

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF SAN JOSE DIRECTING THE EXECUTIVE DIRECTOR TO GIVE THE SANTA CLARA COUNTY HOUSING AUTHORITY A ONE-YEAR WRITTEN NOTICE OF TERMINATION OF THE AGREEMENT DATED APRIL 1, 1996 IF THE COUNTY BOARD OF SUPERVISORS BECOMES THE GOVERNING BODY OF THE SANTA CLARA COUNTY HOUSING AUTHORITY; TO BEGIN NEGOTIATING A NEW AGREEMENT AND/OR TO RETURN TO THE BOARD OF COMMISSIONERS WITH OPTIONS FOR ADMINISTERING THE PROGRAMS OF THE CITY HOUSING AUTHORITY

WHEREAS, the Housing Authority of the City of San José (“City Housing Authority”) is a public entity formed by the City of San José (“City”) under State Housing Authority law which has an agreement dated April 1, 1996 (“Agreement”) with the Santa Clara County Housing Authority (“SCCHA”) which transfers to SCCHA the power to administer and manage the City Housing Authority’s Section 8 and other U.S. Department of Housing and Urban Development (“HUD”) programs; and

WHEREAS, the Board of Supervisors of the County of Santa Clara is considering action to designate itself as the governing body of the SCCHA; and

WHEREAS, the City Housing Authority desires to terminate the agreement with SCCHA if the Board of Supervisors of the County of Santa Clara votes to begin the process to become the governing body of the SCCHA for the reasons outlined in the memorandum to the Board of Commissioners of the City Housing Authority from Executive Director dated on or about February 20, 2018; and

WHEREAS, the Agreement requires the City Housing Authority to provide SCCHA with a one-year notice of termination; and

WHEREAS, the City Housing authority desires to negotiate a new agreement and to consider other options for the administration of its programs if negotiation is not successful;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF SAN JOSE THAT:

1. The Executive Director of the Housing Authority of the City of San José (“City Housing Authority”) is hereby directed to give the Santa Clara County Housing Authority (“SCCHA”) a one-year written notice of termination of the Agreement dated April 1, 1996, if the Board of Supervisors of the County of Santa Clara votes to become the SCCHA governing board.
2. The Executive Director is further authorized to commence negotiations for a new agreement with SCCHA, and to return to the Board of Commissioners of the City Housing Authority with report on progress of those negotiations, or if there is no progress with other options for administering the programs of the City Housing Authority.

ADOPTED this _____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk