

**Grand Jury Report  
RESPONSE FORM**

RE: Report Titled: *Covering Your Asphalt* - A Report on the Mendocino County Department of Transportation (MCDOT)

*Report Dated: June 6, 2011* – Received by MCDOT June 23, 2011

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***Response Form Submitted By:***

Howard N. Dashiell, Director - Road Commissioner  
Mendocino County Department of Transportation (MCDOT)  
340 Lake Mendocino Drive  
Ukiah, CA 95482

***Based on my understanding the appointed department head has 60 days to submit a response - Response MUST be submitted no later than: August 19, 2011 – last business day before 60 days.***

***Required Responses***

Mendocino County Department of Transportation, Director-Road Commissioner (All Findings; All Recommendations)

***I have reviewed the report and submit my responses to the FINDINGS portion of the report as follows:***

- I (we) agree with the Findings numbered:  
#1,4,6,7,8,9,11,12,13,14,18,20,21,24,25,26,28,30,31,32,47,48
- I (we) disagree wholly or partially with the Findings numbered below, and have ***attached, as required***, a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.  
#2,3,5,10,15,16,17,19,22,23,27,29,33,34,35,36,37,38,39,40,41,42,43,44,45,46,49,50

***I have reviewed the report and submit my responses to the RECOMMENDATIONS portion of the report as follows:***

- The following Recommendation(s) have been implemented and ***attached, as required***, is a summary describing the implemented actions:  
#4,6,7,13,15
- The following Recommendation(s) have not yet been implemented, but will be implemented in the future, ***attached, as required*** is a time frame for implementation:  
#16

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- The following Recommendation(s) require further analysis, and ***attached as required***, is an explanation and the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed and approved by the officer and/or director of the agency or department being investigated or reviewed: (This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)

#1,2,3,5,9,11,12,14

- The following Recommendations will NOT be implemented because they are not warranted and/or are not deemed reasonable, ***attached, as required*** is an explanation therefore:

#8,10

*I have completed the above responses, and have attached, as required the following number of pages to this response form:*

Number of Pages attached:   12  

*I understand that responses to Grand Jury Reports are public records. They will be posted on the Grand Jury website: [www.co.mendocino.ca.us/grandjury](http://www.co.mendocino.ca.us/grandjury). The clerk of the responding agency is required to maintain a copy of the response.*

*I understand that I must submit this signed response form and any attachments as follows:*

First Step: E-mail (word documents or scanned pdf file format) to:

- The Grand Jury Foreperson at: [grandjury@co.mendocino.ca.us](mailto:grandjury@co.mendocino.ca.us)
- The Presiding Judge c/o Sally Nevarez: [sally.nevarez@mendocino.courts.ca.gov](mailto:sally.nevarez@mendocino.courts.ca.gov)
- The County's Executive Office: [angeloc@co.mendocino.ca.us](mailto:angeloc@co.mendocino.ca.us)

Second Step: Mail all originals to:

Mendocino County Grand Jury  
P.O. Box 939  
Ukiah, CA 95482

Printed Name: Howard N. Dashiell

Title: Director, Department of Transportation, County of Mendocino

Signed: Howard N. Dashiell

Date: 08-19-11

## **Findings - General**

2. The cost is less to maintain un-surfaced roads than to maintain paved roads.

***MCDOT Response, Disagree partially:** Generally, low volume of traffic (low average daily traffic – ADT) dirt roads are less costly to maintain than surfaced road because occasional grading is a mechanized operation less labor intensive than patching. However, unsurfaced roads with large volumes of traffic (high ADT) can be more expensive to maintain than a surfaced road because of frequent grading and gravel application. Nevertheless, even though maintenance costs savings in the long run would justify surfacing some high ADT roads or remote roads, with costly mobilization, there is limited capital to make the initial investment so MCDOT has surfaced limited dirt road segments in recent years.*

3. Revenues come from State and Federal gas taxes, a voter-approved road tax collected through property tax, and State and Federal grants, which require some matching funds.

***MCDOT Response, Disagree partially:** The County does not receive any Federal gas tax directly. In addition, other funding sources for the Road Fund include grants from the Redevelopment Agencies, County Air Quality Management District, Mendocino Council of Governments, and 5 Counties, and Federal Forest Reserve funds (currently being phased out).*

5. On April 25, 2011, the MCDOT accumulated fund balance was \$4,649,927, restricted for use on road maintenance and road projects. The fund balance is not transferable or available for use by any other County departments.

