



## CITY OF EMERYVILLE

Incorporated 1896

1333 PARK AVENUE

EMERYVILLE, CALIFORNIA 94608-3517

TEL: (510) 596-4300 FAX: (510) 596-4389

### EMERYVILLE HOUSING COMMITTEE

Ed Treuting, Chairperson  
 Lawrence Cardoza, Vice-Chairperson  
 Jac Asher, Councilmember  
 Ruth Atkin, Councilmember  
 Joshua Simon, EUSD Boardmember  
 Ra Adcock  
 Frank Flores  
 Sarah Harper  
 Frank Jordan  
 Lamonte Mack  
 Kris Owens  
 Tina Rhodes  
 Michael Roth  
 Vickie Jo Sowell

### EMERYVILLE HOUSING COMMITTEE

Regular Meeting of the Advisory Committee  
 Special Meeting of the Emeryville City Council  
 Emeryville Civic Center, 1333 Park Avenue  
 Garden Level, Emeryville, CA 94608

**Wednesday, June 6, 2012**

**6:00 p.m.**

### **AGENDA**

- I. Call to Order and Roll Call (6:00)
- II. Public Comment
- III. Approval of Minutes of May 2, 2012 Meeting (*Attachment*)
- IV. Action Items
  - a. a. Schedule July/August Meeting (6:10-6:15)
- V. Information Items
  - a. Update on Nexus Study and 3706 RFP (6:15-6:20)
  - b. Quarterly Foreclosure Report (6:20-6:30) (*Attachment*)
  - c. Affordable Housing Set Aside Status Report (6:30-6:40) (*Attachment*)
  - d. Board Vacancy (6:40-6:50)
- VI. Staff Comments (6:50 - 6:55)
- VII. Committee Member Comments (6:55 - 7:00)
- VIII. Adjournment (7:00)

are public records and relate to an agenda item below which are distributed to a majority of the Emeryville Housing Committee (including writings distributed to a majority of the Emeryville Housing Committee less than 72 hours prior to the meeting noticed below) will be available at the Information Counter, 1333 Park Avenue, Emeryville, California during normal business hours (9am to 5pm, Monday through Friday, excluding legal holidays).

In compliance with the Americans with Disabilities Act, a person requiring an accommodation, auxiliary aid, or service to participate in this Committee meeting should contact the City Clerk's Office or the City's ADA Coordinator (510) 450-7800 as far in advance as possible, but no later than 72 hours before the scheduled event. The best effort to fulfill the request will be made. Assistive listening devices are available for anyone with hearing difficulty from the Advisory Committee Secretary prior to the meeting, and must be returned to the Committee Secretary at the end of the meeting.

All Advisory Committee meetings are noticed as Special City Council Meetings so that any or all of the City Council may attend and participate in the Advisory Committee's deliberations. However, actions taken by Advisory Committees are not official actions of the City Council but must be ratified at a regular City Council. All writings that

**FURTHER INFORMATION** may be obtained by contacting Catherine Firpo, Committee Secretary, Housing Coordinator, Economic Development and Housing Department, at (510) 596-4354. The next regular meeting will be scheduled at this meeting.

**DATED:** May 30, 2012  
**Posting Date:** June 1, 2012  
**Post Until:** June 7, 2012

\_\_\_\_\_  
 KAREN HEMPHILL, CITY CLERK



## CITY OF EMERYVILLE

Incorporated 1896

1333 PARK AVENUE

EMERYVILLE, CALIFORNIA 94608-3517

TEL: (510) 596-4300 FAX: (510) 596-4389

### **Emeryville Housing Advisory Committee**

Ed Treuting, Chairperson  
Lawrence Cardoza, Vice-Chairperson  
Jac Asher, Councilmember  
Ruth Atkin, Councilmember  
Joshua Simon, EUSD Boardmember  
Ra Adcock  
Frank Flores  
Sarah Harper  
Frank Jordan  
Lamonte Mack  
Kris Owens  
Tina Rhodes  
Michael Roth  
Vickie Jo Sowell

### **Action Minutes**

### **Emeryville Housing Advisory Committee**

### **Regular Meeting**

### **Special Meeting of the Emeryville City Council**

Emeryville Civic Center, 1333 Park Avenue

Garden Level, Emeryville, CA 94608

Wednesday, May 2, 2012, 6:00 p.m.

