



# Whatcom County

COUNTY COURTHOUSE  
311 Grand Avenue, Ste #105  
Bellingham, WA 98225-4038  
(360) 778-5010

## Agenda Bill Master Report

File Number: AB2021-728

---

<b>File ID:</b>	AB2021-728	<b>Version:</b>	1	<b>Status:</b>	Adopted
<b>File Created:</b>	11/23/2021	<b>Entered by:</b>	JLassite@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Ordinance		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee			<b>Final Action:</b>	12/07/2021
<b>Agenda Date:</b>	12/07/2021			<b>Enactment #:</b>	ORD 2021-090

---

Primary Contact Email: DBrown@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Ordinance requesting that the Whatcom County Auditor include the question of establishing a Birch Bay Library Capital Facility Area to finance a new library facility in Birch Bay on the ballot at the February special election

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

This ordinance would forward the Birch Bay Library Capital Facility Area proposal to the Whatcom County Auditor for inclusion on the ballot at the next special election.

---

### HISTORY OF LEGISLATIVE FILE

---

<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
11/23/2021	Council	INTRODUCED	Council Finance and Administrative Services Committee
		Aye: 7	Browne, Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Kershner
		Nay: 0	
		Absent: 0	
12/07/2021	Council Finance and Administrative Services Committee	RECOMMENDED FOR ADOPTION	
		Aye: 2	Browne, and Frazey
		Nay: 0	
		Absent: 1	Byrd
12/07/2021	Council	ADOPTED	

**Agenda Bill Master Report Continued (AB2021-728)**

---

Aye: 6 Browne, Buchanan, Donovan, Elenbaas, Frazey, and Kershner  
Nay: 0  
Absent: 0  
Temp Absent: 1 Byrd

---

**Attachments:** Proposed Ordinance, WCLS Resolution, WCLS Auditor Forms, WCLS Explanatory Statement, RCW 27.15 Language

1                                   **PROPOSED BY: WHATCOM COUNTY RURAL LIBRARY DISTRICT**  
2   **INTRODUCTION DATE: November 23, 2021**  
3

4  
5                                   **ORDINANCE NO. 2021-090**  
6

7                   **REQUESTING THAT THE WHATCOM COUNTY AUDITOR INCLUDE THE QUESTION OF**  
8                   **ESTABLISHING A BIRCH BAY LIBRARY CAPITAL FACILITY AREA TO FINANCE A**  
9                   **NEW LIBRARY FACILITY IN BIRCH BAY ON THE BALLOT AT THE FEBRUARY**  
10                  **SPECIAL ELECTION**  
11

12               **WHEREAS**, on November 16, 2021, the Whatcom County Library System Board of  
13 Trustees adopted Resolution No. 11/16/21-16 initiating the process for establishing the  
14 Birch Bay Library Capital Facility Area to finance a new library facility in Birch Bay; and  
15

16               **WHEREAS**, the Bookmobile currently serving the Birch Bay community cannot  
17 accommodate a collection size to support the rapidly growing population; and  
18

19               **WHEREAS**, the Birch Bay community lacks public services such as public meeting  
20 rooms, public internet computers, free informational and educational programs and events  
21 for all ages; and  
22

23               **WHEREAS**, Chapter 27.15 RCW permits, upon the request of the Library District and  
24 the approval of the voters, the creation of a library capital facility area to construct, acquire,  
25 maintain, and remodel library capital facilities; and  
26

27               **WHEREAS**, the Whatcom County Rural Library District has fulfilled all the  
28 requirements for the proposed establishment of the Birch Bay Library Capital Facility Area  
29 and the proposal is ready to send to a vote of the people.  
30

31               **NOW, THEREFORE, BE IT ORDAINED** that the Whatcom County Council hereby  
32 forwards the Birch Bay Library Capital Facility Area proposal to the Whatcom County Auditor  
33 for inclusion on the ballot at the next special election.  
34

35               **BE IT FURTHER ORDAINED** that the boundaries of the Birch Bay Library Capital  
36 Facility Area shall be as described by Exhibit A to this ordinance.  
37

