SANTA CRUZ COUNTY
BOARD OF SUPERVISORS INDEX SHEET

Creation Date: 3/11/03

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Resolution(s): 58-2003

Ordinance(s):

Contract(s):

Continue Date(s): [1] 4/1/03

Index: --Letter of Public Works Department dated March 6, 2003
--Notice of Public Hearing

Item: 34. ADOPTED RESOLUTION NO. 58-2003 scheduling a public hearing on Tuesday, April 1, 2003, on the morning agenda, at 9:00 a.m. or thereafter to consider a proposed ordinance to establish a trench cut cost recovery fee; and directed the Clerk of the Board to take related actions, as recommended by the Director of Public Works

County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

THOMAS L. BOLICH
DIRECTOR OF PUBLIC WORKS

AGENDA: MARCH 18, 2003
March 6, 2003

APPROVED AND FILED
BOARD OF SUPERVISORS
DATE: 3/18/03
COUNTY OF SANTA CRUZ
SUSAN A. MAURIELLO
EX-OFFICIO CLERK OF THE BOARD
BY Sharon Mitchell DEPUTY

SANTA CRUZ COUNTY BOARD OF SUPERVISORS
701 Ocean Street
Santa Cruz, California 95060

SUBJECT: TRENCH CUT COST RECOVERY FEE ORDINANCE, PUBLIC HEARING

Members of the Board:

On March 11, 2003, your Board directed Public Works to return on March 18, 2003, with a request to direct the Clerk of the Board to publish the required notification of a public hearing for the proposed Trench Cut Cost Recovery Fee Ordinance. Presented here for your consideration and approval are the resolution and Notice of Public Hearing.

It is therefore recommended that the Board of Supervisors take the following action:

1. Adopt the attached resolution setting a public hearing for April 1, 2003, at 9:00 a.m. or thereafter to consider the proposed ordinance to establish a trench cut cost recovery fee to be imposed in conjunction with permits for excavation in the public right-of-way.

2. Direct the Clerk of the Board to publish the attached Notice of Public Hearing in the Santa Cruz Sentinel on two occasions: at least ten days in advance of the date of the public hearing with at least five days intervening between the dates of first and last publication, not counting such publication dates.

Yours truly,

THOMAS L. BOLICH
Director of Public Works

TLB:JES:mg
Attachments
RECOMMENDED FOR APPROVAL:

~~County Administrative Officer~~

copy **to:** Public Works, County Counsel, Utilities

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 58-2003

On the motion of Supervisor Wormhoudt
duly seconded by Supervisor Almquist
the following resolution is adopted:

RESOLUTION SETTING PUBLIC HEARING TO CONSIDER
TRENCH CUT COST RECOVERY FEE

WHEREAS, on Tuesday, April 1,2003, during the morning agenda which begins at 9:00 a.m. or thereafter in the Board Chambers, 701 Ocean Street, Room 525, Santa Cruz, California, the Board of Supervisors will conduct a public hearing on a proposed ordinance to establish a Trench Cut Cost Recovery Fee to be imposed in conjunction with permits for excavation in the public right-of-way.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that at the time, date, and place specified above, the Board of Supervisors of the County of Santa Cruz shall hear and consider all oral or written presentations, comments, objections or protests, if any, to the proposed fee.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 18th May of March, 2003, by the following vote:

AYES: SUPERVISORS Beautz, Wormhoudt, Campos, Almquist and Pirie

NOES: SUPERVISORS None

ABSENT: SUPERVISORS None

ELLEN PIRIE
Chairperson of said Board

ATTEST: GAIL T. BORKOWSKI
Clerk of said Board

Approved as to form:

David Kendig
Assistant County Counsel

Distribution: County Counsel
Public Works

STATE OF CALIFORNIA)
COUNTY OF SANTA CRUZ) ss
I, SUSAN A. MAURIELLO, County Administrative Officer and ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California do hereby certify that the foregoing is a true and correct copy of the resolution passed and adopted by and entered in the minutes of the said board. In witness whereof I have hereunto set my hand and affixed the seal of the said Board on 3/18 20 03.
SUSAN A. MURIELLO, County Administrative Officer
By Sharon Mitchell Deputy

TCC2M.WPD

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County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS

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(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

THOMAS L. BOLICH
DIRECTOR OF PUBLIC WORKS

APPROVED AND FILED
BOARD OF SUPERVISORS
DATE: 3/11/03
COUNTY OF SANTA CRUZ
SUSAN A. MAURIELLO
EX-OFFICIO CLERK OF THE BOARD
BY Alicia Mirelles DEPUTY

AGENDA: MARCH 11,2003
March 5, 2003

SANTA CRUZ COUNTY BOARD OF SUPERVISORS
701 Ocean Street
Santa Cruz, California 95060

SUBJECT: TRENCH CUT COST RECOVERY FEE ORDINANCE

Members of the Board:

On October 11,2002, your Board directed Public Works to return on or before March 11, 2003, with a final trench cost recovery fee ordinance. This proposed ordinance has been prepared by County Counsel and Public Works, however, it cannot be presented to your Board for approval until a notice of public hearing is published at least 10 days prior to the public hearing. **A** public notice is required when new fees are adopted or increased. As a result, staff will be returning with a request to direct the Clerk of the Board to make the required publication of the notice of the public hearing.

It is therefore recommended that the Board of Supervisors take the following action:

1. Accept and file this report.

2. Direct Public Works to return on March 18, 2003, with a request to direct the Clerk of the Board to publish the required notification of public hearing.

Yours truly,

THOMAS L. BOLICH
Director of Public Works

TLB:JES:mg

RECOMMENDED FOR APPROVAL:

Susan A. Mauriello

County Administrative Officer
copy to: Public Works
TCC3M.WPD

3/18/03 #34
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NOTICE OF PUBLIC HEARING
BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ

NOTICE **IS** HEREBY GIVEN that the Santa Cruz County Board of Supervisors has scheduled a public hearing for Tuesday, April 1,2003, at 9:00 a.m. or thereafter in the Board Chambers, 701 Ocean Street, Room 525, Santa Cruz California, to consider a proposed Trench Cut Cost Recovery Fee to be imposed in conjunction with permits for excavation in the public right-of-way.

Note: The public may attend the public hearing and/or comment on this matter. Testimony may be presented in person or submitted in written form prior to the hearing and made a part of the hearing record.

If any person challenges **an** action taken on the foregoing matter(s) in court, they may be limited to raising only those issues raised at the public hearing described in this notice or in written correspondence delivered to the Board of Supervisors at or prior to the public hearing.

The County complies with the Americans With Disabilities Act. Questions regarding accommodation under the ADA should be directed for this hearing to the Clerk of the Board's Office at 454-2323.

For more information on this subject contact John Swenson at the County Public Works Department at (831) 454-2160.

BY ORDER OF THE BOARD OF SUPERVISORS
By: Gail T. Borkowski
Chief Deputy Clerk