

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # \*B-3

Urgent

Routine

AGENDA DATE July 13, 2010

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Alter After Introduction Section 14 of an Ordinance to Amend Chapter 2.08 of the Stanislaus County Code Relating to the Chief Executive Officer, and Conforming Changes to Other Provisions of the County Code Relating to the Director of Public Works, Director of Parks and Recreation, the County Building Official, County Surveyor, and Floodplain Administrator

STAFF RECOMMENDATIONS:

Approve the alteration of section 14 of an ordinance to amend chapter 2.08 of the Stanislaus County Code relating to the Chief Executive Officer, and conforming changes to other provisions of the County Code relating to the Director of Public Works, Director of Parks and Recreation, the County Building Official, County Surveyor, and Floodplain Administrator.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2010-457

On motion of Supervisor O'Brien, Seconded by Supervisor Chiesa  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION: THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR AND PLACED ON NON-  
CONSENT FOR DISCUSSION AND CONSIDERATION

INTRODUCED AND WAIVED THE FIRST READING OF THE ALTERATION OF SECTION 14 OF ORDINANCE C.S. 1089



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-M-4

Approval to Alter After Introduction Section 14 of an Ordinance to Amend Chapter 2.08 of the Stanislaus County Code Relating to the Chief Executive Officer, and Conforming Changes to Other Provisions of the County Code Relating to the Director of Public Works, Director of Parks and Recreation, the County Building Official, County Surveyor, and Floodplain Administrator

**DISCUSSION:**

On June 22, 2010, the Board approved the introduction and waived the first reading of an Ordinance to Amend Chapter 2.08 of the Stanislaus County Code Relating to the Chief Executive Officer, and Conforming Changes to Other Provisions of the County Code Related to the Director of Public Works, Director of Parks and Recreation, the County Building Official, County Surveyor and Floodplain Administrator. The ordinance was due to be approved by the Board on July 13, 2010. Representatives of the Central Valley Chapter of the California Land Surveyors Association (CLSA) contacted Supervisor Grover to express concern over the proposed revisions to County Code section 2.16.010 pertaining to the County Surveyor. On July 1st Supervisor Grover, the CEO and County staff met with representatives of the CLSA to discuss their concerns. As a result of that meeting, we are proposing the following revisions to address issues discussed at that meeting.

(1) California law requires that the County surveyor be a person who is authorized to practice land surveying in California. The ordinance change was silent on that issue. The CLSA representatives asked that the ordinance make clear that the person appointed as the County Surveyor must be someone who is authorized to practice land surveying in California. The new proposal addresses that statutory requirement.

(2) The ordinance as introduced proposed that, if the County Surveyor was someone other than the Director of Public Works, the County Surveyor would report to and be supervised by the Director of Public Works or his/her designee. The CLSA representatives expressed a concern that the County Surveyor not report to a subordinate of the Director of Public Works. Therefore, it is recommended that the ordinance reflect that, if the County Surveyor is someone other than the Director of Public Works, the County Surveyor will report to the Director of Public Works.

Government Code section 25131 provides, in part:

"When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular or at an adjourned regular meeting held at least five days after alteration."

Therefore, with approval of the proposed alterations to Section 14 of the proposed ordinance, the ordinance will be brought back before the Board of Supervisors on July 20, 2010, for approval of the ordinance.

**POLICY ISSUES:**

The Board of Supervisors should determine if approval of staff's recommendation meets its stated priority to promote the efficient delivery of public services.

**STAFFING IMPACTS:**

There are no staffing impacts associated with this item.

CONTACT INFORMATION: Jody Hayes, 525-6333

**ORDINANCE NO. C.S. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 2.08 OF THE STANISLAUS COUNTY CODE RELATING TO THE CHIEF EXECUTIVE OFFICER, AND CONFORMING CHANGES TO OTHER PROVISIONS OF THE COUNTY CODE RELATED TO THE DIRECTOR OF PUBLIC WORKS, THE COUNTY SURVEYOR, THE DIRECTOR OF PARKS AND RECREATION, THE BUILDING OFFICIAL AND THE FLOODPLAIN ADMINISTRATOR**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, DO ORDAIN AS FOLLOWS:

**Section 1.** Subsection (C)(2) of Section 2.08.010 of the Stanislaus County Code is amended to read as follows:

“The CEO acts primarily on effective overall management of county resources; long-range financial, facilities and organizational planning; ensuring that County departments are producing services and results consistent with Board goals, policies, budgets and legal mandates; improving management and information systems to guarantee most effective use of County personnel, money, facilities, and equipment; and other specific duties assigned to the executive office;”

**Section 2.** Subsection (C)(4) of Section 2.08.010 of the Stanislaus County Code is amended to read as follows”

“The CEO acts as the Board’s representative on matters of management. The Board should provide the CEO with the policy direction, authority, and resources to carry out budgeted programs. The CEO is charged with ensuring the effective implementation of Board policy, management of all County resources, and accountability for results in accord with Board goals, policies and budget allocations.”

