

DEPARTMENT: County Counsel BY: Jeffrey G. Green

PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

Waive first reading and introduce Ordinance <sup>12/2</sup> (1) Waive second reading and adopt Ordinance amending Section 2.08.020 consolidating the offices of Sheriff, Coroner, and Public Administrator; rescinding Chapter 2.28 as it has been superceded with job descriptions and Memorandums of Understanding with bargaining units; rescinding Chapter 2.32 due to the State of California consolidating the Justice Court with the Superior Court; amending Chapter 2.76 to be consistent with the current policies and procedures of County vehicle use; and amending L. in Section 3.56.020 to make this section consistent with the Board's previous action to rescind the Mariposa County Redevelopment Agency.

County Counsel is in the process of bringing the Mariposa County Code up to date.

See memo from County Counsel, which provides a detailed explanation for amending and rescinding Chapters 2.08, 2.28, 2.32, and 2.76 of the Code.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Described in Counsel's memo.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

None.

Financial Impact? ( ) Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded		
Amount in Budget: \$		List Attachments, number pages consecutively
Additional Funding Needed: \$		Ordinance (1st & 2nd Reading)
Source:		Memo from County Counsel
Internal Transfer		
Unanticipated Revenue	4/5's vote	
Transfer Between Funds	4/5's vote	
Contingency	4/5's vote	
( ) General ( ) Other		

CLERK'S USE ONLY:

Res. No.: \_\_\_\_\_ Ord. No. 999 <sup>12/2</sup> *Agenda: 5*  
Vote - Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_  
( ) Approved  
( ) Minute Order Attached ( ) No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended  
 No Opinion  
Comments:

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California

By: \_\_\_\_\_  
Deputy

CAO: *[Signature]*

**MARIPOSA COUNTY ORDINANCE NO. 999**

**AN ORDINANCE AMENDING SECTION 2.08.020 OF CHAPTER 2.08, RESCINDING CHAPTERS 2.28 AND 2.32, AND AMENDING CHAPTER 2.76 OF THE MARIPOSA COUNTY CODE**

**WHEREAS**, the Board of Supervisors desire to bring the Mariposa County Code up to date by amending and rescinding the following sections and chapters,

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY**, a political subdivision of the State of California, does ordain as follows:

**SECTION I:** Section 2.08.020 of Chapter 2.08 of the Mariposa County Code is hereby amended to read as follows:

**2.08.020 Consolidation of Sheriff, Coroner and Public Administrator.**

The Board of Supervisors elects to consolidate the offices of Sheriff, Coroner, and Public Administrator, pursuant to the provisions of Section 24300 of the Government Code of California.

**SECTION II:** Chapter 2.28 of the Mariposa County Code is hereby rescinded.

**2.28 Undersheriff and Deputies. (Rescind)**

**SECTION III:** Chapter 2.32 of the Mariposa County Code is hereby rescinded.

**2.32 Justice Court. (Rescind)**

**SECTION IV:** Sections 2.76.010, 2.76.020, and 2.76.060 are hereby amended to read as follows and Sections 2.76.030 and 2.76.040 are hereby rescinded as follows:

**2.76.010 Vehicles to be Used Only for County Business.**

A. County officers and employees of the County shall drive, operate or otherwise use any County owned, leased or controlled vehicle for County business related activities.

B. No officer or employee shall drive a County vehicle for personal business. This section shall not preclude an officer or employee from stopping for personal business which does not significantly interfere with County business. Such a determination shall be made by the affected department head.

C. No officer or employee shall drive a County vehicle without a valid California driver's license.

**2.76.020 Rules Regulating Use to be Set by Resolution.**

A. All vehicles shall be under the control of the Board of Supervisors.

B. Should a department head deem it necessary that an employee of his/her department be entitled to utilize a County owned vehicle on a twenty-four hour basis the department shall submit a request with written justification to the County Administrative Officer (CAO). The CAO shall make a recommendation to the Board of Supervisors.

C. The Board of Supervisors shall make the final determination whether a "take home" vehicle is approved or not.

D. Each year, as part of the County budget process, the Board of Supervisors shall approve a list of all County vehicles that are assigned as "take home" vehicles. Only those employees designated and approved by the Board of Supervisors shall be entitled to have a "take home" vehicle.

E. It is the responsibility of each County department head to monitor the use of those vehicles assigned to his/her department and to ensure that all "take home" vehicles have been approved by the Board of Supervisors.

**2.76.030 Vehicle Management Procedures Regarding County Vehicles. (Rescind)**

**2.76.040 Board to Approve or Deny Approval of Departmental Procedures. (Rescind)**

**2.76.060 Applicability to Independent Contractors of County. (Rescind)**

**SECTION V:** Section 3.56.020 of Chapter 3.56 of the Mariposa County Code is hereby amended to read as follows:

**3.56.020 Public Agency Administrative Overhead Fee.**

L. (Rescinded)

**SECTION VI:** This Ordinance shall become effective thirty (30) days after final passage pursuant to Government Code §25123.

**PASSED AND ADOPTED** by the Board of Supervisors of Mariposa County this 2nd day of December, 2003 by the following vote:

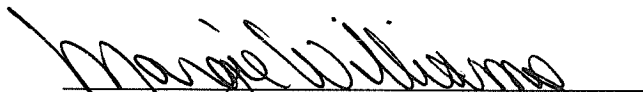
AYES:	STETSON, BALMAIN, BIBBY, PARKER, PICKARD
NOES:	NONE
ABSENT:	NONE
ABSTAINED:	NONE



**BOB PICKARD**, Chairman  
Mariposa County Board of Supervisors

**ATTEST:**

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:**



**MARGIE WILLIAMS**  
Clerk of the Board



**JEFFREY G. GREEN**  
County Counsel