

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 102**

**AN ORDINANCE RELATING TO THE AUTHORIZATION FOR THE
ACQUISITION OF PERSONAL PROPERTY AND EXECUTION OF A FINANCING
CONTRACT AND RELATED DOCUMENTATION RELATED TO THE
ACQUISITION OF SAID PERSONAL PROPERTY**

WHEREAS, the City of Liberty Lake (the "Local Agency") has executed a Notice of Intent to the Office of State Treasurer, in the form attached hereto as Annex 1 (the "NOI"), in relation to the acquisition of and the financing of the acquisition of the Property, as defined below, under the provisions of RCW ch 39.94; and

WHEREAS, it is deemed necessary and advisable by the Mayor of the Local Agency that the Local Agency acquire the equipment and/or personal property identified on Annex 1 attached hereto ("Property"); and

WHEREAS, it is deemed necessary and advisable by the Mayor of the Local Agency that the Local Agency enter into a Local Agency Financing Contract with the Office of the State Treasurer, in the form attached hereto as Annex 2 (the "Financing Contract") in an amount not to exceed \$135,000, in order to acquire the property and finance the acquisition of the Property and related financing costs;

WHEREAS, the Local Agency will undertake to acquire the property on behalf of and as agent of the Washington Finance Officers Association (the "WFOA") pursuant to the terms of the Financing Contract, and in accordance with all applicable purchasing statutes and regulations applicable to the Local Agency; and

WHEREAS, the Local Agency desires to appoint the individuals set forth in Annex 3 as the representatives of the Local Agency in connection with the acquisition of the Property and execution of the Financing Contract (each an "Authorized Agency Representative");

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Liberty Lake, Washington, as follows:

Section 1. The individuals holding the officers or positions set forth in Annex 3 are each hereby appointed as a representative of the Local Agency in connection with the acquisition of the Property and execution of the Financing Contract and all other related documents. A minimum of 2 Authorizing Agency Representatives shall be required to execute any one document in order for it to be considered duly executed on behalf of the Local Agency.

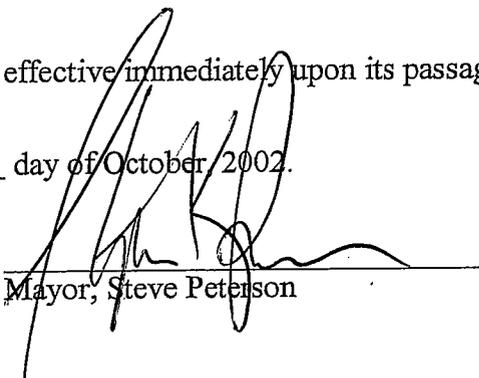
Section 2. The form of the Financing Contract attached hereto as Annex 2 is hereby approved and the Authorized Agency Representatives are hereby authorized and directed to execute and deliver the Financing Contract, in an amount not to exceed \$135,000 and in substantially the form attached hereto with such changes as may be approved by the Authorized Representatives for the acquisition of the Property and financing of the acquisition of the property and related costs.

Section 3. The Local Agency hereby authorizes the acquisition of the property as agent of the WFOA in accordance with the terms and provisions of the Financing Contract.

Section 4. The Authorized Representatives are hereby authorized to execute and deliver to the Office of State Treasurer all other documents, agreements and certificates, and to take all other action, which they deem necessary or appropriate in connection with the financing of the property, including, but not limited to, any amendment to the NOI and agreements relating to initial and ongoing disclosure in connection with the offering of securities related to the financing.

Section 5. This Ordinance shall become effective immediately upon its passage.

PASSED by the City Council this 29 day of October, 2002.



