

Bond Case Briefs

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Wiklem v. City of Camas

Court of Appeals of Washington, Division 2 - July 9, 2024 - P.3d - 2024 WL 3335985

Petitioner brought action against city and county, alleging that county's conclusion that petitions for referendum vote on city ordinance imposing a new utility tax lacked sufficient valid signatures, and seeking a writ of mandamus, a writ of review, and declaratory relief.

The Superior Court granted county's motion to dismiss for failure to state a claim, which was converted into one for summary judgment, and denied petitioner's motion for reconsideration. Petitioner appealed.

The Court of Appeals held that:

- Writ of mandamus was not warranted to order county to validate signatures which had already occurred;
- Process of verification of sufficiency of signatures involved discretionary acts for which a writ of mandamus was not appropriate;
- County was not exercising a judicial function in certifying signatures, thus precluding statutory writ of review.
- Declaration of elections director was sufficient for trial court to determine whether county's process in verifying signatures was performed illegally or in an arbitrary and capricious manner, at summary judgment stage, thus precluding constitutional writ of review; and
- Trial court did not abuse its discretion in denying motion for reconsideration.