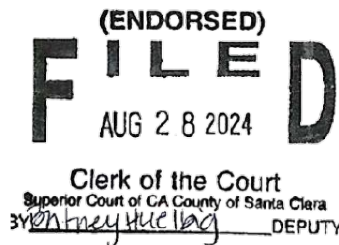


# County of Santa Clara

Office of the County Executive

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**Date:** August 27, 2024  
**To:** Greta S. Hansen, Chief Operating Officer  
**From:** James R. Williams, County Executive  
**Subject:** Responses to the Santa County Civil Grand Jury's Final Report, "Flawed Information, Flawed Decisions"

The Santa Clara County Civil Grand Jury's Final Report, "Flawed Information, Flawed Decisions: The Importance of Leadership, Governance, and Oversight at the Santa Clara County Housing Authority" contained multiple findings and recommendations that require a response from the County of Santa Clara (County), consistent with the provisions of California Penal Code § 933.05. This memorandum contains the response from the County Administration (with input from the Office of the Clerk of the Board) for the Findings and Recommendations applicable to the County.

## *Finding 4*

*The BOS does not have established qualifications for selecting SCCHA Board of Commissioners.*

### **Response to Finding 4**

The County agrees that the Board of Supervisors (BOS) does not have formal qualifications for selecting appointees to the Santa Clara Housing Authority (SCCHA) Board of Commissioners, although each individual Supervisor may apply their own selection criteria, and all Commissioners must meet legal requirements.

## *Recommendation 4a*

*The BOS should use established HUD guidelines to develop County-specific guidelines for the selection and appointment of SCCHA Board members. This recommendation should be implemented by December 31, 2024.*

### **Response to Recommendation 4a**

The County disagrees with this recommendation and will not implement as it is not warranted or reasonable. Selection and appointment of SCCHA Commissioners is governed by the requirements found in California Health and Safety Code Section 34200, *et seq*, which generally involve residency in the county and additional requirements for the two tenant Commissioners on the SCCHA. The HUD guidelines are constructive but necessarily high-level, and the County values Supervisors' local knowledge of candidates in the recruitment and nomination process over more general, federal guidelines.

***Recommendation 4b***

*The BOS should develop a collaborative process that ensures the SCCHA Board, in total, contains a balance of skills, knowledge, and experience required to perform their assigned roles and responsibilities. This recommendation should be implemented by December 31, 2024.*

**Response to Recommendation 4b**

The County disagrees with this recommendation and will not implement as it is not warranted or reasonable. Individual Supervisors have the discretion to nominate candidates of their choosing for the SCCHA Board of Commissioners; creating a collaborative process could potentially violate the Ralph M. Brown Act, or would otherwise compromise candidate confidentiality. Even if the development of a such a process were feasible, it is unclear that it would result in a better candidate pool, and existing commissioners represent diverse backgrounds, skills, knowledge, and experience.

***Finding 5***

*The BOS does not have an established training program for its SCCHA Board appointees specific to the roles and responsibilities of a housing Commissioner.*

**Response to Finding 5**

The County agrees with this finding.

***Recommendation 5***

*The BOS should use established HUD guidelines to develop County-specific training programs for its housing Commissioners. This recommendation should be implemented by December 31, 2024.*

**Response to Recommendation 5**

The County partially agrees with the recommendation and will provide information about the HUD guidelines in the appointment packet by December 31, 2024. The provision of any applicable training, however, should be the responsibility of the Housing Authority and not the County.

***Finding 6***

*The BOS has multiple deficiencies in its SCCHA Commissioner appointment process, including long vacancies and incomplete documentation.*

**Response to Finding 6**

The County partially agrees with this finding, agreeing that some of the documentation has been handled differently over time, leading to inconsistencies, and that communication breakdowns during the COVID-19 pandemic or lack of follow-up with Commissioners (e.g., unreturned oaths) may have led to incomplete documentation for some SCCHA Board seats. The County disagrees that other aspects of the appointment process are deficient.

***Recommendation 6***

*The BOS should develop processes to ensure that the appointment process and related documentation requirements are completed in a timely manner. This recommendation should be implemented by December 31, 2024.*

**Response to Recommendation 6**

The County agrees with this recommendation and has already implemented it within its jurisdictional authority. The County has already begun to improve communication with the SCCHA and Commissioners proactively about documentation during the appointment process and after the fact if documentation is found to be missing. The Office of the Clerk of the Board provides a vacancy report to the BOS for all County Boards and Commissions.