

**CALIFORNIA POLLUTION CONTROL FINANCING AUTHORITY
CALIFORNIA RECYCLE UNDERUTILIZED SITES REMEDIATION PROGRAM
Meeting Date: November 19, 2008
Request Infill Grant Approval**

Prepared by: *Center for Creative Land Recycling (CCLR), Diana Michaelson and Brian Gorban, CPCFA*

Applicant: TMG Partners	Type of Funding Requested: Grant
Developer: TMG Partners	Amount Requested: \$5,000,000
Project Name: 64 th and Christie	Strategic Partner: CCLR
Project Location : Emeryville (Alameda County)	

Summary. TMG Partners (the “Applicant”) requests approval of a grant in the amount not to exceed \$5,000,000 to finance the remediation of a brownfield to develop 64th and Christie. The Applicant anticipates the Development Project will create 217 units of rental housing, including 34 affordable units restricted at 50% area median income (AMI).

Applicant. TMG Partners is a for-profit corporation wholly owned by President and CEO Michael A. Covarrubias, established in San Francisco, February 1, 1984. TMG Partners is the managing General Partner of the Limited Liability Company that owns the site, *Rockwood Christie LLC*. The Applicant intends to continue its role as equity investor and developer of the project site. The Applicant has developed award-winning for-sale and rental housing in mixed-use developments in the Bay Area for over 25 years and is an experienced developer of projects similar to the proposed Brownfield and Infill Project.

Legal Questionnaire. The Applicant’s responses to the questions contained in the Legal Status portion of the Application have been reviewed. No information was disclosed that raises questions concerning the financial viability or legal integrity of this applicant.

Brownfield Project Description. This area was initially covered with tidal flats of San Francisco Bay. Filling with imported soil and construction debris occurred during the 1930s and 1940s. The site was vacant until approximately 1949 and was used as parking for an adjacent parcel around 1959. The two existing commercial buildings had been constructed by 1969. The southern building was initially used as an industrial machinery warehouse, and subsequently operated as Lerer Brothers Transmission Service from 1980 to 1998, when operations were discontinued. The southern building is currently vacant. Portions of the northern building have historically been used as a photo laboratory and a printer. The northern building is currently used for offices and warehousing. Contaminants of concern include TPH, toluene, and ethylbenzene, benzene, and BTEX. These contaminants have been variously detected in surface soil, groundwater, and soil gas.

Agenda Item – 4.C.10.

Description of Activity	Cost	Amount Financed by Infill Grant
Pre-excavation ground water characterization	\$ 50,000	\$ 50,000
Pre-excavation waste soil characterization	100,000	100,000
Excavation of contaminated soil for sub-grade garage	371,000	371,000
Transportation and off-site disposal of contaminated soil	755,000	755,000
Construct intrinsically-safe, podium-style building with two-level ventilated garage	4,161,000	3,559,000
Environmental insurance	90,000	90,000
Environmental regulatory agency oversight and coordination and related revisions documentation, applicant response	<u>75,000</u>	<u>75,000</u>
TOTAL ESTIMATED COST:	<u>\$5,602,000*</u>	<u>\$5,000,000</u>

** The difference between the cost and the amount recommended to be funded is due to a prior ineligible cost.*

Oversight Agency. City of Emeryville

Infill Development Project Description. The 64th and Christie project is a dense infill project with 217 residential and live-work units located entirely above an engineered concrete podium which provides one level of project parking, and a second level parking garage, with a maximum height of 75 feet and a density of over 160 units per acre. It is part of the overall larger Marketplace Redevelopment Plan which recently received LEED Platinum certification under the Neighborhood Development (ND) program. This larger phased, mixed-use development will ultimately include nine buildings over 15 acres accommodating 674 multi-family residential units, 180,000 square feet of retail, 120,000 square feet of office, and parking garages to serve these and other existing uses.

Almost 16% of the project is affordable at 50% AMI. This exceeds the requirement of the Preliminary Development Plan (PDP) which only requires that 6% of the 15% of affordable units be affordable to 50% AMI. The applicant states that the additional affordability above the level proposed in the PDP is only possible to achieve with the \$5,000,000 requested Brownfield Grant.

The area of the site is a mix of jobs, homes, and services. Nearby office and commercial complexes provide a range of jobs in technology, biotechnology, retail service, and property management. The site is adjacent to an underutilized city park that will be redesigned and rebuilt with the larger Marketplace project. The site is adjacent to bus stops for the free Emery-Go-Round shuttle service and AC Transit.

