



**ALAMEDA COUNTY RESPONSE  
TO THE  
2012-13 ALAMEDA COUNTY GRAND JURY REPORT  
FINAL REPORT**

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

**APPROVED BY:  
BOARD OF SUPERVISORS  
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# ALAMEDA COUNTY RESPONSE TO THE 2012-2013 FINAL GRAND JURY REPORT

## **Nepotism Policies in Alameda County**

### **FINDING 13-7:**

Alameda County does not have a formal anti-nepotism policy.

### **Response:**

The County agrees with this finding and is in the process of developing a policy.

### **FINDING 13-8:**

While the County of Alameda regularly trains officials as to AB1234, documentation of compliance is not available on the County's Website.

### **Response:**

The County agrees with this finding and is posting compliance documentation for key officials on its website.

### **RECOMMENDATIONS 13-6 and 13-7:**

The County of Alameda must adopt an anti-nepotism policy that applies both to county employees and elected officials.

The nepotism policy for the County of Alameda must require written documentation relating to the hiring of near-relatives, and must maintain these records in a centralized location.

### **Response:**

The County of Alameda is in the process of adopting a nepotism policy. Earlier this year, County staff collected policies from counties and other jurisdictions throughout California to evaluate current trends in nepotism policies. At the Board of Supervisors' direction, staff has reviewed these policies and is summarizing pertinent information for presentation and/or recommendation to the Board at an upcoming meeting.

To the extent adoption of a workplace policy impacts the terms and conditions of employment of workers, the County is required to meet and confer with impacted unions before final adoption. Any "meet and confer" must be in good faith, which means that input from the unions could lead to changes to any policy initially proposed. However, it is the goal of the Board of Supervisors and the County Administrator that the final policy will cover County employees and elected officials and be finally adopted by the end of the current fiscal year.

### **RECOMMENDATION 13-8:**

The County of Alameda must list AB1234 compliance documentation on the County website along with the outline of the training provided to key officials.

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communicate with IPAWS which will allow our messages to be distributed to any cell phone within a specified geographic area. The system itself will be supplied by a third-party vendor which will be secured by utilizing the standard County procurement policies.

The OHSES is currently working on the draft Memorandum of Understanding (MOU) between the Bay Area UASI and Alameda County in order to release the Request for Proposal (RFP) to purchase the system. It is anticipated that the MOU will be signed and funding will be made available by January of 2014. The Alameda County General Services Agency has started to coordinate the scope of the RFP. Once the funding is available, the County will move forward with the procurement process. It is estimated that the project would be fully operational by September of 2014.

Currently, the OHSES is in the preliminary stages of outreach to the other cities in Alameda County to strongly encourage them to opt into this countywide Mass Notification System. It is important to note that Alameda County does not have the jurisdictional authority to mandate cities to participate. The OHSES is working on written directives, MOUs between the cities and the County of Alameda, and preparing project proposals for additional grant funding to support the project beyond the first year.

As this project evolves, the OHSES will continue to work with the participating cities in Alameda County to establish a true unified countywide Mass Notification System that serves the citizens who live, work, and visit Alameda County.

### **Building Purchase by Alameda County 2000 San Pablo Ave, Oakland**

#### **FINDING 13-11:**

Industry best practices were not followed by the County of Alameda during the lease and purchase negotiations for 2000 San Pablo Avenue, Oakland.

#### **Response:**

The Board of Supervisors, County Administrator and General Services Agency (GSA) Director disagree with this finding. The initial lease transaction was conducted primarily by the GSA and the Director confirms that industry best practices were followed for the lease award. The subsequent decision and transaction to purchase the property arose from a complex set of facts and involved a multidisciplinary team of County staff. The County is not aware of any specific applicable industry "best practices" that were not employed on the purchase transaction.

#### **FINDING 13-12:**

A lack of written policies relating to real estate purchase and lease transactions helped enable negotiations to be wrestled away from the General Service Agency's real estate experts and into more political hands.

#### **Response:**

The Board of Supervisors, County Administrator and General Services Agency Director disagree with this finding. While the County agrees with the Grand Jury's recommendation that the GSA should develop written policies that reflect industry best practices for all real estate transactions, the absence of comprehensive written policies did not directly impact the negotiating strategy or team that was designated for the purchase transaction. As with many other complex projects and transactions, the County

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### RECOMMENDATION 13-12:

The Alameda County General Services Agency must maintain the primary real estate files for the county to include important documents such as closing statements, title insurance policies, meeting minutes, etc.

### RECOMMENDATION 13-13:

In build-to-suit agreements, the Alameda County General Services Agency must follow industry-wide best practices ensuring that the county knows the total cost structure of projects. This includes determining construction costs, negotiating developer's fees and profits, and tracking expenses.

### RECOMMENDATION 13-14:

Once real estate negotiations are completed, county staff must provide a thorough analysis with pros and cons of a project to the Alameda County Board of Supervisors, and ultimately the public, when making a recommendation.

### Response:

The County generally concurs with Recommendations 13-10 through 13-14 and will strive to fully implement by 2015. Implementation of the Grand Jury's recommendations will require the development of specific policies and procedures, a high level of countywide multi-agency coordination and final approval by the Board of Supervisors.

As to recommendation 13-11, it is expected that in most instances GSA will be the primary manager of the purchase and disposition of County real estate, but the County reserves the right to make exceptions in *rare* instances where for example, a conflict of interest exists that may prevent GSA from taking the lead and require that the County assign other staff. There may also be other large complex capital projects with multiple stakeholders that involve bond financing like the Highland Hospital Acute Tower Project and the East County Courthouse that require the County Administrator's Office to have a lead role.