



## CITY OF BLACK DIAMOND

April 28, 2016, 6:30 p.m. – Special Council Meeting and Government Operations  
and Administration Council Committee Meeting Agenda  
25510 Lawson St., Black Diamond, Washington

Pursuant to Rules of Procedure of the City Council of Black Diamond, Washington, Section 18, this Standing Committee Meeting is also noticed as a Special Council Meeting whose agenda is limited to committee business. In this meeting only the rules and procedures applicable to committees apply and not those applicable to the full council meetings.

## Agenda

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.

CALL TO ORDER, ROLL CALL

APPROVAL OF MINUTES FROM PRIOR MEETING(S)

- 1) Public Comment on topics in this meetings scope or on these agenda items.
- 2) Resolution on Council Agenda's.
- 3) Resolution on City Newsletters.
- 4) Civil Service Commission.
- 5) Discussion regarding future agenda items.

ADJOURNMENT

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

# CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
<b>SUBJECT:</b>	<b>Agenda Date: February 18, 2016</b>	<b>AB16-021</b>
<b>Resolution No. 16-1079, confirming the Mayor's appointment to the Civil Service Commission</b>	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	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note): \$	Public Works – Seth Boettcher	
Fund Source: --	Court – Stephanie Metcalf	
Timeline:		
<b>Agenda Placement:</b> <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
<b>Attachments: Resolution No. 16-1079; application</b>		
<p><b>SUMMARY STATEMENT:</b></p> <p>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.</p> <p>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.</p> <p>FISCAL NOTE (Finance Department): N/A</p>		
<b>COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:</b>		
<b>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.</b>		
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.

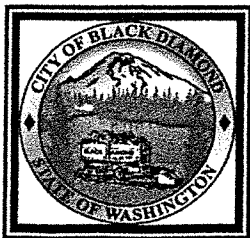
**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A SPECIAL MEETING THEREOF, THIS 18<sup>TH</sup> DAY OF FEBRUARY, 2016.**

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

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

## RESOLUTION NO. 16-

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON REGARDING THE PROPER NOTICING OF COUNCIL AGENDAS

**WHEREAS**, RCW 35A.12.120 states that “the council shall determine its own rules and order of business and may establish rules for the conduct of council meetings...”; and

**WHEREAS**, The Council Rules adopted on May 21, 2016 by Resolution 16-1069 Section 2.2 state: "The Agenda is subject to approval by the Mayor Pro Tempore and Council President"; and

**WHEREAS**, the highly respected Municipal Research Services Center advised in January of 2014: "The city council's authority under RCW 35A.12.120 includes the authority to control the agenda for council meetings. The mayor is the presiding officer at council meetings but does not have the authority to control the agenda contrary to the council's wishes."; and

**WHEREAS**, The Mayor wrote a memorandum to the Council on February 26, 2016 stating: "...I will no longer submit the Council agenda to any of you for approval."; and

**WHEREAS**, on three occasions, the mayor has blocked the City Clerk from performing her duties to properly notice Council Agendas that were approved in accordance with Council Rules; and

**WHEREAS**, a purpose of requiring approval of the Agenda by the Council President and Mayor Pro Tempore is to promote certainty for the public by coordinating with the Mayor and reducing the need for Agenda modifications at regular meetings of the Council; and

**WHEREAS**, when an Agenda is publicly noticed that has not been properly approved according to Council Rules, public confidence in functional Mayor-Council relations is jeopardized.

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

**Section 1.** The Mayor is reminded of her duty to faithfully administer the adopted policies of the City and is urged to cooperate with the Council President and Mayor Pro Tempore in ensuring proper notice of all Council Agendas in accordance with the Council's Rules of Procedure.

**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THE**

\_\_\_\_\_.

**CITY OF BLACK DIAMOND**

\_\_\_\_\_  
**Carol Benson, Mayor**

**Attest:**

\_\_\_\_\_  
**Brenda L. Martinez, City Clerk**

## RESOLUTION NO. 16-

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON ESTABLISHING POLICIES REGARDING THE CITY NEWSLETTER AND COMMUNICATIONS TO THE PUBLIC.

**WHEREAS**, the City's Quarterly Newsletter has been prepared and distributed by the City Clerk since 2008 and has communicated useful information to City residents; and

**WHEREAS**, the City's Quarterly Newsletter has traditionally reflected a generally balanced perspective about City issues and has refrained from partisan or divisive commentary; and

**WHEREAS**, the City Newsletter should present a balanced view about the City with equal attention and respect for both the Executive and Legislative Branches of City Government; and

**WHEREAS**, the City Clerk serves both the Mayor and Council in her official duties and is responsible for the preparation and distribution of the City Newsletter; and

**WHEREAS**, the City Newsletter is distributed in water bills and stormwater bills sent to City customers and is paid for with public funds that are subject to approval by the City Council; and

**WHEREAS**, the City's Quarterly Newsletter for the second quarter of 2016 contained highly controversial and partisan commentary by the Mayor. This commentary was over 1990 words and included a long essay entitled: "The Truth about the Black Diamond City Council"; and

**WHEREAS**, the Mayor's commentary contained unsubstantiated accusations and false statements, including specific references to named individuals who find themselves cast in a negative light in an official publicly funded newsletter that is

distributed widely to the public. These kinds of communications could expose the City to defamation claims; and

**WHEREAS**, the Mayor's commentary included references that were political in nature and which could expose the City to legal sanctions for using public funds for political purposes; and

**WHEREAS**, the Council wants to protect the integrity of the City's communications to the public, including its newsletter; and

**WHEREAS**, the Council wants to reduce the City's risk of liability for inappropriate statements; and

**WHEREAS**, the Council wants to mitigate the negative effects of the second quarter 2016 Newsletter; and

**WHEREAS**, the Council wants to establish clear and balanced policies for all communications to the public, including and especially the City's Newsletter.

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

**Section 1. It is the policy of the City of Black Diamond that all city communications to the public shall be factual and informative. Advocacy of controversial positions are to be avoided, and care shall be taken to make sure that alternative viewpoints are fairly presented.**

**Section 2. The City's Quarterly Newsletters shall reflect the activities and perspectives of the Mayor and Council equally. In order to implement this policy, the City's Newsletter shall be subject to approval by both the Mayor and the Council President.**

**Section 3. The City's Newsletter for the third quarter shall include a copy of this Resolution.**



**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND,  
WASHINGTON, AT A REGULAR MEETING THEREOF, THE**

\_\_\_\_\_.

**CITY OF BLACK DIAMOND**

\_\_\_\_\_  
**Carol Benson, Mayor**

**Attest:**

\_\_\_\_\_  
**Brenda L. Martinez, City Clerk**