The infill development will provide workforce housing for individuals and young families of mixed incomes who work in Emeryville or nearby Berkeley and San Francisco and want to live in an urban setting where they can leave their car behind, or live without owning a car thanks to easy accessible transit, car sharing, bicycle paths, and local amenities.

Permits. The Applicant received EIR certification in January 2008 and its Preliminary Development Plan (PUD) approval in July 2008. The Final Development Plan (FDP) was been submitted on October 3, 2008, and a demolition permit, grading permit, Bay Area Air Quality Management District Job for final demolition permit, and Affordable Housing Agreement with

the City of Emeryville are all in process. Remaining permits to be submitted are building permits, lot merger/final map, SWPPP, and non-storm water discharge permit.

Anticipated Timeline.

- Cleanup to Begin: May 2009
- Cleanup to be Completed: September 2009
- Development to Begin: October 2009
- Development to be Completed: November 2010

Local Government Support. The FDP for the Project and the PDP in which the Project is located are consistent with the City of Emeryville’s General Plan and housing element. Dozens of community meetings were held for the project over nearly four years of processing for the PDP which was approved by the Planning Commission and the City Council. The project also received endorsements from The Greenbelt Alliance and the Bay Area Council Housing Committee for its innovative design and exemplary community process.

Several letters of support were received for the project, including:

Local Community Leaders:

- Marla Wilson, Sustainable Development Associate, Greenbelt Alliance (A-1)
- Matt Regan, Director of Housing, Bay Area Council (A-3)
- Nancy Skinner, Director, East Bay Regional Park District, Democratic Nominee, California Assembly District 14 (A-4)

Government Officials:

- Sen. Don Perata, President Pro Tempore, California State Senate (A-8)
- Lori Hancock, California State Assemblywoman, Fourteenth District (A-9)
- Bill Lockyer, California State Treasurer (A-11)

Application Score. The project earned a score of **100** out of **120** points in the following categories:

(a) Readiness to Proceed. TOTAL - 35/40.

- (1) Applicant has demonstrated that environmental review can be completed and all necessary entitlements can be received from the local jurisdiction within two years if receiving the award— 10/10.** The Project Final EIR was certified on January 15, 2008.
- (2) Funding commitments are in place, or financing applications are under review, for the Infill Development Project—10/10.** Funding commitments totaling full construction costs of \$74.1 million are all either committed or received.
- (3) The Infill Development Project has local community and government support— 10/10.** Project has letters of support from local neighbors and Greenbelt Alliance, as well as strong support from the City of Emeryville.

(4) **Cleanup Plan has been approved by Oversight Agency—5/5.** The Project has received Conditional Approval of the draft Remediation Work Plan by the City of Emeryville.

(5) **Applicant has building permits, and all other governmental permits (i.e. encroachment, ROW, etc.) in place or under review - 0/5.**

(b) **Location within an Economically Distressed Community. TOTAL - 30/30.** The Project is within a redevelopment project area.

(c) **Location within a Priority Development of a Local Governmental Entity. TOTAL - 10/10.** The Project is located within ABAG’s Priority Development Area Map.

(d) **Depth of Affordability. TOTAL - 5/10.** 15.7% of the Project’s 217 units are restricted to residents at or below 50% AMI, above the 15% threshold for 5 points.

(e) **Percentage of Affordability. TOTAL - 5/15.** 15.7% of the Project’s 217 units are Affordable, above the 15% threshold for 5 points.

(f) **Utilization of Green Building Methods. TOTAL - 5/5.** The Project will be certified as LEED Platinum for 5 points.

(g) **Cleanup Plan for the Brownfield Infill Project does not require Ongoing Operation and Maintenance. TOTAL - 10/10.** The Cleanup Plan does not include any long term operation and maintenance activities.

Tie-Breaker.

(a) Total Brownfield Infill Project Cleanup Plan Cost: \$5,602,000

(b) Total number of residential housing units produced and/or promoted by Infill Development Project: 217

(c) Tie-breaker ratio [(a) / (b)]: \$25,816/unit

Financing Details.

- Amount of Overall Financing to be Leveraged:
 - Total Project Cost = \$74,135,672
 - Total CALReUSE Infill Grant Funding = \$5,000,000
 - CALReUSE remediation funding is leveraged **15 to 1**
- Sources of Financing for Brownfield Infill Project: Private debt and equity, CALReUSE, City of Emeryville Housing Set Aside funds.
- Sources of Financing for Infill Development Project: TMG Partners and Rockwood Capital equity, Calyon loan, City Funds loan to be converted to grant, brownfield grant, property NOI during absorption.

