

(ENDORSED)
FILED
SEP - 6 2024

RESOLUTION NO. 24-52

Clerk of the Court
Superior Court of CA County of Santa Clara
BY Britney Huebner DEPUTY

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF SANTA CLARA COUNTY HOUSING AUTHORITY APPROVING THE RESPONSE TO THE SANTA CLARA COUNTY CIVIL GRAND JURY REPORT DATED JUNE 10, 2024, REGARDING THE SALE OF THE OFFICE BUILDING AT 3553 NORTH FIRST STREET, SAN JOSE AND DIRECTING THE EXECUTIVE DIRECTOR TO SUBMIT THE RESPONSE TO THE PRESIDING JUDGE OF THE SUPERIOR COURT OF SANTA CLARA COUNTY NO LATER THAN SEPTEMBER 8, 2024

WHEREAS, on June 10, 2024, the 2023-2024 Santa Clara County Civil Grand Jury (**Civil Grand Jury**) issued a report regarding the Santa Clara County Housing Authority's (**Agency**) sale of an office building located at 3553 North First Street in San Jose; and

WHEREAS, pursuant to California Penal Code Section 933c, within 90 days after issuance of the Civil Grand Jury Report, the governing body of the public agency shall comment to the Presiding Judge of the Superior Court on the findings and recommendations in the Civil Grand Jury Report; and

WHEREAS, the Agency's Board of Commissioners has reviewed the response prepared by Agency staff at its regular meeting of September 5, 2024, and provided the opportunity for public comment, and now desires to approve the response and direct the Executive Director to submit the response to the Presiding Judge of the Superior Court of Santa Clara County no later than September 8, 2024.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF SANTA CLARA COUNTY HOUSING AUTHORITY, DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The foregoing Recitals are true and correct and are hereby incorporated herein by this reference.

SECTION 2. The Board of Commissioners hereby approves the response to the Santa Clara County Civil Grand Jury attached as Exhibit A.

SECTION 3. The Board of Commissioners hereby directs the Executive Director to submit the response to the Presiding Judge of the Superior Court of Santa Clara County no later than September 8, 2024.

SECTION 4. The Clerk of the Board shall certify to the adoption of this Resolution, which, shall in turn, have immediate effect.

PASSED, APPROVED, and ADOPTED this Fifth day of September 2024.

Jennifer Loving
Jennifer Loving (Sep 6, 2024 12:11 PDT)

Jennifer Loving, Chair

ATTEST:

Claudia Bautista

Claudia Bautista
Clerk of the Board

APPROVED AS TO FORM:

Adrian R. Guerra
Adrian R. Guerra (Sep 6, 2024 09:36 PDT)

Adrian R. Guerra
General Counsel

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } ss.
SANTA CLARA COUNTY HOUSING AUTHORITY }

I, Claudia Bautista, Clerk of the Board, do hereby certify that the foregoing Resolution No. 24-52 was adopted at a regular meeting of the Board of Commissioners of Santa Clara County Housing Authority held on the Fifth day of September 2024, by the following vote of the Board:

AYES: Commissioners: Chair Jennifer Loving, Vice Chair Denis O'Neal, William Anderson, Kristina Loquist, Adrienne Lawton, Ericka Mendieta

NOES: None

ABSTAIN: None

ABSENT: Commissioner: Marilyn Russell

Claudia Bautista

Claudia Bautista
Clerk of the Board

Date: September 6, 2024
 To: Honorable Judge Beth McGowen
 From: Preston Prince, Executive Director
 Subject: Response to 2024 Santa Clara County Civil Grand Jury Report

Please find the Santa Clara County Housing Authority’s (SCCHA) responses to the findings and recommendations set forth in the 2023-2024 Civil Grand Jury report.

Findings, Recommendations, and Responses:

Finding 1	<i>SCCHA executive management presented incomplete and financially incorrect analytical documents about the Property to the Board, omitting viable options for occupying, using, or selling the Property.</i>
Response	<p>SCCHA disagrees in whole with the finding.</p> <p>Executive Management presented complete and financially correct documents that included viable options regarding the property and SCCHA’s office considerations. Executive Management and the Board of Commissioners deliberated intentionally for more than a year about viable options for occupying, using, selling the property, or redeveloping for affordable housing.</p>

Recommendation 1	<i>The Board should establish a standard operating procedure requiring executive management to use either internal or external experts to validate that financial analytical documents prepared for Board review, are accurate, complete, and present an unbiased evaluation of the matter under consideration. This recommendation should be implemented by December 31, 2024.</i>
Response	<p>SCCHA will not implement this recommendation as it is not warranted.</p> <p>SCCHA already engages with a multitude of internal and external experts on items being considered by the Board of Commissioners.</p>

	<p>SCCHA consulted with internal and external experts in this specific case and does so on a regular basis. SCCHA already has an existing standard procedure that financial analytical documents should be vetted before review by the Board of Commissioners, and therefore this recommendation is unwarranted.</p>
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<p>Finding 2</p>	<p><i>SCCHA's current five-year plan does not establish measurable objectives, goals, or accomplishments that would enable a comprehensive review of its programs and progress.</i></p>
<p>Response</p>	<p>SCCHA disagrees in part with the finding.</p> <p>SCCHA disagrees that its existing five-year plan does not establish measurable objectives, goals, or accomplishments. The existing five-year plan was developed in 2019 and does include measurable objectives and goals. It is effective July 1, 2020 through June 30, 2025. SCCHA agrees that the included objectives and goals, however, do not enable a comprehensive review of its programs and progress.</p>

<p>Recommendation 2</p>	<p><i>SCCHA should amend its current five-year plan to include actionable performance targets and measurable objectives. These performance targets should be incorporated into annual reviews for the SCCHA Executive Director and staff. This recommendation should be implemented by December 31, 2024.</i></p>
<p>Response</p>	<p>The recommendation has not yet been implemented but will be implemented in the future through the development of the new five-year Strategic Plan effective July 1, 2025.</p> <p>SCCHA's existing five-year plan was developed in 2019 under the former Executive Management team with measurable objectives and goals and is effective through June 2025. The current Executive Management team plans to develop with the Board of Commissioners an updated Strategic Plan that will begin in 2025.</p> <p>Annual goals for the Executive Director and staff will be based upon and developed from this new Strategic Plan.</p>

Finding 3	<i>SCCHA's existing five-year term plan does not identify specific SCCHA space needs and a funding plan to support them.</i>
Response	SCCHA agrees with the finding.

Recommendation 3	SCCHA should include an assessment of space needs and the associated funding requirements as part of their five-year plans. The assessment should include the financial impact of expected program growth, staffing, services, accessibility, and operating performance requirements on future office space needs. This recommendation should be implemented by December 31, 2024.
Response	<p>This recommendation has not yet been implemented but will be implemented when Executive Management and the Board of Commissioners develop the new five-year Strategic Plan, which is scheduled for early 2025. The new Plan will be effective July 1, 2025.</p> <p>This assessment will be contained in an operational goal flowing out of the new Strategic Plan effective July 1, 2025.</p>