



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: November 15, 2022

TO: Adam Politzer, Interim City Manager

FROM: Charles S. Bryant, Community Development Director

SUBJECT: Resolution Of The City Council Of The City Of Emeryville Approving EAH Housing As The First Choice Developer And Related California/East Bay Asian Local Development Corporation As The Second Choice Developer For The Redevelopment Of 5890, 5900 And 6150 Christie Avenue, Authorizing The City Manager To Execute An Exclusive Right To Negotiate Agreement With The Selected Developer, And Accepting And Appropriating The \$100,000 Non-Refundable Deposit To The Fiscal Year 2022-2023 Budget For Professional Services For Capital Improvement Project H-02, Christie Housing Site

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution to:

- Select EAH Housing as the first choice developer and Related California/East Bay Asian Local Development Corporation as the second choice developer for the redevelopment of 5890, 5900 and 6150 Christie Avenue;
- Authorize the City Manager to execute an Exclusive Right to Negotiate Agreement (“ERN”) with the first choice developer; and
- Accept and appropriate the \$100,000 non-refundable deposit to the Fiscal Year 2022-2023 budget for professional services for Capital Improvement Project H-02.

BACKGROUND

The City owns three parcels at 5890, 5900 and 6150 Christie Avenue, which total 2.01 acres, bounded to the north by Christie Park, to the west by Christie Avenue, to the east by the Marketplace Redevelopment Project, and to the south by a parking structure that serves an office building at 5850 Shellmound Way. Together, these properties comprise the “Christie Sites” (Assessor Parcel Numbers 49-1493-3, -4 and -5).

The Christie Sites were acquired using low and moderate-income housing funds by the former Emeryville Redevelopment Agency. Due to the Christie Sites’ status as a former redevelopment “housing asset”, California Health and Safety Code (“HSC”) Section 33334.16 applies, which requires activities to develop the properties for affordable housing to be initiated within five years from the date of transfer to the Housing Successor.

Otherwise, the properties must be sold, and the proceeds deposited in the City's Low-Moderate Income Housing Asset Fund.

For the Christie Sites, the time periods described in HSC Section 33334.16 commenced on the date that the California Department of Finance approved the property as a housing asset, or which was August 31, 2012. On July 25, 2017 the Emeryville City Council adopted Resolution No. 17-130, which extended the time period to initiate development by five years, to September 1, 2022.

The Planning Commission and City Council each held study sessions regarding the Christie Sites on December 11, 2014 and February 3, 2015, respectively. Since it had been several years since the City Council provided feedback on the redevelopment of the Christie Sites, the City Council held a second study session to provide updated feedback to staff on January 18, 2022. Staff developed a Request for Proposals for Redevelopment of the Christie Sites ("RFP") based on the feedback provided by the City Council.

On June 1, 2022, the Housing Committee took action to recommend that the City Council approve the release of the RFP, and on June 21, 2022 the City Council adopted Resolution No 22-082 authorizing staff to issue the RFP.

Also on June 21, 2022, the City Council adopted Resolution No 22-081 declaring the Christie Sites Exempt Surplus Land pursuant to Government Code Section 54221(f)(1)(F)(ii) which provides that a mixed-use development that is more than one acre in area, that includes not less than 300 housing units, and that restricts at least 25 percent of the residential units to lower-income households may be declared Exempt Surplus Land. On August 18, 2022, the California Department of Housing and Community Development ("HCD") issued a letter to the City confirming HCD's concurrence that the Christie Sites are Exempt Surplus Land, thereby exempting the Christie Sites from the disposal requirements of the Surplus Lands Act (Government Code Sections 54220-54234).

DISCUSSION

Development Goals of the RFP

The RFP outlined the following development goals for selecting a developer for the Christie Sites:

- Maximize the number of housing units developed on the site.
- Maximize the number of affordable housing units on the site serving a range of target income levels from extremely low income to market rate.
- Develop family friendly housing providing three- and/or four-bedroom units and amenities accommodating people of all ages.
- Develop an energy efficient and carbon neutral (preferably Net Zero Energy) development.

- Expand Christie Park.
- Provide connections to the Marketplace Redevelopment Project, and integrate with existing and planned pedestrian routes and bikeways.
- Develop a sustainable commercial or non-profit transportation use (e.g. electric bike rental) as an ancillary retail use.