Staff Recommendation. Staff recommends approval of the attached Resolution for TMG Partners for an amount not to exceed \$5,000,000.

A RESOLUTION OF THE CALIFORNIA POLLUTION CONTROL FINANCING
AUTHORITY APPROVING EXECUTION AND DELIVERY OF GRANT FUNDING FOR
TMG PARTNERS
CALIFORNIA RECYCLE UNDERUTILIZED SITES REMEDIATION PROGRAM

November 19, 2008

WHEREAS, the California Pollution Control Financing Authority (the “Authority”), a public instrumentality of the State of California, is authorized by the Regulations adopted to implement and make specific the statutory provisions of the California Recycle Underutilized Sites (CALReUSE) Remediation Program;

WHEREAS, the statutory provisions of the CALReUSE Remediation Program authorize grant and loan funding for the purpose of brownfield cleanup that promotes infill residential and mixed-use development, consistent with regional and local land use plans;

WHEREAS, the Authority solicited applications for the CALReUSE Remediation Program and such applications were evaluated and scored pursuant to the Authority’s Regulations;

WHEREAS, TMG Partners has submitted an application for the CALReUSE Remediation Program for a grant in the amount of \$5,000,000 for the 64th and Christie Project;

WHEREAS, the Strategic Partner Center for Creative Land Recycling (CCLR) has reviewed the application and determined to recommend the 64th and Christie Project to the Authority for funding consideration;

WHEREAS, the Authority staff has reviewed the Strategic Partner’s recommendation and has determined to recommend the 64th and Christie Project for funding; and

WHEREAS, approval of a grant for TMG Partners (“Applicant” and “Grantee”) by the Authority is now sought;

NOW THEREFORE BE IT RESOLVED by the California Pollution Control Financing Authority, as follows:

Section 1. Pursuant to the Regulations, the Authority hereby finds that the 64th and Christie Project (the “Project”) is eligible for financing and hereby approves the grant described in the staff summary for the Project described in the Applicant’s CALReUSE Infill Application to the Authority.

Section 2. The Executive Director is hereby authorized for and on behalf of the Authority to take all steps necessary with respect to the Applicant including notifying the Applicant that its Application has been approved for funding, preparing a commitment letter that contains the terms and conditions of funding for the Grantee, preparing and executing the final form of grant agreement and disbursing funds pursuant to the grant agreement and the Authority’s Regulations.

Section 3. The Executive Director is hereby authorized for and on behalf of the Authority to approve any changes in the Project described in Exhibit A of the grant agreement as the Executive Director shall deem appropriate and authorized under the Regulations (provided that the amount of the grant may not be increased above the amount approved by the Authority).

Section 4. The Executive Director is hereby authorized and directed, for and on behalf of the Authority, to draw money from the Proposition 1C (2006) funds allocated to this Program not to exceed those amounts approved by the Authority for the Project approved in Section 1. The Executive Director is further authorized and directed, for and on behalf of the Authority, to execute and deliver for the Project identified in Section 1 any and all documents necessary to complete the transfer of funds. The authority of the Executive Director is limited to payment of claims made by the Grantee in accordance with the Regulations and the grant Agreement.

Section 5. Any notice to the Applicant approved hereunder shall indicate that the Authority shall not be liable to the Applicant in any manner whatsoever should such funding not be completed for any reason whatsoever. Notice to the Applicant shall include a provision making it clear that continued funding under the program is not guaranteed but is entirely dependent upon funds being available to the CALReUSE Program and the Grantee's continued compliance with the grant agreement and the regulations governing the CALReUSE Program.

Section 6. The Executive Director of the Authority is hereby authorized and directed, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to effectuate the purposes of this Resolution and the transactions contemplated hereby, and which have heretofore been approved as to form by the Authority.

EXHIBIT A

TERM SHEET

Name of Project:	64 th and Christie
Maximum Amount of Grant:	\$5,000,000
Strategic Partner:	Center for Creative Land Recycling
Grantee:	TMG Partners
Financing Structure:	Grant
Maximum Grant:	Not to exceed 6 years from first draw on funds
Oversight Agency:	City of Emeryville
Project Location:	6390 Christie & 6340 Christie, Emeryville, Alameda County, 94608
Infill Development Description:	217 Rental Housing Units; 34 units income restricted to 50% AMI for a term of 55 years.

