



24-4924-01

DATE: May 7, 2024 (Item No. {{item.number}})

TO: Board of Supervisors

FROM: Tony LoPresti, County Counsel

SUBJECT: Transfer of Mediator Positions from Office of the County Counsel to Social Services Agency

RECOMMENDED ACTION

Adopt Salary Ordinance No. NS-5.24.66, an Ordinance amending Santa Clara County Salary Ordinance No. NS-5.24 relating to compensation of employees deleting one half-time Senior Mediator or Mediator or Associate Mediator position and two Senior Mediator or Mediator or Associate Mediator positions in the Office of the County Counsel and adding one half-time Senior Mediator or Mediator or Associate Mediator position and two Senior Mediator or Mediator or Associate Mediator positions in the Social Services Agency.

FISCAL IMPLICATIONS

The recommended action will not have a net impact to the County General Fund. The recommended action will transfer the salary and benefits budget of approximately \$77,013 in Fiscal Year (FY) 2023-2024 and approximately \$476,044 ongoing from the Office of the County Counsel to the Social Services Agency (SSA) based on the transfer of the two and one-half Senior Mediator/Mediator/Associate Mediator positions, performing primarily functions for Juvenile Welfare Office of the Ombuds (JWOO) from the Office of the County Counsel to SSA. This action also eliminates the reimbursement for one and one-half positions between the two departments. Moving these positions to SSA may allow for partial reimbursement from the State. Revenue will be adjusted as additional information is known.

REASONS FOR RECOMMENDATION AND BACKGROUND

County Counsel and Administration recommend the transfer of 2.5 Senior Mediator positions from the Office of the County Counsel's Equal Opportunity Division to SSA Administration for the work of JWOO.

JWOO employs organizational ombuds principles and practices to help improve communication and responsiveness between the Department of Family and Children's Services (DFCS) and the children and families DFCS serves. In JWOO's work with youth, former foster youth, individual caregivers, circles of support, and social workers, JWOO provides transformative decision-making and problem-solving coaching that helps people

navigate issues in the juvenile dependency system, including facilitating and improving communication and relational dynamics with respect to DFCS. JWOO also provides structured restorative conferences/mediation/facilitation services. JWOO uses both quantitative and qualitative approaches to capture data that help support collaborative feedback loops between JWOO and DFCS. This information helps surface patterns and trends around the ways people experience the juvenile dependency system, including what is working and what could work differently.

Historically, JWOO operated within the County's Office of Ombuds and Mediation Services (OMOS), within the Office of the County Executive, with SSA funding 1.5 FTE of Senior Mediators and 0.5 FTE of a Program Manager II for JWOO services. As part of organizational restructuring reflected in the County's FY 2023-2024 approved budget, OMOS, including JWOO, moved from the County Executive's Office to the Office of the County Counsel's Equal Opportunity Division.

Given that JWOO services are funded by SSA, and that JWOO's purpose is to provide ombuds services and an annual report directly relating to DFCS, County Counsel and Administration recommend the transfer of 2.5 Senior Mediator positions from the Office of the County Counsel's Equal Opportunity Division to SSA Administration. The positions would report to SSA Administration in a chain of command separate from DFCS. The positions will report through an existing Program Manager within SSA, reporting up to the SSA Director.

This organizational structure will bolster the frequency and effectiveness of direct communications for responsiveness from SSA Administration regarding issues identified through JWOO relating to DFCS services and other SSA-related services, and further streamline interaction between JWOO and DFCS clients and the public to improve clients' experiences.

This proposal will also allocate additional ombuds resources to SSA. Currently, 1.5 FTE Senior Mediators support the JWOO work. As part of this transfer, an additional Senior Mediator will also transfer to serve an ombuds role, either supporting JWOO services or extending ombuds services to other parts of SSA, such as the Department of Aging and Adult Services (DAAS), which currently does not provide ombuds resources to DAAS clients. JWOO will continue to provide an annual report to the Children, Seniors and Families Committee relating to DFCS.

As part of this transfer, the intra-agency agreement through which SSA funded one-half FTE of a Program Manager II to assist with the administration of JWOO, will terminate. County Counsel expects to reallocate those Program Manager II services to the County's mediation and conflict resolution work within the Equal Opportunity Division.

The County Employees' Management Association (CEMA) concurred with the recommended action on March 18, 2024.

The Employee Services Agency (ESA) supports the recommended action.

CHILD IMPACT

The recommended action will have a positive impact on children in that JWOO services will

be provided, with a more direct reporting line to the SSA Director regarding issues and concerns identified relating to DFCS. Also, the additional FTE for Senior Mediator Services will be available to provide ombuds services and support to children and families with respect to DFCS.

SENIOR IMPACT

The recommended action will have no/neutral impact on seniors.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

CONSEQUENCES OF NEGATIVE ACTION

The JWOO work would continue to be housed in the Office of the County Counsel's Equal Opportunity Division.

STEPS FOLLOWING APPROVAL

The Clerk of the Board of Supervisors is requested to notify Kimberly Forrester in the Office of the County Counsel and Frank Motta in Social Services Agency.

ATTACHMENTS:

- F85 No 176
- NS 5 24 66 CCO Reorg moving 3 positions from BU 120 to BU 501