

**RESOLUTION NO. 06-93
CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON**

**A RESOLUTION OF THE CITY OF LIBERTY LAKE, WASHINGTON, STATING THE
CITY'S INTENT TO ENACT A SCHOOL IMPACT FEE UPON REACHING
AGREEMENT WITH CENTRAL VALLEY SCHOOL DISTRICT.**

WHEREAS, the City, a non-charter code city, is authorized by state law to impose impact fees for the purpose of assisting in the development of public facilities, which include school facilities;

WHEREAS, school impact fees may only be imposed for the development of school facilities that are reasonably related to new development;

WHEREAS, the City reasonably believes it is necessary to develop additional school facilities in order to accommodate the projected growth and development within portions of the Central Valley School District ("School District");

WHEREAS, prior to considering an impact fee, the City is required to review its Capital Facilities Plan to:

1. Identify a deficiency in the existing school facilities;
2. Identify a methodology to remedy the existing deficiency within a reasonable period of time;
3. Determine that additional demands will be placed on existing school facilities as a result of new development; and
4. Determine that additional school facilities are required to serve the new development;

WHEREAS, following the review of the Capital Facilities Plan, the City must define a reasonable service area from which the impact fee will be imposed, provided the City may only impose an impact fee within its jurisdictional limits;

WHEREAS, in enacting an impact fee, the City must take into consideration the following:

1. The cost of the school facilities necessitated by the new development;
2. An adjustment to the cost of the new school facilities due to past or future payments made or reasonably anticipated;
3. Other available funding; and
4. The cost and financing of the school facilities;

WHEREAS, upon collection of a school impact fee, the City will place the funds in a separate interest-bearing account that is specifically designated for school facilities with an understanding that the City must spend or otherwise encumber the funds for the school facilities within six (6) years from the date of collection;

WHEREAS, the City recognizes that the development of school facilities by the School District will accommodate a student population that likely exceeds the student capacity from the City of Liberty Lake, Spokane County and the City of Spokane Valley and, therefore, it is necessary to provide for the collection of impact fees;

WHEREAS, the Interlocal Cooperation Act, RCW Chapter 39.34, allows local governmental units to jointly provide services and facilities that will "accord best with geographic, economic, population and other factors influencing the needs and development of local communities", with the generally-identified school facilities meeting the above factors;

WHEREAS, to accomplish the development of the above school facilities, including providing for a reasonable and fair contribution from new development within the City of Liberty Lake, Spokane County and the City of Spokane Valley, it is necessary to meet, confer and reach agreement on an Interlocal Agreement providing for the development of school facilities;

NOW, THEREFORE, the City Council of the City of Liberty Lake resolves as follows:

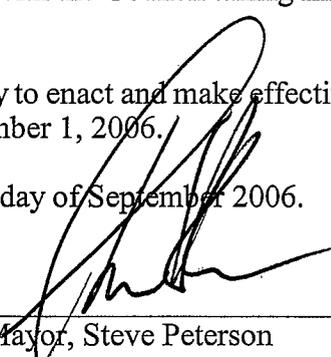
1. The City finds and determines it is in the best interests of the City of Liberty Lake to enact a school impact fee, provided that an Interlocal Agreement is entered into by and between the City of Liberty Lake and the School District.

2. The Interlocal Agreement shall establish the terms, conditions, process and procedures for transferring impact fee revenues collected by the City of Liberty Lake to the School District. One such condition shall be that impact fee revenues collected by the City of Liberty Lake shall be utilized by the School District within a jurisdiction which charges impact fees not less than what is charged within the City of Liberty Lake.

3. The Mayor is hereby authorized to take such action as is necessary to accomplish the matters set forth in this Resolution and shall periodically report to the City Council the status of the negotiations, with the Council taking final action on the proposed Interlocal Agreement and Ordinance.

4. It is the intent of the City to enact and make effective an ordinance imposing school impact fees no later than November 1, 2006.

PASSED by the City Council this 5th day of September 2006.



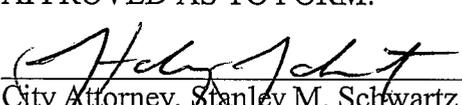
Mayor, Steve Peterson

ATTEST:



City Clerk, Arlene Fisher

APPROVED AS TO FORM:



City Attorney, Stanley M. Schwartz