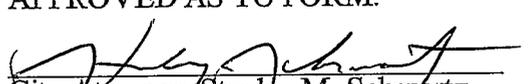
Mayor, Steve Peterson

ATTEST:



City Clerk-Treasurer, Arlene Fisher

APPROVED AS TO FORM:



City Attorney, Stanley M. Schwartz
Date of Publication: 11/7/02
Effective Date: 11/13/02

Notice of Intent

State of Washington LOCAL(Local Option Capital Asset Lending)

Annex 1 to
Authorizing Resolution

Exhibit A to
Financing Contract

Local Government Information

County: Spokane

Legal Name: City of Liberty Lake

MCAG No.: 2757

Contact Person: Lewis Griffin

Title: City Administrator

Address: 1421 N.Meadowwood Lane Suite 120 Liberty Lake WA 99019

Phone: 509-755 6702

Fax: 509-755 6713

E-mail:

lgriffin@cityoflibertylake.com

Would you prefer to receive financing documents (check one): Already have financing documents

MS Word 6.0 by e-mail

3.5" disk - Word 97 by U.S. mail

Hard copy by U.S. mail

Property (Real Estate or Equipment)

Property description (include quantity, if applicable): 6 pieces of golf course equipment, trim unit, fairway unit, rotary rough unit small, rotary rough unit large, trap rake and utility vehicle

Total cost: \$130,000

Maximum amount to finance: \$130,000

Finance term: 36mo

Useful life: 7-10 years

Desired financing date: Dec 15 2002

Purpose of property (Please be specific and include dept. of use): maintain golf course, parks, trails and other city common areas Golf/Parks Department

If real estate, the Real Estate Worksheet: Is attached Will be provided by (date) _____

If equipment, will the property purchase price be paid with: program proceeds or general funds to be reimbursed from program proceeds? If general funds are to be used, include a copy of the local agency's reimbursement resolution with the financing documents.

Security Pledge

Voted general obligation of local government. Non-voted general obligation of local government

Other Information

Approximate population: _ _ (not required for cities and counties).

If any of the following apply, please provide a complete discussion on a separate page:

Yes No Does the local government use cash flow borrowing (registered warrants, interfund loans or other cash flow borrowing)?

Yes No Is the local government a party to significant litigation?

Yes No Is this a reimbursement? If yes, date funds spent _____

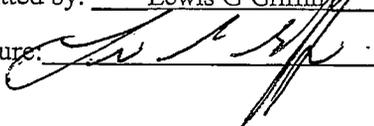
We are not required to submit the Credit Form because _____

Does local government have a bond rating? Yes No Bond rating(s): _____
(attach rating agency letter)

By executing this Notice of Intent, the local agency acknowledges, agrees to and accepts its designation and appointment as the agent of the nominal lessor in connection with the acquisition of the project. By executing this Notice of Intent, the local agency further acknowledges and agrees that certificate counsel and any other special counsel to the state in connection with the authorization, issuance and delivery of the certificates and the related financing documents shall not be acting, and shall not be deemed to act, as counsel to the local agency, nor shall any attorney-client relationship exist or be deemed to exist between such counsel and any participating local agency in connection with such matters.

Submitted by: Lewis G Griffin

Title: City Administrator

Signature: 

Date: October 17 2002

**Local Agency Financing Contract, Series 200 2E
(Equipment)**

This Local Agency Financing Contract, Series 2002E (the "Financing Contract") is entered into by and between the state of Washington (the "State"), acting by and through the State Treasurer (the "State Treasurer"), and City of Liberty Lake, Washington, a City of the State (the "Local Agency").

Recitals

WHEREAS, certain State agencies (as defined in Appendix I hereto, "State Agencies") are authorized to acquire personal property used or needed by such State Agencies through financing contracts entered into pursuant to Chapter 356, Laws of Washington, 1989, codified as Chapter 39.94 of the Revised Code of Washington (the "RCW"), as supplemented and amended (the "Act"); and

WHEREAS, Chapter 291, Laws of Washington, 1998 supplemented and amended the Act to authorize the State to enter into financing contracts on behalf of certain local agencies (as defined in Appendix I hereto, "Local Agencies"), including the Local Agency, to finance the acquisition of personal property by such Local Agencies; and

WHEREAS, the State Treasurer has established a consolidated program providing for the execution and delivery of certificates of participation in such financing contracts, or in master financing contracts with respect thereto, in series from time to time in order to provide financing or refinancing for the costs of acquisition of such personal property by State Agencies and Local Agencies; and

