

**CITY OF GOLD BAR, WASHINGTON
RESOLUTION NO. 12-14**

**A RESOLUTION OF THE CITY OF GOLD BAR, SNOHOMISH COUNTY
WASHINGTON PROVIDING FOR THE SUBMISSION TO THE
QUALIFIED ELECTORS OF THE CITY OF GOLD BAR AT A
GENERAL ELECTION TO BE HELD ON NOVEMBER 6, 2012, A
PROPOSITION FOR DISINCORPORATION**

WHEREAS, the City of Gold Bar has encountered extensive Public Records costs, and costs associated with litigation; and

WHEREAS, to date, the Courts have not granted any substantive relief to the Plaintiffs and Petitioners who have filed lawsuits and recalls against the City and its officials; however these individuals continue to file appeals and additional litigation that significantly impacts the City's budget; and

WHEREAS, litigation is expected to continue; and

WHEREAS, the City's General Fund is unable to support continued future litigation costs under its current funding, which may lead to either bankruptcy or disincorporation; and

WHEREAS, without additional revenues, in order to cover the litigation costs the City will be required to continue to substantially reduce or eliminate basic services to the citizens of the City, including services related to public safety, parks, and other community services or to file for bankruptcy or disincorporation; and

WHEREAS, RCW 35A.15.010 authorizes the City Council to provide by resolution for an election on the proposition of disincorporation; and

WHEREAS, as an alternative to bankruptcy or disincorporation, the City Council also has considered a resolution for the proposition of an excess property tax levy to help cover the costs of litigation to allow the voters to decide their preferred course of action;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Gold Bar, Washington as follows:

Section 1. There shall be submitted to the qualified electors of the City for their ratification or rejection, at an election to be held on November 6, 2012, in conjunction with the November 6, 2012, general election to be held on the same date, the question of whether or not to dissolve the City of Gold Bar. The City Council therefore directs and requests the Auditor of Snohomish County and its Supervisor of Elections to submit the following proposition at such election, in the form of a valid title to read substantially as follows:

CITY OF GOLD BAR
PROPOSITION NO. 2
DISINCORPORATION OF THE CITY OF GOLD BAR

PROPOSITION: THIS PROPOSITION OF THE CITY OF GOLD BAR AUTHORIZES THE CITY TO DISINCORPORATE AND BE ABSORBED BY SNOHOMISH COUNTY ONCE ALL ASSETS AND LIABILITIES HAVE BEEN PROCESSED BY THE APPOINTED RECEIVER. THIS PROPOSITION IS SUBORDINATE TO PROPOSITION NO. 1 AND IS VOID SHOULD PROPOSITION NO. 1 PASS.

CANDIDATES FOR RECEIVER ARE:

ELLIOT BAY ASSET SOLUTIONS, LLC, OF BELLEVUE, WA
RESOURCE TRANSITION CONSULTANTS, LLC, OF EDMONDS, WA

SHOULD THIS PROPOSITION BE APPROVED?

FOR DISSOLUTION

AGAINST DISSOLUTION

Section 2. The Mayor and City Attorney are authorized to make such minor adjustments to the wording of such proposition and adhere to Auditor rules as may be recommended by the Snohomish County Auditor and its Supervisor of Elections, as long as the intent of the proposition remains clear and consistent with the intent of this Resolution as approved by the City Council.

Section 3. In the event the proposition specified in Section 1 above is approved, the City's powers and privileges will surrender to the state and the City will be absolved from any further duty to the state or its own inhabitants and all City officers will immediately cease to exist once a receiver is qualified.

Section 4. If any provision of this Resolution is determined to be invalid or unenforceable for any reason the remaining provisions shall remain in force and affect.

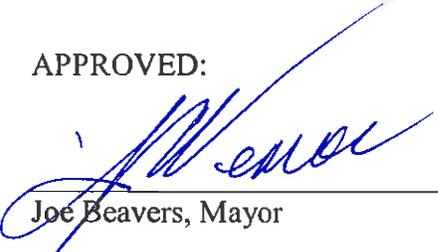
Section 5. The findings of fact as set forth above are hereby incorporated by reference.

RESOLVED this 17th day of July, 2012.

