



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Catherine Kutsuris, Conservation & Development  
Date: January 15, 2013

Subject: Sale of Successor Housing Agency-Owned Property at 96 Enes Avenue, Bay Point

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**RECOMMENDATION(S):**

OPEN the public hearing, ACCEPT testimony, and CLOSE the public hearing by the Contra Costa County Board of Supervisors, serving in the capacity of Housing Successor to the former Contra Costa County Redevelopment Agency (Agency), pursuant to Health and Safety Code Section 34176, to consider ADOPTING Resolution No. 2013/38 authorizing the sale of Agency owned property at 96 Enes Avenue, Bay Point (Assessor's Parcel Number 097-037-007) to Cody Marshall Burton, in the amount of One Hundred Thousand Dollars (\$100,000) (Fidelity Title Company Escrow Number # 263598).

**FISCAL IMPACT:**

No General Fund revenues are involved with the sale of 96 Enes Avenue, Bay Point. Redevelopment Housing funds were used to purchase the property as part of the Agency's Affordable Housing Program. Proceeds from the sale will be deposited with the Successor Housing Agency.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **01/15/2013** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: Candace Andersen, District II  
Supervisor  
Mary N. Piepho, District III  
Supervisor  
Karen Mitchoff, District IV  
Supervisor  
Federal D. Glover, District V  
Supervisor

ABSENT: John Gioia, District I  
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 15, 2013

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Carrie Del Bonta, Deputy

Contact: Maureen Toms  
674-7878

cc:



## FISCAL IMPACT: (CONT'D)

### BACKGROUND:

In 2007, the former Contra Costa County Redevelopment Agency (Dissolved RDA) exercised its right to acquire the property at 96 Enes Avenue, Bay Point, to help provide affordable housing in the unincorporated area of the County. The property was a deed restricted affordable housing unit where the Dissolved RDA provided a first-time homebuyer loan of \$48,500 to the buyers for a ten-year deed restriction. The term of the deed restriction was expired and the house could then be sold as an unrestricted unit. The Dissolved RDA purchased the property pursuant to its Resale Requirements, Homebuyer Covenants, and Option to Purchase Agreement (Resale Restrictions) for a price of \$368,775; the appraised value at the time. The Agency received the initial \$48,500, plus compounded interest for a total of \$112,334 at the close of escrow. Since the Dissolved RDA acquired the property residential values in Bay Point have declined. According to Assessor Records the average value of home sales in the Bay Point area have decreased by more than 65 percent. Since 2007, the foreclosure crisis impacted Bay Point significantly and most first time home buyers were unable to secure financing to purchase homes. The Dissolved RDA rehabilitated the property using housing funds and then relisted it for sale.

On January 17, 2012, the Board of Supervisors declared that the County of Contra Costa would act as the housing successor entity to the Dissolved RDA effective February 1, 2012. On that date the housing successor assumed the housing assets, housing obligations and housing functions of the Dissolved RDA.

The County, as Housing Successor, worked with Community Housing Development Corporation (CHDC) of North Richmond to list the property for sale to an income-qualified buyer. CHDC received six offers on the property, three of which were qualified buyers. On October 30, 2012, Cody Marshall Burton made an offer for 96 Enes Avenue, Bay Point in the amount of \$100,000. Although this offer is less than the amount paid by the Dissolved RDA for the property and incurred in transaction fees, staff is recommending that the Board of Supervisors, acting as the Housing Successor to the Dissolved RDA, accept the offer. Accepting this offer allows the Housing Successor to reduce its real estate holdings, while preserving this unit as affordable for another first-time home buyer. It also enables the Housing Successor to continue fulfilling its affordable housing goals and overall production count. In recent years, the Dissolved RDA had exercised its option to purchase properties to keep them in the stock of affordable housing units. The most recent was a unit purchased and resold in North Richmond in 2010. The Enes Avenue property is the last of these units that have been purchased. The new buyer will be required to enter into the Housing Successor's Resale Restriction and Buyer's Disclosure Statement.

Sale of this property is a Class 12 Categorical Exemption of the California Environmental Quality Act.

Following sale of the property, the Director of the Conservation and Development Department will deliver the grant deed to Fidelity Title Company, file a Notice of Exemption and pay the \$50 filing fee to the County Clerk.

CONSEQUENCE OF NEGATIVE ACTION:

The housing unit will remain vacant and the Housing Successor Agency will continue to incur holding costs and other financial obligations. The unit will also not qualify for production count under the affordable housing program.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Resolution No. 2013/38

Option Agreement

Grant Deed

NOE