



S T A F F R E P O R T

DATE: January 07, 2020
TO: The Honorable Board of Supervisors
FROM: Steve Dunncliff, Deputy Chief Executive Officer
RE: List of Personnel Authorized to Use County Vehicles for Work-to-Home/Home-to-Work

Mendocino County Code Chapter 3.12.060, the County Vehicle Policy, directs that upon the recommendation of the Chief Executive Officer (CEO) or his/her designee, the Board of Supervisors shall approve an annual list of employees authorized to use a County vehicle for work-to-home/home-to-work use, when such use is determined to be in the best interest of the County. "In the best interest of the County" is defined as "those vehicle assignments that are cost-effective to the County, enhance service to the public and better provide for public safety, and can stand the test of public scrutiny".

Mendocino County Code Chapter 3.12.060(C) sites examples of approved reasons or circumstances that the department head may submit a request for approval including: 1) The employee is on call for service in emergencies related to loss of life or property, and is required to respond directly to a site other than the employee's normal place of employment, and such response is of an emergency nature; and/or 2) The department head certifies that recurring, daily or continual work-to-home/home-to-work use by the identified employee is necessary for the safe and/or efficient conduct of County business.

On or before the first Board of Supervisors meeting in January of each year, department heads requesting approval for home garaging a County vehicle are to submit their requests to the Chief Executive Officer, who has the responsibility to submit a list of such requests, along with his/her recommendations, to the Board of Supervisors for approval. The CEO and Board of Supervisors shall be authorized to approve or disapprove requests for a period not to exceed one (1) year.

Departments were asked to provide a list of employees requested for use of County vehicles for work-to-home/home-to-work use, including the following information supporting each request:

- ☐ Name of employee
- ☐ Verification that the employee is authorized to operate a County vehicle
- ☐ The location where the vehicle will be parked, if other than at the employee's home address on record with Human Resources
- ☐ The employee's classification or position
- ☐ Information sufficient to identify the County-owned or leased vehicle
- ☐ The estimated frequency, reason, justification, and/or circumstance for which such use is requested

Once requests were received, staff compared those requests that were approved and authorized for 2019. Any new requests were further scrutinized and considered, with departments being asked to clarify the frequency of use, and whether the use was “recurring or sporadic”. Staff determined that language within the adopted ordinance specifically addressed those vehicle use types that were infrequent and are appropriately governed by Mendocino County Code Section 3.12.050, “*Use of County Vehicles Outside Regular Working Hours Without Prior Authorization*” – (A) A County vehicle may only be used outside an employee’s regular working hours without prior authorization when the employee is either returning from an officially authorized trip after regular working hours or leaving before regular working hours; and (B) A County vehicle may be parked at the employee’s home for travel to or from a pre-authorized meeting or event when such home garaging is deemed necessary or expedient for such travel. Therefore, those requests that fell into this category were removed from the list submitted from consideration, with the consent of each department.

The County Executive Office is submitting the requests that met the justification as set forth in the ordinance and demonstrated that the employee was on call for service in emergencies and was required to respond directly to a site other than the employee’s normal place of employment; and/or that recurring, daily or continual work-to-home/home-to-work use by the identified employee was necessary for the safe and/or efficient conduct of County business.

The list submitted for approval does not contain any personal employee information (i.e., name and home address), in order to protect the privacy of County employees (the County Executive Office possesses the list with all information included). The requests being presented to the Board of Supervisors includes the name of the department, the employee classification or position, the vehicle identification information, the justification, and the Chief Executive Officer’s recommendation regarding each request.

Staff is requesting that the Board of Supervisors approve the recommended list of personnel authorized to use County vehicles for work-to-home/home-to-work travel for 2020.