ATTEST/AUTHENTICATED:

APPROVED:


~~Laura Kelly, City Clerk/Treasurer~~
Denise Beaston, City Utility Clerk


Joe Beavers, Mayor

NOT READ
Ann Marie Soto, City Attorney

RCW 35A.15.010
Authority for disincorporation — Petition — Resolution.

Any noncharter code city may be disincorporated. Proceedings may be initiated by the filing with the county auditor of a petition for disincorporation signed by a majority of the registered voters resident in such city, or the legislative body of the city may provide by resolution for an election on the proposition of disincorporation.

2012 Election Information Guide
Election and Filing Information for Jurisdictions and Candidates
<http://www.co.snohomish.wa.us/documents/Departments/Auditor/Elections/2012ElectionGuide.pdf>

Submitting a Measure

Local jurisdictions may submit measures to appear before voters on a February, April, August or November ballot by passing a resolution through their governing body and filing the resolution with the Auditor's Office by the appropriate deadline. The resolution passed by the governing body of the local jurisdiction must include the date of the election the measure should appear on the ballot, the authority under which the measure is placed on the ballot, and a potential ballot title to appear before the voters.

The resolution must be signed by the governing body and filed with the Auditor's Office by the deadline for resolutions as listed on page 23. Resolutions may be emailed or faxed so long as the original is in the Auditor's Office within 7 days of the resolution deadline. The Auditor's Office will provide a receipt upon receiving the resolution. It is the district's responsibility to ensure that their resolution has been submitted in a timely manner.

The ballot title within the resolution should adhere to all legal requirements based on the type of measure it is and should appear in the format illustrated below. Responses should be no longer than 17 characters in length and we strongly encourage districts select standard responses such as yes/no or approved/rejected.

Ballot titles submitted by cities or towns must be signed off by the City Attorney. Ballot titles submitted by other jurisdictions will be reviewed and amended when appropriate and necessary by the County Prosecuting Attorney's Office.

Questions regarding the submission of measures for the ballot should be directed to Elections Public Information Officer, Heather Sorgen at (425) 388-3321.

Example

[Name of Jurisdiction]	Marysville School District No. 25
Proposition No. [#]	Proposition No. 1
[Short Title]	General Obligation Bonds - \$32,000,000

[Ballot Title] The Board of Directors of Marysville School District No. 25 approved a proposition for bonds. This proposition would authorize the District to replace and equip Cascade Elementary; advance student learning by modernizing technology systems and equipment; make basic repairs to Marysville-Pilchuck pool; make health and safety improvements; and do pre-planning site and facility analysis; by issuing \$32,000,000 of general obligation bonds maturing within a maximum of 20 years; and collect excess property taxes annually to repay the bonds, as provided in Resolution No. 2010-8. Should this proposition be approved?

[Response] Yes No

Local Voters' Pamphlet

Snohomish County publishes a local voters' pamphlet featuring candidates and issues for Primaries and General Elections. Local voters' pamphlets are not printed in Special Elections.

Any district with a resolution on the Primary or General Election ballot must participate in the local voters' pamphlet unless a waiver is granted by the County Council. Districts must submit an explanatory statement by the resolutions filing deadline, that discusses what the resolution changes if it passes. The names of the pro and con committee members are also due at that time.

An explanatory statement that addresses the anticipated effect of a measure if passed into law must be prepared by the the attorney for the jurisdiction submitting the proposition or measure. A letter of confirmation from the jurisdiction's attorney is also required.

The legislative authority of a jurisdiction submitting a measure has the responsibility of appointing members to a committee that will write the statement for the measure as well as a committee that will write the statement against the measure. Each committee is allowed up to 3 members, but can ask the advice of any number of individuals.

Statements may be rejected if the submitted statement contains obscene, vulgar, profane, scandalous, libelous, or defamatory language. If the statement is rejected, an appeal process is outlined in the Snohomish County Local Voters' Pamphlet Administrative Rules available in the Auditor's Office.

For more information regarding local voters' pamphlet due dates and procedures, please contact the Elections Division at (425) 388-3321.

General

Election Date	November 6, 2012
Resolution due	August 7, 2012, 5pm
Explanatory due	August 7, 2012, 5pm
Pro/Con Appoints due	August 7, 2012, 5pm
Pro/Con Statements due	August 21, 2012, 5pm
Pro/Con Rebuttals due	August 24, 2012, 5pm