

**BOARD OF COUNTY COUNCILORS
HEARING PACKET**

Hearing Item: **Declare the Brush Prairie Bridge #201, capital road project CRP #332322 a “Public Use and Necessity” and to direct the Prosecuting Attorney’s office to proceed onto Superior Court with Eminent Domain proceedings. Parcel Number 196690-000, property owners Jason C. Bice and Amy E. Bice; Parcel Number 196694-000, property owner Amy E. Baker Bice.**

Date: **Tuesday, September 15, 2015**

Time: **10:00 a.m.**

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- 1. Staff Report**
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PW15-072

CLARK COUNTY STAFF REPORT

DEPARTMENT: Public Works / Engineering & Construction Division / Real Property Services

DATE: September 15, 2015

REQUESTED ACTION: Declare the Brush Prairie, Bridge #201, capital road project CRP #332322, a "Public Use and Necessity" and direct the Prosecuting Attorney's office to proceed onto Superior Court with Eminent Domain proceedings. Parcel Number 196691-000, property owners Jason C. Bice and Amy E. Bice; Parcel Number 196694-000, property owner Amy E. Baker Bice.

___ Consent X Hearing ___ County Manager

PUBLIC WORKS GOALS:

- Provide safe and efficient transportation systems in Clark County
- Create and maintain a vibrant system of parks, trails and green spaces
- Continue responsible stewardship of public funds
- Promote family-wage job creation and economic development to support a thriving community
- Maintain a healthy, desirable quality of life
- Increase partnerships and foster an engaged, informed community
- Cultivate a nimble, responsive work force
- Make Public Works a great place to work

BACKGROUND

The Public Works Department has negotiated with property owners to acquire the permanent and temporary easements needed for the Brush Prairie, Bridge #201 project (CRP 332322). One (1) property owner has signed the required permanent and temporary easement. Staff continues to negotiate with the remaining property owners on a regular basis to come to resolution.

To meet the 2016 construction season and avoid losing a federal grant, Public Works is requesting that the Board declare this project a "Public Use and Necessity" and refer this matter to the Prosecuting Attorney's office, civil division, to file a petition with the superior court asking for an order of public use and necessity and setting this case for trial regarding compensation.

<u>Owner</u>	<u>Serial Numbers</u>
Amy E. Baker Bice	196694-000
Amy E. and Jason C. Bice	196691-000

COUNCIL POLICY IMPLICATIONS

None.

ADMINISTRATIVE POLICY IMPLICATIONS

None.

COMMUNITY OUTREACH

Development of the Transportation Improvement Program includes a wide array of public input opportunities including public hearings and information on the county website. Specifically, staff and management have had recurrent communication through emails, letters, phone calls and meetings about this project with the property owners since 2012. Recent (since July 2015) communication and outreach examples include on site meetings, phone calls, emails and staking of the proposed easements for visual understanding.

BUDGET IMPLICATIONS

YES	NO	
X		Action falls within existing budget capacity.
		Action falls within existing budget capacity but requires a change of purpose within existing appropriation
		Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

BUDGET DETAILS

Local Fund Dollar Amount	\$0
Grant Fund Dollar Amount	\$606,000
Account	Road Fund
Company Name	N/A

DISTRIBUTION:

Board staff will post all staff reports to The Grid. <http://www.clark.wa.gov/thegrid/>


 Tom Grange, PE
 Engineering and Construction Division


 Heath H. Henderson, PE
 Public Works Director/County Engineer

APPROVED: _____
CLARK COUNTY, WASHINGTON
BOARD OF COUNTY COUNCILORS

DATE: _____

SR# _____

APPROVED: _____
Mark McCauley, Acting County Manager
 DATE: _____

NOTICE OF HEARING

The Clark County Board of Councilors will hold a public hearing on the 15th day of September, 2015 at 10:00AM in the Councilors' Hearing Room, 6th floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington to consider: a request from Clark County Public Works Department to declare the Brush Prairie Bridge #201, capital road project CRP #332322 a "Public Use and Necessity" and to direct the Prosecuting Attorney's office to proceed onto Superior Court with Eminent Domain proceedings. Parcel Number 196691-000, property owners Jason C. Bice and Amy E. Bice; Parcel Number 196694-000, property owner Amy E. Baker Bice.

More information concerning this matter may be obtained from Clark County Department of Public Works, Real Property Services Department, 1300 Franklin Street, Vancouver, Washington, Steve Hansen, telephone (360) 397-6118 extension 4370.

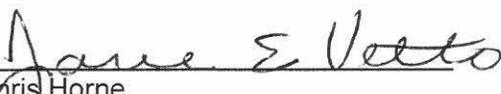
Any person wishing to give testimony in this matter should appear at the time, date, and place above stated.

Clark County, Washington

By: 
Heath H. Henderson, P.E.
Director of Public Works

Approved as to Form Only:

ANTHONY F. GOLIK
Prosecuting Attorney

By: 
Chris Horne
Civil Deputy Prosecuting Attorney

Please publish: September 7 and September 14, 2015

County Road Project #332322

Persons requiring auxiliary aids or special arrangements in order to participate in this hearing should call (360) 397-2232, Commissioners Office, or TDD (360) 397-6032, Human Resources Dept., at least two days prior to the scheduled meeting.

Bice Properties 199691-000 & 196694-000

NE 102ND AVE

196691000
BICE AMY E

196694000
BICE AMY
E BAKER

NE 459TH ST

KEY

1:2,836



proud past, promising future

CLARK COUNTY
WASHINGTON

Geographic Information System

Information shown on this map was collected from several sources. Clark County accepts no responsibility for any inaccuracies that may be present

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Project: G:\RealPropEd\RealPropEd\mg_r20.mxd (daniel)