



**MARIN COUNTY
COMMUNITY DEVELOPMENT AGENCY**

ALEX HINDS, DIRECTOR

January 9, 2007

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

SUBJECT: Approve joint representation by Goldfarb & Lipman with Marin Housing regarding the Below Market Rate (BMR) program Memorandum Of Understanding, despite a possible conflict of interest.

Dear Board Members:

RECOMMENDATION: 1.) Authorize the President to sign attached consent form to allow Goldfarb and Lipman to jointly represent the County of Marin and Marin Housing in connection with the drafting of the Below Market Rate (BMR) program Memorandum Of Understanding.

SUMMARY: On November 21, 2006 Goldfarb and Lipman, 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 a Memorandum Of Understanding for the administration of the Below Market Rate (BMR) program by Marin Housing on behalf of the County of Marin. 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 MOU. County Counsel has reviewed and approved of this consent.

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

REVIEWED BY: Auditor Controller N/A
 County Counsel N/A
 Human Resources N/A

Respectfully submitted,

Alex Hinds
Director

Leelee Thomas
Affordable Housing Strategist

Attachment: Consent Form from Goldfarb & Lipman, LLC.