

**RESOLUTION 12-164A
CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBERTY LAKE,
SPOKANE COUNTY WASHINGTON, APPROVING CERTAIN PUBLIC
IMPROVEMENTS AND PUBLIC IMPROVEMENT COSTS; AND PROVIDING FOR
OTHER MATTERS PROPERLY RELATED THERETO**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LIBERTY LAKE,
SPOKANE COUNTY, WASHINGTON, as follows:

WHEREAS, the City of Liberty Lake, Spokane County, Washington (the "City") is a non-charter code city duly organized and existing under and by virtue of the Constitution and laws of the state of Washington;

WHEREAS, chapter 39.89 RCW authorizes the creation of tax increment areas (as defined by RCW 39.89.020(9)) (each an "Increment Area");

WHEREAS, the City authorized Spokane County, Washington (the "County") to create an Increment Area, a portion of which is located within the City's boundaries, by Resolution No. 89, adopted by the City Council of the City (the "Council") on December 20, 2005;

WHEREAS, the Board of County Commissioners (the "Board") created an Increment Area, a portion of which is located in the boundaries of the City, designated "Spokane County Increment Area No. 2005-01" ("IA 2005-01") by its Resolution 2005-1169, adopted by the Board on December 22, 2005. A substantial portion of the Increment Area is not located in the boundaries of the City as a result of an annexation;

WHEREAS, the Council independent of the Board desires to develop a process whereby any developer with IA 2005-01 may present a proposed public improvement (as defined by RCW 39.89.020(4)) (the "Public Improvements") including the proposed cost thereof (the "Public Improvement Costs") as identified in the City's Capital Facility's Plan to the Council in advance of its construction;

WHEREAS, The Council desires to approve any such public improvements and the costs related thereto prior to construction by resolution with the understanding that such approval will not have any binding effect of the actions of the Board although the Board may desire to consider such action; and

WHEREAS, Greenstone Corporation, a Washington Corporation, has submitted certain Public Improvements, including the Public Improvement Costs, to the Council for approval;

WHEREAS, The funds that are deposited in the LIFT program are to be used first for the Public Improvements described in Exhibit A that would benefit economic development in a commercial zoned area within the Increment Area;

WHEREAS, The Council passed Resolution 09-132 approving public improvements and now desire to update Resolution 09-132 with the list of projects identified in Exhibit A;

WHEREAS, The City Council approved Resolution 12-164 in December 2012;

AND WHEREAS, Exhibit A has since been updated to be consistent with the adopted 2013 - 2018 City Capital Facilities Plan, as applicable;

NOW, THEREFORE, IT IS HEREBY FOUND DETERMINED AND ORDERED as follows:

Section 1: Approval of Public Improvements and Public Improvement Costs

The Public Improvements and estimated Public Improvement Costs described in Exhibit A, attached thereto and by this reference incorporated herein are hereby approved.

Section 2: Repealer

All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and shall have no further force or effect.

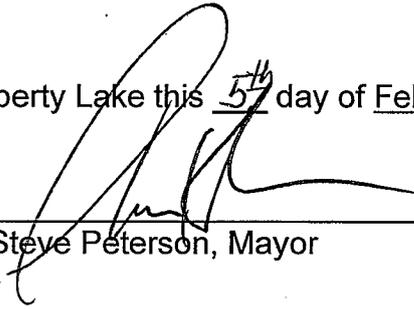
Section 3: Ratification

All actions not inconsistent with the provisions of the Resolution heretofore taken by the Council and the City's employees with respect to the adoption of this Resolution are hereby in all respects ratified, approved and confirmed.

Section 4: Effective Date

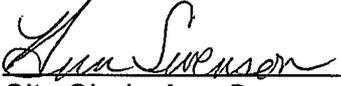
This Resolution shall be effective immediately upon its adoption.

APPROVED by the City Council of the City of Liberty Lake this 5th day of February 2013.



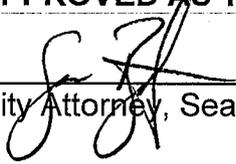
Steve Peterson, Mayor

ATTEST:



City Clerk, Ann Swenson

APPROVED AS TO FORM:



City Attorney, Sean Boutz

EXHIBIT A – Resolution 12-164

Resolution for Projects (Update to Resolution 09-132)

- The projects that Developer will focus on for 2013-2015 are the following:
 - o Harvest Parkway – Roads & Drainage – \$654,000
 - o Harvest Parkway – Water & Sanitary Sewer - \$1,720,000 Project #42
 - o Telido Station Offsite Sanitary Sewer Main - \$1,143,000 Project #41
 - o Mission Avenue Water Transmission Main - \$924,000 Project #33
 - o Indiana Improvements – Glenbrook Rd to East of Harvard Ave – \$1,443,000 Project #30
- Upon completion of the projects above as well as Harvest Parkway (2012 project), over 100 acres of land would be ready for commercial development.

PROPOSED REVISIONS - Resolution 12-164A, Exhibit A

Resolution for Projects (Updates to Resolution 09-0132 & 12-164)

The projects that Developer will focus on for 2013 - 2015 are the following:

- **Harvest Parkway** - Roads & Drainage - \$654,000 (2012)
 - LLSWD Sewer - \$125,000
 - Consolidate Irrigation Water - \$201,000
- **Lift Station (Sewer)** - \$1,720,000 (CFP Project #42)
- **Telido Station Offsite Sanitary Sewer Main** - \$219,000 (CFP Project #41)
- **Telido Station Offsite Water Main (Mission Ave.)** - \$924,000 (CFP Project #41)
- **Indiana Ave. Improvements** – End of Existing Pavement at Courtyard Project to East of Harvard - \$1,433,000 (CFP Project # 30 – Phase 1 2013)

Upon completion the projects above as well as Harvest Parkway (2012), over 100 acres of land would be ready for commercial development.

Exhibit A - Resolution 12-164 = \$5,884,000

Exhibit A - Resolution 12-164A = \$5,276,000

CERTIFICATION

I, the undersigned City Clerk of the City of Liberty Lake, of Spokane County, Washington, HEREBY CERTIFY that the foregoing Resolution is a full, true and correct copy of Resolution No. 12-164A duly adopted at a regular meeting of the City Council of said City, duly and regularly held at the regular meeting placed thereof on February 5, 2013 of which meeting all members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Resolution was adopted by the following vote: unanimous, 6-0.

AYES, and in favor thereof: Mayor Pro Tem Langford and Council Members: Kaminskas, Olander, Brickner, Beckett, and Kopelson

NAYS: None.

ABSENT: Council Member Dunne.

ASTAINED: None.

CITY OF LIBERTY LAKE



CITY CLERK