#### **I. Call to Order and Roll Call:**

The meeting was called to order at 6:00 p.m.

Members Present: Buzz Cardoza, Frank Jordan, Michael Roth, Kris Owens, Ruth Atkin, Ra Adcock, Jac Asher, Frank Flores, Sarah Harper, Lamonte Mack

Members Absent: None

Members Excused: Ed Treuting, Tina Rhodes, Joshua Simon, Vickie Jo Sowell

Staff Present: Catherine Firpo, Helen Bean

Citizens Present: None

Others Present: None

**II. Public Comment** – There was a question from the Committee on the new audio recording process.

**III. Approval of March 7, 2012 Action Minutes** – A motion to approve minutes was made by Frank Jordan and seconded by Kris Owens minutes were approved on a voice vote with one abstention.

**IV. Information Items**

**a) Affordable Housing Week**

Staff presented the Affordable Housing Week Proposed Proclamation and discussed the two events taking place in Emeryville; the Groundbreaking of the 64<sup>th</sup> and Christie Housing Project on May 11<sup>th</sup> and the Groundbreaking of the Ambassador Affordable Housing Project on May 18<sup>th</sup> and answered committee members questions.

**b) CalHOME Grant**

Staff announced the award of \$720,000 in CalHome funds

**c) Proposed Housing Budget FY 2012-2013 and FY 2013-2014**

Staff reviewed the proposed Housing Budget and answered committee members questions

**d) Affordable Housing Funding Opportunities**

Staff reviewed the Affordable Housing Set Aside Ordinance and discussed possible future affordable housing funding opportunities.

**V. Staff Comments**

- Staff reminded the Committee members to please turn in their Statement of Economic Interest Forms
- Staff announced the June 2, 2012 Foreclosure Prevention Workshop.

**VI. Member Comments**

- A Committee member asked about the HARP program
- A Committee member announced the new phase of the Bakery Lofts Groundbreaking

**VII. Next Meeting Date** – June 6, 2012

**VIII. Adjournment** – The meeting was adjourned at 700 p.m.

Prepared by:

Approved by Committee:

---

Catherine Firpo  
Economic Development and Housing Department

Exhibit A:

**City of Emeryville**

**Location of Homes Foreclosed or in Foreclosure since December 2007**

Table updated May 2012

	<u>A</u> <u># of Units in</u> <u>Development</u>	<u>B</u> <u>% of</u> <u>Development in</u> <u>Foreclosure</u>	<u>C</u> <u>Foreclosed or</u> <u>in Foreclosure</u>	<u>D</u> <u>Program</u> <u>Participants in</u> <u>Distress*</u>	<u>E</u> <u>Foreclosed</u> <u>(Subset of</u> <u>Column C)</u>
Single family units (attached):					
Andante	125	35.20%	44	7	28
Artisan Walk	72	0.00%	0	1	0
Bay Street One Condos	95	45.26%	43	0	16
Beaudry Condos	2	100.00%	2	1	0
Besler Building	52	9.62%	5	0	2
BlueStar Corner	20	5.00%	1	0	0
Bridgewater*	424	13.44%	57	4	31
Christie Ave. Commons	22	9.09%	2	0	0
City Limits	92	4.35%	4	4	1
Elevation 22	71	19.72%	14	4	3
Emeryville Warehouse Lofts	141	14.18%	20	3	10
Emery Bay Village	112	15.18%	17	1	8
Gateway	6	0.00%	0	1	0
Glashaus	145	5.52%	8	2	3
Green City Lofts**	62	25.81%	16	2	8
Horton Street Lofts	15	6.67%	1	0	1
KeyRoute Lofts	22	18.18%	4	0	3
Liquid Sugar Lofts*	55	12.73%	7	7	3
Ocean Avenue Lofts	5	20.00%	1	0	0
Oliver Lofts	50	14.00%	7	3	6
Pacific Park Plaza	583	8.40%	49	0	22
Powell Street Lofts	10	10.00%	1	0	0
Salem Manor	3	33.33%	1	0	0
Temescal Lofts	4	25.00%	1	0	0
Terraces at EmeryStation	101	15.84%	16	6	6
Vacant Housing Program	11	18.18%	2	2	0
Vue 46	47	2.13%	1	0	0
Watergate*	1247	8.10%	101	13	48
5893 Vallejo	3	66.67%	2	0	0
Single family detached***	542	4.43%	24	3	7
Subtotal:			451	64	206
Units in multiple-unit properties:			42	0	19
<b>TOTAL:</b>			<b>493</b>	<b>64</b>	<b>225</b>

\*Program Participants in Distress includes those who are not yet in foreclosure. Six of these have foreclosed, including five loans totaling \$131,854 and one BMR unit.

\*\*Twelve of the 15 Green City Lofts units in foreclosure are owned by Green City Lofts LLC.

\*\*\*Thirteen of the single family detached homes are in the Triangle neighborhood.

Note: Oakland foreclosed properties in City Limits, Artisan Walk, and Green City Lofts not included.

Single family= separately owned properties that include one unit, either a detached house or an attached condominium, townhouse, or live/work unit.

Exhibit B:  
**Number of Emeryville Units Foreclosed  
By Quarter**

	Year 2008	Year 2009	Year 2010	Year 2011	Year 2012
<b>1st Quarter</b>	3	7	13	11	17
<b>2nd Quarter</b>	8	1	28	15	
<b>3rd Quarter</b>	3	17	43	9	
<b>4th Quarter</b>	6	17	13	5	
<b>Total</b>	20	42	97	40	

Affordable Housing Set Aside Ordinance Project and  
Affordable Housing Development Status Table

*Table includes those projects that have received Planning Commission approvals and which are subject to the Affordable Housing Set Aside Program Ordinance (30 or more units) as well as Redevelopment-Agency-assisted affordable housing developments.*

**Updated – May 29, 2012**

<b><u>Project Name</u></b>	<b><u>BMR Unit Status and Project Status</u></b>
<p><u>Oak Walk Condominiums (BayRock LLC)</u> San Pablo Avenue between 40<sup>th</sup> &amp; 41st 53 total units in new construction project -</p> <p>4 BMR units (low income) required by the Agreement on Affordable Units for the for-sale condo project.</p>	<p>Project construction completed; Final Map recorded in October 2009. Developer presented proposal to Housing Committee in November and Agency in December regarding potential sale of project as rental affordable project with EAH as the purchaser and requesting Agency financial assistance for the transaction. The Housing Committee did not recommend providing Agency assistance for this transaction and the Agency voted to continue discussions with BayRock pending outcome of the federal stimulus funding (NSP-2) for which EAH applied. EAH was notified in January that it was not awarded NSP-2 funding. BayRock has not yet submitted alternate proposal for disposition of property. BayRock began leasing project as rentals in March 2010. As of May 2011 all units are rented.</p>

<p><u>Adeline Place (Adeline Place, L.P.)</u>  3801 San Pablo Avenue  36 total units – for-sale  10 BMR units (median)  3 BMR units (low)</p>	<p>Project construction completed. Through an amendment to the Agency’s Disposition and Development Agreement, approved in March 2009, the Agency provided an additional housing grant of \$822,500 to help underwrite the affordability of the 13 BMR units from the original moderate income required, to median and low income levels. Agency also provided a \$1.4 million loan to assist in additional carrying costs on the BMR units during the unit sales period, which has a projected 2-year absorption period.</p> <p><u>Marketing and Sales:</u> The developer launched the BMR Marketing Program on April 27, 2009. The City did special outreach to the Emery Unified School District families. BMR public information meetings were held and applications for the 13 units were due in May 2009. The last four BMR units closed escrow in October. All 13 BMR units have now sold. All Market Rate units are sold but the retail space is still vacant.</p>
<p><u>Magnolia Terrace</u> (Housing Consortium of the East Bay)  4001 Adeline Street  Five rental units for disabled and developmentally disabled households at 20% AMI (extremely low income)</p>	<p>Construction began in June and will take approximately 11 months to complete. The City retained Bob Haun, a construction consultant with experience in renovation projects and familiar with this particular property, to attend the monthly construction draw meetings and review and approve progress payments requests submitted for the Agency’s grant in the project. Construction should be completed in May. In December, the Redevelopment Agency approved a DDA amendment that increased the project budget by \$150,000 to cover utility costs and costs of tree protection.</p> <p>The project received a Certificate of Occupancy at the end of June. All units are occupied.</p> <p>The previous location for the paratransit stop was too far from the project and did not provide an unobstructed view from the driver to the project’s front door. Staff worked with Public Works, HCEB, AC Transit and the Paratransit operator to resolve this issue. Adeline Street has been restriped to make room for a paratransit stop directly in front of the building on Adeline Street.</p>
<p><u>Ambassador Apartments (RCD)</u>  1168 36th Street  69-unit multi-family affordable rental development with 68 restricted units and</p>	<p>The ERN was executed on July 7, 2009 and a First Amendment was approved by the Agency on January 19<sup>th</sup> extending to June 30, 2010. June 15, 2010, the Agency approved a Second Amendment to extend</p>

<p>one unrestricted manager's unit. Units affordable to households at 50% of Area Median Income (very low); five of which proposed to be restricted to households living with AIDS/HIV.</p>	<p>the negotiating period to December 31, 2010. The DDA was approved and executed in February 2011.</p> <p>In April 2010, RCD was recommended approval for \$1,055,000 in County HOME funds. This project needs to receive environmental clearance from HUD. This requires concurrence from the City of Oakland that it agrees with the findings in the NEPA environmental assessment report. Oakland has had the final report since the third week of June. HCD staff will be recommending that the Ambassador development receive the full \$500,000 request in Housing Opportunities for People With Aids (HOPWA) funds. HOPWA recommendations are reviewed jointly by HCD and the City of Oakland. The City of Oakland provided its approval in July. This application is also awaiting Oakland's approval on the NEPA report.</p> <p>In March, the Developer completed and submitted the Tax Credit application but the project was not awarded the funding due to competition from higher ranking projects in Oakland (the California Hotel) and Alameda (the Islander).</p> <p>Ambassador submitted a second tax credit application July 13<sup>th</sup> and on September 28, 2011 received notification that the project has received its tax credit award. It is anticipated that with the award with raise \$11.5 million in funding.</p> <p>The project and began construction in March, held its Groundbreaking during May's Affordable Housing Week. The project has had rain delays, but is scheduled to complete construction before September 2013.</p>
<p><u>3706 San Pablo Avenue Site (Golden Gate Key Property)</u></p>	<p>Acquired by the Redevelopment Agency on December 15, 2010 for \$1.5 million. This property is a .66-acre (37,657 square feet), three-parcel site, at 3706 San Pablo Avenue and 1066-72 37<sup>th</sup> Street in Emeryville. The site has been vacant since 2005 when it was purchased by a condominium developer. The condominium development did not move forward, due to the recession and the property was foreclosed. The property contains an 18,175 square-foot one-story brick building that fronts San Pablo Avenue and MacArthur Boulevard. Along the 37<sup>th</sup> Street frontage is a fenced lot.</p>



	<p>The subject properties had previously been occupied by a variety of uses, including retail, a locksmith shop, automotive services, and machine shops that have left environmental contamination. Evidence of volatile organic compounds and chlorinated solvents have been found on the site. Remediation will involve further site testing, excavation and disposal of the source-area material, groundwater remediation, and monitoring. The estimated cost of remediation is \$500,000. Staff has submitted a grant application to the U.S. Environmental Protection Agency to fund remediation.</p> <p>The Agency purchased two additional parcels from the original condominium proposal. 1025 West MacArthur Blvd was purchased on June 3, 2011 for \$550,000.</p> <p>The Planning Commission has recommended and, on August 16, 2011, the City Council has approved demolition of the buildings on the site, finding that demolition is in the best interest of the public, health, welfare and safety. A report on lead and asbestos removal requirements was completed in November and the demolition contract was put out to bid and awarded to Evans Construction. Demolition will begin in March.</p> <p>The two buildings have been demolished. The site has been completely fenced as part of the demolition contract. Site maintenance is ongoing. The graffiti has been less of an issue but taggers have found places to graffiti. The graffiti on site will be removed as part of monthly maintenance.</p>
<p><u>1025 West MacArthur</u></p>	<p>Acquired by the Redevelopment Agency on June 3, 2011 for \$550,000, this property is a 0.256-acre (11,136 square feet), two parcel site located adjacent to the 3706 San Pablo Avenue site. It will be combined with 3706 San Pablo to form a larger 1.12 acre site. The property is improved with a vacant warehouse. The building has been demolished along with the demolition of 3706 San Pablo Avenue. Site maintenance is ongoing.</p>
<p><u>Parkside (formerly Papermill Project - Archstone)</u> Block bounded by Powell, Hollis, and Doyle Streets and Stanford Avenue 168 residential rental units and 5 live-work units</p>	<p>Project was approved by City Council on November 18, 2008 and the approvals expire on November 18, 2010. On March 16<sup>th</sup>, the Council approved the first reading of an interim ordinance to give the Planning Commission and Council the discretion to extend planning approvals for projects to a total of five years</p>

<p>21 BMRS (13 moderate income and 8 very low income)</p>	<p>rather than three, if findings can be made to do so, on a case-by-case basis. Affordability Agreement negotiations have not been initiated by staff or the developer. A two year extension was approved by Council on December 21, 2010.</p> <p>The project has submitted for building permits. This project received a density bonus for affordable housing and will be subject to the Affordable Housing Set Aside Ordinance. The Affordable Housing Agreement has been signed and recorded.</p>
<p><u>39<sup>th</sup> and Adeline Residential Project (Madison Park Financial Corporation)</u>  3900 Adeline Street  110 total units – rental  80 Emeryville units  12 BMRs (5 very low income and 7 moderate income)</p>	<p>Project was approved by City Council on January 20, 2009 and the approvals expire on January 20, 2011. On March 16<sup>th</sup>, the Council approved the first reading of an interim ordinance to give the Planning Commission and Council the discretion to extend planning approvals for projects to a total of five years rather than three, if findings can be made to do so, on a case-by-case basis. Affordability Agreement negotiations have not been initiated by staff or the developer. City Council approved two-year extension on November 16, 2010 with proviso that 20 studio units be converted to 1-bedroom.</p>
<p>5890-5900 Christie Avenue</p>	<p>Acquired by the Redevelopment Agency on November 7, 2011 for \$9.64 million The property totals 70,681 square feet (net of easements) and is presently improved with single story commercial buildings. The property is located directly south of 6150 Christie Avenue and is adjacent to the Emeryville Marketplace. The two buildings located on the property are vacant. Fire suppression systems need work. EBMUD has required backflow devises on the water systems. Staff is working on both of these issues. Site maintenance is ongoing.</p>
<p>6150 Christie Avenue</p>	<p>The Redevelopment Agency received an Order of Possession for this property on March 9, 2011. This .61-acre site is located on Christie Avenue, directly south of Christie Avenue Park. The site is currently vacant with a partially completed foundation. Staff is developing estimates for new fencing and site maintenance.</p> <p>In September 2011 City Council approved the allocation of funds for the \$380,277 from Housing Capital Fund 482 for additional acquisition costs, fencing and maintenance and authorized the City Manager to execute a PSA with Peralta Service Corporation for maintenance of the property.</p>

	<p>Staff has researched interim uses of the site. An analysis of the current infrastructure value has been completed and was presented to Council in December. The temporary sidewalk has been installed as well as a new fence with screening.</p>
<p><u>64<sup>th</sup> and Christie Project</u></p>	<p>The 64<sup>th</sup> and Christie Housing Project is a 193 unit, 5 story building and is part of the larger Marketplace Redevelopment Planned Unit Development. This project received a land and development subsidy through a Owner Participation Agreement for 29 units of very low income housing and will be subject to the Affordable Housing Set Aside Ordinance.</p> <p>Ownership interest in the 64<sup>th</sup> and Christie Project has been transferred from Rockwood Christie to Essex. Essex is a real estate investment trust that is engaged in ownership, operation, management acquisition development and redevelopment of apartment communities including over 30,000 units on the West Coast.</p> <p>The Affordable Housing Agreement has been signed and recorded.</p> <p>The Groundbreaking was held during May's Affordable Housing Week.</p>