



CALIFORNIA LAND SURVEYORS ASSOCIATION

CENTRAL OFFICE: 526 SOUTH E STREET • SANTA ROSA, CA 95404

PHONE: (707) 578-6016 FAX: (707) 578-4406

clsa@californiasurveyors.org

OFFICERS 2010

Aaron R. Smith, PLS
President

William R. Hofferber, PLS
President-Elect

Frank R. Lehmann, PLS
Secretary

Thomas A. Taylor, PLS
Treasurer

Matthew J. Vernon PLS
Immediate Past President

Dorothy C. Calegari
Executive Director

CHAPTERS

Bakersfield
Cascade
Central Coast
Central Valley
Channel Islands
Desert
East Bay
Gold Country
Humboldt
Lake/Mendocino
Los Angeles
Marin
Monterey Bay
Mother Lode
Northern Counties
Orange County
Riverside/San Bernardino
Sacramento
San Diego
San Joaquin Valley
Santa Clara/San Mateo
Sonoma County

March 9, 2010

Gail Farber, Director
Department of Public Works
900 S. Fremont Avenue
Alhambra, California 91803

**Re: California Land Surveyors Association Concerns Regarding Survey
Licensure for the Los Angeles County Director of Public Works**

Dear Ms. Farber:

Thank you for allowing your staff to engage in open and frank discussions with the California Board for Professional Engineers and Land Surveyors (BPELS) and The California Land Surveyors Association (CLSA) concerning the Los Angeles County Director of Public Works holding the title of "County Surveyor" while not being licensed to practice land surveying in the State of California.

CLSA has taken an active role in this discussion as a result of an overwhelming response from our members concerning the potential impact to the public of having an acting County Surveyor directing personnel in the performance of the staff's land surveying duties. CLSA feels that the directing of personnel to perform land surveying activities as defined in 8700 et. seq. of the Business and Professions Code is acting in responsible charge as defined in Title 16, Division 5, Section 404.2 of the California Code of Regulations, referred to as The Board Rules.

Throughout the course of these discussions CLSA has heard opposing views on the subject - all of which have merit. As a result CLSA sought an independent opinion from the law firm Allen Matkins in the person of Michael Patrick Durkee. The opinion lists several more reasons as to why the person holding the title County Surveyor should be licensed as a Land Surveyor in California. This opinion is attached for your reference. However, this opinion does not obviate the fact that all of the opinions put forward at present have merit.

Because of the complexity of the subject and passionate feelings on all sides of the question, CLSA is offering to work together with all parties to reach an amicable resolution. In other words, CLSA would like to work together towards the following:

- A common understanding of the reasons for the alternate opinions
- The removal of obstacles to a resolution
- A resolution that benefits Los Angeles County, CLSA, and more importantly the public

However, CLSA does request the following as the desired outcome:

- The position of Los Angeles County Surveyor be filled with a California licensed Land Surveyor
- A revision in the Los Angeles County charter to assure that the position of County Surveyor must be filled by a California licensed Land Surveyor
- That the requested revision to the County Charter occur at the next available opportunity.

Once again, Ms. Farber, thank you for your time and for making your staff available for the open and frank discussions. Hopefully, we can reach a resolution that is beneficial to all concerned.

Respectfully,

A handwritten signature in black ink that reads "Aaron R. Smith". The signature is written in a cursive style with a large, stylized initial 'A'.

Aaron R. Smith, PLS, President

Att: Letter from Allen Matkins

Cc: David Brown, Executive Officer, BPELS