

City of Black Diamond
Attention: Mayor Benson, David A. Linehan, Kenyon Disend PLLC
P.O. Box 599
Black Diamond, WA 98010

 ORIGINAL

Re: Notice of Termination and Intent to Renegotiate

Dear Mayor Benson, City Council City of Black Diamond

This letter is being provided as the District's formal written notice of its intent to terminate the Second Addendum to the Interlocal Agreement For Fire Protection and Related Emergency Services Between King County Fire Protection District No. 44 and The City of Black Diamond "Agreement" effective January 1, 2023 pursuant to Section 4.4 of the Agreement.

The Board of Commissioners does not take this decision lightly but given the inability to make progress in contract negotiations with the City over the past three years, we did not want to delay a potential termination for another year so needed to provide this notice prior to December 31.

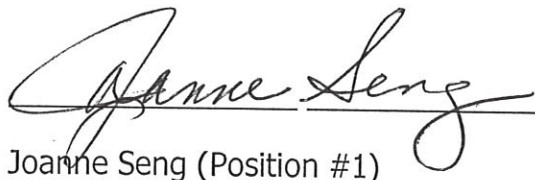
We desire to continue providing services to the City of Black Diamond beyond the termination date but are unable to sustain the current level of services under the terms of the existing agreement. We remain committed to negotiating a replacement agreement or working with the City to annex the City into the District and look forward to making substantive progress toward a new agreement at our next meeting in January. We are in the process of providing you with additional financial information that you have requested for the meeting in January.

In order to avoid any confusion regarding our decision, we are also providing a timeline of the events that we explain the timing of our decision to issue this notice at the present time.

- In 2006, the City of Black Diamond and Mountain View Fire, signed the 1st Interlocal agreement for fire and EMS services.
- In 2008, the voters of Fire District 17 (BD) approved the merger of District 17 into Mountain View Fire.
- In 2008, the City and Mountain View signed a 2nd ILA, due to the District 17 merger into Mountain View.
- In 2013, Resolution 13-883 established the Ad Hoc Committee to explore long-term Fire and Emergency Medical service models, available to the City. The Committee consists of the Black Diamond Public Safety Committee, two Mountain View Fire and Rescue Board members and Fire Chief Greg Smith and Deputy Chief Mike Barlow.
- In February of 2015, a joint meeting of the City Council and the Board of Fire Commissioners occurred. A letter from the Ad Hoc Committee, after a 2 year study, recommended that the City of Black Diamond annex into Mountain View Fire.

- The City of Black Diamond adopted Resolution 15-1018 and Mountain View Fire and Rescue adopted Resolution 15-501, each of these Resolutions approving the continued work of the Fire Ad Hoc Committee, originally authorized in 2013. These Resolutions expanded the scope of their efforts, to include drafting a recommended “Pre-Annexation Agreement” between the City and District.
- In 2015, a pre-annexation agreement developed by the Ad Hoc Committee, was provided to the City of Black Diamond Legal, for review. As of the date of this letter, the City has taken no action on this agreement or on the recommendations by the Ad Hoc Committee.
- In 2018 the Ad Hoc Committee, which continued to meet due to the lack of progress on the annexation of the City into Mountain View and in accordance with Section 14.3 of the 2nd ILA, agreed that it was reasonable to review the current ILA (2nd amendment) and review the funding mechanism.
- In March 2019, the City of Black Diamond was provided with a Draft 3rd Addendum to the ILA.
- Several dates were set to conduct a joint meeting of the City Council and Board of Fire Commissioners to discuss the 3rd addendum with the meetings taking place in August of 2019 and October of 2019. Another joint meeting is scheduled for January 2020.

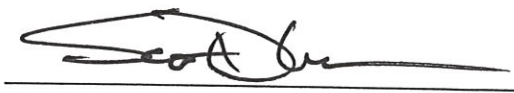
We remain committed to meeting our contractual obligations and trust that we will be able to develop a plan for future services that works for both parties. Please contact Chief Greg Smith if you have any questions.



Joanne Seng (Position #1)



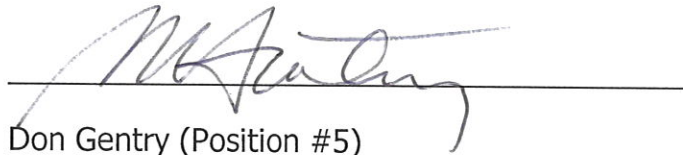
Cathie Valentine-McKinney (Position #2)



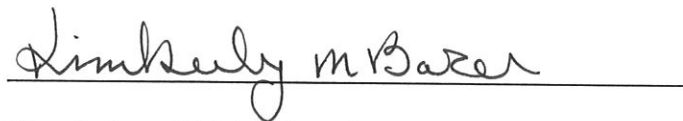
Scott Currie (Position #3)

A handwritten signature in cursive script, reading "James Farrell", written over a horizontal line.

James Farrell, Chair (Position #4)

A handwritten signature in cursive script, reading "Don Gentry", written over a horizontal line.

Don Gentry (Position #5)

A handwritten signature in cursive script, reading "Kimberly M Baker", written over a horizontal line.

Kim Baker, District Secretary