REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO
AND RECORD OF ACTION

June 2, 2020

FROM

GARY McBRIDE, Chief Executive Officer, County Administrative Office

SUBJECT

Change Term of Civil Grand Jury from Fiscal Year to Calendar Year in Response to the Novel Coronavirus Pandemic

RECOMMENDATION(S)

Adopt **Resolution No. 2020-89** to Change Term of the Civil Grand Jury from Fiscal Year to Calendar Year Pursuant to Penal Code Section 905.5(b), in response to the worldwide health threat related to the Novel Coronavirus, or COVID-19.
(Presenter: Gary McBride, Chief Executive Officer, 387-5417)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.
Provide for the Safety, Health and Social Service Needs of County Residents.
Pursue County Goals and Objectives by Working with Other Agencies.

FINANCIAL IMPACT

Adoption of the Resolution will not result in the use of additional Discretionary General Funding (Net County Cost).

BACKGROUND INFORMATION

The purpose of this item is to consider a change in the term of the County of San Bernardino Civil Grand Jury due to impacts to Grand Jury services resulting from the COVID-19 virus. On January 30, 2020, the World Health Organization declared the outbreak of the Novel Coronavirus, COVID-19, to be a "public health emergency of international concern". This was followed by the United States Human Services Secretary declaring a public health emergency on January 31, 2020.

On March 4, 2020, the Governor issued a Proclamation of a State of Emergency (Governor's Proclamation) as a result of the COVID-19 outbreak, due to the rising number of confirmed cases and anticipated complications for those infected, including potential deaths. Cases internationally, within the United States and within California (as evidenced by the Governor's Proclamation) continue to rise. On March 19, 2020, the State issued its stay-at-home order prohibiting gatherings with people who are not members of the same household in one place, including in buildings.

On March 10, 2020, the County Public Health Officer declared a local health emergency to help ensure county government and the public were prepared for the possibility that COVID-19 would appear within the county. On March 10, 2020 (Item No. 75), the Board of Supervisors

proclaimed the existence of a local emergency within San Bernardino County resulting from COVID-19, which causes infectious disease resulting in symptoms of fever, coughing, and shortness of breath with outcomes ranging from mild to severe illness and in some cases, death. On March 17, 2020, the County Public Health Officer also ordered the cancellation of gatherings of any number of people within the county to exclude members of a household, public transportation, grocery stores, and others.

While the County has recently rescinded its orders, and now relies solely on the State's orders, the California Department of Public Health has determined that all public gatherings with people who are not members of one household – in any indoor or outdoor space – should be postponed or canceled to curb community spread of COVID-19.

The currently sitting Grand Jury took the oath of office for a one-year term beginning on July 1, 2019 and ending on June 30, 2020. Michael A. Sachs, Presiding Judge of the Superior Court of California, County of San Bernardino sent a letter to the County Board of Supervisors and County Counsel, dated May 15, 2020, advising that the Court has extended the term of the sitting Grand Jury so that it can complete and submit its final report by December 31, 2020. Due to impacts from COVID-19, the Grand Jury has been unable to gather and complete its investigations and reports. Judge Sachs has ordered that the term of the 2020 Civil Grand Jury is extended to December 31, 2020, and Judge Sachs requests that the Board amend the Civil Grand Jury term from fiscal year to calendar year permanently pursuant to Penal Code 905.5(b). This change will allow the 2021 Civil Grand Jury to have a full year to complete its duties and responsibilities, and the new Grand Jury will take their oaths of office for the term commencing January 1, 2021 through December 31, 2021.

Adoption of the proposed Resolution will permanently change the Civil Grand Jury term from fiscal year to calendar year pursuant to Penal Code 905.5(b).

PROCUREMENT
Not applicable.

REVIEW BY OTHERS
This item has been reviewed by County Counsel (Penny Alexander-Kelley, Chief Assistant County Counsel, 387-4270) on May 15, 2020; Finance (Stephenie Shea, Administrative Analyst, 387-4919; and Allegra Pajot, Administrative Analyst, 387-5005) on May 18, 2020; and Finance and Administration (Kelly Welty, Deputy Executive Officer, 387-5423) on May 18, 2020.

Change Term of Civil Grand Jury from Fiscal Year to Calendar Year in Response to the Novel Coronavirus Pandemic
June 2, 2020

Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Dawn Rowe Seconded: Robert A. Lovingood
Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY _____
DATED: June 2, 2020

cc: W/RESOLUTION
File- Administrative Office

la 06/8/2020