Description of Activity	Amount Financed by Infill Grant
Pre-excavation ground water characterization	\$ 50,000
Pre-excavation waste soil characterization	100,000
Excavation of contaminated soil for sub-grade garage	371,000
Transportation and off-site disposal of contaminated soil	755,000
Construct intrinsically-safe, podium-style building with two-level ventilated garage	3,559,000
Environmental insurance	90,000
Environmental regulatory agency oversight and coordination and related revisions documentation, applicant response	<u>75,000</u>
TOTAL ELIGIBLE BROWNFIELD INFILL COSTS:	<u>\$5,000,000</u>

Attachment A



Friday, May 18, 2006

Mayor Kent Bullock
 Members of the City Council,
 Planning Commission
 City of Emeryville
 1333 Park Avenue
 Emeryville, CA 94608

RE: Emeryville Marketplace Development - SUPPORT

Dear Mayor Bullock and Councilmembers, Planning Commission:

For 50 years, Greenbelt Alliance has protected the region's working farms and natural areas while making the Bay Area's cities better places to live. A key component of our work is identifying where new growth should occur and which development proposals best meet the needs of the region. Our Compact Development Team (CDT) endorses and advocates for livable, transit-accessible communities with a wide range of housing options for families of all sizes and income levels. The CDT evaluated the Emeryville Marketplace project proposed by TMG Partners using an established set of guidelines. We write in support of this development because we feel it will be a gain for this neighborhood. This project provides plenty of homes in a great location, makes the neighborhood friendlier to pedestrians and cyclists, and also boasts other environmental benefits. Greenbelt Alliance encourages the Planning Commission and City Council to support this model development as an example for others to follow.

TMG Partners proposes 674 homes for this site, and fortunately, the location is ideal. The project redevelops a 15-acre brownfield site that is occupied primarily by a large surface parking area. The surrounding area has a large amount of commercial and retail space, meaning that future residents of Emeryville Marketplace will have the opportunity to live near jobs and needed services. The development itself also includes shops and office space, including ground-floor retail that will foster lively streets.

One of the greatest assets of the Marketplace project is its contribution to Emeryville's walkability. This development will make the neighborhood friendlier to pedestrians, cyclists, and transit riders, and less oriented around cars. Long "superblocks" will give way to a street grid lined with wide sidewalks, and the provision of parking will be gradually phased down while other means of transportation are emphasized and improved. An aggressive, forward-thinking Transportation Management Plan, including subsidized transit passes and bike-sharing, will ensure this development meets the needs of future generations. This project is adjacent to Amtrak and AC Transit, with free Emery-Go-Round shuttle service providing a convenient link to BART. Urban design features of the project include improved access to stations and shelters.

NORTH OFFICE • 431 Howard Street, Suite 310, San Francisco, CA 94103 • (415) 543-6771 • Fax (415) 543-6781
 SOUTH BAY OFFICE • 1122 The Alameda, Suite 212, San Jose, CA 95126 • (408) 983-8814 • Fax (408) 983-8811
 EAST BAY OFFICE • 1801 North Main Street, Suite 101, Walnut Creek, CA 94596 • (925) 932-7736 • Fax (925) 932-3170
 SOMONA-NORTH OFFICE • 315 5th Street, Suite 202B, Sausalito, CA 94965 • (707) 471-3660 • Fax (707) 575-4275
 SLOAN-BAY OFFICE • 725 Tamm Street, Fairfield, CA 94503 • (707) 427-2388 • Fax (707) 427-2315
 INFO@GREENBELT.ORG • WWW.GREENBELT.ORG

Attachment A

There are numerous other environmental benefits of this development proposal. For one, TMG is actively pursuing LEED Platinum certification from the U.S. Green Building Council for its green building practices. In addition, because the desire for affordable places to live is a contributing factor to undesirable sprawl development, TMG's provision of 20% affordable homes in this project qualifies as an environmental benefit as well as a social justice benefit. The compactness of this project provides a similar guarantee that Emeryville is helping the East Bay meet the demand for new homes without paving over open space. The existing park near this site will be expanded as a result of the proposal, making it a more inviting place to spend time.

