

RECEIVED

AUG 05 2016

COUNTY CLERK
REGISTRAR OF VOTER
ADMINISTRATION

2016 AUG 5 AM 10:54:25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA

In the matter of
CALLING AN ELECTION TO AMEND
FRESNO COUNTY CHARTER
SECTIONS 12(h), 14, 16 and 32

RESOLUTION NO. 16-296

WHEREAS, California Government Code sections 23720(a) and 23722 permit a county board of supervisors to propose amendment to the county charter and to submit the amendment to the eligible registered voters of the county at a special election held on the next established election date not less than eight-eight (88) days after submission of the proposal; and

WHEREAS, the Fresno County Board of Supervisors proposes to amend the Charter of Fresno County in the following manner:

1. Amend Charter section 16 to repeal the provision making the Director of Public Works the "ex officio County surveyor," and to enact a provision for the Director of Public Works to appoint a separate qualified County surveyor if the Director of Public Works lacks the professional certification necessary to practice as a licensed surveyor in the State of California;
2. Amend Charter sections 15 and 16 to change the office of Public Administrator from an elected position to one appointed by the County Administrative Officer with prior approval of the Board of Supervisors;
3. Amend Charter section 12(h) to clarify the scope of a local preference for the purchase of local Fresno County goods, services and supplies, subject to state and federal law; and,
4. Repeal Charter section 32 dealing with the defunct office of County Constable.

1 **NOW THEREFORE**, be it resolved:

2 1. Pursuant to California Elections Code section 10403, the Board of
3 Supervisors hereby directs a charter amendment measure be placed on the ballot for
4 the November 8, 2016 general election and be consolidated with that election.

5 2. The Fresno County Clerk/Registrar of Voters is designated as the elections
6 official for the election, and the Fresno County Clerk/Registrar of Voters is hereby
7 authorized and directed to provide all notices and take all other actions necessary to
8 holding the election, including but not limited to providing notices of times within which
9 arguments for and against are submitted.

10 3. The ballot measure hereby approved for said election shall be as follows:

11 Shall the Fresno County Charter be amended as follows:

12 Amend section 16 to remove the Director of Public Works as county
13 surveyor and authorizing Director of Public Works to appoint a county
surveyor;

14 Amend sections 14 and 16 to change the Public Administrator from an
15 elected position to one appointed by the County Administrative Officer;

16 Amend section 12(h) regarding a local preference for Fresno County
17 goods, services and supplies; and

18 Repeal section 32 obsolete language?

19 4. The Fresno County Clerk/Registrar of Voters is hereby authorized and
20 directed to cause the complete text of the proposed amendments to be printed as
21 indicated in attached Exhibit A, and a copy of the proposed amendment shall be made
22 available to any voter upon request.

23 Approved at a regular meeting of the Board of Supervisors, held on the 21st day
24 of June , 2016, by the following vote, to wit:

25 ///
26 ///
27 ///
28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

AYES: Supervisors Borgeas, Mendes, Pacheco, Perea

NOES: Supervisor Poochigian

ABSENT: None



CHAIRMAN, Board of Supervisors

ATTEST:

BERNICE E. SEIDEL
Clerk, Board of Supervisors



By _____
Deputy

1 EXHIBIT A

2
3 SECTION 12(h) To provide in the purchase of goods, services and supplies
4 ~~property~~ by the County, that price and quality being equal, preference shall be given
5 to Fresno County goods, services and suppliers subject to state and federal law
6 ~~products or vendors~~.

7 SECTION 14. The elective County officers other than the members of the Board of
8 Supervisors shall be:

9 Auditor

10 Assessor

11 County Clerk

12 Coroner

13 District Attorney

14 ~~Public Administrator~~

15 Recorder

16 Sheriff

17 Superintendent of Schools

18 Tax Collector

19 Treasurer

20 The Tax Collector shall be ex-officio license collector of the County.

21 Any two or more of the above listed elective offices may by Ordinance be consolidated
22 and any elective office or consolidated elective office may be consolidated with any
23 appointive office in which latter event the consolidated office shall be elective. Nothing
24 herein contained shall be deemed to authorize any consolidation of offices which
25 would result in a holder of a consolidated office performing functions for which he does
26 not have the qualifications prescribed by State law or this Charter. Any office or offices
27 having been once consolidated may likewise by ordinance be separated.

28 SECTION 16. The appointive County officers shall be:

Members of the Civil Service Commission

Members of the Planning Commission

- 1 Agricultural Commissioner
- 2 Probation Officer
- 3 County Health Officer
- 4 Director of Weights and Measures
- 5 Director of Public Works
- 6 County Administrative Officer
- 7 County Counsel

7 **Public Administrator**

8 Such other officers as now are or which may be hereafter authorized by the general
9 law of the State of California or this Charter and established in pursuance thereof.
10 The Board of Supervisors shall appoint, suspend or remove, subject to the provisions
11 of this Charter the following officers, boards and commissions: County Administrative
12 Officer, County Counsel, members of the Civil Service Commission, members of the
13 Planning Commission, Boards and Commissions not otherwise provided for by this
14 Charter. The County Administrative Officer shall appoint, suspend or remove, with
15 prior approval of the Board of Supervisors, and subject to Civil Service procedures
16 where applicable, all other appointive County officers, except as provided in this
17 Charter. All appointive officers shall have the qualifications and exercise the powers
18 and privileges and perform the duties and functions which now are or which may be
19 hereafter prescribed for their respective offices by the Constitution and laws of the
20 State of California, this Charter, and the ordinances and resolutions of the Board of
21 Supervisors. The Director of Public Works shall be a registered civil engineer of the
22 State of California and shall be ex-officio ~~County Surveyor and~~ Road Commissioner,
23 and as such shall have the powers and privileges and perform the functions and duties
24 which now are or which may be hereafter prescribed for such office by the Constitution
25 and laws of the State of California, this Charter, and the ordinances and resolutions of
26 the Board of Supervisors. **The Director of Public Works shall appoint a County**
27 **Surveyor qualified under the laws of the State of California, who shall be**
28 **subordinate to and directly responsible to the Director and who shall have the**
powers and privileges and perform the function and duties which now are or
may be hereafter prescribed for such office by the Constitution and laws of the
State of California, this Charter and the ordinances and resolutions of the Board
of Supervisors. If the Director of Public Works is qualified under the laws of the

1 State of California to serve as County Surveyor, the Director may be appointed
2 as County Surveyor pursuant to this section.

3
4 ~~SECTION 32. The office of Constable in each judicial district is hereby~~
5 ~~consolidated with that of sheriff and the sheriff shall perform all functions~~
6 ~~otherwise imposed by law upon constables. All constables and deputy~~
7 ~~constables in office with probationary or permanent status upon the operative~~
8 ~~date of such consolidation shall become deputies of the sheriff of rank and step~~
9 ~~as may be determined by the Civil Service Commission in accordance with their~~
10 ~~previous experience and responsibility as peace officers, taking into~~
11 ~~consideration an evaluation thereof by the sheriff. This section as amended~~
12 ~~pursuant to the November, 1972, election, shall become operative beginning~~
13 ~~with the first county pay period following the first Monday after January 1, 1973,~~
14 ~~or at the beginning of the first county pay period thereafter when legally~~
15 ~~permissible.~~