***MCDOT Response, Disagree partially:** While it is correct that the Road Fund is ". . . restricted for use on road maintenance and road projects" and "[t]he fund balance is not transferable or available for use by any other County departments[,]" this finding leads to the faulty discussion at the end of this report – "Mendocino County's roads have an overall index of 45 in 2010, indicating poor road conditions, while a reserve in excess of \$4.6 million exists in the MCDOT's accumulated fund balance." *The Road Fund Balance is NOT a "reserve" but is rather a snapshot in time of cash in the account. Gas Tax payments come in intervals – up until Proposition 22 passed in the fall of 2010 State Gas Tax was withheld by the State some six to seven months then released to the County causing large swings in the Road Fund Balance during the three years since the Governor's declared "fiscal crisis" in February 2008. Also, as a result of the passage of Proposition 1B in 2006, MCDOT was awarded \$6.5 million from Proposition 1B bonds, which was received in three un-equal payments. Prop 1B funds were "prepaid" (vs. reimbursed), and were fully allocated to identified projects at the time the application was submitted to the State. The final Prop 1B payment of \$3.1 million was received in 2010, and \$2,259,219 of the Prop 1B funds account for nearly half of the \$4.6 million fund balance. The Prop 1B funds are restricted to road projects and must be used within three years of receipt. MCDOT has strategically managed the Prop 1B funds to minimize the uncertainty caused by the State Gas Tax deferrals. Furthermore, just as revenues flowing into the Road Fund are uneven so are expenditures. MCDOT's primary roadwork is performed during the spring and summer months. Projects are labor intensive and include planning, engineering, environmental studies, permits, securing right-of-ways, and collaborating with other agencies. Projects may take up to five years or longer to complete. Thus, the Road Fund balance changes over time with fluctuating payments and expenditures. To ensure that the assets of the Road Fund are properly used on the County road system, MCDOT is required to submit an Annual Road Report to the State Controller's Office using a specific methodology required by the State.**

10. The budget units for MCDOT include: Road Maintenance, Storm Damage, Administration, Federal and State projects, Little River and Round Valley airports, Solid Waste, and Landfill Closure.

*MCDOT Response, Disagree partially: There is also a Land Improvement Division, which includes the County surveyor function. Land Improvement staff provide service to the public for land subdivision and boundary line adjustments, private project permitting, road development standards, and inspections.*

15. On May 14, 2011, the number of employees at MCDOT was 87 full-time and eight extra-help. Solid Waste has one half-time position for the Landfill Closure.

*MCDOT Response, Disagree partially: On May 14, 2011 the number of filled allocated positions at MCDOT was 88 employees (82.13 Full Time Equivalent (FTE)), including five extra-help individuals – of whom only two were working on May 14, 2011. It is expected that number of extra help working will rise to four during summer construction season. Solid Waste Division has one FTE, and the allocation of this employee's time to the Landfill Closure is approximately 25% on an "as needed" basis. The remaining 75% of this employee's time is spent working with the Ukiah Road crew and the Road Fund reimburses the Solid Waste Division for this time.*

16. The MCDOT maintains two maintenance garages in Ukiah; one for vehicles and light trucks and one for heavy equipment. There are additional service yards located in Boonville, Point Arena, Covelo, Fort Bragg, Laytonville, and Willits.

*MCDOT Response, Disagree partially: MCDOT has only one maintenance shop in Ukiah for heavy equipment repairs and maintenance. MCDOT also has one heavy equipment maintenance shop in Fort Bragg adjacent to the Fort Bragg Road Maintenance Yard. In addition, MCDOT has Road Maintenance Yards in Boonville, Covelo, Laytonville, Point Arena, and Willits, in which a visiting Heavy Equipment Mechanic from either Ukiah or Fort Bragg can make minor repairs and service road maintenance equipment in the yard to which the equipment is assigned.*

*The General Services Agency has a light vehicle garage in Ukiah which services mostly sedans and Sheriff's vehicles.*

17. The MCDOT maintains a drug-free workplace and is responsible for administering the Safety Sensitive Driver Program (SSD). In one incident, the protocols associated with SSD were not followed, which resulted in an audit exception. Non-compliance threatens Federal funding.