Developer Selection Process

Staff released the RFP on June 22, 2022, and a mandatory pre-submittal meeting took place on July 11, 2022. Seventy-five developers participated in the pre-submittal meeting. Developer proposals were due on August 5, 2022 and the City received responses from the six development teams listed below:

- California Landmark Group/Praxis Development Group/Satellite Affordable Housing Association / KAVA Massih Architects / Labib Funk & Associates
- EAH Housing / David Baker Architects / DCA Engineers
- Highridge Costa / SVA / KPFF / LUK & Associates
- Jonathan Rose Company / Resources for Community Development / Mithun / Fast + Epp
- Related / East Bay Asian Local Development Corporation/Bar Architect / YA Studio / KPFF
- The Pacific Company / Architect Orange / Axiom

The evaluation of the proposals was divided into two components: Development and Financial. An evaluation panel consisting of City staff evaluated the proposals against development criteria and David Paul Rosen and Associates (“DRA”), the City’s financial consultant, evaluated the proposals against the financial criteria. The criteria utilized for both components are identified below:

| Component | Criteria | Max Score |
|--------------------|--|------------------|
| Development | Developer’s Track Record/Experience | 18 |
| | Architect & Engineer Experience | 6 |
| | Project Concept | 30 |
| | <i>Development Criteria Subtotal</i> | 54 |
| Financial | Financial Capacity of Developer Providing Financing Guarantees | 13 |
| | Financial Feasibility of Proposed Financing Plan | 13 |
| | Proposed Business Terms | 20 |
| | <i>Financial Criteria Subtotal</i> | 46 |
| GRAND TOTAL | | 100 |

Summary of Proposals

The following tables provide a summary of each of the six proposals compared to the development goals. Attachment 1 includes a comparison chart of the six original proposals.

| | | | | | | |
|---|---|--|----------------|------------------|----------------|---------------|
| Developer: | California Landmark Group, Praxis Development Group, Satellite Affordable Housing Associations | | | | | |
| Architect: | KAVA Massih Architects | | | | | |
| Engineer: | Labib Funk & Associations | | | | | |
| Proposal Overview: | Site is split into two distinct 7-story buildings. The 1st building on the northern side of the site accommodates 250 market-rate apartments in a combination of 1- and 2-bedroom units. The 2nd of the two buildings, south of 59th Street, will be a 90-unit, all affordable building with a combination of 1-, 2-, 3- and 4-bedroom units. | | | | | |
| Development Goals | | | | | | |
| 1. # Housing Units | 340 units proposed on the site. | | | | | |
| 2. # Affordable Units | 30% AMI | 28 units (8%) | 50% AMI | 44 units (13%) | 60% AMI | 17 units (5%) |
| | Total Affordable | 89 Units (26%) | | | | |
| | Total Market Rate | 250 units (74%) | | | | |
| 3. Family friendly housing (3 and/or 4-bed units & amenities for people of all ages) | 3 Bedroom | 20 units | | 4 Bedroom | 5 units | |
| | Amenities | Top floor community space and roof top deck, resident amenity area and community room on courtyard levels | | | | |
| 4. Energy efficient & carbon neutral development. | Highly efficient building systems, backup battery storage (such as a Tesla Powerwall) sized to power essential building functions in event of prolonged power outage, community room will serve as a sustainability hub | | | | | |
| 5. Expand Christie Park. | Size | Unknown | | | | |
| | Amenities | Full size Basketball Court and 2 Pickleball Courts | | | | |
| 6. Marketplace Redevelopment connections & pedestrian routes and bikeways. | Market Drive | Lobby of Market Building aligns with Marketplace entry, pulled the building back from the property line on the east to allow for a pedestrian/bicycle passageway | | | | |
| 7. Sustainable commercial or non-profit transportation | +/-10,000 s.f. of retail/flex space on ground floor and 2nd floor, designed to 'flex' in size and use from large retail to smaller alternative commercial uses along Christie Ave | | | | | |

