



# 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**

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

## County Supervisors' Mismanagement Loses Millions for Terrorism and Disaster Training

### Findings 19-16 through 19-21

#### **Finding 19-16:**

Mismanagement of the review process by the Alameda County Board of Supervisors resulted in the loss of essential regional emergency preparedness training, leaving county residents less safe.

#### **Response to Finding 19-16:**

The County of Alameda Board of Supervisors ("Board") disagrees with this finding. The Ad Hoc Committee on Urban Area Security Initiative ("Committee") met 12 times, at locations throughout the County, heard expert testimony from multiple emergency management professionals, as well as community-based organizations, and members of the public. Each Committee member was given the opportunity to propose recommendations, which were discussed in depth, received public input, were refined, and then put to a vote. Recommendations that received majority support (at least three votes) were included in the report as official recommendations of the Committee to the Board.

Sheriff's representatives participated, provided feedback and information as part of this process, as did other stakeholders with knowledge and concerns regarding the permissible uses of grant funds. The Board took up the recommendations twice, at open and public meetings of the Board of Supervisors that were well attended and occurred two weeks apart. Sheriff representatives and various stakeholders attended these meetings, testified and responded to questions as part of the Board's deliberations. The Board fully vetted the recommendations, engaged in debate, and only then took final action. The Board did not adopt recommendations lightly.

Additionally, the Committee started its work later than anticipated and ran out of time as the deadline to award the grant approached. If more time had been available, greater consensus between the Sheriff and the Committee may have been achieved.

#### **Finding 19-17:**

The Board of Supervisors failed to provide clear and complete guidelines to the ad hoc committee, particularly in regard to making recommendations that are consistent with grant guidelines.

#### **Response to Finding 19-17:**

The Board disagrees with this finding. The charge given to the Committee was based upon community concerns and sufficiently reflected the intent of the Board.

#### **Finding 19-18:**

The Board of Supervisors failed to ensure that the ad hoc committee worked with Alameda County Sheriff's Office to assure a successful grant application.

#### **Response to Finding 19-18:**

The Board disagrees with this finding. The Sheriff and his staff were engaged in the Committee's process and the Committee worked with the Sheriff as it developed its recommendations. The Committee and the Sheriff did not reach agreement on every recommendation. The Committee voted, and majority vote prevailed. The Committee was not charged to put forth only those recommendations that "assured" that the grant would be awarded to the Sheriff. It was not the Board's intent that the Committee be held to such a restrictive standard at

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

the expense of bringing forth policy recommendations that aligned with a well-rounded vision of safe and secure communities for all facets of Alameda County.

### **Finding 19-19:**

The Board of Supervisors selected members to the ad hoc committee that virtually guaranteed partisan advocacy and predictable intractability.

### **Response to Finding 19-19:**

The Board disagrees with this finding. Each member of the Board had the right to make an appointment to the ad hoc committee. Each Supervisor acted independently in selecting his or her appointee. This is a process routinely used by the County of Alameda ("County") to make appointments to boards, commissions and ad hoc bodies with success.

### **Finding 19-20:**

The Board of Supervisors failed to involve county administrative staff for counsel and oversight, a practice routine for important votes involving grants, liability and expenditures.

### **Response to Finding 19-20:**

The Board partially agrees with this finding. Although the Board did not specifically designate a role for the County Administrator, and she did not place a recommendation regarding the matter on the agenda, her office performed its usual and customary role of reviewing the Board letter before it was placed on the agenda; providing feedback to the entity authoring the Board letter; reviewing the supporting material; and conferring with the County departments involved.

### **Finding 19-21:**

The ad hoc committee failed to make available to the public materials under consideration at its meetings in a timely manner.

### **Response to Finding 19-21:**

The Board disagrees with this finding. The timing of the ad hoc committee's release of materials to the public did not violate any policies, rules or laws.

## **RECOMMENDATIONS**

### **Recommendation 19-15:**

The Alameda County Board of Supervisors must develop a policy requiring that ad hoc committees and task forces be provided with specific instructions regarding scope of work, progress reports, deliverables, and timing.

### **Response:**

The Board will not implement this recommendation because it is not warranted. Ad hoc committees vary in scope, charge and size. Often participants are unpaid volunteers, have other full-time jobs and demands, and require flexibility to complete the work. In some cases, the amount of time reasonably necessary to complete the charge may not be easy to determine initially. It remains important that various sectors of the community are afforded an opportunity to participate and have their voices heard without rigid constraints set forth at the outset that may deter their willingness to serve. The Board will evaluate on a on a case-by-case basis whether the level of specificity recommended is warranted rather than adopt a blanket policy.

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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.