



# HOUSING AUTHORITY OF THE CITY OF NAPA

955 School Street  
Napa, California 94559  
[www.cityofnapa.org](http://www.cityofnapa.org)

## Meeting Minutes - Final

### Board of Commissioners:

Chairperson Scott Sedgley  
Board Member Liz Alessio  
Board Member Mary Luros  
Board Member Bernie Narvaez  
Board Member Beth Painter  
Board Member Carol Hamilton  
Board Member Johanna Moore

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Tuesday, May 3, 2022

3:30 PM

City Hall Council Chambers

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### 3:30 PM Afternoon Session

#### 3:30 P.M. AFTERNOON SESSION

#### 1. CALL TO ORDER: 3:30 P.M.

##### 1.A. Roll Call:

**Present** 6 - Board Member Alessio, Board Member Luros, Board Member Moore, Chairperson Sedgley, Board Member Narvaez, and Board Member Painter

**Absent** 1 - Board Member Hamilton

#### 2. AGENDA REVIEW AND SUPPLEMENTAL REPORTS:

City Clerk Carranza announced the following supplemental items:

Item 4.A.: Memo dated May 2, 2022 from staff with revised Attachment 1 - resolution, correcting the APN number for the property owned by the Housing Authority to APN 044-204-001.

(A copy of the supplemental document is included in Attachment 1)

#### 3. PUBLIC COMMENT: None.

#### 4. CONSENT CALENDAR:

#### Approval of the Consent Agenda

A motion was made by Board Member Moore, seconded by Board Member Alessio, to approve the Consent Agenda. The motion carried by the following vote:

**Aye:** 6 - Board Member Alessio, Board Member Luros, Board Member Moore, Chairperson Sedgley, Board Member Narvaez, and Board Member Painter

**Absent:** 1 - Board Member Hamilton

- 4.A. [131-2022](#) Amendment to Agreement for Garden Court, a Proposed Affordable Housing Project on a 5.37 Acre Site Located North of Lincoln Avenue and West of the Napa River

Adopted Resolution R2022-004 authorizing the Executive Director to execute Amendment No. 7 to Agreement No. 8781 to extend the term of the Exclusive Negotiating Rights Agreement (titled as a "Development Agreement") with Garden Court Associates to June 30, 2027 for the development of the Lincoln Avenue Property known as Garden Court and determining that the property is exempt surplus land under the Surplus Lands Act.

Enactment No: HR2022-004

- 4.B. [144-2022](#) Board of Commissioners of the Housing Authority of the City of Napa (HACN) Meeting Minutes

Approved the April 5, 2022 Regular Meeting Minutes of the Housing Authority Board.

**5. COMMENTS BY BOARD MEMBERS OR EXECUTIVE DIRECTOR:**

City Manager Potter announced structural changes were taking place and that Molly Rattigan would be named as the Deputy Executive Director of the Housing Authority and thanked Community Development Director Vin Smith for the oversight he had previously provided. He also acknowledged Stephanie Gaul who would be serving as the Acting Housing Manager following Lark Ferrell's retirement.

**6. ADJOURNMENT: 3:35 P.M.**

Submitted by:

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Tiffany Carranza, City Clerk

**ATTACHMENT 1**

**SUPPLEMENTAL REPORTS & COMMUNICATIONS  
Office of the City Clerk**

**Board of Commissioners of the Housing Authority of the City of  
Napa Regular Meeting**

**May 3, 2022**

**FOR THE BOARD OF COMMISSIONERS OF  
THE HOUSING AUTHORITY OF THE CITY OF NAPA**

**AFTERNOON SESSION:**

**SUBMITTED PRIOR TO THE HOUSING AUTHORITY MEETING**

**4. CONSENT CALENDAR:**

**4.A. Amendment to Agreement for Garden Court, a Proposed Affordable Housing Project on a  
5.37 Acre Site Located North of Lincoln Avenue and West of the Napa River**

- 1) Memo dated May 2, 2022 from Stephanie Gaul, Acting Housing Manager with revised resolution attached to correct the APN number to 044-204-001.



