

RESOLUTION NO. 22-_____

Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Professional Services Contract With David Paul Rosen And Associates To Provide Developer Selection, Negotiation And Closing Assistance Services Associated With The Christie Sites For A Total Contract Amount Not To Exceed \$150,000

WHEREAS, the City of Emeryville owns three parcels located at 5890, 5900 and 6150 Christie Avenue (Assessor Parcel Numbers 49-1493-3, -4 and -5) totaling 2.01 acres (the “Christie Sites”); and

WHEREAS, the Christie Sites were acquired by the former Emeryville Redevelopment Agency using low and moderate-income housing funds; and

WHEREAS, on August 31, 2012 the California Department of Finance (“DOF”) approved the Christie Sites as a housing asset for transfer to the City as Housing Successor to the Emeryville Redevelopment Agency; and

WHEREAS, pursuant to California Health and Safety Code Section 33334.16, activities to develop the Christie Sites are required to commence within five years of the DOF’s approval of the Christie Sites as a housing asset, with this time period subject to a single, five-year extension if the City affirms, by resolution, its intent to use the Christie Sites for the development of affordable housing; and

WHEREAS, on July 25, 2017, the City Council adopted Resolution No. 17-130, which affirmed the City’s intent to use the Christie Sites for the development of affordable housing and extended the time period for initiation of development to September 1, 2022; and

WHEREAS, in September 2021, staff circulated a Request for Proposals for planning, environmental and financial feasibility analysis for development of the Christie Sites (the “RFP”); and

WHEREAS, one proposal was received from David Paul Rosen and Associates (“DRA”) by the RFP submittal deadline on October 27, 2021; and

WHEREAS, the proposal submitted by DRA recommended an alternative approach, which entails the development of a Request for Qualifications/Proposals (“RFQ/P”) for development of the Christie Sites; and

WHEREAS, the approach recommended by DRA is the most expedient pathway towards initiation of development of affordable housing on the Christie Sites; and

WHEREAS, the City requires assistance in preparing the RFQ/P, evaluating responses, negotiating business terms and agreements, and closing of the transaction; and

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WHEREAS, as evidenced by DRA's response to the RFP, DRA possesses the specialized knowledge, skills, and training necessary to render these services to the City; and

WHEREAS, the City desires to enter into a Professional Services Contract with DRA for the provision of developer selection, negotiation and closing services associated with the Christie Sites; and

WHEREAS, the public interest will be served by this Professional Services Contract; now, therefore, be it

RESOLVED, that the City Council of the City of Emeryville hereby authorizes the City Manager to execute a Professional Services Contract with David Paul Rosen and Associates in substantial form as attached hereto as Exhibit A to provide developer selection, negotiation and closing services associated with the Christie Sites for a total contract amount not-to-exceed \$150,000; and be it further

RESOLVED, that the City Council hereby authorizes the City Manager to execute amendments to the Professional Services Contract with David Paul Rosen and Associates, as may be necessary to deliver developer selection, negotiation and closing services for the City, provided such amendments do not materially increase the City's financial obligations thereunder.

ADOPTED, by the City Council of the City of Emeryville at a regular meeting held Tuesday, January 18, 2022, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

MAYOR

ATTEST:

APPROVED AS TO FORM:

CITY CLERK

DocuSigned by:
Andrea Visveshwara
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INTERIM CITY ATTORNEY

ATTACHMENTS

- Exhibit A – David Rosen Associates Professional Services Contract