

ORDINANCE NO. 10157 (N.S.)

AN ORDINANCE AMENDING SECTIONS 398.5 AND 398.10 OF ARTICLE XXIIb OF THE COUNTY ADMINISTRATIVE CODE RELATING TO DEPARTMENT OF GENERAL SERVICES' DUTIES RELATED TO COUNTY VEHICLES AND MOBILE EQUIPMENT

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

Section 1. The Board of Supervisors finds and determines that it is necessary to amend Article XXIIb Sections 398.5 and 398.10 of the County Administrative Code pertaining to the Department of General Services' functions related to overall management of all County-owned vehicles and mobile equipment.

Section 2. Section 398.5 of the Administrative Code is hereby amended to read as follows:

SEC. 398.5 - FUNCTIONS OF DEPARTMENT

The Department shall perform such functions as may be assigned to it, including the following:

(a) Provide facilities management, including development, implementation, cost management and programming responsibilities of the County's annual Capital Improvement Program.

(b) With regard to County Facilities:

(1) Provide project management, plans and specifications for the construction, alterations or repair of County buildings, structures, improvements, and equipment.

(2) Inspect and supervise the construction, alteration and repair work on all County Facilities whether such work is performed by County forces and equipment or under contract. In the case of contracted construction or repair work, the Director shall require the work to be done in accordance with the plans and specifications filed with the Board, when required by State Statutes, and from time to time as the Board may direct, report to the Board regarding the progress and cost of all such work.

(3) Develop standards for the construction of County facilities.

(4) Adhere to County-adopted standards for the utilization of space within County facilities.

(5) Maintain a record of the drawings and plans for all construction, alterations and repair of County facilities.

(c) Exercise responsibility for the lease of real property for County use, the management and monitoring of such leases and the termination, extension or renewal of lease agreements.

(d) The real property lease functions of the Department shall apply to all real property owned by or leased by or to the County, except such property acquired by the County for public road, highway or bridge construction, flood control, solid waste disposal, open space, airport and

park purposes, and land leased by the County for exclusive use of the Department of Public Works for rock quarries, sand and gravel pits or borrow pits.

(e) Operate and maintain County facilities including the structural, mechanical, electrical, plumbing and lighting systems, and the adjoining grounds and parking lots.

(f) Provide custodial and trash removal services required for County facilities.

(g) Provide security protection services for County facilities and property.

(h) The Director shall exercise responsibility for procurement, inventory, regulatory compliance, preventive maintenance, repair, fueling and disposal of all County- owned vehicles and mobile equipment regardless of funding source. For the purpose of this document, vehicles and mobile equipment are defined as motorized and self-propelled on- and off-road vehicles, maintenance equipment and related towed equipment, such as trailers and trailer-mounted power units, hereinafter referred to as “vehicles.” All County-owned vehicles except Department of Public Works vehicles and those purchased out of special district or limited purpose funds shall be assigned to the Director and will be allocated to meet department requirements.

(i) Provide program management to promote and execute energy efficient County facilities and property while addressing renewable energy and demand reduction.

(j) [Reserved]

(k) Control and manage the inter-office and related mail services for County departments.

(l) Budget for, manage and monitor the County’s utilities, with the exception of voice, data, and video communications, consumption and related costs.

(m) Exercise responsibility for the appraisal, acquisition, leasing and disposal of all real property owned by the County including easements, right-of-way, permits and concessions; except as otherwise provided in this Code. Where a lessee of County property, in accordance with provisions of the lease, desires to sublease all or a portion of the leased premises for purposes permitted by the lease terms, and where the sublease is subordinate to the master lease in all respects, and where there is no anticipated diminution in rent to the County or service to the public, the Director is hereby authorized on behalf of the County as lessor to consent to such subleases.

(n) Operate a relocation assistance program, pursuant to rules and regulations established by the Board of Supervisors, to assist persons, businesses or farm operations required to relocate because of the acquisition of real property by the County.

(o) Establish and maintain a Real Property inventory of all land and improvements owned by the County, except public streets and highways.

