

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

DEPT: Chief Executive Office

BOARD AGENDA: 5.B.5
AGENDA DATE: May 22, 2018

SUBJECT:

Approval to Appoint Associate Surveyor, Larry S. Fontana, as the County Surveyor and Deputy Public Works Director, David Leamon, as the Interim Road Commissioner

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0235

On motion of Supervisor Withrow, Seconded by Supervisor Chiesa
and approved by the following vote,

Ayes: Supervisors: Chiesa, Withrow, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: Olsen

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST:



ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Chief Executive Office

BOARD AGENDA:5.B.5
AGENDA DATE: May 22, 2018

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval to Appoint Associate Surveyor, Larry S. Fontana, as the County Surveyor and Deputy Public Works Director, David Leamon, as the Interim Road Commissioner

STAFF RECOMMENDATION:

1. Appoint Associate Surveyor Larry S. Fontana to replace Matthew J. Machado, as the County Surveyor with full authority accorded by the law of the County Surveyor in those duties related to land survey, effective June 2, 2018.
2. Appoint David Leamon, Deputy Public Works Director and licensed Civil Engineer, as the Interim County Road Commissioner with full authority accorded by law to the County Road Commissioner until such time as a permanent County Road Commissioner is appointed.

DISCUSSION:

The County Surveyor has statutory responsibility to provide professional land surveying expertise for the County in the review and disposition of all matters related to property boundary, right of ways and street locations, and other entitlements. This includes the preparation and review of legal descriptions for land grants, annexations, incorporations, special districts and other county purposes, and the review of all maps and records of survey prior to recordation on behalf of the County. Most of these duties are funded through appropriate fees adopted by the Board of Supervisors. Other duties not associated with a fee structure will be addressed as services are needed. Many of these responsibilities are time sensitive. For example, the review of parcel maps must occur within 20 days of submittal per the Subdivision Map Act.

The current County Surveyor is Matthew J. Machado who will be leaving county service on June 1, 2018. Larry Fontana has been an Associate Surveyor in Public Works since July 9, 2001. He has been a licensed surveyor since 2008, and the Deputy County Surveyor since 2011. It is recommended to appoint Larry S. Fontana as the County Surveyor effective June 2, 2018.

The County Road Commissioner has statutory authority over the County Roads system. The Road Commissioner authority is used to maintain and build County projects within the right-of-way. Stanislaus County receives highway funding through the Road Commissioner authority. To facilitate the efficient delivery of public services and to ensure compliance with State law and the continuation of road funding appointing an interim Road Commissioner is necessary. The County Road Commissioner should be

experienced in the profession and must be a licensed Civil Engineer in the State of California.

The current County Road Commissioner is Matthew J. Machado. David Leamon is a Deputy Director in Public Works and has been with the department since August 15, 2007. He has been a licensed Civil Engineer since 2000 and has 22 years of professional experience. It is recommended to appoint David A. Leamon as the interim County Road Commissioner effective June 2, 2018. Mr. Leamon fully meets the qualifications of the requested interim appointment. The appointment should remain in effect until such time as a permanent County Road Commissioner is found and appointed by the Board. The interim County Road Commissioner would be authorized to exercise the duties of the County Road Commissioner.

POLICY ISSUE:

Pursuant to County Code 2.16.010, the Surveyor of the County shall be appointed by the Board of Supervisors. Pursuant to California Streets and Highways Code 2006 (c) and (d) an interim Road Commissioner must be appointed by the Board of Supervisors in order for the County to receive Highway Users Tax Account funds.

FISCAL IMPACT:

There is no additional fiscal impact associated with these actions.

BOARD OF SUPERVISORS' PRIORITY:

The recommended action is consistent with the Boards' priority of *Delivering Efficient Public Services and Community Infrastructure* by ensuring the duties of the County Surveyor and Road Commissioner are performed.

STAFFING IMPACT:

The duties of the County Surveyor and Interim Road Commissioner will be performed by existing Public Works employees.

CONTACT PERSON:

Keith Boggs, Assistant Executive Officer

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