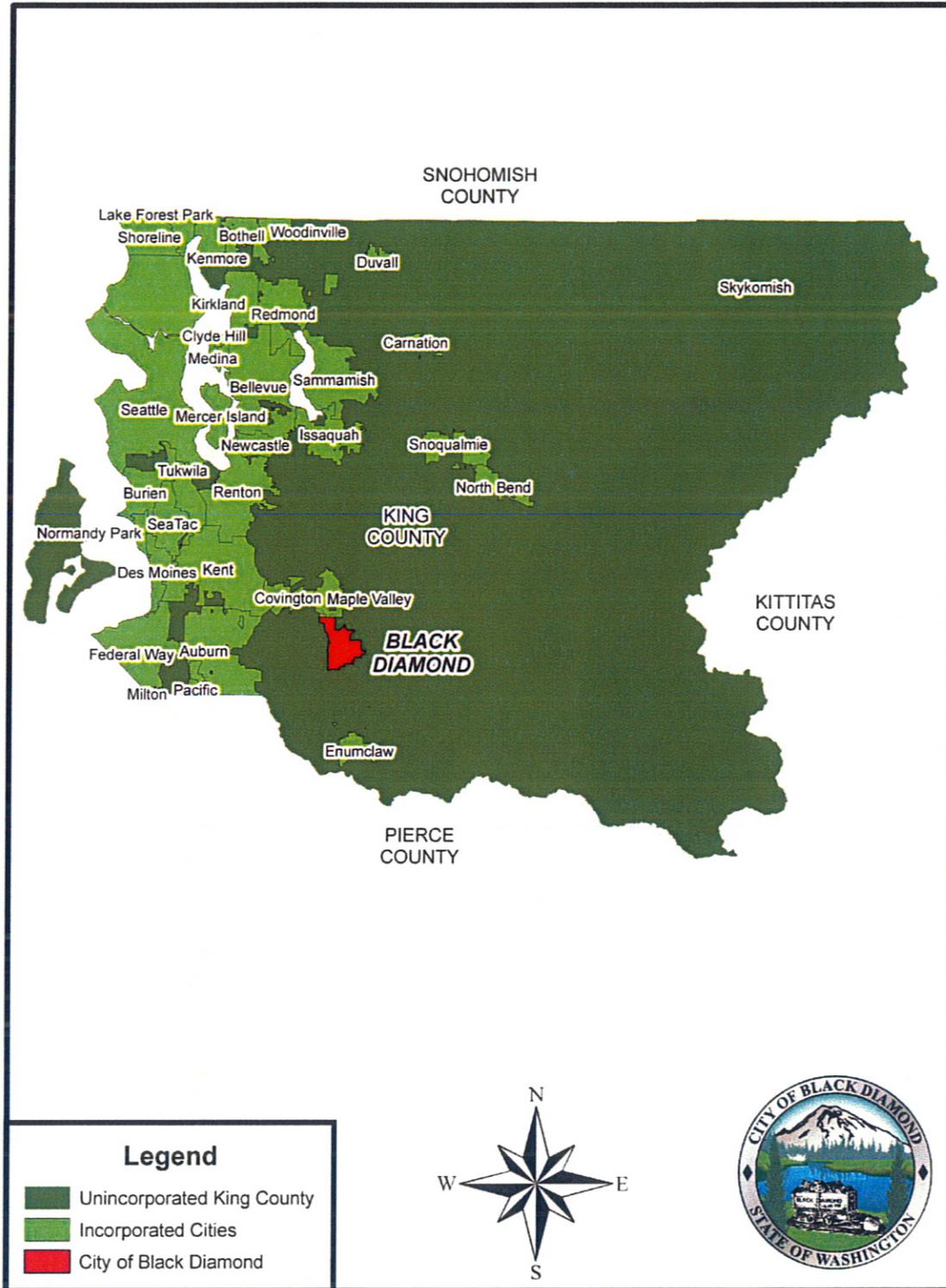


Figure 1.2 Vicinity Map (King County)

1.4 OVERVIEW OF EXISTING SYSTEM

A summary of the City’s sewer system is included in *Table 1.1 Sewer System Summary*.

Table 1.1 Sewer System Summary

DESCRIPTION	DATA
Total length of gravity mains	116,500 ft (22.1 miles)
Total length of force mains	13,300 ft (2.5 miles)
Number of sewer manholes	485
Number of pump stations	4
Jones Lake Basin Service Area ¹	897.14 acres
Rock Creek Basin Service Area ¹	749.04 acres
West Black Diamond Basin Service Area ¹	1,624.17 acres
East Black Diamond Basin Service Area ¹	432.43 acres
Area currently served	692.65 acres
Jones Lake Basin Remaining Developable Area ²	156.03 acres

1.5 ENVIRONMENTAL REVIEW

This General Sewer Plan has undergone an environmental review as required by WAC 173-240-050(3). A copy of the environmental determination for this General Sewer Plan has been included in **Appendix A – SEPA Checklist**.

¹ Refer to Figure 7.1 – Sewer Collection Basin Planning Areas

² Refer to Figure 7.2 – Potential Development within the Jones Lake Basin

2.0 SEWER SERVICE AREA

2.1 SERVICE AREA

The City of Black Diamond's existing sanitary sewer service area consists of all areas within the Urban Growth Boundary, except for the area around Lake Sawyer that is served by the Soos Creek Water and Sewer District. See **Figure 2.1 Black Diamond Sewer Service Area**. There are no proposed changes to the City's Sewer service area.

2.2 ADJACENT PURVEYORS

The Soos Creek Water and Sewer District is an adjacent purveyor to the City of Black Diamond Sewer System. **Figure 2.1 Black Diamond Sewer Service Area** shows the location of sewer purveyors adjacent to the Black Diamond Service Area.

The Soos Creek Water and Sewer District has been serving south King County since 1939. Formerly Water District 58 and Cascade Sewer District, the two merged in 1987. The Soos Creek Water and Sewer District encompasses over 35 square miles and provides water and sewer service to almost 100,000 people in southeast King County. The sanitary sewer system includes 30 pump stations. The sewer system conveys wastewater to the King County facilities in Kent and ultimately to the King County Wastewater Treatment Plant in Renton for treatment and disposal.

2.3 SEWERAGE COORDINATION AGREEMENTS

KING COUNTY-WASTE WATER TREATMENT DIVISION

The City of Black Diamond entered into an agreement with King County WTD (then known as Metro) on September 12, 1990 to provide for regional conveyance and treatment of all sewer from Black Diamond after the failure of the City's treatment plant that discharged into the Rock Creek core wetland complex. The abandonment of the City sewage treatment plant and connection to the King County regional sewer system was funded by a Department of Ecology grant and an EPA grant. The agreement specifies that the City owns and King County operates, maintains, repairs, replaces and improves as needed the Black Diamond Pump Station at Jones Lake and force main to Lake Sawyer Road SE and the sewage trunk line that runs from the City to the Soos Creek Sewer District System. The City's agreement with King County runs until July 2036. A copy of the interagency agreement between the City and King County WTD and amendments thereto is included in **Appendix B – King County Metro Agreement for Disposal**.

SOOS CREEK WATER & SEWER DISTRICT

The City of Black Diamond entered into an interagency agreement with the Soos Creek Water and Sewer District on September 5, 1990 to relay Black Diamond sewage to the King County Waste Water Division facilities and it was later amended on April 21, 1999. The agreement and the amended agreement are included in **Appendix C – Soos Creek, King County, Black Diamond: Conveyance of Black Diamond Wastewater Flows**.

2.0 SEWER SERVICE AREA

The agreement was entered into after the failure of the City's treatment plant and the agreement outlines that the Soos Creek Water and Sewer District will provide for conveyance of Black Diamond Wastewater Flows through district facilities to the King County regional collection facilities. The agreement allows for conveyance of flows in the amount of 990,000 gallons per day (equivalent to a population equivalent of 3,600 assuming flows of 275 gallons per capita per day).

KING COUNTY / SOOS AGREEMENT

In 2006, King County entered into an agreement with the Soos Creek Water and Sewer District, *assuming Black Diamond's obligations to Soos Creek Water and Sewer District*, for wheeling of sewage through the Soos Creek system (see **Appendix D – Soos Creek Agreement for the Conveyance of Sewage**). In July of 2010 King County did in fact assume the Black Diamond obligations to Soos Creek for sewage conveyance. With King County taking over Black Diamonds obligations to the Soos Creek Sewer District for conveyance of Black Diamond Flows to County facilities in July 2010, the implications of Black Diamond's agreement with Soos Creek are largely irrelevant. Further clarification is needed between Black Diamond and Soos Creek Water and Sewer District as to the remaining responsibilities and obligations given King County's assumption of City responsibilities.

2.0 SEWER SERVICE AREA

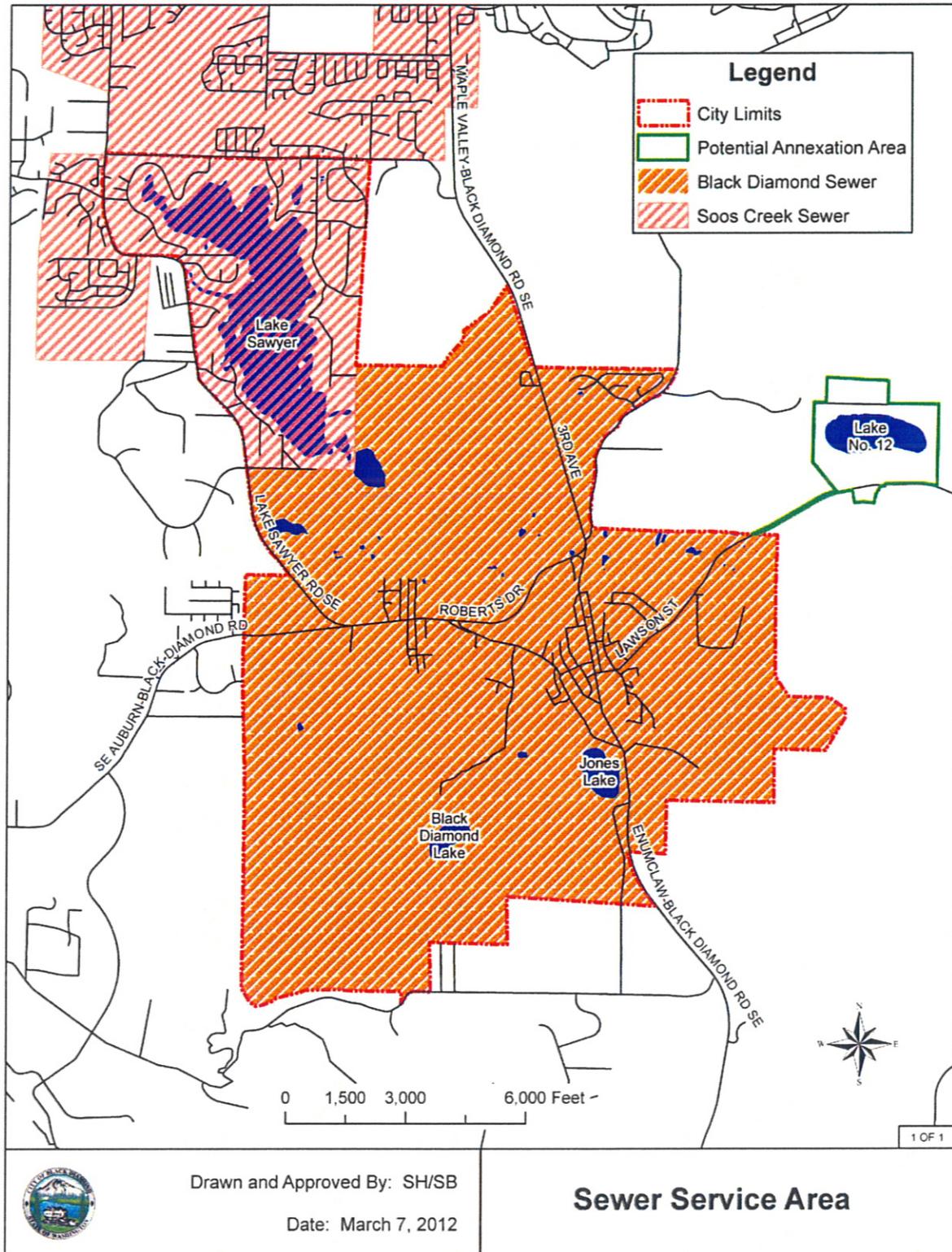


Figure 2.1 Black Diamond Sewer Service Area

2.4 PHYSICAL ENVIRONMENT³

Planning for the future sanitary sewer system requires a basic understanding of the physical environment of the area. A working knowledge is useful in identifying any constraints which may affect the development of the sewer system. Physical characteristics which influence planning and design include topography, geology and soils, surface water, wetlands and climate. Descriptions of these characteristics, as well as a summary of mining lands and environmentally sensitive areas in the City are as follows:

TOPOGRAPHY

The City is situated on an upland plateau bounded on the south and southeast by the Green River and on the northeast by the Cascade Range. Depressions and hummocks characterize the rolling glacial terrain. **Figure 2.2 Black Diamond Topography** shows the topographic characteristics within the City.

The Black Diamond Sewer Service area is divided from the northwest to the southeast by Rock Creek and the Rock Creek core wetland complex. The area northeast of the Rock Creek drainage rises significantly and can easily be served by gravity to the low area (in the Palmer Coking and Coal Gravel pit) dividing the City's sewer service area. The area to the southwest of the Rock Creek Drainage system gently rises to an upland plateau with high elevations around 600 to 770 feet. Between the gentle rises in the plateau are depressions that limit gravity collection of sewage from this area to the Rock Creek area or to the Jones Lake area. The low point nearest the largest developable area of land is on the western boundary of the sewer service about one quarter mile north of the southwest corner of the city. Elevations within the existing City limits vary between approximately 500 feet at Morganville to 1,000 feet at the eastern perimeter. Most of the existing buildings within the City are located at lower elevations, between approximately 500 and 700 feet.

³ City of Black Diamond, City of Black Diamond Water System Plan, 2008.

2.0 SEWER SERVICE AREA

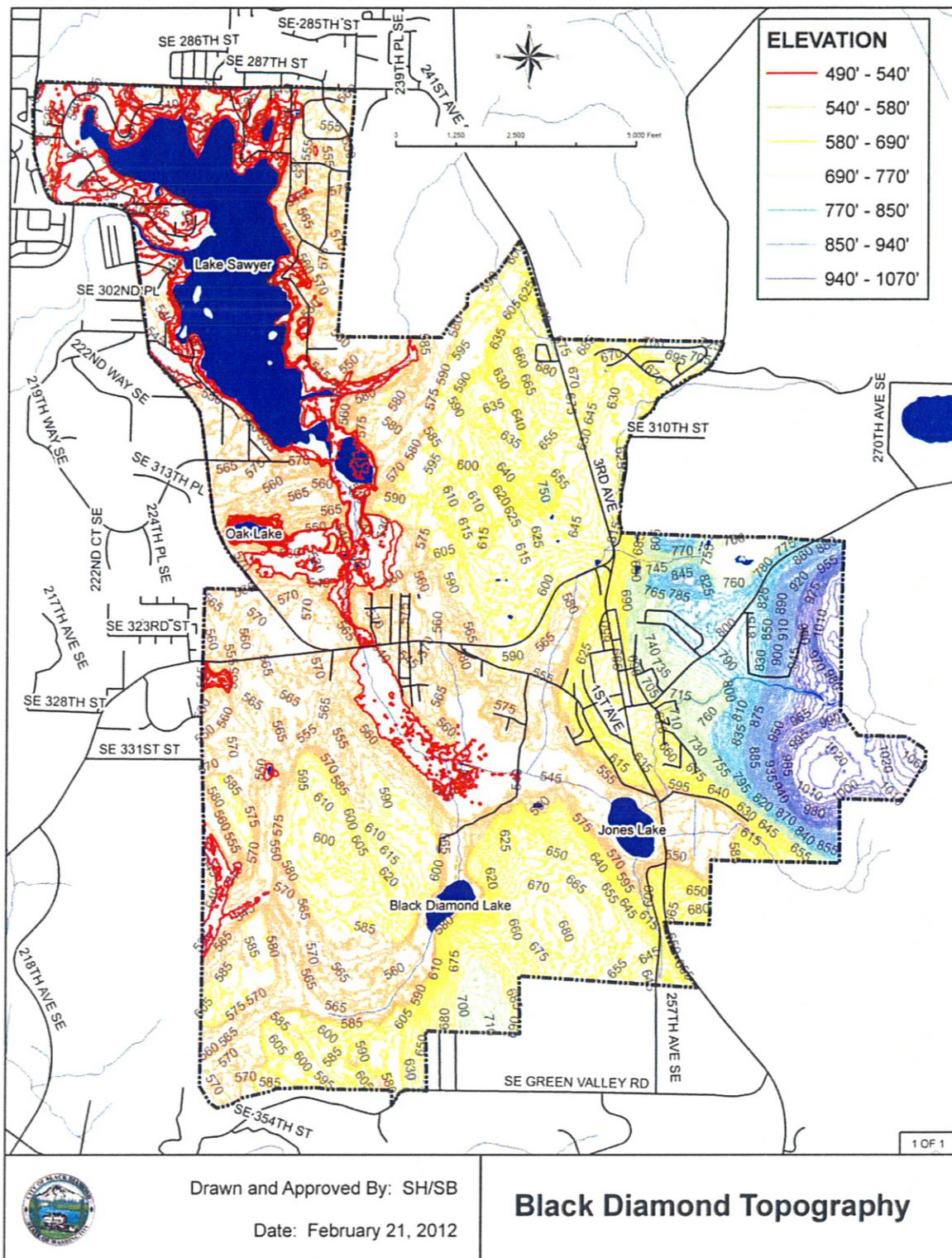


Figure 2.2 Black Diamond Topography

2.0 SEWER SERVICE AREA

GEOLOGY

The surficial geology and landforms in the Black Diamond area, located on the Covington Drift Plain, are the result of the most recent regional glaciation, the Vashon Stage of the Fraser glaciation. The Vashon ice sheet completely melted from the Black Diamond area approximately 10,000 years ago. During the maximum extent of the Vashon Stage, the planning area was covered with up to 2,000 feet of ice.

Since the last glaciation, urbanization, rural development, logging, gravel mining activities, erosion, and sedimentation have modified the land surface. Weathering and erosion of native soils has resulted in the development of topsoil and colluvium at the ground surface. The topsoil in undeveloped areas consists of a few inches of silt and sand with decayed roots and leaves. The weathered soils underlying the topsoil consists of silty sand and gravel with roots, generally extending 2 to 6 feet. Topographic depressions and low gradient stream channels have accumulated soft organic silt and peat. In general, the areas underlain by organic silt and peat are within wetland areas.

Vashon recessional outwash mantels much of the west portion of the City. The soil consists of sand and gravel with variable amounts of silt and cobbles deposited by the rivers emanating from the melting front of the Vashon ice sheet.

Vashon till is at the ground surface in some areas of the east portion of the City. Till consists of unstratified silt, sand, gravel and cobbles that are in a very dense condition because of being overridden by the glacial ice. Till is usually 20 to 40 feet thick and probably underlies the recessional outwash but may be absent where eroded during deglaciation meltwater runoff episodes.

Pre-Vashon glacial and interglacial sediments underlie the Vashon till in the west portion of the City area where bedrock is deep. The pre-Vashon glacial and interglacial sediments consist of inter-bedded and/or stratified silt, gravel and till. These soils are not exposed at the ground surface in the City, but are exposed in the upper walls of the Green River gorge, south of the City, and are penetrated by water wells in the west portion of the area.

Bedrock of the Puget Group underlies the City and surrounding area. The bedrock is locally exposed at the surface in the east portion of the area and in the walls of the Green River gorge. The bedrock consists of sedimentary sandstone, mudstone, shale and coal. Based on elevations of surface exposures and the interpretation of well water logs by Icicle Creek Engineering, Inc., bedrock underlies the property at a depth of 200 feet or more in the west portion of the City.

SOILS

Figure 2.3 Black Diamond Soils Figure 2.3 shows the various major soil type groups found in the City of Black Diamond. The darker shades of the same color represent the same soil type but steeper slopes. The various soil types are discussed in more detail below. For technical information about soils, refer to **Appendix E – Soil Descriptions**.

Everett Series Soil Most of western Black Diamond has an Everett Series soil type. This soil typically contains various grades of gravelly sand or sandy gravels with very little gravelly loamy sand top soil. These areas are very well drained. The water tables are typically deeper than 15 feet except in low elevations near Lake Sawyer, Oak Lake, Frog

2.0 SEWER SERVICE AREA

Lake or Horseshoe Lake. Typically drainage is very good and water tables in the range of normal depth of sewer collection systems are non-existent.

Alderwood Series Soil The area through the middle of the City north and south of the Rock Creek core wetland complex has an Alderwood Series Soil type. These soils are characterized by approximately 3' to 5' of gravelly sandy loam overlying very dense and slowly permeable glacial till. Where the slopes are shallow the ground water will tend to perch on the glacial till and drain laterally subsurface during high winter water table conditions. Wherever there are local depressions, wetlands tend to form.

The soils along the Rock Creek wetlands and the Ginder Creek wetlands are either **Billingham Silt Loams or Seattle Muck.**

Beausite Series Soil The soils on the higher elevations in the old part of Black Diamond and the higher elevations in east Black Diamond have a Beausite soil type. These soils are characterized by gravelly loams and gravelly sandy silt loams over impermeable sandstone. Since the underlying restricting layer is impermeable and the overlying soil is typically slowly permeable the high winter water tables tend to rise close to the surface. The runoff from the Beausite soil areas is typically very high during high winter water table conditions.

Indianola Series Soil Figure 2.3 shows there is small spot of Ragnar-Indianola series soil in the Morganville area. Actually the Indianola series soil covers much more of the Morganville area than the map shows but both the Everett and Indianola series soil in this area are well drained soils with deep water tables. An Indianola Series soil is characterized by 18 inches of light brown loamy medium sand over clean medium to fine sand. The east edge of the Indianola soils transitions to Alderwood approximately 200 to 300 feet east of the east boundary of the cemetery.

2.0 SEWER SERVICE AREA

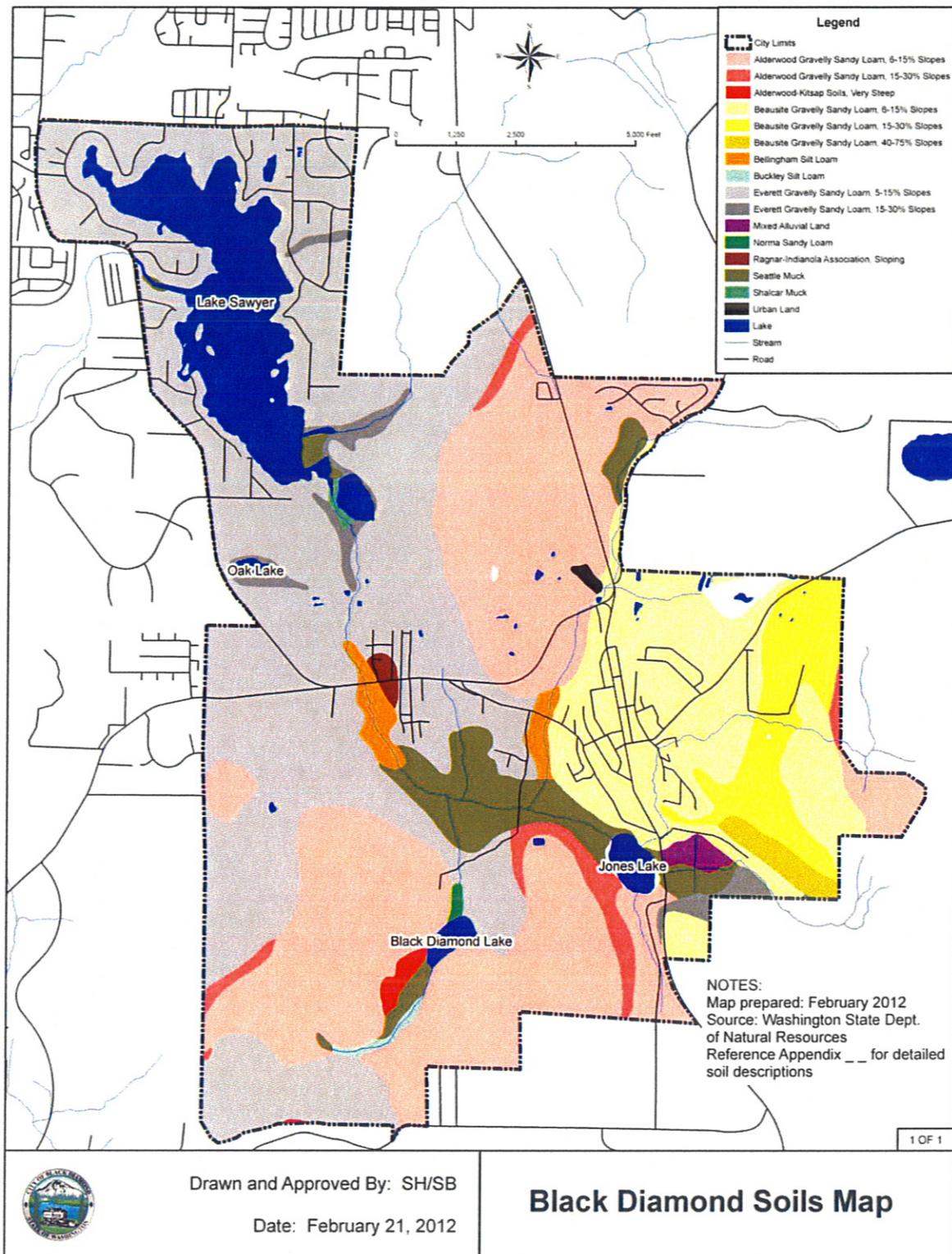


Figure 2.3 Black Diamond Soils, refer to Appendix E – Soil Descriptions

2.0 SEWER SERVICE AREA

SURFACE WATERS

The City's service area lies within the Duwamish/Green River drainage basin. A number of lakes, wetlands, and creeks lie within the service area. Black Diamond Lake and Jones Lake are located in the southern part of the City limits. Ginder Lake and Lake No. 12 are located east of the City limits. Two smaller lakes, Oak Lake and Frog Lake, are located within the western part of the City limits. Lake Sawyer is one of the largest lakes in terms of size and volume in the Green River basin and it discharges to Covington Creek which in turn discharges to Big Soos Creek. The Big Soos Creek flows into the Green River near the City of Auburn. Lake levels of Lake Sawyer are controlled by a privately owned and operated concrete dam near the intersection of SE 296th Street East and 224th Ave SE.

Rock Creek is the principal drainage basin in the City and flows west from Jones Lake area and then north to Lake Sawyer just west of Morganville. Ginder Creek, Lawson Creek and three smaller tributary creeks drain into Rock Creek.

The Green River originates in the western Cascade range approximately 30 linear miles east of the City. The Green River flows westerly about a quarter mile south of the Green Valley Road south of the City. Flows in the river result largely from rainfall runoff and snowmelt but now glacial flows from Mount Rainier contribute to the Green River. Flows are regulated approximately 20 miles upstream of the City by a flood control structure operated by the Corps of Engineers known as the Howard Hanson Dam. Approximately 3 miles downstream from the dam, the City of Tacoma operates a water intake structure capable of diverting water to the McMillin Reservoir near South Hill Puyallup.

