

C O U N T Y A D M I N I S T R A T O R



SUSAN S. MURANISHI
COUNTY ADMINISTRATOR

January 6, 2020

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, California 94612-4305

Dear Board Members:

SUBJECT: ALAMEDA COUNTY'S REVISED RESPONSE TO THE 2018-19 GRAND JURY FINAL REPORT

Dear Board Members:

RECOMMENDATIONS:

- A) Accept and approve the revised Alameda County Response to the 2018-19 Grand Jury Final Report; and
- B) Authorize the Board President to sign a letter on behalf of the Board of Supervisors formally transmitting Alameda County's Response to the Honorable, Tara Desautels, Presiding Judge, Superior Court of Alameda.

DISCUSSION/SUMMARY:

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

The 2018-19 Grand Jury Final Report Response comments on the findings and recommendations related to several areas that are under the control and authority of the Board.

Your Board heard this item during the December 17, 2019 Board meeting and approved the response in principle. At that time, your Board was informed the final report would require a number of technical amendments namely ensuring that responses comported with the Grand Jury's formatting requests. The Report in this item is updated to address those minor amendments.

FINANCING

There is no net County cost impact associated with approval of the recommendations.

VISION 2026:

The Alameda County response to the 2018-19 Grand Jury Final Report aligns with our Vision 2026 operating principle of **Collaboration** and is consistent with our County shared visions of a **Thriving and Resilient Population, Safe and Livable Communities, Healthy Environment** and a **Prosperous and Vibrant Economy**.

Sincerely yours,



Susan S. Muranishi
County Administrator

SSM:AC:msw
Attachments

cc: Chris Bazar, Director, Alameda County Community Development Agency
Colleen Chawla, Director, Alameda County Healthcare Services Agency
Lori Cox, Director, Alameda County Social Services Agency
Donna Ziegler, County Counsel

REVISED

DRAFT



**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

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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.

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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.

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Alameda County Foster Care System: Some Positive Trends, But Too Many Children Sent Out of the County

Findings 19-26 through 19-29:

Finding 19-26

The Department of Children and Family Services has not recruited and retained an adequate number of approved foster homes in Alameda County.

Response:

The Board of Supervisors partially disagrees with this finding. The Alameda County Social Services Agency (SSA), Department of Children and Family Services (DCFS) launched a recruitment campaign in March 2019 with Hill & Company Communications to increase the number of resource families. The campaign included commercials and billboards throughout Alameda County. While the DCSF has actively made efforts to recruit foster families, there continues to be an inadequate number of approved foster homes in Alameda County.

Additionally, the Department of Children and Family Services is working with Casey Family Programs and the California Department of Social Services for their Group Home Project, working to move youth in group homes to family-based care. The Department will also be using a consultant that has had success using out of the box ideas for direct recruitment (e.g. recruitment focused on individual children).

Alameda County Foster Children, Youth and Non-Minor Dependents in Foster Care on July 28, 2019

	Child/Youth 0-17				Total # of Children/ Youth 0-17	% of All Alameda County Dependent Foster Youth	Non Minor Dependent				Total # of NMDs	% of all Alameda County Non Minor Dependents
	Alameda		Out of County				Alameda		Out of County			
	Relative/ NREFM	No Relative/ NREFM	Relative/ NREFM	Not Relative/ NREFM			Relative/ NREFM	Non Relative/ NREFM	Relative/ NREFM	Not Relative/ NREFM		
County Foster Home		63		2	65	7.7%		6			6	1.9%
FFA/FFA-RFA		39		192	231	27.3%		9		12	21	6.8%
Group Home/STRTP		40		73	113	13.3%		8		13	21	6.8%
Guardian Home		2			2	0.2%					0	0.0%
Relative/ NREFM Home	197		231		428	50.5%	8		2		10	3.2%
Small Family Home				2	3	0.4%				2	2	0.6%
Supervised Independent Living Placement					0	0.0%		47		50	97	31.3%
THPP/THP+ FC		4			4	0.5%		95		56	151	48.7%
Court or Tribe Specified				1	1	0.1%				2	2	0.6%
	197	148	231	271	847		8	165	2	135	310	
Non-Relative (Non-Dependent) Legal Guardian Home	1	114		5	120			21		1	22	

% of dependent foster children/youth 0-17 placed out of county 59.3%
 % of dependent foster children/youth 0-17 placed out of county with non-relative FFA 22.7%
 % of dependent foster children/youth 0-17 placed out of county in a group home, small family home or STRTP 9.0%
 % of dependent foster children/youth 0-17 placed out of county with a relative or NREFM 27.3%
 of all dependent foster children/youth 0-17 placed out of county, % placed with Relatives or NREFMs 46.0%

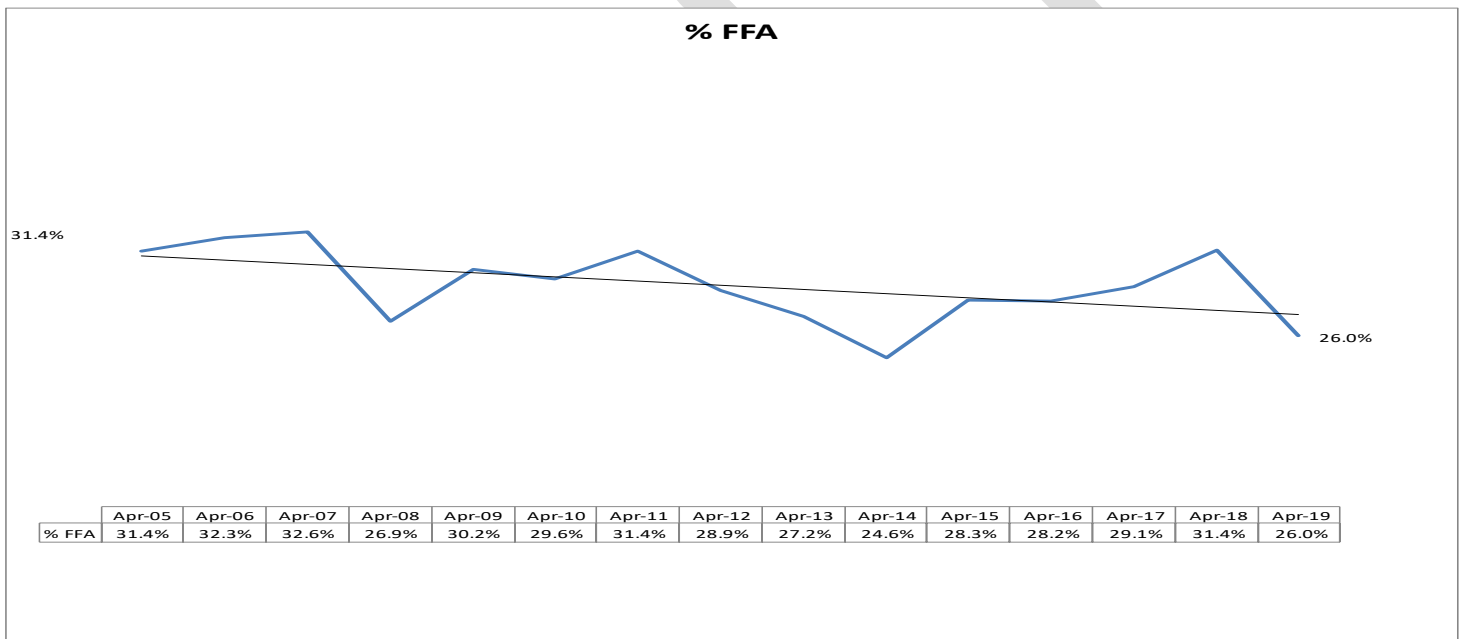
ALAMEDA COUNTY RESPONSE TO THE 2018-2019 GRAND JURY FINAL REPORT

Finding 19-27

An excessive percentage (more than half) of Alameda County’s foster care placements are made to homes located outside of Alameda County, despite evidence that out-of-placements are generally not in the best interests of foster children.

Response:

The Board of Supervisors disagrees partially with this finding. The Department of Children and Family Services seeks to place children in their community and with family or extended family members whenever possible as a core tenet of practice. However, the information listed in the Executive Summary (p. 91-93) is slightly inaccurate, likely due to the way the information was presented on the data source. Of the 847 dependent youth under the age of 18, **59.3%** are placed out of county. However, **27.3%** of those youth are placed in the home of a relative or non-related extended family member. Additionally, **9%** of the youth placed out of county are in a group home and only **22.7%** are placed in a non-relative FFA home. Of the 847 dependent youth under the age of 18, **50.5%** of them are placed with a relative or non-related extended family member and **27.3%** of them are placed in an Foster Family Agencies (FFA). A data extraction from July 29, 2019 is attached for your reference.



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Placement Type	Point In Time														
	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	Apr-05	Apr-06	Apr-07	Apr-08	Apr-09	Apr-10	Apr-11	Apr-12	Apr-13	Apr-14	Apr-15	Apr-16	Apr-17	Apr-18	Apr-19
	n	n	n	n	n	n	n	n	n	n	n	n	n	n	n
Pre-Adopt	50	40	43	38	46	36	21	20	18	21	16	16	13	23	18
Relative/ NREFM	964	921	833	862	781	681	581	517	464	508	503	504	445	315	369
Foster	165	140	125	140	126	129	119	117	113	116	117	103	101	165	81
FFA	820	781	728	552	563	474	431	340	291	266	321	322	309	315	215
Court Specified Home	9	11	9	4	2	4	2	2	1	1	2	3	1	.	.
Group	412	336	333	310	227	161	124	104	107	94	109	115	129	121	102
Shelter	.	.	.	.	.	1	.	.	.	.	.	.	.	.	.
Non-FC	96	36	23	22	17	16	10	10	10	12	11	11	9	7	6
Guardian - Dependent	24	15	12	16	15	13	16	16	14	7	11	9	8	4	3
Guardian - Non- Dependent	307	273	258	236	201	193	173	172	170	172	148	135	137	129	124
Runaway	15	72	69	51	52	47	41	28	22	28	21	27	24	27	21
Trial Home Visit	15	14	7	15	3	3	3	2	4	2	2	4	1	3	2
SILP	.	.	.	.	.	.	.	.	.	.	1	.	.	.	.
Transitional Housing	9	13	16	14	11	13	7	2	6	7	7	6	8	5	8
Other	31	40	32	28	21	22	17	20	20	21	15	22	13	17	3
Missing	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Total	2,917	2,692	2,488	2,288	2,065	1,793	1,545	1,350	1,240	1,255	1,284	1,277	1,198	1,131	952

Total excluding NRLG	2,610	2,419	2,230	2,052	1,864	1,600	1,372	1,178	1,070	1,083	1,136	1,142	1,061	1,002	828
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	Apr-05	Apr-06	Apr-07	Apr-08	Apr-09	Apr-10	Apr-11	Apr-12	Apr-13	Apr-14	Apr-15	Apr-16	Apr-17	Apr-18	Apr-19
% FFA	31.4%	32.3%	32.6%	26.9%	30.2%	29.6%	31.4%	28.9%	27.2%	24.6%	28.3%	28.2%	29.1%	31.4%	26.0%

Finding 19-28

Average caseloads for Department of Family and Child Services emergency response and family maintenance child welfare social workers are too high, which is not conducive to the delivery of high-quality services to Alameda County’s foster children.

Response:

The Board of Supervisors partially disagrees with this finding. The caseload guidelines recommended in the 1998 SB 2030 study were never realized in the state of California due to the exorbitant cost. Despite those standards not being funded, Alameda County has strived to maintain a caseload close to those numbers. The caseload numbers listed in the Executive Summary are not fully accurate. The report reflects that the Emergency Response program has a caseload of 24.99 (p. 95). However, Child Welfare Workers in Emergency Response have a caseload guideline of 15 and over the last year Child Welfare Workers have averaged less than 15.

Finding 19-29

The Department of Children and Family Services has not been timely in its implementation of the Child and Family Team concept that is a central element of California’s Continuum of Care Reform legislation.

Response:

The Board of Supervisors agrees with this finding. The Department of Children and Families Services implementation of Children and Family Teams was delayed as a result of ongoing discussions with SEIU Local 1021. However, resolution was reached in June 2018.

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Recommendation 19-26:

The Department of Children and Family Services must address the shortage of in-county foster homes by implementing more effective resource family recruitment strategies and techniques. Aggressively moving forward with plans the agency has formulated for revamping and revitalizing foster parent recruitment activity is strongly recommended.

Response:

The Board of Supervisors agrees with this recommendation, though the Social Services Agency, Department of Children and Family services (DCFS) has already been aggressively recruiting families as previously mentioned. As a part of the campaign, DCFS included a website with more information about the resource family process <http://myresourcefamily.org>. We anticipate using this fiscal year's allocation to have another campaign addressing permanency, and a campaign in the spring. Each campaign will involve commercials and billboards.

Recommendation 19-27:

The Department of Children and Family Services must develop and implement a strategy for significantly reducing the percentage of out-of-county foster home placements. Any strategy to achieve that goal should include measures to reduce Alameda County's utilization of foster family agencies.

Response:

The Board of Supervisors agrees with this recommendation. The Department of Children and Family Services will continue to make every effort to place children and youth in homes in Alameda County, that are able to meet their needs, whenever possible.

Recommendation 19-28:

The Department of Children and Family Services must reduce social worker caseloads to levels that meet expert recommendations.

Response:

The Board of Supervisors partially disagrees with this recommendation. The largest driver in caseload size is maintaining a full workforce. The Department of Children and Family Services currently has 273 funded Child Welfare Worker II positions. Currently, the vacancy rate for DCFS is 14%. The Department of Children and Family Services currently has a class of sixteen Child Welfare Worker II's in Child Welfare Core Induction training, which ended on September 15th. We are currently seeking to have a potential class of twenty Child Welfare Worker II's early in 2020 and a class in summer 2020. These new child welfare staff should address the caseload concerns referenced in the report.

Recommendation 19-29:

The Department of Children and Family Services must devote priority attention to completing its conversion from Team Decision Making to the Child and Family Team approach called for in the Continuum of Care Reform bill.

Response:

The Board of Supervisors agrees with this recommendation. The Department of Children and Families Services implementation of Children and Family Teams was delayed as a result of ongoing discussions with SEIU Local 1021. However, resolution was reached in June 2018. On December 1, 2018 the first phase of Children and Family Teams (CFTs) were begun with case planning meetings. On June 17, 2019 Child and Family Teams were fully implemented with all teaming meetings, including Team Decision Making, converting to Child and Family Teams.