



BOARD OF SUPERVISORS

RICHARD VALLE
President
Board of Supervisors

January 14, 2020

Honorable Tara Desautels
Acting Presiding Judge of the Superior Court
County of Alameda
1225 Fallon Street, Department One
Oakland, CA 94612

Dear Judge Desautels:

Sections 933 and 933.05 of the California Penal Code requires the Board of Supervisors to formally comment on Grand Jury findings and recommendations which pertain to matters under the control and authority of the Board.

In accordance with this statutory directive, I am hereby formally submitting Alameda County's responses to the 2018-2019 Grand Jury Final Report addressing the following investigated areas: County Supervisors' Mismanagement Loses Millions for Terrorism and Disaster Training; Independent Living Homes in Alameda County; Taming the "Wild West" and Alameda County Foster Care System: Some Positive Trends, But Too Many Children Sent Out of the County.

The County's responses were approved by the Board of Supervisors at its meeting of December 17, 2019 and a revised version adopted on January 14, 2020.

Very truly yours,

Richard Valle, President
Board of Supervisors

RV/SSM:AC:sg
Attachment

c: Other Members, Board of Supervisors
Gregory Ahern, Sheriff
Susan S. Muranishi, County Administrator
Donna Ziegler, County Counsel
Chris Bazar, Director, Community Development Agency
Lori Cox, Director, Social Services Agency
Geoffrey Sylvester, Foreperson, Alameda County Grand Jury
Chad Finke, Court Executive Officer



**ALAMEDA COUNTY RESPONSE
TO THE
2018-2019 ALAMEDA COUNTY GRAND JURY
FINAL REPORT**

**PREPARED BY:
OFFICE OF THE COUNTY ADMINISTRATOR**

**APPROVED BY:
BOARD OF SUPERVISORS
December 17, 2019
Revised version approved:
January 14, 2020**

Independent Living Homes in Alameda County: Taming the “Wild West”

Findings 19-20 through 19-25

Finding 19-20:

Although most independent living home operators are well intentioned and do their best to provide a safe and secure living environment for their tenants, profits are so low in this industry that the money needed for repairs, capital investments and suitable client services often does not exist.

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Recommendation 19-16:

The Alameda County Board of Supervisors must check on the progress and productivity of ad hoc committees and task forces and provide regular oversight.

Response:

The Board will implement this recommendation on a go forward basis. By stating that the Board will implement this recommendation, the Board does not intend to convey that the Board has not exercised oversight in the past. Through its standing committee structure, the Board routinely receives information regarding ongoing County activities, and provides direction as part of the Board's oversight function.

Recommendation 19-17:

The Alameda County Board of Supervisors must strive to appoint advisory committees whose members are both objective and open minded on the subject matter being studied.

Response:

The Board will implement this recommendation when making appointments to advisory committees.

Recommendation 19-18:

The Alameda County Board of Supervisors must assign county professional staff to assist in the review of recommendations from advisory committees.

Response:

The Board will not implement this recommendation as stated because it is not warranted. The Board will evaluate on a on a case-by-case basis whether the specific "assignment" of County professional staff is warranted. County staff with subject matter expertise typically review or have input into the recommendations of advisory bodies, attend Board meetings where those recommendations are vetted, and have an opportunity for input at that time.

Recommendation 19-19:

The Alameda County Board of Supervisors must inform the public (via newsletters, social media, etc.) as to the formation and purpose of advisory committees. Such committees must make agendas and supporting materials easily accessible online in advance of meetings.

Response:

The Board will not implement this recommendation because it is not warranted. As a legislative body, the Ralph M. Brown Act dictates the notice and disclosure requirements for Board actions. The County complies with the Brown Act.

Independent Living Homes in Alameda County: Taming the "Wild West"

Findings 19-20 through 19-25

Finding 19-20:

Although most independent living home operators are well intentioned and do their best to provide a safe and secure living environment for their tenants, profits are so low in this industry that the money needed for repairs, capital investments and suitable client services often does not exist.

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Response to Finding 19-20:

The Board of Supervisors agrees. The Healthy Homes Department has conducted research to find the location of independent living homes and has found that homes once advertised as being open for business had ceased to exist. In speaking with independent living home operators, staff have been told that financial challenges were a factor in these facilities closing down.

Finding 19-23:

Existing programs – Healthy Homes Department, Independent Living Association, Group Living Facilities Working Group – have laid the groundwork for a comprehensive approach to addressing independent living issues, but a lack of resources, coordination and focal leadership has limited their effectiveness. Proactive attention to identification and inspection of rental units, education of operators, and subsidies for home maintenance and repairs, and peer reviews must be elements for better housing of vulnerable adults.

Response to Finding 19-23:

The Board of Supervisors partially agrees. The Healthy Homes Department has made good use of existing resources; however, grants and available funding have not kept pace with the cost of living.

Finding 19-24:

There is a need for a searchable web-based database containing information about the location and quality of independent living homes in Alameda County. The database would allow investigators to systematically document complaints and conditions and would assist social workers and consumers to make appropriate placements.

Response to Finding 19-24:

The Board of Supervisors agrees that a searchable database would be helpful to the community and to government agencies.

Finding 19-25:

The service area of the Group Living Facilities Working Group and the Group Living Strike Team is limited in geographic scope to unincorporated areas of Alameda County. Furthermore, the Strike Team is ad hoc and dependent on interpersonal relationships between individual agency staff.

