



**Berkeley Housing Authority**

1947 Center St, 5<sup>th</sup> Floor, Berkeley, CA 94704  
Telephone: (510) 981 5470 Fax: (510) 981 5480

*Office of the Executive Director*

Item 7F  
NEW BUSINESS  
April 13, 2023

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

From: James Williams, Executive Director

Subject: Contract Amendment – Goldfarb and Lipman, LLP

RECOMMENDATION

Approve a resolution authorizing the Executive Director to increase the contract amount of the Goldfarb and Lipman, LLP contract by \$43,000 for a total contract amount not to exceed \$189,000.

BACKGROUND

Public Housing Authorities (PHAs) use a variety of models to ensure adequate legal representation. Some contract with City Attorney Offices, some with County Counsel, others use private firms, and some use a combination of government attorneys and private firms.

On February 25, 2019 staff issued a Request for Proposals (RFP) to procure legal counsel; of the three respondents, Goldfarb rated most points on the scoring criteria. On May 11, 2019, the Board approved a resolution authorizing the Executive Director to execute a contract with the law office of Goldfarb and Lipman, LLP for an initial term of two years, with three one-year renewal options for a not to exceed amount of \$70,000.

On June 9, 2022, the Board approved the resolution to exercise the second one-year renewal option and extending the term to June 30, 2023; and increasing the contract amount to a not-to-exceed total of \$146,000.

On October 22, 2022, BHA's Acting Executive Director, Rachel Gonzales-Levine, resigned to accept a new position with another employer. At that time, BHA was undergoing an active recruitment for a permanent Executive Director. On October 27, 2022, the Board appointed General Counsel, Jhaila Brown, as Interim Executive Director until the permanent Executive Director is appointed by the Board. Ms. Brown has taken the lead in running the day-to-day operations of BHA and served as the Secretary of the Board of Commissioners until the appointment of James Williams in mid-November 2022. This function of the General Counsel was not budgeted in the original contract thus resulting in a shortfall of the contract amount.

FINANCIAL IMPLICATIONS

Increase of approximately \$43,000 in legal expenses in FY2022-2023.

CONTACT PERSON

Jesy Yturralde, Finance Manager, 981-5488

Attachment: Resolution – Goldfarb and Lipman

BERKELEY HOUSING AUTHORITY  
RESOLUTION 23-\_\_\_

ADOPT A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE CONTRACT WITH THE LAW OFFICES OF GOLDFARB & LIPMAN, LLP, INCREASING CONTRACT AMOUNT BY \$43,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$189,000.

WHEREAS, the Berkeley Housing Authority requires expert general counsel; and

WHEREAS, the law office of Goldfarb & Lipman LLP has served BHA competently for the past 16 years; and

WHEREAS, the firm has demonstrated expert knowledge and experience in serving as general counsel for California-based Public Housing Authorities, and superior responsiveness on all issues; and

WHEREAS, the current contract will expire June 30, 2023; and

WHEREAS, the resignation of the then Acting Executive Director in October 2022 was unexpected; and

WHEREAS, the Board appointed General Counsel, Jhaila Brown, as the Interim Executive Director and Secretary of the Board, running the day-to-day operations of the BHA until the the new BHA Executive Director was appointed by the Board in mid-November 2022; and

NOW THEREFORE, BE IT RESOLVED, that the Executive Director is authorized to amend the Contract with the Law Offices of Goldfarb & Lipman LLP, increasing contract amount by \$43,000 for a not to exceed amount of \$189,000.

The foregoing Resolution was adopted by the Board of the Berkeley Housing Authority on April 13, 2023 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest: \_\_\_\_\_  
James Williams, Secretary