CLIMATE

Annual precipitation ranges from 45 to 70 inches, averaging approximately 55 inches. More than 80% of the precipitation occurs October through May and 50% from November through February. Total evaporation averages approximately 25 inches per year with approximately 75% occurring during the months of May through August. Precipitation and evaporation were measured at the Landsburg weather station located approximately 5 miles north northeast of the City of Black Diamond.

Available temperature data is also from the Landsburg weather station. Low temperatures in December and January average 30° to 33° F and the highs range from 41° to 46° F. In July and August the average low temperature is approximately 50° F and the high 75° F. The lowest recorded temperature from 1976 to 1993 was 0° F in February 1989 and the highest recorded temperature was 102° F in August 1981 and May 1983.

MINING ACTIVITY

There are many abandoned, underground mines present in the Black Diamond area that have been documented by the State. The John Henry Coal Mine adjacent and northeast of the city is still under permit but has been inactive for over 10 years. The mining company is now under an order to proceed with mine reclamation activities. Projects located in the vicinity of abandoned coal mines may require geotechnical evaluation to determine the risks that an abandoned underground coal mine might present.

ENVIRONMENTALLY SENSITIVE AREAS

The Black Diamond Municipal Code Chapter 19.10 establishes regulations for development in environmentally sensitive areas. Specific information on the location and extent of sensitive areas within the City can be obtained from the City while sensitive area information for other areas is available from King County.

Environmentally sensitive areas include wetlands, fish and wildlife habitat conservation areas and geologically hazardous areas. Geologically hazardous areas include areas that are not suitable to development due to their susceptibility to erosion, sliding, earthquake or other geological events. Fish and wildlife conservation areas within the City include Rock Creek and Ginder Creek corridors, open water ponds, lakes and riparian forests. Geologically hazardous areas include steep slope and past coal mine working areas.

The City's Sensitive Areas ordinance increased buffers to all wetlands and may significantly impact the location of some future sewer facility locations. See **Figure 2.4 Wetlands & Wetland Buffers Map**.

2.0 SEWER SERVICE AREA

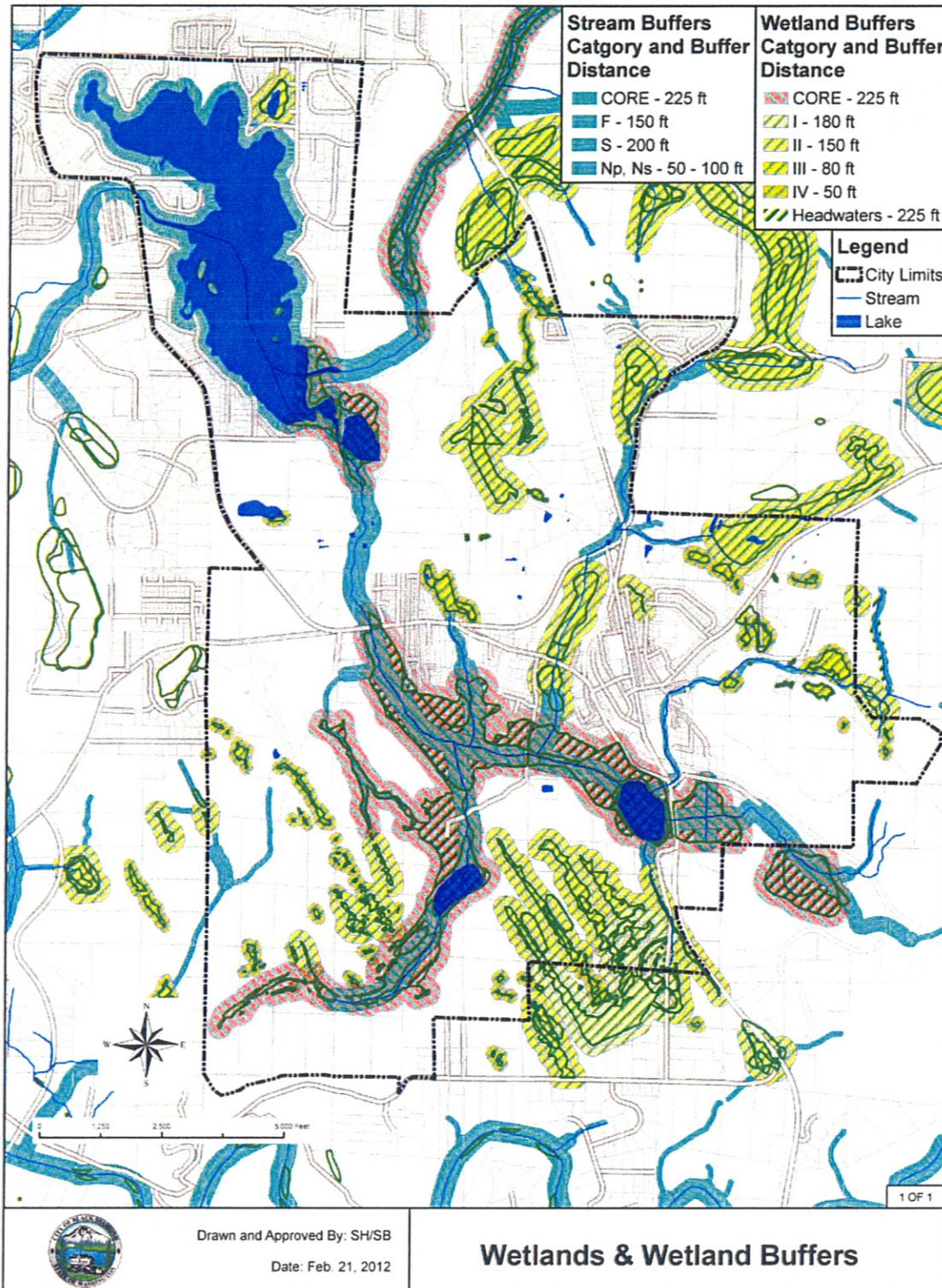


Figure 2.4 Wetlands & Wetland Buffers Map

2.5 LAND USE & ZONING

Land use and zoning play an important role in determining growth patterns, and therefore future sewer system development patterns and requirements. Future land use, variations in use, and changing population densities, as determined by applicable zoning ordinances, can significantly impact the City of Black Diamond's future sewer system development patterns and needs.

Figure 2.5 Black Diamond Future Land Use is the proposed land use for the City as included in the City of Black Diamond Comprehensive Plan. This figure shows designated land use within incorporated Black Diamond and the portions of unincorporated King County that are planned for master developments and may be annexed into the City in the future. Current land uses are primarily residential uses, with some light industrial and commercial areas. The majority of the future development within the time frame of this plan in the City of Black Diamond will be in the Master Planned Development zoned areas. The planning for those areas is more specifically defined in the Master Planned Development Applications that have been approved. See Figures x and x.

Figure 2.6 Black Diamond Zoning includes the City's zoning as adopted by the City in June 2009.

Figure 2.7 King County Land Use includes the designated land uses for the area of unincorporated King County surrounding Black Diamond.

Figure 2.8 King County Zoning includes the zoning designations as defined by King County for the area of unincorporated King County surrounding Black Diamond.

2.0 SEWER SERVICE AREA

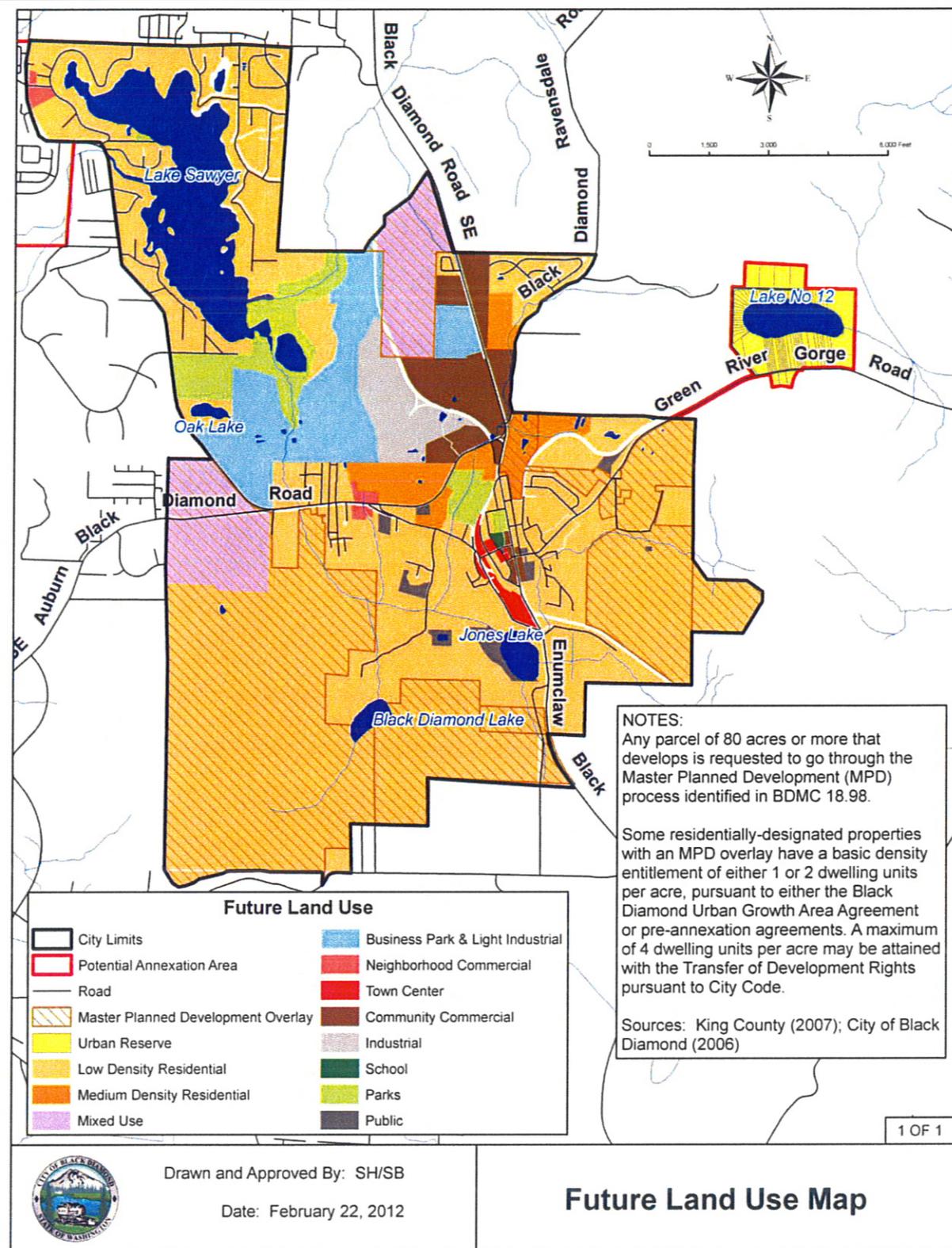
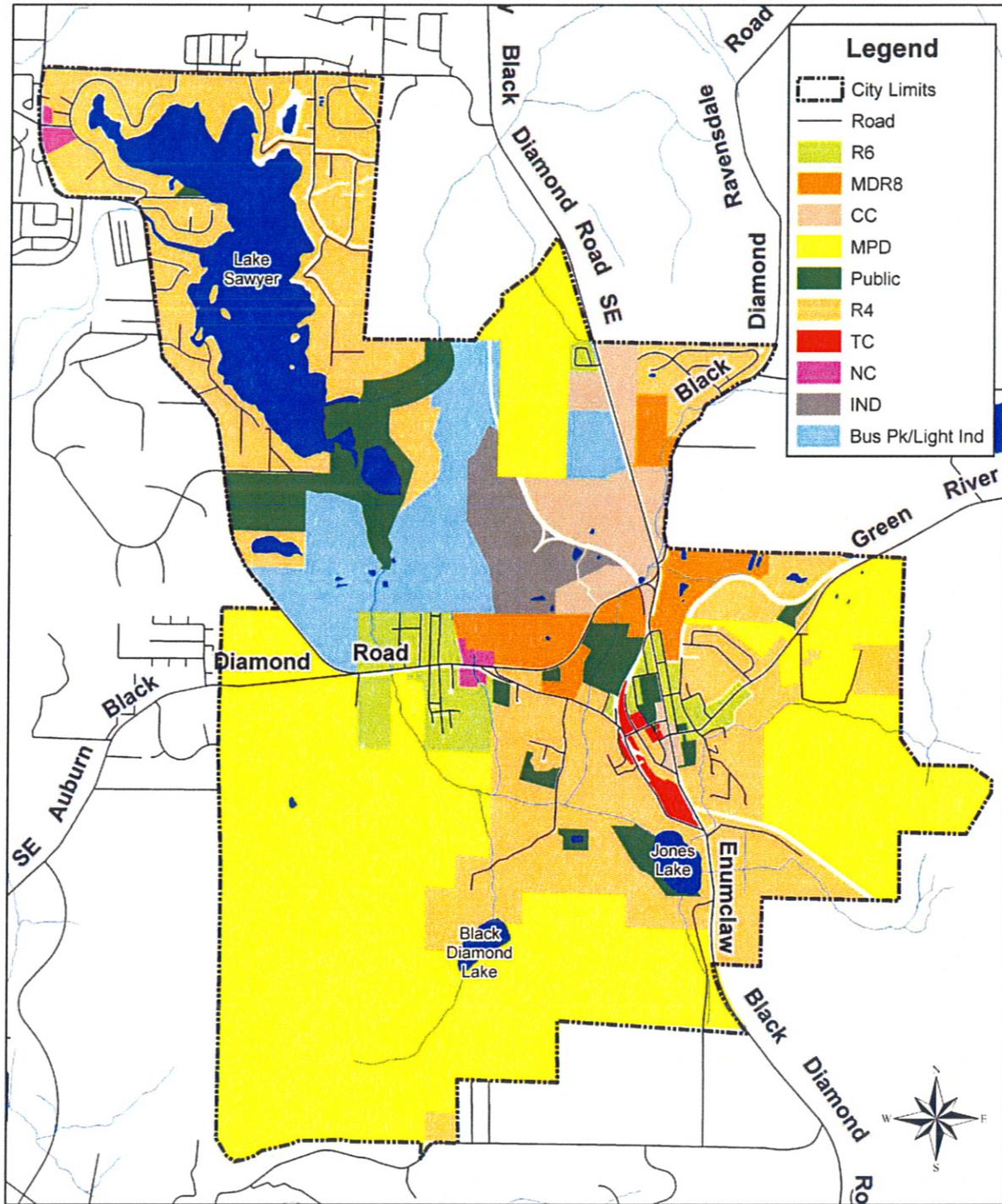


Figure 2.5 Black Diamond Future Land Use

2.0 SEWER SERVICE AREA



Map prepared: October 2011



City of Black Diamond Zoning Map

Figure 2.6 Black Diamond Zoning

CURRENT KING COUNTY LAND USE

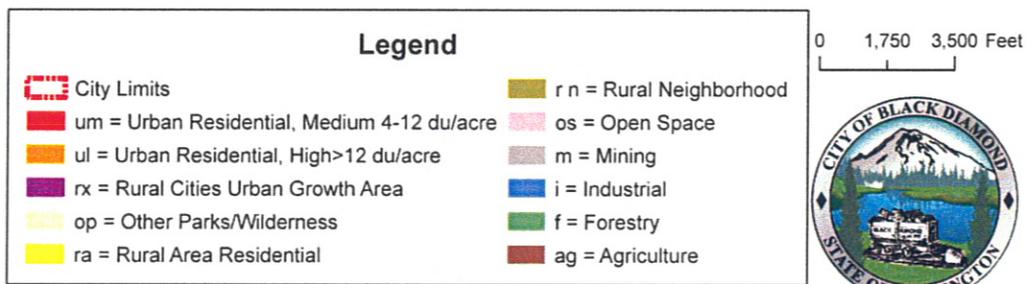
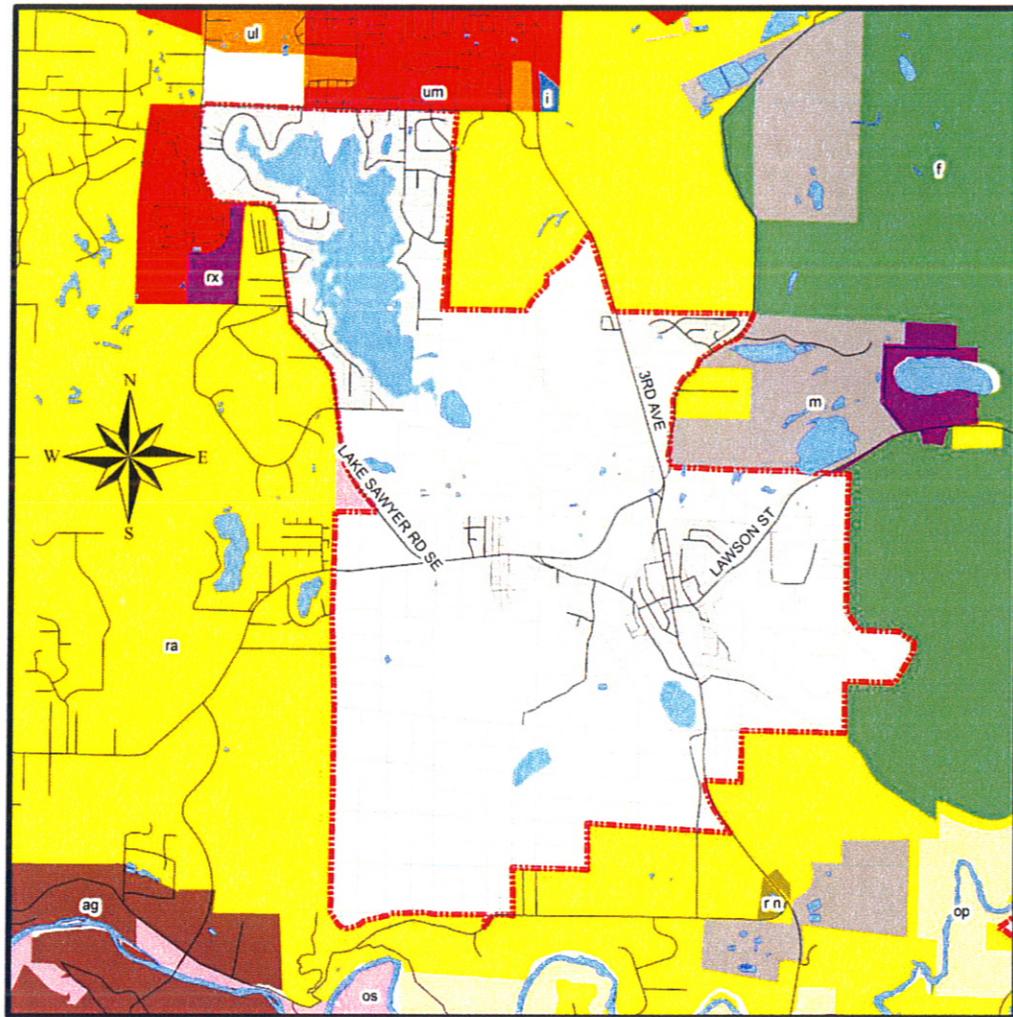


Figure 2.7 King County Land Use

CURRENT KING COUNTY ZONING

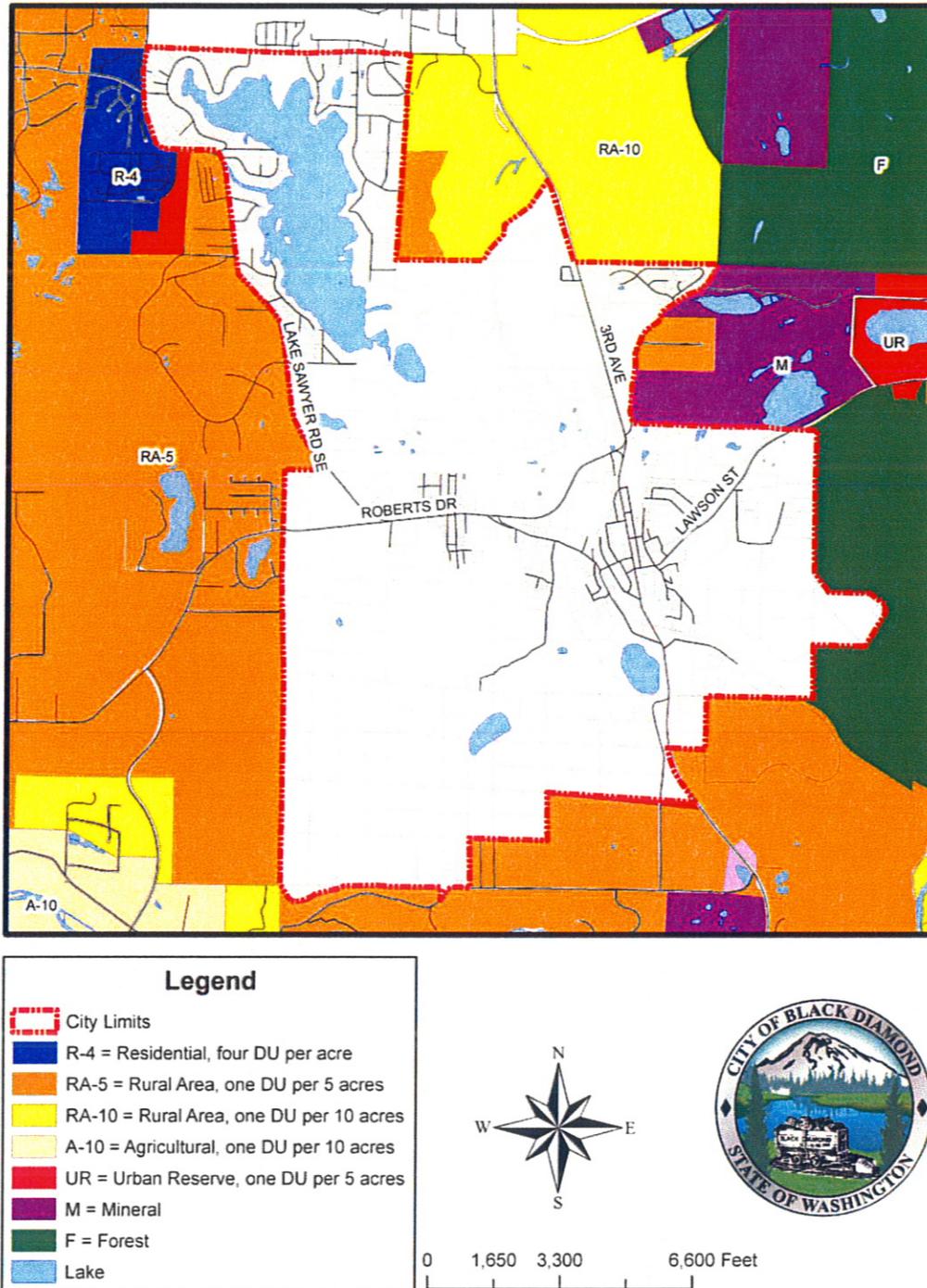


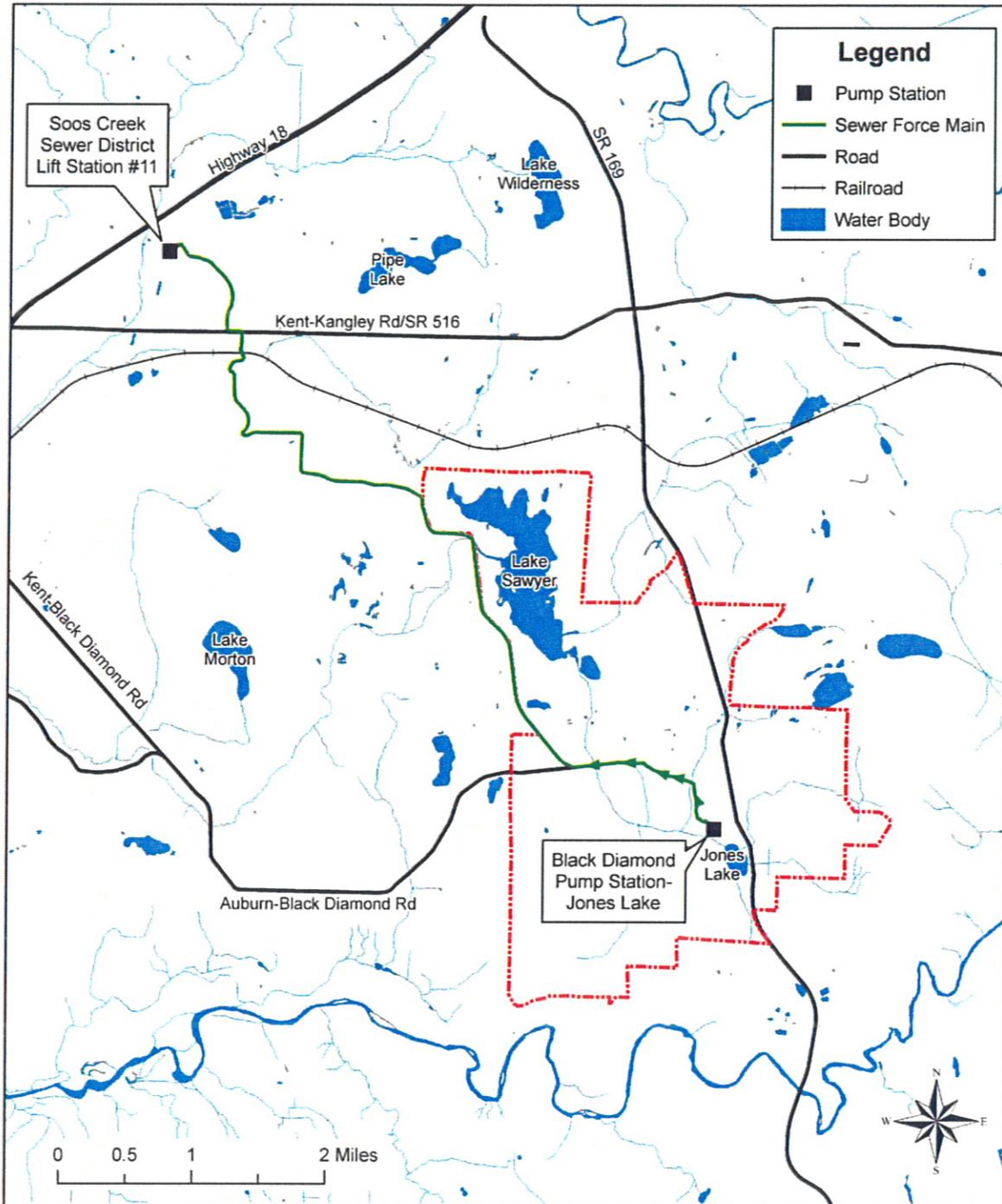
Figure 2.8 King County Zoning

3.0 EXISTING FACILITIES

3.1 SEWER SYSTEM OWNERSHIP

The City of Black Diamond owns all of the public sewer gravity lines, force mains, manholes, pump stations, and other system facility that are located within its service area. Additionally, the City maintains ownership of the transmission line leading from the Black Diamond to the Covington pump station located within the Soos Creek Water & Sewer District sewer service area (*See Figure 3.1 City-Owned Facilities*).

