

BOARD OF SUPERVISORS

PRESIDENT

Dennis Rodoni

4TH DISTRICT

VICE PRESIDENT

Mary Sackett

1ST DISTRICT

2ND VICE PRESIDENT

Eric Lucan

5TH DISTRICT

Katie Rice

2ND DISTRICT

Stephanie Moulton-Peters

3RD DISTRICT

Derek Johnson

COUNTY EXECUTIVE

CLERK OF THE BOARD

Carla Kacmar

ASSISTANT CLERK OF THE BOARD

Marin County Civic Center

3501 Civic Center Drive

Suite 329

San Rafael, CA 94903

415 473 7331 T

415 473 3645 F

415 473 6172 TTY

MarinCounty.gov/board

June 25, 2024

Honorable Mark A. Talamantes
Presiding Judge
Marin County Superior Court
3501 Civic Center Drive
San Rafael, CA 94903

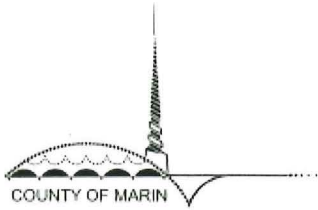
Dear Judge Talamantes,

The Marin County Board of Supervisors' response to the FY 2023-2024 Civil Grand Jury Report "*What Have They Done? An Update On The Responses to the 2022-2023 Marin County Civil Grand Jury Reports*" (April 8, 2024) is attached. The attached document responds to all the requests made for responses from the Board of Supervisors.

Respectfully submitted,

Dennis Rodoni
President, Board of Supervisors

CC: Marin County Civil Grand Jury



RESPONSE TO GRAND JURY REPORT FINDINGS AND RECOMMENDATIONS

REPORT TITLE: "What Have They Done? An Update on the Responses to the 2022-2023 Marin County Civil Grand Jury Reports"

REPORT DATE: April 8, 2024

RESPONSE BY: County of Marin Board of Supervisors

GRAND JURY FINDINGS

- We partially disagree with the findings numbered: **F1**, **F2**.

GRAND JURY RECOMMENDATIONS

- Recommendation numbered **R1** requires further analysis.
- Recommendation numbered **R2** has been implemented.

Date:

6/25/2024

Signed:



President, Board of Supervisors

RESPONSE TO GRAND JURY FINDINGS

F1. Regarding the prior Grand Jury's report entitled *Justice Delayed is Justice Denied – Marin District Attorney's Office in Crisis*, the current Grand Jury finds that the District Attorney's Office has not implemented Recommendation No. 7, although the District Attorney's Office originally responded that this recommendation would be implemented. Quarterly reports to the Board of Supervisors on the current caseloads are not being submitted and the public is therefore unable to assess whether progress is being made toward clearing the backlog of cases.

Response: Partially Disagree.

The District Attorney and the Board of Supervisors agree on the merit of regular reports as outlined in their respective responses to Recommendation 7 of the May 15, 2023, Grand Jury Report, "*Justice Delayed is Justice Denied – Marin District Attorney's Office in Crisis*". While the Grand Jury report recommended a date of November 1, 2023, for this quarterly reporting to begin, the Board of Supervisors' and District Attorney's responses to the report indicate this recommendation "will be implemented in the future". Additional work remains.

Since May 2023, the District Attorney (DA) and the Office of the County Executive identified a vendor to conduct an organizational study of the DA's office that will address, in part, managing the misdemeanor caseload cited in the 2023 Grand Jury Report, as well as organizational capacity in areas like data collection and reporting, optimal personnel configurations, technology needs, and other areas of organizational analysis. This study will begin in June 2024, with a report of findings anticipated this calendar year.

The District Attorney has hired new legal and support staff since May 2023, which should help mitigate both the misdemeanor case backlog and support the data management needed to create regular statistical reports for the public. We look forward to working with the District Attorney to schedule quarterly public reports once the aforementioned organizational study has been conducted and the staffing, data, and organizational components are in place to facilitate the reports.

We cannot agree completely with this finding, as we cannot state with certainty that the public "is unable to assess whether progress is being made toward clearing the backlog of cases". The Judicial Council of California's annual [State Caseload Trends Report](#) is one example of a source where the public can find case filing and disposition data for Marin and other counties, as well as make comparisons between report years.

