



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
 Ruth Atkin, Councilmember
 Joshua Simon, EUSD Boardmember
 Ra Adcock
 Elizabeth Altieri
 Sarah Harper
 Frank Jorden
 Lamonte Mack
 Kris Owens
 Tina Rhodes
 Michael Roth
 Vickie Jo Sowell

- I. Call to Order and Roll Call (6:00)
- II. Public Comment
- III. Approval of Minutes of December 5, 2012 Meeting (*Attachment*)
- IV. Action Items
 - a. Election of Officers (6:05-6:15)
 - b. 2013 Meeting Schedule (6:15-6:20)
 - c. Annual Housing Element Report (*Attachment*) (6:20-6:25)
 - d. Affordable Housing Nexus Study Consultant Recommendation (*Attachment*) (6:25-6:40)
 - e. 3706 San Pablo-Star Intersection Short List Review Panel Selection (6:40-6:50)
- V. Information Items
 - a. 3706 San Pablo-Star Intersection RFP Responses (6:50-7:00)
- VI. Staff Comments (7:00 – 7:05)
- VII. Committee Member Comments (7:05 - 7:15)
- VIII. Adjournment (7:15)

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

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 March 6, 2013.

DATED: January 31, 2013
Posting Date: February 1, 2013
Post Until: February 7, 2013

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, February 6, 2013

6:00 p.m.

AGENDA

ratified at a regular City Council. All writings that 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.

KAREN HEMPHILL, CITY CLERK

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Emeryville
Reporting Period 1/1/2012 to 12/31/2012

Table A

Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information							Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions		
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development See Instructions	Deed Restricted Units See Instructions	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income					
Parkside	5+	R	8	0	13	152	173	173		INC	0
Ambassador	5+	R	68	0	0	1	69	69	RAC RDA Other: County HOME Funds		0
(9) Total of Moderate and Above Moderate from Table A3			13	153							
(10) Total by income Table A/A3			76	0	13	153	242	242			
(11) Total Extremely Low-Income Units*			8								

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation (CCR Title 25 §6202)

Jurisdiction
Reporting Period

City of Emeryville
1/1/2012 to 12/31/2012

Table A2

Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	0	0	0	0	
(2) Preservation of Units At-Risk	0	0	0	0	
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Emeryville
Reporting Period 1/1/2012 to 12/31/2012

Table A3

**Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)**

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate	0	0	0	0	0	0	0
No. of Units Permitted for Above Moderate	0	0	0	0	0	0	0

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction City of Emeryville
Reporting Period 1/1/2011 to 12/31/2011

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2006	2007	2008	2009	2010	2011	2012	2013	2014	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	186	5	0	0	0	5	0	76		86	100
	Non-deed restricted											
Low	Deed Restricted	174	6	3	0	0	0	0	0		9	165
	Non-deed restricted											
Moderate	Deed Restricted	219	18	15	0	0	0	13			46	173
	Non-deed restricted											
Above Moderate		558	95	123	127	0	0	6	153		504	54
Total RHNA by COG. Enter allocation number:		1,137	124	141	127		5	6	242		645	492
Total Units ▶▶▶												
Remaining Need for RHNA Period ▶▶▶▶▶												

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

**2010 General Plan Annual Progress Report
Exhibit B: Housing Element Annual Element Progress Report- 2011**

**ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)**

Jurisdiction: City of Emeryville
Reporting Period: 1/1/2012 to 12/31/2012

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Goal I. Preserve existing housing stock			
Program I-A-1. Continue support of the Emeryville Housing Rehabilitation Program through Redevelopment Agency funding and allocation of a portion of Emeryville's annual federal Community Development Block Grant (CDBG) funds.	<i>Objective I-A. Promote preservation of existing housing stock through the Emeryville Housing Rehabilitation Program.</i>	Every two years with Budget Cycle	Due to the demise of the Emeryville Redevelopment Agency this program will only be funded through CDBG Funds. The CDBG program funded four projects in 2012 (\$39,885). The breakdown is as follows: 1 exterior paint grant, 1 minor home repair grant and 2 accessibility grants.
Program I-A-2. Conduct annual review of Emeryville's Housing Rehabilitation Program and projected program demand for next fiscal year.	<i>Objective I-A.</i>	Annually	The program is reviewed on a monthly basis to determine encumbered funds, pending projects and available funds. Each year, the CDBG Allocation is reviewed and funds are budgeted for this program.
Program I-A-3. Continue existing marketing and establish new marketing efforts for the Emeryville Housing Rehabilitation Program through regular updates to the city's website, participation at community-wide events, and annual, targeted mailings to landlords and homeowners in the City's older residential neighborhoods.	<i>Objective I-A.</i>	Annually	The City has marketed the rehabilitation program through the quarterly Emeryville Activity Guide; the City's website on the Economic Development and Housing Department webpage; quarterly on the City's TV Channel – E-News; and at a meeting.