3.0 EXISTING FACILITIES



Map prepared: January 2012



City-Owned King County Operated Maintenance Facilities

Figure 3.1 City-Owned Facilities

3.0 EXISTING FACILITIES

3.2 SEWER SYSTEM OPERATION & MAINTENANCE

The City has an agreement with King County WTD to operate, maintain and repair the Black Diamond Pump Station at Jones Lake and sewer force main and sewage trunk line that runs from the City to Soos Creek until July 2036. All other public sewer facilities within the City's service area are operated and maintained by the City of Black Diamond.

3.3 HISTORY OF SEWER SYSTEM⁴

The residents of Black Diamond used individual on-site septic systems for many years. In the 1960's the City initiated plans for the first public sewer system after public health concerns arose from approximately 500 failing septic systems. Several studies were completed between 1970 and 1981 and in 1981 the city accepted a sewerage plan which included a city-wide collection system and an aerated lagoon treatment plant. Construction of the collection system and treatment plan was mainly accomplished between 1981 and 1983 with an EPA Innovative and Alternative grant.

After a substantial commitment had been made to the treatment plant project and the original plant design, the City was informed that the permits necessary to construct the marsh portion of the treatment could not be obtained. The facility was redesigned and included a natural marsh, which was classified as "innovative" technology by the Environmental Protection Agency (EPA) and was funded through an EPA grant. In 1984 it was determined that the natural marsh was not operating efficiently and was causing intense algae blooms downstream in Lake Sawyer. The EPA hired consultants to evaluate the situation and it was concluded that the natural marsh system had failed to remove phosphorous as designed. The Washington State Department of Ecology (DOE) then ordered that the treatment plant be upgraded or the outfall to Rock Creek (which drains to Lake Sawyer) be abandoned. The situation was again evaluated and it was recommended that the City abandon the improperly functioning treatment plant and construct a connection to the King County WTD system through Soos Creek Water and Sewer District, funded by a Modification or Replacement Grant from EPA and the Department of Ecology. This connection was constructed in 1992 and the treatment plant was taken out of service later that same year.

3.4 INVENTORY OF EXISTING FACILITIES

PIPES

The City has approximately 24.5 miles of sewer pipes, including collection lines, trunk lines, and force mains. There are approximately 2.5 miles of force main throughout the system. A majority of the system is 8-inch diameter gravity main, totaling over 13 miles.

Table 3.1 Gravity Sewer Pipes summarizes gravity pipes by diameter. **Table 3.2 Sewer Force Mains** summarizes force mains by diameter.

⁴ "City of Black Diamond, Comprehensive Sewer System Plan" 2002

3.0 EXISTING FACILITIES

Table 3.1 Gravity Sewer Pipes

SIZE	LINEAL FEET (APPROX.)
6"	1,900
8"	68,700
10"	5,700
12"	11,100
15"	26,800
18"	2,300
TOTAL	116,500

Table 3.2 Sewer Force Mains

SIZE	LINEAL FEET (APPROX.)
2.5"	4,300
4"	1,200
6"	3,300
10"	3,800
12"	700
TOTAL	13,300

Figure 3.2a System Map (1 of 2), Figure 3.2b System Map (2 of 2) are overall system maps showing the general layout and configuration of the sewer system. **Appendix F – System Maps** contains a large-scale version of the maps.

MANHOLES

There are 485 manholes throughout the City's sewer system. The majority of these manholes were constructed in the early 1980's.

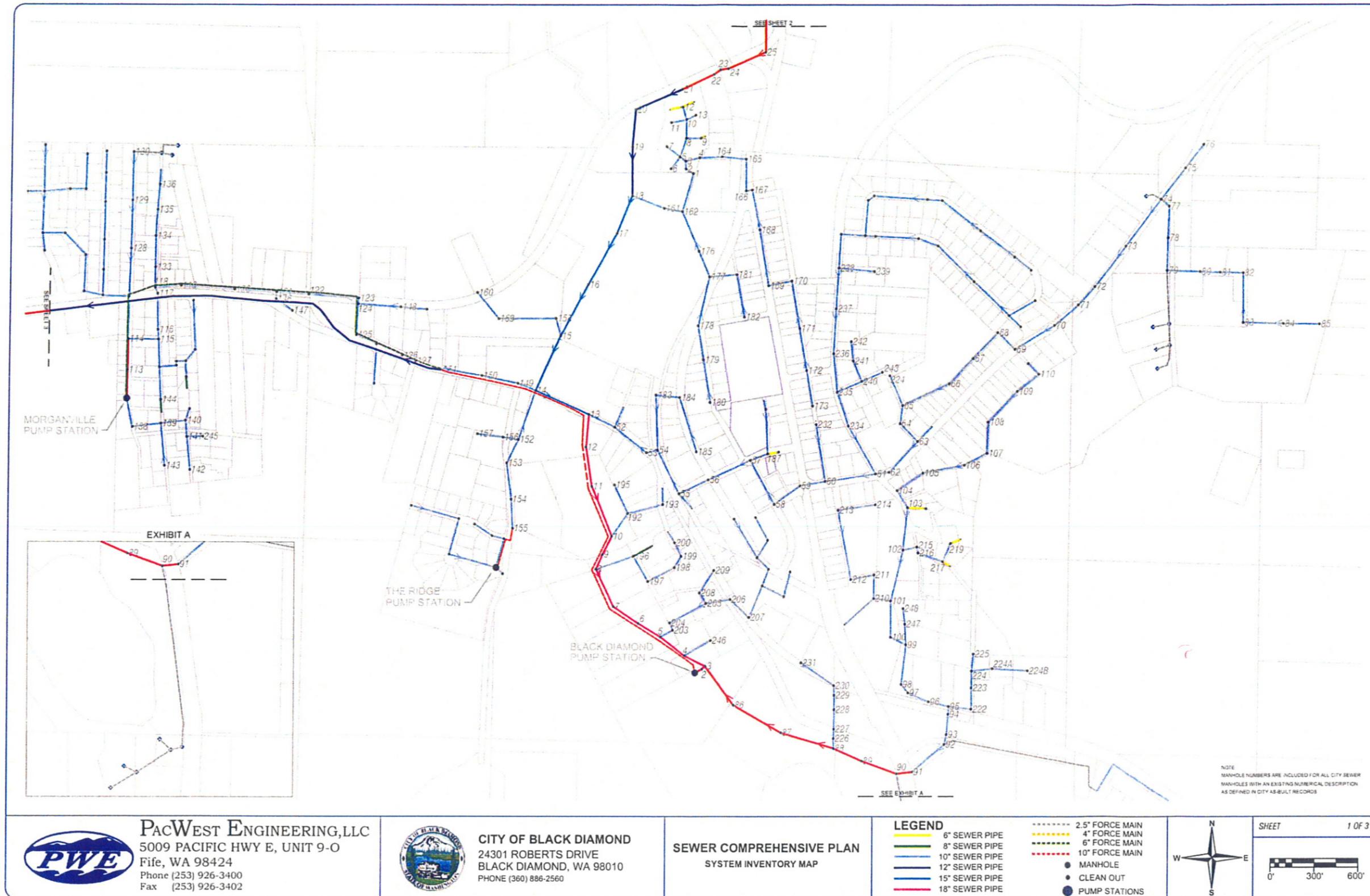
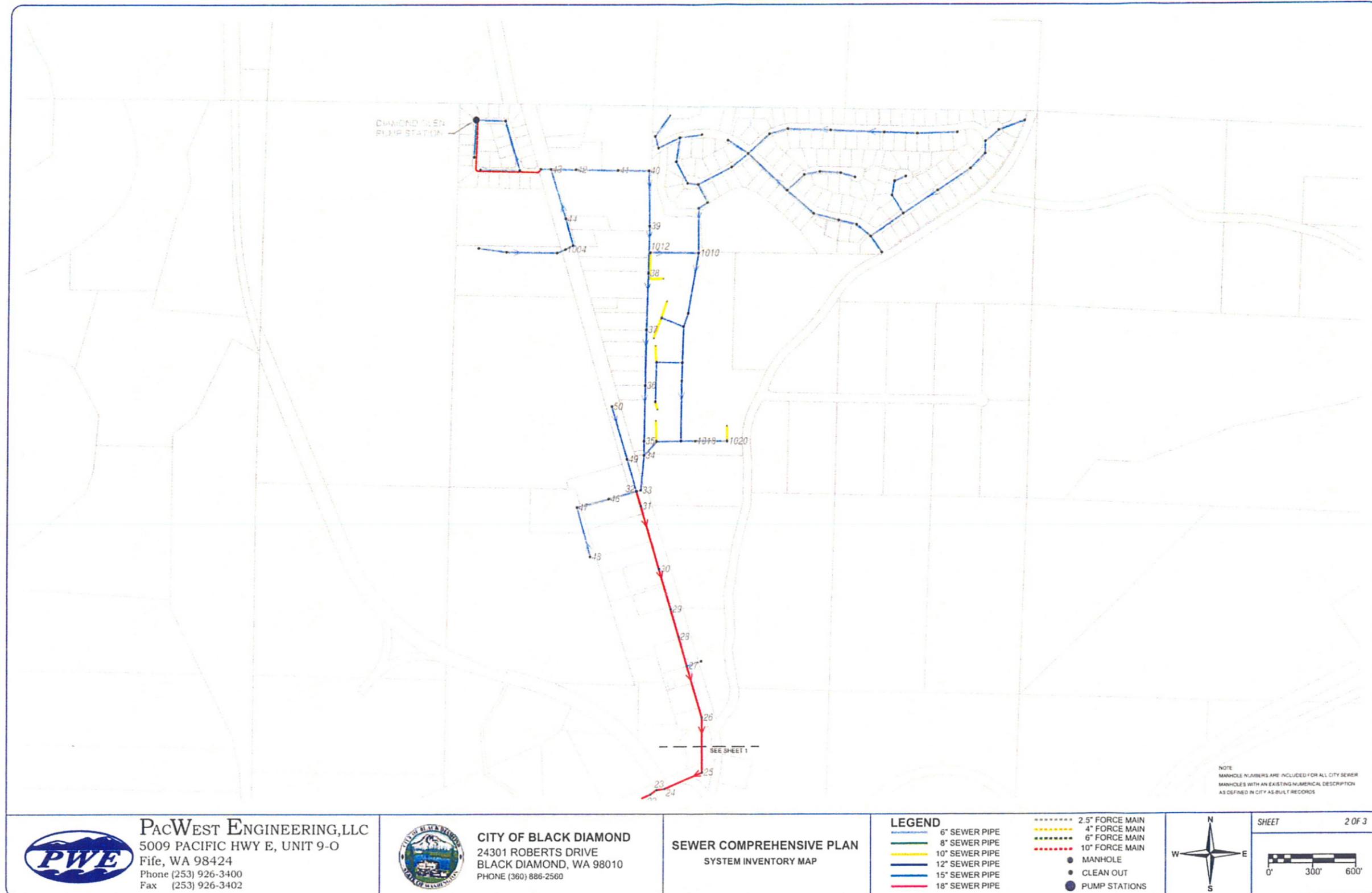


Figure 3.2a System Map (1 of 2)



PacWest Engineering, LLC
 5009 PACIFIC HWY E, UNIT 9-O
 Fife, WA 98424
 Phone (253) 926-3400
 Fax (253) 926-3402

CITY OF BLACK DIAMOND
 24301 ROBERTS DRIVE
 BLACK DIAMOND, WA 98010
 PHONE (360) 886-2560

SEWER COMPREHENSIVE PLAN
 SYSTEM INVENTORY MAP

LEGEND

- 6" SEWER PIPE
- 8" SEWER PIPE
- 10" SEWER PIPE
- 12" SEWER PIPE
- 15" SEWER PIPE
- 18" SEWER PIPE
- 2.5" FORCE MAIN
- 4" FORCE MAIN
- 6" FORCE MAIN
- 10" FORCE MAIN
- MANHOLE
- CLEAN OUT
- PUMP STATIONS



SHEET 2 OF 3

Figure 3.2b System Map (2 of 2)

3.0 EXISTING FACILITIES

PUMP STATIONS

There are four public pump stations within the City of Black Diamond that serve properties that are too low in elevation to be served by typical gravity sewer. The location of these pump stations are shown on **Figure 3.2a System Map**. Details regarding the age and capacity of the pump stations are included in **Table 3.3 Pump Stations**.

Table 3.3 Pump Stations

PUMP STATION	YEAR BUILT	PUMPS	APPROX. CAPACITY
RIDGE P.S.	1993	Two 1.5 HP pumps	105 GPM
DIAMOND GLEN P.S.	1981	Two 1.5 HP pumps	94 GPM
MORGANVILLE P.S.	1980 (new pumps and electrical in mid-1990's)	Two 20 HP pumps	313 GPM
BLACK DIAMOND P.S.	1992	Two 50 HP pumps	1,180 GPM
OLD LAWSON STEP SYSTEM	Unknown	One ½ HP pump	20 GPM

INDIVIDUAL PRESSURE SEWERS⁵

There are currently approximately 13 individual septic tank effluent pumps that pump into a small diameter pressure sewer force mains before discharging into the City's gravity sanitary sewer system. These pressure sewers use septic tank effluent pumps to discharge into the gravity sewer collections system while solids are allowed to settle in a septic tank. These arrangements are used to serve individual collections which are otherwise too low in elevation or remote to be connected to the City's gravity collection system. The City is responsible for maintaining these pumps and septic tanks, and the septic tanks are pumped approximately every four years.

TREATMENT & DISPOSAL

As previously mentioned, the City of Black Diamond abandoned their wastewater treatment plant in 1992. Since that time, Black Diamond sewage has been conveyed from the Black Diamond Pump Station at Jones Lake, through an approximately 7 mile city owned trunk line to the Covington Pump Station within the Soos Creek Water and Sewer District. The Black Diamond sewage then flows through Soos Creek Water and Sewer District facilities to King County Facilities in Kent where the sewage is pumped to King County Waste Water Division's Renton Wastewater Treatment Plant for final treatment and disposal.

⁵ "City of Black Diamond, Comprehensive Sewer System Plan" 2002

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4.0 POPULATION & GROWTH

4.1 CURRENT POPULATION

The 2011 population within the City of Black Diamond is 4,180 per the Washington State Office of Financial Management (OFM). Approximately 1,500 people of this total amount are located in the Lake Sawyer area and are not included in the City of Black Diamond's sewer service area.

4.2 CITY DEVELOPMENT AND GROWTH

The City of Black Diamond was established in the late 1800's as a coal mining town and developed into various clusters of urban level development separated by lower density or opens space. The city encompasses approximately 4,500 acres or 7.1 square miles which includes the Lake Sawyer area. This portion of the City was annexed in 1998 and has a population of approximately 1,500. The Lake Sawyer area is currently served by the Soos Creek Water & Sewer District and is not included in the Black Diamond Sewer Service Area.

LAKE 12 AREA The city in recent years has annexed all of its urban growth area except for the area around Lake 12 (***See Figure 2.1 Black Diamond Sewer Service Area***). The area around Lake 12 was developed as vacation homes on wells and septic systems. Most of the homes now are lived in year around. King County would like to see this area served by sewer because of water quality problems in the Lake and the risk to contamination of the local wells. Currently there are approximately 40 to 50 homes around the lake. The city has not been interested in annexing this area because of the poor road conditions, lack of water system infrastructure, disconnected location from the City and the lack of sewers.

LAWSON HILLS MPD In June of 2009 the City ended a moratorium that had been in place for many years prohibiting development of Master Planned Developments and large subdivisions. When the moratorium was lifted, Yarrow Bay Development Inc. submitted two large Master Planned Developments. "Lawson Hills at Black Diamond" is a master planned community which includes approximately 1,200 new residential units, as well as retail development. "Lawson Hills at Black Diamond" is located on over 325 acres, east of Highway 169 and south of Lawson Street.

VILLAGES MPD The second large scale development that was submitted to the City in the summer of 2009 is "The Villages at Black Diamond". This master planned community includes 4,800 new residential units at build out, as well as retail, office, and other amenities. "The Villages at Black Diamond" is located on 950 acres, west and south of Rock Creek and the Rock Creek core wetland complex. Both Master Planned Developments also have a separate commercial portion of development on the north edge of the city west of State Route 169.

After the public hearings and environmental review process, the city council unanimously approved both Master Planned Developments in August 2010. The Development

4.0 POPULATION & GROWTH

Agreements for both Master Planned Developments were approved by the city council in December 2011. Although there are pending legal actions, financing challenges and uncertain economic markets; this General Sewer Plan assumes that the projects are expected to move forward with initial development starting with infrastructure construction in 2012 and home permitting and construction in approximately 2013.

As the City may face rapid growth, this plan will address efficient collection of sewage within Black Diamond as well as possible interim solutions to conveying sewage to King County Regional Facilities.

4.3 PROJECTED POPULATION GROWTH

The number of sewer equivalent residential units expected to be added to the sewer system was projected for the twenty-year planning horizon. The new yearly ERU connections were developed based on the best estimates received by the Master Developer of the Villages MPD and Lawson Hills MPD plus a very small amount of infill connections from other areas of the city for the 20 year planning period. This General Sewer Plan anticipates that the Master Planned Developments will reach build-out within the 20 year time frame of this plan. This growth rate is consistent with the Comprehensive Plan. The City of Black Diamond growth has been nearly stagnant for 5 years and prior to that growth has been severely limited by infrastructure issues and limited land available for development. In two years, the sewer system is expected to experience substantial growth depending on the housing market and economic conditions.

Assumptions included in this General Sewer Plan for these large-scale developments are based on conversations with the proposed development company and are subject to change based on the actual rate development occurs. As previously mentioned, the Lawson Hills Development consists of 1,200 residential units at build-out plus commercial development. The Villages at Black Diamond development consists of 4,800 residential units at build-out plus commercial development.

As a result of the substantial population growth projected for the City of Black Diamond, the anticipated growth rates associated with the proposed development were utilized in the preparation of this General Sewer Plan, rather than the growth targets included in the King County Annual Growth Report. These population projections are included in **Table 4.1**

Projected Populations & ERU's. ERU's Population projections utilized in the sewer system analysis does not include the population of approximately 1,500 persons within the Lake Sawyer Area as this area is currently being served by the Soos Creek Water & Sewer District.

The sewage service demand of each customer class can be expressed in terms of equivalent residential units (ERU's) for planning purposes. One ERU is equal to the sewage generated from an average single family residence.

4.0 POPULATION & GROWTH

Table 4.1 Projected Populations & ERU's

CURRENT			TOTAL ERU 1,130	RESIDENTIAL 932	OTHER 198	POPULATION 2,516
Year	MPD Growth	Infill ERU's 216	Cumulative ERU's	New Residential ERU (Cumulative)	New Commercial Industrial Institutional ERU (Cumulative)	Population on City Sewer
2012	0	3	1,133	3	0	2,525
2013	256	3	1,392	262	0	3,224
2014	256	10	1,658	528	0	3,942
2015	256	10	1,924	794	0	4,660
2016	447	10	2,381	1,251	0	5,894
2017	477	10	2,868	1,482	256	6,518
2018	481	10	3,359	1,717	512	7,152
2019	481	10	3,850	1,951	769	7,784
2020	481	10	4,341	2,185	1,026	8,416
2021	481	10	4,832	2,419	1,283	9,048
2022	718	10	5,560	2,890	1,540	10,319
2023	715	10	6,285	3,358	1,797	11,583
2024	715	10	7,010	3,826	2,054	12,847
2025	715	10	7,735	4,294	2,311	14,110
2026	715	10	8,460	4,762	2,568	15,374
2027	715	10	9,185	5,230	2,825	16,637
2028	715	10	9,910	5,698	3,082	17,901
2029	715	10	10,635	6,166	3,339	19,165
2030	0	25	10,660	6,186	3,344	19,219
2031	0	25	10,685	6,206	3,349	19,273

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5.0 EXISTING WASTEWATER FLOWS

5.1 HISTORIC SEWER FLOWS

This plan uses the sewer flow records from the Black Diamond Pump Station at Jones Lake as that is the point where the responsibility shifts from the City to King County. These flows are graphically displayed in Figure 5.1 below.

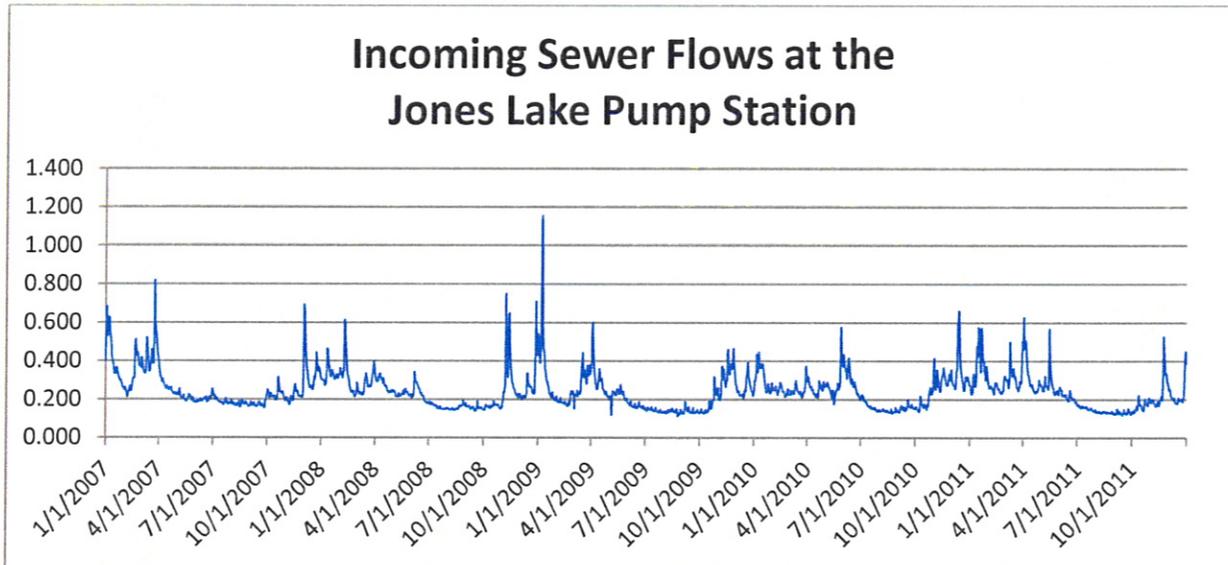


Figure 5.1 Daily Average Flows (MGD)

Table 5.1 *Historic Flows* summarizes historical sewer flows for the Black Diamond Sewer system, measured at the Black Diamond Pump Station at Jones Lake. Data summarized in this table is from the year 2007 through 2011.

5.0 EXISTING WASTEWATER FLOWS

Table 5.1 Historic Flows⁶

FLOW TYPE	FLOW IN GPD	GPD / ERU
Average Dry Weather Flow	163,540	
Average Wet Weather Flow	286,520	
Base Flow	211,310	187
Average Annual Flow	244,990	217
Average Day of the Max Month Flow	437,097	
Maximum Daily Flow	1,139,330	
EPA peak flow threshold	839,000	

Discussion of Table 5.1 Flow Parameters

Average Dry Weather Flow Dry weather flows were calculated as an average for the typical dry weather period of July 1st – October 31st from 2007 through 2011. It might be noted that the dry weather flow is less than the base flow figure of 187 gallons per ERU per day. This may be explained by:

- The main reason for the dramatically lower flows in the summer is due to the lower water tables and periods of no rain which greatly reduces inflow and infiltration
- Not all water used within the home turns into wastewater. 10 to 15% is lost through evaporation in house plant watering, showering, cleaning, dishwashing, and clothes washing, cooking and consumption.
- The use of household water and sewer during the summer months may be lower due to fewer showers and clothes washing when school is out.
- The school is closed in the summer.
- There are typically many people on vacation and out of town in the summer.
- There may be lower water use due to residents enjoying outdoor eating and using more disposable plates therefore using less kitchen water.
- Black Diamond has had higher vacancy rates and empty homes in recent years showing lower usage than the number of connections might predict.
- Some businesses have closed and the restaurants used to have a much more robust business in the summer months.

⁶ Flow data utilized for Figure 5.1, Table 5.1 and 5.2 comes from 2008 -2011 flows as recorded by King County at the Black Diamond Pump Station at Jones Lake. 2007 flow data is from the from King County flow monitoring station in Covington just prior to discharge to the Soos Creek pump station and the data has been adjusted to reflect the I & I between Black Diamond and Covington.

5.0 EXISTING WASTEWATER FLOWS

It is expected that the Average Dry Weather Flow will be closer to the Base Flow as the economy improves.

Base Flow Using the 187 gpd / ERU and the City's current number of sewer connections the theoretical amount of sewage generated each day would be 187 gpd/ERU x 1130 ERU = 211,310 gpd. This is a slightly conservative figure.

Average Wet Weather Flow Wet weather flows were calculated as an average for the typical wet weather period of November 1st – June 30th from 2007 through 2011. The Average Wet Weather Flow is about 35% greater than the base flow.

Average Annual Flow The Average Annual Flow of 245,000 gpd was calculated from the flow data from 2007 – 2011. The Average Annual Flow figure is sometimes used in financial analysis for sewer utilities.

Average Day of the Maximum Month The Average Flow for the Maximum Month is typically used for treatment plant analysis and design.

Maximum Daily Flow The largest City sewer trunk line carrying 90 to 95 % of the City sewer flows has a capacity of 2,800,000 gpd or about 2.5 times the capacity of the Maximum Daily Flow recorded on Jan 7, 2009. This peak day flow occurred after back to back 2 year storms which would be a probability of about a 25 year storm event

EPA Peak Flow Threshold

The United States Environmental Protection Agency released Ecology Publication 97-03, *Inflow/Infiltration: I & I Analysis and Project Certification*, in May 1985. This document establishes the rate of 275 gallons per capita per day (gpcd) as the threshold between systems with excessive and non excessive I & I. This volume per capita identified by EPA is about 4 times what a typical residential flow would be with no I&I or what is commonly known as "base flow". Applying this factor to all sewer connections commercial or residential on an Equivalent Residential Unit basis and 2.7 persons per household yields the EPA threshold figure. $(1130 \times 2.7 \times 275) = 839,000 \text{ gpd}$

5.0 EXISTING WASTEWATER FLOWS

Table 5.2 Top Ten Highest Sewer Flows^{7, 8}

RANK	FLOW (GPD)	DATE
1	1,139,330	1/7/09
2	990,825	1/8/09
EPA threshold	839,000	----
3	819,811	3/25/07
4	743,396	11/7/08
5	708,827	12/28/08
6	691,509	12/3/07
7	683,962	1/3/07
8	659,434	12/4/07
9	658,459	12/14/10
10	647,170	11/13/08

Table 5.2 Top Ten Highest Sewer Flows⁷ lists the ten highest flows for the period between January 2007 and August 2011. Earlier past records show that several major storm events have resulted in peak flows higher than the January 7, 2009 1.1 mgd peak day event. This plan did not evaluate the circumstances or recurrence level of the earlier events. Several illegal storm water connections have been located and disconnected in recent years and improvements to storm water systems may also explain the improvement in peak day events. The review of the peak day events does show that the existing City sewer collection system still has an I & I problem that will require continued diligence to keep under control. The Maximum Daily Flow event was preceded by 3 days of significant rain storms, then a storm of 2.8 inches of rain hit on the January 7. Evaluation of this storm event shows recurrence probability of the entire storm event is approximately a 25 year event. This type of storm tends to produce higher levels of I & I because the period of rain leading up to the storm raises the water tables so when the larger event hits at the end more water turns to runoff and raises the water tables even higher increasing infiltration and inflow greatly.

5.2 EQUIVALENT RESIDENTIAL UNIT (ERU)

To determine the amount of average sewage flow generated from a typical residence in Black Diamond, the number of single family residences divided by the water use records for all of the single family residences over the 2011 year divided by 365 days. This resulted in an ERU figure of 187 gallons per day per residence. While this figure does include some irrigation, it has been noted that irrigation has been much lower in recent wet summers and since the implementation of tiered water rates. As the economy improves

⁷ Flows as recorded by King County at the Jones Lake Pump Station.

⁸ Flow data from the Jones Lake Pump Station not available for November 7, 2008. Amount calculated using a factor of 1.06 less than flow recorded by King County at Soos Creek's Lift Station #11. The 1.06 factor was determined from existing data by calculating an average difference between wet weather flows recorded at the Soos Creek station and the Jones Lake station.

5.0 EXISTING WASTEWATER FLOWS

water and sewer use is expected to increase as well. The most recent year of data was used to reflect the most current water and sewer use trends. It is apparent that in recent years the tiered water rates, improved plumbing fixtures and the economy has reduced household water consumption. It is expected that the City will reduce the ERU figure for the water system with the next update of the water comprehensive plan. The sewer ERU calculations for Black Diamond matches up with King County's RCE figure (Residential Customer Equivalent). A RCE is the same as an ERU, just King County's label for the same thing.

5.3 DISTRIBUTION OF DAILY FLOWS

Figure 5.2 *Diurnal Curve* represents the expected peaks during the day on an average wet weather day.

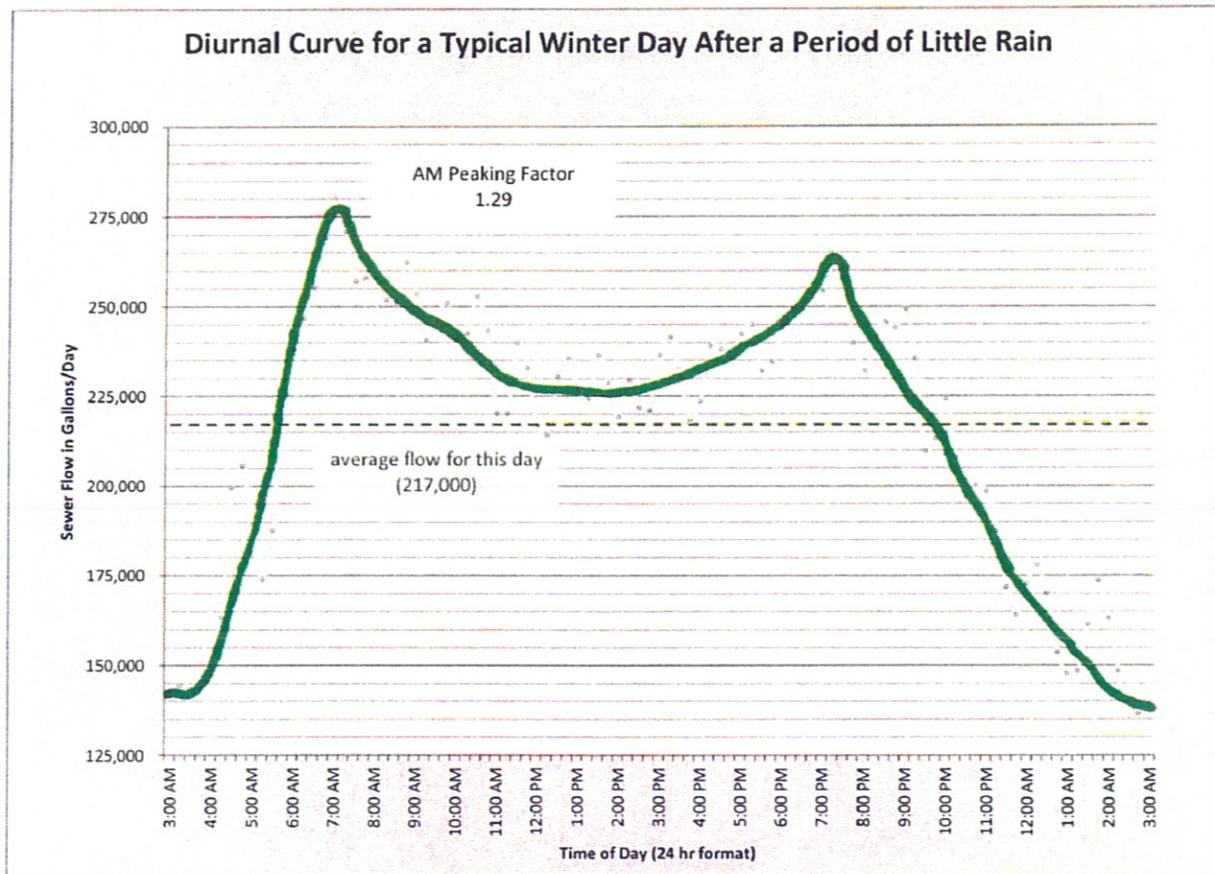


Figure 5.2 *Diurnal Curve*

5.4 INFILTRATION / INFLOW

Infiltration & Inflow (I & I) is the volume of wastewater that enters the sanitary sewer system from the ground through pipe joints and cracks or from other points of entry such as manholes, cross connections, and storm or yard drains. The amount of I & I can be significant at times in some wastewater systems, particularly during months when precipitation is the highest. The addition of Infiltration and Inflow can produce heavy peak

5.0 EXISTING WASTEWATER FLOWS

flows in the sewer system during large rain events. The resultant flows must be received, handled without pump station or local collection overflow, and then treated and conveyed through the treatment plant without affecting the treatment process. I & I into the collection system increases the cost needs for the sewer system as a whole.

The top 10 peak flow events shows that in recent years the City has exceeded the EPA peak flow threshold during one storm event. (See Table 5.2) A comparison to statistical storm events of the major early January 2009 storm shows a recurrence probability of about 25 years. The data tends to show that the largest peaks are associated with time frames when the water tables are high and then a series of wet days accompanied by a large storm. These peak flows are therefore most probably associated with primarily inflow (stormwater discharges from direct connections) boosted by high water tables and some additional infiltration that is only introduced when low areas begin to flood. While the City needs to diligently work to control I & I in the Jones Lake basin, this peak will be less significant to the peak flows for the City as a whole as the City controls the degradation of the existing sewer and constructs high quality tight sewer collection systems as it grows.

Past Inflow and Infiltration Reduction Efforts and Recommendations

Over the past 10 years the City has had limited staff and budget to deal with inflow and infiltration. More recently the City has set aside funding to deal with I / I and has started on initial investigation efforts. The City should prioritize an Infiltration and Inflow program with the following goals in mind:

- Avoid capacity replacement of existing sewer mains
- Preserve the structural integrity of the existing sewer system
- Compare I / I costs to the costs of diverting sewer flows to where capacity is available
- Share the cost of this system maintenance with new connections to the existing system

The City shall establish an annual Infiltration and Inflow program that may include some or all of the following:

1. System Investigation Including Manhole inspections, sewer videos, smoke testing, and flow monitoring
2. Manhole repairs determined from investigation
3. Require homeowners to repair or replace their side sewers that are contributing to Infiltration.
4. Require illegal storm water connections to the sanitary sewer system to be disconnected
5. Regularly evaluate and consider new construction standards that will minimize Inflow and Infiltration.
6. Monitor manholes in areas with flooding potential and seal all manholes that have the potential of being flooded.
7. Seek to improve area drainage with extending the storm water systems to keep water tables in urban areas under control.

6.0 EXISTING SYSTEM EVALUATION

6.1 SYSTEM CAPACITY EVALUATION

A hydraulic model of the Black Diamond sewer system was developed in conjunction with this update to the City's General Sewer Plan. The hydraulic model was developed by PacWest Engineering LLC. PacWest used HYDRA model to assess the existing system capacity of the current system to convey flows based on flow data from 2007. The model will also allow the City to perform future growth scenarios in response to specific development proposals received by the City.

6.2 MODELING SOFTWARE

The HYDRA sewer modeling software by PIZER was utilized to complete the analysis of the existing sewer system. HYDRA is a software product for analysis, design, and management of sewer systems. The program interfaces with AutoCAD and GIS and is a powerful modeling tool. The City currently does not have the software to run the model and will need to either consider purchasing the software or depend on outside consultants to run the model.

6.3 MODEL DEVELOPMENT

An extensive field survey was completed of each sewer manhole within the City's sewer system. The locations were collected using a GPS system. The information obtained through the GPS data collection, as well as the City's existing as-built records served as the basis for the construction of the hydraulic model in HYDRA.

"Service areas" were defined for the HYDRA model. These service areas are defined by the HYDRA program as geographical areas that contribute sanitary flows to a particular collection system entity such as a pipe. The number of ERU's of sewer connected to the system were estimated for each section of sewer pipe and considered as input to the sewer system at the upstream manhole. **Figure 6.1 HYDRA Service Areas** shows the service areas created for the Black Diamond hydraulic sewer model.

6.0 EXISTING SYSTEM EVALUATION

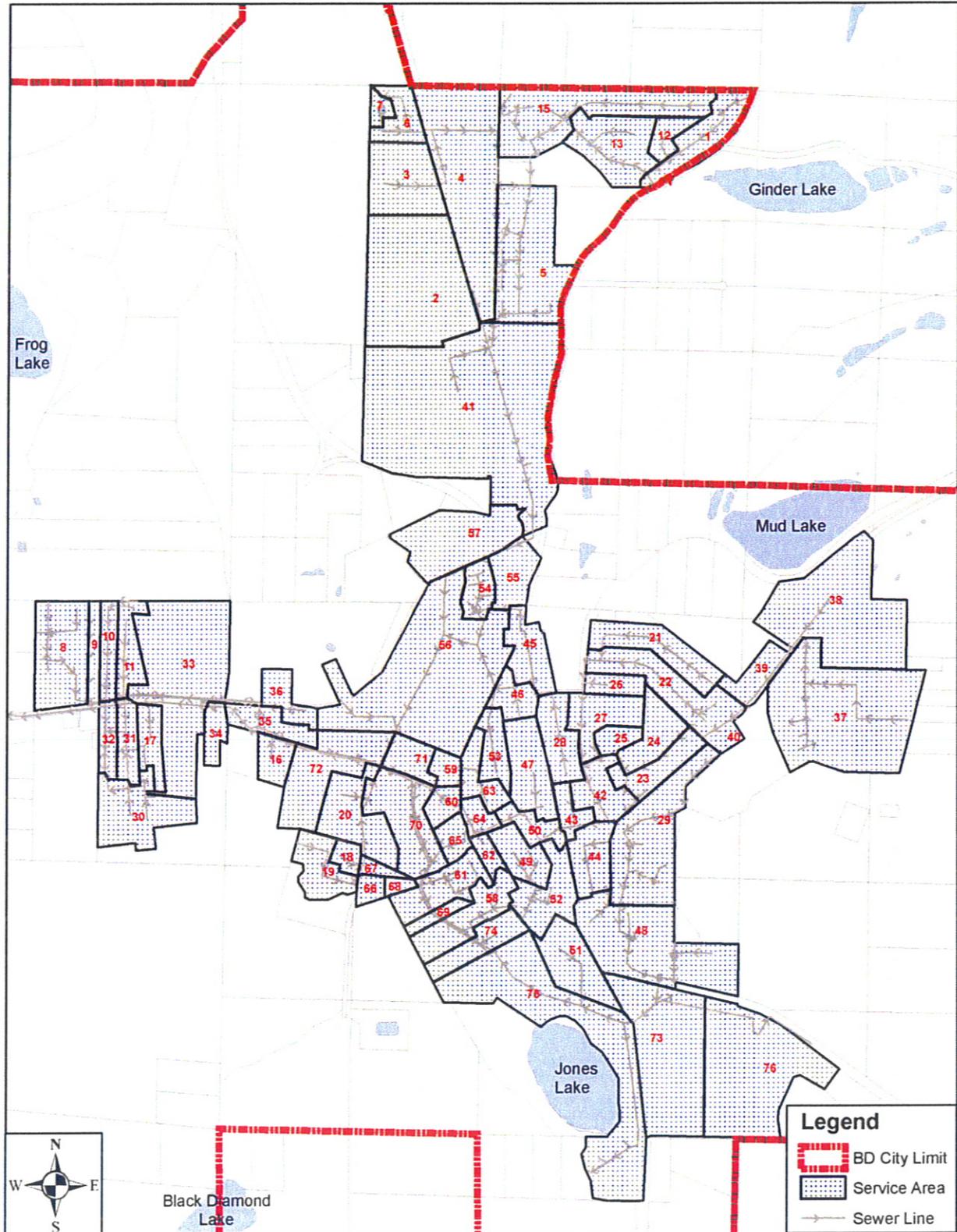


Figure 6.1 HYDRA Service Areas

6.0 EXISTING SYSTEM EVALUATION

6.4 MODEL ASSUMPTIONS

The following assumptions were utilized in the development of the HYDRA model:

Table 6.1 HYDRA Model Assumptions

SYSTEM ELEMENT	ASSUMPTION
Gravity Pipes	<ul style="list-style-type: none">• Manning's n = 0.013 (PVC) ; 0.013 (RCP); 0.013 (DI)<ul style="list-style-type: none">• Minimum Velocity = 2.0 fps• d/D = 0.8• Pipe diameters and inverts were taken from as-built records
Manholes	<ul style="list-style-type: none">• Manhole rim elevations were collected by GPS or approximated using available as-built records or digitized contour elevations.• Pipe inverts were taken from as-built records
Force mains	<ul style="list-style-type: none">• Hazen & Williams Coefficient "C" = 100

6.5 SIMULATION OF FLOWS

In analyzing sewer systems, it is important to consider peaks and lows throughout the day. A diurnal curve represents hourly flows for the system as a whole.

Figure 6.2 Projected Diurnal Factor for Master Planned Development shows a diurnal curve similar to that used in the HYDRA model to represent Black Diamond's daily flows. This diurnal curve is representative of urban bedroom communities with very little commercial development. The City should re-evaluate the flow characteristics in the City after a substantial amount of commercial development has been added to the City.

6.0 EXISTING SYSTEM EVALUATION

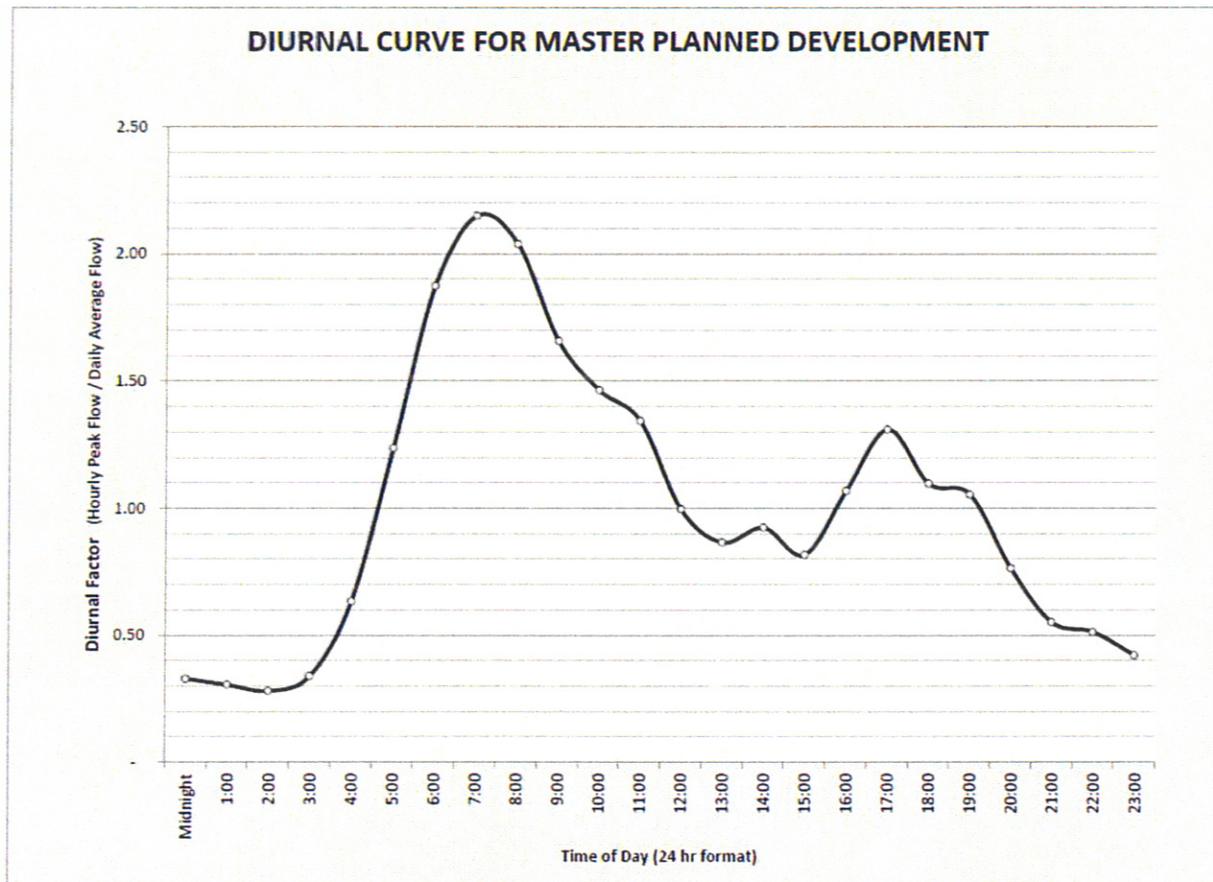


Figure 6.2 Projected Diurnal Factor for Master Planned Development⁹

Two types of flow are simulated in the HYDRA model – average day flow for both dry weather conditions and wet weather conditions. Inflow and Infiltration flows were distributed throughout the system in terms of gallons per mile of pipe per day. Sewage flows are intended to reflect existing sewer conditions.

Flows were distributed throughout the existing system based on actual demands from water billing records. Flows were refined and calibrated to match measured flow data at the Jones Lake Pump Station.

6.6 EXISTING SYSTEM MODEL RESULTS

Collection system constraints.

1. Gravity sewer mains. The sewer system capacity analysis demonstrates that the existing system has sufficient capacity to handle current flow conditions.

⁹ A composite from municipal sanitary sewer systems with similar land use types, sizes and customers – from RH2 Engineering.

6.0 EXISTING SYSTEM EVALUATION

Additionally the main trunk lines of the existing sewer collection system also have more than enough excess capacity to handle all of the infill within the area of the existing system as defined by the Jones Lake Basin in Figure 7.1 to build out.

2. MPD Growth The existing 18 inch sewer trunk line north of the Jones Lake Pump Station does not have enough capacity to handle all of the growth from the MPD's. The 10 inch sewer trunk line running east of the Jones Lake Pump station also does not have enough capacity for all of the flows from the future Lawson Hills MPD. Although these main sewer trunk lines are not large enough to carry all of the flows from the MPD's, there is sufficient excess conveyance capacity in the existing sewer collection system to allow connection of sewer flows from the MPD's on an interim basis. Additional modeling and the time frames will need to be evaluated for interim connections to the existing sewer collection system as well as coordination with King County.
3. Areas beyond the existing sewer collection system.

The areas on the west and south side of Rock Creek do not have any collection system available. A collection system and pump station will need to be constructed. Additional sewer system modeling will be required to determine the sizing of the major collection trunk lines, pump stations and force mains with the engineering reports for the first phases of development.

The area around the Palmer Coking Coal Gravel Pit does not have any collection system available. A collection system and pump station will need to be constructed. Additional sewer system modeling will be required to determine the sizing of the major collection trunk lines, pump stations and force mains with the engineering reports for the first phases of development.

The Lawson Hills area east of the old part of Black Diamond has sewer collection lines stubbed out to it but some of the lines do not have adequate capacity to handle the entire development. Additional modeling will be required to analyze interim connections and inverted siphon sizing and configuration.

Downstream Constraints

Although there are future limitations to the existing King County waste water conveyance system downstream of Black Diamond's sewer collection system, the County has the capital planning in place to construct the facilities needed to provide capacity for the City of Black Diamond as the city grows. The City of Black Diamond has been periodically providing King County with updates of growth projections as the Master Planned Developments continue to move through the permitting process so that King County can plan for capacity upgrades as needed for the City's growth needs and according to City's agreement with King County.

6.0 EXISTING SYSTEM EVALUATION

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7.0 EVALUATION OF FUTURE CONDITIONS

7.1 FUTURE GROWTH

As previously discussed in this plan, there are two large-scale Master Planned Developments proposed within the City of Black Diamond's sewer service area. These developments are the 'Lawson Hills' MPD and 'The Villages' MPD. The City currently serves 1,130 equivalent residential units (ERU's) and this number is projected to grow to about 10,685 ERU's of sewer connections over the next twenty years. The primary driver of growth will be the Master Planned Development projects. There will be some infill growth in the old part of Town but the City is also expecting that some of the growth potential in the old part of Black Diamond will be purchased by the Master Planned Developer for the Transfer of Development Rights as needed for their projects.

7.2 BASIN PLANNING AREAS

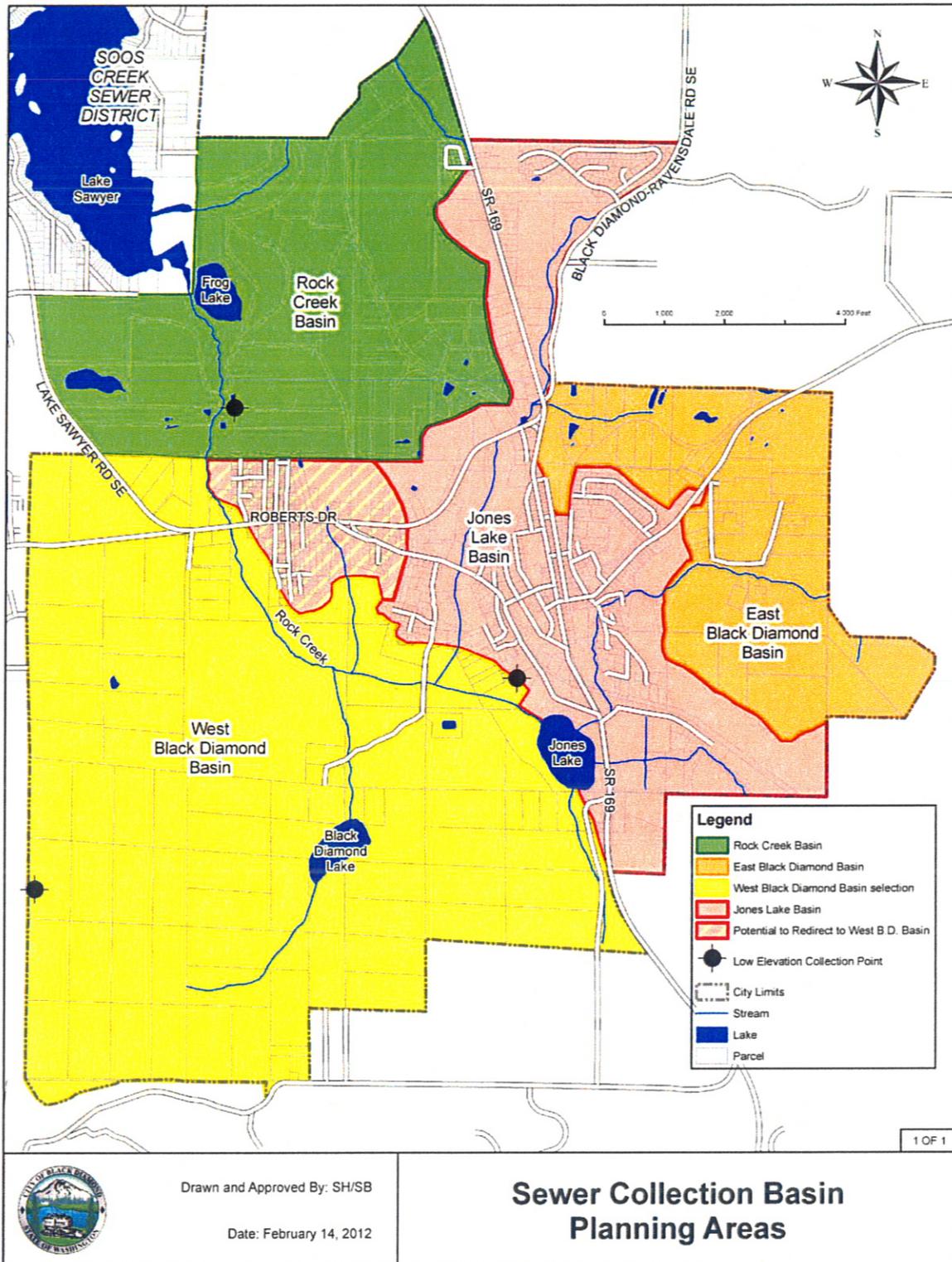
Currently all of the sewage generated in Black Diamond is collected to one point and discharged to King County maintained regional facilities at the Jones Lake Pump Station. One of the main considerations for accommodation of the future growth into the City sewer collection system is the location where the growth is occurring. It is estimated that 66% of the MPD growth will be in west Black Diamond on the south and east side of Rock Creek and the Rock Creek core wetland complex. The topography of the City of Black Diamond lends itself to gravity collection of sewer to two new low collection points both in western Black Diamond. See also the topography discussion in Chapter 2. **See Figure 7.1 Sewer Collection Basin Planning Areas**

The **Rock Creek Basin** is 749.04 acres and is largely unsewered. Most of the basin is an active gravel mine and gravel processing operation. The mining of the remaining gravel is expected to take another 15 years. Eventually this gravel mine area is expected to develop but probably after the time frame of this plan. The Lawson Hills MPD and the Villages MPD have about 770,000 square feet of future commercial development areas designated in the northern part of this basin with a small amount of multi-family. This commercial area is expected to develop in the time frame of this plan. The MPD development at the north end of this basin is expected to generate about 2200 ERU's of sewage. Figure 7.3 highlights the location of MPD development parcels within the City. The low point and the best location for a pump station in this basin is shown in Figure 7.3. The City should consider interim connection of the initial MPD sewer flows to the Jones Lake Basin rather than adding the cost of operation and maintenance of the Rock Creek Pump Station prematurely. Interim connections of new sewer flows from the Rock Creek Basin to the Jones Lake basin sewer collection system will need to be evaluated further to determine if there is available conveyance capacity from the north portion of the Jones Lake basin to the Jones Lake Pump Station.