In closing, Greenbelt Alliance applauds the City of Emeryville for considering such a bold, transit-oriented proposal. This kind of growth combats the threat of climate change. It is no surprise that TMG Partners enjoys a favorable relationship with many nearby residents, as they have made a strong effort to address neighborhood concerns. Greenbelt Alliance urges the Planning Commission and City Council's support of the Emeryville Marketplace proposal.

Regards,

M

Maria Wilson
Sustainable Development Associate

CC:
Patrick O'Keefe
Charles Bryant

Attachment A

281 California St., 14th Floor
 San Francisco, CA 94111
 (415) 398-4600

EXECUTIVE COMMITTEE

Chair: DENISE PINKSON
 Vice Chair: J. LARRY HANSEN
 Members: WARDEN WALL, President & CEO, Kaiser Permanente; W. DONALD HILL, Executive Director, UCSF; JEFF HALL, J. LARRY HANSEN, Vice Chair, TPG; MARY B. CHANDLER, CEO, Kaiser Permanente Health Plan; JILL GARDEN, President & CEO, UCSF; DANIEL J. BERT, Senior Executive Vice President, Microsoft; THOMAS L. KAPLAN, Executive Vice President, United Operating Division, Oracle; THOMAS J. LARSEN, CEO, Tropic; JEFFREY W. KAGANOFF, General Partner, L3Harris; JOHN L. SCHERER, Chairman, Kaiser Permanente; MARK L. SHERIDAN, Managing Director, Kaiser Permanente; NICKY L. SHERIDAN, Managing Director, Kaiser Permanente; BENJAMIN L. HAYES, CEO, Kaiser Permanente; CLAUDE B. BLOOM, Partner, Redwood Capital; ALEXANDER H. FREEMAN, President & CEO, Kaiser Permanente; WILLIAM GARDNER, Executive Vice President, Kaiser Permanente; T. GARY HODGINS, Chairman & CEO, Kaiser Permanente; MARK SCHROEDER, President, Kaiser Permanente; STEVEN J. BELFEDRI, San Francisco Union President; L. STEPHEN SMITH, President & CEO, The Hill Group, Inc.; KENNETH WILSON, President & CEO, Kaiser Permanente; JANEY L. YELLEN, Chair & CEO, San Francisco Bank of San Francisco; JIMMY W. WILSON, President & CEO, Bay Area Council



July 9, 2008

Ms. Denise Pinkson
 Partner
 TMG Partners
 100 Bush Street, 26th Floor
 San Francisco, CA 94104

Dear Ms. Pinkson:

The Bay Area Council endorses the Emeryville Marketplace Development.

The Emeryville Marketplace Development project scored extremely well in all the criteria we employ to evaluate proposed housing projects, namely: transit-orientation, project size, efficient use of land, adaptive re-use of land, promotion of affordability, environmental design, mixed use, and the promotion of community input to the design process.

The Bay Area is home to some of the longest commutes and worst traffic congestion in the nation and the Bay Area Council Housing Committee feels that yours is precisely the type of innovative and sustainable development that Emeryville, and the rest of the Bay Area should be promoting and building if we are to decrease our reliance on the private automobile and preserve the health of our economy and our environment.

True sustainable development is a marriage between the correct mixture of uses; residential, retail and commercial, along with the provision of housing at all levels of affordability and the employment of innovative environmental design concepts. This project encompasses all these elements in a balanced and efficient manner.

We congratulate you, TMG Partners, and Heller Manus Architects for producing a well designed and ideally situated project that will provide much needed housing and jobs for Emeryville while promoting a more sustainable lifestyle and transit alternatives for its residents.

Sincerely,

Matt Regan
 Matt Regan
 Director of Housing
 Bay Area Council

The Bay Area Council is a business-sponsored, public-policy advocacy organization for the nine-county Bay Area. The Council proactively advocates for a strong economy, a vital business environment, and a better quality of life for everyone who lives here.

Attachment A

**NANCY
SKINNER**
state assembly '08

1227 A San Pablo Avenue
Berkeley, CA 94706

T: 510.862.2848
www.nancyskinnerforassembly.ca

October 20, 2008

Honorable John Chiang
Controller, State of California
300 Capitol Mall, Suite 1850
Sacramento, CA 95814

Dear Controller Chiang

I am writing in support of a development proposal that is applying for a brownfield reuse grant under the State Pollution Control Finance Authority. The TMG Partners Emeryville Marketplace is a project that integrates the highest standards of environmental quality and family workforce living that I have yet seen in our East Bay area. The TMG Emeryville Marketplace Project has the potential to infuse badly needed private-public dollars into the region to help create jobs and revenues and jump start the green economy here at home.

