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3 **State of Washington**
4 **GROWTH MANAGEMENT HEARINGS BOARD**
5 **FOR EASTERN WASHINGTON**

6 CITY OF LIBERTY LAKE, WASHINGTON, a
7 municipal corporation,

8 Petitioner,

9 v.

10 CITY OF SPOKANE VALLEY, WASHINGTON,
11 a municipal corporation,

12 Respondent.

Case No. 03-1-0009

ORDER ON COMPLIANCE

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14 **I. PROCEDURAL HISTORY**

15 On December 23, 2003, CITY OF LIBERTY LAKE, by and through their attorney,
16 BRIAN MCGINN, filed a Petition for Review.

17 On January 21, 2004, the Board held a Prehearing conference. Present were D.E.
18 "Skip" Chilberg, Presiding Officer, and Board Members Judy Wall and Dennis Dellwo.
19 Present for Petitioner was Brian McGinn. Present for Respondent was Cary Driskell.

20 On January 23, 2004, the Board issued its Prehearing Order and Order on
21 Respondent's Motion to Supplement the Record.

22 On February 11, 2004, Petitioner filed its Motion to Supplement the Record and to
23 Strike, and Petitioner's Dispositive Motion and Memorandum of Law in Support of
24 Dispositive Motion.

1 On February 25, 2004, Respondent filed its Response to Petitioner's Motion to
2 Supplement the Record and Strike Portion of Record, and Memorandum in Opposition to
3 Liberty Lake's Dispositive Motion.

4 On March 3, 2004, Petitioners filed their Reply in Support of Dispositive Motion and
5 Petitioner's Reply Memorandum Regarding Motion to Supplement the Record and Strike.

6 On March 10, 2004, the Board held a telephonic Motion Hearing. Present were D.E.
7 "Skip" Chilberg, Presiding Officer, and Board Members Judy Wall and Dennis Dellwo.
8 Present for Petitioner was Brian McGinn. Present for Respondent was Cary Driskell.

9 On March 12, 2004, the Board issued its Memorandum Decision on Petitioner's
10 Dispositive Motion. During oral arguments on the pending motions, Spokane Valley made an
11 oral motion to strike portions of Liberty Lake's Reply Brief.

12 On March 19, 2004, the Board received Petitioner's Proposed Order on Motions.

13 On March 23, 2004, the Board issued its Order on Motions.

14 On November 22, 2004, the Board received a request for Compliance Hearing from
15 Respondent, City of Spokane Valley.

16 On December 29, 2004, the Board issued its Order Setting Compliance Hearing and
17 Briefing Schedule.

18 On January 13, 2005, The Board received Brief of Petitioner.

19 On January 19, 2005, the Board received a letter from Spokane Valley City Attorney,
20 Cary Driskell, advising the Board that the City of Spokane Valley will not file a compliance
21 brief as no objections to a finding of compliance were raised in City of Liberty Lake's brief of
22 Petitioner.

23 **Discussion:**

24 The Board agrees with the Parties in the above action and finds the Respondents,
25 City of Spokane Valley, in compliance with the Board's Order on Motions, which found the
26 City of Liberty Lake out of compliance with the GMA for failure to notify CTED of their intent
to amend their Comprehensive Plan sixty days prior to the adoption of amendments
pursuant to Ordinance Nos. 03-0888 through 094.

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II. ORDER

Having received no objections from Petitioners in the above matter and after reviewing the documents, the Board finds the City of Spokane Valley is in compliance with the GMA.

SO ORDERED this 3rd day of February 2005.

EASTERN WASHINGTON GROWTH MANAGEMENT
HEARINGS BOARD

John Roskelley, Board Member

Dennis Dellwo, Board Member

Judy Wall, Board Member