*MCDOT Response, Disagree partially: The Grand Jury report does not identify that the audit exception identified occurred in 2006 before MCDOT began to administer the SSD in 2007. MCDOT took over the administration of the SSD in order to ensure full compliance with the SSD. While it is correct that "[n]on-compliance threatens Federal funding[.]" no federal funding was lost due to the audit exception.*

19. The BOS has created difficulty for MCDoT by strict adherence to the agenda submittal process during times of emergency. In times of emergencies and unexpected circumstances, in order to ensure continued operations of MCDoT, necessary for the preservation of life or property, the BOS may not meet weekly.

***MCDoT Response, Disagree wholly:** MCDoT has no objections to the current BOS meeting schedule or agenda submittal process. The CEO, as the County's Emergency Services Officer (or designated alternative, i.e. Sheriff), has the authority to declare a "state of local emergency" which has standing until the BOS is able to meet and pass an emergency declaration. This arrangement has standing with the disaster relief agencies so there is no potential loss of funding for damage repairs to the County as a result of the BOS meeting schedule.*

### **Findings - Purchasing**

22. Competitive bidding is required for certain purchases or any individual items costing more than \$10,000.

***MCDoT Response, Disagree wholly:** There is a County approved "Exception to Competitive Bidding Process and Disclosure Statement" procedure where certain products and services can be purchased or retained because of specific factors that make sole source preferable and a more efficient use of county resources.*

23. Department heads can make and sign for purchases up to \$25,000.

***MCDoT Response, Disagree partially:** Pursuant to County Policy #1, Department Heads can enter into contracts not to exceed \$25,000 for budgeted goods and services with the acknowledgment of the CEO and County Counsel and enrollment in the contract master tracking database. BOS approves annual budgets for MCDoT.*

27. Only one P-Card is issued per department. The P-Card for MCDoT is held by the Senior Department Analyst; this arrangement makes it difficult when an emergency develops.

***MCDoT Response, Disagree partially:** County Policy #1 section 2.7 provides for "emergency purchase" which reads in part as follows: ... "An 'emergency' exists when an item must be purchased in order to ensure the continued operation of the office or department, or when necessary for the preservation of life or property. (See Mendocino County Code section 2.32.040.) During regular working hours, any purchase not authorized under section 2.3 required to alleviate an emergency must be made by advising the Purchasing Agent or designee of the circumstances constituting the emergency and requesting a reserved purchase order number. Such requests may be made by telephone, but must be followed by a purchase requisition referencing the reserved purchase order number that has already been assigned. The purchase order will be prepared upon receipt of the department's requisition."*

*Furthermore, an urgent but non-emergency purchase can be made by the Purchasing Agent or designee during normal business hours on GSA's P-Card in the event that the Department P-Card is not available.*

*In addition, Mendocino County Code section 2.33.070 provides for the Road Commissioner to use the provisions of State Law in performing emergency work within the County Road right-of-way.*

29. The Director-Road Commissioner is the only person authorized to issue an Emergency Purchase Order. An emergency exists when an item must be purchased to continue operations or when the item is necessary for the preservation of life or property.

***MCDOT Response, Disagree partially:** Within the County Road right of way, any of the four Deputy Directors or Assistant Director may act as Director/Road Commissioner in his absence during emergencies as provided under State Law, except if that Deputy is not licensed as a Civil Engineer then they must enlist the concurrence of a staff or contract Civil Engineer with regard to emergency actions taken that are subject to State License Law. For other County facilities managed by MCDOT (two County airports and three landfills), MCDOT would follow the emergency provision in section 2.7 of Policy #1.*

33. The CAMS system has a tutorial component that senior management has failed to utilize effectively.

***MCDOT Response, Disagree partially:** All staff is of differing software proficiency levels due specific need and education. As each staff becomes more familiar with each software application they become more effective. If senior staff have not learned certain aspects of Cascade© Cost Accounting Management System (CAMS) then other staff are able to run the necessary reports so the work is not hampered.*

### **Findings – Management**

34. There are significant inter/intra-departmental barriers, communication deficiencies, and poor decision-making practices.

***MCDOT Response, Disagree wholly:** There are the usual (not significant) breakdowns in communication common in the human condition but overall communication in the MCDOT organization is good. I (Howard N. Dashiell, Director of Transportation) address specific incidences of communication deficiencies within MCDOT on a case-by-case basis, and MCDOT staff work diligently to communicate clearly with other County departments. Managers and supervisors have attended training offered by HR to improve communication and management practices. Overall the decision making practices at MCDOT are very good. However, MCDOT employees are continually striving to improve the manner in which decisions are made and communicated within MCDOT and to other Departments or agency partners involved.*

35. The clerical staff is centralized but must obtain approval from the Deputy Director of Administration, prior to performing their departmental task. This process impedes efficiency because the department directors cannot assign clerical work to their own employees without the approval of the Deputy Director of Administration.

***MCDOT Response, Disagree wholly:** MCDOT clerical staff do not need to "obtain approval from the Deputy Director of Administration, prior to performing their departmental task" and it is incorrect that "department directors cannot assign clerical work to their own employees without the approval of the Deputy Director of Administration." All MCDOT managers may assign their own clerical work to their own staff, but must submit requests for support from staff who report to a different manager to the employee's supervisor, not directly to the staff person. This is because clerical staff resources are extremely limited at MCDOT, and work priorities must be established based on the greatest need of the Department.*

36. Management is performing routine clerical support tasks and errands that are typically

performed by subordinates.

**MCDOT Response, Disagree partially:** *MCDOT has very limited clerical support staff, and there are not enough resources to provide individualized clerical support for all managers. In fact, no one at MCDOT has a personal assistant. However, managers who submit routine clerical work tasks through Administration in a timely manner receive excellent support.*

37. Division stakeholders are not allowed timely input, resulting in inefficiency and mistakes; key players do not agree on departmental priorities.

**MCDOT Response, Disagree partially:** *It is not clear from this statement who the "Division Stakeholders" are, nor is it clear who "key players" are. I (Howard N. Dashiell, Director of Transportation) believe that what is meant above is "Department Stakeholders" not "Division Stakeholders." At MCDOT we encourage all staff to provide input on priorities. However, resources are limited, and all divisions, staff, and projects compete for these limited resources – Administrative support included. When allocating limited resources sometimes decisions around priorities must be made by the Director. Generally, if there is sufficient advance lead time for work "inefficiency and mistakes" can be minimized.*

*In every organization there are always some circumstances that necessitate a shift in priorities and ideally all the stakeholders should have a voice in that. Furthermore, some tasks have short lead time by necessity or external circumstance, but MCDOT is no better or worse than the average. I encourage all staff to remember that the key is advance notice and time management to keep focus on important tasks.*

38. There is staff confusion regarding departmental responsibilities and authority.

**MCDOT Response, Disagree partially:** *Staff could be confused about a priority, responsibility and who is making the call (authority); but that can be corrected by communicating with the staff involved.*

39. The routine shifting of priorities within MCDOT is unnecessary and leads to inefficiency.

**MCDOT Response, Disagree wholly:** *The complexity of developing and funding road projects in California is continually changing, and even more so during the current severe economic climate. The Department operates on a list of priorities, and staff understands which projects are "front burner" and which are suspended, delayed or reprioritized due to external changes in funding, environmental permitting, or the resources of partnering agencies. I, as Director, meet frequently with managers and staff to discuss priorities, and managers can and do clearly communicate any changes in the status of projects to staff.*

40. There is pervasive job discontent, leading to high turnover and loss of critical institutional knowledge.

**MCDOT Response, Disagree wholly:** *Any organizational change can be difficult for some people. This is NOT indicative of pervasive job discontentment, but rather is normal in a Department that undergoes a change in leadership. As discussed more thoroughly in MCDOT Response #42 below, employees have left for a variety of reasons, including being promoted within the County, reaching retirement age, passed away, and being laid off. When I (Howard N. Dashiell) became the Director of Transportation I identified an unmet Departmental need to preserve critical institutional knowledge when employees retire or are promoted, and I implemented a program with the MCDOT management team to cross-train employees so that more than one person in MCDOT has the skills and knowledge needed to perform all critical tasks.*

