



Berkeley Housing Authority

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Item 10C
ACTION ITEM
March 25, 2026

To: Honorable Chairperson and
Members of the Berkeley Housing Authority Board

From: Jesy Yturralde, Finance Manager

Subject: Delegation of authority to the Berkeley Housing Authority executive director and designee to execute contracts and service agreements on behalf of the Berkeley Housing Authority for board-approved budgeted expenditures up to \$100,000, without additional board approval.

RECOMMENDATION

Adopt a Resolution Delegating Authority to the BHA Executive Director and designee to execute contracts and service agreements on behalf of the Berkeley Housing Authority (“BHA”) for Board-approved budgeted expenditures up to \$100,000, without additional Board approval.

FISCAL IMPACTS OF RECOMMENDATION

None

BACKGROUND AND CURRENT SITUATION

The Executive Director is the chief executive officer of BHA. He has the primary responsibility for providing the leadership to achieve the mission and goals of BHA and recommends and ensures the implementation of BHA-approved policies. The Executive Director also performs general management services for the management and operation of the Section 8 Program and all other programs or activities falling within the jurisdiction of BHA.

It is critical that the appropriate authorizations be in place to allow BHA to operate efficiently, including the delegation of authority to enter into contracts and service agreements on behalf of BHA, up to the maximum not to exceed amount of \$100,000. This authority does not preclude the Executive Director from bringing documents to the Board that require specific approval at any monetary level.

Please note, the proposed delegation of authority of \$100,000 is far below HUD’s current simplified acquisition threshold of \$350,000 (formerly \$250,000) which is typically the amount delegated to housing authority executive directors to ensure efficiency in business operations. (see 48 CFR 2.101 and HUD’s Public Housing Procurement Handbook 7460.8 (2026))

The BHA Board of Commissioners has the fiduciary responsibility in approving BHA’s Annual Budget that includes the projected revenue and expenditures for the fiscal year. BHA’s standard business practice for business accounts which requires two signatures (i.e., the Board Chair and Executive Director on all payments (checks) issued on BHA accounts will remain the same

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Jesy Yturralde, Finance Manager, Berkeley Housing Authority, 510-981-5488

RESOLUTION NO. BHA-

DELEGATION OF AUTHORITY TO THE BERKELEY HOUSING AUTHORITY EXECUTIVE DIRECTOR AND DESIGNEE TO EXECUTE CONTRACTS AND SERVICE AGREEMENTS ON BEHALF OF THE BERKLEY HOUSING AUTHORITY, FOR BOARD-APPROVED EXPENDITURES UP TO \$100,000 WITHOUT ADDITIONAL BOARD APPROVAL; REPEALING THE DELEGATION OF AUTHORITY AUTHORIZING THE BHA EXECUTIVE DIRECTOR TO ENTER INTO SERVICE AGREEMENTS ON BEHALF OF THE BERKELEY HOUSING AUTHORITY UP TO A MAXIMUM AMOUNT OF \$50,000 AS AUTHORIZED IN RESOLUTION NO. 08-46 ADOPTED ON DECEMBER 15, 2008; AND REPEALING ONLY THE DELEGATION OF AUTHORITY AUTHORIZING JAMES WILLIAMS AS EXECUTIVE DIRECTOR TO ENTER INTO SERVICE AGREEMENTS ON BEHALF OF THE BERKELEY HOUSING AUTHORITY UP TO A MAXIMUM AMOUNT OF \$50,000 AS AUTHORIZED IN RESOLUTION NO. 22-37 ADOPTED ON NOVEMBER 10, 2022 ALL OTHER OPERATIVE CLAUSES TO REMAIN IN EFFECT.

WHEREAS, the Berkeley Housing Authority ("Authority") is 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, the Authority is authorized to make and execute contracts and other instruments necessary or convenient to exercise its powers;

WHEREAS, on November 10, 2022, the Board of Commissioner's adopted Resolution No.22-37 appointing James Williams as the Executive Director of BHA, approving his employment contract, and delegating authority to Mr. Williams, in his capacity as Executive Director, to enter into service agreements on behalf of BHA up to a maximum amount of \$50,000;

WHEREAS, it is critical that the appropriate authorizations be in place to allow the Authority to operate efficiently, including a delegation of authority to enter into contracts on behalf of the Authority;

WHEREAS, the Board of Commissioners desires to repeal the delegation of authority to enter into service agreements granted to the Executive Director in the not to exceed amount of \$50,000 authorized in BHA Resolution Nos. 08-46 and 22-37 adopted on December 15, 2008 and November 10, 2022, respectively, and to replace such delegation with a new increased delegation of authority to enter into service agreements and contracts, in the not to exceed amount of \$100,000.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Berkeley Housing Authority that the Board of Commissioners hereby delegates authority to the BHA Executive Director and designee to execute contracts and service agreements on behalf of the Authority for Board-approved expenditures, in the not to exceed amount of \$100,000 without additional Board approval.

BE IT FURTHER RESOLVED that the BHA Executive Director is hereby authorized to take any and all actions necessary or required to implement and administer this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was adopted by the Board of the Berkeley Housing Authority on March 25, 2026, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest: _____
James Williams, Secretary