**2020 Personnel Authorized to Use County Vehicles for Work-To-Home/Home-To-Work
(Pursuant to MCC Section 3.12.060)**

Dept.	Position Title	Car #	Justification	Recommendation
Air Quality	Air Quality Technician	02-005 02-006 02-007 86-000	Occasional use only for convenience of the District when job assignments require employee to be near residence location the following day	Approve Existing
	Air Pollution Control Officer	02-005 02-006 02-007 86-000	Emergency response, Fire Agency response requests, Environmental Crimes Taskforce response, Incident Command response. 24 hour availability required	Approve Existing
	Air Quality Specialist	02-005 02-006 02-007 86-000	Occasional use only for convenience of the District when job assignments require employee to be near residence location the following day	Approve Existing
	Air Quality Specialist	02-005 02-006 02-007 86-000	Occasional use only for convenience of the District when job assignments require employee to be near residence location the following day or to travel early the next morning.	Approved Existing
Agriculture	Agricultural/Masurement Standards Specialist II	01-034 through 01-043	For efficiency, productivity, environmental impact – inspections on the coast and in Northern region of County. Up to 4 times per week. Inspectors are required to be in a marked County vehicle when doing regulatory work.	Deleted for 2020
	Agricultural/Masurement Standards Specialist III	01-034 through 01-043	For efficiency, productivity, environmental impact – inspections on the coast and in Northern region of County. Up to 4 times per week. Inspectors are required to be in a marked County vehicle when doing regulatory work.	Deleted for 2020
	Agricultural Measurement Standards Specialist III	01-034 through 01-043	For efficiency, productivity, environmental impact – inspections on the coast and in Northern region of County. Up to 4 times per week. Inspectors are required to be in a marked County vehicle when doing regulatory work.	Deleted for 2020
	Agricultural Measurement Standards Specialist I	01-034 through 01-043	For efficiency, productivity, environmental impact – inspections on the coast and in Northern region of County. Up to 4 times per week. Inspectors are required to be in a marked County vehicle when doing regulatory work.	Deleted for 2020
	Agricultural Measurement Standards Specialist I	01-034 through 01-043	For efficiency, productivity, environmental impact – inspections on the coast and in Northern region of County. Up to 4 times per week. Inspectors are required to be in a marked County vehicle when doing regulatory work.	Deleted for 2020
	Agricultural Measurement Standards Specialist I	01-034 through 01-043	For efficiency, productivity, environmental impact – inspections on the coast and in Northern region of County. Up to 4 times per week. Inspectors are required to be in a marked County vehicle when doing regulatory work.	Deleted for 2020
	Agricultural Measurement Standards Specialist I	01-034 through 01-043	For efficiency, productivity, environmental impact – inspections on the coast and in Northern region of County. Up to 4 times per week. Inspectors are required to be in a marked County vehicle when doing regulatory work.	Deleted for 2020
	Agricultural Measurement Standards Specialist I	01-034 through 01-043 (01-041)	For efficiency, productivity, environmental impact – inspections on the coast and in Northern region of County. Up to 4 times per week. Inspectors are required to be in a marked County vehicle when doing regulatory work.	Deleted for 2020
	Agricultural Measurement Standards Specialist I	01-034 through 01-043 (01-040)	For efficiency, productivity, environmental impact – inspections on the coast and in Northern region of County. Up to 4 times per week. Inspectors are required to be in a marked County vehicle when doing regulatory work.	Deleted for 2020
	Assistant Agricultural Commissioner	01-034 through 01-043 (Not Yet Assigned)	For efficiency, Travel to Conferences, Meetings and events.	Deleted for 2020
	Cannabis Program Manager	01-034 through 01-043 (Not Yet Assigned)	For efficiency, Travel to Conferences, Meetings and events.	Deleted for 2020
	Agricultural Measurement Standards Specialist III-OOC	01-043	Does inspections for 2 weeks each year to the North/East of Ukiah and doesn't get back to town until well after closing. Taking the vehicle home and returning it to work the next morning saves travel time, pay, vehicle wear and tear mileage and gas.	Approve New
	Agricultural Measurement Standards Specialist II	01-037 or 01-039	Does inspections approx. twice a year on the coast that take more than 1 day to complete. Completes inspections the following inspection day and returns vehicle to County. Doing this saves travel time, pay, vehicle wear and tear, mileage and gas.	Approve New
	Agricultural Measurement Standards Specialist II	01-037 or 01-039	Does inspections approx. seven (7) times a year in the South and Southeast of our county that takes the full depending day to complete. It of saves travel time, pay, vehicle wear and inspection tear, mileage and gas to keep vehicle at home rather than driving back to Ukiah then back the same direction came from.	Approve New