41. There is low staff morale within MCDOT due to management style.

**MCDOT Response, Disagree partially:** *In the six years that I (Howard N. Dashiell) have been Director of Transportation, there has been an increasing demand from taxpayers that all government employees work efficiently and be as productive as employees in the private sector. Therefore, I implemented new policies and procedures at MCDOT in order to hold both line staff and management accountable and to work at the high level of productivity expected by the taxpayers. This change of higher expectations and accountability proved difficult for some employees, as change is never easy. However, the vast majority of MCDOT employees accepted the challenge, have improved their productivity, and work in an efficient manner. While some employees may be experiencing low morale, there are many other factors that also contribute, such as additional workload due to staffing shortages, uncertainty caused by layoffs in the Department, and potential reductions in wages during these exceptionally difficult economic times. My experience is that low morale within MCDOT is the exception, not the rule; the majority of MCDOT employees enjoy their employment with the Department and take great pride in the work they do keeping the County roads and airports in the safest condition possible for the travelling public and providing property owners who are developing their real property with top-notch, high quality service.*

42. Since 2006, more than 70 employees have left, transferred, or retired from MCDOT.

**MCDOT Response, Disagree wholly:** *This finding leads to the faulty discussion at the end of this report – “Since 2006, more than 70 employees have left, transferred, or retired from MCDOT. There is persistent employee-management discontent, which seems to impede employee efficiency and productivity. This ultimately results in the deterioration of staff morale. This dysfunction between MCDOT staff and management may undermine public safety by creating the avoidable and unintentional result of substandard and unsafe road conditions.” Some 60 permanent employees (58.85 FTEs) and 22 extra help employees have left MCDOT during the period 12-16-2006 through 5-14-2011 (data from MUNIS system) for a variety of reasons as presented in the summary below:*

<i>Retired</i>	<i>14</i>	<i>14 FTE</i>
<i>Promotion/Transfer to other County depts</i>	<i>4</i>	<i>4 FTE</i>
<i>Left County for other employment</i>	<i>20</i>	<i>20 FTE</i>
<i>Laid Off Full Time</i>	<i>8</i>	<i>8 FTE</i>
<i>Laid Off Part Time</i>	<i>4</i>	<i>2.85 FTE</i>
<i>Deceased</i>	<i>3</i>	<i>3 FTE</i>
<i>Did not pass probation</i>	<i>3</i>	<i>3 FTE</i>
<i>Workers Comp. Permanent Disability</i>	<i>4</i>	<i>4 FTE</i>
<i>TOTAL PERMANENT EMPLOYEES:</i>	<i>60</i>	<i>58.85</i>
<i>Extra Help Employees (many work rarely)</i>	<i>22</i>	<i>0 FTE</i>
<i>TOTAL</i>	<i>82</i>	<i>58.85 FTE</i>

*Of the current employees, over 60% have 5 years of service or more. Thus, many of the above numbers were people who came to the Department for a short time and left. This was a typical pattern in construction industry through 2008. Recently several of the Department's newly hired road maintenance staff have left because of the low wages and the possibility of additional reductions. Some of the long time staff who have left are part of the “Baby Boomers” coming to retirement age.*

*The argument could be made that many of the new staff who have filled those vacant positions are more content, more efficient, and much more productive – an analysis on a case by case basis shows this to be true in many incidences. Therefore, the Grand Jury draws a false conclusion that overall morale has gone down. In fact staff at MCDOT is doing stellar work to maintain the County's road system to the best*



*possible standard with limited resources. It is completely false and unfounded for this Grand Jury Report to provide concluding statements in the discussion that the Mendocino County Road System is substandard or unsafe because of low morale or because staff have left and been replaced with new staff. Overall pavement condition indices are falling statewide in California as reported in the California Statewide Needs Assessment Project - Mendocino County is among all other declining pavement scores and has a backlog of \$570 million in deferred maintenance on paved surfaces (View full report at: [www.SaveCaliforniaStreets.org](http://www.SaveCaliforniaStreets.org)).*

43. There are a number of current employees at MCDOT that are considering retiring, transferring, or seeking a new job outside MCDOT because of management practices.