The TMG Emeryville Marketplace Project is the first development proposal in the nation to receive neighborhood design level "LEED Platinum Certification" as a result of its full range of design features that go well beyond the building envelope. These features incorporate work force housing within a sustainable community design that includes high levels of transit access, bicycle and pedestrian orientation, green building construction and the highest standards of environmental stewardship. This neighborhood design level LEED Platinum certification was awarded to TMG Emeryville Marketplace Project by the U.S. Green Building Council, the Council of New Urbanism and the Natural Resources Defense Council.

The Emeryville Marketplace Project also has the full support of the City Emeryville, the Bay Area Council, Greenbelt Alliance, Metropolitan Transportation Commission and the Association of Bay Area Governments.

These high honors and extensive support reflect the project's integration of the best features of a small town main street consistent with the 21st century perspective that living more densely in well designed and affordable housing that is in close proximity to jobs, services, parks, shops, schools and transit provides a high quality of life. TMG Partners has created a neighborhood plan that features a variety of housing types and prices, expanded parks and outdoor plazas for people of all ages including families with children along with offices, shops and services for all types and sizes of businesses within walking distance and with meaningful incentives for biking, car

Attachment A

**NANCY
SKINNER**

state assembly '08

OFFICE

1227 A San Pablo Avenue
Berkeley, CA 94706

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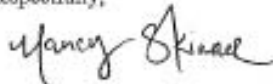
sharing and using nearby AMTRAK, AC Transit, and the free EmeryGoRound BART shuttle.

I know that you appreciate that if we as policymakers hope to transition toward more sustainable communities than it is incumbent that we deliver projects that truly incorporate a mix of uses, are affordable, welcoming to families, and that protect our environment. I believe that the 'Emeryville Marketplace Project', is a model of excellence in this regard. As the soon to be representative of Assembly District 14 I hope that more AD14 communities will replicate this model and promote affordable, transit oriented workforce housing within a sustainable neighborhood design; development that is sorely needed as we face today's economic and environmental challenges.

I encourage you and your staff to visit the site and spend time with Ms. Denise Pinkston, Partner at TMG Partners and the 'creative thinker' behind this innovative model to address land use and transportation issues.

Thank you for taking the time to consider this project and please don't hesitate to contact me if I can be helpful in your deliberations.

Respectfully,



Nancy Skinner

Director, East Bay Regional Park District
Democratic Nominee, California Assembly District 14

cc. Les Kleinberg, Legislative Director
Denise Pinkston, TMG Partners
Michael Papparian, Executive Director, California Pollution Control Financing Authority

Attachment A

INANCY
SKINNER
state assembly '08

October 20, 2008

Honorable Bill Lockyer
California State Treasurer
915 Capitol Mall, Rm. 110
Sacramento, CA 95814

1227 A San Pablo Avenue
Berkeley, CA 94706

T: 510.692.2648
www.nancykinnerforassembly.com

OCT 23 '08 PM 3:06

Dear Treasurer Lockyer:

I am writing in support of a development proposal that is applying for CalReUse funding under the State Pollution Control Finance Authority. The TMG Partners Emeryville Marketplace is a project that integrates the highest standards of environmental quality and family workforce living that I have yet seen in our East Bay area. The TMG Emeryville Marketplace Project has the potential to infuse badly needed private-public dollars into the region to help create jobs and revenues and jump start the green economy here at home.

The TMG Emeryville Marketplace Project is the first development proposal in the nation to receive neighborhood design level "LEED Platinum Certification" as a result of its full range of design features that go well beyond the building envelope. These features incorporate work force housing within a sustainable community design that includes high levels of transit access, bicycle and pedestrian orientation, green building construction and the highest standards of environmental stewardship. This neighborhood design level LEED Platinum certification was awarded to TMG Emeryville Marketplace Project by the U.S. Green Building Council, the Council of New Urbanism and the Natural Resources Defense Council.

The Emeryville Marketplace Project also has the full support of the City Emeryville, the Bay Area Council, Greenbelt Alliance, Metropolitan Transportation Commission and the Association of Bay Area Governments.

