

Resolution No. 15-109

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF VENTURA ESTABLISHING POLICY
FOR EMERGENCY ACTIONS BY PUBLIC WORKS AGENCY**

WHEREAS, emergencies generally resulting from natural causes, such as flooding, mudslides, earthquakes and wildfires, periodically occur in Ventura County that necessitate action by public agencies to protect life and property; and

WHEREAS, other emergencies, such as accidents, also periodically occur throughout the County that necessitate action by public agencies to protect life and property; and

WHEREAS, in such emergencies, the forces and equipment of the Ventura County Public Works Agency may be available or on scene to assist members of the public and/or protect private or public property in imminent danger until public safety forces arrive; and

WHEREAS, the funds of the Public Works Agency are generally allocated and restricted by law to specified uses, which do not include work which has exclusive benefit to private property; and

WHEREAS, the forces and equipment of local construction and construction-related contractors are readily available for performing work on private property in emergencies;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Ventura County adopts the following policy:

1. Except as specified below, the use of Public Works Agency forces and equipment during an emergency shall be limited to actions necessary to maintain the integrity of County facilities and County roads, provide for the safety of the traveling public and protect public property.
2. The Director of the Public Works Agency or his or her authorized deputy, with the concurrence of the County Executive Officer, at their discretion, may authorize and direct the use of Public Works Agency forces and equipment on private property where there is a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential services, or may ratify such use on behalf of the County.
3. In an emergency proclaimed pursuant to law, the County Director of Disaster Services may direct the use of Public Works Agency forces and equipment on private property where there is a clear and imminent danger, requiring

immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential services, and the Director of Disaster Services determines that the forces and equipment of local construction or construction-related contractors are not readily available for such work on private property.

4. Public Works Agency forces and equipment shall not be used for, nor shall the funds of the Public Works Agency be used to defray any costs of, emergency work which has exclusively private benefit.
5. Any Public Works Agency funds expended in accordance with this policy shall be subsequently reimbursed by other County Agencies benefitting from the use of such forces and equipment.
6. The Public Works Agency, where appropriate, may seek reimbursement from third parties who benefited from the emergency use of Public Works Agency forces and equipment as described herein.
7. This resolution supersedes the RESOLUTION ESTABLISHING POLICY FOR EMERGENCY ACTIONS BY PUBLIC WORKS FORCES adopted by the Board of Supervisors January 21, 1969.

Upon motion of Supervisor Parks, seconded by Supervisor Foy, the foregoing resolution was passed and adopted on this 20th day of October 2015.



Kathy I. Long
Kathy I. Long, Chair Board of Supervisors,
County of Ventura

ATTEST:

MICHAEL POWERS
Clerk of the Board of Supervisors,
County of Ventura, State of California

By: Speliciano
Deputy Clerk of the Board