(p) Accept deposits for the processing of applications for vacations, easements, irrevocable offers of dedication, preparation of documents for Board approval processing and Board Policy J-33 processing. The amount of said deposits shall be prescribed by the Board of Supervisors. Completion of the requested actions may be subject to final approval by the Board of Supervisors or the County department having jurisdiction.

Section 3. Section 398.10 of the Administrative Code is hereby amended to read as follows:

SEC. 398.10 - COUNTY VEHICLES AND MOBILE EQUIPMENT.

It is the purpose of this section to provide for the overall management of all County-owned vehicles and mobile equipment, including procurement, disposal, inventory, regulatory compliance, preventive maintenance, repair, fueling and to prohibit the use of these for other than official County business.

(a) The Director shall exercise responsibility for procurement, disposal, inventory, regulatory compliance, preventive maintenance, repair and fueling of all County-owned vehicles and mobile equipment regardless of funding source. For the purpose of this Section, vehicles and mobile equipment are defined as motorized and self-propelled, on- and off-highway vehicles, maintenance equipment and related towed equipment, such as trailers and trailer-mounted power units, herein after referred to as “vehicles.”

(b) All County-owned vehicles except Department of Public Works and those purchased out of special-district or limited-purpose funds shall be assigned to the Director and will be allocated to meet department requirements.

(c) All vehicles owned by the County, shall be documented in the Fleet Asset Management Information System to be accounted for and maintained by the Director.

(d) The Department Head or Elected Official to whom vehicles are allocated by the Director shall be responsible to the County for their proper use. This responsibility may be delegated to the officer or employee in charge of any subordinate organization unit, or to an individual employee to whom the equipment is exclusively assigned. Any operator of a County-owned vehicle is responsible for its safe operation in accordance with all prescribed local, State and federal policies, procedures and regulations.

(e) The use of County-owned vehicles for other than official County business is prohibited. The use of County-owned vehicles contrary to the provisions of this section may subject the person so using to disciplinary action or to an action to recover the value of such use, or both.

(f) Any employee of the County may be authorized to operate a County-owned vehicle on County business provided the following qualifications are met:

- (1) Must possess a valid California driver’s license appropriate to the class of vehicle being operated.
- (2) Must bear a written authorization from his/her Department Head.
- (3) Must be eighteen (18) years of age or older.

SEC. 398.10.1. - MARKING OF COUNTY VEHICLES AND MOBILE EQUIPMENT.

All County vehicles shall be conspicuously marked with County-approved insignia, the words “For Official Use Only” and a County vehicle number. Such markings shall be readily removable to preserve the resale value. No other markings or signs are permitted unless approved by the Director. The Director may exempt vehicles from such marking if necessary for law enforcement, investigatory or other special purposes.

SEC. 398.10.2. - RECORDS REQUIRED FOR THE USE OF COUNTY VEHICLES AND MOBILE EQUIPMENT.

The Director shall prescribe the form of records which must be maintained by users of County vehicles to keep accurate account of mileage, use, location, fuel consumption, loads carried and vehicle condition. Copies of records or reports shall be submitted to the Director upon request.

SEC. 398.10.3. - FLEET MANAGEMENT INTERNAL SERVICE FUND.

(a) The Fleet Management Internal Service Fund is under the administration and control of the Director. All vehicles purchased as replacements in the General Fund Vehicle Fleet, will be placed in the Internal Service Fund.

(b) Revenue and expenses incident to the acquisition, operation, maintenance, repair and depreciation of General Fund vehicles used by the County departments shall be expended and accounted for through this fund, and shall include:

- (1) Acquisition of new and replacement vehicles;
- (2) Procurement of necessary supplies, parts and services;
- (3) Payment of allocated department personnel salaries and benefits; and

(4) The Internal Service Fund will serve as a depository for rental and replacement receipts, accumulated depreciation, interest earned on the fund and for such other revenue that may be advanced or due.

Section 4. This Ordinance shall take effect and be in force sixty (60) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this 12<sup>th</sup> day of July, 2011.

Approved as to form and legality:

THOMAS E. MONTGOMERY, County Counsel

By

Lori A. Winfree, Senior Deputy