These high honors and extensive support reflect the project's integration of the best features of a small town main street consistent with the 21st century perspective that living more densely in well designed and affordable housing that is in close proximity to jobs, services, parks, shops, schools and transit provides a high quality of life. TMG Partners has created a neighborhood plan that features a variety of housing types and prices, expanded parks and outdoor plazas for people of all ages including families with children along with offices, shops and services for all types and sizes of businesses within walking distance and with meaningful incentives for biking, car sharing and using nearby AMTRAK, AC Transit, and the free EmeryGoRound BART shuttle.

Attachment A

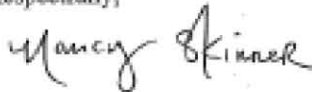
**NANCY
SKINNER**
state assembly '0

I know that you have long been an advocate of practical sustainable living ideals that protect our environment and improve quality of life for our families and communities. I believe that the 'Emeryville Marketplace Project', is a model of excellence in this regard. As the soon to be representative of Assembly District 14 I hope that more AD14 communities will replicate this model and promote affordable, transit oriented workforce housing within a sustainable neighborhood design; development that is sorely needed as we face today's economic and environmental challenges.

I encourage you and your staff to visit the site and spend time with Ms. Denise Pinkston, Partner at TMG Partners and the 'creative thinker' behind this innovative model to address land use and transportation issues.

Thank you for taking the time to consider this project and please don't hesitate to contact me if I can be helpful in your deliberations.

Respectfully,



Nancy Skinner

Director, East Bay Regional Park District
Democratic Nominee, California Assembly District 14

Cc: Denise Pinkston, TMG Partners
Michael Paparian, Executive Director, California Pollution Control Financing
Authority
Deana Carrillo, Program Manager

1227 A San Pablo Avenue
Berkeley, CA 94706

T: 510.660.2848

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Attachment A

SACRAMENTO OFFICE
STATE CAPITOL, ROOM 205
SACRAMENTO, CA 95814
TEL (916) 651-4009
FAX (916) 327-1997

DISTRICT OFFICE
1818 CLAY STREET, SUITE 2002
OAKLAND, CA 94612
TEL (510) 285-1333
FAX (510) 285-3085

California State Senate

SENATOR DON PERATA
PRESIDENT PRO TEMPORE

COMMITTEE
RULES
CHAIRMAN

OCT 29 '08 PM 4:20



October 27, 2008

Honorable Bill Lockyer
California State Treasurer
915 Capitol Mall, Rm. 110
Sacramento, CA 95814

RE: Emeryville Marketplace Project

Dear Treasurer Lockyer:

I write in support of the TMG Emeryville Marketplace Project, an outstanding development proposal that integrates the highest standards of environmental quality and family workforce living into the East Bay of California. With your support, the project has the potential to be the first of its kind to actually put into practice the tenants of both AB 32 and SB 375. The project will help reduce gas emissions, curb urban sprawl, cut back on the use of passenger vehicles and properly develop infill lands for higher density housing construction.

TMG Emeryville Marketplace Project has received notable recognition nationally and here at home. Two of the country's leading environmental stewards for community development have awarded the TMG Emeryville Marketplace Project their highest honors for having the most innovative and sustainable approach of its kind in the nation. TMG Emeryville Marketplace Project received this year the highly prized "LEED Platinum" certification from U.S. Green Building Council, Council of New Urbanism and the Natural Resources Defense Council. The project has also received support from the Bay Area Council, Greenbelt Alliance, Metropolitan Transportation Commission and Association of Bay Area Council of Governments, and the City of Emeryville.

These honors reflect the project's integration of the best features of a small town main street with the 21st century understanding that we can live richly by living more densely near one another and our jobs, parks, shops, bikes and buses. TMG Partners has created a neighborhood plan featuring offices, a variety of housing types and prices, expanded parks and outdoor plazas for people of all ages including families with children, shops and services for all types and sizes of businesses within walking distance of homes and with meaningful incentives for walking, biking, and using nearby AMTRAK, AC Transit, and the free EmeryGoRound BART shuttle.

I have spent much of my elected career trying to advance common sense sustainable living ideals that both protect our environment and improve quality of life for our families. I believe that the Emeryville Marketplace Project is a model of excellence in this regard.

Thank you for your consideration.