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|---|--|--------------|--|-------------|----------------|------------------|----------------|--------------|
| Developer: | EAH Housing | | | | | | | |
| Architect: | David Baker Architects | | | | | | | |
| Engineer: | DCA Engineers | | | | | | | |
| Proposal Overview: | A community of three eight-story buildings interlaced with new pedestrian and community spaces, and constructed in 3 phases. This community will offer 100% affordable housing for families earning at or below 60% AMI, with spaces dedicated for after-school programs and a range of ground-floor townhome units. | | | | | | | |
| Development Goals | | | | | | | | |
| 1. # Housing Units | 367 units proposed on the site. | | | | | | | |
| 2. # Affordable Units | 30% AMI | 108 (29%) | 40% AMI | 78 (21%) | 50% AMI | 82 (22%) | 60% AMI | 96 (22%) |
| | Total Affordable | | 364 units (99%) | | | | | |
| | Total Market | | 3 units (Management) | | | | | |
| 3. Family friendly housing (3 and/or 4-bed units & amenities for people of all ages) | 3 Bedroom | | 104 units (28%) | | | 4 Bedroom | | 0 units (0%) |
| | Amenities | | On-site Afterschool Programming Space, laundry room, play zone, Rooftop decks, micro-mobility hubs; family get-around storerooms | | | | | |
| 4. Energy efficient and carbon neutral development. | Zero Net Energy Ready, aspires to be Zero Code compliant, energy efficient building systems | | | | | | | |
| 5. Expand Christie Park. | Size | | Approx. 8,350 sq. ft. | | | | | |
| | Amenities | | Full size Basketball Court | | | | | |
| 6. Marketplace Redevelopment connections & pedestrian routes and bikeways. | Christie Ave | | On street loading | | | | | |
| | 59th Street | | Shared street, demarcated by a bright painted surface that prioritizes pedestrians but allows car to access parking garages. | | | | | |
| | Paseo | | Internal street from the Public Market to Christie Ave lined with townhomes | | | | | |
| | Market Drive | | Added sidewalks | | | | | |
| 7. Sustainable commercial or non-profit transportation | On-site car-share and a partnership with nonprofit shop Bay Area Bike Rescue, which will provide free bikes. | | | | | | | |

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|---|--|--|-----------------|-------------------|-----------------|-------------------|
| Developer: | Highridge Costa | | | | | |
| Architect: | SVA | | | | | |
| Engineer: | Labib Funk & Associations | | | | | |
| Proposal Overview: | To the north, Phase 1 will introduce an 87-unit, six-level affordable multifamily family residential development that embraces the park through stoops and ground floor patios. Phase 2 will include a 20-story tall tower, anchoring the south side of the site. This phase will provide essential workforce housing for middle-income families earning between 80% and 120% AMI. At the center of the site is a five-level building with an active ground floor flexible community serving commercial spaces, 4 residential units, and parking at the upper four levels. The parking garage will connect directly to the tower at Level 3 and service both buildings | | | | | |
| Development Goals | | | | | | |
| 1.# Housing Units | 340 units proposed on the site. | | | | | |
| 2. # Affordable Units | 20% AMI | 22 units (6%) | | 30% AMI | 13 units (4%) | |
| | 50% AMI | 74 units (22%) | | 60% AMI | 30 units (9%) | |
| | 80% AMI | 67 units (20%) | 100% AMI | 66 units (20%) | 120% AMI | 66 Units (20%) |
| | Total Affordable | 139 units | | | | |
| | Total Workforce | 199 units | | | | |
| | Total Market | 3 units (Management Units) | | | | |
| 3. Family friendly housing (3 and/or 4-bed units & amenities for people of all ages) | 3-Bedroom | 45 (13%) | | 4-Bedroom | 5 (1%) | |
| | Amenities | Residential shared spaces, rooftop decks, outdoor kitchen, lounge area with fireplace, ground floor courtyard with BBQ, community garden | | | | |
| 4. Energy efficient & carbon neutral development. | Will seek platinum level certification from GreenPoint Rated, will include energy efficiency compliance of at least 10% greater than 2022 Title 24 Energy Standards. | | | | | |
| 5. Expand Christie Park | Size | Unknown | | | | |
| | Amenities | 2 Pickleball Courts, Outdoor Fitness Area, Benches | | | | |
| 6. Marketplace Redevelopment connections & pedestrian routes and bikeways. | Christie Ave | Expanded sidewalk parkway; enhanced bus stop waiting area tied to park, outdoor seating | | | | |
| | 59th Street | Curb-less promenade with outdoor seating, temporary retail parking, pickup/drop off area | | | | |
| | Paseo | Umbrella/awning along retail edge; benches, outdoor dining area, overhead festival lights | | | | |
| | Market Drive | ADA path, plaza circulation, signage, art painted crosswalk, 60-degree parking | | | | |
| 7.Sustainable commercial or non-profit transportation | +/- 17,000 sq ft community serving flexible commercial spaces along Market Drive, 59 th Street and Paseo | | | | | |