***MCDOT Response, Disagree partially:** As stated in Response #41 above, in the six years that I have been Director of Transportation, there has been an increasing demand from taxpayers that all government employees work efficiently and be as productive as employees in the private sector. Therefore, I implemented new policies and procedures at MCDOT in order to hold both line staff and management accountable and to work at the high level of productivity expected by the taxpayers. This change of higher expectations and accountability proved difficult for some employees, as change is never easy. Again it should be noted that the vast majority of MCDOT employees have improved their productivity and have higher morale due to the management practices that have been implemented over the past six years.*

44. Individual employee complaints are handled within MCDOT and not addressed by County Human Resources.

***MCDOT Response, Disagree partially:** We first attempt to resolve issues at MCDOT but if not the Human Resources Department (HR) has and does become involved. Furthermore, staff is not discouraged from contacting HR on their own regarding their complaint.*

45. Annual Employee Performance Evaluation Reports are not completed or forwarded to County Human Resources in a timely manner.

***MCDOT Response, Disagree partially:** I acknowledge that some reports have been late due to staffing shortages, but the majority meets the necessary timeframes. Some evaluations not needed for a merit increase have been tardy (on very rare occasion have any been completely missed) which is not desirable but the important compensation timeframes are given priority. Managers and supervisors at MCDOT are working diligently to improve the timeliness of all Employee Performance Evaluation Reports.*

46. Management is practicing favoritism in hiring, personnel evaluations, and training.

***MCDOT Response, Disagree wholly:** All MCDOT hiring is done from an independently vetted list prepared by Human Resources (HR) in accordance with Civil Service Rules.*

*Evaluations are based on the observations of the manager or supervisor writing the evaluation, but overall scores of weak or unsatisfactory must be supported in writing by the evaluator and can be rebutted by the employee, which becomes part of the personnel record.*

*Training budgets and travel funds have been severely reduced during the current severe economic crisis and this limits availability of off-site training. Nevertheless, MCDOT identifies critical training needs and fairly allocates the limited resources. In order to better utilize training resources, MCDOT takes advantage of webinar training whenever it is available. In addition, MCDOT has developed a "training" activity code*

*for Road Maintenance and Engineering Divisions to track the training hours afforded staff, and the Road Maintenance Division has provided in-house training and utilized Caltrans program vacancies (at minimal cost) to train employees on various pieces of equipment in order to quantify and measure to correct deficiencies.*

49. The BOS has not adopted an anti-bullying policy, which would help alleviate low staff morale and productivity due to inappropriate or illegal management actions.

***MCDOT Response, Disagree wholly: Bullying is illegal under the County "Workplace Violence Prevention Plan" adopted by the BOS on July 9, 2002. Bullying, if verifiable, would be addressed by Risk Management pursuant to this plan.***

*MCDOT management is fair and expects that the staff give eight hours of effort for the eight hours of pay provided by the taxpayers.*

50. Management does not always prepare the Road Report; California State Department of Transportation (Caltrans) prepares this report for a fee.

***MCDOT Response, Disagree partially: Since 2007 the State Controller's Office (not Caltrans) has prepared the Annual Road Report with close involvement by MCDOT staff.***

*The State Controller's Office (SCO) provides non-audit services to prepare annual reports for counties and cities on a cost reimbursement basis. For counties, SCO prepares 37 Annual Road Reports (ARR) and reviews 4 for a total of 41 county assignments (out of 58 counties). For cities, SCO prepares and reviews annual reports for over 100 cities. According to the SCO, many local agencies contract with them for the comfort of having potential audit-related issues brought up and discussed as issues arise rather than wait 3-4 years (or more) for the actual Road Fund audit.*

## **Recommendations**

The Grand Jury recommends that:

1. The Mendocino County Board of Supervisors, in conjunction with the Chief Executive Officer, review the levels of management at Mendocino County Department of Transportation, to determine if the Assistant Director and the four Deputy Directors are critical to the department, (Finding 12)

***MCDOT Note: The instructions state that department head shall address all aspects of the findings or recommendations affecting his or her agency/department. However, this recommendation of the Grand Jury addresses matters related to the decision making authority of the Chief Executive Officer (CEO) and the Board of Supervisors (BOS). Therefore, MCDOT is responding but not implying that the CEO or BOS will concur.***

***MCDOT Response: This Recommendation requires further analysis which will be accomplished by others in the Mendocino County organization independent of MCDOT – thus, this is not within MCDOT's purview. MCDOT will fully comply with the direction given by the CEO and BOS.***

2. The Mendocino County Chief Executive Officer and the Board of Supervisors consider consolidating management at the Mendocino County Department of Transportation, (Finding 12)

