



COMMUNITY DEVELOPMENT AGENCY  
**HOUSING AND FEDERAL GRANTS DIVISION**

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October 26, 2021

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

**SUBJECT:** Measure W funding recommendation for 10 Cypress Road in Point Reyes Station

Dear Board Members:

**RECOMMENDATIONS:**

1. Review and approve a funding recommendation for the property located at 10 Cypress Road in Point Reyes Station from the Measure W community housing funds.
2. Authorize President, subject to County Counsel approval, to execute (a) Community Housing Fund Grant document, in substantially the form attached, (b) Lien Agreements, and (c) related documents including Subordination Agreements that may be required in the future by other sources of financing for this project.

**SUMMARY:**

The Community Land Trust of West Marin (CLAM), a nonprofit community land trust dedicated to providing stable and permanently affordable homes in an environmentally responsible way in the communities surrounding Tomales Bay, have applied for \$200,000 in Measure W community housing funds to contribute to the acquisition and rehabilitation of a property using an Age-In-Place acquisition model using a Retained Life Estate agreement with the property owner.

**BACKGROUND:**

On November 6, 2018, the voters of West Marin passed Measure W to establish the West Marin Transient Occupancy Tax area. In recognition of the impacts of visitors to the area, the increase in the transient occupancy tax approved by the measure will provide increased funding for long-term community housing in addition to enhanced fire/emergency services. The measure allows for an ad-hoc working group to help inform the Marin County Community Development Agency's (CDA) funding recommendations to the Marin County Board of Supervisors. The Measure W Working Group on Fund Expenditures for Community Housing (Working Group) is comprised of nine (9) members selected by the CDA Director. The purpose of the Working Group is to prioritize housing needs in West Marin. The Board of Supervisors and County staff will consider the group recommendations when awarding funds to specific projects using Measure W proceeds. On May 4, 2021, your Board reapproved the Working Group's recommended priorities originally authorized on December 10, 2019. These priorities are being used to award Measure W community housing funds for the period of January 2020-December 2021.

**DISCUSSION:**

CLAM has applied for \$200,000 to contribute to the acquisition and rehabilitation of a property in Point Reyes Station consisting of a single-family home, one unpermitted

accessory dwelling unit (ADU), and one unpermitted detached room unit. The property currently supports 3 households—two low-income and one moderate income.

The acquisition is the first in CLAM's new Age-In-Place program (AIP). The AIP is designed to secure new residential properties by purchasing properties from existing homeowners at below market cost. This model allows CLAM to acquire properties at affordable prices for future owners/residents, while stabilizing low-income homeowners to age in place.

CLAM will acquire the property through a Retained Life Estate agreement with the property owner. CLAM will purchase the property and existing improvements for \$550,000. Payment will be made in installments with the first payment of \$300,000 due at close of escrow. Funding for this includes \$150,000 committed by the Marin Community Foundation (MCF) and this Measure W funding request. CLAM will then pay \$150,000 one year from closing, and \$100,000 two years from closing. In addition to the purchase payments, CLAM will initiate critical repairs including termite tenting, septic system upgrade, and new roof for the primary dwelling unit and will begin the process of legalizing of the unpermitted structures. The estimated costs of these activities are \$150,000. CLAM would allocate the remaining \$50,000 of the Measure W request to support these improvements.

This project aligns with one of the priorities recommend by the Working Group and adopted by your Board: funding to support the development of housing for West Marin public safety employees, teachers and other members of the West Marin workforce, housing for families, housing for persons with disabilities, and housing for seniors.

In considering CLAM's request, staff have identified two funding alternatives for your Board's consideration:

1. Allocate \$150,000 based on the County's past practice of investing approximately \$50,000 for each unit of affordable housing and consistent with the County's practice of matching MCF contributions. This alternative would set a realistic precedent of \$50,000 per unit, however, it would fall short of CLAM's full funding request by \$50,000. Based on precedent, staff recommends this alternative.
2. Allocate the full \$200,000 as requested by CLAM given the high cost of development in the Coastal Zone and the limited opportunities for creating affordable housing in West Marin.

Staff recommend that any funding recommendation be contingent on CLAM developing a detailed plan for legalizing the unpermitted units and codifying the organization's role in tenant selection and insuring compliance with fair housing laws, affirmative marketing, income qualification, and all applicable tenant protections.

**FISCAL IMPACT:**

There is no impact to the General Fund net County costs as a result of your Board's action. Funds are available in the FY 2020-21 baseline budget in the Measure W Community Housing Fund #3450. The balance of Measure W funds available for community housing is approximately \$1,074,263. Staff currently have one other pending application for \$27,500.

**REVIEWED BY:**

- |   |   |
|---|---|
| <input type="checkbox"/> Department of Finance                    | <input checked="" type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Administrator's Office | <input type="checkbox"/> N/A            |
| <input checked="" type="checkbox"/> County Counsel                | <input type="checkbox"/> N/A            |
| <input type="checkbox"/> Human Resources                          | <input checked="" type="checkbox"/> N/A |

Respectfully submitted,



Molly Kron  
Senior Planner



Leelee Thomas  
Deputy Director of Housing and Federal Grants

**ATTACHMENTS:**

1. Funding priorities for the use of Measure W community housing funds
2. Funding application from CLAM for Measure W community housing funds
3. Draft contract for CLAM Measure W community housing funds