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|---|---|--|----------------|---------------|
| Developer: | Johnathan Rose Company, Resources for Community Development | | | |
| Architect: | Mithun | | | |
| Engineer: | Fast + Epp | | | |
| Proposal Overview: | 140 homes for low-, very low- and extremely low income Households in a mid-rise building, and 200 market-rate homes in a 20-story residential tower to occur in 2 over-lapping phases. The tower to the north and is adjacent to the park, while the mid-rise building is to the south. Both buildings share the ground floor podium. 22 Units will be set-aside for formerly homeless. | | | |
| Development Goals | | | | |
| 1.# Housing Units | 340 units proposed on the site. | | | |
| 2. # Affordable Units | 20% AMI | 22 units (6%) | 30% AMI | 13 units (4%) |
| | 50% AMI | 74 units (22%) | 60% AMI | 30 units (9%) |
| | Total Affordable | 139 Units (41%) | | |
| | Total Market | 201 units (59%) | | |
| 3. Family friendly housing (3 and/or 4-bedroom units & amenities for people of all ages) | 3-Bed | 51units (15%) | 4-Bed | 0 units |
| | Amenities | Community room & resident lounge with kitchen, amenity space, laundry room, ground level co-working space, children's playroom, game room, high floor lounge with outdoor decks, fitness center, outdoor terrace with swimming pool, spa, fire pits, outdoor lounge and dining area, storage | | |
| 4. Energy efficient and carbon neutral development. | Zero Energy Certification and Zero Carbon Certification; Passive house certification | | | |
| 5. Expand Christie Park. | Size | Approx. 22,000 sq. ft. | | |
| | Amenities | Full Size Basketball Court, Landscape Berm and Seat wall Gathering & play area, micro mobility parking, porch on park | | |
| 6. Marketplace Redevelopment connections & pedestrian routes and bikeways. | 59th Street | Multi-modal woonerf; relocate 59th to be aligned with the future pedestrian bike path and bridge, linear open space, e-bike waiting area | | |
| | Park Walkway | Enhance existing bus stop and connect through the park to Market Drive | | |
| | Market Drive | Townhouse units at grade, enhanced access from the park to the market entry, improved Market connection, Market Plaza paving extension | | |
| 7.Sustainable commercial or non-profit transportation | No commercial space | | | |

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|---|---|--|------------------|-----------|
| Developer: | The Pacific Company | | | |
| Architect: | Architects Orange | | | |
| Engineer: | Axiom | | | |
| Proposal Overview: | 340 rental units spanning two buildings bridging over 59th Street in a Type III 5-over-1 modular build, including a full-sized podium-top basketball court accessible from Christie Park. | | | |
| Development Goals | | | | |
| 1.# Housing Units | 340 units | | | |
| 2. # Affordable Units | 30% AMI | 101 (30%) | 50% AMI | 101 (30%) |
| | 60% AMI | 101 (30%) | 80% AMI | 33 (9%) |
| | Total Affordable | 336 (99%) | | |
| | Total Market | 4 (1%) Management Units | | |
| 3. Family friendly housing (3 and/or 4-bed units & amenities for people of all ages) | 3-Bedroom | 40 Units (12%) | 4-Bedroom | 0 Units |
| | Amenities | Three laundry facilities per floor, three courtyards that can provide a variety of community enhancing amenities like play structures, workout equipment, seating areas, garden beds, BBQ/picnic and community social spaces, and direct access to Basketball court located on northeast corner of residential building. | | |
| 4. Develop energy efficient and carbon neutral development. | Net Zero Energy-ready | | | |
| 5. Expand Christie Park. | Size | N/A | | |
| | Amenities | "Sky Court", a full-sized basketball court on the second level of the northeast corner of the residential building | | |
| 6. Marketplace Redevelopment connections & pedestrian routes and bikeways. | 59th Street | Sky bridge over 59th Street preserves the possibility of pedestrian continuity from the Bay Trail | | |
| 7.Sustainable commercial or non-profit transportation | 1,000 SF of flex/commercial space adjacent to Christie Park | | | |

