



## MEMORANDUM

**TO:** Satpal Sidhu, County Executive

**FROM:** Council Office Staff

**RE:** Contract for Legal Services for the Whatcom County Council

**DATE:** August 8, 2024

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Enclosed is a contract between Whatcom County and Pacifica Law Group, LLP for your review and signature.

- **Background and Purpose**

On July 5, 2024, the Whatcom County Auditor verified the sufficiency of signatures for Initiative 2024-01 to repeal a County Property tax increase, specifically to repeal Proposition 5 (Ordinance 2022-045). On July 9, 2024, the Whatcom County Council approved Resolution 2024-035 requesting Whatcom County Superior Court issue a declaratory judgment to determine whether Initiative 2024-01 is procedurally invalid (AB2024-466). On July 11, 2024, Whatcom County Prosecuting attorney Eric Richey sent a letter to the Whatcom County Council indicating a conflict of interest that precludes the Prosecutor's Office from pursuing the action requested by the Council. The Whatcom County Council, with this contract, is engaging legal services to review pre-election legal issues related to Initiative 2024-01.

In accordance with RCW 36.32.200, the presiding superior court judge of the county must review the contract and a signature block for approval is included on the contract.

- **Funding Amount and Source**

The proposed contract amount is \$60,000. The Council Office submitted a supplemental budget request (#4741) for funding for this contract (see AB2024-507).

- **Timeframe**

The timeframe for this contract is approximately 3 months, ending November 5, 2024.

Please contact Cathy Halka at ext. 5019, if you have any questions.

Encl.