Response to Finding 19-25:

The Board of Supervisors disagrees. Alameda County currently has a formalized Strike Team model that has been operational since approximately 2014. Members of this Strike Team include the following: Regional Community Care Licensing (CCL), Adult Protective Services (APS), Long Term Care Ombudsman (LTCO) programs, Behavior Health Care Services, law enforcement and other community partners.

RECOMMENDATIONS

Recommendation 19-20:

Alameda County must provide ongoing support for the Healthy Homes Department's Independent Living Initiative and implement a proactive rental inspection program that will identify and evaluate independent living homes throughout Alameda County, including incorporated areas.

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Response:

The Board of Supervisors agrees. The Healthy Homes Department will pursue additional resources that would allow Healthy Homes to keep up with demand and provide services in a timelier manner in conjunction with the upcoming FY 2021 budget.

The Healthy Homes Department has been providing visual assessment of independent living homes under Measure A funding utilizing a proactive rental inspection framework where homes are routinely visited once every 3 or 4 years. This is a best practice that assists operators of these homes prevent violations of health and safety codes. Initially only serving homes in the unincorporated area, the program is now countywide. However, funding levels for this program have remained flat in recent years and inflation has reduced the number of homes that can be inspected each year.

Recommendation 19–21:

Alameda County must critically evaluate the lack of performance by the ILA and its seeming inability to meet contractual milestones and take needed action to boost performance and ensure sustainability of the ILA beyond the end of the CHIP contract in June 2020.

Response:

The Board of Supervisors agrees. To that end, an action plan has been implemented that includes:

- Alameda County Health Care Services Agency staff working more closely with ILA staff to increase participation in the Association.
- Large health care institutions are being approached to consider discontinuing referrals to independent living operators that refuse to meet basic ILA standards.
- Incentives for operators including additional trainings, security and damage deposits, and discounts for repairs and other maintenance needs are being explored.
- Core ILA staff will work in Alameda County, not in San Diego where CHIP was founded. Additional partnerships are being sought with local nonprofit organizations that often subsidize tenants living in independent living homes.
- Efforts to identify resources to sustain the ILA are in progress.

Recommendation 19–22:

Alameda County must ensure the separate lists of independent living homes are merged into one web-based searchable database of independent living homes. Database management and maintenance should be centralized in the Healthy Homes Department. Agencies that inspect, assess or otherwise oversee independent living homes should provide data for, and have access to, appropriate parts of the database, as should agencies and other institutions that may place or advocate for clients in independent living homes. The Social Services Agency's Senior Housing Guide should reference this database resource.

Response:

The Board of Supervisors agrees. The Healthy Homes Department will implement planning for this effort at the next quarterly Group Living Facilities Work Group meeting in February 2020.

Currently as part of the independent living homes intervention program conducted by the Alameda Healthy Homes Department, a spreadsheet of the known homes is maintained to coordinate site visits. This information is shared with other County Departments on a case by case basis. Scaling up this spreadsheet into a database would help facilitate coordination of services among County departments, as well as service providers that come

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into contact with independent living homes. In the future, this information could also provide available housing sites information captured in Housing Guides or other housing listing sites.

Recommendation 19-23:

Alameda County must establish a small business investment program that can provide resources to support independent living homes as small businesses. The resources could be administered through either a government-operated "business resource center" or a private small-business development corporation.

Response:

The Board of Supervisors partially agrees with this recommendation but cannot implement any action beyond what is currently being taken. The Alameda County Healthy Homes Department has discovered through the use of grant dollars that assisting property owners with the financial costs of maintenance can make the difference between continued occupancy of vulnerable populations and homelessness. However, the Healthy Homes Department has also realized that these grant programs are scarce and have regulatory and income requirements that often disqualify the majority of our residents thus, we question the sustainability of this strategy.

Recommendation 19-24:

Alameda County must establish a countywide, interagency Group Living Facilities Working Group as an ongoing venue for county agencies to coordinate and respond to systemic group living issues in incorporated and unincorporated Alameda County. Representatives from relevant city agencies within the county should be invited and encouraged to participate.

Response:

The Board of Supervisors partially agrees with this recommendation, but the Healthy Homes Department cannot implement any action beyond what is currently being taken. The Healthy Homes Department agrees that agency coordination has its benefits because of the success experienced by the unincorporated county's working group. Thus, incorporated cities could benefit from a similar model. However, it is important to point out that cities have their own organizational makeup and ordinances that cannot be readily applied across jurisdictional lines. Thus, merging them into one working group is likely problematic.

Recommendation 19-25:

Alameda County must formalize the Group Living Strike Team under the expanded Group Living Facilities Working Group, including a recognized leader with the authority and responsibility for effective interagency emergency response. Team members should have clear roles and responsibilities. The Strike Team also should coordinate with cities to ensure team effectiveness in incorporated as well as unincorporated areas of the county.

Response:

The Board of Supervisors disagrees because this recommendation has been implemented. Alameda County currently has a formalized Strike Team model that has been operational since 2013. Members of this Strike Team include the following: Regional Community Care Licensing (CCL), Adult Protective Services (APS), Long Term Care Ombudsman (LTCO) programs, Behavior Health Care Services, law enforcement and other community partners.