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|---|--|---|------------------|-----------|
| Developer: | Related, East Bay Asian Local Development Corporation | | | |
| Architect: | Bar Architect, Ya Studio, APDW | | | |
| Engineer: | KPFF | | | |
| Proposal Overview: | Three 7-story buildings with the potential to add stories to the southern building to get additional units. 8 special needs units. | | | |
| Development Goals | | | | |
| 1.# Housing Units | 302 | | | |
| 2. # Affordable Units | 30% AMI | 63 (21%) | 40% AMI | 62 (21%) |
| | 50% AMI | 62 (21%) | 60% AMI | 112 (37%) |
| | Total Affordable | 299 (99%) | | |
| | Total Market | 3 (1%) Management Units | | |
| 3. Family friendly housing (3 and/or 4-bed units & amenities for people of all ages) | 3 Bedroom | 78 (26%) | 4 Bedroom | 3 (1%) |
| | Amenities | Community rooms, child play areas, laundry room | | |
| 4. Develop an energy efficient and carbon neutral development. | Energy efficient building equipment, explore a backup battery system | | | |
| 5. Expand Christie Park. | Size | 9,300 sq ft | | |
| | Amenities | Plaza, Basketball Court, Bocce Court, Game Area, Social Plaza | | |
| 6. Marketplace Redevelopment connections & pedestrian routes and bikeways. | Unknown | | | |
| 7.Sustainable commercial or non-profit transportation | +/- 3,400 sq. ft., potential Bike/Retail service space and potential Climbing/Fitness Gym space | | | |

Based on an initial evaluation, staff established a “short list” of the top four proposals for further evaluation. The top four proposals are:

- EAH Housing / David Baker Architects / DCA Engineers
- Highridge Costa / SVA / KPFF / LUK & Associates
- Jonathan Rose Company / Resources for Community Development / Mithun / Fast + Epp
- Related / East Bay Asian Local Development Corporation/Bar Architect / YA Studio / KPFF

On September 9, 2022, staff sent additional follow-up questions to each of the top four development teams with responses due on September 26, 2022. Interviews with each development team, City staff and DRA occurred on October 4 and October 6, 2022.

Following additional evaluation and financial analysis, staff determined that it would not recommend proceeding with either of the proposals that include tower components due to financial feasibility concerns and because these proposals included fewer affordable units as compared to the mid-rise proposals. These proposals included those from:

- Highridge Costa / SVA / KPFF / LUK & Associates
- Jonathan Rose Company / Resources for Community Development / Mithun / Fast + Epp

The midrise proposals provided by EAH and the Related/EBALDC team are substantially similar and maximize the number of affordable housing units on the site. Both development teams have the financial capacity, financing expertise and development experience to produce a quality affordable housing project for the City.

During the follow-up question phase, Related/EBALDC presented multiple density options with revised financing for the City to select from and, for evaluation purposes, staff elected to utilize the option that includes three 8-story buildings. Below is a brief summary comparing the mid-rise proposals:

| | EAH | Related/EBALDC |
|------------------------------------|---|---|
| DEVELOPMENT CONCEPT | | |
| Income Target | 30-60% AMI w/o Income Averaging up to 80% AMI | 30-60% AMI w/o Income Averaging up to 80% AMI |
| # of Units | 367 units | 354 units |
| Very Low (30-50% AMI) | 268 units | 224 units |
| Low (51-80% AMI) | 96 units | 127 units |
| Special Needs Set-aside | 0 units | 8 units |
| # of 3 Bedrooms | 104 units | 92 units |
| # of 4 Bedrooms | 0 units proposed, but open to further discussion | 3 units included in proposal |
| Park Size | 6,000 sq. ft.; open to enlarging park but that will result in the loss of some ground floor units and amenity space | 9,300 sq. ft. |
| Park Amenities | Basketball Court Only | Basketball Court, Bocce Ball, Game Area, Seating Area, Plaza |
| Pedestrian Level Activation | Paseo between building 1 and 2 and pedestrian improvement along 59 th Street and Market Drive | Paseo between building 1 and 2 and pedestrian improvements along 59 th Street and Market Drive |
| Parking Ratio | 0.75 spaces/unit | 0.50 spaces/unit |
| Parking Stacker | Yes | Yes |