Dept.	Position Title	Car #	Justification	Recommendation
Public Health - Environm	Hazardous Materials Operations Specialist	21-075	Hazardous materials emergency response. Full-time use. Subject to emergency after-hours call in with direct field response. Vehicle contains response equipment.	Approve Existing
Transportation	Deputy Director Maintenance Services (All Areas)	1431	Emergency Response. Full-time use. Subject to immediate call-in on a regular, daily basis. When called, required to respond immediately and directly to scene of County roadway hazard/blockage with properly equipped County vehicle.	Approve Existing
	Road Maintenance Supervisor III (Ukiah)	1357	Emergency Response. Full-time use. Subject to immediate call-in on a regular, daily basis. When called, required to respond immediately and directly to scene of County roadway hazard/blockage with properly equipped County vehicle.	Approve Existing
	Road Maintenance Supervisor II (Point Arena)	1391	Emergency Response. Full-time use. Subject to immediate call-in on a regular, daily basis. When called, required to respond immediately and directly to scene of County roadway hazard/blockage with properly equipped County vehicle.	Approve Existing
	Maintenance Area Coordinator (All Areas)	1392	Emergency Response. Full-time use. Subject to immediate call-in on a regular, daily basis. When called, required to respond immediately and directly to scene of County roadway hazard/blockage with properly equipped County vehicle.	Approve Existing
	Road Maintenance Supervisor I (Willits)	1403	Emergency Response. Full-time use. Subject to immediate call-in on a regular, daily basis. When called, required to respond immediately and directly to scene of County roadway hazard/blockage with properly equipped County vehicle.	Approve Existing
	Road Maintenance Supervisor II (Laytonville)	1358	Emergency Response. Full-time use. Subject to immediate call-in on a regular, daily basis. When called, required to respond immediately and directly to scene of County roadway hazard/blockage with properly equipped County vehicle.	Approve Existing
	Road Maintenance Supervisor II (Covelo)	1360	Emergency Response. Full-time use. Subject to immediate call-in on a regular, daily basis. When called, required to respond immediately and directly to scene of County roadway hazard/blockage with properly equipped County vehicle.	Approve Existing
	Road Maintenance Supervisor III (Willits)	1359	Emergency Response. Full-time use. Subject to immediate call-in on a regular, daily basis. When called, required to respond immediately and directly to scene of County roadway hazard/blockage with properly equipped County vehicle.	Approve Existing
	Road Maintenance Supervisor II (All Areas)	1310	Emergency Response. Full-time use. Subject to immediate call-in on a regular, daily basis. When called, required to respond immediately and directly to scene of County roadway hazard/blockage with properly equipped County vehicle.	Approve Existing
	Road Maintenance Supervisor II (Boonville)	1425	Emergency Response. Full-time use. Subject to immediate call-in on a regular, daily basis. When called, required to respond immediately and directly to scene of County roadway hazard/blockage with properly equipped County vehicle.	Approve Existing
	Road Maintenance Supervisor III (Fort Bragg)	1422	Emergency Response. Full-time use. Subject to immediate call-in on a regular, daily basis. When called, required to respond immediately and directly to scene of County roadway hazard/blockage with properly equipped County vehicle.	Approve Existing
	Road Maintenance Supervisor I (Ukiah)	1438	Emergency Response. Full-time use. Subject to immediate call-in on a regular, daily basis. When called, required to respond immediately and directly to scene of County roadway hazard/blockage with properly equipped County vehicle.	Approve Existing
	Road Maintenance Supervisor I	1390	Emergency Response. Full-time use. Subject to immediate call-in on a regular, daily basis. When called, required to respond immediately and directly to scene of County roadway hazard/blockage with properly equipped County vehicle.	Approve New
Library	County Librarian/Director	16-001	In frequent use for access late evening/weekend or early morning visits to other braches or community events.	Approve Existing
Executive Office	Chief Executive Officer	NEW # 19-002	For use to travel to meetings and other official County business, frequency will vary.	Approve Existing
	Deputy Chief Executive Officer	NEW # 19-002	For use to travel to meetings and other official County business, frequency will vary.	Approve Existing
	Deputy Chief Executive Officer	NEW # 19-002	For use to travel to meetings and other official County business, frequency will vary.	Approve Existing
	Deputy Chief Executive Officer	NEW # 19-002	For use to travel to meetings and other official County business, frequency will vary.	Approve Existing
	Deputy Chief Executive Officer	NEW # 19-002	For use to travel to meetings and other official County business, frequency will vary.	Approve Existing
	Chief Building Official	06-051	For use to travel to meetings and other official County business, frequency will vary.	Approve Existing