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Program I-B-1. Continue administration of the Community Preservation Program and the Community Preservation Committee to encourage and improve maintenance of single and multi-family residences in the older residential neighborhoods. Provide rehabilitation program information and conduct code inspections on a case-by-case basis.	<i>Objective I-B. Maintain and improve existing older housing stock, especially the older residential housing located in the Triangle neighborhood east of San Pablo Avenue and the Doyle Street neighborhood located east of Hollis Street.</i>	Ongoing	The Community Preservation Committee administers this program, assisted by the Chief Building Official and City Attorney. This committee is an interdepartmental committee that meets quarterly to track progress with problem properties and facilitates cooperation between other city departments to resolve maintenance issues with property owners.
Policy I-B-2. Retain and continue implementing the Residential Preservation Ordinance, which requires Council approval for demolition of residential structures.	<i>Objective I-B.</i>	Ongoing	The interim zoning regulations prohibit the demolition of a residential building unless the following criteria are met: The existing structure will be replaced with as many units of the same of better design and must be compatible with the community; the existing building is irrevocably damaged; the building is irrevocably contaminated; the building will be replaced by publicly accessible landscaped open space; or it is in the best interest of the public health, welfare, and safety for it to be demolished. The draft Planning Regulations also include these provisions (Section 9-5.1206(b)).
Policy I-C-1. Continue to review aggregate housing demolition and construction in the City each year through the annual Redevelopment Agency report submitted to the State Department of Housing and Community Development.	<i>Objective I-C. Minimize the loss of affordable units and displacement of residents of lower and moderate income through implementation of State Community Redevelopment law provisions relating to relocation and replacement housing.</i>	Annually	No residential units were demolished in 2012. Due to the demise of the Emeryville Redevelopment Agency, there are no longer reports due to the State Department of Housing and Community Development.

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Policy 1-C-2. Ensure that a replacement housing plan is implemented in connection with any loss of affordable residential units housing lower or moderate income persons as a result of a specific Redevelopment Agency-sponsored or assisted project action.	<i>Objective I-C.</i>	As projects proposed	No Affordable Rental Units were lost due to Redevelopment sponsored or assisted project actions. Due to the demise of the Emeryville Redevelopment Agency, there is no longer reports due to the State Department of Housing and Community Development.
Policy 1-C-3. Ensure that state relocation law is applied as required in connection with a specific Redevelopment Agency-sponsored or assisted project as required.	<i>Objective I-C.</i>	As projects proposed	No relocations were required during 2012. Due to the demise of the Emeryville Redevelopment Agency, there is no longer reports due to the State Department of Housing and Community Development.
Goal II. Promote a range of affordability levels			
Policy II-A-1. Ensure that sufficient sites are zoned in the City to allow for the development of the City's overall fair share allocation of regional affordable housing need.	<i>Objective II-A. Ensure that the Zoning Ordinance continues to facilitate the development of affordable housing.</i>	FY 11/12	Emeryville's overall fair share allocation for the planning period 2009 to 2014 is 1,137 housing units. Table 3-2 of the Emeryville Housing Element identifies appropriate and available sites zoned to accommodate 1,144 housing units, exceeding the allocation by seven units. As indicated in the table the potential densities of the sites are based upon interim zoning regulations, enacted on November 12, 2009 to insure zoning consistency with a newly adopted General Plan. The new Planning Regulations, which were adopted in February 2013, will not change the zoning map of the interim zoning regulations and will continue to accommodate those housing densities.
Policy II-A-2. Incentivize the provision of extremely low, very low, low, and moderate income housing in conjunction with the revision to the Density Bonus Ordinance to ensure compliance with State Density Bonus Law.	<i>Objective II-A.</i>	FY 11/12	The new Planning Regulations include a Density Bonus which complies with State density bonus law.
Policy II-A-3. Revise the City's Zoning Ordinance to ensure that the requirements for secondary units are consistent with State law.	<i>Objective II-A.</i>	FY 11/12	The new Planning Regulations will facilitate the development of secondary dwelling units by allowing by-right (non-discretionary) development of units that meet specific requirements. The new ordinance will bring the regulations into compliance with State law.

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Policy II-A-4. Continue implementation of the Affordable Housing Set Aside Ordinance to ensure inclusion of Below Market Rate Units in residential projects of 30 or more units.	<i>Objective II-A.</i>	As projects proposed	No private residential developments subject to the AHSA ordinance received their planning approvals in 2012. However, two projects that have previously received their planning approvals, Parkside and 64th and Christie, continued their development process. Parkside received its building permit in 2012. 64th and Christie is expected to receive its building permit in early 2013.
Policy II-B-1. Make extremely low, very low and low income housing a priority for use of the Redevelopment Agency's Low and Moderate Income Housing Fund.	<i>Objective II-B. Support housing opportunities for extremely low, very low, low and moderate income households.</i>	Annually	An RFQ/P was issued in 2012 for an affordable housing project at 3706 San Pablo Avenue. Increased affordability was a criteria for awarding the project. Proposals are due in 2013.
Policy II-B-2. Include extremely low, very low, and/or low income housing in Redevelopment Agency-assisted development projects whenever feasible.	<i>Objective II-B.</i>	Where feasible as RFP's issued	See status of Policy II-B-1
Policy II-B-3. Where feasible, consider a reduction in the moderate income inclusionary percentage requirement on development projects subject to the City's Affordable Housing Set Aside Ordinance to support the inclusion of extremely low, very low, and/or low income units.	<i>Objective II-B.</i>	As Affordability Agreements are Negotiated	The 64th and Christie project that was negotiated in 2010 will begin construction in 2013 with 29 very low income units. The Parkside project will meet the inclusionary requirements but have not included further affordability.
Policy II-B-4. Continue funding of the City's First Time Homebuyer Program and Ownership Housing Assistance Program through Redevelopment funds to ensure that downpayment assistance can be provided to support homeownership opportunities for very low, low, and moderate income household purchasing homes in Emeryville.	<i>Objective II-B.</i>	Every two years with Budget Cycle	The Emeryville Redevelopment Agency no longer exists. The program is currently unavailable due to lack of funds.

