

**COOPERATION AGREEMENT BY AND BETWEEN  
THE HOUSING AUTHORITY OF THE CITY OF SAN JOSE  
AND THE CITY OF SAN JOSE**

THIS COOPERATION AGREEMENT (“Agreement”) is entered into this \_\_\_\_ day of \_\_\_\_\_, 2017, (“Effective Date”) by and between the CITY OF SAN JOSE, a municipal corporation of the State of California (the “City”) and the HOUSING AUTHORITY OF THE CITY OF SAN JOSE, a public body, corporate and politic, duly created and functioning under the laws of the State of California (the “Housing Authority”).

**RECITALS**

A. The Housing Authority has received litigation award funds that must be spent for low income housing related purposes allowed under California Housing Authority Law.

B. The Housing Authority has no dedicated staff and the City has staff able to conduct all of the operations needed for the expenditure of these funds, and provide the necessary record keeping and reporting.

C. Under California Housing Authority Cooperation Law, the Housing Authority and the City are authorized to enter into cooperation agreements.

D. The purpose of this Agreement is to, among other things, provide for the Housing Authority’s transfer of the litigation award funds to the City and the authorization of the City to expend these funds on behalf of the Housing Authority for low income housing related purposes allowed under California Housing Authority Law.

NOW, THEREFORE, CITY AND HOUSING AUTHORITY AGREE AS FOLLOWS:

**SECTION 1. TERM OF AGREEMENT.**

The term of this Agreement shall commence on the date this Agreement is approved by the Housing Authority Board of Commissioners and by the City Council, and shall expire on the forty-fifth (45<sup>th</sup>) anniversary of the Effective Date.

**SECTION 2. AUTHORIZATION FOR USE OF FUNDS.**

The City is authorized to use the litigation award funds for the allowed purposes (as described in Section 3) as of the date of approval of this Agreement. The City shall segregate these litigation award funds and the proceeds of these funds, and shall provide all administrative services necessary for the expenditure of these funds and any required state reporting, which may be coordinated with the County Housing Authority. The City is also authorized to handle proceeds and income generated by the use of the litigation award funds in the same manner as the litigation award funds.

**SECTION 3.**                    **ALLOWED PURPOSES.**

The litigation award funds may be used for low income housing related purposes allowed under California Housing Authority Law including:

- a) to provide for slum clearance and for safe and sanitary housing for low income and very low income households within the jurisdiction of the Housing Authority.
- b) to provide rent subsidies or leased housing for low income households.
- c) to acquire, construct, rehabilitate, finance, lease or operate low income housing projects.
- d) to provide counseling and advisory services to low and moderate income persons in connection with the rental, occupancy, or repair of housing;
- e) to provide security for the protection of a low income housing project and its inhabitants; and to investigate into living and housing conditions and the means of improving such conditions.
- f) to provide other services in connection with a low income housing project, including funding for gardening, administrative, community, health, recreational, educational, welfare, or other purposes.
- g) for administrative, project delivery, and staffing costs incurred for in connection with expenditures for allowed purposes.
- h) reimbursement of expenditures for authorized purposes.

For the purposes of this Agreement, a low income housing project includes any undertaking or program to provide decent, safe and sanitary dwellings, apartments or living accommodations for low income households or households eligible for Section 8 that is financed (in whole or part) by a public entity or with public entity bonds.

**SECTION 4.**                    **AMENDMENT.**

The provisions of this Agreement may be amended or modified only in writing after approval by the City Council and Housing Authority Board of Commissioners.

Signatures appear on the following page.

APPROVED TO FORM:

HOUSING AUTHORITY  
OF THE CITY OF SAN JOSE

\_\_\_\_\_  
S. Shasta Greene  
Senior Deputy City Attorney

By \_\_\_\_\_  
Jacky Morales -Ferrand  
Executive Director

APPROVED TO FORM:

CITY OF SAN JOSE

\_\_\_\_\_  
Hana Hardy  
Deputy City Attorney

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_