

MAR 27 2008

AgSht 4/7/08



AGENDA SHEET FOR COUNCIL MEETING OF: April 7, 2008

CITY CLERK'S OFFICE SPOKANE, WA

Submitting Dept. Public Works and Utilities

Contact Person/Phone No. John Mercer 625-6065

Council Sponsor Public Works Committee

ADMINISTRATIVE SESSION

- x Contract
o Report
o Claims

LEGISLATIVE SESSION

- o Emergency Ord
o Resolution
o Final Reading Ord
o First Reading Ord
o Special Consideration
o Hearing

CITY PRIORITY

- o Communications
o Economic Development
x Growth Management
o Human Services
o Neighborhoods
o Public Safety
o Quality Service Delivery
o Racial Equity/Cultural Diversity
o Rebuild/Maintain Infrastructure

- CLERK'S FILE
RENEWS
CROSS REF
ENG
BID
REQUISITION

APR 2008-0332

STANDING COMMITTEES

(Date of Notification)

- o Finance
o Neighborhoods
o Planning/Community & Econ Dev
o Public Safety
X Public Works 3/24/08

Neighborhood/Commission/Committee Notified:
Action Taken:

AGENDA

WORDING:

(If contract, include the term.)

Interlocal Agreement between the City of Spokane and the Spokane County Library District concerning mitigation of the impact of the North Division Annexation.

BACKGROUND:

(Attach additional sheet if necessary)

On March 18, 2008, the Spokane County Library District Board of Trustees approved an interlocal agreement concerning mitigation of the impact of the North Division Annexation. The agreement provides that the City will compensate the District for the tax revenue the District would have received if not for the annexation. The payments will continue for a period of five years. The amount paid shall decrease by 20% each year over the course of the five years.

RECOMMENDATION:

Table with Fiscal Impact and Budget Account columns. Fiscal Impact: o N/A, Budget Account: o N/A. Expenditure: \$ #, Revenue: \$ #, Budget Neutral.

ATTACHMENTS: Include in Packets: On file for Review in Office of City Clerk:

SIGNATURES:

John W. Mercer, Manager, Capital Programs; Michael P. Pendo, Legal

Division Director; Chief of Staff for Mayor

Finance; Alexander J. Hogen, Council President

DISTRIBUTION:

- C. Thacker - Public Works
D. Mandyke - Public Works
P. Partovi - Library
M. Piccolo - Legal

COUNCIL ACTION:

APPROVED BY SPOKANE CITY COUNCIL:

April 7, 2008
CITY CLERK

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF SPOKANE
AND THE SPOKANE COUNTY LIBRARY DISTRICT
CONCERNING MITIGATION OF THE IMPACT OF THE
NORTH DIVISION ANNEXATION**

THIS AGREEMENT is made and executed this 11th day of (April) April, 2008, by and between the CITY OF SPOKANE, a municipal corporation of the State of Washington, (hereinafter referred to as "City") and the SPOKANE COUNTY LIBRARY DISTRICT, a special purpose district of the State of Washington, (hereinafter referred to as "District"), pursuant to the Interlocal Cooperation Act, RCW Ch. 39.34.

WHEREAS, the City of Spokane is in the process of annexing approximately 120 acres of land referred to as the "North Division Annexation", which is currently served by the District and is legally described as follows:

"That portion of the east 1/2 of Section 30, Township 26 North, Range 43 East, W.M., and that portion of the southeast 1/4 of the southeast 3/4 of Section 19, Township 26 North, Range 43 East, W.M. generally situated westerly of Division Street and northerly of Francis Avenue, and adjoining the west limit of the City of Spokane; MORE SPECIFICALLY DESCRIBED AS FOLLOWS:
BEGINNING at the southeast corner of Section 30, Township 26 North, Range 43 East, W.M.; THENCE westerly 366.58 feet more or less (MOL) along the south line of said Section 30 to the extension of the west line of Atlantic Street right-of-way; THENCE northerly 40 feet more or less (MOL) along the extension of the west line of Atlantic Street right-of-way to the southeast corner of Lot 20, Block 31, Spokane Terrace Addition (coincident with the north limit of the City of Spokane), the TRUE POINT OF BEGINNING; THENCE northerly 2,560.96 feet more or less (MOL) along the west line and extensions of the west line of Atlantic Street right-of-way to the north line of Weile Avenue (Rhoades Avenue) right-of-way; THENCE westerly 2,265.52 feet more or less (MOL) along the north line of Weile Avenue (Rhoades Avenue) right-of-way to the east line of Wall Street right-of-way; THENCE northerly along the east line of Wall Street right-of-way 1,303.44 feet more or less (MOL) to the southwest corner of Lot 33, Block 1, Bern-Thera Terrace Addition; THENCE easterly 1,292.18 feet more or less (MOL) along the south line of Block 1, Bern-Thera Terrace Addition to the southwest corner of Lot 24, Block 1, The Park on Calispel PUD; THENCE easterly along the south line of said PUD to the southeast corner of Lot 30, Block 1, The Park on Calispel PUD; THENCE northerly along the eastern border of The Park on Calispel PUD to the southern boundary line of Weipert Addition; THENCE easterly 180 feet more or less (MOL) along the south line of Weipert Addition to the southeast corner of Lot 2, Block 6, Weipert Addition; THENCE northerly 192.27 feet more or less (MOL) along the east line of Weipert Addition to the southwest corner of Parcel A of Record of Survey filed in Book 29 of Surveys page 29 on file in the Office of Spokane County Auditor ; THENCE easterly 135 feet more or less (MOL) along the south line of said Parcel A to the

southeast corner of said Parcel A; THENCE northerly along the east line of said Parcel A to the south right-of-way line of Cascade Way; THENCE northwesterly to the northeast corner of Cascade Way and Normandie Street; THENCE southeasterly and southerly along the north right-of-way line of Cascade Way to a point on the west line of the Division Street right-of-way (coincident with the west limit of the City of Spokane); THENCE southerly along the west line of Division Street right-of-way (coincident with the west limit of the City of Spokane) to the south line of Lot 19, Block 32, Spokane Terrace Addition; THENCE southerly and westerly along the west line of Division Street right-of-way (coincident with the west limit of the City of Spokane) to the south line of Lot 20, Block 32, Spokane Terrace Addition (coincident with the north line of Francis Avenue right-of-way); THENCE westerly 214 feet more or less (MOL) along the north line of Francis Avenue right-of-way (coincident with the north limit of the City of Spokane) to the east line of Atlantic Street right-of-way; THENCE westerly 60 feet more or less (MOL) (coincident with the north limit of the City of Spokane) to the southeast corner of Lot 20, Block 31, Spokane Terrace Addition, the TRUE POINT OF BEGINNING!

Parcel Numbers: (See Attachment A for all parcel numbers contained in the North Division Annexation).

WHEREAS, pursuant to a Library Service Agreement (OPR 02-505) entered into between the parties on June 18, 2002, in the event the City proposes to annex a portion of the urban growth area of Spokane County served by the District, the parties shall enter into good faith negotiations to mitigate the adverse effects on both the City and the District;

WHEREAS, the City and the District desire to enter into an annexation impact agreement to be applied to the North Division Annexation area in order to determine how to apportion the amount of tax revenue previously received by the District from the area to be annexed.

NOW, THEREFORE, in consideration of the facts set forth hereinabove, the City and the District hereby agree as follows:

1. APPLICABILITY OF THIS ANNEXATION IMPACT AGREEMENT.

1.1 The City and the District agree that the provisions of this Interlocal Agreement shall apply to the North Division Annexation as depicted in the attached Exhibit A. This Interlocal Agreement shall become effective on April 1, 2008 which is the date the annexation will become effective pursuant Ordinance Number C34170 passed by the Spokane City Council on January 2, 2008.

