

Resolution # 479

A RESOLUTION FOR THE TOWN OF YACOLT CLARK COUNTY WASHINGTON PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE TOWN OF YACOLT AT A GENERAL ELECTION TO BE HELD ON NOVEMBER 6, 2012, A PROPOSITION AUTHORIZING THE TOWN OF YACOLT TO INCREASE THE TOWNS PROPERTY TAX LEVY RATE.

WHEREAS, the Town of Yacolt has encountered a reduction in revenue to support operating and maintenance expenses; and

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

WHEREAS, additional income is necessary to meet the expenses, and

WHEREAS, without additional revenues, in order to cover the operation and maintenance expenses, the Town will be required to continue to substantially reduce basic services related to public safety, parks, and other community services or to file for bankruptcy or disincorporation; and

WHEREAS, the Towns current property tax levy rate is approximately \$2.15 per \$1,000.00 of assessed valuation; and

WHEREAS, RCW 84.52.052 authorizes the votes of the Town to permit the levy of taxes in excess of the levy limitations established in RCW 84.55.010; and

WHEREAS the proceeds of the increase in property tax on real property that would be authorized by the ballot proposition requested below will provide funding operations and maintenance of the Town of Yacolt and the continuation of basic services provided to the citizens; and

WHEREAS, the Town Council has determined that if the Town's ballot proposition is adopted by the voters and if additional revenues from sources other than the regular property tax levy are received in 2013, then the Town Council may be able to reduce other taxes, fees, or other resources of revenues in years following 2014; and

WHEREAS, an alternative to an excess levy, the Town Council has considered disincorporation and allowing the voters to decide their preferred course of action;

NOW THEREFORE, THE TOWN OF YACOLT WASHINGTON DO HERBY RESOLVE AS FOLLOWS:

**Section 1. This levy is for collection only for years 2013.** There shall be submitted to the qualified electors of the Town 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 approve an excess levy for collection only in the years 2013 of \$1.00 per \$1,000.00 of assessed value which will raise approximately \$78,000 for continued operating and maintenance expenses. Revenues from the property tax increases would be authorized by the ballot proposition shall be used for the limited purposes of operating and maintenance expenses in order to retain public safety, parks, community services and other governmental services that would otherwise be subject to elimination due to the ongoing expenses. The Town Council therefore directs and requests the Auditor of Clark 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:

TOWN OF YACOLT

PROPOSITION # 1

LEVY FOR OPERATIONS AND MAINTENANCE EXPENSES

PROPOSITION: THIS PROPOSITION OF THE TOWN OF YACOLT CONCERNS AN EXCESS PROPERTY TAX LEVY FOR OPERATIONS AND MAINTENANCE EXPENSES. THIS PROPOSITION AUTHORIZES THE TOWN TO LEVY EXCESS TAXES AT A RATE OF \$1.00 PER \$1,000 ASSESSED VALUE FOR COLLECTION ONLY FOR THE YEAR 2013, TO RAISE APPROXIMATELY \$78,000 FOR OPERATIONS AND MAINTENANCE EXPENSES OF THE TOWN OF YACOLT AS SET FORTH IN THIS RESOLUTION.

*SHOULD THIS PROPOSITION BE APPROVED?*

YES

NO

**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 Clark County Auditor and 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 Town Council

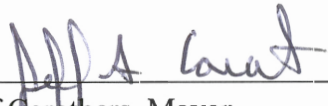
**Section 3.** In the event the proposition specified in Section 1 above is approved, the Town of Yacolt shall levy and there shall be collected an excess levy on real property in the Town at the rate of \$1.00 per \$1000 assessed valuation for collection in year 2013. The funds shall be used to cover the costs of operations and maintenance expenses.

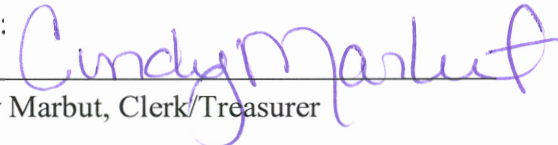
**Section 4.** If any provision of this resolution is determined to be invalid or unenforceable for any reason the remaining provisions shall remain in force and effect.

**Section 5.** The findings of fact as set for the above are hereby incorporated by reference

RESOLVED THIS 6<sup>th</sup> DAY OF August 2012

Town of Yacolt

  
\_\_\_\_\_  
Jeff Carothers, Mayor

Attest:   
\_\_\_\_\_  
Cindy Marbut, Clerk/Treasurer

\_\_\_\_\_  
David Ridenour, Town Attorney

Ayes: Newell, Karl, Urias

Nays: Myers, Holyk

Absent: \_\_\_\_\_

Abstain: \_\_\_\_\_

Published: \_\_\_\_\_

Effective Date: 8-6-12