

RESOLUTION NO. 2020-89

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO TRANSITIONING THE TERM OF THE CIVIL GRAND JURY FROM FISCAL YEAR TO CALENDAR YEAR

On Tuesday June 2, 2020, on motion of Supervisor Rowe, duly seconded by Supervisor Lovingood and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency (Governor's Proclamation) for the state of California as a result of the threat to the public health from the Novel Coronavirus identified as COVID-19; and

WHEREAS, on March 19, 2020, the State issued its stay-at-home order via Executive Order No. 33-20 prohibiting gatherings with people who are not members of the same household in one place, including in buildings; and

WHEREAS, the State has recommended that all Californians practice social distancing by staying at least six feet from others and prohibiting gatherings with people who are not members of the same household in one place, including in buildings; and

WHEREAS, the San Bernardino Superior Court Presiding Judge, Michael A. Sachs, has determined that it would be impossible for the Civil Grand Jury empaneled for the one-year term from July 1, 2019 to June 30, 2020, to continue to meet to complete its investigatory and reporting functions and, at the same time, comply with the aforementioned restrictions; and

WHEREAS, Presiding Judge Michael A. Sachs has issued an order of the Court extending the term of the Civil Grand Jury initially empaneled for the one-year term from July 1, 2019 to June 30, 2020, to December 31, 2020; and

WHEREAS, by letter dated May 15, 2020, (copy attached hereto as Exhibit "A"), Presiding Judge Michael A. Sachs has requested that the County Board of Supervisors act by resolution pursuant to Penal Code Section 905.5(b) to transition the Civil Grand Jury term from fiscal year to calendar year; and

WHEREAS, it is necessary that the currently empaneled Civil Grand Jury be granted more time to complete their work started during the regular term from July 1, 2019 to June 30, 2020, but which cannot be completed due to the stay at home order and social distancing requirements; and

WHEREAS, Penal Code Section 905.5(b) allows for a transition Civil Grand Jury to serve no more than 18 months;

NOW, THEREFORE, BE IT RESOLVED, the San Bernardino County Board of Supervisors provide that the Civil Grand Jury shall transition from a fiscal year term to a calendar year term. Those members who are currently empaneled for the term from July 1, 2019 to June 30, 2020, shall continue to serve as the transition Civil Grand Jury until the end of the current calendar year on December 21, 2020.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino,
State of California, by the following vote:

AYES: SUPERVISORS: Robert A. Lovingood, Janice Rutherford, Dawn Rowe,
Curt Hagman, Josie Gonzales

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

* * * * *

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, LYNNA MONELL, Clerk of the Board of Supervisors of the County of San Bernardino,
State of California, hereby certify the foregoing to be a full, true and correct copy of the record of
the action taken by the Board of Supervisors, by vote of the members present, as the same
appears in the Official Minutes of said Board at its meeting of June 2, 2020. #20 LA

LYNNA MONELL
Clerk of the Board of Supervisors

By _____
Deputy