

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

DEPT: County Counsel

BOARD AGENDA # *E-1

Urgent

Routine

AGENDA DATE September 21, 2010

CEO Concurs with Recommendation YES NO

(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Introduce and Waive the First Reading of an Ordinance Amending Section 2.16.010 of the Stanislaus County Code Related to Selection, Qualification and Supervision of the County Surveyor

STAFF RECOMMENDATIONS:

1. Find that the subject ordinance is not subject to the California Environmental Quality Act (Public Resources Code sections 21000 et seq.); and
2. Introduce and waive the first reading of an ordinance amending Section 2.16.010 of the Stanislaus County Code to clarify that except for surveying functions specified by statute, the operations, functions and work product of the County Surveyor will be supervised by the Director of Public Works.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2010-592

On motion of Supervisor Monteith, Seconded by Supervisor O'Brien 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: INTRODUCED AND WAIVED THE FIRST READING OF ORDINANCE NO. C.S. 1092



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-M-7

Approval to Introduce and Waive the First Reading of an Ordinance Amending Section 2.16.010 of the Stanislaus County Code Related to Selection, Qualification and Supervision of the County Surveyor

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DISCUSSION:

The California Land Surveyors Association ("CLSA") objected to a recent revision to the County Code provisions related to the selection, qualification and supervision of the County Surveyor. Specifically, there was concern about the work product of the County Surveyor being reviewed by someone who was not a licensed surveyor. The CLSA proposed a revision to the ordinance that made an exception to those activities specified in Business and Professions Code section 8726. The proposed ordinance amendment implements the changes proposed by the CLSA.

Staff recommends that the Board of Supervisors introduce and waive the first reading of the proposed ordinance and set the matter for adoption at the following meeting.

POLICY ISSUES:

Approval of this ordinance supports the Board's priorities of efficient delivery of public services and establishing effective partnerships.

STAFFING:

There is no staffing impact associated with this request.

CONTACT:

John P. Doering, County Counsel at (209) 525-6376

ORDINANCE NO. C.S. _____

AN ORDINANCE RELATING TO SELECTION, QUALIFICATION AND SUPERVISION OF THE COUNTY SURVEYOR POSITION

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

Section 1. Subdivision B of Section 2.16.010 of the Stanislaus County Code is amended to read as follows:

"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, with the exception of those activities defined in Section 8726 of the Business and Professions Code, 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."

Section 2. 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 resolution was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the _____ day of _____, 2010, by the following called vote:

AYES: Supervisors:

NOES: Supervisors:

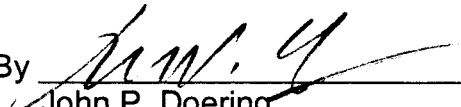
ABSENT: Supervisors:

Jeff Grover, Chair 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:

By  _____
John P. Doering
County Counsel