1  
2  
3 **BE IT FURTHER ORDAINED** that the proposition shall be in substantially the  
4 following form:  
5

6 The Whatcom County Council adopted Ordinance No. 2021-090 concerning a  
7 proposition to establish the Birch Bay Library Capital Facility Area to finance a new  
8 library facility in Birch Bay. If approved, this proposition would establish the Birch  
9 Bay Library Capital Facility Area with boundaries as described in County Council  
10 Ordinance No. 2021-090, authorize it to acquire, construct, furnish and equip a  
11 new library in Birch Bay, incur indebtedness to finance such improvements through  
12 the issuance of up to \$4,500,000 in general obligation bonds maturing within 20  
13 years, and levy annual excess property taxes to repay such bonds. Shall this  
14 proposition be approved?

15  
16 **YES** \_\_\_\_\_


17 **NO** \_\_\_\_\_

18  
19 **ADOPTED** this 7th day of December, 2021.

20  
21  
22  
23 ATTEST:

24   
25 \_\_\_\_\_  
26 Dana Brown-Davis, Clerk of the Council


WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

27   
28 \_\_\_\_\_  
29 Barry Buchanan, Council Chair

30 APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE  
WHATCOM COUNTY, WASHINGTON

31  
32 /s/ Karen Frakes (approved via e-mail) / JJ,  
33 Civil Deputy Prosecutor

34   
35 \_\_\_\_\_  
36 Satpal Sidhu  
37 County Executive

38  Approved ( ) Denied

Date Signed: Dec 13, 2021



## **Pacific Surveying & Engineering, Inc**

land surveying • civil engineering • consulting • environmental  
909 Squalicum Way #111, Bellingham, WA 98225  
Phone 360.671.7387 Facsimile 360.671.4685 Email [info@psurvey.com](mailto:info@psurvey.com)

### **EXHIBIT 'A'**

#### **WHATCOM COUNTY RURAL LIBRARY DISTRICT BIRCH BAY LIBRARY CAPITAL FACILITY AREA BOUNDARY DESCRIPTION**

ALL THOSE PORTIONS OF UPLAND AND TIDELANDS PROPERTIES INCLUDED WITHIN THE AREA DESCRIBED BELOW, AND LYING WITHIN PORTIONS OF THE FOLLOWING SECTIONS:

TOWNSHIP 39 NORTH, RANGE 1 WEST, W.M.  
SECTION 1, SECTION 2, SECTION 11 AND SECTION 12.

TOWNSHIP 39 NORTH, RANGE 1 EAST, W.M.  
SECTION 5, SECTION 6, SECTION 7 AND SECTION 8.

TOWNSHIP 40 NORTH, RANGE 1 WEST, W.M.  
SECTION 10, SECTION 15, SECTION 16, SECTION 21, SECTION 22, SECTION 23, SECTION 24,  
SECTION 25, SECTION 26, SECTION 27 AND SECTION 36.

TOWNSHIP 40 NORTH, RANGE 1 EAST, W.M.  
SECTION 19, SECTION 20, SECTION 21, SECTION 22, SECTION 27, SECTION 29, SECTION 30,  
SECTION 31 AND SECTION 32.

#### **CAPITAL FACILITY AREA BOUNDARY:**

BEGINNING AT THE SOUTH 1/16<sup>TH</sup> CORNER ON THE EAST LINE OF SECTION 10, TOWNSHIP 40 NORTH, RANGE 1 WEST, W.M.; THENCE WESTERLY ALONG THE SOUTH 1/16<sup>TH</sup> LINE OF SAID SECTION 10 AND THE SOUTHERLY CITY LIMITS BOUNDARY OF THE CITY OF BLAINE TO THE SHORELINE OF SEMIAHMOO BAY; THENCE ALONG SAID SHORELINE, AS FOLLOWS:

IN A GENERALLY SOUTHERLY DIRECTION ALONG THE SHORELINE OF SEMIAHMOO BAY AND WITHIN SAID SECTIONS 10, 15, 16, AND 21 OF TOWNSHIP 40 NORTH, RANGE 1 WEST, W.M.;

THENCE IN A GENERALLY SOUTHEASTERLY DIRECTION ALONG THE SHORELINE OF SEMIAHMOO BAY AND BIRCH BAY AND WITHIN SAID SECTIONS 21, 22 AND 27 OF TOWNSHIP 40 NORTH, RANGE 1 WEST, W.M.;

THENCE IN A GENERALLY EASTERLY AND NORTHEASTERLY DIRECTION ALONG THE SHORELINE OF BIRCH BAY AND WITHIN SAID SECTIONS 26 AND 23 OF TOWNSHIP 40 NORTH, RANGE 1 WEST, W.M.;

THENCE IN A GENERALLY SOUTHEASTERLY AND SOUTHERLY DIRECTION ALONG THE SHORELINE OF BIRCH BAY AND WITHIN SAID SECTIONS 24 AND 25 OF TOWNSHIP 40 NORTH, RANGE 1 WEST, W.M., AND SECTION 30 OF TOWNSHIP 40 NORTH, RANGE 1 EAST, W.M.;

THENCE IN A GENERALLY SOUTHERLY AND SOUTHWESTERLY DIRECTION ALONG THE SHORELINE OF BIRCH BAY AND WITHIN SAID SECTION 31, TOWNSHIP 40 NORTH, RANGE 1 EAST, W.M., AND SECTION 36, TOWNSHIP 40 NORTH, RANGE 1 WEST, W.M. AND SECTIONS 1 AND 2, TOWNSHIP 39 NORTH, RANGE 1 WEST, W.M.;

THENCE CONTINUING IN A GENERALLY WESTERLY AND SOUTHERLY DIRECTION ALONG THE SHORELINE OF BIRCH BAY AND THE STRAIT OF GEORGIA AND WITHIN SECTION 2, TOWNSHIP 39 NORTH, RANGE 1 WEST, W.M.;

THENCE CONTINUING IN A GENERALLY SOUTHERLY AND SOUTHEASTERLY DIRECTION ALONG THE SHORELINE OF THE STRAIT OF GEORGIA TO THE INTERSECTION WITH THE SOUTH LINE OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 1 WEST, W.M.;

THENCE DEPARTING SAID SHORELINE AND EASTERLY ALONG SAID SOUTH LINE OF SECTIONS 11 AND 12, TOWNSHIP 39 NORTH, RANGE 1 WEST, W.M. TO THE SOUTHEAST CORNER OF SAID SECTION 12;

THENCE CONTINUING EASTERLY ALONG THE SOUTH LINE OF SECTIONS 7 AND 8, TOWNSHIP 39 NORTH, RANGE 1 EAST, W.M., ALSO BEING THE CENTERLINE OF ALDERGROVE ROAD (CO. RD. NO. 641) TO THE SOUTHEAST CORNER OF SAID SECTION 8, BEING A POINT OF INTERSECTION OF THE CENTERLINES OF SAID ALDERGROVE ROAD WITH KICKERVILLE ROAD (CO. RD. 228);

THENCE NORTH ALONG SAID CENTERLINE OF KICKERVILLE ROAD, AND THE EAST LINE OF SAID SECTIONS 8 AND SECTION 5 OF SAID TOWNSHIP 39 NORTH, RANGE 1 EAST, W.M. TO THE NORTHEAST CORNER OF SAID SECTION 5, BEING A POINT OF INTERSECTION OF THE CENTERLINES OF SAID KICKERVILLE ROAD AND BAY ROAD (CO. ROAD NO. 42);

