

# DEPARTMENT OF PUBLIC WORKS

Quality, Excellence, Innovation

Raul M. Rojas  
DIRECTOR

November 10, 2020

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Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT:** Assumption of Lease and Purchase and Sale Agreement  
Between County of Marin and Dennis Gilardi and Susan Gilardi for 3301  
Kerner Boulevard, San Rafael

Dear Board Members:

**RECOMMENDATION:**

1. Approve and authorize the President to execute the Purchase and Sale Agreement Between the County of Marin and Dennis Gilardi and Susan Gilardi.
2. Approve and authorize the President to execute the Certificate of Acceptance of Grant of Interest in Real Property for the Grant Deed from Dennis Gilardi and Susan Gilardi.
3. Approve and authorize the President to execute the Assignment and Assumption of Lease Agreement.
4. Approve and authorize the President to execute the Termination of Lease between the County of Marin and Dennis Gilardi and Susan Gilardi.

**SUMMARY:** On October 20, 2020, your board passed Resolution 2020-115 authorizing the issuance and publishing of the Notice of Intent to Purchase Real Property for 3301 Kerner Boulevard, San Rafael. A copy of the staff report, Resolution and the Notice are attached for reference purposes. The Notice has been published in the Marin Independent Journal as required by California Government Code Section 25530 and 6063.

At the direction of your Board, the Department of Public Works Real Estate Division, in concert with Community Development Agency staff, has negotiated the attached Purchase and Sale Agreement for a purchase price of \$7,200,000. The Agreement contains all terms and conditions of the sale including a closing date of no later than December 30, 2020 as required by California Housing and Community Development Project Homekey Grant Funding (Homekey).

County staff has conducted due diligence investigations including title research, appraisal, a facility needs assessment, and Americans with Disability Act Assessment. If the County completes the acquisition, the property will be occupied within 90 days as required by Project Homekey.

Accounting

Airport

Building Maintenance

Capital Projects

Certified Unified Program  
Agency (CUPA)

Communications  
Maintenance

County Garage

Disability Access

Engineering & Survey

Flood Control &  
Water Resources

Land Development

Purchasing

Real Estate

Reprographic Services

Road Maintenance

Stormwater Program

Transportation &  
Traffic Operations

Waste Management

If the purchase is approved, the County will be making findings pursuant to the California Environmental Quality Act that the acquisition of the Property is exempt from environmental review as set forth in Health and Safety Code Section 50675.1.2.

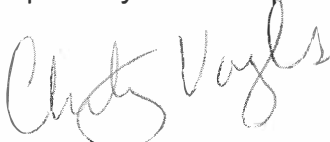
Additionally, the County desires to assume the rights to a Lease Agreement entered into between Dennis Gilardi and Susan Gilardi and Homeward Bound of Marin to continue services in place to temporarily house people displaced from shelter. Execution of a Termination of Lease dated October 17, 1995 between the County of Marin and Dennis Gilardi and Susan Gilardi is necessary to remove a cloud on title. County Counsel has reviewed and approved the Agreement including the Grant Deed, Certificate of Acceptance, Assignment and Assumption of Lease and Termination of Lease as to form.

**FISCAL IMPACT:** There is no impact to general fund net county costs as a result of this action. The total cost, including fees is \$7,225,000. The State will contribute approximately \$5,900,000 in Project Homekey grant funds, which will be transferred directly into escrow. The required local match will be funded by the City of San Rafael's Affordable Housing Trust Fund and will also be transferred directly into escrow.

This plan will provide a total of 44 permanent supportive units, with 18 net-new units and 26 existing units that will be transferred to this location. Ongoing operations for the 44 units at this location are expected to be approximately \$1.3 million. Of this amount, \$765,000 will be paid by existing contracts to operate the relocated units. Program staff in Health and Human Services are working to identify ongoing sources for the remaining \$535,000, which will likely include a combination of increased Medi-Cal reimbursement revenue, in-kind services and No Place Like Home funds.

<b>REVIEWED BY:</b>	<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> N/A
	<input checked="" type="checkbox"/> Department of Finance	<input type="checkbox"/> N/A
	<input checked="" type="checkbox"/> County Counsel	<input type="checkbox"/> N/A
	<input checked="" type="checkbox"/> County Administrator	<input type="checkbox"/> N/A

Respectfully submitted,



Christy Voyles  
Interim Chief Real Property Agent  
Real Estate Division



Leelee Thomas  
Planning Manager  
Community Development Agency

Attachments: Staff Report dated October 20, 2020  
Purchase and Sale Agreement  
Certificate of Acceptance  
Assignment and Assumption of Lease Agreement  
Termination of Lease