**Section 3.** Section 2.08.030 of the Stanislaus County Code is amended to read as follows:

“The salary of the CEO shall be established by the Board of Supervisors. The CEO is a County officer. The CEO’s salary shall be paid bi-weekly by the Auditor-Controller in the same manner as the salaries of other County employees are paid. The CEO is granted and is entitled to all the benefits conferred upon County executive management employees relating to salary increases, sick leave, vacation, and holidays and by the County Employees’ Retirement Law of 1937. The CEO is entitled to participate in the County’s retirement system in the same manner and under the same membership rules as all other County employees. The Board of Supervisors may elect to provide an employment contract for the CEO upon employment.”

**Section 4.** Section 2.08.040 of the Stanislaus County Code is amended to read as follows:

“The CEO shall be chosen upon the basis of knowledge and skills in public administration, demonstrated administrative ability, and knowledge of, public budgeting, personnel, finance and organization. The CEO also shall be chosen on the basis of the person’s executive and administrative qualifications with special reference to the person’s actual experience in, or the person’s knowledge of common accepted practices with respect to the duties as

hereinafter set forth. The CEO shall not engage in any business, business venture or serve as an officer in any corporation or business entity during his or her employment with Stanislaus County.”

**Section 5.** Subsection (B)(3) of Section 2.08.050 of the Stanislaus County Code is amended to read as follows:

“Implement the Board of Supervisors’ legislative advocacy program, including the initiation of legislation approved by the Board of Supervisors that will benefit the County and county government, and the analysis of proposed state and federal legislation; make recommendations to the Board of Supervisors for positions on proposed legislation; review all department head requests involving legislative activities; and hire and direct the activity of any County lobbyist, subject to Board of Supervisors approval and budget authority;”

**Section 6.** Subsection (B)(8) of Section 2.08.050 of the Stanislaus County Code is amended to read as follows:

“Supervise the overall operation of the board office and staff.”

**Section 7.** Subsection (C)(1) of Section 2.08.050 of the Stanislaus County Code is amended to read as follows:

“As County Budget Officer, supervise and direct the preparation of the annual County budget. In the performance of this duty, the CEO shall review and evaluate all departmental requests and all items in the recommended budget including expenditures, revenues and reserves. The CEO shall submit the recommended budget to the Board of Supervisors together with a written report and recommendations which shall be based on Board of Supervisors policy direction, revenue projections, budget targets, and proposed goals, objectives, work programs and projects developed by the various departments;”

**Section 8.** Subsection (C)(3) of Section 2.08.050 of the Stanislaus County Code is repealed.

**Section 9.** Subsection (C)(5) of Section 2.08.050 of the Stanislaus County Code is repealed.

**Section 10.** Subsection (C)(6) of Section 2.08.050 of the Stanislaus County Code is amended to read as follows:

“Annually review the performance of the duties of all department heads, with the exception of elected officials and County Counsel, based upon mutually agreed to goals and objectives and approve compensation adjustments in accordance with demonstrated performance and consistent with County policy and practice; confer with department heads as necessary to discuss performance in meeting annual goals and objectives;”

**Section 11.** Subsection (C)(7) of Section 2.08.050 of the Stanislaus County Code is amended to read as follows:

“Appoint, suspend or remove, subject to confirmation by the Board of Supervisors, all department heads, except elected officials or those for whose appointment state law makes

other provision, including County Counsel (Government Code section 27641), Agricultural Commissioner (Food and Agricultural Code section 2181 et seq.), Chief Probation Officer (Penal Code section 1203.6), and Director of Child Support Services (California Family Code Section 17304). Appointments shall be on the basis of executive and administrative qualifications as determined by screening and selection procedures comparable to those used for other unclassified management personnel;”

**Section 12.** Subsection (C)(18) of Section 2.08.050 of the Stanislaus County Code is amended to read as follows:

“Oversee and approve requests by County departments and offices to conduct operations and activities on non-county owned property provided the activities directly benefit the general purposes of the County and the requesting department or office, and provided that, after consultation with the County Counsel and County Risk Manager, the benefit of conducting such activities is balanced against exposure to the risk of liability that may be reasonably associated with the activity. The Chief Executive Officer shall also consult with any other department or agency that may reasonably be affected by the activity or operations, including, but not limited to, the County Office of Emergency Services, Sheriff’s Department, Department of Public Works, Department of Environmental Resources, Department of Public Health, and the Department of Planning and Community Development.”

