

CITY OF BLACK DIAMOND
March 10, 2016 Special Joint Meeting of the Black Diamond City Council
and Government Operations and Administration Standing Committee Agenda
25510 Lawson St., Black Diamond, Washington

Pursuant to RULES AND PROCEDURE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON as amended by Resolution 16-1069 January 21, 2016; Section 18. This Standing Council Committee Meeting is also noticed as a Black Diamond City Council Special Meeting whose agenda is limited to the committee business. In this meeting only the rules and procedures applicable to committees apply and not those applicable to the full council meetings.

Black Diamond City Council Government Operations & Administration Standing Committee (Chair: Erika Morgan, Patricia Pepper, Tamie Deady)

This committee's work scope includes: issues related to the operations and administration of City Departments and shall consider issues related to public health, safety and welfare of the citizens of Black Diamond including but not limited to, law enforcement, fire safety, court, hazardous materials, animal control, special events and emergency services. The Committee shall consider matters related to water, sewer, solid waste, recycling, utility franchises, storm water management, transportation, capital improvement program, transit, streets, street lighting, signalization, street local improvement, planning and implementation of park and recreational facilities, trails and cemetery.

6:00 P.M. – CALL TO ORDER, FLAG SALUTE, ROLL CALL

APPROVAL OF MINUTES FROM PRIOR MEETING(S):

- 1) Public Comment and discussion related to any of the topics in this committee's scope are welcome.
- 2) Public Comment and Discussion on Resolution 16-1079 Confirming Mayor's Appointment to Civil Service Commission Position #3, Committee Assignment: Government Operations and Administration Council Committee. Action may be taken in the form of a recommendation to place this Resolution on the next regular council meeting agenda.*
- 3) Public Comment and Discussion regarding the recycling event that may happen in conjunction with Maple Valley and Covington as a joint interlocal effort.
- 4) Public Comment and Discussion regarding the Mountain View Fire - Black Diamond Ad-Hoc Fire Committee meetings.
- 5) Public Comment and Discussion regarding future meeting dates and agenda items for this Council Committee. The next meeting of this Committee will be Thursday April 14, 2016.

ADJOURNMENT:

*Per Black Diamond City Council Rule of Procedure 18.1.1: No ordinance or resolution shall be placed on the Council Agenda for final action unless it has received a "do-pass" or "no recommendation" recommendation by a Council Standing Committee.

Minutes

GOVERNMENT OPERATIONS & ADMINISTRATION COUNCIL COMMITTEE

6:30 pm

Thursday February 11, 2016

Council Chambers

SPECIAL MEETING

(Chair: Erika Morgan, Pat Pepper, Tamie Deady)

Pursuant to RULES AND PROCEDURE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON as amended by Resolution 16-1069 January 21, 2006; Section 18. This Budget/Finance/Administration Council Committee is also noticed as a Black Diamond City Council Special Meeting whose agenda is limited to the committee business. In this meeting only the rules and procedures applicable to committees apply and not those applicable to the full council meetings. No final action will be taken.

Government Operations and Administration Council Committee area of work:

Discussion of issues related to the operations and administration of City Departments and shall consider issues related to public health, safety and welfare of the citizens of Black Diamond including but not limited to, law enforcement, fire safety, court, hazardous materials, animal control, special events and emergency services. The Committee shall consider matters related to water, sewer, solid waste, recycling, utility franchises, storm water management, transportation, capital improvement program, transit, streets, street lighting, signalization, street local improvement, planning and implementation of park and recreational facilities, trails and cemetery. Discussion of any ordinances or resolutions that are referred to this Council Committee. No final action will be taken.

Call to Order: 6:30 pm Flag Salute: Roll Call:

Chair Erika Morgan present

Pat Pepper present, Minutes submitted by LeeAnn Garcia and Pat Pepper

Tamie Deady absent

City Staff absent

Approve Minutes: None. This is our first meeting

Agenda:

a) Public Comment and discussion related to any of the topics in this committee's scope are welcome.

Mike Bertsch – Lake Sawyer Park Foundation, Meeting March 1st at Black Diamond Library at 7:00 PM and every other month thereafter. Mission: Keeping park in forefront of the public. Provide a natural park for public as a 501c 3. Facilitate volunteer clearing and cleaning up in the Lake Sawyer Regional Park. Raise funds for these activities, and to provide for the transport of a Port-a-Potty and six months rental of same. The other six months rental were provided by the Lake Sawyer Community Club who also is interested in this Park.