## MEMO

**TO:** Housing Authority Board Members  
**CC:** Tiffany Carranza, City Clerk  
**FROM:** Stephanie Gaul, Acting Housing Manager  
**DATE:** May 2, 2022  
**SUBJECT:** Correction to Housing Authority Item 4.A.

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Item 4.A. of the Housing Authority meeting on May 3, 2022 considers an extension to the Exclusive Negotiating Rights Agreement for Garden Court.

The resolution included in the agenda packet included an incorrect APN for the property owned by the Housing Authority. The attached resolution has been corrected to reflect the correct APN (044-204-001) for the property on Lincoln Avenue owned by the Housing Authority.

RESOLUTION HR2022-\_\_

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. 7 TO AGREEMENT NO. 8781 TO EXTEND THE TERM OF THE EXCLUSIVE NEGOTIATING RIGHTS AGREEMENT (TITLED AS A "DEVELOPMENT AGREEMENT") WITH GARDEN COURT ASSOCIATES TO JUNE 30, 2027 FOR THE DEVELOPMENT OF THE LINCOLN AVENUE PROPERTY KNOWN AS GARDEN COURT AND DETERMINING THAT THE PROPERTY IS EXEMPT SURPLUS LAND UNDER THE SURPLUS LANDS ACT

WHEREAS, the Housing Authority of the City of Napa (hereafter the "Authority") owns a parcel on Lincoln Avenue (APN 044-204-001) and Garden Court Associates (the "Developer"), a limited partnership formed by Napa Valley Community Housing, a California non-profit public benefit corporation ("NVCH"), is the owner of an adjacent parcel (APN 044-190-033) (collectively the "Properties"); and

WHEREAS, the Authority and NVCH entered into that certain unrecorded Development Agreement dated as of March 1, 2005, as subsequently amended by that certain Amendment No. 1 dated as of June 6, 2006, and by that certain Amendment No. 2 to Agreement No. 8781 dated as of September 11, 2007, and by that certain Amendment No. 3 to Agreement No. 8781 dated as of June 8, 2015, and by that certain Amendment No. 4 to Agreement No. 8781 dated as of June 24, 2016, and by that certain Amendment No. 6 dated June 23, 2020 (as so amended, the "Development Agreement"); and

WHEREAS, the Development Agreement was assigned from NVCH to the Developer, however NVCH, the Developer, and the Authority are unable to locate the agreement evidencing such assignment; and

WHEREAS, the Development Agreement is not a development agreement as such term is used in Government Code Section 65864 et seq. but rather an exclusive negotiating agreement; and

WHEREAS, under the Development Agreement, the Developer and the Authority have agreed to use good faith efforts to complete and execute a Disposition and Development Agreement during the term of the Development Agreement, which currently expires on June 30, 2022, pursuant to which Developer will construct an affordable housing development on the Properties; and

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

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

WHEREAS, pursuant to Health and Safety Code Section 34312.3(b), a housing authority may, after a public hearing, sell or otherwise dispose of real property without complying with any provision of law concerning disposition of surplus property so long as the proceeds of any sale or other disposition of real property, net of the cost of sale, are used by the housing authority to directly assist a housing project for persons of low income; and

WHEREAS, Government Code Section 54226 provides that no provision of the Surplus Lands Act (Government Code Section 54220, *et seq.*) “shall be applied when it conflicts with any other provision of statutory law.”

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 hereby declares the Properties exempt surplus land under the Surplus Lands Act. Should the Authority and Developer negotiate and execute a Disposition and Development Agreement as contemplated by the Development Agreement, the Properties will be disposed of by the Authority pursuant to Health and Safety Code Section 34312.3(b) after a public hearing and the net proceeds of the sale will be used by the Authority to directly assist a low-income housing project.

3. The Authority Board hereby authorizes the Executive Director to execute the Amendment No. 7 to Agreement No. 8781, attached hereto 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, 2027.

4. 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 3rd day of May 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_  
Tiffany Carranza  
Authority Deputy Secretary

Approved as to form:

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Michael W. Barrett  
Authority General Counsel