**Section 13.** Subsection (B) of Section 2.08.080 of the Stanislaus County Code is amended to read as follows:

“The CEO and staff shall provide technical assistance and support to the Board of Supervisors and its department operations.”

**Section 14.** Section 2.16.010 of the Stanislaus County Code is amended to read as follows:

“A. The County Surveyor shall a person authorized to practice land surveying in California and shall be appointed and may be removed by a majority of the Board of Supervisors, and shall serve at the pleasure of the Board of Supervisors.

B. The County Surveyor may be:

1. The Director of Public Works, or
2. A qualified County employee recommended by the Director of Public Works, who shall be an employee of the Public Works Department, and whose operations, functions and work product shall be supervised by the Director of Public Works; or
3. A contract land surveyor recommended by the Director of Public Works, who shall report to the Director of Public Works.

C. The County Surveyor shall have those duties as set forth in Chapter 11 of Part 3, Division 1 (commencing with Section 27550) of the Government Code.”

**Section 15.** Section 2.40.080 of the Stanislaus County Code is amended to read as follows:

“The Parks and Recreation Director is appointed in accordance with Stanislaus County Code section 3.16.060. The Parks and Recreation Director, when required by the Park Commission, shall attend all meetings of the Park Commission and shall make such reports to the Park Commission or to the Board of Supervisors, as shall be required of him or her from time to time.”

**Section 16.** Subsection B of Section 2.93.020 of the Stanislaus County Code is amended to read as follows:

““County building official” means the County’s chief building official, which shall be the Director of Planning and Community Development or his or her designee.”

**Section 17.** Subsection B of Section 2.94.020 of the Stanislaus County Code is amended to read as follows:

““County building official” means the County’s chief building official, which shall be the Director of Planning and Community Development or his or her designee.”

**Section 18.** Section 3.16.060 of the Stanislaus County Code is amended to read as follows:

“Department heads shall be appointed to the unclassified service in the following manner:

- A. As provided elsewhere by law, ordinance or agreement:
  - 1. All elected officials;
  - 2. Chief Executive Officer;
  - 3. Chief Probation Officer;
  - 4. Director of Child Support Services;
  - 5. County Counsel; and
  - 6. County Agricultural Commissioner and Sealer of Weights and Measures.
- B. All other department heads shall be appointed to the unclassified service by the Chief Executive Officer subject to confirmation by the Board of Supervisors.”

**Section 19.** Section 16.50.140 of the Stanislaus County Code is amended to read as follows

“The Director of Planning and Community Development or his/her designee is hereby appointed to administer, implement and enforce this chapter by granting or denying development (construction) permits in accordance with its provisions.”

**Section 20.** Section 16.50.060 of the Stanislaus County Code is amended to read as follows:

“The areas of special flood hazard identified by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency (FEMA) in the most current report entitled “Flood Insurance Study For the Unincorporated Areas of Stanislaus County,” and the most current accompanying flood insurance rate maps (FIRMs) and flood boundary and floodway maps (FBFMs), and all subsequent amendments and/or revisions, are adopted by reference and declared to be a part of this chapter. This flood insurance study and attendant mapping is the minimum area of applicability of this chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which are recommended to the Board of Supervisors by the floodplain administrator. The study, FIRMs and FBFMs are on

file at the county administration building, Building Department. 1010 10th Street, Modesto, California.”

**Section 21.** This ordinance shall take effect thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by the following called vote:

AYES: Supervisors:  
NOES: Supervisors:  
ABSENT: Supervisor:

\_\_\_\_\_  
Jeff Grover, Chairman of the  
Board of Supervisors of the County of  
Stanislaus, State of California

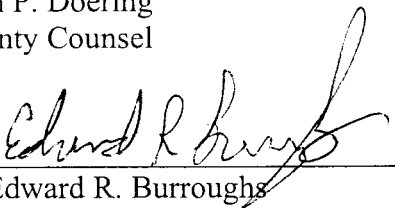
ATTEST:

Christine Ferraro Tallman  
Clerk of the Board of Supervisors of the  
County of Stanislaus, State of California