Dept.	Position Title	Car #	Justification	Recommendation
Planning and Building Services	Code Enforcement Officer	06-039	For use to travel to meetings and other official County business during off hours between Fort Bragg and Ukiah, frequency will vary.	Deleted for 2020
	Code Enforcement Officer I	06-053	For use to travel to meetings and other official County business, frequency will vary.	Approve New
	Code Enforcement Officer I	06-044	For use to travel to meetings and other official County business, frequency will vary.	Approve New
	Code Enforcement Officer I	06-039	For use to travel to meetings and other official County business, frequency will vary.	Approve New
	Building Inspector I	06-048 (shared)	For early inspections that are a far distance. Frequency will vary.	Approve New
	Sr. Building Inspector	06-048 (shared)	For early inspections that are a far distance. Frequency will vary.	Approve New
	Building Inspector I	06-052	For early inspections that are a far distance. Frequency will vary.	Approve New

VEHICLE USE POLICY AND ORDINANCE – HISTORICAL OVERVIEW

January 08, 2019: The Board of Supervisors approved the recommended list of personnel authorized to use County vehicles for Work-to-Home/Home-to-Work travel, as recommended by the Chief Executive Officer.

January 02, 2018: The Board of Supervisors approved the recommended list of personnel authorized to use County vehicles for Work-to-Home/Home-to-Work travel, as recommended by the Chief Executive Officer.

January 10, 2017: The Board of Supervisors approved the recommended list of personnel authorized to use County vehicles for Work-to-Home/Home-to-Work travel, as recommended by the Chief Executive Officer.

January 5, 2016: The Board of Supervisors approved the recommended list of personnel authorized to use County vehicles for Work-to-Home/Home-to-Work travel, as recommended by the Chief Executive Officer.

January 6, 2015: The Board of Supervisors approved the recommended list of personnel authorized to use County vehicles for Work-to-Home/Home-to-Work travel, as recommended by the General Services Agency Director and the Chief Executive Officer.

January 7, 2014: The Board of Supervisors approved the recommended list of personnel authorized to use County vehicles for Work-to-Home/Home-to-Work travel, as recommended by the General Services Agency Director and the Chief Executive Officer.

January 8, 2013: The Board of Supervisors approved the recommended list of personnel authorized to use County vehicles for Work-to-Home/Home-to-Work travel, as recommended by the General Services Agency Director and the Chief Executive Officer.

January 10, 2012: The Board of Supervisors approved the recommended list of personnel authorized to use County vehicles for Work-to-Home/Home-to-Work travel, as recommended by the General Services Agency Director and the Chief Executive Officer.

January 4, 2011: The Board of Supervisors approved the recommended list of personnel authorized to use County vehicles for Work-to-Home/Home-to-Work travel, as recommended by the General Services Agency Director and the Chief Executive Officer.

January 5, 2010: The Board of Supervisors approved the recommended list of personnel authorized to use County vehicles for Work-to-Home/Home-to-Work travel, as recommended by the General Services Agency Director and the Chief Executive Officer, with the exception of the Department of Transportation, who submitted a list of seventeen personnel. The CEO and the GSA Director requested the DOT Director provide additional supporting documentation relative to the 17 requests and was given an additional 60 days to resubmit. The documentation was provided and the Board approved the DOT vehicles.

January 6, 2009: The Board of Supervisors approved the recommended list of personnel authorized to use County vehicles for Work-to-Home/Home-to-Work travel, as recommended by the General Services Agency Director and the Chief Executive Officer.

January 8, 2008: The Board of Supervisors approved the recommended list of personnel authorized to use County vehicles for Work-to-Home/Home-to-Work travel, as recommended by the General Services Agency Director and the Chief Executive Officer.

January 9, 2007: The Board of Supervisors approved the recommended list of personnel authorized to use County vehicles for Work-to-Home/Home-to-Work travel, as recommended by the General Services Agency Director and the Chief Executive Officer.

January 24, 2006: The Board of Supervisors approved the recommended list of personnel authorized to use County vehicles for Work-to-Home/Home-to-Work travel, as recommended by the General Services Agency Director and the Chief Executive Officer.

October 25, 2005/November 15, 2005: The Board accepted the General Government Committee's finding and recommendations associated with the use of County vehicles, thereby adopting Ordinance No. 4157 and revised Policy No. 26. One component of the Vehicle Use Ordinance/Program is the annual approval by the Board of Supervisors of the List of Personnel Authorized to Use County Vehicles for Work-to-Home/Home-to-Work.