F2. Regarding the prior Grand Jury's report entitled "*The Coming Wave of Older Adults – Is Marin Prepared?*", the current Grand Jury finds that the County and the Commission on Aging are in stark disagreement about the implementation of all the prior Grand Jury recommendations, including the future status of Aging and Adult Services.

Response: Partially Disagree.

The County of Marin and the Commission on Aging are in agreement regarding the goal of supporting a growing older adult population in Marin, and both agree it is important to elevate older adults as a priority. While the Commission on Aging has expressed a desire to elevate the role of the Aging and Adult Services Director and to create a standalone Aging division within

"What Have They Done? An Update on the Responses to the 2022-2023 Marin County Civil Grand Jury Reports (April 8, 2024)

the Department of Health and Human Services (HHS), the County understands that there are more cost-effective and impactful ways to achieve our shared goals.

As referenced in prior responses, the cost to create a standalone Aging division in HHS would cost upwards of \$1 million General Fund annually with no enhancement to service levels. This dynamic exists due to Federal and State funding sources and their prescribed administrative cost caps, including Area Agency on Aging funding which has a very low, capped administrative rate of 10%. In a scenario with a standalone division, State Social Services funding could no longer be utilized to support those same costs – resulting in local general fund dollars being the only allowable source of funds to maintain existing staffing and program levels. Instead, the County remains focused on elevating older adult services as a priority across all County departments as we develop and leverage new funding opportunities and initiatives to support older adult residents across Marin.

HHS Investments

Since the May 30, 2023, report referenced in F2, the County has continued to expand and prioritize service delivery for the adult and aging population. Beginning in April 2023, HHS conducted monthly meetings with stakeholders including the Commission on Aging, Aging Action Initiative, the Marin Center for Independent Living, the Marin Aging and Disability Institute, and Vivalon to discuss the needs of the adult and aging community and how to best serve them through a one-time funding allocation of \$700,000.

The Board of Supervisors approved a number of one-time older adult services enhancements as part of the Fiscal Year 2023-2024 budget, with highlights including: (a) an Aging Action Initiative (AAI) Intern; (b) AAI convenings in 2023 and 2024; (c) Commission on Aging funds to support event planning and trainings; (d) Countywide training on ageism and ableism for County staff; and more.

During monthly meetings with aging and adult stakeholders, the group refined the approved budget items to improve the strategic roll out of the initiatives, including a focus on Ageism/Ableism training to be piloted throughout HHS this Fall. Subsequent training will include other older adult issues and service delivery needs, expanding the vision to eventually roll out this training to the 11 cities and towns, the development of a new resource guide to be made available on the HHS website and in partnership with Vivalon, and more. These meetings have allowed partner organizations to provide their expertise and insights as to the needs of older adults, residents, further refining and improving the approach within these investments.

Additionally, continued meetings have allowed for HHS to share deeper funding information regarding their structure by outlining the funding available through Public Assistance and other state and federal funding streams that benefit older adults to clarify understanding of HHS and the County's investments in this priority area. County staff will continue these types of conversations, ensuring ongoing education and understanding of funding requirements and uses. The County remains committed to continuous improvement in all of its operations, and it is critical to understand the interrelationships of state and federal funding streams and how those revenue streams are leveraged and invested to ensure we can maximize their allowable uses and intended outcomes locally.

Other County Investments:

The Office of the County Executive continues working with other County departments and key partners to support important projects and financial investments, including but not limited to:

"What Have They Done? An Update on the Responses to the 2022-2023 Marin County Civil Grand Jury Reports (April 8, 2024)