THENCE NORTHERLY ALONG THE EAST LINE OF SECTIONS 32 AND 29, TOWNSHIP 40 NORTH, RANGE 1 EAST, W.M., AND ALONG THE CENTERLINE OF SAID KICKERVILLE ROAD TO THE NORTHEAST CORNER OF SAID SECTION 29, BEING THE POINT OF INTERSECTION OF THE CENTERLINES OF SAID KICKERVILLE ROAD AND BIRCH BAY-LYNDEN ROAD (CO. RD. NO. 559); THENCE EAST ALONG THE SOUTH LINE OF SECTIONS 21 AND 22, TOWNSHIP 40 NORTH, RANGE 1 EAST, AND ALONG THE CENTERLINE OF SAID BIRCH BAY-LYNDEN ROAD TO THE POINT OF INTERSECTION WITH PORTAL WAY; THENCE CONTINUING IN AN EASTERLY AND SOUTHEASTERLY DIRECTION ALONG SAID CENTERLINE OF SAID BIRCH BAY-LYNDEN ROAD AND WITHIN SECTIONS 22 AND 27 OF TOWNSHIP 40 NORTH, RANGE 1 EAST, W.M., TO THE WEST MARGIN OF INTERSTATE 5; THENCE NORTHWESTERLY ALONG SAID WEST MARGIN OF INTERSTATE 5 AND WITHIN SAID SECTIONS 27, 22 AND 21 TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF SAID SECTION 21; THENCE WESTERLY ALONG THE NORTH LINE OF SECTIONS 21, 20, AND 19, TOWNSHIP 40 NORTH, RANGE 1 EAST, W.M., AND SECTIONS 24 AND 23, TOWNSHIP 40 NORTH, RANGE 1 WEST, W.M., TO THE NORTHWEST CORNER OF SAID SECTION 23; THENCE NORTHERLY ALONG THE EAST LINE OF SECTIONS 15 AND 10, TOWNSHIP 40 NORTH, RANGE 1 WEST, W.M., TO THE POINT OF BEGINNING.

TOGETHER WITH SECOND CLASS TIDELANDS ABUTTING.

ALSO TOGETHER WITH ANY PROPERTIES LOCATED BETWEEN THE LINE OF ORDINARY HIGH WATER AND THE GOVERNMENT MEANDER LINE.

EXCEPTING THEREFROM ANY PORTION OF LAND LOCATED WITHIN THE CITY OF BLAINE.

