



## MEMORANDUM

**TO:** Satpal Sidhu, County Executive

**FROM:** Karen N. Frakes

**RE:** Amendment to contract with Cascadia Law Group, PLLC

**DATE:** July 21, 2020

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Enclosed are two (2) originals of the contract amendment between Whatcom County and Cascadia Law Group PLLC for your review and signature.

▪ **Background and Purpose**

On January 29, 2019, the County Council approved Resolution 2019-004 to provide staff resources and funding to allow Cascadia Law Group to develop Comprehensive Plan amendments and County code language pertaining to the Cherry Point Urban Growth Area. On April 9, 2019, the Council authorized Contract #201903021 with Cascadia Law Group. The Council reviewed recommendations from Cascadia Law and received public feedback, including at Council meetings. On August 7, 2019, the Council forwarded Cascadia Law Group's recommendations to the Planning Commission for review and recommendation and to Planning and Development Services for SEPA review and determination. Contract #201903021 was amended previously to add funding for Cascadia Law's assistance with the SEPA process and again to extend the term of the agreement for an additional year. The Planning Commission is nearing the end of its process and the matter will be returned to the County Council for further review and preparation of a final ordinance. In addition, the County has received two appeals challenging its SEPA determination. Cascadia Law's assistance is needed during this final phase of the County process, and for legal representation in legal challenges to the final ordinance.

▪ **Funding Amount and Source**

Adequate funds will be available in the Council budget for these services if the Council approves the supplemental budget ordinance that will be heard prior to the consideration of this contract amendment.

▪ **Differences from Previous Contract**

This amendment increases the maximum compensation to Cascadia Law Group by \$25,000. It also expands the scope to include providing legal advice to the County

Council and county staff as the Council considers the adoption of the final ordinance and assisting in the drafting of the final ordinance, including preparation of findings and the record supporting the Council's final ordinance, and to provide legal representation for the County in any legal challenges to the final ordinance, including SEPA appeals.

Please contact Karen Frakes at extension 5757, if you have any questions or concerns regarding the terms of this agreement.

Encl.