George McPherson – Expressed he would like to get rid of hard feelings. Referring to a letter to the editor written by Kristen Bryant. Maple Valley Reporter, January 29, 2016. He wanted to know, what actually subsidized Yarrow Bay? Somehow the city lost \$10 + million? What are the facts about water system and Yarrow Bay? Did they lobby? What did they get? The 98 acres in dispute with Covington Water District, is it possible to find out facts? Article implied gift to Yarrow Bay. Conflicting views from attorney. Do we follow the attorney? Have we lost confidence in lawyer? Is it possible for workshop to speak to concerns? Can a facilitator come in and help city work through problems? Council cannot direct staff.

Pam McCain – Stated she is a voting taxpayer and member of public. She voted for the strong mayor form of government. There is a systematic way of approaching change. Citizens distrust government, there is a huge level of distrust. Enough of the infighting. Worked within the rules and worked together.

Pete Kelemen – Thankful for the night meetings. New process allows public opinions & process discussed. Time span for public to get involved much greater now.

Judy Carrier – Appreciates the improved council's rules and our taking on the work to improve the committee rules. Evening times for committee meetings are making it easier for more of the public to participate in their governance. Minutes and audio recording put more information out in the community allowing citizens a more active roll. There is time for consideration. Expectations are that more substantive work will done by an active and informed public .

Mira Hoke- Gave a very impassioned view of her expectations for Black Diamond and its growth. The sediments were heartfelt but belong before our Comp. Plan review. I will find a proper venue for her input.

b) New Council Rules adopted January 21 as Resolution 16- 1069

c) Resolution 16-1072 Initiating Review of Council Rules of Procedure

Chair Morgan asked Mr Derdowski to come forward and explain the changes exhibited in the "New Council Rules" as outlined in the redlined rendition which he distributed. She further explained that the changes were to correct blocks that were interfering with the public's right of self determination in their government as the local Sovereign Citizens, and that she had asked him to create a first draft of rules the Council could work with. The main principles that were the drivers were:

transparent way.
and rigor.

First, making sure committees do work in

Second, use this structure to create thoroughness

Third, to make Council accountable to the people, for their

work.

The process for our discussion was that citizens could ask the

questions they wanted us to research, and the results would be reported as they became available.

Robin Taylor - requested a citation for the power of Council to conduct its own business. She referred to RCW 35A.1.020 as it describes the Powers Vested in legislative bodies. She questioned the advantage of a process used by metropolitan jurisdictions when City of Black Diamond is small. Would like to know the RCW that gives Mayor Pro Temp extra power.

Bob Edelman – 7.2.11 Rule – Roberts Rules of Order to protect rights of minority. Why changed to a simple majority? Why was there a change from 4/5 that was needed? Can't tell if mayor can introduce rule change. What authorizes council to direct staff? Is city attorney part of staff? It was agreed his questions would be responded to in writing. He also asked for citations.

d) Set next meeting and agenda of this Council CommitteeThe next meeting of the Government Operation and Administrative Standing Committee will be at 6:30 February 25, 2016, in the Council Chambers.

Meeting closed at 8:37 by Councilor Morgan, seconded by Councilor Pepper

Possible future agenda items:

Answers to public's questions

Toby Nixon of Coalition for Open Government presentation

Continued review of new rules

Minutes Government Operations and Administration Standing Committee Meeting 2/25/16

Pursuant to RULES AND PROCEDURE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON as amended by Resolution 16-1069 January 21, 2006; Section 18. This Budget/Finance/Administration Council Committee is also noticed as a Black Diamond City Council Special Meeting whose agenda is limited to the committee business. In this meeting only the rules and procedures applicable to committees apply and not those applicable to the full council meetings. No final action will be taken.

City of Black Diamond

Government Operations and Administration Council Standing Committee Special Meeting 2/25/16 at 6:30 PM Council Chambers

The Government Operations and Administration Committee shall consider issues related to the operations and administration of City Departments and shall consider issues related to the operations and administration of City Departments and shall consider issues related to public health, safety and welfare of the citizens of Black Diamond including but not limited to law enforcement, fire safety, court, hazardous materials, animal control, special events and emergency services. The Committee shall consider matters related to water, sewer, solid waste, recycling, utility franchises, storm water management, transportation capital improvement program, transit, streets, street lighting, signalization, street local improvement, planning and implementation of park and recreational facilities, trails and cemetery. This Committee may also consider matters not included in other committee's scopes of authority.

Opening

The meeting of the City of Black Diamond was called to order at 6:32 on 2/25/16 in Council Chambers by Councilmember Morgan and Councilmember Pepper.

