

CITY OF SAN JOSE HOUSING AUTHORITY
RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF SAN JOSE HOUSING AUTHORITY AUTHORIZING: (A) THE CITY OF SAN JOSE HOUSING AUTHORITY BOARD’S EXECUTIVE DIRECTOR TO SUBMIT A LETTER TO THE SANTA CLARA COUNTY HOUSING AUTHORITY (“SCCHA”) BOARD TO SUPPORT THE FEDERAL FISCAL YEAR 2025 MOVING TO WORK ANNUAL PLAN; AND (B) THE EXECUTIVE DIRECTOR OF THE SCCHA BOARD OF COMMISSIONERS TO EXECUTE DOCUMENTS REQUIRED IN CONNECTION WITH THE FEDERAL FISCAL YEAR 2025 MOVING TO WORK ANNUAL PLAN SUBMITTAL IN THE NAME OF THE CITY OF SAN JOSE HOUSING AUTHORITY

WHEREAS, among other activities, Santa Clara County Housing Authority (“SCCHA”) administers and manages public housing and approximately 17,000 Housing Choice Vouchers (“Section 8”) on behalf of the U.S. Housing and Urban Development (“HUD”) to provide rental assistance programs for lower-income families, senior, and persons with disabilities; and

WHEREAS, a 1996 assignment agreement (“1996 Agreement”) between the City of San José Housing Authority (“City Housing Authority”) and SCCHA transferred to the SCCHA the power to administer and manage the City Housing Authority’s Section 8 voucher and other HUD programs; and

WHEREAS, under the 1996 Agreement, SCCHA administers and manages the public housing and rental voucher programs for the City Housing Authority; and

WHEREAS, sixty percent (60%) of the vouchers managed by SCCHA are allocated by HUD to SCCHA under its own name and forty percent (40%) of the vouchers managed by SCCHA are allocated by HUD to the City Housing Authority’s name; and

WHEREAS, included in the 1996 Agreement between the City Housing Authority and the SCCHA is a requirement that the SCCHA consult with the City Housing Authority and obtain approval of any significant policy decisions regarding administration of the transferred City Housing Authority programs; and

WHEREAS, Moving to Work (“MTW”) was established by Congress in 1996, and is a federal demonstration program that links broad federal goals with locally-designed initiatives and encourages selected housing authorities to propose and, upon HUD approval, implement innovative changes to the way in which affordable housing programs are administered in order to meet at least one of the following three broad federal goals: (1) to decrease costs and increase cost effectiveness in housing program operations; (2) to promote participants’ economic self-sufficiency; and (3) to expand participants’ housing choices; and

WHEREAS, in 2008, SCCHA entered into an agreement with HUD to become an MTW agency and make the City Housing Authority an MTW agency for a term that will expire in 2028; and

WHEREAS, each year, the SCCHA releases an MTW Annual Plan describing new policies that may be implemented as part of its MTW Program, and once HUD approves the proposed policies, the SCCHA can implement those policies through programs that meet the housing needs of the local community; and

WHEREAS, the MTW Annual Plan is a major policy document which includes numerous policies and guidelines impacting the use, administration management, and oversight of the SCCHA and City Housing Authority rental voucher programs; and

WHEREAS, SCCHA currently sets Housing Choice Voucher payment standards based on the Fair Market Rents that HUD publishes annually for each metropolitan area; and

WHEREAS, beginning in 2025, SCCHA will be required to instead use Small Area Fair Market Rents based on zip codes instead of metro area; and

WHEREAS, Small Area Fair Market Rents enable higher payment standards in more expensive zip codes, which increases the number of units affordable in higher opportunity areas, but it would also reduce payment standards in lower-cost zip codes, where many voucher households currently live; and

WHEREAS, under the Federal Fiscal Year 2025 MTW Annual Plan, SCCHA is proposing a modified implementation of Small Area Fair Market Rents which will allow the SCCHA to have the flexibility to set payment standards above the HUD allowable range in target zip codes in order to mitigate the negative impacts on current and future voucher households and prevent involuntary displacement; and

WHEREAS, the MTW Annual Plan must be submitted for consideration to HUD by April 15, 2024 and the City Housing Authority approval will allow SCCHA officials to sign the MTW Annual Plan on behalf of the City Housing Authority and submit it in timely manner to HUD; and

WHEREAS, the City Housing Authority retains its Board of Commissioners and may implement other affordable housing programs not assigned to the SCCHA under the 1996 Agreement, and accordingly the City Housing Authority has its own Chair and an Executive Director separate from the SCCHA; and

WHEREAS, the 1996 Agreement does not designate the Chair of the SCCHA Board of Commissioners as the “Chair Board of Commissioners of the City Housing Authority” or confer on the Executive Director of the SCCHA the title of the “Executive Director of the City Housing Authority;” and

WHEREAS, in connection with the City Housing Authority MTW Annual Plan submittal, the Chair of the Board of Commissioners for the SCCHA continues to execute

documents under the title of the Chair of the Board of Commissioners for the City Housing Authority and the Executive Director of SCCHA may also execute documents under the title of the Executive Director of the City Housing Authority; and

WHEREAS, there is no authorization for the use of these duplicative titles in the 1996 Agreement between the City Housing Authority and SCCHA; and

WHEREAS, the Board of Commissioners of the City Housing Authority desires to authorize (a) the City Housing Authority Board's Executive Director to submit a letter to SCCHA to support the Federal Fiscal Year 2025 MTW Annual Plan and (b) the Executive Director of the SCCHA Board and the Chair of the SCCHA Board of Commissioners to execute the documents required in connection with the Federal Fiscal Year 2025 MTW Annual Plan submittal in the name of the City Housing Authority, as set forth in the Memorandum from the City Housing Authority Executive Director from March 4, 2024.

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

(a) the City of San José Housing Authority Board's Executive Director is hereby authorized to submit a letter to the Santa Clara County Housing Authority ("SCCHA") Board to support the Federal Fiscal Year 2025 Moving to Work ("MTW") Annual Plan.
(b) the Executive Director of the SCCHA Board and the Chair of the SCCHA Board of Commissioners are hereby authorized to execute the documents required in connection with the Federal Fiscal Year 2025 MTW Annual Plan submittal in the name of the City of San José Housing Authority.

ADOPTED this _____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Chair, Board of Commissioners

ATTEST:

TONI J. TABER, CMC
Secretary, Housing Authority
of the City of San José