



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: June 21, 2022

Subject: Amended and Restated Exclusive Negotiating Rights Agreement – 100 38th Street, Richmond.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute an amended and restated exclusive negotiating rights agreement (ENRA) with Eden Housing, Inc., a California nonprofit public benefit corporation (Eden), and Community Housing Development Corporation-North Richmond, a California nonprofit public benefit corporation (CHDC), under which the parties are negotiating the purchase of the County-owned property at 100 38th Street in Richmond for use as affordable housing, and to extend the term of the original ENRA through June 2024, and enable the County to recoup a portion of the property's maintenance expenses during the negotiation period.

FISCAL IMPACT:

Under the amended and restated ENRA, Eden and CHDC will pay the County a portion of the County's ongoing maintenance expenses for a property that no longer houses County functions. A sale of the property would relieve the County of all ongoing maintenance expenses. Revenue will be deposited to the building. (60.7% Hospital Enterprise Fund, 32.7% Public Health General Fund, 6.6% General Fund Building Occupancy)

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **06/21/2022** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor

Candace Andersen, District II
Supervisor

Diane Burgis, District III Supervisor

Karen Mitchoff, District IV
Supervisor

Federal D. Glover, District V
Supervisor

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

ATTESTED: June 21, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Stacey Sinclair, 925.
957-2464

cc:

BACKGROUND:

The County owns the real property located at 100 38th Street in Richmond, the site of the former West County Health Center. The site of the 2-acre parcel is adjacent to the Richmond courthouse. The County-owned property is improved with a multi-story, 83-884-square-foot building that has been vacant since November 2018.

After determining that County use of the building is not feasible, in 2019 the County notified various public agencies and low-income housing groups of the County's intention to dispose of the property as surplus, in accordance with Government Code section 54222. Two low-income housing groups responded and were asked to submit proposals for the site that would be reviewed by a committee consisting of members of the Real Estate Division of Public Works, Health and Human Services, the Department of Conservation and Development and the County Administrator's office. The committee unanimously selected the proposal submitted by a partnership of Eden Housing, Inc., and Community Housing Development Corporation-North Richmond (Developer) as the preferred option. The Developer proposes to develop the property with 135 affordable housing units.

On December 17, 2019, the Board approved an ENRA between the County and the Developer. That agreement expired June 19, 2022. The amended and restated ENRA replaces the original agreement. The ENRA will be in effect through June 2024 to enable the Developer to obtain needed approvals from the City of Richmond prior to finalizing the terms of the purchase of the property.

In exchange for an extension of the term of the ENRA, the Developer has agreed to reimburse the County for a portion of the maintenance costs of the property. In the first year, the Developer will pay the County \$15,000 quarterly. In the second year, the Developer will pay the County \$30,000 quarterly.

CONSEQUENCE OF NEGATIVE ACTION:

Revitalization and reuse of the subject property as an affordable housing development would be delayed or terminated.

ATTACHMENTS

ENRA