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Policy II-B-5. Leverage State and Federal funding programs to maximize the number of affordable units available to low and very low income households, whenever possible.	Objective II-B.	Ongoing	The City was awarded a \$720,000 grant from the State Housing and Community Development Department CalHOME Program. In 2012, only 18,000 remained under CalHOME grants awarded before 2010 and was insufficient to provide assistance. The \$ 1 million in grant funds awarded in 2010 were not available until mid 2011. Due to the uncertainty and unavailability of redevelopment agency funds during 2011, CalHOME loans could not be used for BMR units because the grant requires additional subsidy for price restricted units and no redevelopment funds were available. The Ambassador Housing Project was awarded over \$10 million in Affordable Housing Tax Credits in 2011.
Policy II-B-6. Coordinate with the Housing Authority of Alameda County to link Emeryville Section 8 Program participants in its Family Self-Sufficiency Program with homeownership opportunities in Emeryville.	Objective II-B.		The City of Emeryville has coordinated with the Alameda County Housing Authority Family Self-Sufficiency Program to provide information about City of Emeryville homebuyer loan programs in previous years; however, no BMR Units designated for very-low income units were on the market in 2012.
Program II-C-1. Continue implementation of the City Foreclosure Prevention and Predatory Lending Prevention Strategy so long as required during the Bay Area foreclosure crisis.	<i>Objective II-C. Sustain affordable housing availability for existing participants in the City's Below Market Rate and Market Rate Homebuyers Program.</i>	Ongoing	In 2012, the City continued to implement its Eight-Point Foreclosure Prevention and Predatory Lending Prevention Strategy. The City's strategy includes providing information and referral information to property owners who are in default; tracking foreclosure data; convening workshops for homeowners on refinancing, loan modification and foreclosure prevention; assisting Emeryville residents who are participants in City homebuyer or rehabilitation loan programs who having difficulty making their mortgage payments or are in default on their first mortgages; updating the City's website to include relevant information and referrals to federally approved housing counseling agencies; distributing information throughout the City and at City Hall; and working with other local jurisdictions, the Emeryville Chamber of Commerce, and local mortgage lenders to do community outreach and education.

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
			In 2012, the City assisted 45 program participants in distress. A BMR unit designated for a low-income household in the Terraces was foreclosed upon, but it did not sell at auction, and is currently being marketed as a REO property. Two units with City loans were foreclosed upon, representing a loss of \$54,600. There was one short sale of City loans, where the City forgave \$15,360 of accrued interest and partial principal out of a total \$23,216 owed in principal and interest.
Goal III. Promote development of affordable housing for persons with special needs.			
Policy III-A-1. Support inclusion of extremely low and very low income affordable set-aside units for people living with physical and/or developmental disabilities in projects subject to the City's Affordable Housing Set Aside Ordinance. Ensure that support services are provided to tenants of these units.	Objective III-A. Support development of affordable housing for disabled people, people living with HIV/AIDS, single families, and seniors who are extremely low, very low, low or moderate income.	As Affordability Agreements are Negotiated	No private residential developments were subject to the AHSA ordinance in 2012.
Policy III-A-2. Support inclusion of Shelter-Plus-Care units (rent-assisted units for dually-diagnosed people with mental illness, substance abuse and/or AIDs-related illness) in projects subject to the City's Affordable Housing Set Aside Ordinance or as set-aside within Agency-sponsored rental affordable developments. Ensure that support services are provided to tenants of these units.	Objective III-A.	As Affordability Agreements are Negotiated	The Parkside project will meet the inclusionary requirements but have not included further affordability or services.
Policy III-A-3. Support development of Residential Care Facilities for the Elderly (RCFE) projects and independent senior housing developments.	Objective III-A.	FY 11/12	Interim zoning regulations adopted on November 12, 2009 enable developers to apply for bonuses for residential density, floor area ratio, and/or building height. To qualify for a bonus the developer must provide public benefit as defined by the ordinance. Provision of RCFE may be considered eligible for bonuses under the "alternative public benefit" category by determination of the City Council.

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Policy III-A-4. Continue to support the County-wide long-range effort to prevent and end homelessness, the "EveryOne Home - Alameda Countywide Homeless and Special Needs housing Plan", and monitor the Plan's progress through City participation in the collaborative groups such as the EveryOne Home Leadership Board, the Alameda County Urban County Technical Advisory Committee and the Alameda County HOME Consortium Technical Advisory Committee.	Objective III-A.	Ongoing	Staff continues to represent Emeryville at the EveryOne Home Plan meetings. The City funds the Emeryville share of the Homeless Management Information System (HMIS) through CDBG funds.
Goal IV. Ensure that the City has a variety of housing types to meet the diverse needs of its residents as well as attract new residents.			
Policy IV-A-1. Continue support of residential mixed use development through broader General Plan and update of zoning regulations.	<i>Objective IV-A. Ensure that the Zoning Ordinance facilitates the development of a variety of housing types.</i>	FY 11/12	The General Plan land use element and interim zoning regulations designate approximately one-fourth of the city's land area for residential mixed use development. The new Planning Regulations are consistent with the interim zoning regulations.
Policy IV-A-2. Continue allowing development of live/work units as conditionally permitted use in light industrial zones and mixed use zones.	<i>Objective IV-A.</i>	FY 11/12	The interim zoning regulations adopted on November 12, 2009 allow live/work units with a conditional use permit in all residential, mixed use, commercial and industrial zones. Live/work units that involve higher impact 'work' activities are limited to industrial zones. The new Planning Regulations, which were adopted in February 2013, are consistent with the interim regulations.
Policy IV-A-3. Encourage new developments to provide unit types for which there is an identifiable gap in Emeryville's housing stock.	<i>Objective IV-A.</i>	FY 10/12-ongoing	The new Planning Regulations provide a bonus for density, floor area ratio, and/or building height for residential projects that provide family friendly housing. Family friendly units must have a minimum of three bedrooms, in-unit laundry hook-ups, and an additional 15 square feet of common open space. Interim zoning regulations are consistent with the bonuses allowed in the draft Planning Regulations. The Ambassador Project includes 25 three-bedroom units and the Parkside project includes 11 three-bedroom units.

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Policy IV-A-4. Revise the Zoning Ordinance to be in compliance with Senate Bill 2, effective January 1, 2008, requiring establishment of a zoning district allowing emergency shelters without a conditional use permit or other discretionary approval and ensuring that transitional and supportive housing developments are considered as a residential use of property subject only to those restrictions that apply to other residential uses of the same type in the same zone.	<i>Objective IV-A.</i>	FY 11/12	The new Planning Regulations allow emergency shelters by right (non-discretionary) in the Mixed Use with Residential South (MURS) zoning district (Figure 9-3.103(a)). Staff plan to amend the Planning Regulations in 2013 such that transitional and supportive housing developments are subject only to those restrictions that apply to other residential uses of the same type in the same zone.
Policy IV-A-5. Revise the Zoning Ordinance to clarify that group homes and residential care facilities for six or fewer residents be subject only to those same restrictions that apply to other single family uses.	<i>Objective IV-A.</i>	FY 11/12	The new Planning Regulations treat group homes and residential care facilities for six or fewer residents the same as single unit residential uses (Section 9-5.211).
Policy IV-A-6. Revise the Zoning Ordinance to allow exemptions from design review for projects with a negligible visual impact, and to reduce the level of review to minor design review for one- and two-unit residential buildings and accessory dwelling units.	<i>Objective IV-A.</i>	FY 11/12	The new Planning Regulations allow the Planning Director to exempt projects with a negligible visual impact from design review (Section 9-7.403(b)). The proposed Planning Regulations also only require minor design review for single unit and two unit residential uses (Section 9-7.404(a)(1)).
Policy IV-A-7. The City adopted an update of its General Plan including new General Plan Designations on October 13, 2009. The capacity assumptions for sites included in Table 3-3 are based on the newly-established General Plan designations and interim zoning classifications. To ensure sites in the inventory are adequate to accommodate the City's regional need, the City will amend zoning to adopt the interim densities as identified in the sites inventory.	<i>Objective IV-A.</i>	FY 11/12	The new Planning Regulations are consistent with the General Plan and interim zoning and will maintain the residential capacities for the sites identified in the sites inventory of the Housing Element.

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Program IV-B-1. Continue special homebuyers assistance terms through the city's First Time Homebuyer Program which provides zero-percent down, downpayment assistance loans up to 20% of the purchase price to very low income to moderate income teachers in the Emery Unified School District for both market rate and below market rate units.	<i>Objective IV-B. Promote opportunities for affordable housing that serves locally identified target groups, including teachers of the Emery Unified School District, City personnel, families with children, and artists/craftspeople.</i>	ongoing/ annually	Due to the elimination of redevelopment, the City is no longer able to offer affordable homeownership assistance to locally identified target groups.
Program IV-B-2. Continue Special homebuyer assistance terms through the City's First Time Homebuyer Program which provides zero-percent down, downpayment assistance up to 20% of the purchase price to city of Emeryville employees who are any income for market units and very low moderate income for below market rate units.	<i>Objective IV-B.</i>	ongoing/ annually	Due to the elimination of redevelopment, the City is no longer able to offer affordable homeownership assistance to locally identified target groups.
Policy IV-B-3. Encourage provision of set-aside below market rate units for teachers and employees of the Emery Unified School District where feasible in new residential development subject to the City's Affordable Housing Set Aside Ordinance.	<i>Objective IV-B.</i>	as affordability Agreements are Negotiated	No private residential developments were subject to the AHSA ordinance in 2011. These set asides have been available through priorities in the lottery process for new BMR units sold by the developers. Two EUSD teachers have purchased new BMR units in prior years.
Policy IV-B-4. Promote housing designed to attract families with children by encouraging developers to include larger unit sizes (two-, three-, and four-bedroom units) as well as other on-site amenities such as usable outdoor open space, play equipment for a variety of ages, community rooms, and multi-purpose rooms that can be utilized for after-school homework clubs, computer, art, or other resident activities.	<i>Objective IV-B.</i>	FY09/10	The new Planning Regulations provide developers with bonuses for residential density, floor area ratio, and/or building height who provide a public benefit, including family friendly housing meeting certain conditions. Some of these conditions are that all family friendly units shall have a minimum of 3 bedrooms, in-unit laundry hook-ups, and 15 additional square feet of common open space.

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Policy IV-B-5. Consider development of affordable housing development specifically designed to attract families with children and collaboration between Redevelopment Agency and non-profit developer with expertise in this area of affordable housing development to implement such a development during the course of the housing element period.	<i>Objective IV-B.</i>	FY09/10	The City conducted primary research and wrote the document "Social and Physical Indicators of Successful Affordable Family Housing". This document is included in the 3706 San Pablo Avenue RFQ/P.
Policy IV-B-6. Ensure that new residential developments that include a set-aside of below market rate live/work units conduct targeted marketing to artists and craftspeople to foster occupancy of these affordable below market rate live/work units by artists/craftspeople.	<i>Objective IV-B.</i>	As projects proposed	The Parkside project includes an affordable live/work unit.
Policy IV-B-7. Encourage development of affordable live-work space for artists and craftspeople.	<i>Objective IV-B.</i>	As projects proposed	The interim zoning regulations enable live-work development throughout most of the city (see Policy IV-A-2 above). The Parkside Project, which includes 8 live-work units, submitted revised structural designs on 4/12/12.
Goal V. Maintain and expand activities designed to prevent those currently housed from becoming homeless and to assist those who are homeless.			
Program V-A-1. Continue providing funding through Emeryville's allocation of Community Development Block Grant funds to support the Berkeley Food and Housing Project's shelters, transitional housing, and Multi-Service Center to provide housing, meals and other support services to homeless individuals who have resided in Emeryville.	<i>Objective V-A: Support activities to assist Emeryville residents who are at-risk of homelessness or are homeless.</i>	Annually	Each year, a portion of the City's administrative funds are used to provide funding to Berkeley Food and Housing Project which provides shelter and services to homeless individuals who have resided in Emeryville.
Program V-A-2. Continue providing information at City Hall and through City's website on resources available for emergency housing assistance.	<i>Objective V-A:</i>	Quarterly	The City's website continues to provide resources for Emergency Housing Assistance.
Program V-A-3. Improve City departmental coordination to ensure that information is made available on resources available to assist Emeryville families and households at-risk of homelessness.	<i>Objective V-A:</i>	Annually	Information is available on the Emeryville website. In addition, the City conducts three foreclosure prevention workshops each year for households facing the loss of their housing. In addition, tenants facing eviction are directed to ECHO Fair Housing or the East Bay Community Law Center for assistance.

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Program V-A-4. Improve coordination between the City and Emery Unified School District to determine if there are families who may be at risk of homelessness to provide resource and housing referrals.	<i>Objective V-A:</i>	Annually	No progress has been made on this objective.
Program V-A-5. Assist in the development of affordable rental units serving extremely low income households as 30% of the area median income within future Redevelopment Agency-sponsored rental developments whenever feasible. Ensure that support services are provided to tenants of these units.	<i>Objective V-A:</i>	As Affordability Agreements are Negotiated	The Ambassador project will have eight units restricted to very low income households. The RFQ/P for 3706 San Pablo included increased affordability as a criteria for awarding the project. Proposals are due in 2013.
Goal VI. Promote equal opportunity in housing.			
Program VI-A-1. Through participation in the Alameda County Urban County Community Development Block Grant Entitlement jurisdiction, continue to contract with Housing Rights, Inc. or another fair housing counseling organization on an annual basis to provide fair housing counseling services, tenant-landlord mediation, public education and legal referrals for Emeryville resident tenants and landlords.	<i>Objective VI-A. Prevent and redress discrimination based on race, color, ancestry, national origin, religion, familial status, sex, marital status, sexual orientation, age, disability, or source of income.</i>	Annually	The City of Emeryville is a member of the Alameda County Urban County, which is an entitlement jurisdiction for federal Community Development Block Grant funds. The Urban County enters into a contract with Hayward/Oakland-based ECHO Fair Housing to provide fair housing services to Emeryville residents.
Program VI-A-2. Continue effective marketing of the fair housing counseling service provided through Housing Rights, Inc. or another fair housing counseling organization through a variety of means, including public information available at Emeryville City Hall, on the City's website, and community-wide events.	<i>Objective VI-A.</i>	Quarterly/ Annually	The counseling service is advertised on the public service television channel and in local periodicals. Information is also available at the City Hall reception area; on the Economic Development and Housing Department's webpage under Community Resources; and as part of Alameda county's 2-1-1 information phone line.
Program VI-A-3. Require that developers include language stating that they provide equal opportunity in housing in their marketing materials for below-market-rate units provided through the City's Affordable Housing Set Aside Ordinance.	<i>Objective VI-A.</i>	As marketing plans are submitted	Equal opportunity in housing is required in marketing materials for below-market-rate units provided through the City's Affordable Housing Set Aside Ordinance and any Affordability Agreements executed as part of a DDA or OPA with the Agency.

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Program VI-A-4. Include appropriate equal opportunity and anti-discrimination language in all contractual agreements that the City and/or Emeryville Redevelopment Agency enter into with developers pertaining to housing, such as Agreements on Affordable Units, Resale Restriction Agreements, Disposition and Development Agreements, and Owner Participation Agreements.	<i>Objective VI-A.</i>	As Affordability Agreements are Negotiated	Equal opportunity and anti-discrimination language is included in all contractual agreements with the City.
Program VI-A-5. Continue Accessibility Grant Program through the Emeryville Housing Rehabilitation Program to provide grant assistance to lower income households with disabilities.	<i>Objective VI-A.</i>		In 2012 the City awarded three accessibility grants. Two were completed in 2012 and one in early 2013.
Goal VII. Promote environmental responsibility and long-term sustainability of City's housing development through remediation of brownfields and			
Program VII-A-1. Continue Agency grant and loan program, "Capital Incentives for Emeryville's Redevelopment and Remediation" (CIERRA) to provide financial, technical, and regulatory assistance to property owners and developers seeking to assess and remediate their housing development sites.	<i>Objective VII-A. Encourage the remediation of former industrial sites through public-private partnerships and Redevelopment Agency assistance.</i>	Ongoing	The elimination of the Agency in 2012 necessitated the CIERRA program be transferred to the City and a revised program agreement with the State was signed in 2012. The program was marketed to a private housing developer at the former Maz site at 3800 San Pablo Avenue. No housing remediation was funded through CIERRA in 2012.

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
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Program VII-A-2. Continue seeking outside funding opportunities to leverage the Agency's funding for site remediation at Agency-sponsored housing and mixed use developments, thereby increasing the financial feasibility of the projects.	<i>Objective VII-A.</i>	Ongoing	In October 2008, TMG Partners submitted an application and successfully secured a \$5 million brownfields grant from the California Pollution Control Finance Authority in connection with the California Recycle Underutilized Sites (CALReUSE) Program (funded through the Housing and Emergency Shelter Trust Fund Act of 2006) for development of the 64 th and Christie site. The grant was awarded to clean up the project site and construct a concrete engineered podium. The grant must be spent by 2014 to clean up the site; work began in 2012 and is expected to be completed in early 2013. The City was awarded a \$200,000 clean-up grant for 3706 San Pablo Avenue in 2012 from US EPA. The City also applied for an assessment grant for 5890, 6150 and 5900 Christie Avenue but did not receive funding. All of these sites are planned affordable housing. Ambassador and Magnolia Terrace both received grant funding for assessment and remediation.
Policy VII-B-1. Continue requirement that developers complete the appropriate GreenPoint Rated or LEED Checklist as part of their submittals to the Emeryville Planning and Building Department.	<i>Objective VII-B. Ensure that the City and Redevelopment Agency review and permitting process encourages "green" and "healthy" housing development, defined as clean, indoor air and conservation of energy, water, and building materials.</i>	Ongoing	The Planning and Building Department continues to require that developers submit the scorecard summary from the appropriate GreenPoint Rated or LEED Checklists prior to issuance of a building permit.
Policy VII-B-2. Include the appropriate GreenPoint Rated or LEED Checklist in all Redevelopment Agency-led Request for Proposals (RFPs) for residential and/or live/work projects and include the Checklist as a review criterion in the developer selection process.	<i>Objective VII-B.</i>	As RFP's issued	The RFQ/P for 3706 San Pablo included GreenPoint Rated and/or LEED certifications.

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
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Policy VII-B-3. Ensure that public information materials are available at the City and through the website on green building resources and funding opportunities.	<i>Objective VII-B.</i>	Ongoing	The Emeryville website provides green building resources including information on green buildings and a directory of relevant agencies and organizations. Resource materials on green building standards are available at the permit counter.
Policy VII-B-4 Consider an ordinance requiring projects involving public funds to meet minimum green building thresholds.	<i>Objective VII-B.</i>	FY11/12	No local ordinance has been adopted. However, the City does this on a case-by-case basis. For instance, the Emery Station Greenway building built in 2012 was required to have a LEED Silver rating. In addition, the City will follow CalGreen (mandatory green building code) adopted at the State Level.
Policy VII-B-5 Consider an ordinance providing density, FAR, and height bonus for private projects that meet certain green building thresholds.	<i>Objective VII-B.</i>	FY09/10	Interim zoning regulations adopted on November 12, 2009 enable developers to apply for bonuses for residential density, floor area ratio, and/or building height. To qualify for a bonus the developer must provide public benefit as defined by the ordinance. The ordinance specifically defines sustainable design as a bonusable benefit. The project must be eligible for LEED gold or platinum certification or equivalent. The draft Planning Regulations similarly provide bonuses for projects eligible for LEED platinum, gold, or silver certification. The new Planning Regulations also provide bonuses for alternative energy systems and water and energy efficiency measures.
Policy VII-C-1. Adopt open space requirements and design guidelines for multi-family housing projects.	<i>Objective VII-C. Encourage site and building design that includes social spaces, stormwater treatment, transit access, bicycle parking, and strong interface with the street.</i>	FY09/10	The new Planning Regulations include provisions requiring that multi-family projects provide 60 square feet of open space per dwelling or live/work unit (Section 9-4.303). The Emeryville Design Guidelines include guidelines for the provision of three types of open space: private space, common space, and publicly accessible space. In addition, there are guidelines specifically aimed at improving the design of residential development. Staff are also currently working on an amendment to the Design Guidelines to improve family friendly housing standards.

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the		
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Policy VII-C-2. Continue to require design and operation measures to protect stormwater quality, including site design, pollutant source control, and vegetative stormwater treatment.	<i>Objective VII-C.</i>	Ongoing	The City continues to require measures to protect stormwater quality. The City continues to be a leader in constructing and requiring Low Impact Design which is the treating of stormwater with vegetation and other Best Management Practices.
Policy VII-D-1. Disseminate information on retrofit assistance programs such as youth energy services, solar energy rebates and alternative transportation facilities, such as bicycle parking and car-sharing pods.	<i>Objective VII-D. Support property retrofits that reduce the City's carbon footprint through energy conservation, waste reduction, and transportation access measures.</i>	Ongoing	<p>For 2012 the Rising Sun Energy Center offered residences free energy conservation services and hardware through the California Youth Energy Services (CYES). CYES promoted the program at the annual the Earth Day Celebration and through discussions with homeowners, renters and property managers of multi-unit housing complexes.</p> <p>The City coordinated with PG & E to help implement the Energy Upgrade California program. Outreach for Energy Upgrade included community meetings, brochures, and a school program (Energize for the Prize). The City held a public workshop in September 2012 on the Planning Regulations that include provisions and incentives for alternative transportation facilities. Alternative transportation programs such as Emery Go-Round and 8-To-Go (shuttle for seniors) were advertised in the Emeryville Activity Guide and in the Emeryville E-Newsletter.</p>
Program VII-D-2. Continue to provide assistance through the Emeryville Housing Rehabilitation Program for weatherization and energy efficiency repairs.	<i>Objective VII-D.</i>	Ongoing	The Emeryville Rehabilitation Program no longer has Redevelopment funding and is limited to the requirement of CDBG and CalHome funds for repairing substandard conditions. As such, repairs that increase energy efficiency or weatherization will only be funded for units in which the condition of items requires repair or replacement.

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Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Policy VII-D-3. Encourage energy conservation measures and use of green building materials in residential remodel projects.	<i>Objective VII-D.</i>	FY09/10	Energy conservation measures and green building materials are included in the work write up of Housing Rehabilitation Inspections. The City also coordinates with PG & E to help implement the Energy Upgrade California program that provides subsidies for homeowners remodeling their houses with energy conservation measures.

MEMORANDUM

DATE: January 31, 2013
TO: Housing Committee
FROM: Economic Development and Housing Department
SUBJECT: **Affordable Housing Nexus Study Consultant Recommendation**

RECOMMENDATION

Staff recommends that the Housing Committee approve the proposal to engage Keyser Marston Associates to prepare an Affordable Housing Linkage Study and forward to the City Council.

BACKGROUND

In August 2012 staff presented a Draft Request for Proposals (RFP) for the development of an Affordable Housing Linkage Fee Study to the Housing Committee. The Housing Committee approved the draft and recommended it be forwarded to the City Council for approval. In December 2012, staff presented the RFP to the City Council and it was approved. The RFP was issued on December 20, 2012 and was due January 25, 2013.

The City invited a short list of consultants or consultant teams to submit proposals to prepare a housing and commercial linkage study for affordable housing. The firms are Vernazza Wolfe Associates, Strategic Economics, Seifel Consulting and Keyser Marston Associates. The study is required to impose an impact fee on new residential and commercial development by establishing a nexus between new development and the need for affordable housing.

The linkage study will incorporate the following elements:

- A quantification of the impact of new residential and commercial development on the need for affordable housing;
- An evaluation of the cost of mitigating this impact;
- An analysis and evaluation of a contribution to affordable housing by residential and commercial development either through the payment of fees or by providing units within a residential project;
- Qualification of the cost to the project of providing affordable units within the project so that these costs can be compared to the results of the impact analysis

The linkage, or nexus, study will document the relationship between new residential and commercial development and the demand for affordable housing. The study will fulfill

the requirements of Government Code Sections 66000-66008 that require the City to describe the purpose for which the fee will be used, to demonstrate a reasonable relationship between the need for affordable housing and the type of new development, and document the amount of the fee, which reflects the proportional cost of the affordable housing attributable to the new development on which the fee is imposed.

DISCUSSION

All four invited firms responded to the RFP and staff reviewed the proposals based on the criteria put forth in the RFP. While all of the firm's proposals were good, the Keyser Marston Associates (KMA) was exceptional. The proposal demonstrated a thorough understanding of the work to be done in the current legal, fiscal and development context. The staff has extensive experience in conducting nexus studies that have resulted in many adopted linkage fee ordinances. In addition, KMA has extensive experience with similar work, including seventeen residential nexus analyses, three of which were for East Bay cities in the last three years. KMA has conducted Commercial Linkage Fee studies for twelve jurisdictions. They demonstrated technical ability within their firm when all other firms proposed to hire a technical subcontractor. Based upon a review of the proposals, staff determined that Keyser Marston Associates was the most appropriate firm for this project.

Staff will provide the Committee with a proposed timeline and updates as key milestones are reached. The draft study is expected to be presented to the Housing Committee in late summer.

FINANCIAL CONSIDERATIONS

It is anticipated that the project budget will be approximately \$70,000 total, inclusive of expenses. This study will be funded by the General Plan Maintenance Fund.

Catherine Firpo, Housing Coordinator
Economic Development & Housing Department

Helen Bean, Director
Economic Development & Housing Department



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Emeryville Housing Advisory Committee

Ed Treuting, Chairperson
Lawrence Cardoza, Vice-Chairperson
Jac Asher, Councilmember
Ruth Atkin, Councilmember
Joshua Simon, EUSD Boardmember
Ra Adcock
Elizabeth Altieri
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, December 5, 2012, 6:00 p.m.

I. Call to Order and Roll Call:

The meeting was called to order at 6:03 p.m.

Members Present: Ed Treuting, Buzz Cardoza, Ruth Atkin, Elizabeth Altieri, Vickie Jo Sowell, Jac Asher, Frank Jordan, Joshua Simon, Ra Adcock, Sarah Harper, Kris Owens

Members Absent: Lamonte Mack

Members Excused: Tina Rhodes and Michael Roth

Staff Present: Catherine Firpo, Michelle De Guzman and Helen Bean

Citizens Present: None

Others Present: None

II. Public Comment – No members of the public were present

III. Approval of September 5, 2012 Action Minutes – A motion to approve minutes was made by Ruth Atkin and seconded by Frank Jordan minutes were approved, on a voice vote with one abstention.

IV. Helen Bean discussed the new City of Emeryville Committee structure. Starting in January 2013, there will be only one City Council member on the Housing Committee and it will be a non-voting, liaison position. Member Jorden moved and Member Owens seconded a motion that the Housing Committee will meet every other month with changes to the schedule as needed to complete the work of the Committee. The motion passed on a voice vote.

V. Action Item

- a) Foreclosure Strategy Progress Report
EDH Staff, Michelle De Guzman was introduced to the Committee and then presented the Foreclosure Strategy Progress Report
- b) Approval of FY11/12 Affordable Homeownership Program Report
Member Cardoza moved and member Adcock seconded a motion recommending the City Council approve the FY11/12 Affordable Homeownership Program Report with the addition of a spreadsheet detailing foreclosures in Emeryville. The motion was passed on a voice vote.

VI. Information Items

- a) Proposed Changes to the Rehabilitation Guidelines.
Staff reported on the proposed changes to the Rehabilitation Guidelines. Member Atkin moved and member Owens seconded a motion to include a tiered interest rate based on income in which households between 51% and 80% of the Area Median Income (AMI) paid 3% interest, households between 31% and 50% AMI pay 2% interest and households at or below 30% AMI pay no interest on the Rehabilitation Loans. The motion passed without objection.

VII. Staff Comments

- Staff discussed the next meeting the Committee will go over the 2013 schedule of meetings.
- Remind the committee that there are two RFP's that are due in January.
- Staff responded to questions on housing sites including Sherwin Williams, Site B, Christie Properties and the Maz Building.

VIII. Member Comments

- There were no member comments

IX. Next Meeting Date – February 6, 2013

X. Adjournment – The meeting was adjourned at 7:20 p.m.

Prepared by:

Approved by Committee:

Catherine Firpo
Economic Development and Housing Department