| | EAH | Related/EBALDC |
|---|--|--|
| Funding Gap Per Unit | \$296K per unit | \$ 349K per unit |
| Flexibility in Design | Indicated some flexibility to work with City, community and stakeholders on design | Indicated vast flexibility to work with City, community and stakeholders on design |
| Townhouse Units Designed | Included in proposal | Agreed to incorporate into design |
| Amenities Available to All Tenants | Yes, amenities will be available to tenants in all buildings. | Yes, amenities will be available to tenants in all buildings. |
| BUSINESS TERMS | | |
| Cash Developer Fee | \$6.6 Million | \$6.6 Million |
| Cash & Deferred Fees | \$9.8 Million | \$10.4 Million |
| Annual GP Asset Management Fee | \$75K annually | \$60K annually |
| Ground Lease Payment | \$1 annually | \$1 annually |
| Share of Residual Receipts | 50% Shared pro rata between City and other soft lenders | 50% Shared pro rata between City and other soft lenders |
| Deposit to City | \$100,000 | \$100,000 |

As outlined above, the proposals from EAH and Related/EBALDC are similar in many ways. The differentiating factors are:

| Factors | EAH | Related/EBALDC |
|---|------------|-----------------------|
| More Residential Units | X | |
| More Affordable Units below Very Low Income | X | |
| More 4 Bedroom Units | | X |
| More 3 Bedroom Units | X | |
| Special Needs Set-Aside Units | | X |
| Less Parking | | X |
| Larger Park | | X |
| Smaller Funding Gap | X | |

As a result of the analysis presented above, staff recommends the City Council select EAH Housing as the first choice developer, and Related/EBALDC as the second choice developer for the project. In the event that negotiations with the first choice developer are unsuccessful, staff would recommend proceeding with negotiations with the second choice developer.

Exclusive Right to Negotiate (ERN)

Staff is recommending that the City Council authorize the execution of an ERN with the selected developer. The form of the ERN is attached as Exhibit A to the resolution and consists of the following terms:

- Negotiations: The City and selected developer will negotiate a Term Sheet for a Lease Disposition and Development Agreement (“LDDA”) during the term of the ERN. The City will not negotiate with any other entity regarding redevelopment of the site during the term of the ERN. Provision for termination of negotiations is identified.
- Duration (Term) of Agreement: The Negotiation Period is 180 days, with an additional 180 day extension available, provided that substantial progress toward an LDDA has been made. Additional ERN extensions and provisions for termination are also addressed.
- Developer Responsibilities: Developer is required to make full disclosure of partnerships for both the construction and operational phases of the project and all related material information. The ERN provides for regular reporting regarding specified topical areas such as the findings of the Developer’s due diligence efforts (studies, reports, technical data necessary for environmental review etc.), operational structure and key individuals, updates of preliminary budgets and financing plans. Format of required communication and related submittal requirements are addressed.
- City Responsibilities: The City agrees to prepare any and all environmental documents required for the proposed development under the California Environmental Quality Act. The City will notify Developer whether preparation of any environmental document will be required and agrees to cooperate with the selected developer with regard to providing information needed to redevelop the property.
- Right of Entry: The developer will need to request written authorization to access the property from the City.
- General Provisions: The ERN addresses typical real property negotiating matters such as real estate commissions, ownership of work products, defaults and remedies, legal requirements and attorneys’ fees, as well as limitations of the ERN to an exclusive period of negotiation.