2. PAYMENT FOR ADVERSE IMPACT FROM ANNEXATION.

The City agrees to pay to the District the amount of property tax assessment lost by the District as a result of the annexation. The tax assessment calculation shall be based upon the actual use of the land and tax assessment received by the District as of the date of the annexation, and shall not include any increased tax revenue resulting from any changes in

use of the annexed property or any construction on the annexed property. The tax assessment replacement payments shall begin the first year the District does not receive payment due to the annexation, shall last for only five years, and shall be made pursuant to the following schedule:

First Calendar Year:	100% of the amount of property tax lost
Second Calendar Year:	80% of the amount of property tax lost
Third Calendar Year:	60% of the amount of property tax lost
Fourth Calendar Year:	40% of the amount of property tax lost
Fifth Calendar Year:	20% of the amount of property tax lost

Payments to the District shall be made by the City at the same time the District would normally have received the tax assessment payments if not for the annexation.

ACCEPTED AND AGREED the year and date first above written.

SPOKANE COUNTY LIBRARY DISTRICT

Board of Trustees

By: *Michael J. West*
Its: Director

Approved as to Form:

COUNSEL TO THE DISTRICT

PAINE, HAMBLIN, COFFIN,
BROOKE & MILLER LLP

By: *James C. Sloane*
James C. Sloane

CITY OF SPOKANE

By: *Tara J. ...*
City Administrator

Attest:
By: *Leri ...*
City Clerk



Its:
Approved as to Form:

By: *Michael ...*
Its: Assistant City Attorney

Attachment "A"

List of Parcel Numbers included in North Division Annexation

<u>PARCEL NO</u>	<u>OWNER</u>
36306.9064	COSTCO WHOLESALE CORPORATION
36301.9060	WASHINGTON TRUST BANK
36301.9061	CASCADE PROFESSIONAL BUILDING
36301.9039	ELVIN D ALTON
36301.9062	LARRY J LLC RIETZ
36301.9063	COSTCO WHOLESALE CORPORATION
36301.9037	HOGIN FAMILY LTD PARTNERSHIP
36301.9050	HOLY CROSS
36301.9051	HOLY CROSS CEMETERY
36301.9019	HOLY CROSS CEMETERY
36301.9053	HOLY CROSS
36301.9054	HOLY CROSS / MAGIC CENTURY LLC
36301.9045	HOLY CROSS
36301.9047	HOLY CROSS / OCTON HOLDINGS INC. #1
36304.0122	PAUL J & MICHAEL J DELAY
36304.0103	HARLAN D DOUGLASS
36304.0124	HARLAN D & MAXINE H DOUGLASS
36304.0123	HARLAN D & MAXINE H DOUGLAS
36304.0104	HARLAN D DOUGLASS
36304.0127	ROEBUCK & COMPANY SEARS
36304.0128	P L MURPHY ETUX
36304.1601	HELEN A WESTON
363041619	HELEN WESTON
36304.1635	CRESTON LTD
36304.1613	CRESTON LTD
36304.1634	WACO INVESTMENTS LLC
36304.1624	CRESTON LTD
36304.1622	HARLAN D DOUGLASS
36304.1621	HARLAN D DOUGLASS
36304.1609	HARLAN D DOUGLASS
36304.1701	GERALDINE EICKMEYER LIVING TRUST
36304.1731	GERALDINE EICKMEYER LIVING TRUST
36304.1721	GERALDINE EICKMEYER LIVING TRUST
36304.1716	GERALDINE EICKMEYER LIVING TRUST
36304.1725	STEVEN J & CAROLINE SCHMIDT
36304.1720	LLC BRIGGS PROPERTY MANAGEMENT
36304.1722	LLC Si HOSPITALITY
36304.3224	ROBERT V BAKER
36304.3225	ROBERT V BAKER
36304.3209	BAKER/PLESE-FETTIG LLC
36304.3218	BAKER/PLESE-FETTIG LLC
36304.3210	BAKER/PLESE-FETTIG LLC
36304.3211	W A TOMBARI

