

RESOLUTION NO. 10-695

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON SUSPENDING COUNCIL RULES AND PROCEDURES REGARDING QUASI JUDICIAL HEARINGS AND CLOSED RECORD HEARINGS AND ESTABLISHING NEW PROCEDURES FOR THE MPD CLOSED RECORD HEARINGS**

**WHEREAS**, on May 7, 2009 the Black Diamond City Council adopted Resolution No. 09-598 establishing Council Rules and Procedures; and

**WHEREAS**, procedures for quasi judicial hearings and closed record hearings are not adequate for the MPD Closed Record Hearings and need to be suspended and new procedures established;

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

**Section 1.** Council Rules and Procedures regarding quasi judicial hearings and closed record hearings are hereby suspended and new procedures are established for the MPD Closed Record Hearings 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 22ND DAY OF JUNE, 2010.**

CITY OF BLACK DIAMOND:



Rebecca Olness, Mayor

Attest:



Brenda L. Martinez, City Clerk

**MPD CLOSED RECORD HEARINGS**  
**Rules of Procedure**

1. Order of hearing (per the agenda); 2.5 hours per night maximum.
2. Established schedule for continued session of hearings is: June 22, June 23, June 24, June 28, June 29, June 30, July 6, July 7, and July 8. All sessions will be held at the Black Diamond Elementary School Gymnasium, 25314 Baker Street, and start at 7:00 p.m.
3. 60 minutes each for staff presentation, applicant presentation (for both applications combined). Applicant can expand time if necessary.
4. Statements from parties of record (for both applications, combined)
  - Parties of record shall include any person, but excluding expert witnesses who appeared on behalf or at the behest of another, who timely submitted written or verbal comments to the Examiner on the MPD applications.
  - 10 minutes maximum per parties of record.
  - Parties of record may speak only once during the hearings.
  - Sign-in at the hearing required; first come, first heard basis
  - Parties of record will be invited to speak per order of sign-in sheet. (If agreed, parties of record may swap places on the sign up sheet). If someone is not present when called, they will be moved to the back of the list. This portion of the proceedings will close when there are no new parties of record to call upon.
  - Granting of speaking time to other parties of record is allowed. However, a maximum of four parties of record can cede their time to another party of record, so that no person may speak for more than fifty (50) minutes.
  - Any representative of an organization (which is a party of record) can speak on behalf of the organization.
  - Direct statements only (no Council or staff response to speakers' questions).
  - Council may ask clarifying questions of parties of record at the conclusion of their allotted time.

- Copies of exhibits from the official record can be obtained at cost. However, map and graphic exhibits will be available during the hearings and provided by the applicant. The full record will be available to City Council members during Council deliberations.
  - All written statements must be submitted at the hearing. One statement per speaker, maximum length of 50 pages double spaced. Items will be accepted through the close of the parties of record statements (prior to staff and applicant closing statements).
5. Staff response to statements of parties of record (1 hour maximum)
  6. Applicant response to statements of parties of record (1 hour maximum)
  7. Council deliberations: in open session and reserving the right for closed sessions if needed.
    - direct staff/City Attorney to prepare findings & conclusions to support whatever decision is reached
    - adopt an ordinance to either approve or remand