



THOMAS L. BOLICH
DIRECTOR OF PUBLIC WORKS

County of Santa Cruz

0211

DEPARTMENT OF PUBLIC WORKS

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AGENDA: SEPTEMBER 25, 2001

September 18, 2001

SANTA CRUZ COUNTY BOARD OF SUPERVISORS

701 Ocean Street
Santa Cruz, California 95060

SUBJECT: TRENCH CUT FEE ORDINANCE UPDATE

Members of the Board:

The Public Works Department is working with County Counsel for purposes of developing a county-wide trench cut fee ordinance to encourage closer coordination and project scheduling between the various utility Companies and the County. A proposed draft ordinance was submitted to various utility companies at a recent utility coordination meeting for their review. The primary purpose of the trench cut fee ordinance is to allow the County to regulate encroachments and excavations on newly resurfaced or reconstructed county roadways through a coordinated effort with the utility companies. The trench cut fee ordinance must also be developed in coordination with the County's existing utility franchise agreement and the Pavement Management Program.


Over the next few months, our department and County Counsel plan to continue working with the utility companies to develop an ordinance that will be brought back to your Board for discussion and eventual approval. As your Board is aware, there have been several trench cut fee ordinances from other municipalities that have recently been challenged in the courts and have either been overturned or are awaiting a final outcome of a court decision. At this time, it is our belief that by involving the utility companies in the development of our trench cut fee ordinance, future litigation will be avoided.

It is therefore recommended that your Board take the following action:

1. Accept and file this report on the proposed trench cut fee ordinance.

2. Direct the Public Works Department to report back on the status of the trench cut fee ordinance on or before February 12, 2002.

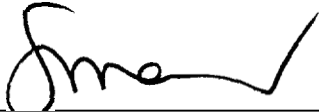
Yours truly,



THOMAS L. BOLICH
Director of Public Works

JES:bbs

RECOMMENDED FOR APPROVAL:



County Administrative Officer

Copy to: Public Works Department

TCFOB