March through October 2005: The General Government Committee directed staff to obtain clarity regarding the use of departmental pool vehicles, to develop a more comprehensive system accounting for the work-to-home/home-to-work list, to clarify responsibility for ensuring departmental compliance with the Policy, and to develop a system to maintain 'timely' information.

March 15, 2005: The Board referred the 2005 list of personnel authorized to use County vehicles for work-to-home/home-to-work travel and the broader issue of use and operation of County vehicles to the General Government Committee.

September 14, 2004: The Board approved the 2004 list of personnel authorized to use County vehicles for work-to-home/home-to-work travel.

February 26, 2002: The Board adopted Resolution No. 02-036, approving revisions to Mendocino County Policy No. 26, "Operation of County Vehicles".

May 18, 1993: The Board adopted the Vehicle Use Policy No. 26.

**EXCERPTS FROM MENDOCINO COUNTY CODE CHAPTER 3.12
COUNTY VEHICLE USE POLICY**

Section 3.12.060. Authorization for Work-to-Home/Home-to-Work Use of a County Vehicle

(A) Upon the recommendation of the County Executive Officer (CEO) or his/her designee, the Board of Supervisors as set forth herein shall approve an annual list of employees authorized to use a County vehicle for work-to-home/home-to-work use, when such use is determined to be in the best interests of the County. "In the best interests of the County" is defined as "those vehicle assignments that are cost effective to the County, enhance service to the public and better provide for public safety, and can stand the test of public scrutiny".

(B) On or before January 7th of each year, all department heads must file with the CEO a Request for Authorization for each employee certified by the appointing authority to use a County vehicle for work-to-home/home-to-work. The Request for Authorization shall include the following information:

1. The name of the employee;
2. Verification that the employee is authorized to operate a County vehicle, pursuant to Section 3.12.030;
3. The location where the vehicle will be parked, if other than at the employee's home address on record with Human Resources;
4. The employee's classification or position; and
5. The estimated frequency, reason, and a complete, detailed justification and/or description for which such use is requested.

(C) Examples of approved reasons or circumstances that the department head may submit to the CEO in the Request for Approval include:

1. The employee is on call for service in emergencies related to loss of life or property, and is required to respond directly to a site other than the employee's normal place of employment, and such response is of an emergency nature.
2. The department head certifies that recurring, daily or continual work-to-home/home-to-work use by the identified employee is necessary for the safe and/or efficient conduct of County business.

(D) The CEO shall transmit the requests to the Board of Supervisors via an updated list of "Personnel Authorized to Use County Vehicles for Work-To-Home/Home-To-Work", with his/her recommendations. The CEO shall ensure that the requests transmitted to the Board have been edited to remove information that might compromise the safety or privacy of County employees. Approved requests shall be valid for one year.

(E) Department heads shall keep the CEO current with employee use of vehicles for work-to-home/home-to-work.

1. During the year, department heads may submit to the CEO new individual requests for authorization as circumstances arise.
2. The information, including justification, reason, and circumstances requiring work-to-home/home-to-work use, as set forth in this section, shall be included in the request for the individual employee.

3. Individual requests that are submitted during the year may be approved only until the following January.

(F) The CEO and Board of Supervisors shall be authorized to approve or disapprove requests for a period not to exceed one (1) year.

(G) No employee who receives a vehicle allowance shall be authorized for work-to-home/home-to-work use of a County vehicle.

(H) Employees permitted to take County vehicles home for work-to-home/home-to-work may be subject to IRS taxable fringe benefit laws.

(I) Employees who temporarily reside at a location other than their home address of record shall notify their department head of the location where their assigned County vehicle will be parked.

ORDINANCE NO. 4349

ORDINANCE AMENDING CHAPTER 3.12 OF TITLE 3 REGARDING THE COUNTY VEHICLE POLICY

The Board of Supervisors of the County of Mendocino ordains as follows:

Chapter 3.12 of Title 3 of the Mendocino County Code is amended to read:

"COUNTY VEHICLE POLICY

Section 3.12.010. Purpose and Intent

The Board of Supervisors has approved the purchase of motor vehicles for the use of County officers and employees whose duties require frequent trips on County business, it being the judgment of the Board that the purchase and use of such vehicles is in the public interest. This Chapter is enacted pursuant to Government Code section 25305 and its purpose is to govern the responsibilities and rules for the use of County-owned and leased vehicles (hereinafter "County vehicles") and privately owned vehicles used for County business. This Chapter applies to County officers and employees, including elected and appointed department heads and volunteers.