Flag Salute

Roll Call

Erika Morgan – Present

Pat Pepper - Present

Tamie Deady – Absent

City Staff – Absent

Agenda

Approval of Minutes None

hear audio

1.) Public Comment and discussion related to any of the topics in this committee's scope are welcome.

Answer to questions asked at previous meeting read by Councilmember Morgan and Pepper.

Public comment and input from: hear audio

Bob Edelman – Discussed Special Standing Council Committee protocol.

Robin Taylor – Asked about the Ad Hoc Fire Committee activities. Reminded us of certain deficiencies in current coverage of "old town".

Gary Davis – Likes changes in council rules. Appreciated copies of audio and printed minutes. Hopeful more public input.

2.) Civil Service Commission Role in City – More information needed as to role of our Civil Service Commission. Committee will request permission from the Mayor to speak with Luzville Goebel and Police Chief about their perception of the Civil Service Commission's role in Black Diamond.

Public comment and input from: hear audio

Bob Edelman – Reports that he heard some of the Police candidate interview process and was impressed as to the caliber of candidates.

3.) Public Comment and discussion of the new rules, follow up on previous comments.

Public comment and input from: hear audio

Kristen Bryant – New Council Rules were adopted on February 18. The process is unfamiliar, but is becoming more intuitive as we work with it.

Robin Taylor – Resolution for Civil Service assigned to take action scheduled, but not on Agenda.

Pete Kelemen – Printed questions and answers from the packet are helpful. He asked about capital improvements, and how they are tied to the budget.

Bob Edelman – Asked about new council rules, we are unable to comment until lawsuit is adjudicated.

4.) Agenda for Next Meeting

Approval of Minutes from 2/11/16 and 2/25/16

Resolution # 16-1079

Adjournment

Move and seconded for adjournment at 7:23 PM by Councilmember Morgan and Councilmember Pepper. The next general meeting will be at 6:30 PM on March 10, 2016 in Council Chambers.

Minutes submitted by: LeeAnn Garcia and Pat Pepper

Approved by: _____

Mail

Calendar

Contacts

Deleted Items (9)

Drafts [110]

Inbox (144)

Junk E-Mail [2]

Sent Items

Click to view all folders

Manage Folders...

Reply Reply All Forward

Civil Service Commission appointment

Erika Morgan

Sent: Saturday, February 27, 2016 3:20 PM

To: Carol Benson

Cc: Erika Morgan; Luzville Goebel; Jamey Kiblinger

Mayor Benson,

Thank you for contacting me about the mistake I was about to make with our Government Operations Council Committee, I will be amending the item:

b) Interview of Civil Service Commission Candidate Becky Arnold.

I changed the agenda item b) to instead read "Discuss the Role of the Civil Service Commission in the city generally". It would have been more help, if you had provided the citations you had in mind when you wrote me. As it is, I can only speculate upon what was in your mind, however your warning encouraged me to look more deeply into our Civil Service Commission parameters. What I think I found so far pertaining to the Civil Service Commission, is that if the Council has by ordinance, adopted qualifications required for this position, then the Council can not interview or interfere with the Mayors prerogative, regarding who is appointed to that position, so long as there is proof that the parameters stated in that ordinance have been met by the particular candidate.

As I understand the parameters for holding this position in Black Diamond, they are only the parameters directly from the State Code governing Civil Service Commissions. There has never been any local requirements added so that Black Diamond's Civil Service Rules and Procedures could be be relevant locally and particularly in Black Diamond, so what is currently required is:

1. Proof of United States Citizenship.

2. Proof of an active voter registration in King County.
3. Proof of three years residency inside the city limits.

I have been studying both our "Black Diamond Rules and Procedures of the Civil Service Commission" and Steven DeJulio's 90 page writeup from the MRSC website where he explains the whole state mandate for civil service commissions. I have actually been to about two Civil Service Commission Meetings in the past, they are public meetings subject to the OPMA. This is how I was well aware of how difficult it is to keep the positions filled. I think our Council Committee would be able to serve the public best with a presentation by Luzville Goebel, the city government Commission representative on the commission, and Chief Kiblinger to explain how the services of this Commission fit into the fabric that is Black Diamond.

Past holders of this Commission have over the years independently expressed to me a dismaying lack of scrutiny of their character, considering the Commission's stated purpose of assuring that there is a particular State Mandated system for hiring of full time Police, that excludes cronyism and patriotism. The "appointive term" for the holders of this commission post is six years, and these Commissioners are barred from receiving any monetary compensation but their expenses can be paid within the IRS rules; all this to keep these Commissioners from being political appointees. After beginning a study of the rules as cited above I am not at all certain that the ambiguity which they detected about their character is not intentional in the law but in any case I would really like to have permission to discuss this aspect as well as other aspects of the Civil Service charge personally with Luzville and the Chief for my own better understanding of the function in our city. You can rest assured I will also be investigating other resources so that any product we come to has sound thinking behind it.

