

Councilmember Weber comments from December 15, 2016

What you have before you is my “Reform City Hall” Budget.

It consists of a revised budget ordinance and Exhibits that show amendments to the Budget Document itself.

I expect it will take several days to review this Substitute Ordinance and prepare any amendments that you want the Council to consider.

At the end of tonight’s meeting I plan to move that we reconvene on Monday or as soon as possible to work through any amendments to my Substitute Ordinance and then vote to adopt it.

The Reforms that are included in my Budget Proposal are broken down into four categories.

The First category of Reforms includes what I call the “Stick to the Budget” Reforms. Many people are surprised to find out that even though the Council approves a certain amount of money for the parks department and the police department and so on, the Mayor can move money around between departments without informing the public and without even informing the Council. It’s the same deal with the individual line items. Any Department can move money around at will.

In the past, the Council approved a “Fund Level” Budget, and that’s what allowed this to occur. I call a “Fund Level” Budget a “Sham” Budget. So, my proposed budget is a Department Level Budget. This means that money cannot be moved around between departments without public notice and a vote of the Council.

My proposed budget also identifies certain line items that can’t be manipulated as well. Now, it wouldn’t make sense to make every line item inflexible, but not all line items are created equal, and some need to be firm.

The Second Category of Reforms is what I call the “Responsible Contracting” Reforms.

I have been shocked to find out that the Administration has been signing contracts without competitive bids and without even notifying the public or the Council. It took a citizen to get file a public disclosure request to get copies of all these contracts. I brought copies of the list if you want to see them. Even Councilmembers didn't get this information.

State law clearly states that the Council is the contracting authority for the City. But in the past, the Council gave the Mayor some limited authority to sign contracts without Council approval up to a certain limit. The intent was to allow the Mayor to get some work done expeditiously.

This may have been a good idea in the past, but this practice has been too often abused. I don't want to reopen the battles of the past or play the blame game. But the practice of signing contracts without Council approval is ending with this Budget. My proposed budget puts tight restrictions on contracting out. Not one dollar in this budget can be contracted out without Council approval.

And this especially applies to the section of the budget called “Legal Services”. Earlier this year the Council voted to give a contract to Vancil Law and voted against a contract for Kenyon-Disend, but the Mayor has signed a series of serial contracts with Kenyon-Disend and there they are despite the wishes of the Council. This exceeded her authority in the code, and it will end January 1 because from now on not one dollar may be spent for legal services without Council approval. This is the way the State law is written; this is what the Attorney General says, and this is what former Supreme Court Justice Phil Talmadge said.

My “Responsible Contracting” Reforms also apply to the Master Development Review Team. Last year my questions about the MDRT were answered by “You have nothing to do with that part of the budget”. This

year the Council is stepping up to its responsibility to properly manage every dollar of expenditure, and that must include the work that is determining the future of everyone who lives in our City.

The Third Category of Reforms is what I call the “Accountable Spending” Reforms.

The people of Black Diamond give their taxes and fees to the City Council to provide services. The City Council then decides how to spend that money and then the Mayor gets to spend it. That’s what’s meant when we say that the Council has the purse strings. That’s the way State law says it is supposed to work.

My Substitute Budget Ordinance establishes performance objectives for some of the departments. These objectives are plainly written and they are enforced by holding back money in the budget until those objectives are met and the Council approves a Supplemental Budget. This is the first time that this has been done in Black Diamond.

Another thing that we do for the first time is to create a Rainy Day Fund that is in a Lockbox. In the past the City’s reserves were included in the Ending Fund Balance with no specific identification and no special protections. My Substitute Budget Ordinance creates a specific fund that cannot be spent without a request by the Mayor and the approval of the Council. This fund will grow consistent with State law and provide at least some protection against unforeseen circumstances.

The Council has a duty to do more than just provide a checkbook. The Council has a duty to make sure that every dollar is spent on the policies and ordinances that the Council has adopted. My Substitute Budget Ordinance is the first step in making Spending Accountable.

The Fourth Category of Reforms is what I call the “Control and Manage Growth” Reforms.

This City is planning to spend \$1,667,583 to supposedly control and manage growth, but we do not have a qualified SEPA official, a qualified Code and Permit Compliance official, a qualified Environmental Scientist, or a Director of Planning.

We also don't have what is the most important position to control and manage growth: A qualified City Administrator.

My Substitute Ordinance provides funding for an new appointed position that would be appointed by the Mayor and confirmed by the Council. This position is called the: “Development and Environmental Review Officer”. This position would report directly to the Mayor. All employees in the Community Development Department and the MDRT would report to this powerful new Official.

My Substitute Ordinance also provides funding for a City Administrator for the last six months of 2017. This will allow time for a proper selection process.

Both of these positions can be funded with existing funds. What I did was simple. I listened to the public for several years, I looked at other cities, and I used my own common sense. A City that is facing the challenges of the biggest proposed land development project in King County's history needs an excellent City Administrator, and an excellent Development and Environmental Review Officer. Any budget that spends about 1/3 of its General Fund on planners and doesn't provide these two critical two positions needs major reform.

My Substitute Ordinance is the first step in reforming how we control and manage growth.

By now I know what some of you may be thinking. This is too much to consider so late in the year. Why didn't you bring this to us months ago?

Well, we all know how this Council has been obstructed this year. My Budget Committee was refused staff support by the Mayor. For the past few months Council committees were not allowed to meet on city property. My requests for information were often neglected or dis-respected. Once I was even told that my email requesting information would not be answered unless I removed my title as Budget Committee Chairman from my signature.

Despite the obstacles my Vice Chair Erika Morgan and I kept doing our jobs, and the biggest job is this budget.

Budgets are not rocket science. Common sense and a commitment to the needs of the people is all you need to write a good one.

Budgets are also not set in stone. Next year we will have many opportunities to amend this budget if it becomes necessary.

Budgets are based on a good partnership between the people paying the bills and the people who are doing the work.

Our Substitute Budget Ordinance speaks for itself. It is a Reform Budget and it will lead to better partnerships, better service, and a better community.

I look forward to considering any amendments that you may have, but I urge you to vote yes on a truly historic and forward thinking budget.