

BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO

AN ORDINANCE OF THE COUNTY OF SAN BENITO) Ordinance No. _____
ADDING A NEW ARTICLE IIA "COUNTY DIRECTOR)
OF TRANSPORTATION" IN CHAPTER 3.01 OF TITLE 3 OF)
THE SAN BENITO COUNTY CODE)
_____)

The Board of Supervisors of the County of San Benito ordains as follows:

Section 1. A new Article IIA "County Director of Transportation" is created in Chapter 3.01 "Administration Generally" of Title 3 "Administration and Personnel" of the San Benito County Code, which shall read as follows:

Article IIA. County Director of Transportation

§3.01.130 County Director of Transportation

There is established in the County the position known as the County Director of Transportation. The County Director of Transportation shall serve at the pleasure of the Board under the supervision of the County's Administrative Officer. The Director of Transportation shall be responsible for general supervision of the functions of county surveyor, and shall be responsible for the following functions:

- (1) All duties which were, or may hereafter be established for the former position of road commissioner as prescribed in the Streets and Highways Code or other state laws;
- (2) General supervision of the duties of surveyor as prescribed in Government Code Section 27550 et seq.;
- (3) All duties of the county director of transportation pursuant to Sections 65084 and 65085 of the Government Code.

§3.01.131 Transfer of All Duties of Road Commissioner to County Director of Transportation and Elimination of the Office of County Road Commissioner.

Pursuant to Streets and Highways Code § 2006.1, all duties of the County Road Commissioner are transferred to the County Director of Transportation. The office of County Road Commissioner of San Benito County is abolished. Any civil engineering functions which are required to be performed by the Road Commissioner shall be performed by a registered civil engineer acting under the authority of the Director of Transportation. The Director of Transportation shall not be required to have any special permit, registration, or license. All sections of the San Benito County Code which refer

to "Road Commissioner" shall now be interpreted to refer to the County Director of Transportation. These sections shall include, but not be limited to: §§ 7.05.016, 7.05.017, 7.05.018, 7.05.019, 7.05.020, 7.05.023, 17.01.002, 17.01.006, 19.27.004, 19.27.005, 19.27.010, and 21.01.093.

Section 2. General Provisions

A. Severability: If any sentence, subsection, clause, or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of the ordinance. The Board of Supervisors hereby declares that it would have enacted this ordinance and each section, subsection, sentences, clauses or phrases thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

B. Captions: The titles and headings to sections of this ordinance are not part of this ordinance and shall have no effect upon the construction or interpretation of any part hereof.

C. Effective Date and Codification: Section 1 shall be codified in the San Benito County Code. The remaining sections shall not be codified. This ordinance shall take effect and be in full force and effect thirty (30) days after its final passage.

D. Publication: Within ten (10) days after its adoption, this ordinance shall be published pursuant to California Government Code 6061 in its entirety in a newspaper of general circulation which is printed, published and circulated within San Benito County, or a summary or display ad may be published as allowed by the Government Code.

In regular session of the Board of Supervisors of the County of San Benito, introduced on the 23rd of August, 2016, and adopted this 13th day of September, 2016, on regular roll call of the members of said Board by the following vote:

AYES: Supervisors:
NOES: Supervisors
ABSENT: Supervisors
ABSTAIN: Supervisors

By: _____
Robert Rivas, Chair

ATTEST:
Louis Valdez, Clerk of the Board

APPROVED AS TO LEGAL FORM
Matthew Granger, County Counsel

By: _____

By: _____
Barbara Thompson, Assistant County Counsel

Date: _____

Date: _____