

**WHATCOM COUNTY COUNCIL AGENDA BILL**

NO. 2006-303A

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to
Originator:	MEW	6/26/2006	<b>RECEIVED</b>  <b>JUL 03 2006</b>  <b>WHATCOM COUNTY COUNCIL</b>	7/11/2006	Introduction Hearing, Council
Division Head:	<i>[Signature]</i>	6/26/2006		7/25/2006	
Dept. Head:				8/08/06	
Prosecutor:	<i>[Signature]</i>	06/29/06			
Purchasing/Budget:	<i>[Signature]</i>	6/29/06			
Executive:	<i>[Signature]</i>				

**TITLE OF DOCUMENT:** *Acceptance and Adoption of the South portion of Whitecap Road as a Whatcom County Road*

**ATTACHMENTS:** Memo to County Executive and Council, Map, ... Proposed Ordinance,

SEPA review required? ( ) Yes (  ) NO      Should Clerk schedule a hearing? (  ) Yes ( ) NO  
 SEPA review completed? ( ) Yes ( ) NO      Requested Date: June 26, 2006

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*

Whatcom County seeks, by resolution, to accept a portion (approximately 700') of newly constructed road lying south of the existing County maintained portion of Whitecap Road. The County offers the following pertinent facts to support the establishment:

The subject road was constructed to 18 feet of bituminous surface treatment width with 1-foot gravel shoulders. This cross section is the same as the existing maintained roadway. The road was constructed through a series of trail permits to a point in which it met the existing road standard. The road provides necessary vehicular access to a significant number of residences and the public may be better served by county maintenance of the road. The roadway is unlikely to extend through to Beacon Road due to the steep rock slope at the south end of the right-of-way.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

7/11/06: Introduced  
 7/25/06: Held until 8/8/06  
 8/08/06: Council Adopted 7-0  
 Ord. 2006-035

**Related County Contract #:**

**Related File Numbers:**

**Ordinance or Resolution Number:** Ord. 2006-035

**Please Note:** *Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council).*

1 SPONSORED BY: Engineering Services

2  
3 PROPOSED BY: Public Works – Engineering Services

4  
5 INTRODUCTION DATE: 7/11/2006

6  
7  
8  
9  
10 ORDINANCE NO. 2006 - 035

11 DECLARING INTENT TO ACCEPT A SECTION OF WHITECAP ROAD,  
12 DECLARING THAT SUCH ESTABLISHMENT IS A PUBLIC NECESSITY, AND DIRECTING  
13 COUNTY ROAD ENGINEER TO REPORT TO COUNCIL UPON THE PROJECT

14  
15  
16 WHEREAS, the southern section of Whitecap Road was built under a series of Whatcom  
17 County trail permits and lies within County right-of-way; and

18  
19 WHEREAS, the section of Whitecap Road is constructed to the same standard of the  
20 existing maintained road at 18 feet wide bituminous surface treatment and 1 foot gravel  
21 shoulders; and

22  
23 WHEREAS, the road provides necessary vehicular access to a significant number of  
24 residences; and

25  
26 WHEREAS, it is a matter of general policy for the County to establish a County road and  
27 assume responsibility for its maintenance, if doing so provides service to the citizenry at a  
28 reasonable cost; and

29  
30 WHEREAS, the public may be better served by county maintenance of the road  
31 identified herein; and

32  
33 WHEREAS, the financial burden assumed by the County as a result of increased road  
34 maintenance responsibilities is balanced by increased revenues from state tax funds for the  
35 additional length of road in the County road system; and

36  
37 WHEREAS, the Council needs the most accurate, up-to-date information concerning the  
38 condition of the roadway, the status of the underlying right-of-way, the financial implications of  
39 accepting this roadway into the County road system, and the public benefit to be derived from  
40 the establishment of this roadway as a County road; and

41  
42 WHEREAS, RCW 36.81 requires that the County Road Engineer, upon direction from  
43 the Council, provide such information to the Council via a report; and

44  
45 WHEREAS, RCW 36.81 requires that that a public hearing be scheduled and held, and  
46 that proper notice be given before this road is established as a public road with the County road  
47 system; and

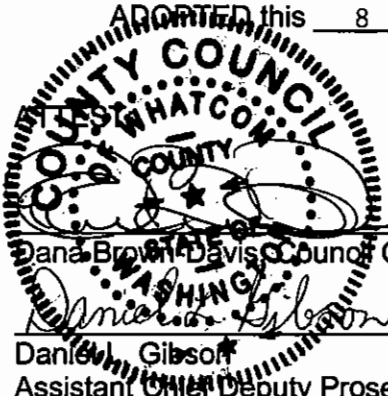
48

49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72

WHEREAS, The County Council held a public hearing on the proposed acceptance of the southern section of Whitecap Road on July 25, 2006, at 7:00 pm, and is authorized to adopt the road and additional cul-de-sac right-of-way.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the new and remaining portion of Whitecap Road south of the existing county maintained portion of Whitecap Road be accepted as a County road within County right-of-way.

ADOPTED this 8 day of August, 2006.



Dana Brown Davis  
Council Clerk

Daniel Gibson  
Assistant Chief Deputy Prosecuting Attorney

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

L. Caskey-Schreiber  
Laurie Caskey-Schreiber, Council Chair

Pete Kremen  
Pete Kremen, County Executive

Date: 8-9-06