The **West Black Diamond basin** is undeveloped but is approved for approximately 4660 residential units plus 1100 ERU's of sewer for commercial development for a total of 5760 ERU's of sewer. The area of the West Black Diamond basin is 1,624.17 acres. The low

7.0 EVALUATION OF FUTURE CONDITIONS

point and the best point for central collection of the basin is on the western boundary of this basin, (see **Figure 7.1 Sewer Collection Basin Planning Areas**). A pump station at this point will be required to pump to County facilities.



Drawn and Approved By: SH/SB

Date: February 14, 2012

Sewer Collection Basin Planning Areas

7.0 EVALUATION OF FUTURE CONDITIONS

Figure 7.1 Sewer Collection Basin Planning Areas

The **East Black Diamond** basin is largely undeveloped. Existing gravity sewer is available at the lower western boundary of this area. If this area is connected to the closest existing sewer, the flow would be directed to the Jones Lake Pump Station in the sewer trunk line that roughly follows Lawson Creek. However this trunk line does not have the capacity to accept all of the flows from the Lawson Hills MPD. The East Black Diamond Basin sewer flows could easily be routed to any basin in the City. So the decision of where to direct the flows from this basin should be related to the impact to the existing collection system and King County capacity considerations. If the King County sewage equalization storage project is located in the western portion of the City, the flow from this basin should be routed to the West Black Diamond basin as King County will want to then limit flows to the Jones Lake pump station to avoid an upgrade of that facility. The area of the East Black Diamond basin is 432.43 acres.

The area of the **Jones Lake Basin** is 897.14 acres. *Figure 7.2 Potential Development - Jones Lake Basin* shows that is a small percentage of remaining developable land remaining in the Jones Lake Basin. Additionally large areas of the Jones Lake Basin are sending areas for the Transfer of Development Rights to the Master Planned Development areas. This is expected to reduce the redevelopment to higher densities in the old part of Black Diamond. This plan recommends directing all new development outside of the Jones Lake Basin direct to King County facilities. As stated in chapter 6 the existing sewer collection system has excess capacity. The City may consider connection of sewer flows from the Master Planned Developments to the Jones Lake Basin system as long as existing collection system capacity issues are mitigated.

7.0 EVALUATION OF FUTURE CONDITIONS

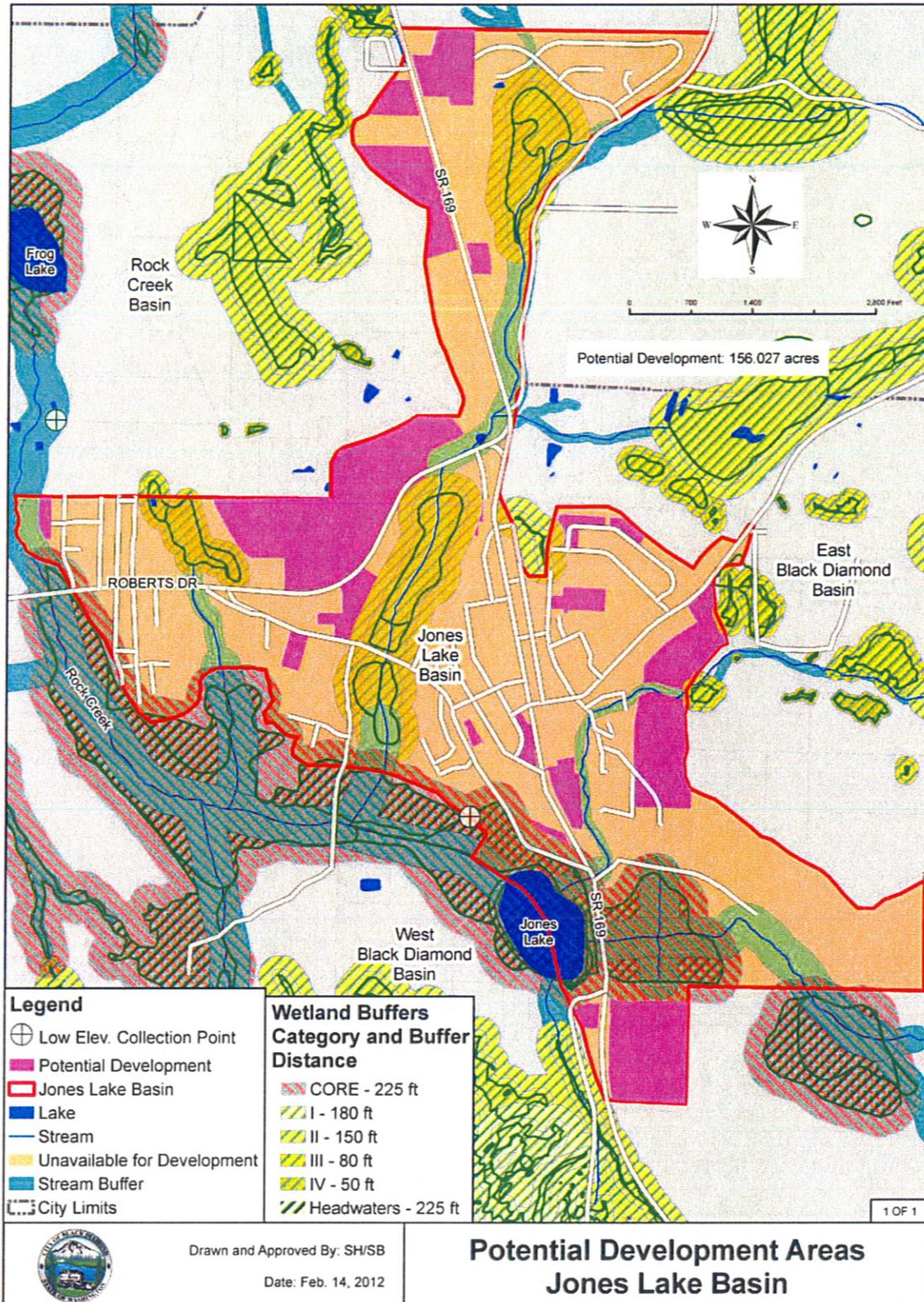


Figure 7.2 Potential Development - Jones Lake Basin

7.0 EVALUATION OF FUTURE CONDITIONS

7.3 POINTS OF DISCHARGE TO KING COUNTY FACILITIES

Currently all of the City sewage flows are discharged to King County facilities at the Jones Lake Pump Station. Since the Master Planned Developments are shifting into major new undeveloped areas, a second point of connection to King County Regional Facilities was considered. The following are points of consideration applicable to this decision:

1. The City has a right to apply for a second point of connection to the King County Regional Sewer System as provided for in section 1.b of the King County Wastewater Division's agreement with the City of Black Diamond for sewage disposal.
2. The large majority of all sewage from future growth will be directed to one of two central low points (pump station 1 and pump station 2, see figure 8.1) in western Black Diamond by the nature the topography. Pump Station 1 is on the opposite side of the wide core wetland from the Jones Lake Pump Station. Furthermore additional areas currently flowing to the Jones Lake basin can easily be rerouted to a number of points in western Black Diamond.
3. A second western connection point to King County Facilities will avoid unnecessary construction disruption to existing neighborhoods by avoiding reconstructing major key sewer trunk lines in and adjacent to sensitive areas.
4. A second point of connection to King County regional facilities avoids unnecessary double pumping of sewage flows. If the sewer flows are pumped to Jones Lake, the sewage then must be pumped again back out west where most of the sewage flow was generated.

7.4 COMPATIBILITY WITH CITY COMPREHENSIVE PLAN AND APPROVED MASTER PLANNED DEVELOPMENT PROJECTS AND AGREEMENTS

Early City sewer planning efforts reflect the collection point decisions discussed in **7.2 BASIN PLANNING AREAS**. The City's Comprehensive Plan reflects the same general sewer collection plan as discussed in **7.2 BASIN PLANNING AREAS** and shown in **Figure 7.3 Future Capacity Projects**. The Master Planned Developments were reviewed and approved in accordance with the City Comprehensive Plan. The Master Planned Development applications show their sewer service plans in more detail and include interim projects, alternative projects and commitments to the City's planned routing for sewer collection.

7.0 EVALUATION OF FUTURE CONDITIONS

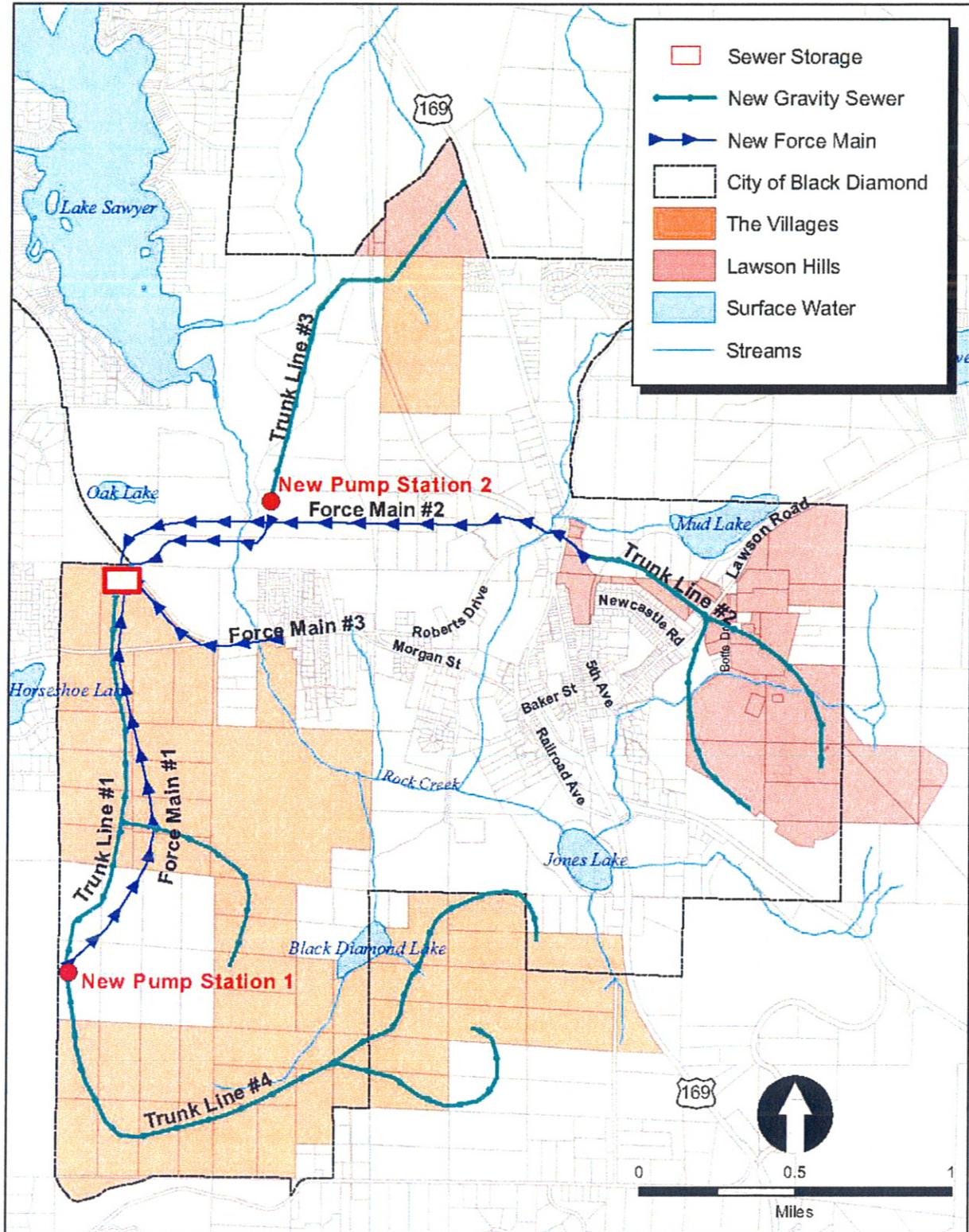


Figure 7.3 Future Capacity Projects

7.0 EVALUATION OF FUTURE CONDITIONS

7.5 COMPATIBILITY WITH KING COUNTY CAPACITY PROJECTS

The Black Diamond pump Station at Jones Lake has a pumping capacity of approximately 1.7 mgd. The gravity trunk line from Black Diamond to the Soos Creek Water and Sewer District facilities has an approximate capacity limit of 1.7 mgd. Recognizing the future capacity limitations of the regional sewer system, King County has planned improvements to address the capacity needs for the City. The first capacity improvement project planned by King County Wastewater Division will be the design, construction, ownership, and operation of a proposed sewage storage facility to reduce peak flow discharges (see **Appendix G – Task 360: Alternatives Analysis Report**). King County's initial pre-design report identified five alternatives and concepts for storage. All of these alternatives were located around the Jones Lake Pump Station. The City has suggested several alternatives for sewer equalization storage in western Black Diamond that have been unacceptable to King County because of operational issues. The City staff, City Council, and City consultants support a western storage option for the following reasons:

1. The City's core wetland, buffer and Sensitive areas ordinance is not respected by a storage option in the Jones Lake area which will have a significant impact to the wetland and the buffer.
2. A large construction project in the Jones Lake area is likely to have be disruptive to and have a significant adverse impact to the existing neighborhood.
3. Sewer overflows at the Jones Lake site, discharge into the core wetland and will be irretrievable causing degradation to the Rock Creek core wetland complex and contributing to phosphorus loading to Lake Sawyer. A sewer overflow on the gravelly soils in western Black Diamond would soak into the soil and the solids could be cleaned up. Any spilled wastewater would be treated to some degree before reaching a water table. Overflows from a western sewer storage option would have less of an environmental impact than a sewer storage facility at the Jones Lake Pump Station.
4. The City's preferred point of discharge to King County Facilities may not be possible if King County locates their sewage storage facility at Jones Lake. Locating the sewer storage facility at Jones Lake adversely affects the sewer system planning summarized above in section 7.3 and introduces negatives to the local sewer system planning points 7.3.1- 4.
5. Beyond local concerns and from a regional sewer customer perspective the Jones Lake storage location will be a more costly project in the following respects:
 - Higher property acquisition costs (10 owners vs. one willing seller)
 - Higher wetland mitigation costs (x acres vs. zero acres at west location)
 - Higher construction costs (soft organic soil conditions and high water water table conditions as compared to gravel in the west location)
6. The western storage location provides a long term advantage to King County and all of the regional customers in the following respect: According to King County planning documents, a Pump Station in the western location will be needed at some point. Alternatively the locating of the storage facility adjacent to the Rock Creek core wetland complex may also introduce an additional future project of an upgrade to the Jones Lake Pumping Facility and additional construction in the buffer for additional sewer force main in the very area the City is trying to protect.

7.0 EVALUATION OF FUTURE CONDITIONS

Another alternative to King County Downstream Capacity Improvements would be a local sewage treatment plant owned and operated by the City. Sewage Treatment Technology has increased tremendously since the 1980's. Drinking water quality treatment levels are now possible. Small footprint, efficient treatment systems with off-the-shelf design are available. Advantages to a City-owned treatment plant are:

- Local high wage jobs
- High-quality water that could be used to improve the local aquatic environment
- Local control and protection of sensitive areas and neighborhoods
- Improved City finances

The City and King County are committed to resolving the sewer connection point and the location of the King County sewage storage location project upon completion of this local sewer planning effort. Various engineering reports regarding the siting of the sewer storage facility can be found in **Appendix G – Task 360: Alternatives Analysis Report**.

7.6 FUTURE WASTEWATER FLOWS

Population projections and ERU projections were previously included in **Table 4.1 Projected Populations & ERU's**. With the implementation of a good Inflow and Infiltration program and with superior collection system construction in primarily gravel outwash areas of low water table, the current I & I issue will diminish in significance to the total future sewer flows from the City of Black Diamond. The City expects to be able to keep the existing sewer collection from further degradation and may be able to reduce the I / I peak from the old part of the City with the implementation of the I & I program recommendations. The flows from the Jones Lake Basin are expected to grow very slowly. The City also has the ability to redirect major portions of the Jones Lake basin to west if necessary.

Flow estimates from all other basins.

The city expects to be able to construct and maintain a high quality tight sewer system and is therefore estimating I & I to be controlled at 700 gallons per developed acre per day. This will result in a peak day flow from the entire City sewer service area (new development plus the flows from the existing system) of 3,534,000 gpd.+

7.0 EVALUATION OF FUTURE CONDITIONS

Table 7.1 Projected Future Flows from Black Diamond Sewer Service Area in 2031 (see assumptions below)

FLOW DESCRIPTION	FLOWS FROM NEW DEVELOPMENT	FLOWS FROM ENTIRE SEWER SERVICE AREA
BASE FLOW	1,800,000	2,000,000
ANNUAL DAILY AVERAGE	2,100,000	2,300,000
MAXIMUM DAILY	2,400,000	3,500,000
PEAK HOUR	5,100,000	5,800,000

These figures were generated based on the following assumptions:

- Base Flow was estimated based on 187 gpd / ERU
- Annual Daily Average Flow was estimated based on 217 gallons per day. This is a conservative estimate as the annual average for new development is based on the annual average for the current leaky system
- The Maximum Daily Flow was estimated based on 924 developed acres and 700 gallons per acre per day to account for I & I and additive to base flow. For the existing flows the current maximum day of 1,100,000 gpd was added to the New development max daily flow
- The peak hour flow was estimated using a peaking factor of 2.5 applied to the average daily flow. The peaking factor from the Water Agency Design Guidelines was compared to the Department of Ecology Sewage Works Design Figure C1-1. Since the two methods yielded similar results, the average and minimum peaking factor of 2.5 was used.

7.0 EVALUATION OF FUTURE CONDITIONS

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8.0 SYSTEM OBJECTIVES AND POLICIES

8.1 CURRENT EXISTING SYSTEM OBJECTIVES AND POLICIES

The City has previously established objectives and policies to guide the growth, operation, and maintenance of the City's sewer utility and incorporated them into the City's Comprehensive Plan. This plan suggests several new policies and or changes to existing code.

New policies that should be considered:

New Policy 1: Capital Facility Charges for Commercial development shall be charged on an ERU basis consistent with King County methodology.

Discussion: This will provide equity between commercial and residential and be consistent with capital facility charges for the water department. Lot area and the number of bathrooms are not good predictors of the volume of sewage that can be generated from a Commercial establishment.

New Policy 2: Monthly sewer rates for any residential customer shall be the same regardless of the housing type.

Discussion: Each housing type whether town house, mobile home, apartment, or detached single family homes inhabit a variety of family sizes with a variety of sewage use habits and variety of plumbing efficiency. Additionally, most all residential customers have similar use patterns and similar sewage strength which impact the sewer system in much the same way.

New Policy 3: The Cash Reserves for the Sewer Operating Fund should be equivalent to 3 months of operating expenses.

New Policy 4: A minimum \$200,000 minimum reserve should be established for the Capital Fund.

New Policy 5: Establish a goal of dedicating 5% of the Operations Budget to the Capital Fund on a yearly basis to fund Repair and Replacement Projects.

8.0 SYSTEM OBJECTIVES AND POLICIES

New Policy 6: As the City continues with I & I efforts and if it becomes apparent that significant stormwater contributions to the sewer system is coming from failing side sewers, the City should adopt a side sewer reconstruction assistance fund and require replacement of deteriorated side sewers.

New Policy 7: Update the capital facility charge and base the charge on the amount of expected sewage use by equivalent residential unit of sewage flow (ERU).

Discussion: The current city code is based more on lot sizes and building sizes rather than actual sewage flow produced. The current code can under estimate sewage flows that will actually be generated from businesses and high density housing.

New Policy 8: Capital Facility Charges for residential housing shall be based on an equivalent residential unit, (ERU). The determinations of equivalent residential units shall be consistent with King County's methodology.

Discussion: Residential use patterns are typically all the same and therefore generate peaks to the system at about the same time. The City should be consistent with King County in the methodology for the accounting of sewer capacity. The lot area component of current code does not predict the amount of sewage from a residence.

9.0 CAPITAL IMPROVEMENT PLAN

9.1 PROJECT IDENTIFICATION METHODOLOGY

This chapter presents the proposed projects and schedule for the City of Black Diamond's Capital Improvement Plan (CIP). This Capital Improvement Plan does not address local sewer collection facilities that will be by developer extension with implementing subdivisions. The projects were selected to address repair and replacement needs, routing flows for:

- the most efficient collection of sewage
- meet the needs of expected growth
- avoid undue disruption of existing neighborhoods
- minimize the upgrades of existing sewer mains
- and minimize the impacts to wetlands and buffers

The major capacity adding developer funded projects are also shown in this plan as the City will direct the primary aspects of design of these facilities. The City retains the flexibility to reschedule, expand, or reduce the projects included in the CIP and to add new projects to the CIP, as best determined by the City when new information becomes available for review and analysis. For example: the Infiltration and Inflow Program may identify a section of sewer that will warrant and require total replacement. Should such a section of severely damaged sewer be discovered, the City will reprioritize the Capital Improvement Plan to address the issue.

9.2 PROJECT COST ESTIMATES

The cost estimates for the Capital Program are based on general comparisons to recent construction costs to develop a general cost per foot for various size sewers or cost per pump station depending on the size. An additive 45% factor was added for design, permitting, project management, inspection, overhead, project administration, surveying and contingency. Final project costs will depend on actual labor and materials costs, actual site conditions, productivity, competitive market conditions, the final project scope and schedule, engineering design, and other variable factors.

9.3 RECOMMENDED PROJECTS

In general, the existing collection system for the City of Black Diamond is performing adequately to meet system needs. The top priorities to be addressed are implementing a strong Infiltration and Inflow program and providing oversight of the major developer improvements for the western Black Diamond basin to meet the needs of future growth. Detailed project descriptions are included below.

Projects have been developed from a variety of sources including: the City's recently updated Comprehensive Plan; utility planning documents prepared by representatives for the 'Lawson Hills MPD' and 'The Villages MPD' (such as the final EIS); the City's previous General Sewer Plan; planning studies completed by King County Wastewater Treatment

9.0 CAPITAL IMPROVEMENT PLAN

Division; and staff investigations conducted in support of the analysis and modeling efforts of the existing system. All efforts have been made to respect these previous efforts and to dovetail these recommendations in with all other recommendations included in this plan. This document is intended to be consistent with rather than conflict with the City's other planning documents such as the overall Comprehensive Plan.

It is intended that this General Sewer Plan contain an inclusive list of recommended system improvements; however additional projects may need to be added or removed from the list as growth occurs and/or conditions change.

Projects have been categorized as: Wastewater Treatment Improvements; System Rehabilitation Projects; or System Capacity Improvements.

WASTEWATER TREATMENT IMPROVEMENTS

Complete close out of the Old Treatment Plant

The previous owner (Palmer Coking Coal) of the sewer lagoon site has the right to repurchase the property once the City is no longer using the property for sewer treatment purposes and has requested the City return the property according to the purchase and sale agreement conditions. (See **Appendix H – Statutory Warranty Deed – Palmer Coking Coal Company**) The City has been using the old sewage treatment plant to treat the remaining bio-solids. A period of anaerobic treatment is now complete. The bio-solids in the bottom of the old sewer lagoon need to be tested and a determination made as to remaining treatment and disposal options. Once the remaining bio-solids have been properly tested and approved for final disposal, the City will permit for trucking or process a permit for land application. Once the bio-solids are removed and the site meets environmental standards, the property can be turned back over to Palmer Coking Coal.

SYSTEM REHABILITATION PROJECTS

Inflow / Infiltration Annual Program

In 2011, the City had a sewer maintenance company photo inspect most of the city's sewer manholes and some of the suspect sewer mains. Although the City anticipated finding some major inflows or infiltration leaks, the investigation indicates that there are multiple small inflows and infiltration leaks throughout the system. The good news is that the main structural integrity of the City's sewer system is in reasonable condition. The challenge will be to continue to investigate the condition of portions of the sanitary sewer system, looking for ways to efficiently reduce inflow and infiltration. Repairs and improvements to the system shall than be addressed through an annual I & I program. The first area of focus will be manhole sealing. The City staff recently has had some training in manhole repair techniques.

The continuing investigation of the sewer system may utilize such techniques as smoke testing; dye testing; visual inspection of manholes and/or pipe video. Flow monitoring may also be helpful in determining major areas of I & I but recent investigation does not show that one area of the sewer system is significantly better or worse than another area of the sewer collection system. The control of I & I inflow into the system will stabilize the

9.0 CAPITAL IMPROVEMENT PLAN

flows from the older portions of the City's sewer collection system and prevent further degradation of the sewer collection system. There are a variety of rehabilitation/repair techniques that the city may utilize to address the I & I flows into the system. The City may wish to use a combination of the following techniques based on the location and severity of I & I inflows discovered through on-going annual investigations.

- **Manhole Rehabilitations** - manhole grouting, spray-on cement liners; epoxy liners; manhole inserts; cure-in-place liners; manhole lid replacement.
- **Pipe Rehabilitation / Replacement** – Pipe replacement (dig & replace); Trenchless methods (pipe bursting, cure-in-place pipe liner, slip liner, fold and form liner). This is probably only cost effective where sewer main are in extremely bad condition where water tables are high.
- **Private side sewer replacement** - City staff suspects that many of the original sewer connections only went as far as the septic tanks when the conversion was made to sewers in the 80's. There may be portions of old clay side sewers that are contributing ground water infiltration into the sewer system.
- **Enforcement Actions to Disconnect Illegal Stormwater Connections** There may be many private side sewer that have storm water connections to the sanitary sewer system. If these can be identified through smoke testing or other methods, they should be disconnected.

Cedarbrook Sewer Main Repairs.

Morgan Creek, a 129-lot residential development, lies in the northeast portion of the City. Sewage from this development flows into a sewer main draining to the south through the Cedarbrook Mobile Home Park. The Cedarbrook Sewer Main was never dedicated to the City. The sewer main through Cedarbrook Mobile Home Park was constructed next to a large wetland connected to Ginder Creek. More investigation is needed to determine the condition of the sewer line, provide adequate access for maintenance, and improve manholes to protect the sewer system from surface water inflow. Relocation of the sewer main may also be part of the solution.

The Cedarbrook Mobile Home Park owner is interested in redevelopment of the Mobile Home Park. Any redevelopment of the Mobile Home Park would require upgrades and potentially reconstruction of the sewer collection system on this property. The necessary repairs, easements and or reconstruction may be completed with the redevelopment of the Cedarbrook Mobile Home Park. If the Mobile Home Park remains long term, the City will eventually need to address the informal discharge of public sewer through the private sewer mains and the condition of the private sewer mains.

SYSTEM CAPACITY IMPROVEMENTS

Extensive work has been completed in recent years to determine the best plan for collection of sewage to serve the proposed growth. All efforts have been made to respect these previous efforts and to dovetail these recommendations in with protecting existing neighborhoods, preserving sensitive areas and their buffers, and avoiding the cost of replacing existing infrastructure and all other recommendations included in this plan.

9.0 CAPITAL IMPROVEMENT PLAN

Figure 7.3 Future Capacity Projects¹⁰ illustrates the major projects proposed to serve future capacity needs of the undeveloped sewer basins in the City. The improvements shown in **Figure 7.3 Future Capacity Projects** identifies the City's preferred best plan for the collection of sewage and is consistent with the City's Comprehensive Plan.

