

March 19, 2019

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Subject: Public Hearing for the Adoption of an Ordinance Repealing and Reenacting Division 12 of the Ventura County Ordinance Code Governing Encroachments Within the County Road Rights-of-Way; All Supervisorial Districts.

Jeff Pratt
Agency Director

Central Services
Joan Araujo, Director

Engineering Services
Christopher Cooper, Director

Transportation
David Fleisch, Director

Water & Sanitation
Michaela Brown, Director

Watershed Protection
Glenn Shephard, Director

Recommendations:

1. Open a public hearing and adopt an Ordinance to repeal and reenact Division 12 of the Ventura County Ordinance Code (Encroachment Ordinance); and
2. Direct the Clerk of the Board to publish the summary of the Ordinance prepared by County Counsel and to post the Summary and Ordinance in accordance with subdivision (b) of Section 25124 of the Government Code.

Fiscal/Mandates Impact:

There are no additional County costs associated with this Board action.

Discussion:

On March 12, 2019, your Board introduced, held the first reading of, and waived further reading of the revised Encroachment Ordinance governing encroachments within the County road rights-of-way proposed by the Public Works Agency, Transportation Department (PWATD).

At the first reading, based on guidance from your Board, the agenda item was continued to a later time in the day to address a potential revision to section 12221 of the Ordinance. Ultimately your Board approved a revision to section 12221 that added a subsection allowing your Board upon recommendation of the Road Commissioner, based on professional engineering judgment, to authorize a person to construct a speed hump or speed cushion in the paved portion of a right-of-way without compliance with some of the requirements provided elsewhere in section 12221. To accommodate the new subsection, the first paragraph of section 12221 was labeled as subsection (a), with the internal subdivisions relabeled from (a)-(f) to (1)-(6), and the new subsection was labeled as subsection (b). In addition, the correction of the following clerical error was made: in



section 12221(a)(6) (formerly section 12221(f)), the words "Fire Protect District" were changed to "Fire Protection District".

On March 12, 2019, your Board approved the revisions without any further changes to the Ordinance. The board letter from the first reading is included as Exhibit 1. Your Board is now being asked to adopt the Ordinance.

This letter has been reviewed by the County Executive Office, the Auditor-Controller's Office, and County Counsel.

If you have questions, please call the undersigned at (805) 654-2077.



Director
Transportation Department

Attachments:

Encroachment Ordinance

Exhibit 1: Board Letter dated March 12, 2019