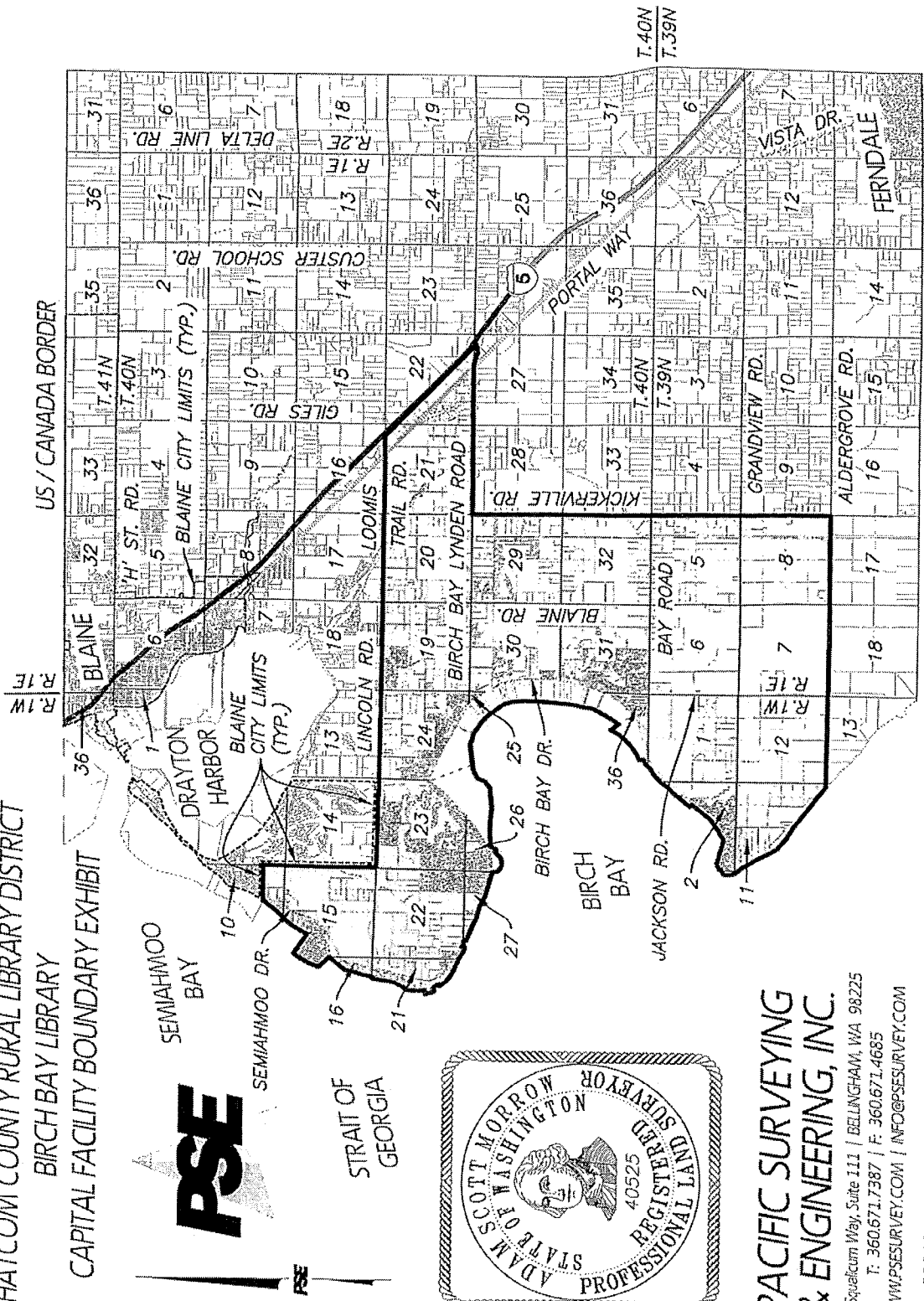
SITUATE IN WHATCOM COUNTY, WASHINGTON

NOTE: THE TERM "SHORELINE" USED IN THIS CAPITAL FACILITY AREA BOUNDARY DESCRIPTION IS INTENDED TO REPRESENT THE LEGAL BOUNDARY BETWEEN UPLAND

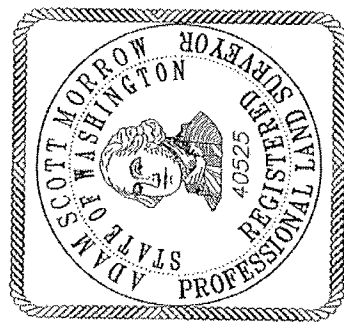
AND TIDELAND PROPERTIES, WHICH MAY BE EITHER THE GOVERNMENT MEANDER LINE OR THE LINE OR ORDINARY HIGH WATER DEPENDING ON HISTORICAL AND LEGAL CIRCUMSTANCES. IN ALL CASES, AND SPECIFICALLY FOR THE PURPOSES OF THIS CAPITAL FACILITY AREA BOUNDARY DESCRIPTION IT SHOULD BE PRESUMED THAT THERE IS NO GAP BETWEEN UPLAND AND TIDELANDS PROPERTIES.



WHATCOM COUNTY RURAL LIBRARY DISTRICT  
 BIRCH BAY LIBRARY  
 CAPITAL FACILITY BOUNDARY EXHIBIT



STRAIT OF GEORGIA



**PACIFIC SURVEYING & ENGINEERING, INC.**

909 Squaticum Way, Suite 111 | BELLEVUE, WA 98225  
 T: 360.671.7387 | F: 360.671.4685  
 WWW.PSESURVEY.COM | INFO@PSESURVEY.COM

DWG: 2021084\_svE\_Exhibit.dwg DATE: 6.8.2021 JOB#: 2021084 SCALE: 1"=9000' SHEET: 1 OF 1