



Contra
Costa
County

To: Board of Supervisors
From: Monica Nino, County Administrator
Date: February 2, 2021

Subject: TRANSITIONING THE CONTRA COSTA COUNTY CIVIL GRAND JURY FROM A FISCAL YEAR
TO CALENDAR YEAR TERM AND BACK AGAIN

RECOMMENDATION(S):

ADOPT Resolution No. 2021/39 transitioning the Contra Costa County Civil Grand Jury from a fiscal year to calendar year term in 2021 and back to a fiscal year term beginning July 2022, pursuant to California Penal Code section 905.5(b).

FISCAL IMPACT:

The 2021/22 civil grand jury budget of \$156,000 may be under-expended by an undetermined amount since the grand jury will be active for only six months of the 2021/22 fiscal year.

BACKGROUND:

Every county is required to have a civil grand jury. The grand jury is an autonomous body that has statutorily prescribed duties, which primarily involve investigating local government operations.

The Contra Costa County Civil Grand Jury operates on a fiscal year basis from July to June. Accordingly, as the COVID-19 public health crisis emerged in February 2020, the Grand Jury was still in the process of conducting its investigations and completing its reports for

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **02/02/2021** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

A YE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 2, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Julie DiMaggio Enea
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By: June McHuen, Deputy

the 2019/20 fiscal year. During this same time, the Presiding Judge of the Superior Court was in the process of soliciting applications and evaluating qualifications for the fiscal year 2020/21 grand jury. The Grand Jury's ability to complete its work and the

BACKGROUND: (CONT'D)

Court's efforts to identify a succeeding grand jury were impacted by the COVID-19 pandemic, and the Court was unable to impanel a new grand jury until December 11, 2020.

Pursuant to Penal Code section 905.5(b), a county board of supervisors may change the fiscal year grand jury term to a calendar year term and provide for an appropriate transition for the current grand jury. The proposed resolution will authorize the Contra Costa County Civil Grand Jury to transition to a calendar year term in 2021 to address the challenges created by the COVID-19 public health crisis, enable the current grand jury to service for a one-year term, and then transition back to a fiscal year term in 2022 to coincide with the County budgeting basis.

The Court requested and supports this recommended action.

CONSEQUENCE OF NEGATIVE ACTION:

The Grand Jury's term of the newly impaneled jury would be only six months and not sufficient to fulfill their role and responsibility. Also, the Superior Court would have difficulty in impaneling a succeeding grand jury in July 2021 as currently required.

ATTACHMENTS

Resolution 2021/39