- 1) \$200,000 approved annually to fund a new, permanent position to support Aging and Adult Services Initiatives that will report to the Chief Assistant Director in HHS.
- 2) A new Eligibility Worker position focused on helping In Home Supportive Services (IHSS) recipients with mental or physical impediments to maintain caregiver support.
- 3) \$234,033 for the West Marin Collaborative, a partnership with West Marin Fund. The County committed these funds to enhance services infrastructure, technical assistance for providers, and grant funding for services that will be dedicated to unincorporated West Marin providers. Since the time of this program's approval, additional funds have been committed by other outside funders, increasing the number of anticipated services contracts to benefit rural West Marin. By July 2024, the first round of services contracts will be executed with service partners that uniquely serve West Marin. It's important to note that this effort directly stems from a recommendation in the Integrated Aging Services study as it will create and enhance funding and services systems in West Marin for older adults.
- 4) Digital Marin's Marin Housing Authority Digital Divide project, whereby the objective is to provide the resources necessary, in partnership with Comcast, to cover the cost of high-speed internet broadband installation at five older adult public housing sites in Marin County. The program will afford broadband installation and two years of broadband internet service, including wiring to all individual housing units and in Community Rooms at these sites, to be equipped for internet access. In total, 200 units that are dedicated to housing low income, older adult residents will receive this service. Lastly, technical support will be offered to ensure that the 200 older adults households receive help in gaining the digital skills necessary to effectively use the internet. Through a phased process, this effort will roll out to those 5 sites between 2024 and 2026.
- 5) With Board of Supervisor approval this past year, Marin County Parks went through a process of waiving all fees to enter Marin County parks, increasing accessibility to the wide variety of open space and trails, an especially important initiative to improve equity in Marin County.
- 6) In FY 23/24, the Community Development Agency added a position specifically focused on active transportation, to help ensure a planful approach to developing accessible forms of pedestrian and bike paths in unincorporated Marin to help improve mobility of older adults and all residents.
- 7) Marin Library's "Library Beyond Walls" is an ongoing program which provides free delivery of library materials by mail for Marin County residents who are unable to visit our libraries in person due to a temporary or permanent disability.

RESPONSE TO GRAND JURY RECOMMENDATIONS

The Marin County Civil Grand Jury recommends the following:

R1. By September 30, 2024, the District Attorney's Office should start providing the requested quarterly update and statistical report regarding its progress in reducing the backlog of criminal cases to the Board of Supervisors and the County Executive's Office.

This recommendation requires further analysis.

As stated in the response to F1 above, the Board of Supervisors and the District Attorney have agreed previously that quarterly reports are warranted and feasible in the future. The organizational study referenced in F1 above will provide insight as to when quarterly reporting will be feasible, and we welcome input from the District Attorney on how we can help facilitate the process. We will continue to explore this issue with the District Attorney and will partner on a

regular reporting process informed by evaluation of an organizational study anticipated to be completed this calendar year.

R2. By September 30, 2024, the Health and Human Services Department should commence open, public discussions with the Commission on Aging regarding the future status of the Office of Adult and Aging Services and the funding of adult programs, including the cost analysis and rationale for not elevating the Office of Adult and Aging Services to a division-level department within the Health and Human Services Department.

This recommendation has been implemented.

On November 1, 2023, HHS' Chief Fiscal Officer provided key stakeholders, including the Commission on Aging, Aging Action Initiative, Marin Aging and Disability Institute, and Vivalon with a presentation of HHS' core funding sources and their impact on the older adult population in Marin. On March 29, 2024, HHS provided another presentation to the Commission on Aging to discuss the financial structure of the Aging and Adult Services Division within HHS. This presentation provided fiscal and service delivery data demonstrating the positive impact of all HHS divisions on the older adult population in Marin.

Both presentations explained the cost estimates, analysis, and implications of moving the Adult and Aging program from Social Services to a stand-alone division. HHS will continue to offer opportunities to further explain the interrelationships of state and federal funding streams and how those revenue streams are leveraged and invested to the benefit of the older adult population in Marin to ensure intended outcomes.

As referenced above, the cost to create a standalone Aging division in HHS would cost upwards of \$1 million general fund annually. This dynamic exists due to Federal and State funding sources and their prescribed administrative cost caps, including the Area Agency on Aging funding which has a low, capped administrative rate of 10%. In a scenario where a standalone division were created, State Social Services funding would no longer be allowed to be utilized to support those same costs – resulting in local general fund dollars being the only allowable source of funds to maintain existing staffing and program levels.

Instead, the County remains focused on elevating older adult services as a priority across County departments as we develop new funding opportunities and initiatives to support older adult residents across Marin.