Alignment with Housing Element Programs

The City has proposed the following programs and initiatives in the Cycle 6 Housing Element that is currently under review by the State, and the redevelopment of the Christie Sites (i.e. City-owned property) has the potential to demonstrate several accomplishments related to these programs:

- Program G: City-owned Development Opportunities. The City will provide additional financing in the form of low-interest loans to support the construction of rental units affordable to very low- to moderate-income households. A portion of the affordable units will be set-aside for special needs populations (i.e. homeless, seniors, transitional aged youth, and extremely low-income households).
- Program O: Housing & Services for Persons with Disabilities. The City will partner with nonprofit housing developers and service providers to improve livability in Emeryville for people with disabilities. The City will collaborate with relevant parties to develop housing for persons with disabilities on City-controlled sites. The City will collaborate with relevant parties to expand the availability of support services for Emeryville residents with disabilities.
- Program R: Family Friendly Housing. Promote housing designs and unit mix to attract multigenerational households by encouraging developers to include housing features and more bedrooms (including four-bedroom units), as well as other on-site amenities, such as usable outdoor open space for multigenerational use, and multipurpose rooms that can be used for after-school homework clubs, computer, art, or other resident activities.
- Program S: Brownfield Remediation Loans. Continue to offer low-interest loans or grants through the Assessment Loan and Clean-Up Loan programs to provide financial, technical, and regulatory assistance to property owners and developers seeking to assess and remediate housing development sites on brownfields.
- Program T: Renewable Energy and Reach Codes. The City will continue to implement the all-electric reach code for new residential building construction and residential occupancies in mixed-use construction, and strive to maximize opportunities for renewable energy, which improves indoor and outdoor air quality, as well as supports climate change mitigation and resiliency efforts.
- Program U: GreenPoint/LEED Requirements. Continue to incorporate site-appropriate standards described by Build-It-Green GreenPoint rating system and/or Leadership in Energy and Environmental Design (LEED™), and Bay Friendly Landscape Scorecard into all new construction and rehabilitation projects.

- Program W: Priority Development Area. Encourage new housing development within the City's Priority Development Area (PDA), in keeping with regional greenhouse gas-reduction strategies.
- Program HH: Schools and Child Care Centers. The City will meet with the Emery Unified School District (EUSD) annually to determine what, if any, outside factors impede school performance that can be alleviated, such as stable housing opportunities, affordable childcare opportunities for working parent(s), and more.

Staff will seek to implement the above enumerated programs as part of the redevelopment of the Christie Sites.

FISCAL IMPACT

Selection of a developer and execution of the ERN represents little direct fiscal impact since the financial terms applicable to the project are to be negotiated; however, because the City would incur costs including outside legal counsel and financial consulting services related to review and negotiation of the LDDA, the RFP specified that a non-refundable \$100,000 deposit is due to the City from the selected developer upon execution of the ERN. Accordingly, the attached resolution provides for the acceptance and appropriation of \$100,000 to the Fiscal Year 2022-2023 budget for professional services for the Christie Housing Sites project, Capital Improvement Program Project H-02, account 299-80050.

STAFF COMMUNICATION WITH THE PUBLIC

On October 26, 2022, the Housing Committee held a special meeting during which the committee reviewed staff's recommendation as outlined above. The Housing Committee voted unanimously to recommend to the City Council that EAH be selected as the first choice developer and Related/EBALDC be selected as the second choice developer for the Site.

CONCLUSION

Staff recommends that the City Council adopt the attached resolution approving EAH as the first choice and Related/EBALDC as the second choice for redevelopment of the Christie Sites, authorizing the City Manager to execute an Exclusive Right to Negotiate agreement (ERN) with EAH Housing in substantial form as attached to Exhibit A to the resolution, and to accept and appropriate the \$100,000 non-refundable deposit due upon execution of the ERN to the Fiscal Year 2022-2023 budget for professional services for Capital Improvement Program Project H-02, account 299-80050.

PREPARED BY: Valerie F. Bernardo, Community and Economic Development Coordinator II

REVIEWED BY: Chadrick Smalley, Deputy Director of Community Development

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Adam Politzer, Interim City Manager

ATTACHMENTS:

- Attachment 1 – Summary of Proposals
- Attachment 2 – EAH Site Plan and Rendering
- Attachment 3 – Highridge Costa Site Plan and Rendering
- Attachment 4 – Jonathan Rose/RCD Site Plan and Rendering
- Attachment 5 – Related/EBALDC Site Plan and Rendering
- Draft Resolution, including Exhibit A – Form of Exclusive Right to Negotiate Agreement