WHEREAS, simultaneously with the execution and delivery hereof, the State is entering into a Master Financing Contract, Series 200 2E, dated as of the Dated Date (the "Master Financing Contract") with the Washington Finance Officers Association, a nonprofit corporation duly organized and existing under and by virtue of the laws of the state of Washington (the "WFOA"), to provide financing for the costs of acquisition of certain items of personal property by certain State Agencies and Local Agencies, including the Local Agency, under the terms set forth therein; and

WHEREAS, the State Treasurer and the Local Agency have determined that it is necessary and desirable to enter into this Financing Contract to provide financing or refinancing for the costs of acquisition of certain items of personal property, described in Exhibit B hereto (the "Property"), by the Local Agency; and

WHEREAS, the State Finance Committee has authorized the execution and delivery of this Financing Contract pursuant to Resolution No. 923 adopted on July 17, 2000; and

WHEREAS, all acts, conditions and things required by law to exist, to have happened and to have been performed precedent to and in connection with the execution and delivery of this Financing Contract do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the Parties hereto are now duly authorized to execute, deliver and perform their respective obligations under this Financing Contract;

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other valuable consideration, the Parties hereto mutually agree as follows:

Section 1.1 Defined Terms. Capitalized terms used but not otherwise defined in this Financing Contract shall have the respective meanings given such terms in Appendix I hereto.

Section 1.2 Notice of Intent; Personal Property Certificate; Certificate Designating Authorized Local Agency Representative. The Local Agency has delivered a Notice of Intent to the State Treasurer in the form of Exhibit A attached hereto and incorporated herein by this reference. In order to evidence its acceptance of the Property financed and acquired pursuant hereto, the Local Agency has executed and delivered herewith, or will execute and deliver within 60 days from the Dated Date to the State Treasurer, a Personal Property Certificate in the form of Exhibit B attached hereto and incorporated herein by this reference. The Local Agency has delivered a Certificate Designating Authorized Agency Representatives to the State Treasurer in the form of Exhibit C attached hereto and incorporated herein by this reference. Said Certificate is currently in force and has not been amended, withdrawn or superseded, and the signatures shown thereon are true and correct originals of the signatures of the persons who hold the titles shown opposite their names. The signature of any one of the individuals shown on said Certificate is sufficient to bind the Local Agency under this Financing Contract with respect to any of the undertakings contemplated herein. The terms and provisions set forth in Appendix II hereto are incorporated herein and made a part hereof by this reference.

Section 1.3 Installation Sale and Purchase of Property. The State hereby agrees to sell, assign and convey, and does hereby sell, assign and convey to the Local Agency, and the Local Agency hereby agrees to purchase, acquire and assume, and does hereby purchase, acquire and assume, from the State, all of the State's right, title and interest in and to the Property and all proceeds and profits thereof and therefrom, subject to the security interest created pursuant to Section 2.5 hereof, and the Local Agency agrees to pay in consideration thereof the Purchase Price therefor and interest thereon and the Additional Costs in accordance with Section 1.4 hereof, and all other amounts required to be paid by the Local Agency hereunder, all in accordance with the provisions of this Financing Contract.

Section 1.4 Agency Installment Payments. In consideration of the sale of the Property and the covenants and agreements of the State in this Financing Contract, the Local Agency hereby promises to pay to the State the following amounts at the following times: (a) On each Agency Installment Payment Date, the Agency Installment Payment set forth in Exhibit D hereto, consisting of a Principal Component and/or an Interest Component as set forth in such Exhibit; and (b) All Additional Costs incurred by the State in connection with the sale of the Property to the Local Agency, the execution and delivery of the Certificates, and the observance and performance of the Series 200 2E Agreements, within thirty (30) days following receipt of an invoice from the State with respect thereto which includes (i) a brief description of each such Additional Cost, (ii) the party to whom payment is due, (iii) the amount thereof, and (iv) such additional information as the Local Agency may reasonably request.

Section 1.5 Term. This Local Agency Financing Contract shall terminate on the date on which all amounts due hereunder shall have been paid or the payment thereof duly provided for pursuant to Section 4.1 of Appendix II hereof.

