

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2006-303

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	MEW	6/26/2006	<p>RECEIVED</p> <p>JUL 03 2006</p> <p>WHATCOM COUNTY COUNCIL</p>	7/11/2006	Fin/Cncl
Division Head:	<i>[Signature]</i>	6/26/2006			
Dept. Head:					
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, Resolution, Public Hearing Notice

SEPA review required? () Yes (<input checked="" type="checkbox"/>) NO	Should Clerk schedule a hearing? () Yes () NO
SEPA review completed? () Yes () NO	Requested Date: ..

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:
7/11/06: Forwarded to Council for approval

COUNCIL ACTION:
7/11/06: Amended and Approved by Council 7-0
Res. 2006-046

Related County Contract #:	Related File Numbers:	Ordinance or Resolution Number: Res. 2006-046
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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.*

SPONSORED BY: Engineering Services
PROPOSED BY: Public Works- Engineering Services
INTRODUCTION DATE: 7/11/2006

RESOLUTION NO. 2006- 046

RESOLUTION DECLARING INTENT TO ESTABLISH WHITECAP ROAD AS A COUNTY ROAD, DECLARING THAT SUCH ESTABLISHMENT IS A PUBLIC NECESSITY, AND DIRECTING THE COUNTY ROAD ENGINEER TO REPORT TO COUNCIL UPON THE PROJECT

WHEREAS, Whatcom County appears to possess a right of way for road purposes at Whitecap Road and to accept a portion (approximately 700') of newly constructed road lying south of the existing County maintained portion of Whitecap Road; and

WHEREAS, Whatcom County has issued trail permits allowing construction and use of a private road within the county's right of way; and

WHEREAS, residents along the private road within the right of way assert that they have brought the private road up to the appropriate public road improvement standard; and

WHEREAS, the road provides necessary vehicular access to a growing number of residences; and

WHEREAS, it is a matter of general policy for the County to establish a county road and assume responsibility for its maintenance once a private road has been brought up to the applicable public road standard if doing so provides service to the citizenry at a reasonable cost; and

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

WHEREAS, the financial burden assumed by the county as a result of increased road maintenance responsibilities is ameliorated by increased revenues from state tax funds for the additional length of roads in the county road system; and

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

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


WHEREAS, RCW 36.81 requires that a public hearing be scheduled and held, and that proper notice be given before this road is established as a public road with the county road system.

NOW, THEREFORE BE IT RESOLVED that the County intends to pursue the process necessary to establish the above-described road as a County road on the current belief that such establishment is a public necessity.


BE IT FURTHER RESOLVED that the County Road Engineer is directed to provide this Council with a report upon this project at a public hearing, and that such hearing be held on this matter on July 25, 2006, at 7:00 p.m.

BE IT FINALLY RESOLVED that notice of the above-referenced hearing and proof of the giving of such notice be provided as set forth in RCW 36.81.070 and .080.

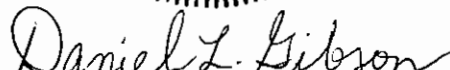
APPROVED this 11 day of July, 2006.

ATTN: 
 Dana Brewer-Davis, Clerk of the Council

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Laurie Caskey-Schreiber, Council Chair

APPROVED AS TO FORM ONLY:


Daniel L. Gibson
Assistant Chief Deputy Prosecuting Attorney

COUNTY ROADS MAP

Legend	
—	CITY STREETS
—	COUNTY ROAD
—	STATE ROAD
—	PRIVATE ROADS
—	RIVERS AND STREAMS
—	PARCELS

200 0 200 Feet

1 inch equals 200 feet

