

RESOLUTION 21-681

A RESOLUTION OF THE TOWN OF TWISP, WASHINGTON, FINDING THAT DISSOLUTION OF THE TWISP PUBLIC DEVELOPMENT AUTHORITY IS WARRANTED, REQUESTING THE TWISP PUBLIC DEVELOPMENT AUTHORITY TO FILE A DISSOLUTION STATEMENT AS PROVIDED IN SECTION 11 OF ORDINANCE NO. 597, AND MAKING PROPER PROVISIONS FOR THE DISPOSITION OF ALL TWISP PUBLIC DEVELOPMENT AUTHORITY ASSETS AND LIABILITIES.

WHEREAS, Ordinance No. 597 of the Town of Twisp was enacted on May 27, 2008, hereinafter "Enabling Ordinance", creating a public corporation to be known as the Twisp Public Development Authority, hereinafter "Authority", and approving a charter and bylaws of the Authority; and

WHEREAS, the Town of Twisp, hereinafter "Town" has received Resolution 21-004 dated April 9, 2021, from the Authority, which requested that the Town dissolve the Authority pursuant to the Enabling Ordinance; and

WHEREAS, the Town also received correspondence from the Board Chair of the Authority indicating that the Authority no longer owns real property and no longer has a revenue source necessary to sustain ongoing activities; and

WHEREAS, the Authority has proposed that all remaining assets owned by the Authority, if any, be transferred to the Town at the time of dissolution; and

WHEREAS, the Authority has also provided correspondence dated April 14, 2021, together with Resolution 21-003 dated April 9, 2021, in which the Authority distributed remaining funds from the Twisp Community Solar Project, which was concluded on June 30, 2020, in the amount of \$1,613.14 to the Town; and

WHEREAS, the Town desires to dissolve the Authority pursuant to the Enabling Ordinance and Article XIV, Section 5 of the Charter of the Authority dated May 27, 2008, hereinafter "Charter"; and

WHEREAS, the Town has held a public hearing on July 27th, 2021, and has provided the Authority at least 30-days notice prior to the hearing as required under Section 5 of the Charter, to afford the Authority a reasonable opportunity to be heard and present evidence at such hearing to determine if dissolution of the Authority is warranted; and

WHEREAS, at such public hearing, the Town Council of the Town has considered the correspondence and Resolutions received from the Authority requesting dissolution of the Authority; and

WHEREAS, the representatives from the Authority and other members of the public have had the opportunity to be heard or present evidence at such public hearing.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Twisp, Washington, as follows:

SECTION 1. FINDINGS. The Town Council does hereby find as follows:

a. That real property owned by the Authority was previously conveyed to the Twisp Works Foundation and the Authority no longer owns real property within the Town of Twisp.

b. The Authority no longer has a revenue source required to sustain ongoing activities.

c. The Authority has previously delivered funds in the amount of \$1,613.14 to the Town for the acquisition and/or maintenance of solar equipment and/or solar education, and the Authority no longer owns solar equipment and is not in a position to provide solar education.

d. The Authority is no longer necessary for the purposes designated in the Enabling Ordinance and Charter.

e. The Authority currently has no debts or liabilities, and is in a position to be dissolved without the Town incurring additional debts or liabilities in doing so.

SECTION 2. DISSOLUTION. Based on the findings made in Section 1 above, the Town Council has determined that dissolution of the Authority is warranted, and dissolution of the Authority shall occur pursuant Section 11 of the Enabling Ordinance and Article XIV, Section 5 of the Charter.

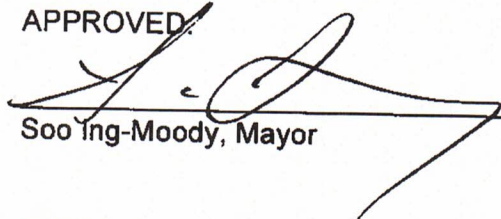
SECTION 3. DISSOLUTION STATEMENT. Pursuant to Section 11(B) of the Enabling Ordinance, the Authority shall file a Dissolution Statement signed by its chairperson setting forth the requirements outlined in Section 11(B) of the Enabling Ordinance.

SECTION 4. ASSETS AND DISSOLUTION PROCEEDING. All assets of the Authority, if any, shall be transferred to the Town, and the Town Mayor shall review the Dissolution Statement filed and oversee the dissolution to protect the public interest and

prevent impairment of obligation. Upon satisfactory completion of the dissolution proceedings, the Town shall indicate such dissolution by inscription of "Charter Cancelled" on the original Charter, and, when available, on a duplicate original of the Authority, and the existence of the Authority shall cease. The Town shall give notice thereof pursuant to Washington State law and to other persons requested by the Authority in its Dissolution Statement. All remaining assets of the Authority shall vest in the Town upon completion of the dissolution proceedings.

Passed by the Town Council of the Town of Twisp, at its regular meeting on the 19th day of December, 2021.


APPROVED:


Soo Ing-Moody, Mayor

ATTEST:


Randy Kilmer, Clerk/Treasurer

APPROVED AS TO FORM:


W. Scott DeTro, Town Attorney