



# MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

January 27, 2009

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

**SUBJECT:** Approve joint representation by Goldfarb & Lipman regarding the Below Market Rate (BMR) Program homebuyer documents.

Dear Board Members:

**RECOMMENDATION:** Authorize the President to sign the attached consent form to allow Goldfarb and Lipman to jointly represent the County of Marin, the County of Marin Redevelopment Agency, the Marin Housing Authority, the City of San Rafael, and the Redevelopment Agency of the City of San Rafael in connection with the drafting of a Below Market Rate (BMR) Housing Agreement and revisions to homebuyer documents.

**SUMMARY:** On December 4, 2008 Goldfarb and Lipman LLP, who represent the County on legal matters related to a variety of specialized affordable housing issues, informed the County of a potential conflict of interest in connection with the drafting of documents for the administration of the Below Market Rate (BMR) program by Marin Housing on behalf of the County of Marin and its Redevelopment Agency, and the City of San Rafael and its Redevelopment Agency. The attached consent form requests acknowledgement and consent to such potential conflict of interest and allows for joint representation by Goldfarb and Lipman in connection with the drafting of these revisions. County Counsel has reviewed and approved of this consent.

**FISCAL IMPACT:** There is no fiscal impact on the General Fund.

**REVIEWED BY:**

<input type="checkbox"/> Auditor Controller	<input checked="" 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,

Brian Crawford  
Assistant Director

Stacey Laumann  
Planner, Affordable Housing Program

Attachment: Letter and Consent from Goldfarb & Lipman, LLC.