

RESOLUTION NO. 25-

APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A LEASE TERMINATION AGREEMENT TERMINATING THE LEASE BY AND BETWEEN THE CITY OF BERKELEY AND THE BERKELEY HOUSING AUTHORITY, DATED JANUARY 1, 2021 FOR OFFICE SPACE LOCATED AT 1947 CENTER STREET, BERKELEY, CALIFORNIA, AND TAKE FURTHER ACTIONS NECESSARY TO EFFECTUATE THE TERMINATION OF THE LEASE

WHEREAS, the Housing Authority of the City of Berkeley (“BHA”) is a public housing authority (PHA) established under the U.S. Housing Act of 1937, as amended (“Act”) and a Housing Authority duly created, established and authorized to transact business and exercise its powers, all under and pursuant to the provision of the Housing Authorities Law which is Part 2 of Division 24 of the California Health and Safety Code commencing with Section 34200 et seq;

WHEREAS, pursuant to the Housing Authorities Law, BHA is authorized to make and execute contracts and other instruments necessary or convenient to exercise its powers;

WHEREAS, pursuant to Health & Safety Code Section 34315 BHA is authorized to lease and dispose of real property or an interest therein;

WHEREAS, BHA entered into a lease agreement (“Lease”) with the City of Berkeley, dated January 1, 2021, to lease a portion of the fifth floor of the Civic Center Annex Building located at 1947 Center Street, in Berkeley, California (“Premises”);

WHEREAS, BHA desires to terminate the Lease and cease to occupy the Premises because the location no longer meets the operational and business needs of BHA and its constituents;

WHEREAS, since the term of the Lease has not yet expired, City and BHA will need to enter into a lease termination agreement to terminate the Lease;

WHEREAS, there is no penalty or cost associated with the early termination of the Lease; and

WHEREAS, staff recommends that BHA and the City enter into a lease termination agreement conforming in form and substance to the Lease Termination Agreement attached hereto as Exhibit A and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE BERKELEY HOUSING AUTHORITY, CALIFORNIA, AS FOLLOWS:

BE IT RESOLVED THAT, the above recitals are true and correct and incorporated herein by reference and serve, together with the Board Memorandum, as the basis of the actions of the Board of Commissioners set forth below.

BE IT FURTHER RESOLVED, that the Board of Commissioners hereby approves and authorizes the Executive Director to enter into a lease termination agreement substantially conforming in form and substance to the Lease Termination Agreement attached hereto as Exhibit A and incorporated herein by this reference (“Lease Termination Agreement”) and authorizes the Executive Director to make minor changes which do not alter the substantial terms of the attached Lease Termination Agreement, upon review and approval of BHA’s General Counsel;

BE IT FURTHER RESOLVED, that the Board hereby authorizes the Executive Director, or his designee, to take such further actions as are necessary to effectuate the termination of the lease

agreement by and between City of Berkeley and the Housing Authority of the City of Berkeley,
dated January 1, 2021; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect on the date of its adoption.

The foregoing Resolution was adopted by the Board of the Berkeley Housing Authority on
September 18, 2025 , by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest: _____
James Williams, Secretary

EXHIBIT A
FORM OF LEASE TERMINATION AGREEMENT

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