Section 3.12.020. Applicability of Article

Elected and appointed department heads are responsible for enforcing this Ordinance within their departments.

Section 3.12.030. Limitations on Use of County Vehicles

- (A) County vehicles shall be operated in accordance with established State and local laws and the established policies of the Board of Supervisors, in a safe and courteous manner.
- (B) Use of County vehicles for any purpose other than County business is prohibited.
- (C) Transportation in a County vehicle of members of any driver's family or of any other person not connected with County business is prohibited, except for members of families and/or professional colleagues or members of the community accompanying employees on officially authorized trips, at no expense to the County. A family member may accompany the driver only with the prior written authorization of the department head.
- (D) County vehicles may not be used outside an employee's regular working hours or officially assigned duties except as permitted under Section 3.12.050 of this Chapter.
- (E) County vehicles may not be used to travel to and from an employee's home except as permitted in Section 3.12.060 of this Chapter.

- (F) County vehicles may not be used for transportation to home, restaurants, or stores, except to attend a business meeting or conduct official business, unless the destination is en route while on duty. Incidental use during out-of-town meetings or conferences is allowed within reason.
- (G) With the exception of individuals who are employed in the District Attorney and Sheriff's Offices, no individual shall be authorized to operate a County vehicle or a privately owned vehicle on County business without prior approval from the Chief Executive Officer at the signed request of the employee's department head. Employees of the District Attorney and Sheriff offices shall be authorized to operate a County vehicle upon the approval of the Sheriff or District Attorney.
- (H) It is the responsibility of each department head to maintain a current and accurate list of authorized County drivers (hereinafter "drivers") with the Chief Executive Office.
- (I) It shall be the responsibility of each department to immediately inform the Chief Executive Office of any change in the status of a driver's license that may adversely affect the driver's driving privilege.
- (J) During the first week in January of each year, all departments are required to provide the Chief Executive Officer with an annual updated and accurate list of drivers.
 - 1. This list shall include such information deemed necessary and proper by the Chief Executive Officer, including but not limited to the following:
 - a. The name of the driver;
 - b. The driver's California driver's license number; and
 - c. The driver's office or primary work location, and telephone number.
 - 2. Consistent with subsection (G) above and California Penal Code Sections 832.7 and 832.8, subsection (J)1.b. above shall not apply to drivers occupying peace officer positions in the Sheriff's Office or District Attorney's Office.
- (K) Failure to provide the annual updated list may result in denial or delay in approval or authorization for use of County vehicles by the Chief Executive Officer.
 - 1. The annual list of drivers is only valid for the calendar year submitted and must be re-approved by the Chief Executive Officer annually.
 - 2. Updated lists must be submitted by January 7th of each year. The County Auditor will deny mileage reimbursement of any claims filed by an unauthorized driver or a driver whose driving privileges have been suspended.

3. If the department head fails to respond and file the required annual updated list by January 7th, the Chief Executive Officer shall send a notice granting an additional seven (7) calendar days to respond.
 4. Failure to file or respond with the updated list by January 31st shall result in denial of driving privileges, or such other course of action as is deemed necessary by the Chief Executive Officer.
- (L) New requests for authorization may be submitted by department heads and approved during the year by the Chief Executive Officer. All requests shall be in accordance with the requirements set forth in Section 3.12.030(J).
- (M) It is the responsibility of the department head to ensure that written verification of insurance for use of privately owned vehicles on County business is current and on file in the department in advance of such use.
- (N) Each department shall follow the procedure established by the Chief Executive Office for tracking and accounting for the daily use of County vehicles assigned to the department.
1. This procedure shall require that drivers note the vehicle identification number, date, miles driven or hours used, destination(s), and driver name for each daily use of a County vehicle.
 2. Recognizing the independent and constitutionally and statutorily designated investigative and prosecutorial functions of the Sheriff and District Attorney, the Chief Executive Officer shall establish separate reporting requirements for tracking and accounting for the daily use of County vehicles assigned to these offices.
 3. This information shall be compiled by each department and submitted monthly to the Chief Executive Office for the purpose of periodically evaluating the cost-effectiveness, distribution, and overall size of the County vehicle fleet.

Section 3.12.040. Driver Responsibilities

- (A) Each driver shall drive responsibly, anticipate emergency situations and make every effort to avoid collisions. All drivers operating a vehicle on County business represent the County of Mendocino and shall always project a professional and responsible image to the public.
- (B) Each driver is expected to be knowledgeable of, and follow, all applicable Federal, State, and local traffic laws.
- (C) Each driver operating vehicles or equipment on County business must have a valid State of California driver's license.
- (D) Each driver shall immediately inform his/her supervisor in the event his/her driver's license is suspended, revoked or is otherwise

restricted in a way that impacts the driver's ability to perform his/her job.

- (E) Each driver, prior to operating a private vehicle on County business, shall provide proof of insurance for the vehicle to his/her supervisor. Drivers shall immediately notify their supervisor in the event of a change in the status of said vehicle insurance.
- (F) Each driver shall comply with his/her department's procedure for tracking and accounting for the daily use of County vehicles assigned to the department.
- (G) Except as provided by subsection (g) of the California Vehicle Code section 27315, seat belts shall be used at all times by the driver and all passengers in a County vehicle. (CVC § 27315(d)(1) & (e))
- (H) All children riding in a County vehicle shall be properly seat belted. Child safety seats shall be used as required by the California Vehicle Code. (CVC §§ 27360 through 27364)
- (I) Drivers shall be familiar with the manner of operation of vehicles that they operate on County business. If a driver is unsure of the operation of a County vehicle, he/she should check the owner's manual in the glove box of the car or contact the County Garage for assistance.
- (J) Drivers shall remain attentive to driving at all times. Eating or drinking, dealing with passengers or other distractions while the vehicle is moving should be avoided. Whenever possible, drivers should pull off the road and stop when having to deal with distractions in the vehicle. Except as permitted by California Vehicle Code section 23123, use of a wireless telephone while driving is prohibited.
- (K) Smoking is prohibited in all County vehicles.
- (L) Consumption of alcohol, drugs or other intoxicants that may interfere with the safe operation of County vehicles and equipment is strictly prohibited.
- (M) No County vehicle shall be operated when in a known dangerous or defective condition.
- (N) When a County vehicle is found to be in a dangerous or defective condition, it shall be reported to the County Garage as soon as is practical.
- (O) Drivers shall conduct a visual inspection of the County-assigned vehicle or pool vehicle for damage prior to use. Any damage or safety problems observed shall be reported to the County Garage immediately upon discovery.
- (P) All County vehicles shall be legally and safely parked and locked when unattended.

- (Q) Any driver who receives a traffic citation other than for illegal parking while operating a County vehicle shall report such citation to his/her department head. All traffic or parking citations are the sole responsibility of the driver.

Section 3.12.050. Use of County Vehicles Outside Regular Working Hours Without Prior Authorization

- (A) A County vehicle may only be used outside an employee's regular working hours without prior authorization when the employee is either returning from an officially authorized trip after regular working hours or leaving before regular working hours.
- (B) A County vehicle may be parked at the employee's home for travel to or from a pre-authorized meeting or event when such home garaging is deemed necessary or expedient for such travel.

Section 3.12.060. Authorization for Work-to-Home/Home-to-Work Use of a County Vehicle

- (A) Upon the recommendation of the Chief Executive Officer or his/her designee, the Board of Supervisors as set forth herein shall approve an annual list of employees authorized to use a County vehicle for work-to-home/home-to-work use, when such use is determined to be in the best interests of the County. "In the best interests of the County" is defined as "those vehicle assignments that are cost-effective to the County, enhance service to the public and better provide for public safety, and can stand the test of public scrutiny".
- (B) On or before January 7th of each year, all department heads must file with the Chief Executive Office a Request for Authorization for each employee certified by the appointing authority to use a County vehicle for work-to-home/home-to-work. The Request for Authorization shall include the following information:
1. The name of the employee;
 2. Verification that the employee is authorized to operate a County vehicle, pursuant to Section 3.12.030 of this Chapter;
 3. The location where the vehicle will be parked, if other than at the employee's home address on record with Human Resources;
 4. The employee's classification or position; and
 5. The estimated frequency, reason, and a complete, detailed justification and/or description for which such use is requested.
- (C) Examples of approved reasons or circumstances that the department head may submit to the Chief Executive Officer in the Request for Approval include:
1. The employee is on call for service in emergencies related to loss of life or property, and is required to respond directly to a site

other than the employee's normal place of employment, and such response is of an emergency nature.