**MCDOT Note:** *The instructions state that department head shall address all aspects of the findings or recommendations affecting his or her agency/department. However, this recommendation of the Grand Jury addresses matters related to the decision making authority of the Chief Executive Officer (CEO) and the Board of Supervisors (BOS). Therefore, MCDOT is responding but not implying that the CEO or BOS will concur.*

**MCDOT Response:** *This Recommendation requires further analysis which will be accomplished by others in the Mendocino County organization independent of MCDOT – thus, this is not within MCDOT's purview. MCDOT will fully comply with the direction given by the CEO and BOS.*

3. the Mendocino County Board of Supervisors return to the previous schedule of four meetings each month in order to avoid losing State and Federal funds during declared disasters, (Findings 18-19)

**MCDOT Note:** *The instructions state that department head shall address all aspects of the findings or recommendations affecting his or her agency/department. However, this recommendation of the Grand Jury addresses matters related to the decision making authority of the Chief Executive Officer (CEO) and the Board of Supervisors (BOS). Therefore, MCDOT is responding but not implying that the CEO or BOS will concur.*

**MCDOT Response:** *This Recommendation requires further analysis which will be accomplished by others in the Mendocino County organization independent of MCDOT – thus, this is not within MCDOT's purview. MCDOT will fully comply with the direction given by the CEO and BOS.*

4. the Mendocino County Department of Transportation Director ensure a P-Card is available for use at all times, (Findings 26-28)

**MCDOT Response:** *This Recommendation has been implemented as described in the following summary: If MCDOT "P-card" holder is not available to make the purchase requested within a reasonable period of time not to exceed one business day, then the General Services Agency (GSA) can complete the necessary transaction. True emergencies can be accommodated by the emergency provisions of Policy #1.*

5. the Mendocino County General Services Agency justify the 13% internal support charge for processing P-Card payments. The inter-departmental charge back fee must reflect the true cost, not percentage based or flat fee for these services, (Finding 28)

**MCDOT Note:** *The instructions state that department head shall address all aspects of the findings or recommendations affecting his or her agency/department. However, this recommendation of the Grand Jury addresses matters related to the decision making authority of the General Services Agency (GSA), Chief Executive Officer (CEO) and the Board of Supervisors (BOS). Therefore, MCDOT is responding but not implying that GSA, the CEO, or BOS will concur.*

**MCDOT Response:** *This Recommendation requires further analysis which will be accomplished by others in the Mendocino County organization independent of MCDOT – thus, this is not within MCDOT's purview. MCDOT will fully comply with the direction given by the CEO and BOS.*

6. The Mendocino County Department of Transportation management and staff become proficient in the operation of the Cost Accounting Management System, (Findings 31 through 33)

***MCDOT Response:** Additional training will be provided to MCDOT staff as needed.*

7. the Mendocino County Department of Transportation, in order to minimize staff turnover and potential legal liability, secure the use and oversight of Human Resource staff to improve compliance with Mendocino County Policies and Procedures regarding the management of personnel. (Findings 34-49)

***MCDOT Response:** This Recommendation has been implemented as described in the following summary: MCDOT already regularly involves Human Resources in personnel matters.*

8. the Mendocino County Board of Supervisors, in conjunction with the Chief Executive Officer, take an active role in resolving employee discontent within the Mendocino County Department of Transportation, (Findings 34-49)

***MCDOT Note:** The instructions state that department head shall address **all** aspects of the findings or recommendations affecting his or her agency/department. However, this recommendation of the Grand Jury addresses matters related to the decision making authority of the Chief Executive Officer (CEO) and the Board of Supervisors (BOS). Therefore, MCDOT is responding but not implying that the CEO or BOS will concur.*

***MCDOT Response:** This Recommendation will NOT be implemented because it is not warranted and/or is not deemed reasonable pursuant to the following explanation: The operational responsibility for resolving any "employee discontent" is that of MCDOT with advice or consultation from HR, and oversight and monitoring by the CEO.*

9. the Mendocino County Board of Supervisors, in conjunction with the Chief Executive Officer, initiate an independent internal review of the operations at the Mendocino County Department of Transportation, (Findings 34-49)

***MCDOT Note:** The instructions state that department head shall address **all** aspects of the findings or recommendations affecting his or her agency/department. However, this recommendation of the Grand Jury addresses matters related to the decision making authority of the Chief Executive Officer (CEO) and the Board of Supervisors (BOS). Therefore, MCDOT is responding but not implying that the CEO or BOS will concur.*