NPS1 (New Pump Station #1): New Pump Station #1 will receive flows from 'The southwestern portion of the City, primarily the 'Villages MPD' (Trunk line #1 & Trunk line #4). From here, sewer flows will be pumped north to the proposed King County storage facility at a location proposed by the City of Black Diamond and acceptable to the Villages Developer west of Lake Sawyer Road. **NPS2 (New Pump Station #2):** New Pump Station #2 will ultimately receive flows 'The North Triangle' (Trunk line #3) and the Palmer Coke and Coal gravel pit basin. From here, sewer flows will be pumped to the King County proposed storage facility. Pump Station #2 is not expected to be constructed until the development of the Palmer Coke and Coal gravel pit. Other interim facilities may be considered as long as the ultimate sewer collection plan is not compromised.

Trunk Line #1: Trunk Line #1 will collect sewage from the initial phases of 'The Villages MPD' in western Black Diamond and route the sewage to NPS1. Trunk Line #1 is estimated to be 10,000 feet of 12-inch to 18-inch gravity sewer.

Trunk Line #2: Trunk Line #2 will collect sewage from 'Lawson Hills MPD', and discharge the collected sewage flows to a force main that routes the sewage to the King County western storage facility. Trunk Line #2 is estimated to be 2,500 lineal feet of 12-inch sewer main from Lawson Street to SR 169.

Trunk Line #3: Trunk Line #3 will collect sewage from the north triangle and portions of the Morgan Kame Pit delivering sewage to NPS2. Trunk Line #3 is estimated to be 5000 lineal feet of 12-inch sewer. Because NPS2 will not be constructed for many years, the City will accept an interim pump station above the Morgan Kame Terrace Mine to service the north portion of the city and pump the sewage to the existing sewer main in SR 169 to provide interim sewer service until the mining is complete and the mined out area is developed.

Trunk Line #4: Trunk Line #4 will collect sewage from the south area of the City (later phases of 'The Villages MPD') and deliver the sewage to the west to NPS1. Trunk Line #4 is estimated to be about 8,000 lineal feet of 12-inch sewer main. Some of the south east portion of the City can be serviced by gravity directly to the King County Pump station at Jones Lake as an alternative. If the City were to consider routing the south east area of the city to the Jones Lake facility, the City would need to reassess this concept based on the capacity of the County facility in future years and the ability to acquire needed easements.

Force Main #1: Force Main #1 will deliver sewage from NPS1 to the proposed King County storage facility on Lake Sawyer Road. The force main is estimated to be about 8,000 lineal feet.

¹⁰ Source: Final EIS – The Villages Master Planned Development

9.0 CAPITAL IMPROVEMENT PLAN

Force Main #2: Force Main #2 will deliver sewage from the 'Lawson Hills MPD' gravity line to the proposed storage facility on Lake Sawyer Road. Portions of this force main would operate as a sewer pressure siphon. A surge valve would be used to develop pressure in the system to force the sewer towards the proposed storage facility. Further review and analysis of this concept will be required during the engineering design phase.

Force Main #3: Force Main #3 is the rerouting of the sewer flows from the Morganville area to the western sewage storage tank site. Currently, sewage flows for the Morganville area are pumped from the Morganville Pump Station to the Black Diamond Pump Station at Jones Lake via a combination of approximately 3,200 lineal feet of force main and approximately 3,200 lineal feet of gravity sewer. Force Main #3 is 2600 feet of 6 inch force in Roberts Drive and Lake Sawyer Road SE, rerouting Morganville sewage flows to the proposed storage facility (see Storage Project #1 below). Rerouting Morganville flows will provide for additional capacity at the Black Diamond Pump Station for any infill in the Jones Lake basin if needed.

Storage Project #1: A 750,000 gallon wastewater storage facility is proposed to be constructed by the King County Wastewater Treatment Division to reduce peak flows and extend the capacity of the downstream regional conveyance system. This project is included in the City's capital Improvement Program only because the location has such a significant impact to the City's sewer capacity project planning and is of high interest to the local policy makers because of the impact to wetlands. This project is considered part of King County's regional system and as such will be funded by King County. The location shown on **Figure 7.3 Future Capacity Projects** shown here again is the preferred proposal of the City. For additional details, refer to a previous section of this plan --

9.0 CAPITAL IMPROVEMENT PLAN

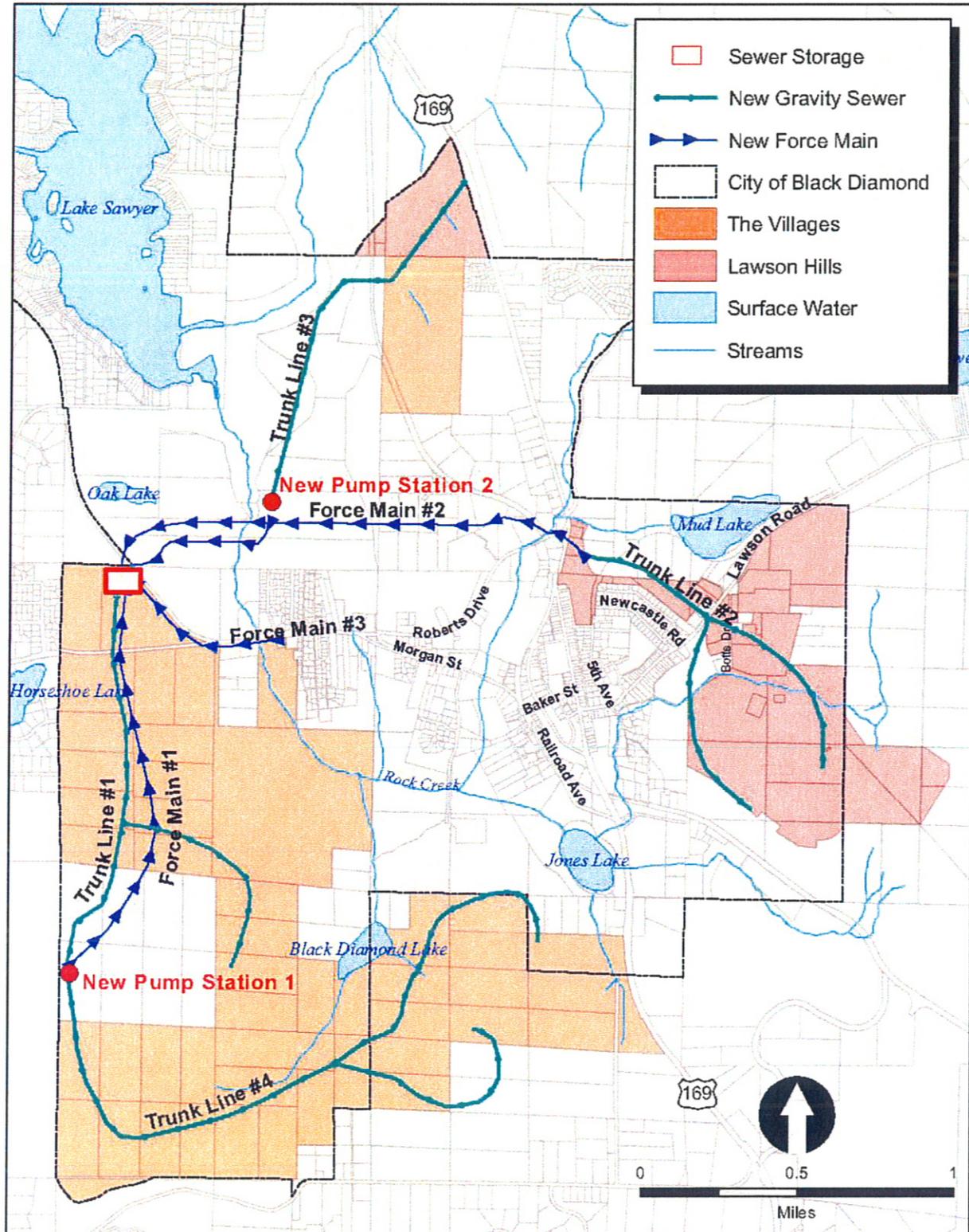


Figure 7.3 Future Capacity Projects

9.0 CAPITAL IMPROVEMENT PLAN

Table 9.1 Capital Improvement Plan

PROJECT	ESTIMATED TOTAL COST	Costs are in 2010 Dollars										2018-2031	
		2012	2013	2014	2015	2016	2017						
Decommission the Old Treatment Plant	\$30,000	\$10,000	\$20,000										
Morganville Sewer Pump station rehab.	\$80,000	\$80,000											
Inflow/Infiltration Annual Program	\$180,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000					\$30,000		reassess
Cedarbrook Sewer Main Repairs	\$ 250,000					\$250,000							
Morganville Sewer Reroute to the west; Force main #3	\$460,000										\$460,000		
PW Building, Vac Truck, Shop & Materials storage	\$300,000										\$300,000		\$50,000/yr saving plan
New Pump Station #1	\$1,500,000			\$1,500,000									
New Pump Station #2	\$1,500,000												\$1,500,000
Trunk Line #1	\$ 2,700,000			\$ 2,700,000									
Trunk Line #2	\$ 667,000												\$667,000
Trunk Line #3	\$ 1,350,000												\$1,350,000
Trunk Line #4	\$ 2,100,000												\$2,100,000
Force Main #1	\$ 1,100,000							\$ 1,100,000					
Force Main #2	\$ 1,200,000												\$1,100,000
Storage Project #1	King County												
TOTALS		\$120,000	\$50,000	\$5,300,000	\$30,000	\$280,000	\$790,000						No total as new projects will be identified

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10.0 FINANCES

10.1 SEWER FUND STRUCTURE

The City of Black Diamond operates with two sewer-related funds, as follows: Fund 407 – Wastewater Operating Fund; and Fund 408 – Wastewater Capital Fund. All expenses for on-going day to day services and costs of running the utility are funded by monthly service charges to the City's wastewater customers.

The effective and successful implementation of the sewer operations and maintenance activities and a successful reinvestment and improvement of the existing wastewater system is dependent on sound policies and adequate revenues to support the utility. This Plan presents a financial outlook of both the sewer operations and maintenance fund and the sewer capital improvement fund for a growth and no growth scenario.

The basis for analyzing the Finances for the Sewer Utility are:

1. The accounting history of the Operation and Maintenance Costs
2. The revenue history generated from existing customers
3. Growth projection assumptions from **Table 4.1 Projected Populations & ERU's**
4. The current amount of cash reserves
5. The future obligations identified in Chapter 9.0 in the Capital Improvement Plan, **Table 9.1 Capital Improvement Plan** and the associated revenue sources identified in **Table 10.1 CIP Project Costs & Funding Sources**.
6. The full cost of any King County Wastewater Division increase will be passed on to the customer. In the analysis the King County rates are assumed fixed for simplicity.
7. No changes to staffing level are included in the in either scenario, however;
 - a. Layoffs or rate increases or both will be needed in the no growth scenario.
 - b. Additional staff will be needed in the growth scenario.
8. Both the growth and no growth scenario end the Yarrow Bay funding of Public Works positions through the funding agreement in the middle of 2014.
9. Supplies and other expenditures not linked to growth are increased at a 3% inflation rate.
10. Growth related expenditures like utility tax are increased at the rate of growth
11. Wages are increased at 1% per year.
12. Operation and Maintenance costs will increase by 2 to 3 % per year.
13. Infill growth will pay the current minimum capital facility charge to connect at \$1600 per ERU.
14. In the no growth scenario the Morganville Reroute, the Cedarbrook Sewer Project are delayed beyond the six years and the Public Works Facility and Equipment Project is reduced to \$50,000.
15. The MPD growth will not be paying capital facility charges as the developer will not be utilizing the existing sewer system and will be constructing their own facilities to deliver sewage direct to the Regional King County System.

10.2 CIP FUNDING

The City of Black Diamond is planning to experience significant population growth as the result of two master planned developments (MPD's). This General Sewer Plan anticipates routing sewer in new trunk lines, pump stations and force mains direct to King County facilities. According to the Development Agreement approved by the City Council, the developer will fund and construct the needed capacity additions independent of the existing City sewer system. If the developer temporarily utilizes existing facilities, they will be responsible for any impact to the existing sewer system. The Development agreement therefore appropriately exempts the MPD's from the City Capital Facility Charge. **Table 10.1 CIP Project Costs & Funding Sources** summarizes the City's CIP project list, including estimated project costs and possible funding sources.

Table 10.1 CIP Project Costs & Funding Sources

PROJECT	ESTIMATED COST (2011 DOLLARS)	TYPE OF FUNDING	CITY CAPITAL FUNDING	DEVELOPER FUNDING
Preserve & Protect Old Treatment Plant for Future Use	\$30,000	Rates and Cash Reserves	\$30,000	
Morganville Pump Station Upgrade	\$80,000	Rates and Cash Reserves	\$80,000	
Inflow/Infiltration Annual Program	\$30,000 / year	Rates, Cash Reserves & I & I program	\$180,000	
Cedarbrook Sewer Main Repairs	\$250,000	City/Developer/CFC	\$250,000	
Morganville sewer reroute to west Force Main #3	\$460,000	City rates & cash reserves	\$460,000	Partial funding a possibility
New Pump Station #1	\$1,500,000	Developer		\$1,500,000
New Pump Station #2	\$1,500,000	Developer		\$1,500,000
Trunk Line #1	\$2,700,000	Developer		2,700,000
Trunk Line #2	\$667,000	Developer		\$667,000
Trunk Line #3	\$1,350,000	Developer		\$350,000
Trunk Line #4	\$2,100,000	Developer		\$1,400,000
Force Main #1	\$1,100,000	Developer		\$1,100,00
Force Main #2	\$1,200,000	Developer		\$1,200,000
Storage Project #1	King County	King County		--
Public Works Facilities and Equipment	\$300,000 in first 6 years, then reassess	City Rates, Cash Reserves and Gen Facility charge	\$300,000	
		TOTAL	\$1,300,000	\$9,067,000

10.3 FINANCE OUTLOOK WITH NO MPD GROWTH

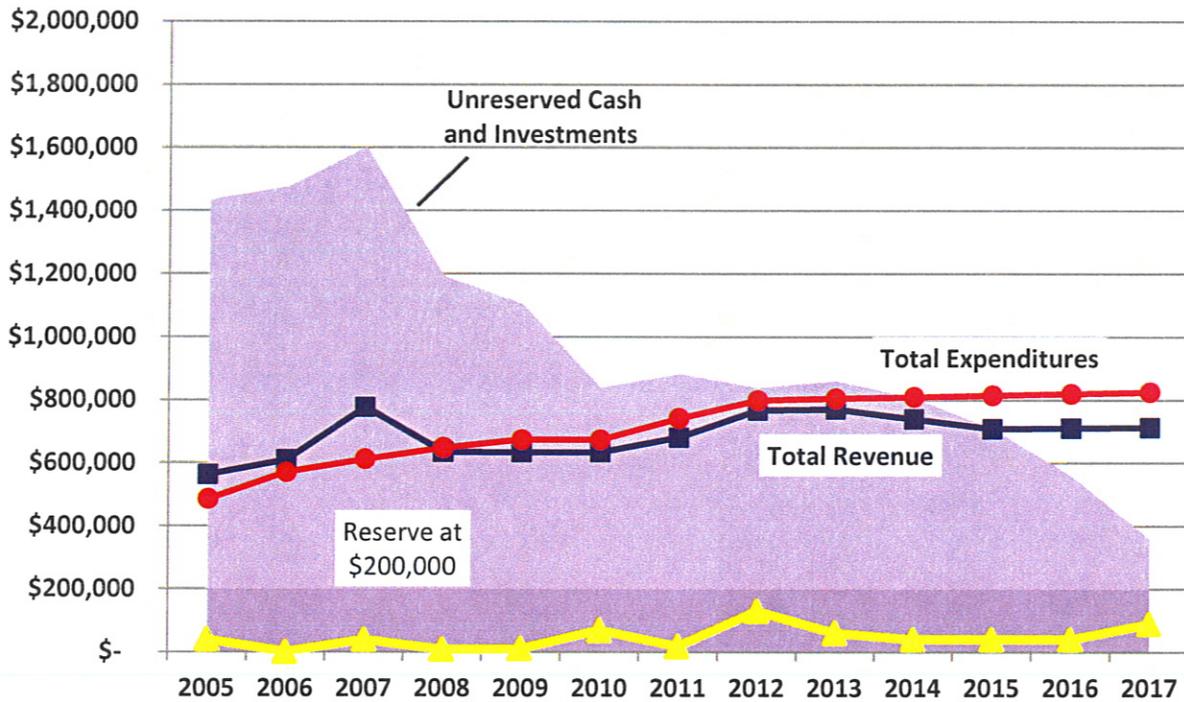


Figure 10.1 Finance Outlook with No MPD Growth

Financial information for the previous six years 2005 – 2011 and the current budget year was reviewed to evaluate the past performance of the utility. The City’s sewer utility has traditionally operated with a significant reserve and has no debt. A summary of historical revenue and expenses for years 2005- 2011 are included in **Appendix I – Historical Financial Summary**. The sewer utilities finances have been fairly stable but with rising costs and insufficient rate increases to cover the rising costs the utility began to lose money in 2008. The Operating fund has been subsidized by the Capital Fund the past 2 years. Although some small rate increases passed the utility continued to operate in the red to the present. As the Sewer Utility was the only fund in the City with cash reserves set aside and other funds have not had the funds available for large expenditures, the Sewer Utility has loaned money to other funds which are now paying back the loans over a period of years. The drop in cash in the capital fund from 2007 to 2010 is due to these loans.

With no growth and the support from the Master Planned Developer going away it is apparent that substantial rate increases and some layoffs will be needed to make up the \$ deficit and provide a 5% support of the capital program for repair and replacement projects. This financial picture of the Wastewater Utilities situation is not detailed enough to

set rates. This analysis provides an overall picture of the health of the Wastewater Utility. The Capital Fund cash level gives the City a year or two of time to see what growth levels will be in order to set the rates for the long term. A no growth scenario shows that available funds will be depleted if rates are not raised in the near future.

10.4 FINANCE OUTLOOK WITH MPD GROWTH

The following graph shows the expected growth in revenues and expenditures for the sewer utility over the next 6 years.

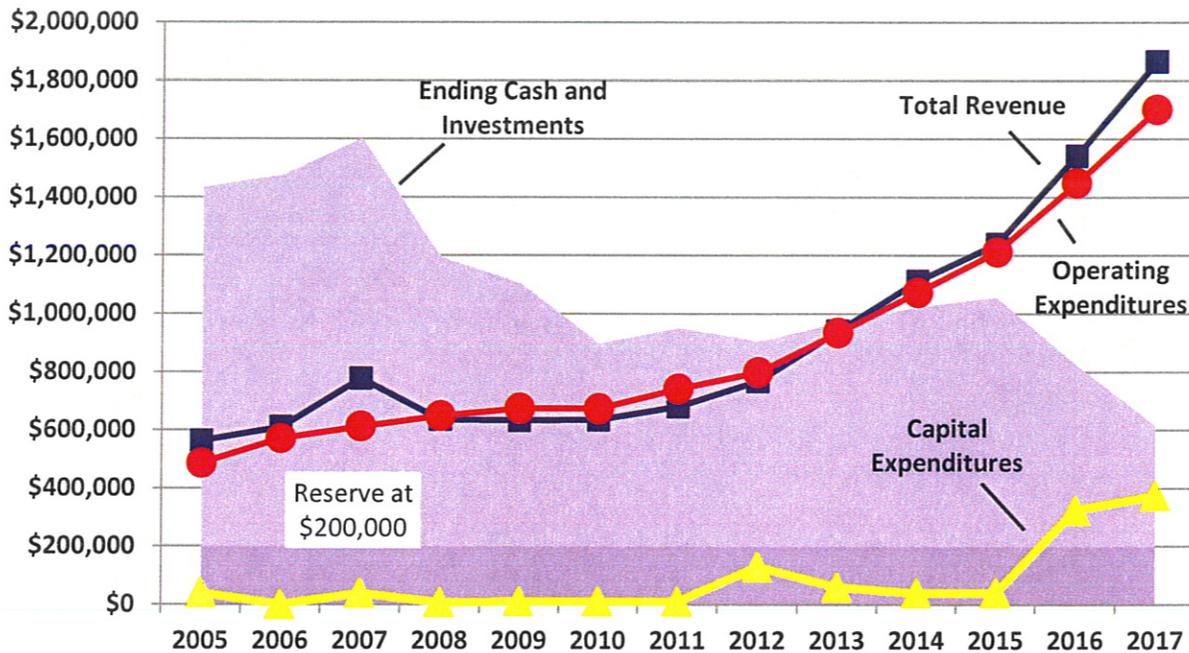


Figure 10.2 Finance Outlook with MPD Growth

Note that in year 2013 the utility no longer is losing money but begins to generate a small amount of funds needed for contribution to the CIP for Repair and Replacement projects. It is recommended that the surplus initially go toward funding the Public Works Director Position and the Public Works Technical Assistant. Once those positions are fully funded, then a small percentage of funds should be transferred to the capital fund for repair and replacement of existing infrastructure. The goal should be to reach a point of contributing approximately 5 % of the Operation and Maintenance budget to the Capital Fund for repair and replacement. Although the cash reserves declines over the 6 years of this plan, additional City project burden in the future is expected to be small.

10.4 MONTHLY SEWER SERVICES RATES

User rates should be set to cover the cost operations, maintenance and administrative costs for the sewer utility and a portion of the capital improvement plan associated with repair and replacement. The monthly charges are set at a fixed rate for each residential equivalent except that commercial accounts also pay for the amount of sewage

discharged to the sewer system. (Water meter flow less any irrigation if metered separately).

The largest portion of the user rates is the King County Wastewater Treatment Division portion of the bill (\$36.10/month) that covers the transport of sewage from Black Diamond to Redmond and the treatment and discharge of the waste water once it gets there. Costs associated with King County’s sewage conveyance and treatment services are passed through to the City’s sewer customers and are covered by City’s user rates. The City shows the component of the City charge that is from King County on the customer’s bill. A residential sewer bill in Black Diamond currently is \$55.26/month.

Table 10.2 Current Sewer User Rates 2012 The cost breakdown is provided for each of the components – King County WTD, and Black Diamond. Lifeline relief is a program offered by the City of Black Diamond which provides utility rate reductions for up to 50% for water, sewer, and stormwater charges for qualifying residents (low-income seniors and low-income disabled residents).

Table 10.2 Current Sewer User Rates 2012

RATE COMPONENT	MONTHLY CHARGE	LIFELINE RELIEF RATES
King County WTD	\$36.10	\$36.10
Black Diamond Sewer	\$19.16	\$9.58
Total	\$55.26	\$45.68
All users other than detached single family homes are also be charged for the water consumed in excess of 750 cubic feet per month, at a rate of \$5.36 per one hundred cubic .		

Rate increases and or growth is needed in order generate enough funds to direct money back to the Capital Fund to support Repair and Replacement projects.

10.5 CAPITAL FACILITY CHARGES

Capital Facility Charges (also known as Connection charges) fund system improvements required as a result of new growth. These are one time charges are collected at the time of building permitting. These funds are deposited directly to the Capital Improvement Fund and used for capacity adding projects. This plan recommends adjusting how the sewer connection charges are levied. The current code is based on a minimum fee plus lot area or square footage and number of bathrooms in commercial buildings. This plan recommends keeping the Capital Facility Charges (Connection Charges) for sewer at the current minimum level but shifting to an Equivalent Residential Unit as a base for calculation of the fee. The Capital Facility charge recommended is \$1600 per ERU. Additional funding sources such as grants and loans occasionally may supplement the Capital Fund.

10.5 CURRENT CAPITAL FACILITY CHARGE AND RECOMMENDATION

The current Connection Charge for residential is based on \$0.14 (fourteen cents) per square foot of lot area with a minimum charge of \$1600. Any lot smaller than 11,428 square feet would pay \$1600 for a sewer connection. Whereas most city sized lots are under 11,428 square feet and would pay \$1600 for a sewer connection, this plan accepts \$1600 per ERU as a fixed Capital Facility Charge for residential connections. The current amount of Capital Funds, expected capital revenue and capital project balance out fairly well leaving a \$350,000 emergency reserve. Since the recommended changes in Capital Facility charges are not adjusting the amount collected but rather fixing the amount to Equivalent Residential Units and removing some variables that are only loosely tied to the amount of sewage generated and the capital program is in balance, a further Capital Facility Charge study is not recommended.

The existing sewer system has adequate hydraulic capacity to serve all of the expected infill, therefore additional capacity adding projects for the infill in the Jones Lake basin is not anticipated. Needed capacity outside the Jones Lake Basin will be entirely funded by the Master Planned Development developer. The City should hire a consultant to evaluate the capital facility charge level at the next major update of the sewer capital improvement plan.

Table 10.3 Recommended Sewer Capital Facility Charges

CUSTOMER TYPE	CAPITAL FACILITY CHARGE
Single Family Residential	\$1,600 per ERU
Multi-Family Residential	\$1600 per ERU
Commercial, Industrial, & Public Buildings	\$1600 per ERU for each business plus \$1600 per ERU of the maximum sewage use for that business.
Recreational Vehicle Connections	\$50 plus the cost of inspection by city staff as set forth in the City's fee schedule. Unit must be equipped with a locking device provided by the applicant and approved by the public works supervisor

10.6 SUMMARY, FINDINGS, AND CONCLUSIONS

1. Without growth significant rate increases and layoffs will be necessary.

2. Capital Facility Charges should be set at the minimum level of \$1600 per ERU and other variables eliminated
3. 5% of the Operations Budget needs to be dedicated to the Capital Fund on a yearly basis to fund Repair and Replacement Projects.
4. A \$200,000 minimum reserve should be established for the Capital Fund
5. The City should complete a rate study in 2013.

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CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Resolution No. 12- 839, authorizing the Mayor to execute a Bill of Sale for water system improvements at City-owned Fire Station #98. The Covington Water District is the receiver of the property improvements.	Agenda Date: November 15, 2012	
	AB12-087	
	Department/Committee/Individual	
	Mayor Rebecca Olness	
	City Administrator – Pete Butkus	X
	City Attorney –Chris Bacha	
	City Clerk – Brenda L. Martinez	
	Finance – May Miller	
	Public Works – Seth Boettcher	
	Economic Devel. – Andy Williamson	
Police – Jamey Kiblinger		
Court – Stephanie Metcalf		
Comm. Dev. – Steve Pilcher		
Attachments: Resolution No. 12-839; proposed Bill of Sale		
SUMMARY STATEMENT: As a part of Fire District’s 44’s Capital Facilities Plan water system improvements, including water line extensions, a post indicator valve and a back-flow prevention device were installed for the purposes of serving a fire suppression sprinkler system. All work was performed at Fire Station #98, located at 22015 SE 296 th ST, Black Diamond. The proposed Bill of Sale is limited to the water line improvements. Other appurtenances are the property of the City. This act closes the legal transference work for this improvement at this site. Previous actions approved by the City Council were an Easement for the improvements and a time-limited Maintenance Agreement. Funding for this project came from funds previously-reserved by (the former) Fire District 17.		
COMMITTEE REVIEW AND RECOMMENDATION: N/A		
RECOMMENDED ACTION: MOTION to adopt Resolution No. 12-839, authorizing the Mayor to execute a Bill of Sale for improvements completed at Fire Station 98.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
November 15, 2012		

RESOLUTION NO. 12-839

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON AUTHORIZING THE MAYOR TO EXECUTE A BILL OF SALE WITH THE COVINGTON WATER DISTRICT FOR WATER SYSTEM IMPROVEMENTS INSTALLED AT FIRE STATION 98 LOCATED AT 22015 SE 296TH STREET, BLACK DIAMOND

WHEREAS, water system improvements including a water line extension, post indicator valve and a back-flow prevention device were constructed at Fire Station 98 under the supervision of the Black Diamond/Mountain View Fire Department; and

WHEREAS, the Covington Water District now desires to have a Bill of Sale to memorialize the transfer of ownership of the water line improvements from the City of Black Diamond; and

WHEREAS, the Bill of Sale does not include the post indicator valve or the back-flow prevention device which are a part of the project owned by the City of Black Diamond;

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

Section 1. The Mayor is hereby authorized to execute the attached Bill of Sale identified as Exhibit "A" with the Covington Water District.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 15TH DAY OF NOVEMBER, 2012.