Sincerely,

DON PERATA

cc. Michael Papsarian, Exe. Director, CA Pollution Control Financing Authority

Attachment A



NOV 3 '08 AM 8:53

Loni Hancock ASSEMBLYWOMAN, FOURTEENTH DISTRICT

COMMITTEES:
NATURAL RESOURCES, CHAIR
BUDGET
HEALTH & HUMAN SERVICES
EDUCATION
HOUSING & COMMUNITY DEVELOPMENT

October 29, 2008

The Honorable Bill Lockyer
Treasurer, State of California
915 Capital Mall, Room 110
Sacramento, CA 95814

RE: The Emeryville Marketplace Project

Dear Treasurer Lockyer:

As co-author AB32, Chair of the Assembly Natural Resources Committee, and a member of the Assembly Housing & Community Development Committee, I am a strong advocate for the creation of livable, transit-accessible communities that offer a wide range of housing options for families of all sizes and income levels. I would like to bring to your attention to an outstanding development proposal that fully integrates the highest standards of environmental quality and family workforce living right here in the East Bay. The Emeryville Marketplace Project, proposed by TMG Partners, has the potential to be the first of its kind to actually put into practice the tenants of both AB32 and SB375.

The project helps reduce greenhouse gas emissions by curbing urban sprawl and cutting back on the use of passenger vehicles by properly developing "infill" lands for higher density housing construction. TMG Partners has created a neighborhood plan featuring housing, offices, expanded parks and outdoor plazas, shops and services for all types and sizes of businesses—all designed to encourage walking, biking, and using nearby AMTRAK, AC Transit, and the free EmeryGoRound BART shuttle.

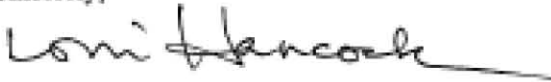
The TMG Emeryville Marketplace Project has recently received recognition from two of the country's leading environmental stewards. The Marketplace's innovative and sustainable approach was awarded a LEED Platinum certification from the U.S. Green Building Council, a partnership that includes the Natural Resources Defense Council, for its green building practices.

As we look for opportunities to promote common sense sustainable living ideals that protect the environment and improve quality of life for our families, I believe that the Emeryville Marketplace Project stands out as an excellent model. I encourage you and your staff to visit the site. Ms. Denise Pinkston of TMG Partners can provide you with any additional information you would like about the project.

Attachment A

Thank you for taking the time to consider a worthy project that will make the neighborhoods in Emeryville friendlier to pedestrians, cyclists, and transit riders.

Sincerely,

A handwritten signature in black ink that reads "Loni Hancock". The signature is fluid and cursive, with a long horizontal line extending to the right.

LONI HANCOCK
Assemblywoman

lh/tw

Cc:

Honorable John Chiang, State Controller
Michael Genest, Director, California Department of Finance
✓Michael Paparian, Executive Director, California Pollution Control Financing
Authority
Denise Pinkston, TMG Partners

Attachment A



BILL LOCKYER
TREASURER
STATE OF CALIFORNIA

OCT 28 '08 PM 3:

October 27, 2008

Mr. Stephen L. Cutright
Fire Chief
Emeryville Fire Department
2333 Powell Street
Emeryville, CA 94608

Re: Emeryville Marketplace Redevelopment Project

Dear Chief Cutright:

Thank you for your letter expressing support for the TMG Partners - Emeryville Marketplace Redevelopment Project's request for funding from the Prop. 1C CalReUSE Remediation Program or Brownfields Program.

I appreciate the importance of the Project and recognize the significance of this development to Emeryville's future plans. I believe this is the kind of residential project that voters had in mind when they enacted Proposition 1C. As you would expect, competition is fierce for the limited Brownfields funds thus far appropriated by the Legislature. The California Pollution Control Financing Authority (CPCFA), the entity responsible for issuing these grants and loans, has received 32 applications totaling over \$85 million in requests, while the amount of available funds is only \$55 million.

The CPCFA has designed regulations and criteria that are fair to applicants and that will implement the will and intent of the voters and the Legislature. I am confident the staff and board members of CPCFA will ensure that every application gets a fair and accurate assessment.

The CPCFA will consider all applications and make awards on Wednesday, November 19, 2008. CPCFA will also be asking the California Legislature for additional funds for this important program so that additional funds can be awarded in the upcoming year.

Attachment A

Mr. Stephen L. Cutright
October 27, 2008
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Again, thank you for your letter and interest in this important program. If you have any further questions, please don't hesitate to give me or Michael Papanian, the CPCFA's Executive Director, a call at (916) 653-2995.

Sincerely,

A handwritten signature in black ink that reads "Bill Lockyer". The signature is written in a cursive, slightly slanted style.

BILL LOCKYER
California State Treasurer

cc: ✓ Mike Papanian, Executive Director
California Pollution Control Financing Authority