



## Legislation Details (With Text)

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**On agenda:** 1/25/2022      **Final action:**

**Title:** County Counsel requests approval of and delegation of authorization to sign a conflict waiver with Goldfarb & Lipman LLP in connection with the County's Regional Housing Needs Allocation Transfer Proposal to the Association of Bay Area Governments.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Conflict Waiver

Date	Ver.	Action By	Action	Result
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**TO:** Board of Supervisors

**FROM:** Thomas Zeleny - Interim County Counsel

**REPORT BY:** Silva Darbinian - Deputy County Counsel

**SUBJECT:** Conflict waiver with Goldfarb & Lipman LLP

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### RECOMMENDATION

County Counsel requests approval of and delegation of authorization to sign a conflict waiver with Goldfarb & Lipman LLP in connection with the County's Regional Housing Needs Allocation Transfer Proposal to the Association of Bay Area Governments.

### EXECUTIVE SUMMARY

County Counsel requests approval of and delegation of authorization for County Counsel to sign a conflict waiver with Goldfarb & Lipman LLP (Goldfarb) consenting to Goldfarb's representation of the County in submitting to the Association of Bay Area Governments ("ABAG") a proposal to transfer to cities in the County units assigned to the County by ABAG as part of the County's Regional Housing Needs Allocation ("RHNA")(the "Transfer Proposal"). ABAG is also an existing client of Goldfarb.

Staff does not believe that there are any actual conflicts of interest and recommends that the County grant a

waiver of any potential conflict of interest in this matter.

### **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact? No  
County Strategic Plan pillar addressed: Effective and Open Government

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

The County previously entered into Agreement No. 17043B with Goldfarb & Lipman LLP to provide certain specialized legal services that include drafting of loan documents for affordable housing projects and specialized work on housing related issues. County Counsel requests approval of and delegation of authorization for County Counsel to sign the attached conflict waiver consenting to Goldfarb's representation of the County in submitting to ABAG a proposal to transfer to cities in the County units assigned to the County by ABAG as part of the RHNA. ABAG is also an existing client of Goldfarb.

Goldfarb & Lipman has represented ABAG regarding preparation of the RHNA but did not represent any parties regarding RHNA appeals. Transfer requests must be made after the approval of the RHNA, which occurred on December 16, 2021. Goldfarb also represents ABAG in preparation of analyses, documents, and presentations regarding new state planning and land use laws.

Staff does not believe that there are any actual conflicts of interest and recommends that the County grant a waiver of any potential conflict of interest in this matter.