RESOLUTION NO. 2014-96

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA APPROVING DISBURSEMENT OF FUNDS FROM THE COUNTY OF NAPA AFFORDABLE HOUSING FUND TO BRIDGE HOUSING CORPORATION IN CONNECTION WITH A LOAN PREVIOUSLY APPROVED TO ASSIST IN THE DEVELOPMENT OF AFFORDABLE HOUSING UNITS**

**WHEREAS,** on June 30, 2010, the County of Napa (“County”) issued a Notice of Funding Availability (“NOFA”) for Development of Affordable Rental Housing and made Five Million Dollars ($5,000,000) available through its NOFA for projects located anywhere in Napa County; and

**WHEREAS**, the City of Napa (“City”) simultaneously made Three Million Five Hundred Thousand Dollars ($3,500,000) of its trust fund available for any projects located within the City’s boundaries; and

**WHEREAS**, County and City received five high-quality proposals for new affordable housing developments, all located within the City of Napa; and

**WHEREAS,** County and City jointly selected the proposals for the development of the Silverado Creek Residences project, to be developed by BRIDGE Housing Corporation, a California non-profit corporation (“BRIDGE”); and

**WHEREAS**, the Silverado Creek Residences project later underwent a name change and is now known as the Napa Creekside Apartments project (“the Project”); and

**WHEREAS**, the Project includes the redevelopment of the vacant Sunrise Senior Living Property located in the City of Napa at 3700 Valle Verde Drive and will provide fifty six (56) units of affordable rental housing and one (1) manager’s unit; and

**WHEREAS,** by Resolution No. 2011-02, the Board of Supervisors reserved Two Million Nine Hundred Three Thousand Eight Hundred Sixty Two Dollars ($2,903,862) from the Napa County Affordable Housing Fund to assist with the development of the Project; and

**WHEREAS**, the Project is located within the jurisdiction of the City and is subject to review and approval by the City, with County having no authority to approve entitlements for use for the Project; and

 **WHEREAS**, BRIDGE seeks disbursement of One Million Three Hundred Seventeen Thousand Nine Hundred Eighty-Five Dollars ($1,317,985) of the loan amount to cover predevelopment costs and also seeks to extend the reservation period for a construction loan; and

 **WHEREAS**, the County does not commit to or otherwise endorse the Project by approving a predevelopment loan; and

 **WHEREAS**, approval of a predevelopment loan will not commit the County to any particular physical feature of the Project so as to preclude any alternatives or mitigation measures that may otherwise be required to be considered, including the alternative of not going forward with the Project; and

 **WHEREAS**, should the Project not proceed, the predevelopment loan would be due and payable and will be secured by a deed of trust.

 **NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of the County of Napa hereby approves disbursement of One Million Three Hundred Seventeen Dollars Nine Hundred Eighty-Five Dollars ($1,317,985) from the loan of Two Million Nine Hundred Three Thousand Eight Hundred Sixty-Two Dollars ($2,903,862) previously made, to cover predevelopment costs.

 **BE IT FURTHER RESOLVED** that the predevelopment loan shall be made to BRIDGE Norcal, a BRIDGE affiliate, and secured by a deed of trust upon that property commonly known as the Sunrise Senior Living Property, which is owned by BRIDGE Norcal.

 **BE IT FURTHER RESOLVED** that as a condition of the predevelopment loan, BRIDGE shall enter into an indemnity agreement whereby BRIDGE will indemnify the County against all third-party claims.

**BE IT FURTHER RESOLVED** that the reservation period for the entire loan previously made (Two Million Nine Hundred Three Thousand Eight Hundred Sixty-Two Dollars ($2,903,862)) is extended to December 31, 2017.

**BE IT FURTHER RESOLVED** that the Board of Supervisors of the County of Napa hereby authorize the Chairman to execute all necessary loan documents to effect the loan and regulatory requirements as approved by County Counsel and further authorize the Chairman to sign all necessary related loan transaction documents as required for ongoing future maintenance and monitoring responsibilities as approved by County Counsel.

 **THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Board of Supervisors of the County of Napa, State of California, at a regular meeting of the Board held on the 19th of August, 2014, by the following vote:

 AYES: SUPERVISORS WAGENKNECHT, CALDWELL, DILLON,

 DODD and LUCE

 NOES: SUPERVISORS NONE

 ABSENT: SUPERVISORS NONE

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 MARK LUCE, Chairman

 Napa County Board of Supervisors

ATTEST: GLADYS I. COIL

Clerk of the Board of Supervisors

**APPROVED BY THE NAPA COUNTY**

**BOARD OF SUPERVISORS**

 Date: August 19, 2014

Processed by:

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Deputy Clerk of the Board

**APPROVED AS TO FORM**

Office of County Counsel

By: Silva Darbinian (e-signature)

Date: August 13, 2014

By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_