CITY OF BLACK DIAMOND:

Rebecca Olness, Mayor

Attest:

Brenda L. Martinez, City Clerk

Pete Butkus

From: Melanie Mesker <melanie.mesker@covingtonwater.com>
Sent: Tuesday, October 30, 2012 10:19 AM
To: Pete Butkus
Subject: KCFD 44 Station 98 Bill of Sale
Attachments: notify_covingtonwater_com_20121030_092741.pdf

Hi Pete,

Attached is the final requirement for KCFD Station 98. Please execute the attached bill of sale at your earliest convenience and return it to the District marked to my attention.

Thank you,

Melanie Mesker
253-867-0925

VISION OF TOMORROW | ACTION TODAY

This e-mail and replies are considered public documents and are subject to public disclosure.
Please let the addressee know if you have received this email in error.
This email message has been swept for computer viruses.

COVINGTON WATER DISTRICT
Black Diamond Station 98 Fire Sprinkler Addition & Upgrade
BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS that for good and valuable consideration, the undersigned hereby sets over, assigns, conveys and warrants to COVINGTON WATER DISTRICT (the "District"), a municipal corporation organized under the laws of the State of Washington, and its successors the following water mains and all valves, hydrants and other appurtenances attached thereto (the "Mains"), located in King County, Washington:

Construction Cost Includes materials, labor, contractor overhead and profit, and state sales tax.

Water Main: easements, materials, trenching, installation, restoration, fittings, valves, and all appurtenances.								
Description	Size	Location	from	to	Lineal Ft	Unit Cost	Constr Cst	Project Cst
Ductile Iron	8"	SE Property	Sta. 1+37	Sta. 1+33	4	\$90.77	\$363	\$6,341
Total					4		\$363	\$6,341
Services: service line from water main to water meter box. Fire Service Line includes only fire line from water main to fire vault.								
Fire Svc Lin	Size				Lineal Ft	Unit Cost	Constr Cst	Project Cst
	4"	Se Property	Sta. 1+33	Vault	9.5	\$90.77	\$862	\$15,060
Total					9.5		\$862	\$15,060
Total Construction Cost/Total Project Cost							\$1,225	\$21,401

Note: Lineal feet shown in the table is from as-built information.

The above Mains are located in the following described real property in King County, Washington:

That portion of the Northwest quarter of the Southeast quarter of Section 4, Township 21 North, Range 6 East, Willamette Meridian in King County, Washington, more particularly described as follows:

COMMENCING at the center of Section 4;

THENCE South 03°43'39" West, 35.72 feet along the West line of said Northwest quarter of the Southeast quarter to the Southerly margin of Southeast 296th Street;

THENCE South 85°49'40" East, 218.65 feet along said Southerly margin to the TRUE POINT OF BEGINNING;

THENCE CONTINUING South 85°49'40" East, 20.00 feet along said Southerly margin;

THENCE South 02°54'03" West, 100.58 feet;

THENCE North 87°05'57" West, 35.37 feet;

THENCE North 02°54'03" East, 29.92 feet;

THENCE South 87°05'57" East, 15.37 feet to a point which bears South 02°54'03" West from the TRUE POINT OF BEGINNING;

THENCE North 02°54'03" East, 71.11 feet to the TRUE POINT OF BEGINNING.

The undersigned warrants: (i) Sole ownership of the Mains, free and clear of all claims or liens; (ii) Full power to sell and convey the same; and to defend the title and quiet enjoyment thereof against any and all persons; and (iii) That the Mains are located in dedicated public right-of-ways and/or valid easements running to the District.

The undersigned further warrants for the undersigned and the undersigned's successors: (i) For two (2) years the undersigned will repair any roadway depressions, splitting or damage resulting from insufficient compaction, air pockets and/or other failures arising from trenching, boring or construction; and (ii) For one (1) year the undersigned will repair any other defects in the Mains or appurtenances and/or construction and installation thereof.

The undersigned covenants that if, in the future, the surface grade over the Main is changed, the then owner of the property will pay the cost of relocating the Mains so that the amount of earth covering the same (the depth thereof) meets the District's then minimum standards and specifications. This is a covenant running with the above property and shall be binding on all future owners thereof. Provided, however, that the foregoing covenant shall not apply if, on the date of this Bill of Sale, the Mains are located in a dedicated public right-of-way which has been constructed and permanently graded in accordance with King County Road Specifications and has been accepted by King County for maintenance.

DATED this _____ day of _____, 20____.

INDIVIDUAL ACKNOWLEDGMENT

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this day personally appeared before me _____, to me known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that _____ signed the same as _____ free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this _____ day of _____, 20____.

Notary Public in and for the State of Washington, residing at:

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Ordinance No. 12-983, repealing the existing Black Diamond Municipal Code Chapter 5.02, dealing with Business and Occupation Taxes (B & O).	Agenda Date: November 15, 2012	
	AB12-088	
	Department/Committee/Individual	
	Mayor Rebecca Olness	
	City Administrator -Pete Butkus	X
	City Attorney -Chris Bacha	
	City Clerk - Brenda L. Martinez	
	Finance - May Miller	
	Public Works - Seth Boettcher	
	Economic Devel. - Andy Williamson	
Police - Jamey Kiblinger		
Court - Stephanie Metcalf		
Comm. Dev. - Steve Pilcher		
Cost Impact:		
Fund Source:		
Timeline: Effective 5 days after publication		
Attachments: Ordinance No. 12-983; Memo with background documents		
SUMMARY STATEMENT: Staff is recommending that the existing B & O tax provisions of the City Code which are currently "sunset" but remain on the books be repealed. See attached memo for additional detail.		
COMMITTEE REVIEW AND RECOMMENDATION: N/A		
RECOMMENDED ACTION: MOTION to adopt Ordinance No 12-983, repealing Chapter 5.02 of the Black Diamond Municipal Code.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
November 15, 2012		

**CITY OF BLACK DIAMOND
WASHINGTON**

ORDINANCE NO. 12-983

**AN ORDINANCE OF THE CITY OF BLACK DIAMOND,
WASHINGTON, RELATING TO BUSINESS AND
OCCUPATION TAXES; REPEALING BDMC 5.02
(BUSINESS AND OCCUPATION TAX); PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE
DATE**

WHEREAS, the City Council on December 20, 2007, enacted Ordinance No. 07-847 amending the Business and Occupation Tax Code, codified at Chapter 5.02 of the Black Diamond Municipal Code; and

WHEREAS, the amendment provided that effective January 1, 2008 the City would no longer impose Business and Occupation taxes established pursuant to BDMC Ch. 5.02; and

WHEREAS, although the Ordinance amending BDMC Ch. 5.02 eliminated the imposition of Business and Occupation taxes established under that chapter, it did not provide for repeal of the Business and Occupation Tax Code provisions;

WHEREAS, state law requires, pursuant to RCW Ch. 35.102, that all City Business and Occupation tax codes, with the exception for utility tax codes, include mandatory provisions of the Model Business and Occupation tax ordinance; and

WHEREAS, BDMC Ch. 5.02 is not compliant with state law and thus, in the event that the City Council should decide to reconsider imposition of a Business and Occupation tax, current BDMC Ch. 5.02 would have to be substantially amended; and

WHEREAS, maintaining a Business and Occupation Tax Code that does not actually impose a Business and Occupation tax could cause confusion to current, future and prospective businesses who may review the City Code and not understand that the code includes a provision eliminating the Business and Occupation taxes imposed pursuant to that chapter; and

WHEREAS, the City Council finds it in the best interest of the public health, safety and welfare, to repeal BDMC Ch. 5.02;

NOW, THEREFORE, the City Council of the City of Black Diamond, Washington, do ordain as follows:

Section 1. Repeal of Chapter 5.02 BDMC (Business and Occupation Tax). Chapter 5.02 of the Black Diamond Municipal Code is hereby repealed in its entirety.

Section 2. 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 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 15TH DAY OF NOVEMBER, 2012.

CITY OF BLACK DIAMOND

Rebecca Olness, Mayor

ATTEST/AUTHENTICATED:

Brenda Martinez, City Clerk

Approved as to form:

Chris D. Bacha,
Kenyon Disend PLLC
City Attorney

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

MEMORANDUM

TO: Mayor and City Council
FROM: Pete Butkus
RE: Repeal of Chapter 5.02, BDMC, Business and Occupation Tax
DATE: 30 OCT 2012 –for Council meeting on 15 NOV 2012

Before you today is a staff-generated proposal to clean up a portion of the existing City Code. The wake-up call for this effort is a state-mandated update of local B & O tax laws to meet the state's Model Ordinance. This update is supposed to take place by January 1, 2013.

In the process to determine what needed to be done to meet the new state mandate, it was discovered that in 2008 the then-City Council had passed an ordinance to "sunset" the existing BDMC provisions but otherwise left all of the provisions of the Code in place. No Repeal language was passed.

Given the complexity of the new state Model Ordinance and the desire to make clear to all that there is no B & O Tax in the City of Black Diamond it is recommended that the Council pass the accompanying repeal Ordinance.

As an example of the complexity of B & O taxes under the state's new Model Ordinance, copies of RCW 35.102.040 and 35.102.130 are attached. If, at a future time a City Council wished to impose a B & O tax, it would need to comply with all of the state Model Ordinance provisions.

Attachments:

Copy of Ordinance No. 07-847
Copy of RCW 35.102.040
Copy of RCW 35.102.130

ORDINANCE NO. 07-847

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY WASHINGTON,
ELIMINATING THE CITY'S B & O TAX EFFECTIVE JANUARY
1, 2008 AND AMENDING BDMC 5.02.050

WHEREAS, the City Council desires to eliminate the City's B & O Tax effective January 1, 2008; now therefore,

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

SECTION 1. Section 5.02.050 of the Black Diamond Municipal Code is hereby amended to read as follows:

5.02.050 Imposition of the tax - Tax or fee levied.

A. Except as provided in subsections B and C of this section, there is levied upon and shall be collected from every person a tax for the act or privilege of engaging in business activities within the city, whether the person's office or place of business be within or without the city. The tax shall be in amounts to be determined by application of rates against gross proceeds of sale, gross income of business, or value of products, including by-products, as the case may be, as follows:

1. Upon every person engaging within the city in business as a manufacturer; as to such persons, the amount of the tax with respect to such business shall be equal to the value of the products, including by-products, manufactured within the city, multiplied by the rate of fifteen one-hundredths of one percent. The measure of the tax is the value of the products, including by-products, so manufactured, regardless of the place of sale or the fact that deliveries may be made to points outside the city.

2. Upon every person engaging within the city in the business of making sales at wholesale; as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of such sales of the business without regard to the place of delivery of articles, commodities or merchandise sold, multiplied by the rate of one-tenth of one percent.

3. Upon every person engaging within the city in the business of making sales at retail; as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of such sales of the business, without regard to the place of delivery of articles, commodities or merchandise sold, multiplied by the rate of one-tenth of one percent.

4. Upon every person engaging within the city in the business of (i) printing, (ii) both printing and publishing newspapers, magazines, periodicals, books, music, and other printed items, (iii) publishing newspapers, magazines and periodicals, (iv) extracting for hire, and (v) processing for hire; as to such persons, the amount of tax on such business shall be equal to the gross income of the business multiplied by the rate of fifteen one-hundredths of one percent.

5. Upon every person engaging within the city in the business of making sales of retail services; as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales multiplied by the rate of two-tenths of one percent.

6. Upon every other person engaging within the city in any business activity other than or in addition to those enumerated in the above subsections; as to such persons, the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of fifteen one-hundredths of one percent. This subsection includes, among others, and without limiting the scope hereof (whether or not title to material used in the performance of such business passes to another by accession, merger or other than by outright sale), persons engaged in the business of developing, or producing custom software or of customizing canned software, producing royalties or commissions, and persons engaged in the business of rendering any type of service which does not constitute a sale at retail, a sale at wholesale, or a retail service.

B. The gross receipts tax imposed in this section shall not apply to the first thirty-two thousand dollars in gross proceeds of sales, gross income of the business, and value of products, including by-products, as the case may be, from all activities conducted within the city during any calendar year, or if on a quarterly reporting basis, to the first eight thousand dollars in gross proceeds of sales, gross income of the business, and value of products, including by-products, as the case may be, from all activities conducted within the city during any quarter.

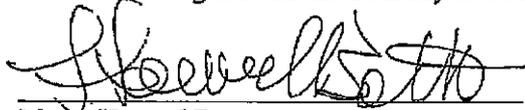
C. Sunset Provision. The City of Black Diamond shall cease to impose and levy a Business and Occupation Tax under this Chapter on January 1, 2008.

SECTION 2. This Ordinance shall be in full force and effect five days after its passage, approval, posting and publication as provided by law. A summary of this Ordinance may be published in lieu of publishing the Ordinance in its entirety.

SECTION 3. If any provision of this Ordinance is determined to be invalid or unenforceable for any reason, the remaining provisions of this Ordinance shall remain in force and effect.

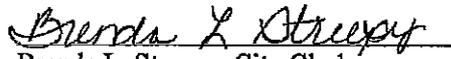
Introduced the 20th day of December, 2007.

Passed by a majority of the City Council at a meeting held on the 20th day of December, 2007.



Mayor Howard Botts

Attest:



Brenda L. Streepy, City Clerk

APPROVED AS TO FORM:

Loren D. Combs, City Attorney

Published: 12-25-07

Posted: 12-21-07

Effective Date: 12-30-07



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[RCWs](#) - [Title 35](#) [Chapter 35.102](#) [Section 35.102.040](#)

[35.102.030](#) << [35.102.040](#) >> [35.102.050](#)

RCW 35.102.040

Model ordinance — Mandatory provisions.

(1)(a) The cities, working through the association of Washington cities, shall form a model ordinance development committee made up of a representative sampling of cities that as of July 27, 2003, impose a business and occupation tax. This committee shall work through the association of Washington cities to adopt a model ordinance on municipal gross receipts business and occupation tax. The model ordinance and subsequent amendments shall be adopted using a process that includes opportunity for substantial input from business stakeholders and other members of the public. Input shall be solicited from statewide business associations and from local chambers of commerce and downtown business associations in cities that levy a business and occupation tax.

(b) The department of commerce shall contract to post the model ordinance on an internet web site and to make paper copies available for inspection upon request. The department of revenue and the department of licensing shall post copies of or links to the model ordinance on their internet web sites. Additionally, a city that imposes a business and occupation tax must make copies of its ordinance available for inspection and copying as provided in chapter [42.56](#) RCW.

(c) The definitions and tax classifications in the model ordinance may not be amended more frequently than once every four years, however the model ordinance may be amended at any time to comply with changes in state law. Any amendment to a mandatory provision of the model ordinance must be adopted with the same effective date by all cities.

(2) A city that imposes a business and occupation tax must adopt the mandatory provisions of the model ordinance. The following provisions are mandatory:

(a) A system of credits that meets the requirements of RCW [35.102.060](#) and a form for such use;

(b) A uniform, minimum small business tax threshold of at least the equivalent of twenty thousand dollars in gross income annually. A city may elect to deviate from this requirement by creating a higher threshold or exemption but it shall not deviate lower than the level required in this subsection. If a city has a small business threshold or exemption in excess of that provided in this subsection as of January 1, 2003, and chooses to deviate below the threshold or exemption level that was in place as of January 1, 2003, the city must notify all businesses licensed to do business within the city at least one hundred twenty days prior to the potential implementation of a lower threshold or exemption amount;

(c) Tax reporting frequencies that meet the requirements of RCW [35.102.070](#);

(d) Penalty and interest provisions that meet the requirements of RCW [35.102.080](#) and [35.102.090](#);

(e) Claim periods that meet the requirements of RCW [35.102.100](#);

(f) Refund provisions that meet the requirements of RCW [35.102.110](#); and

(g) Definitions, which at a minimum, must include the definitions enumerated in RCW

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35.102.030 and 35.102.120. The definitions in chapter 82.04 RCW shall be used as the baseline for all definitions in the model ordinance, and any deviation in the model ordinance from these definitions must be described by a comment in the model ordinance.

(3) Except for the deduction required by RCW 35.102.160 and the system of credits developed to address multiple taxation under subsection (2)(a) of this section, a city may adopt its own provisions for tax exemptions, tax credits, and tax deductions.

(4) Any city that adopts an ordinance that deviates from the nonmandatory provisions of the model ordinance shall make a description of such differences available to the public, in written and electronic form.

[2010 c 271 § 706; 2006 c 301 § 7; 2005 c 274 § 266; 2003 c 79 § 4.]

Notes:

Purpose -- Effective date -- 2010 c 271: See notes following RCW 43.330.005.

Effective date -- Act does not affect application of Title 50 or 51 RCW -- 2006 c 301: See notes following RCW 82.32.710.

Part headings not law -- Effective date--2005 c 274: See RCW 42.56.901 and 42.56.902.



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[35.102.120](#) << [35.102.130](#) >> [35.102.1301](#)

RCW 35.102.130

Allocation and apportionment of income.

A city that imposes a business and occupation tax must provide for the allocation and apportionment of a person's gross income, other than persons subject to the provisions of chapter [82.14A](#) RCW, as follows:

(1) Gross income derived from all activities other than those taxed as service or royalties must be allocated to the location where the activity takes place.

(a) In the case of sales of tangible personal property, the activity takes place where delivery to the buyer occurs.

(b)(i) In the case of sales of digital products, the activity takes place where delivery to the buyer occurs. The delivery of digital products will be deemed to occur at:

(A) The seller's place of business if the purchaser receives the digital product at the seller's place of business;

(B) If not received at the seller's place of business, the location where the purchaser or the purchaser's donee, designated as such by the purchaser, receives the digital product, including the location indicated by instructions for delivery to the purchaser or donee, known to the seller;

(C) If the location where the purchaser or the purchaser's donee receives the digital product is not known, the purchaser's address maintained in the ordinary course of the seller's business when use of this address does not constitute bad faith;

(D) If no address for the purchaser is maintained in the ordinary course of the seller's business, the purchaser's address obtained during the consummation of the sale, including the address of a purchaser's payment instrument, if no other address is available, when use of this address does not constitute bad faith; and

(E) If no address for the purchaser is obtained during the consummation of the sale, the address where the digital good or digital code is first made available for transmission by the seller or the address from which the digital automated service or service described in RCW [82.04.050](#) (2)(g) or (6)(b) was provided, disregarding for these purposes any location that merely provided the digital transfer of the product sold.

(ii) If none of the methods in (b)(i) of this subsection (1) for determining where the delivery of digital products occurs are available after a good faith effort by the taxpayer to apply the methods provided in (b)(i)(A) through (E) of this subsection (1), then the city and the taxpayer may mutually agree to employ any other method to effectuate an equitable allocation of income from the sale of digital products. The taxpayer will be responsible for petitioning the city to use an alternative method under this subsection (1)(b)(ii). The city may employ an alternative method for allocating the income from the sale of digital products if the methods provided in (b)(i)(A) through (E) of this subsection (1) are not available and the taxpayer and the city are unable to mutually agree on an alternative method to effectuate an equitable allocation of income from the sale of digital products.

(iii) For purposes of this subsection (1)(b), the following definitions apply:

(A) "Digital automated services," "digital codes," and "digital goods" have the same meaning as in RCW 82.04.192;

(B) "Digital products" means digital goods, digital codes, digital automated services, and the services described in RCW 82.04.050 (2)(g) and (6)(b); and

(C) "Receive" has the same meaning as in RCW 82.32.730.

(c) If a business activity allocated under this subsection (1) takes place in more than one city and all cities impose a gross receipts tax, a credit must be allowed as provided in RCW 35.102.060; if not all of the cities impose a gross receipts tax, the affected cities must allow another credit or allocation system as they and the taxpayer agree.

(2) Gross income derived as royalties from the granting of intangible rights must be allocated to the commercial domicile of the taxpayer.

(3) Gross income derived from activities taxed as services shall be apportioned to a city by multiplying apportionable income by a fraction, the numerator of which is the payroll factor plus the service-income factor and the denominator of which is two.

(a) The payroll factor is a fraction, the numerator of which is the total amount paid in the city during the tax period by the taxpayer for compensation and the denominator of which is the total compensation paid everywhere during the tax period. Compensation is paid in the city if:

(i) The individual is primarily assigned within the city;

(ii) The individual is not primarily assigned to any place of business for the tax period and the employee performs fifty percent or more of his or her service for the tax period in the city; or

(iii) The individual is not primarily assigned to any place of business for the tax period, the individual does not perform fifty percent or more of his or her service in any city, and the employee resides in the city.

(b) The service income factor is a fraction, the numerator of which is the total service income of the taxpayer in the city during the tax period, and the denominator of which is the total service income of the taxpayer everywhere during the tax period. Service income is in the city if:

(i) The customer location is in the city; or

(ii) The income-producing activity is performed in more than one location and a greater proportion of the service-income-producing activity is performed in the city than in any other location, based on costs of performance, and the taxpayer is not taxable at the customer location; or

(iii) The service-income-producing activity is performed within the city, and the taxpayer is not taxable in the customer location.

(c) If the allocation and apportionment provisions of this subsection do not fairly represent the extent of the taxpayer's business activity in the city or cities in which the taxpayer does business, the taxpayer may petition for or the tax administrators may jointly require, in respect to all or any part of the taxpayer's business activity, that one of the following methods be used jointly by the cities to allocate or apportion gross income, if reasonable:

(i) Separate accounting;

(ii) The use of a single factor;

(iii) The inclusion of one or more additional factors that will fairly represent the taxpayer's business activity in the city; or

(iv) The employment of any other method to effectuate an equitable allocation and apportionment of the taxpayer's income.

(4) The definitions in this subsection apply throughout this section.

(a) "Apportionable income" means the gross income of the business taxable under the service classifications of a city's gross receipts tax, including income received from activities outside the city if the income would be taxable under the service classification if received from activities within the city, less any exemptions or deductions available.

(b) "Compensation" means wages, salaries, commissions, and any other form of remuneration paid to individuals for personal services that are or would be included in the individual's gross income under the federal internal revenue code.

(c) "Individual" means any individual who, under the usual common law rules applicable in determining the employer-employee relationship, has the status of an employee of that taxpayer.

(d) "Customer location" means the city or unincorporated area of a county where the majority of the contacts between the taxpayer and the customer take place.

(e) "Primarily assigned" means the business location of the taxpayer where the individual performs his or her duties.

(f) "Service-taxable income" or "service income" means gross income of the business subject to tax under either the service or royalty classification.

(g) "Tax period" means the calendar year during which tax liability is accrued. If taxes are reported by a taxpayer on a basis more frequent than once per year, taxpayers shall calculate the factors for the previous calendar year for reporting in the current calendar year and correct the reporting for the previous year when the factors are calculated for that year, but not later than the end of the first quarter of the following year.

(h) "Taxable in the customer location" means either that a taxpayer is subject to a gross receipts tax in the customer location for the privilege of doing business, or that the government where the customer is located has the authority to subject the taxpayer to gross receipts tax regardless of whether, in fact, the government does so.

[2010 c 111 § 305; 2003 c 79 § 13.]

Notes:

Purpose -- Retroactive application -- Effective date -- 2010 c 111: See notes following RCW [82.04.050](#).

Effective date -- 2003 c 79 § 13: "Section 13 of this act takes effect January 1, 2008." [2003 c 79 § 19.]

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION			
SUBJECT: Ordinance No. 12-984, setting the Property Tax Dollar amount for 2013 and Ordinance No. 12-984A specifying the 1% Property Tax increase to be used for Public Safety	Agenda Date: November 15, 2012		AB12-089
	Department/Committee/Individual		
	Mayor Rebecca Olness		
	City Administrator – Pete Butkus		
	City Attorney – Chris Bacha		
	City Clerk – Brenda L. Martinez		
	Finance – May Miller	X	
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Jamey Kiblinger		
Cost Impact	Court – Stephanie Metcalf		
Fund Source:			
Timeline:			
Attachments: Ordinance No. 12-984 and 12-984A; Levy certifications, Preliminary KC worksheet			
<p>SUMMARY STATEMENT: Per RCW 84.52.020 the property tax certifications must be filed with King County no later than November 30, 2012 for Property Taxes to be collected in 2013 to be used for Public Safety including Fire, Police and Emergency Services. Adoption of two ordinances is required, one to set a maximum levy dollar amount and a second one to approve the 1% increase over last years levy which is allowed for cities under 10,000 population.</p> <p>King County has sent a preliminary Levy Limit worksheet showing last year’s levy of \$1,389,750 and the allowed 1% increase of \$13,898.for total base levy of \$1,403,648, which does not include New Construction, State Assessed property and any adjustments. A preliminary estimate has also been included for the New Construction, Annexations, State Assessments and adjustments but these amounts usually change in the final worksheet which is not expected until about December 5, 2012 after we adopt our levy. Since we will not know the final amount until after the adoption, I have included an estimate of \$30,000 to cover the possible additional tax items for a total possible levy of \$1,433,648. Our levy will be adjusted down by King County to the actual final amounts, but cannot be increased.</p> <p>King County estimates our total city Assessed Valuation at \$499,048,433 a decrease of \$37,532,233 or a 7% decrease. This will not cause the Black diamond citizens taxes to decrease because the base dollar amount the city can collect over last year’s is limited to an increase of 1%. Each property tax bill is calculated by the county and they set the actual levy rate once they have finalized all assessments and individual valuations.</p> <p>All of Black Diamonds Property Taxes funds are used for Public Safety and provide approximately 64% of the revenue needed to cover Public Safety costs...</p>			
<p>COMMITTEE REVIEW AND RECOMMENDATION: Finance Committee will review the Property Tax Ordinance’s at their November 8, 2012 meeting.</p>			
<p>RECOMMENDED ACTION: MOTION to adopt Ordinance No. 12-984, setting the Property Tax Dollar amount for 2013 and Ordinance 12-984A specifying the 1% Property Tax increase to be used for Public Safety including Fire, Police and Emergency Services.</p>			

RECORD OF COUNCIL ACTION

<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
November 15, 2012		

ORDINANCE NO. 12-984

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, LEVYING THE GENERAL PROPERTY TAXES FOR THE CITY FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2013 ON ALL PROPERTY BOTH REAL AND PERSONAL, IN SAID CITY, WHICH IS SUBJECT TO TAXATION FOR THE PURPOSE OF PROVIDING REVENUE FOR PUBLIC SAFETY FOR THE CITY OF BLACK DIAMOND FOR THE ENSUING YEAR AS REQUIRED BY LAW, PROVIDING FOR SEVERABILITY AND ESTABLISHING THE EFFECTIVE DATE.

