

RESOLUTION NO. 2011-__

A RESOLUTION OF THE CITY COUNCIL OF LANGLEY, WASHINGTON, PROVIDING FOR THE SUBMISSION TO THE VOTERS OF THE CITY, AT A SPECIAL ELECTION TO BE HELD THEREIN ON AUGUST 16, 2011, OF A PROPOSITION OF WHETHER THE CITY SHOULD ADOPT THE COUNCIL/MANAGER FORM OF GOVERNMENT AND ABANDON THE COUNCIL/MAYOR FORM OF GOVERNMENT; AND REQUESTING THE ISLAND COUNTY AUDITOR TO CONDUCT THAT SPECIAL ELECTION.

WHEREAS, RCW Chapter 35A.06 authorizes a non-chartered code city to abandon its plan of government and reorganize under another plan of government, and to pass a resolution requesting that a proposition be submitted to the qualified voters within the City of whether the City should abandon its form of government and reorganize under another plan of government; and

WHEREAS, in accordance with RCW 35A.06.040, on April 28, 2011, citizens of the City of Langley filed with the Island County Auditor a petition proposing that the City of Langley abandon the Council/Mayor form of government and adopt the Council/Manager form of government; and

WHEREAS, on May 9, 2011 and in accordance with RCW 35A.06.040, Sheilah Crider, Island County Auditor, issued an Affidavit of Sufficiency that found “that of the 579 registered voters residing in the proposed area who cast votes in the 2009 General Election, 72 valid registered voters have signed said petition constituting a Sufficiency over the necessary 10% required”; and

WHEREAS, the City Council of Langley has determined that the best interests and general welfare of the City would be served by submitting to the qualified voters in the City the proposition of whether the City should adopt the Council/Manager form of government and abandon the Council/Mayor form of government; and

WHEREAS, the City Council desires to hold a special election on August 16, 2011, for the purpose of submitting to the qualified voters of the City the proposition of whether the City should adopt the Council/Manager form of government and abandon the Council/Mayor form of government; now, therefore,

THE CITY COUNCIL OF THE CITY OF LANGLEY DOES RESOLVE AS FOLLOWS:

Section 1. In accordance with RCW 35A.06.040 and.050, RCW 29A.04.330 and other applicable state law, the City Council hereby requests and calls for the Island County Auditor to conduct and hold a special election on August 16, 2011 for the purpose of submitting to the qualified voters of the City the proposition of whether the City should adopt the Council/Manager form of government and abandon the Council/Mayor form of government.

Section 2. The proposition to be submitted at the special election shall be in the form of a ballot title prepared by the City Attorney and shall be substantially as follows:

CITY OF LANGLEY

PROPOSITION No. __

WHETHER TO ADOPT COUNCIL/MANAGER FORM OF GOVERNMENT
FOR LANGLEY

Shall the City of Langley adopt the Council/Manager form of government and abandon the Council/Mayor form of government?

Yes

No

Section 3. The City Clerk is authorized and directed to file this Resolution with the Island County Auditor on or before May 24, 2011.

Section 4. If any section, sentence, clause or phrase of this resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of his resolution.

PASSED by the City Council this 23rd day of May, 2011.

APPROVED by the Mayor this 23rd day of May, 2011.

By: _____
PAUL O. SAMEULSON, Mayor

ATTEST:

DEBBIE L. MAHLER
Director of Finance/City Clerk

APPROVED AS TO FORM:

GRANT K. WEED,
City Attorney

LAW OFFICES OF
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May 24, 2011

VIA HAND DELIVERY

Sheilah Crider
Island County Auditor
Post Office Box 5000
Coupeville, WA 98329

Re: Ballot Proposition on Whether to Adopt Council/Manager Form of Government for City of Langley

Dear Ms. Crider:

On May 23, 2011, and in accordance with RCW 35A.06.040/.050, RCW 29A.04.330 and other applicable state law, the City Council of Langley passed Resolution No. 2011 ___ requesting that you conduct and hold a special election on August 16, 2011 for the purpose of submitting to the qualified voters of the City of Langley whether to adopt the Council/Manager form of government and abandon the Mayor/Council form of government. The resolution is enclosed for your reference.

In accordance with RCW 35A.06.050 and in my capacity as City Attorney, I have also attached and am submitting a ballot proposition and explanatory statement to be used for this special election. I have drafted the ballot proposition in a manner which in my opinion complies with RCW 29A.36.071(1) and other applicable state law. I would respectfully request that I be notified immediately in the event that you find the ballot proposition to be deficient in any way with regard to the statutory form requirements for local measure ballot titles so that any such deficiency can be promptly corrected and the matter submitted to the voters at a special election on August 16, 2011.

Thank you for your attention to this matter.

Very truly yours,

Grant K. Weed,
City Attorney for City of Langley

PM/kkp
Enclosures

EXPLANATORY STATEMENT

WHETHER TO ADOPT COUNCIL/MANAGER FORM OF GOVERNMENT FOR LANGLEY

If approved by the voters, this measure would abandon the current Mayor/Council form of government and adopt in its place the Council/Manager form of government. This change would transfer the administrative responsibilities from an elected Mayor to a City Manager, hired by the City Council. The position of Mayor elected by the qualified voters of Langley would be eliminated. The current Mayor would become a sixth Council Member for the remainder of his term through December 31, 2011. The City Council would choose one of its members to be Chairperson and this person would have the title of Mayor and would preside over City Council meetings and be recognized as the head of the City for ceremonial purposes.

CITY OF LANGLEY

PROPOSITION NO. __

**WHETHER TO ADOPT COUNCIL/MANAGER FORM OF
GOVERNMENT FOR LANGLEY**

Shall the City of Langley adopt the Council/Manager form of government and
abandon the Mayor/Council form of government?

Yes

No