2. The department head certifies that recurring, daily or continual work-to-home/home-to-work use by the identified employee is necessary for the safe and/or efficient conduct of County business.
- (D) The Chief Executive Officer shall transmit the requests to the Board of Supervisors via an updated list of "Personnel Authorized to Use County Vehicles for Work-To-Home/Home-To-Work," with his/her recommendations. The Chief Executive Officer shall ensure that the requests transmitted to the Board have been edited to remove information that might compromise the safety or privacy of County employees. Approved requests shall be valid for one (1) year.
- (E) Department heads shall keep the Chief Executive Officer current with employee use of vehicles for work-to-home/home-to-work.
1. During the year, department heads may submit to the Chief Executive Officer new individual requests for authorization as circumstances arise.
 2. The information, including justification, reason, and circumstances requiring work-to-home/home-to-work use, as set forth in this section, shall be included in the request for the individual employee.
 3. Individual requests that are submitted during the year may be approved only until the following January.
- (F) The Chief Executive Officer and Board of Supervisors shall be authorized to approve or disapprove requests for a period not to exceed one (1) year.
- (G) No employee who receives a vehicle allowance shall be authorized for work-to-home/home-to-work use of a County vehicle.
- (H) Employees permitted to take County vehicles home for work-to-home/home-to-work may be subject to IRS-taxable fringe benefit laws.
- (I) Employees who temporarily reside at a location other than their home address of record shall notify their department head of the location where their assigned County vehicle will be parked.

Section 3.12.070. Vehicle Collisions, Incidents or Damage

- (A) It is the responsibility of the driver of a County vehicle to exercise reasonable care to avoid impediments or obstructions in the path of the vehicle which might cause damage to the vehicle, other vehicles or property, or injury to drivers, passengers and pedestrians.
- (B) All collisions or vehicle damage in a County vehicle, or piece of equipment, or a privately owned vehicle being used on County business, regardless of severity, shall be reported immediately to the driver's supervisor, to the appropriate law enforcement agency (request an official collision report from the responding officer), the County Garage, and the County Risk Manager. Vehicle collisions involving extensive property damage, personal injury or loss of life, must also be reported to the DMV within ten (10) days of the incident. It is the driver's responsibility to report the incident to the DMV.
- (C) Drivers involved in any collision or incident in a County vehicle, or a privately owned vehicle being used on County business, shall make a complete report of such collision or incident to the County Risk Manager within one (1) business day. If the driver is unable to make the report because of injury or other incapacity, the appropriate supervisor or manager shall submit a report.
- (D) Collision/incident reports shall contain information on other vehicles, drivers, property involved, witnesses, weather conditions, road conditions, and any other pertinent information regarding such collision. Collision/incident report forms are located in the glove compartment on all County vehicles or at the County Garage.

Section 3.12.080. State of Emergency

When the County has declared a state of emergency, and an employee, at the determination of his/her department head, is likely to be required to respond directly to a site other than the employee's normal place of employment, and such response is of an emergency nature, the department head may authorize County vehicle use outside regular working hours and/or work-to-home/home-to-work use for the employee without prior approval of the Board of Supervisors.

Section 3.12.090. Night and Weekend Storage

1. Except as permitted under the preceding sections, all County vehicles shall be stored nights and weekends on County premises, at the County Garage, unless otherwise authorized by the County Garage Manager.
2. All County vehicles shall be locked and keys shall not be left in cars under any circumstances.

Section 3.12.100. Penalties

Failure to comply with this Chapter may result in disciplinary action, up to and including termination. It is up to the discretion of the department head to take appropriate corrective action."

PASSED AND ADOPTED by the Board of Supervisors of the County of Mendocino, State of California, on this 2nd day of February, 2016, by the following roll call vote:

AYES: Supervisors Brown, McCowen, Woodhouse, Gjerde and Hamburg

NOES: None

ABSENT: None


WHEREUPON, the Chairman declared the Ordinance passed and adopted and **SO ORDERED**.

ATTEST: CARMEL J. ANGELO
Clerk of the Board


Deputy

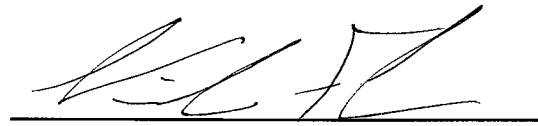
APPROVED AS TO FORM:
KATHARINE L. ELLIOTT
Acting County Counsel




DAN GJERDE, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

BY: CARMEL J. ANGELO
Clerk of the Board


Deputy