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

John P. Doering  
County Counsel

By   
\_\_\_\_\_  
Edward R. Burroughs  
Assistant County Counsel

## TABLE OF ORDINANCE CODE CHANGES

COUNTY CODE SECTION	PROPOSED CHANGE	REASON FOR CHANGE
Amend 2.08.010 (C)(2)	The CEO acts primarily on effective overall management of county resources; long-range financial, facilities and organizational planning; ensuring that County departments are producing services and results <del>in accord</del> <u>consistent</u> with board goals, policies, budgets and legal mandates; improving management and information systems to guarantee most effective use of County personnel, money, facilities, and equipment; and other specific duties assigned to the executive office;	The purpose of this amendment is to make a grammatical correction.
Amend 2.08.010 (C)(4)	The CEO acts as the Board's representative on matters of management. The Board should provide <del>department heads</del> <u>the CEO</u> with the policy direction, authority, and resources to carry out budgeted programs. The CEO is charged with ensuring the effective implementation of Board policy, management of all county resources, and accountability for results in accord with Board goals, policies and budget allocations.	The purpose of this amendment is to clarify the County's current structure relating to policy direction, authority, and resources. As the representative of the Board of Supervisors on matters of management, the Chief Executive Officer is provided with policy direction, authority, and resources by the Board of Supervisors.
Amend 2.08.030	The salary of the CEO shall be established by the Board of Supervisors. The CEO is a County officer. The CEO's salary shall be paid bi-weekly by the Auditor-Controller in the same manner as the salaries of other County employees are paid. The CEO is granted and is entitled to all the benefits conferred upon County executive management employees relating to salary increases, sick leave, vacation and holidays, and by the County Employees' Retirement Act <u>Law of 1937</u> . The CEO is entitled to participate in the County's retirement system in the same manner and under the same membership rules as all other County employees. The Board of Supervisors may elect to provide an employment contract for the CEO upon employment.	The purpose of this amendment is to provide the complete title for the retirement law which applies to the Chief Executive Office position.
Amend 2.08.040	The CEO shall be chosen upon the basis of knowledge and skills in public administration, demonstrated administrative ability, and knowledge of public budgeting, personnel, finance and organization. The	The purpose of this amendment is to make a grammatical correction.



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	CEO also shall be chosen on the basis of the person's executive and administrative qualifications with special reference to the person's actual experience in, or the person's knowledge of, common accepted practices with respect to the duties as hereinafter set forth. The CEO shall not engage in any business, business venture or serve as an officer in any corporation or business entity during <del>their</del> <u>his or her</u> employment with Stanislaus County.	
Amend 2.08.050 (B)(3)	Implement the Board of Supervisors' legislative advocacy program, including the initiation of legislation approved by the Board of Supervisors that will benefit the County and county government, and the analysis of proposed state and federal legislation; make recommendations to the Board of Supervisors for positions on proposed legislation; review all department head requests involving legislative activities; and hire <u>and</u> direct the activity of any County lobbyist, subject to Board of Supervisors approval and budget authority;	The purpose of this amendment is to make a grammatical correction.
Amend 2.08.050 (B)(8)	Supervise the overall <del>general</del> operations of the board of office and staff.	The purpose of this amendment is to reflect the County current structure relating to policy direction, authority, and resources.
Amend 2.08.050 (C)(1)	As County Budget Officer, supervise and direct the preparation of the annual County budget. In the performance of this duty, the CEO shall review and evaluate all departmental requests and all items in the <u>recommended</u> <del>proposed</del> budget including expenditures, revenues, and reserves. The CEO shall submit the <u>recommended</u> <del>proposed</del> budget to the Board of Supervisors together with a written report which shall be based on Board of Supervisors policy direction, revenue projections, budget targets, and proposed goals, objectives, work programs and projects developed by the various departments;	The purpose of this amendment is to reflect changes in standard fiscal language provided to the County by the Government Accounting Standards Board.
Repeal 2.08.050 (C)(3)	<del>Supervise the purchasing department;</del>	The recommendation to repeal these two subsections is a

