

Studies, Plans and Illustrations Preparation Requirements

All maps and studies needed to determine compliance with the provisions of the Cortese–Knox–Hertzberg Local Government Reorganization Act of 2000 (CKH), applicable requirements of Sections 56430 and 56653, shall be prepared by a qualified design professional pursuant to California Business and Professions Code Section 5536.2 and/or Section 6731 (please see below).

Items for a complete Municipal Service Review application require, including but not limited to, studies, plans and illustrations showing compliance with Section 56430. Applicable items that must be prepared by a qualified design professional include analysis of the following factors:

Government Code, Section 56430 – Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, ... Financial ability of agencies, ... opportunities for, shared facilities, ... Any other matter related to effective or efficient service delivery, ... alternatives for improving efficiency and affordability of infrastructure and service delivery ... compliance with the California Safe Drinking Water Act.

Complete applications for an annexation and reorganization require, including but not limited to, studies, plans and illustrations showing how a proposal complies with Section 56653. Application items that must be prepared by a qualified design professional include the following:

Government Code, Section 56653 – change of organization or reorganization ... submit a plan for providing services within the affected territory. The plan ... shall include ... and any additional information required ... enumeration and description of the services currently provided or to be extended ... level and range of those services ... when those services can feasibly be extended ... any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions ... within the affected territory if the change of organization or reorganization is completed ... how those services will be financed.

The basis for preparation by a qualified design professional is directed by applicable sections of the State Business and Professions (B&P) Code. A gist of the B&P code requirements, include but is not limited to the following:

Business and Professions Code, Section 6731 – Civil engineering embraces the following studies or activities in connection with fixed works for ... drainage, ... water supply, ... municipal improvements, ... highways, ... sewerage, refuse disposal, ... foundations, grading,

framed and homogeneous structures, buildings ... Applicable tasks include, but not limited to, the following:

(a) The economics of, the use and design of, materials of construction and the determination of their physical qualities....

(e) The preparation or submission of designs, plans and specifications and engineering reports.

(f) Coordination of the work of professional, technical, or special consultants.

(g) Creation, preparation, or modification of electronic or computerized data in the performance of the activities described in subdivisions (a) through (f).

Civil engineering also includes city and regional planning insofar as any of the above features are concerned therein.

The issuance of Certificate of Filing by confirming an application for a change of organization or reorganization meets submission requirements and is accepted for filing is permits an application to move ahead with evaluation and analysis of the factors directed by the CKH. The following shall be demonstrated to the satisfaction of the Executive Officer on all studies, plans and illustrations to be evaluated:

Business and Professions Code, Section 5536.2 – (T)he issuance of any permit as a condition precedent to the construction (*the process, art, or manner of assembling, erecting, or building infrastructure, buildings, and industrial facilities, ranging from planning and design to final completion and maintenance*) ... of any building or structure shall also require as a condition precedent to the issuance of the permit a signed statement that the person who prepared or was in responsible control of the plans and specifications ... is licensed under this chapter to prepare the plans and specifications, or is otherwise licensed in this state to prepare the plans and specifications.

The signature and stamp, as provided for in Business and Professions Code Section 5536.1, on the plans and specifications by the person who prepared or was in responsible control of the plans and specifications ... responsibility of the agency that issues the permit to determine that the person who signed and stamped the plans and specifications or who submitted the signed statement required by this section is licensed ... to prepare the plans and specifications.