

**RESOLUTION NO. 04-71
CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON**

**A RESOLUTION OF THE CITY OF LIBERTY LAKE, WASHINGTON IN THE
MATTER OF AUTHORIZING THE INCLUSION OF THE MUNICIPAL BOUNDARIES
OF THE CITY LIBERTY LAKE WITHIN AN AQUIFER PROTECTION AREA**

WHEREAS, pursuant to the provisions of chapter 36.36 RCW, the legislature provided for the creation of Aquifer Protection Areas to finance the protection, preservation and rehabilitation of subterranean water and to reduce special assessments imposed upon households to finance facilities for such purposes; and

WHEREAS, pursuant to the provisions of RCW 36.36.020, an Aquifer Protection Area may include territory located within a city or town only with the approval of the City or Town governing body; and

WHEREAS, in 1985 the Board of County Commissioners of Spokane County placed a ballot proposition before the electors to create the Spokane Aquifer Protection Area and established certain Aquifer Protection Area fees for a 20-year time frame. The boundaries of the Aquifer Protection Area included portions of the unincorporated areas of Spokane County, which at that time included the City of Liberty Lake and City of Spokane Valley, as well as the City of Spokane and Town of Millwood; and

WHEREAS, in 1985, the voters overwhelming approved the ballot proposition to create the Spokane Aquifer Protection Area as well as the corresponding Aquifer Protection Area fee(s) with both sun-setting December 31, 2005; and

WHEREAS, the Spokane Region will continue to face significant issues with regard to the protection of the water quality in the Spokane Aquifer even after the sunset of the current Aquifer Protection Area as well as corresponding Aquifer Protection Area fees; and

WHEREAS, the Mayor and City Council of Liberty Lake believe it is in the best interest of the Community to participate in regional solutions such as the reauthorization of the Spokane Aquifer Protection Area and corresponding Aquifer Protection Area fees for an additional twenty (20) year time frame to provide financial resources to allow continued progress toward the protection of the Spokane Aquifer; and

WHEREAS, the Mayor and City Council consider the finest approach to improving regional conditions frequently begin locally, several opportunities for improving aquifer protection have been identified within the Liberty Lake Community; and

WHEREAS, an Interlocal Agreement between Spokane County and the Cities of Spokane and Spokane Valley regarding uses and allocation of Aquifer Protection Area Revenues has been prepared in the event of voters approval; and

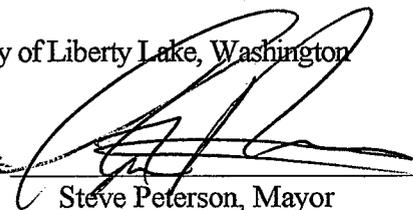
WHEREAS, the City of Liberty Lake is interested in passing this Resolution approving the inclusion of its municipal boundaries within the reauthorized Spokane Aquifer Protection Area, subject to approval of an Interlocal Agreement between the City of Liberty Lake and Spokane County prior to the collection of such fees within the City boundaries to provide that a percentage of funds be allocated to the City of Liberty Lake in a similar manner as set forth in agreements with the City of Spokane Valley and the City of Spokane for purpose consistent with the Aquifer Protection Act; and

WHEREAS, in conjunction with such determination, and as required by RCW 36.36.040, the Spokane County Board of County Commissioners are desirous of obtaining approval from the City's legislative authority to include its municipal boundaries within the reauthorized Spokane Aquifer Protection Area.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Liberty Lake, as authorized by RCW 36.36.040, that the Council does hereby conditionally approve of the inclusion of its municipal boundaries within the boundaries of the reauthorized Spokane Aquifer Protection Area. In making the decision, the Council understands that this action will enable the Board of County Commissioners to place the reauthorization of the Spokane Aquifer Protection Area and corresponding fee before the electors. Provided, further, in taking this action, the Council is not taking a position in support or opposition to any ballot proposition which may be submitted to the electors by the Board of County Commissioners to reauthorize the Aquifer Protection Area and corresponding fee. Such an action can only be taken consistent with the provisions of RCW 42.17.130.

PASSED AND ADOPTED this 3rd day of August, 2004.

City of Liberty Lake, Washington

By: 

Steve Peterson, Mayor


Arlene Fisher, City Clerk

Approved as to form only:


Stanley Schwartz, City Attorney