



November 7, 2018

Olympia City Council
601 – 4th Avenue E.
Olympia WA 98501

**RE: Request for Payment of Necessary Expenses Pursuant to OMC Chapter 2.72 to
Judicially Determine the Sufficiency of Recall Charges Against Mayor Cheryl Selby**

Dear Councilmembers:

In accordance with OMC Chapter 2.72, I have determined from the wording of the “Demand for Recall and Discharge of Cheryl Selby,” filed by Jon S. Pettit with the Thurston County Auditor on November 6, 2018, that a reasonable legal position can be established that the charges stated in the “Demand for Recall and Discharge” of Mayor Selby are not sufficient for purposes of RCW 4.96.041.

I therefore approve the request from Mayor Cheryl Selby that the City of Olympia pay the necessary expenses in defending her in her official capacity as Mayor of the City of Olympia in a judicial proceeding convened to determine the sufficiency of the charges set forth in the Demand for Recall and Discharge, subject to approval by the Olympia City Council in an open meeting.

Sincerely,

Mark Barber
City Attorney

MB:kap

cc: Steve Hall, City Manager