

ATTACHMENT 1

RESOLUTION HR2020-__

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AMENDMENT NO. 6 TO AGREEMENT NO. 8781 EXTENDING THE TERM OF THE EXCLUSIVE NEGOTIATING RIGHTS AGREEMENT (TITLED AS A “DEVELOPMENT AGREEMENT”) WITH GARDEN COURT ASSOCIATES TO JUNE 30, 2022 FOR THE DEVELOPMENT OF THE LINCOLN AVENUE PROPERTY KNOWN AS GARDEN COURT

WHEREAS, the Housing Authority of the City of Napa (hereafter the “Authority”) owns a parcel on Lincoln Avenue (APN -044-190-001); and

WHEREAS, Garden Court Associates, a limited partnership formed by Napa Valley Community Housing, a California nonprofit public benefit corporation (“NVCH”), is the owner of an adjacent parcel (APN 044-190-033) (the “Developer”); and

WHEREAS, the Housing Authority and the Developer entered into Agreement No. 8781, an Exclusive Negotiating Rights Agreement (titled as a “Development Agreement”) dated March 1, 2005, as subsequently amended by Amendment No. 1 on June 6, 2006, Amendment No. 2 on September 11, 2007, Amendment No. 3 on June 8, 2015, Amendment No. 4 on June 24, 2016, and Amendment No. 5 on June 5, 2018 (collectively “the Agreement”), for the development of these two adjacent parcels as affordable housing; and

WHEREAS, under the Agreement, the Housing Authority and the Developer have agreed to use good faith efforts to complete and execute a Disposition and Development Agreement (“DDA”) during the term of the Agreement which expires on June 30, 2020; and

WHEREAS, the parcels are located in the 100-year flood plain and, therefore, cannot be developed as an affordable housing site until flood control improvements planned as part of the Napa River/Napa Creek Flood Prevention Project have been installed; and

WHEREAS, the Housing Authority and the Developer desire to extend the term of the Agreement due to delays in the completion of the Napa River/Napa Creek Flood Prevention Project; and

WHEREAS, the Authority Board of Commissioners has considered all information related to this matter, as presented at the public meetings of the Authority identified herein, including any supporting reports by Authority staff, and any information provided during public meetings.

ATTACHMENT 1

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the City of Napa, as follows:

1. The Authority Board finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the Authority's adoption of this Resolution.
2. The Authority Board authorizes the Executive Director to execute Amendment No. 6 to Agreement No. 8781, attached as Exhibit A and incorporated herein by reference, which extends the term of the Agreement for Garden Court to the earlier of execution of a DDA or June 30, 2022.
3. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Board of Commissioners of the Housing Authority of the City of Napa at a public meeting of said Housing Authority held on the 2nd day of June 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
Authority Deputy Secretary

Approved as to form:

Michael W. Barrett
Authority General Counsel