***MCDOT Response:** This Recommendation requires further analysis which will be accomplished by others in the Mendocino County organization independent of MCDOT – thus, this is not within MCDOT's purview. MCDOT will fully comply with the direction given by the CEO and BOS.*

10. the Mendocino County Department of Transportation clerical employees embedded in other MCDOT divisions report directly to the Deputy Director of his/her assigned division, rather than through the Deputy Director of Administration, (Findings 34-36, 38)

***MCDOT Response:** This Recommendation will NOT be implemented because it is not warranted and/or is not deemed reasonable pursuant to the following explanation: The operational organizational reporting structure within an organization is a management prerogative and responsibility of the Director.*

11. The Mendocino County Department of Transportation management direct their employees to Human Resources whenever an employee complaint arises, (Findings 34-49)

***MCDOT Response:** This Recommendation has been implemented as described in the following summary: MCDOT already regularly involves Human Resources in personnel matters and the first step is trying to address any complaint at the department level. MCDOT cannot specify what HR may want to consider going forward.*

12. The Mendocino County Human Resources Department takes a direct role in resolving any MCDOT employee complaints, (Findings 40-49)

***MCDOT Note:** The instructions state that department head shall address all aspects of the findings or recommendations affecting his or her agency/department. However, this recommendation of the Grand Jury addresses matters related to the decision making authority of the Human Resources (HR). Therefore, MCDOT is responding but not implying that HR will concur.*

***MCDOT Response:** This Recommendation has been implemented as described in the following summary: MCDOT already regularly involves Human Resources in personnel matters and the first step is trying to address any complaint at the department level. MCDOT cannot specify what HR may want to consider going forward.*

13. The Mendocino County Department of Transportation Deputy Directors be allowed to exercise authority over their department without interference from the Deputy Director of Administration, (Findings 34-41)

***MCDOT Response:** This Recommendation has been implemented as described in the following summary: MCDOT Deputy Directors already exercise authority over their staff within their divisions. The Administration Division handles the Department's purchasing in compliance with County Policy #1, the preparation and presentation of the Department's Budget with input from the other MCDOT managers, and general administrative tasks related to payroll and staffing, accounts payable, reimbursement requests, general clerical work, and office equipment support. When other divisions need support from the Administration Division they need to communicate the request through existing Department channels.*

14. The Mendocino County Human Resources Department develop a statistical report documenting employee complaints and their resolution, (Findings 40-47, 49)

***MCDOT Note:** The instructions state that department head shall address all aspects of the findings or recommendations affecting his or her agency/department. However, this recommendation of the Grand Jury addresses matters related to the decision making authority of the Human Resources (HR). Therefore, MCDOT is responding but not implying that HR, the CEO or BOS will concur.*

***MCDOT Response:** This Recommendation requires further analysis which will be accomplished by others in the Mendocino County organization independent of MCDOT – thus, this is not within MCDOT's purview. MCDOT cannot specify what HR may want to consider going forward.*

15. The Mendocino County Auditor-Controller, Chief Executive Officer, General Services Agency, and Human Resource Department, foster a professional and healthy relationship between each department and with the Mendocino County Department of Transportation, (Findings 20,34, 39-40, 46, 48)

***MCDOT Response:** At MCDOT this Recommendation has been implemented as described in the following summary: MCDOT has a polite and professional relationship with the Auditor-Controller, Chief Executive Officer, General Services Agency and Human Resources Department.*

*However, this Recommendation requires further analysis which will be accomplished by others in the Mendocino County organization independent of MCDOT – thus, this is not within MCDOT's purview.*

16. The Mendocino County Department of Transportation staff prepares the Road Report, (Finding 50)

***MCDOT Response:** As stated under MCDOT response to Finding #50 above, since 2007 the State Controller's Office has prepared the Annual Road Report with close involvement by MCDOT staff. The benefit of having the SCO identify potential audit issues and discuss them with MCDOT on a timely basis is of enormous value to the department. However, MCDOT will annually evaluate this benefit against the nominal cost of having the SCO prepare the ARR, and when the benefit no longer outweighs the cost, MCDOT staff will prepare the ARR.*