STATE OF WASHINGTON
OFFICE OF THE STATE TREASURER

_____ as Local Agency

By _____
Designated State Treasurer Representative

By _____
Title _____

Date _____

Date _____

Personal Property Certificate

Name of Local Agency: City of Liberty Lake, Washington
Address: N.1421 Meadowwood Lane
Liberty Square Building Suite 120
Liberty Lake WA 99019

All capitalized terms not defined herein shall have the meanings assigned to such terms in the Financing Contract that this Exhibit B is attached to. The undersigned, [Name/Title] Lewis G Griffin City Administrator does hereby certify, that [he/she] is an Authorized Agency Representative of City of Liberty Lake, Washington (the "Local Agency") pursuant to the terms of the Financing Contract.

The undersigned, confirms that the Property described below will be placed in use at the location listed below. The undersigned confirms that the Property described below has been delivered to and received by the Local Agency. All installation or other work necessary prior to the use thereof has been completed. The Property has been examined and/or tested and is in good operating order and condition and is in all respects satisfactory to the Local Agency and complies with all terms of the Master Financing Contract and the Financing Contract.

Notwithstanding the foregoing, the undersigned does not waive or limit, by execution of this certificate, any claim against the vendor or any other seller, installer, contractor or other provider of property or services related to the purchase, shipment, delivery, installation or maintenance of the Property.

The Local Agency further confirms that the Property will be used to fulfill an essential governmental function which the Local Agency has the authority to provide in the State.

PROPERTY INFORMATION

Description: Rotary Rough Unit:Jacobsen Turf
Cat 600 Serie 4WD 26HP Diesel
72" rotary rear discharge
Name of Vendor: M.C. Machinery
Address: 10310 East Buckeye Lane #1
Spokane WA 99206
Serial No.: 400282
Tag No.: Model #946714
Payment Amount: \$15068
Disburse to: M.C. Machinery
Location of Property Acquisition: City of Liberty Lake, Washington
Method of Payment: Check

Attached hereto are:

- 1. A vendor's invoice for the Property approved by the Local Agency.
2. A Certificate of Insurance, demonstrating liability insurance coverage and stating that insurance will be renewed annually automatically, unless said office notifies the State Treasurer of any discontinuation of coverage.

In connection with the Local Agency's acquisition of the Property as agent of the Washington Finance Officers Association, you are hereby requested to make a disbursement as indicated above.

Authorized Agency Representative
Date:

Countersigned and
Approved for Payment:
Designated State Treasurer Representative
Date:

PROPERTY INFORMATION

Descriptions: Trim Unit: Toro Reel
Master 2000 19 HP
Diesel Hyd Driven Cutting
Units Variable Speed Control

Name of Vendor: Western Equipment
Address: 20224 20th Avenue South
Kent WA 98032

Serial No.: _____
Tag No.: _____

Payment Amt.: \$19,075.65
Disburse to: Western Equip. Distributors

Location of Property Acquisition:
City of Liberty Lake
N 1421 Meadowwood Lane #120
Liberty Lake WA 99019

Method of Payment: Check

PROPERTY INFORMATION

Descriptions: Fairway Unit: John Deere
321 B 30HP Diesel
7 Blades Standard Cutting
Units

Name of Vendor: Cascade Turf
Address: 1818 Brickford Avenue
PO Box 2327
Snohomish WA 98291

Serial No.: _____
Tag No.: _____

Payment Amt.: \$29,078.90
Disburse to: Cascade Turf

Location of Property Acquisition:
City of Liberty Lake
N 1421 Meadowwood Lane #120
Liberty Lake WA 99019

Method of Payment: Check

PROPERTY INFORMATION

Descriptions: Bunker Rake: John Deere
1200 A 40" Front Blade

Name of Vendor: Cascade Turf
Address: 1818 Brickford Avenue
PO Box 2327
Snohomish WA 98291

Serial No.: _____
Tag No.: _____

Payment Amt.: \$7,988.35
Disburse to: Cascade Turf

Location of Property Acquisition:
City of Liberty Lake
N 1421 Meadowwood Lane #120
Liberty Lake WA 99019

Method of Payment: Check