WHEREAS, the City Council of Black Diamond, Washington has met and considered the Public Safety budgets for the year of 2013; and

WHEREAS, the Cities under 10,000 population may increase the regular property tax levy from the previous year by up to one percent, and

WHEREAS, A Public Hearing was held on November 15, 2012 regarding the 2013 Budget and the property tax levy, and

WHEREAS, the City Council has properly given notice of the Public Hearing held public hearings on November 15, 2012 to consider the City's 2013 Preliminary Budget including the Revenue Sources, pursuant to RCW 84.55.120; and

WHEREAS, King County requires that the 2013 Property Tax Levies be submitted by November 30, 2012;

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

Section 1. Levy Amount A regular property tax is hereby levied in the amount \$1,403,648 which includes the allowed one percent increase over last year's levy of \$1,389,750. This one percent increases property taxes by \$13,898. This total levy dollar amount is exclusive of the additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, and any increase in the value of state assessed property or any annexations that have occurred and any refunds or adjustment made by the county. The additional property taxes are estimated to add \$30,000 to the levy for new construction or any increase in the annexation, value of state-assessed property or adjustments. The final dollar amount of Property Taxes is determined by King County.

Section 2. 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 preempted by State or Federal law or regulations, such decisions or preemptions shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

Introduced the 15th day of November, 2012

Mayor Rebecca Olness

Attest:

Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:

Chris Bacha, City Attorney

Published: _____

Posted: _____

Effective Date: _____



Ordinance / Resolution No. 12-984A
RCW 84.55.120

WHEREAS, the Council of City of Black Diamond, has met and considered
Washington
(Governing body of the taxing district) (Name of the taxing district)
its budget for the calendar year 2013; and,

WHEREAS, the districts actual levy amount from the previous year was \$ 1,389,750.00; and,
(Previous year's levy amount)

WHEREAS, the population of this district is more than or less than 10,000; and now, therefore,
(Check one)

BE IT RESOLVED by the governing body of the taxing district that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2013 tax year.
(Year of collection)

The dollar amount of the increase over the actual levy amount from the previous year shall be \$ 13,898.00 which is a percentage increase of 1% % from the previous year. This increase is exclusive of
(Percentage increase)

additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

Adopted this 15 day of November, 2012.

If additional signatures are necessary, please attach additional page.

This form or its equivalent must be submitted to your county assessor prior to their calculation of the property tax levies. A certified budget/levy request, separate from this form is to be filed with the County Legislative Authority no later than November 30th. As required by RCW 84.52.020, that filing certifies the total amount to be levied by the regular property tax levy. The Department of Revenue provides the "Levy Certification" form (REV 64 0100) for this purpose. The form can be found at: <http://dor.wa.gov/docs/forms/PropTx/Forms/LevyCertf.doc>.

For tax assistance or to request this document in an alternate format, visit <http://dor.wa.gov/content/taxes/property/default.aspx> or call (360) 534-1400. Teletype (TTY) users may call (360) 705-6718.

PRELIMINARY LEVY LIMIT WORKSHEET – 2013 Tax Roll

TAXING DISTRICT: **City of Black Diamond**

The following determination of your regular levy limit for 2013 property taxes is provided by the King County Assessor pursuant to RCW 84.55.100.

Annexed to Library District (Note 1) Estimated Library rate: 0.50000

Using Limit Factor For District	Calculation of Limit Factor Levy	Using Implicit Price Deflator
1,389,750	Levy basis for calculation: (2012 Limit Factor) (Note 2)	1,389,750
1.0100	x Limit Factor	1.0295
1,403,648	= Levy	1,430,748
1,642,975	Local new construction	1,642,975
0	+ Increase in utility value (Note 3)	0
1,642,975	= Total new construction	1,642,975
2.59196	x Last year's regular levy rate	2.59196
4,259	= New construction levy	4,259
1,407,907	Total Limit Factor Levy	1,435,007
Annexation Levy		
0	Omitted assessment levy (Note 4)	0
1,407,907	Total Limit Factor Levy + new lid lifts	1,435,007
499,048,433	÷ Regular levy assessed value less annexations	499,048,433
2.82118	= Annexation rate (cannot exceed statutory maximum rate)	2.87549
0	x Annexation assessed value	0
0	= Annexation Levy	0
Lid lifts, Refunds and Total		
0	+ First year lid lifts	0
1,407,907	+ Limit Factor Levy	1,435,007
1,407,907	= Total RCW 84.55 levy	1,435,007
4,034	+ Relevy for prior year refunds (Note 5)	4,034
1,411,941	= Total RCW 84.55 levy + refunds	1,439,041
	Levy Correction: Year of Error (+or-)	
1,411,941	ALLOWABLE LEVY (Note 6)	1,439,041
Increase Information (Note 7)		
2.82927	Levy rate based on allowable levy	2.88357
1,391,562	Last year's ACTUAL regular levy	1,391,562
12,086	Dollar increase over last year other than N/C – Annex	39,186
0.87%	Percent increase over last year other than N/C – Annex	2.82%
Calculation of statutory levy		
	Regular levy assessed value (Note 8)	499,048,433
	x Maximum statutory rate	3.10000
	= Maximum statutory levy	1,547,050
	+Omitted assessments levy	0
	=Maximum statutory levy	1,547,050
	Limit factor needed for statutory levy	Not usable

ALL YEARS SHOWN ON THIS FORM ARE THE YEARS IN WHICH THE TAX IS PAYABLE.
Please read carefully the notes on the reverse side.

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: November 15, 2012	AB12-090
Ordinance No. 12-985, adding a new section to the Black Diamond Municipal Code regarding compensation of the City Council	Department/Committee/Individual	
	Mayor Rebecca Olness	
	City Administrator –Pete Butkus	
	City Attorney –Chris Bacha	X
	City Clerk – Brenda L. Martinez	X
	Finance – May Miller	
	Public Works – Seth Boettcher	
	Economic Devel. – Andy Williamson	
	Police – Jamey Kiblinger	
	Court – Stephanie Metcalf	
Comm. Dev. – Steve Pilcher		
Cost Impact:		
Fund Source:		
Timeline:		
Attachments: Proposed Ordinance No. 12-985		
<p>SUMMARY STATEMENT:</p> <p>The City Council at its workshop meeting on October 29 discussed Councilmembers refusing compensation for 2013. The attached ordinance meets that request and also establishes a process for Councilmembers to refuse compensation.</p>		
COMMITTEE REVIEW AND RECOMMENDATION:		
<p>RECOMMENDED ACTION: MOTION to adopt Ordinance No. 12-985, adding a new section to the Black Diamond Municipal Code regarding compensation of the City Council; providing for severability; and establishing an effective date.</p>		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
November 15, 2012		

CITY OF BLACK DIAMOND
WASHINGTON
ORDINANCE NO. 12-985

**AN ORDINANCE OF THE CITY OF BLACK DIAMOND,
WASHINGTON, ADDING A NEW SECTION TO THE
BLACK DIAMOND MUNICIPAL CODE REGARDING
COMPENSATION OF THE CITY COUNCIL; PROVIDING
FOR SEVERABILITY; AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, in order to facilitate planning for and preparation of the annual budget, the City Council desires to establish a process allowing Councilmembers to refuse compensation on an annualized basis co-extensive with the budget period; and

WHEREAS, by adoption of this Ordinance, the City intends to formalize the manner in which the Councilmembers may refuse compensation so that the City Council may rely upon such refusal in planning and adopting the annual budget; and

WHEREAS, adoption of this Ordinance will not have the effect of increasing or decreasing compensation received by any elected official;

NOW, THEREFORE, the City Council of the City of Black Diamond, Washington, do ordain as follows:

Section 1. Adding a new section to Chapter 2.04 (City Council) of the Black Diamond Municipal Code titled Compensation. Section 2.04.030 of the Black Diamond Municipal Code is hereby added to read as follows:

2.04.030 Compensation.

A Councilmember may refuse compensation at any time if he or she provides to the Finance Director a written notice of such refusal. The refusal shall be in effect for the time period specified in the written notice of refusal. It is further provided that, a Councilmember may provide a non-revocable refusal of compensation for a time period commensurate with and for the length the next annual budget period by filing a written notice of such refusal with the

Finance Director on or before November 30th of the year immediately prior to the budget year in which the refusal of compensation will apply. The non-revocable written refusal shall be submitted in a form approved by the Finance Director.

Section 2. 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 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 15TH DAY OF NOVEMBER, 2012.

CITY OF BLACK DIAMOND

Rebecca Olness, Mayor

ATTEST/AUTHENTICATED:

Brenda L. Martinez, City Clerk

Approved as to form:

Chris D. Bacha,
Kenyon Disend PLLC
City Attorney

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

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION			
SUBJECT: Resolution No. 12-840, authorizing the Mayor to execute an agreement between the City of Enumclaw and the City of Black Diamond for Jail Services.	Agenda Date: November 15, 2012		AB12-091
	Department/Committee/Individual		
	Mayor Rebecca Olness		
	City Administrator – Pete Butkus		
	City Attorney - Chris Bacha		
	City Clerk – Brenda L. Martinez		
	Finance – May Miller		
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Chief Kiblinger		X
Cost Impact: Unknown	Court – Stephanie Metcalf		
Fund Source:			
Timeline:			
Attachments: Resolution No. 12-840; Agreement			
SUMMARY STATEMENT: This is an updated agreement between the City of Enumclaw and the City of Black Diamond for Jail Services. Rate is \$60.00 a day, with no booking fees. The City of Enumclaw is our primary booking facility.			
COMMITTEE REVIEW AND RECOMMENDATION:			
RECOMMENDED ACTION: MOTION to adopt Resolution No. 12-840, authorizing the Mayor to execute an agreement with the City of Enumclaw to provide Jail Services.			
RECORD OF COUNCIL ACTION			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
November 15, 2012			

RESOLUTION NO. 12-840

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON,
AUTHORIZING THE MAYOR TO EXECUTE AN
AGREEMENT FOR JAIL SERVICES WITH THE CITY OF
ENUMCLAW**

WHEREAS, currently the City of Black Diamond contracts with the City of Enumclaw for Jail Services and would like to continue the contract for these services;

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

Section 1. The Mayor is hereby authorized to execute an Agreement for Jail Services with the City of Enumclaw in the form substantially attached hereto as Exhibit A.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS NOVEMBER 15, 2012.

CITY OF BLACK DIAMOND:

Rebecca Olness, Mayor

Attest:

Brenda L. Martinez, City Clerk

INTERLOCAL AGREEMENT BETWEEN THE CITY OF ENUMCLAW, WASHINGTON
AND THE CITY OF BLACK DIAMOND, WASHINGTON

FOR THE HOUSING OF INMATES IN THE ENUMCLAW CITY JAIL

THIS INTERLOCAL AGREEMENT is dated effective this 15th day of November, 2012 by and between the City of Black Diamond, Washington, a Municipal Corporation, and the City of Enumclaw, Washington, a Municipal Corporation, each party having been duly organized and now existing under the laws of the State of Washington.

WITNESSETH:

WHEREAS, the Chief of Police for the City of Enumclaw (hereinafter "Enumclaw") is authorized by law to have charge and custody of the City of Enumclaw Jail (hereinafter "Enumclaw Jail"); and

WHEREAS, the City Manager for the City of Black Diamond (hereinafter "City of Black Diamond") is authorized by law to have charge and custody of City of Black Diamond prisoners or inmates; and

WHEREAS, City of Black Diamond wishes to designate the Enumclaw Jail as a place of confinement for the incarceration of one or more inmates lawfully committed to its custody; and

WHEREAS, Enumclaw desires to accept and keep in its custody such inmate(s) in the Enumclaw Jail for a rate of compensation mutually agreed upon by the parties hereto; and

WHEREAS, RCW 39.34.08 and other Washington law, as amended, authorizes any city to enter into an interlocal agreement to permit another city to perform any governmental service, activity or undertaking which either city is authorized by law to perform; and

WHEREAS, the governing bodies of each of the parties hereto have determined to enter into the Agreement as authorized and provided for by RCW 39.34.080 and other Washington law, as amended;

NOW, THEREFORE, in consideration of the above and foregoing recitals, the payments to be made, the mutual promises and covenants herein contained, and for other good and valuable consideration, the parties hereto agree as follows:

1. JAIL AVAILABILITY

Enumclaw agrees to house City of Black Diamond inmates on a "first come, first served" or "space available" basis.

2. COMPENSATION

(a) Rates. The cost of Enumclaw's care of all City of Black Diamond inmates herein shall be \$60.00 per day, per bed/inmate, effective beginning November 15th, 2012 through December 31st, 2013. The parties agree that Enumclaw will not charge a separate booking fee in addition to such rates.

(b) Billing and payment. Enumclaw agrees to provide City of Black Diamond with an itemized bill listing all names of inmates who are housed, the case/citation number, the number of days housed (including the date and time of booking and date and time of release), and the dollar amount due for each. Enumclaw agrees to provide said bill by the 10th of each month. City of Black Diamond agrees to make payment to Enumclaw within thirty (30) days of receipt of such bill for the amount billed for the previous calendar month.

3. DURATION OF INMATE STAY/TYPES OF INMATES

At the time a person is presented to the Enumclaw Jail for booking by a City of Black Diamond officer, the Enumclaw corrections staff will determine whether the suspect and/or prisoner will be accepted for booking. Enumclaw reserves the right, in its sole discretion, to not accept persons injured, extremely ill, or exhibiting behavior that presents an obvious danger to the staff or other inmates. In the event a prisoner is not accepted for booking, Enumclaw shall provide written notice (email is acceptable) to the City of Black Diamond Jail Coordinator indicating why the booking was declined.

(a) Duration of Inmate Stay. The parties agree that the maximum length of stay per inmate, including pre-and post-trial, may not exceed 365 consecutive calendar days per misdemeanor sentence.

(b) Types of Inmates accepted by Enumclaw Jail. City of Black Diamond may not book violent felons into the Enumclaw Jail. "Violent felon" is defined as any person being held for suspicion, warrant, or arrest for any felony crime against a person. City of Black Diamond may book nonviolent felons for a one-night stay provided that City of Black Diamond transports any such nonviolent felons the following day to another jail facility.

(c) Collection of insurance information. Enumclaw agrees to collect medical insurance information from inmates when they are booked into the Enumclaw Jail pursuant to RCW 70.48.130.

4. RIGHT OF INSPECTION

City of Black Diamond shall have the right to inspect, at all reasonable times, all of the Enumclaw Jail in which City of Black Diamond's inmates are confined in order to determine if such jail maintains standards of confinement acceptable to City of Black Diamond and that such inmates therein are treated equally regardless of race, religion, color, creed or national origin; provided, however, that Enumclaw shall be obligated to manage, maintain and operate its facilities consistent with all applicable federal, state and local laws and regulations.

5. FURLOUGHS, PASSES, AND WORK RELEASE

Enumclaw agrees that no early releases or alternatives to incarceration, including furloughs, passes, work crews, electronic home detention, or work release shall be granted to any inmate housed pursuant to this Agreement without written authorization by the committing court. Provided, Enumclaw shall be under no obligation to allow furloughs, passes, work crews, electronic home detention or work release.

6. INMATE ACCOUNTS AND VALUABLES

(a) Enumclaw shall establish and maintain an account for each inmate received from City of Black Diamond and shall credit to such account all money which is received and shall make disbursements, debiting such accounts in accurate amounts for the inmate's personal needs. Disbursements shall be made in limited amounts as are reasonably necessary for personal maintenance. At either the termination of this Agreement, the inmate's death, or return to either City of Black Diamond or indefinite release to the court, the inmate's money shall be transferred to the inmate's account in care of City of Black Diamond. Upon release from incarceration, Enumclaw shall return any remaining money to the prisoner.

(b) Enumclaw shall receive and store property for City of Black Diamond inmates. The property shall fit in a property bag such as a paper grocery bag or small clear plastic bag.

7. RESPONSIBILITY FOR OFFENDER'S CUSTODY

It shall be the responsibility of Enumclaw to confine the inmate or inmates; to provide treatment, including the furnishing of subsistence and all necessary medical and hospital services and supplies; to provide for the inmates' physical needs; to make available to them programs and/or treatment consistent with the individual needs; to retain them in said custody; to supervise them; to maintain proper discipline and control; to make certain that they receive no special privileges and that the sentence and orders of the committing court in the State are faithfully executed; provided that nothing herein contained shall be construed to require

Enumclaw, or any of its agents, to provide treatment, facilities or programs for any inmates confined pursuant to this Agreement, which it does not provide for similar inmates not confined pursuant to this Agreement, or which are not otherwise required by law.

8. MEDICAL SERVICES

(a) Inmates from City of Black Diamond shall receive and Enumclaw shall arrange for such medical, psychiatric and dental treatment as may be necessary to safeguard their health while housed in the Enumclaw Jail and shall notify City of Black Diamond prior to any consultation for non-emergency outside services. Except for in-house routine minor medical services that can be treated by Enumclaw Jail staff, City of Black Diamond shall pay directly or reimburse Enumclaw for all costs associated with the delivery of any medical, psychiatric and/or dental services provided to City of Black Diamond inmates; provided that City of Black Diamond has the option to remove inmates, if at City of Black Diamond's discretion, it believes that another jail would be more appropriate for addressing the inmate's medical needs.

(b) Enumclaw shall keep adequate records of all such services and said records shall be available for City of Black Diamond's review at its request.

(c) Except in emergencies, City of Black Diamond will be notified by contacting the City of Black Diamond Police Department on-duty supervisor or Commander at (XXX) XXX-XXXX, prior to the inmate's transfer to a hospital and nothing herein shall preclude City of Black Diamond from retaking the ill or injured inmate(s). Any emergency medical, psychiatric, or dental services shall be reported to City of Black Diamond as soon as time permits.

(d) If inmates held on City of Black Diamond charges are transported to a local hospital facility, the short term security of said inmates shall be the responsibility of the City of Enumclaw. Short term security is defined as less than three (3) hours.

9. DISCIPLINE

Enumclaw shall have physical control over and power to execute disciplinary authority over all City of Black Diamond inmates. However, nothing contained herein shall be construed to authorize or permit the imposition of a type of discipline prohibited by the Laws of the State of Washington.

10. RECORDS AND REPORTS

Enumclaw shall keep all necessary and pertinent records concerning City of Black Diamond inmates in the manner mutually agreed upon by the parties hereto. During an inmate's confinement in the Enumclaw Jail, City of Black Diamond shall upon request be entitled to receive and be furnished with copies of any report or record associated with said inmate(s) incarceration.

11. REMOVAL FROM THE JAIL

A City of Black Diamond inmate legally confined in the Enumclaw Jail shall not be removed there from by any person without written authorization from City of Black Diamond or by order of any court having jurisdiction. Enumclaw agrees that no early releases or alternatives to incarceration, including furloughs, passes, work release, work crews or electronic home detention shall be granted to any inmate without written authorization from the committing court. This paragraph shall not apply to an emergency necessitating the immediate removal of the inmate for medical, dental, psychiatric treatment or other catastrophic condition presenting an imminent danger to the safety of the inmate or to other inmates or Enumclaw Jail personnel. In the event of any such emergency removal, Enumclaw shall inform City of Black Diamond of the whereabouts of the inmate or inmates so removed, at the earliest practicable time, and shall exercise all reasonable care for the safekeeping and custody of such inmate or inmates.

12. ESCAPES

In the event any City of Black Diamond inmate shall escape from Enumclaw's custody, Enumclaw will use all reasonable means to recapture the inmate. The escape shall be reported immediately to City of Black Diamond. Enumclaw shall have the primary responsibility for and authority to file escape charges and direct

the pursuit and retaking of the inmate or inmates within its own jurisdiction. Any cost in connections therewith shall be chargeable to and borne by Enumclaw; however, Enumclaw shall not be required to expend unreasonable amounts to pursue and return inmates from other states or other countries.

13. DEATH OF AN INMATE

(a) In the event of the death of a City of Black Diamond inmate, the King County Coroner shall be notified. City of Black Diamond shall receive copies of any records made at or in connection with such notification.

(b) Enumclaw shall immediately notify City of Black Diamond of the death of a City of Black Diamond inmate, furnish information as requested and follow the instructions of City of Black Diamond with regard to the disposition of the body. The body shall not be released except on written order of the appropriate officials of City of Black Diamond. Written notice pertaining to the release shall be provided within three weekdays of receipt by City of Black Diamond of notice of such death. All expenses relative to any necessary preparation of the body and shipment charges shall be paid by City of Black Diamond. With City of Black Diamond's consent, Enumclaw may arrange for burial and all matters related or incidental thereto, and all such expenses shall be paid by City of Black Diamond. The provisions of this paragraph shall govern only the relations between or among the parties hereto and shall not affect the liability of any relative or other person for the disposition of the deceased or for any expenses connected therewith.

(c) City of Black Diamond shall receive a certified copy of the death certificate for any of its inmates who have died while in Enumclaw's custody.

14. REMOVING OF INMATES

Upon request from Enumclaw, City of Black Diamond shall, at its expense, remove any City of Black Diamond inmate not meeting the intake criteria outlined in part 3 above, within (4) hours after receipt of such request. In the event the confinement of any City of Black Diamond inmate is terminated for any reason, City of Black Diamond shall, at its expense, retake such inmate from the Enumclaw Jail. In the event Enumclaw requests a prisoner be removed, Enumclaw shall provide written notice (email is acceptable) to the City of Black Diamond Jail Coordinator indicating why Enumclaw requested removal of the Inmate.

15. GOVERNING LAW

The parties hereto agree that, except where expressly otherwise provided, the laws and administrative rules and regulations of the State of Washington shall govern in any matter relating to an inmate(s) confined pursuant to the Agreement.

16. DURATION

This Agreement shall enter into full force and effect from November 5th, 2012, and renew automatically annually, subject to earlier termination as provided by Section 17 herein. Nothing in the Agreement shall be construed to require City of Black Diamond to house inmates in the Enumclaw Jail continuously.

17. TERMINATION

(a) By either party. This Agreement may be terminated by written notice from either party to the office of financial management and the other party delivered by regular mail to the contact person identified herein, provided that termination shall become effective ninety (90) working days after receipt of such notice. City of Black Diamond agrees to remove any inmate(s) from the Enumclaw Jail by the close of said ninety (90) day notice period. Notice shall state the grounds for termination and the specific plan for accommodating the affected inmates.

(b) By City of Black Diamond due to lack of funding. The obligation of City of Black Diamond to pay Enumclaw under the provision of this Agreement beyond the close of the current fiscal year (December 31, 2012) is expressly made contingent upon the appropriation, budgeting availability of sufficient funds by City of

Black Diamond. In the event that such funds are not budgeted, appropriated or otherwise made available for the purpose of payment under this Agreement at any time after December 31, 2012, then City of Black Diamond shall have the option of terminating the Agreement upon written notice to Enumclaw as provided in subsection 17(a), except that all services provided to that point shall be compensated at the agreed rate. The termination of this Agreement for this reason will not cause any penalty to be charged to City of Black Diamond.

(c) In the event of termination of this Agreement for any reason, City of Black Diamond shall compensate Enumclaw for prisoners housed by Enumclaw after notice of such termination until City of Black Diamond retakes its inmates. Compensation shall be paid in the same manner and at the same rates set forth under Section 2, just as if this agreement had not been terminated.

18. MAILING ADDRESSES

All notices, reports, and correspondence to the respective parties of this Agreement shall be sent to the following:

City of Enumclaw: City of Enumclaw
1705 Wells St.
Enumclaw, WA 98322

Contact Person: Jim Zoll Chief of Police

City of Black Diamond: City of Black Diamond
XXXX XXX
City of Black Diamond, WA XXXXX

Contact Person: Chief of Police

19. HOLD HARMLESS AND INDEMNIFICATION

Enumclaw will assume the liability for the custody and care of City of Black Diamond prisoners once they are in the custody of Enumclaw. Enumclaw shall defend, indemnify and hold City of Black Diamond, its officers, officials, employees and volunteers harmless from claims, injuries, damages, losses or suits including reasonable attorney fees, arising out of or in connection with Enumclaw's performance of this Agreement to the extent that said claims, injuries, damages, losses or suits, including reasonable attorney fees, are caused by or result from the wrongful actions of Enumclaw.

Enumclaw will assume no liability for the custody and care of City of Black Diamond prisoners when they are not in the custody of Enumclaw. City of Black Diamond shall defend, indemnify and hold Enumclaw, its officers, officials, employees and volunteers harmless from claims, injuries, damages, losses or suits including reasonable attorney fees, arising out of or in connection with City of Black Diamond's performance of this Agreement to the extent that said claims, injuries, damages, losses or suits, including reasonable attorney fees, are caused by or result from the wrongful actions of City of Black Diamond. In addition, City of Black Diamond shall defend, indemnify and hold Enumclaw harmless for any and all claims, injuries, damages, losses or suits, including reasonable attorney fees, arising out of or in connection with any and all allegations of false arrest or false imprisonment.

It is further specifically and expressly understood that the indemnification provided herein constitutes the parties' waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

20. INSURANCE REQUIREMENTS

(a) *Each party agrees to provide the other with evidence of insurance coverage, in the form of a certificate of insurance coverage from a solvent insurance provider and/or a letter confirming coverage from a solvent insurance pool, which is sufficient to address the insurance and indemnification obligations set forth in this Agreement;*

- (b) Each party shall obtain and maintain throughout the term of this agreement coverage in the minimum liability limits of one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) in the aggregate for its liability exposures, including commercial general liability, errors and omissions, automobile liability and police professional liability. Liability coverage shall be provided on an occurrence basis.
- (c) The coverage evidenced in Section 20(b) may not be sufficient to cover all liability losses and related claim settlement expenses. Evidence of these limits of coverage does not relieve the City of Enumclaw from liability for losses and settlement expenses greater than these limits.

21. MISCELLANEOUS

(a) City of Black Diamond prisoners incarcerated in the Enumclaw Jail pursuant to this Agreement shall be transported to Enumclaw by and at the expense of City of Black Diamond and shall be returned, if necessary, to City of Black Diamond by City of Black Diamond personnel and at City of Black Diamond's expense. Enumclaw is not responsible for transportation of City of Black Diamond prisoners under this Agreement and shall be reimbursed by City of Black Diamond for any actual expenses incurred in transport of an inmate if, in fact, transportation of an inmate by Enumclaw becomes necessary.

(b) A copy of this agreement, once executed, will be filed with King County, as required by RCW 39.34.040.

(c) This Agreement replaces and supersedes all prior agreements between the Parties relating to jail services.

IN WITNESS WHEREOF, the above and foregoing Agreement has been executed in duplicate by the parties hereto and made effective on the day and year first above written:

CITY OF BLACK DIAMOND

CITY OF ENUMCLAW

 , City Manager

 , City Manager

 , Chief of Police

 Jim Zoll, Chief of Police

ATTEST:

ATTEST:

 , City Clerk Treasures

 , City Clerk-Treasurer

Approved as to Form:

Approved as to Form:

 , City Attorney

 , City Attorney