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Repeal 2.08.050 (C)(5)	<del>Supervise the management information service department;</del>	result of previous County reorganizations which established the purchasing and management information services departments as separate departments from the Chief Executive Office. The purchasing department is a division of the General Services Agency and the management information services department is now the Strategic Business Technology Department. Oversight for these departments is provided by individual department heads.
Amend 2.08.050 (C)(6)  Amend 2.08.050 (C)(7)	Annually review the performance of the duties of all department heads, with the exception of elected officials and County Counsel, based upon mutually agreed to goals and objectives and <del>approve</del> <del>recommend</del> compensation adjustments in accordance with demonstrated performance and consistent with County policy and practice; confer with department heads as necessary to discuss performance in meeting annual goals and objectives;  Appoint, suspend, or remove, subject to confirmation by the Board of Supervisors, all department heads, except elected officials or those for whose appointment state law makes other provision, <u>including County Counsel (Government Code 27641), Agricultural Commissioner (Food and Agricultural Code 2181 et. Seq.), Chief Probation Officer (Penal Code section 1203.6), and Director of Child Support Services (California Family Code Section 17304).</u> Appointments shall be on the basis of executive and administrative qualifications as determined by screening and selection procedures comparable to those used for other unclassified management personnel;	The purpose of these amendments is to more clearly reflect the Board of Supervisors' approved Pay for Performance process. All County unrepresented, unclassified management and confidential employees participate in the County's Pay for Performance process. This process provides for staff with a compensation program based upon performance. The program, as adopted by the Board of Supervisors, outlines the process for which department head staff Pay for Performance plans are drafted, evaluated, and rated. This amendment will ensure County code more accurately reflects this process. In addition, the amendment will clarify applicable code sections relating to the appointment, suspension, or removal of specific officials within the County.
Amend 2.08.050 (C)(18)	Oversee and approve requests by County departments and offices to conduct operations and activities on non-county owned property provided the activities directly benefit the general purposes of the County and the	The purpose of this amendment is to correct the title for the Department of Planning and Community Development.

## TABLE OF ORDINANCE CODE CHANGES

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	<p>requesting department or office, and provided that, after consultation with the County Counsel and County Risk Manager, the benefit of conducting such activities is balanced against exposure to the risk of liability that may be reasonably associated with the activity. The Chief Executive Officer shall also consult with any other department or agency that may reasonably be affected by the activity or operations, including, but not limited to, the County Office of Emergency Services, Sheriff's Department, Department of Public Works, Department of Environmental Resources, Department of Public Health, and the <del>office of community development and planning</del> Department of Planning and Community Development.</p>	
Amend 2.08.080 (B)	<p>The CEO and staff shall provide technical assistance and support to the <del>local</del> Board of Supervisors and <del>the operating department</del> its department operations.</p>	<p>The purpose of this amendment is to make a grammatical correction.</p>
Amend 2.16.010	<p><u>A. The County Surveyor shall be a person authorized to practice land surveying in California and shall be appointed and may be removed by a majority vote of the Board of Supervisors, and shall serve at the pleasure of the Board of Supervisors.</u></p> <p><u>B. The County Surveyor may be:</u></p> <ol style="list-style-type: none"> <li><u>1. The Director of Public Works, or</u></li> <li><u>2. A qualified County employee recommended by the Director of Public Works, who shall be an employee of the Public Works Department, and whose operations, functions and work product shall be supervised by the Director of Public Works; or</u></li> <li><u>3. A contract land surveyor recommended by the Director of Public Works, who shall report to the Director of Public Works.</u></li> </ol> <p><u>C. The County Surveyor shall have those duties as set forth in Chapter 11 of Part 3, Division 1 (commencing</u></p>	<p>The purpose of this amendment is to provide that County Surveyor can be someone other than the Director of Public Works, and to clarify who assigns and supervises the daily work of the County Surveyor.</p>

