

MWEO

From: Fred Strong [fstrong@charter.net]
Sent: Wednesday, December 31, 2008 10:59 AM
To: MWEO
Subject: Comments on Title 23, Division 2, Chapter 2.7

Late Comment 067.1

My apologies for not responding by 5 p.m. yesterday. I thought I had until 5 p.m. today. Due to demands of our city, COG, Regional Transit Authority and difficulties with the State budget regarding numerous projects and projections for all of these bodies on which I serve my attention has been fragmented.

IF this is truly a "model" ordinance for potential, local adoption and implementation we can live with it and modify the objectionable portions at that time. IF, however, this is a State mandated ordinance I have serious questions, both legal and practical, regarding it.

I didn't even hear of this until about a month ago. That may be my own fault or it may be because the bulk of this work, committees, etc. were done in house. I suspect that the vast majority of this document was generated, developed and modified by departmental staff. It appears that "professionals" in the private sector have had some influence to insure their own future affluence from the work to be generated.

Late Comment 067.2

There are way to many "shall" s and not nearly enough "should"s.

Late Comment 067.3

490 (b) (4) should say "to a practical" rather than "to the lowest practical" ... the latter is too open to interpretation.

Late Comment 067.4

490 (b) (6) and (7) sound like unfunded mandates. They also do not take into account Proposition 218 and subsequent modifying court decisions and legislation.

Late Comment 067.5

490.1 (a) (4)'s changes create no change at all.

Late Comment 067.6

This entire proposal is far from "user friendly". Although the subject matter has highly technical aspects to it, it should be at least somewhat understandable to the end user. Much of this is even confusing to the professional practitioner.

I look forward to dealing with this in various other venues.

Sincerely yours,
 Mayor Pro Tem Fred Strong,
 City of El Paso de Robles, CA