



Legislation Details (With Text)

File #: 17-0672 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 6/15/2017 **In control:** Board of Supervisors

On agenda: 6/27/2017 **Final action:** 6/27/2017

Title: Chief Administrative Office recommending the Board:
 1) Authorize a one-time exception to County Policy A-11, Responding to Grand Jury Reports, allowing the Initial Draft Response the the Grand Jury Report to be presented to the Board of Supervisors 14 days prior to the presentation of the Final Response, instead of 21 days prior, to allow for timely compilation and presentation of a consolidated Initial Draft Response to the Board of Supervisors; and
 2) Direct staff to initiate an amendment to Policy A-11 in order to streamline the process for developing and approving the Board of Supervisors Response to Grand Jury Reports.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Policy A-11 6-27-17

Date	Ver.	Action By	Action	Result
6/27/2017	1	Board of Supervisors	Approved	Pass

Chief Administrative Office recommending the Board:
 1) Authorize a one-time exception to County Policy A-11, Responding to Grand Jury Reports, allowing the Initial Draft Response the the Grand Jury Report to be presented to the Board of Supervisors 14 days prior to the presentation of the Final Response, instead of 21 days prior, to allow for timely compilation and presentation of a consolidated Initial Draft Response to the Board of Supervisors; and
 2) Direct staff to initiate an amendment to Policy A-11 in order to streamline the process for developing and approving the Board of Supervisors Response to Grand Jury Reports.

DEPARTMENT RECOMMENDATION

Chief Administrative Office recommending the Board:
 (1) Authorize a one-time exception to County Policy A-11, *Responding to Grand Jury Reports*, allowing the Initial Draft Response the the Grand Jury Report to be presented to the Board of Supervisors 14 days prior to the presentation of the Final Response, instead of 21 days prior, to allow for timely compilation and presentation of a consolidated Initial Draft Response to the Board of Supervisors; and
 (2) Direct staff to initiate an amendment to Policy A-11 in order to streamline the process for developing and approving the Board of Supervisors' Response to Grand Jury Reports.

DISCUSSION / BACKGROUND

Pursuant to Board Policy A-11, the Chief Administrative Office (CAO) is responsible for coordinating the County's response to the Grand Jury. Responses to the Grand Jury Report are directed by Board Policy A-11 and Penal Code 933.05. The CAO reviews and compiles the responses from all departments into an Initial Draft Response for the Board's consideration. County Policy provides that an Initial Draft Response will be presented to the Board of Supervisors' for review and comment at least 21 days prior to the Final Draft adoption hearing.

This year, the Grand Jury has issued a number of individual reports. These reports are considered Final Reports for the purpose of establishing response deadlines for both elected officials and the Board of Supervisors. Because the individual Final Reports have been issued at varying dates, the deadline for responses will be varied. The earliest reports were made public on May 9, 2017, which would dictate a Final Response be submitted to the Superior Court by August 8, 2017. The reports that were made public on May 9th address the Sheriff's Office, and the Sheriff, as an Elected Official, is afforded 60 days to respond directly to the Superior Court. County policy indicates that the Chief Administrative Office will receive a courtesy copy. It is recommended that the Board's response not be prepared without having the Sheriff's response. The last reports released were made public on June 9th.

In order to present a consolidated response to the Board, and to meet the earliest deadline to respond, we are planning on submitting the final version of the all responses for approval on August 8, 2017. Current policy would have the Initial Draft Response submitted to the Board no later than July 18th - - 21 days prior. Strict adherence to this timeline, coupled with the agenda timeline, does not provide sufficient time to prepare and evaluate all draft responses. Therefore, staff is recommending that the Board consider and approve a one-time exception to Policy A-11, allowing for the Initial Draft Response to be submitted 14 days prior to the Final Response.

Within this timeframe, and in order to facilitate a timely and consolidated Board of Supervisors response to the Grand Jury, we are asking that department heads provide comments and proposed responses to the Chief Administrative Office by Friday, June 30, 2017. As noted above, Government Code provides that Elected Department Heads respond directly to the Superior Court within 60 days of the release of the report(s).

Below is the planned schedule for the preparation of the response to the Grand Jury Report, should the recommended exception to the policy be approved:

- 6/15/2017 - CAO forwards reports to Department Heads, requesting two week response time.
- 6/30/2017 - CAO receives and compiles responses into Draft Response / agenda item prepared.
- 7/19/2017 - Agenda Item for Initial Draft Response published with Board Agenda for 7/25/2017 meeting.
- 7/25/2017 - Initial Draft Response is presented to the Board.
- 7/26/2017 - CAO notifies the Department Heads of modifications from the Board, if necessary.
- 7/28/2017 - CAO receives and edits the revised responses and finalizes the Final Response.
- 8/2/2017 - Agenda Item for Final Response published with Board Agenda for 8/8/2017 meeting.
- 8/8/2017 - CAO presents Final Response to the Board for approval.

It is further recommended that staff explore options for a permanent amendment to Policy A-11 in order to streamline the process for developing and approving the Board of Supervisors' Response to Grand Jury Reports, while maintaining the fundamental expectation for timely review, consideration,

and approval of the responses, and maintaining the expectation for Department Head involvement in developing said responses.

ALTERNATIVES

The Board could decline to approve the exception to the policy, in which case the Initial Draft Response to the Grand Jury Report would need to be presented to the Board on July 18th. The Board could also approve the one-time exception and not approve the direction to staff to initiate an amendment to the Policy.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Departments identified in the Grand Jury Report include: Board of Supervisors, Sheriff, Human Resources/Risk Management, Chief Administrative Office, Information Technologies, and Probation/Juvenile Hall.

FINANCIAL IMPACT

N/A

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

Don Ashton, Chief Administrative Officer
Shawne Corley, Assistant Chief Administrative Officer