## TABLE OF ORDINANCE CODE CHANGES

COUNTY CODE SECTION	PROPOSED CHANGE	REASON FOR CHANGE
	<u>with Section 27550) of the Government Code.</u>	
Amend 2.40.080	The <u>Parks and Recreation Director</u> is appointed in accordance with Stanislaus County Code section <u>3.16.060</u> <del>board of supervisors shall appoint a park director and such assistants and clerical help as it shall deem necessary from time to time, for the carrying on of a park and recreation program.</del> The <u>park director, Parks and Recreation Director</u> , when required by the Park Commission, shall attend all meetings of the Park Commission and shall make such reports to the Park Commission or to the Board of Supervisors, as shall be required of him <u>or her</u> from time to time.	The purpose of this amendment is to provide consistency regarding department head appointment. Currently department heads, with the exception of elected officials and County Counsel, are appointed at the recommendation of the Chief Executive Office and upon confirmation of the Board of Supervisors. In addition, this amendment corrects the Department of Parks and Recreation department title and allows for a grammatical correction.
Amend 2.93.020 (B) and Amend 2.94.020 (B)	"County building official" means the <del>director of public works</del> <u>County's chief building official, which shall be the or a person designated by the director of public works Director of Planning and Community Development</u> or his or her designee. <del>to enforce the provisions of this chapter as set forth in this section.</del>	The purpose of this amendment it to update these provisions to reflect organizational changes previously approved by the Board of Supervisors.
Amend 3.16.060	Department heads shall be appointed to the unclassified service in the following manner: A. As provided elsewhere by law, ordinance or agreement: 1. All elected officials; 2. Chief Executive Officer; 3. Chief Probation Officer; 4. <del>Director of parks;</del> 5. <del>Director of Public Works/Read Commissioner/surveyor/building official;</del> 4. <u>Director of Child Support Services;</u> 5.6. County Counsel; 6.7. County Agricultural Commissioner and Sealer of Weights and Measures. B. All other department heads shall be appointed to the unclassified service by the <u>Chief Executive Officer</u> <del>board</del>	The purpose of this amendment is to accurately reflect the department head appointment process as established in Stanislaus County section 2.08.050(C)(7). Furthermore, the amendment allows for the modification of the County Surveyor and Building Official as individuals that report to and are supervised by the Director of the Public Works Department and Director of Planning and Community Development respectively.

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COUNTY CODE SECTION	PROPOSED CHANGE	REASON FOR CHANGE
	<del>of supervisors upon the recommendation of the chief executive officer</del> <u>subject to confirmation by the Board of Supervisors.</u>	
Amend 16.50.140	The <del>director of public works</del> <u>Director of Planning and Community Development</u> or <u>his/her</u> designee is hereby appointed to administer, implement, and enforce this chapter by granting or denying development (construction) permits in accordance with its provisions.	The purpose of this amendment it to update these provisions to reflect organizational changes previously approved by the Board of Supervisors.
Amend 16.50.060	The areas of special flood hazard identified by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency (FEMA) in the <u>most current</u> report entitled "Flood Insurance Study For the Unincorporated Areas of Stanislaus County," <del>dated September 2004,</del> and the <u>most current</u> accompanying flood insurance rate maps (FIRMs) and flood boundary and floodway maps (FBFMs), <del>dated September 2004,</del> and all subsequent amendments and/or revisions, are adopted by reference and declared to be a part of this chapter. This flood insurance study and attendant mapping is the minimum area of applicability of this chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which are recommended to the Board of Supervisors by the floodplain administrator. The study, FIRMs and FBFMs are on file at the county administration building, <u>Department of Public Works Building Department, 1010 10th Street, Modesto, California.</u>	The purpose of this amendment it to update these provisions to reflect organizational changes previously approved by the Board of Supervisors.

The Local Chapter of the CLSA  
Crolie Lindsay, County Surveyor Committee  
1301 Pinewood Court, Ph: 605-1508  
Modesto, CA

✓  
BOARD OF SUPERVISORS

2010 JUN 25 P 2:19

June 25, 2010

Chairman, Jeff Grover  
Stanislaus County  
Board of Supervisors  
1010 Tenth Street  
Modesto, CA 95354

Dear Chairman Grover:

Just prior to the Board Meeting on the morning of June 22, 2010, members of the Central Valley Chapter of the California Land Surveyor's Association (CLSA) became aware of Board Agenda Item #\*B-4, Section 14 changing the Ordinance dealing with the appointment and definition of the Office of the County Surveyor. This was a major surprise to us in as much as we have been interacting with the Public Works Director and staff regarding the current and pending issues associated with the Office of the County Surveyor. We have been told, due to several concerns we have expressed associated with that office, that we would be given an opportunity to review recommendations prior to submittal to the Board. That did not occur.

In an email from Matt Machado, sent June 23, he stated that, "I am currently out of town. Public works did not have an item. Not sure what went forward, we were not a part. Upon my return we can discuss."

Because we believe that there are several issues at law to be considered, the local chapter of the CLSA is requesting that the above agenda item be removed from approval and continued, until such time that concerns can be properly resolved.

Additionally we are requesting an opportunity to meet with you and the CEO's office to discuss the concerns referred to herein.

We are greatly concerned that actions taken not in conformance with statutory law may not be in the best interest of the public at large. Thank you for your consideration of this matter.

Sincerely,

  
Crolie Lindsay, PLS, RCE

Central Valley Chapter of the California Land Surveyor's Association

cc: BOS  
CEO  
M. Machado  
COB