Currently Black Diamond with its 1546 households, is the quintessential place "where everybody knows your name" and likely your children, and your parents and

grandparents as well. I am particularly concerned because as Black Diamond grows to include 20,000 new citizens who all come into Black Diamond, citizens who do not share our particular culture of "having each others back" or our tight knit community values; there will inevitably be increased difficulty between both; citizens, and citizens and police, as there is in every larger community. I think we must do what we can to mitigate these issues. We all see bad results, daily blaring from the media, about bigger more mainstream America, Black Diamond's citizens understandably want protection from, what is happening across America. By taking a close look at Black Diamond's Civil Service Commission and how it is chosen, and what the requirements are for its Commissioners; before there is any influx of population will be an important step for staving off what may be inevitable and we must take every option available to us.

From Becky's application I personally think that most probably she might be a good candidate, remember I do know many of our citizens and many who know many others; but I would like to study the Civil Service Commission and its operation more thoroughly to be certain that the choice I make is the right one for BD for the next 6 years.

Erika Morgan
BDCC pos #2



Connected to Microsoft Exchange

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Resolution No. 16-1079, confirming the Mayor's appointment to the Civil Service Commission	Agenda Date: February 18, 2016	
	AB16-021	
	Mayor Carol Benson	X
	City Administrator	
	City Attorney Carol Morris	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res – Barb Kincaid	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
Cost Impact (see also Fiscal Note): \$	Police – Chief Kiblinger	
Fund Source: --	Public Works – Seth Boettcher	
Timeline:	Court – Stephanie Metcalf	
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Resolution No. 16-1079; application		
SUMMARY STATEMENT: Staff advertised for the vacancy on the Civil Service Commission and one application was received. An interview committee consisting of Mayor Benson, Councilmember Edelman, Councilmember Deady, and Civil Service Secretary Luzville Goebel interviewed the applicant. After careful consideration, the Mayor is seeking confirmation of her appointment of Becky Arnold to the Black Diamond Civil Service Commission Position No. 3, with said term to expire December 31, 2020. FISCAL NOTE (Finance Department): N/A		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt Resolution No. 16-1079, authorizing the Mayor's Civil Service Commission appointment of Becky Arnold to the Black Diamond Civil Service Commission Position No. 3.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
February 18, 2016		

RESOLUTION NO. 16-1079

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
CONFIRMING THE MAYOR'S APPOINTMENT TO THE CIVIL
SERVICIE COMMISSION**

WHEREAS, in accordance with Black Diamond Municipal Code 2.64.020, members of the Civil Service Commission shall be appointed by the Mayor and confirmed by the City Council; and

WHEREAS, this Resolution confirms the Mayor's appointment to the City of Black Diamond Civil Service Commission;

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

Section 1. That the Mayor's appointment of Becky Arnold to the City of Black Diamond Civil Service Commission Position No. 3 is hereby confirmed; said term to expire on December 31, 2020.

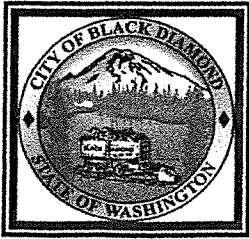
PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A SPECIAL MEETING THEREOF, THIS 18TH DAY OF FEBRUARY, 2016.

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk



CITY OF BLACK DIAMOND
Commission Application
 Mailing Address: PO Box 599
 Physical Address: 24301 Roberts Drive
 Black Diamond, WA 98010
 Phone: 360.886.5700 - Fax: 360.886.2592

BLACK DIAMOND
 RECEIVED
 NOV 5 2015
 BY _____
 CITY HALL

Name: Becky Arnold

Address: 30420 Cumberland Dr Black Diamond, Wa 98010

Home Phone: 360-886-2536 Business Phone: _____

Email address: _____

How long at Residence: 9 yrs Best time to contact: evening

Commission desired: 1.) Black Diamond civil service commission
 2.) _____

Reason you are interested in serving: _____

to support Black Diamond police Department

Previous community activities: None

Applicable education, occupational, and specialized experience: _____

work community center Bask program

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

1.) Can you foresee possible conflicts of interest with any of your current employment or civic positions:
None

2.) When making these recommendations do you feel you could be impartial and base your decision on the overall need and benefit of the Community: yes

Are there any days or evenings you are unavailable to meet? None

Signature: Becky Arnold Date: 11-22-2015