

SPOKANE COUNTY CONSERVATION FUTURES TAX PROJECT  
of Stephen K. Eugster  
[www.steveeugster.com/conservation\\_futures\\_taxes.htm](http://www.steveeugster.com/conservation_futures_taxes.htm)

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December 1, 2009

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Re: **Use of Spokane County Conservation Futures Taxes re YMCA or Loan to Purchase YMCA**

Dear James and Ron:

After last night's Spokane City Council meeting and the City's unique decision, I would like to give you clearer understanding of what I am currently thinking regarding the matter.

First, I intend to litigate the use of the Conservation Futures Taxes for the purpose of the acquisition of the Downtown Spokane YMCA. The only chance that I might not may depend upon the details of the Interlocal Agreement between the City and Spokane County which is envisioned by Spokane County Board of Commissioner's Resolution 9-0493. If I decide to take action, I will do so within the 30-day period after the agreement which is referred to in the Resolution.

Second, after listening carefully to the testimony at the City Council meeting last night, I find it difficult to imagine how anyone could claim the YMCA would fit within the statutory "open space" definitions provided in RCW 84.34.020.

The zoning for the property is not open space.

The property is useful as a building to be used for offices and residential and other commercial uses. That is why the council voted to put the building out to bid.

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The property can hardly meet the definition of being useful for the park at present in any way after the testimony of Steve McNutt, former chair of the Park Board.

Even if it were useful, it is not going to be used as useful because it is to be torn down, demolished.

Not only does the situation not meet the requirements of the Conservation Futures Tax Act, it flies in the face of the whole purpose of the Act.

And, it is also quite clear that the City is trying to simply waste the portion of the consideration it has paid for the property by tearing the building down which was purchased by the major portion of the consideration. Compounding the insanity of this, this complete waste of public funds, the City is going to throw the cost of demolition amounting to nearly another million dollars into "the bargain."

This might rise to the level of malfeasance on the part of the elected officials involved.

Very truly yours,

/s/

Stephen K. Eugster

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