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OFFICE OF THE DISTRICT ATTORNEY
MARIN COUNTY, CALIFORNIA

*Prevention * Prosecution * Protection*

Edward S. Berberian
District Attorney

Barry G. Borden
CHIEF DEPUTY DISTRICT
ATTORNEY

February 14, 2011

Robert R. Guidi
CHIEF INSPECTOR

Michael Rock
City Manager
Town of Fairfax
142 Bolinas Road
Fairfax, CA 94930

Peggy M. Toth
ADMINISTRATOR

RE: Marin Managers Association (MMA) and Marin General Services Authority (MGSA) Report; Mediation Program Review

Dear Michael:

I am forwarding this report to you since you are the current President of the Marin Managers Association.

As you may be aware the Marin County Board of Supervisors (BOS) defunded and eliminated Mediation Services from the Probation Department's budget for fiscal year 2010-2011 effective July 26, 2010. However, on August 8, 2010, the Marin County District Attorney's Office, Consumer Mediation Program, as recommended by the County Administrator and requested by the BOS, assumed the responsibilities and duties previously performed by Mediation Services.

In previous years, the cities contributed funds to continue the mediation of issues that directly impacted the cities and their constituencies. The category of issues, as illustrated by Exhibit A, continue to be mediated by the Consumer Mediation Program with the exception of divorce/probate, employment and government /harassment. These categories were of insignificant numbers to be continued as part of the mediation process as other agencies or groups can address these issues.

However, the Consumer Mediation Program has added the categories of Housing (landlord-tenant and homeowner association- HOA), Neighborhood, Parking, Animal and Bad Checks to the issues addressed by the Program. These new issues directly impact the cities and County of Marin and in the case of bad checks and parking, save the businesses within the community or the cities and county money by providing a service that an outside organization would normally charge to provide.

MICHAEL ROCK/ MEDIATION PROGRAM REVIEW

February 14, 2011

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As illustrated by Exhibit B, while the numbers (cases mediated) are a significant increase over previous half year reviews performed by Mediation Services, e.g., total cases 284 – half year review FY 2008-2009 (Mediation Services) vs. 852 total cases Consumer Mediation Program (half year review July 1, 2010 – December 31, 2010), no additional contribution (no cola) is requested. (See Exhibit C)

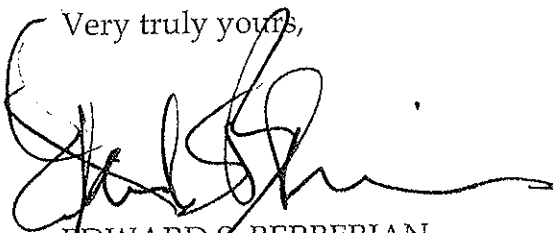
It is anticipated that the number of cases (projected) will continue to increase over previous projections as illustrated by Exhibit D.

Future reports to MMA and the MGSA will include semi-annual and annual reviews of the Consumer Mediation Program.

No statistics, subsequent to March 26, 2009 through August 8, 2010, were available to the District Attorney's Office to provide this report from either Mediation Services or the Probation Department. As such, the reporting period could only reflect the statistics from July 1, 2010 to December 31, 2010.

If you have any questions, please feel free to contact me.

Very truly yours,



EDWARD S. BERBERIAN
DISTRICT ATTORNEY

EB/JH

Xc: Paul Berlant, Executive Officer, MGSA



FY 2008-2009 Marin County Probation - Mediation Services
 Half Year Review by Cities

EXHIBIT A

NUMBER OF CASES BY TYPE									
AGENCY	Housing	Neighborhood Disputes	Family (Divorce or Probate)	Employment	Consumer	Business	Government, Harassment, Discrimination	Other	Total # Cases
Belvedere									0
Corte Madera	4		1		1				6
Fairfax	5				1				6
Larkspur	10		2	1					13
Mill Valley	13	3	6		1			1	24
Novato	54	6	5	7	2	1	3	1	79
Ross	1								1
San Anselmo	5	1	1			1			8
San Rafael	73	1	7	4	11	4			100
Sausalito	6			1	1	2			10
Tiburon	7	4						1	12
County Only	19		2			4			25
								Total Cases=	284

FY 2010-2011 MARIN COUNTY DISTRICT ATTORNEY MEDIATION PROGRAM
 Semi-Annual Review by Cities (July 1, 2010-Dec. 31, 2010)

AGENCY	CONSUMER	PARKING	ANIMAL	NEIGHBORHOOD	HOUSING	BAD CHECKS	TOTAL # CASES
BELVEDERE	1	1	0	0	0	18	20
CORTE MADERA	5	0	0	1	3	16	25
FAIRFAX	5	2	0	0	2	6	15
LARKSPUR	3	2	0	0	1	17	23
MILL VALLEY	14	9	0	2	4	65	94
NOVATO	28	15	3	1	14	182	243
ROSS	0	1	0	0	0	0	1
SAN ANSELMO	10	6	0	0	4	30	50
SAN RAFAEL	64	0	0	6	26	163	259
SAUSALITO	9	22	0	0	0	12	43
TIBURON	4	2	0	1	1	0	8
COUNTY	5	41	0	0	2	23	71
					TOTAL CASES		852

MEDIATION CONTRIBUTIONS BY CITIES

CITY	FY 2007/2008 Contribution (AVMI + PM)	FY 2008/2009 Contribution at 4% COLA	FY 2009/2010 Contribution at 3% COLA	FY 2010/2011 Contribution – No COLA	FY 2011/2012 Contribution – No COLA
BELVEDERE	\$1,103	\$1,147	\$1,181	\$1,181	\$1,181
CORTE MADERA	\$2,437	\$2,534	\$2,610	\$2,610	\$2,610
FAIRFAX	\$1,534	\$1,596	\$1,644	\$1,644	\$1,644
LARKSPUR	\$3,019	\$3,140	\$3,234	\$3,234	\$3,234
MILL VALLEY	\$3,875	\$4,030	\$4,150	\$4,150	\$4,150
NOVATO	\$11,470	\$11,929	\$12,287	\$12,287	\$12,287
ROSS	\$1,047	\$1,088	\$1,121	\$1,121	\$1,121
SAN ANSELMO	\$2,867	\$2,982	\$3,071	\$3,071	\$3,071
SAN RAFAEL	\$12,799	\$13,311	\$13,711	\$13,711	\$13,711
SAUSALITO	\$2,324	\$2,417	\$2,490	\$2,490	\$22,490
TIBURON	\$3,270	\$3,401	\$3,503	\$3,503	\$3,503
CITIES TOTAL=	\$45,745	\$47,575	\$49,002	\$49,002	\$49,002

EXHIBIT

C

Mediation Trend Review

EXHIBIT D

TYPE OF CASE	2007-2008	2nd Quarter 2008/09	Half Year 2008/09	Projected 2008/2009	% Change
Housing	338	105	197	394	16.57%
Neighborhood Disputes	32	8	15	30	-6.25%
Family (Divorce or Probate)	42	12	24	48	14.29%
Employment	33	8	13	26	-21.21%
Consumer	89	12	17	34	-61.80%
Business	22	7	12	24	9.09%
Government, Harassment, Discrimination	7	2	3	6	-14.29%
Other	12	1	3	6	-50.00%
Totals	575	155	284	568	