

**THE HOUSING AUTHORITY OF THE COUNTY OF KING**

**RESOLUTION NO. 5661**

**A RESOLUTION AUTHORIZING ENTERING INTO A PURCHASE AND SALE AGREEMENT AND ACCESS AGREEMENT FOR THE OAKS AT FOREST BAY PROPERTY LOCATED IN SHORELINE**

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**WHEREAS**, the King County Housing Authority (“Housing Authority”) is charged with providing quality affordable housing opportunities, equitably distributed within King County; and

**WHEREAS**, it is a goal of local government and the Housing Authority to further fair housing in the region affirmatively, in part through creating housing opportunities in areas with significantly appreciating housing costs; and

**WHEREAS**, RCW 35.82.070 (2) and (3) provide, in part, that a housing authority shall have the power to prepare, carry out, acquire, lease and operate housing projects and may provide for construction, reconstruction, improvement, alteration or repair of any housing project within its area of operations; and

**WHEREAS**, access to emergency shelter is a critical resource for homeless and low income households, providing dry, warm, safe and stable housing for these residents year-round; and

**WHEREAS**, the Housing Authority has identified acquiring and developing housing along planned mass transit corridors and areas with frequent high capacity transit as a strategic priority to ensure the long-term availability of low-income housing near reliable public transportation; and

**WHEREAS**, RCW 35.82.120 directs that, in the planning and creation of any housing project, a housing authority shall take into consideration the relationship of the project to any larger plan or long-range program for the development of the area in which the housing authority functions; and

**WHEREAS**, King County (the “County”) has identified a specific property, comprised of an existing building containing approximately 36,500 square feet located on an approximately 2.66

acre parcel, and commonly known as the Oaks at Forest Bay located at 16357 Aurora Avenue North, Shoreline, Washington 98133 (the “Property”), as a priority location for an emergency shelter for homeless persons; and

**WHEREAS**, the County has applied for grant funding which would support in part the operation of a short to mid-term emergency shelter at the Property; and

**WHEREAS**, the County has asked the Housing Authority to secure a short-term access agreement with the tenant and the seller of the Property for the purpose of evaluating the viability of use of the space as an emergency homeless shelter and for preparing it to house homeless persons prior to year end; and

**WHEREAS**, the Housing Authority has identified the area surrounding and including the Property as a high priority location for locating a transit-oriented affordable housing project for low-income households; and

**WHEREAS**, acquisition of the Property by the Housing Authority, including an initial short term access agreement from the existing tenant, will serve the mission of the Housing Authority and the housing goals of the region by increasing shelter available to homeless persons as part of the larger plan to support the housing needs of low income homeless persons throughout the County.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF KING as follows:**

**Section 1:** Immediate access to and use of the Property is necessary and advisable in advance of acquiring the Property, if the Property is to be available for use as an emergency homeless shelter and open for operation prior to December 31, 2020.

**Section 2:** Entering into a purchase and sale agreement to acquire the Property with an inspection contingency is necessary and advisable to ensure the Housing Authority has both the opportunity as well as adequate time to determine whether the purchase of the Property would be in the best interest of the Authority.

**Section 3:** The Executive Director, Stephen J. Norman, is hereby vested with the authority, and with discretion in the exercise of such authority, to enter into an access agreement for the Property and to assume current operational costs therefor.

**Section 4:** The Executive Director is hereby authorized (a) to enter into a Purchase and Sale Agreement providing for the acquisition of the Property at a price of \$7.33 million subject to reasonable inspection and feasibility period, and (b) to make non-refundable earnest money payments in an amount not to exceed \$275,000, and a refundable earnest money payment of \$500,000 (\$775,000 in total), all of which shall be applied toward the purchase price in the event the Housing Authority acquires the Property.

**Section 5:** The Board of Commissioners directs the Executive Director to report to the Board of Commissioners prior to the end of the inspection and feasibility period the results of the Authority's due diligence investigations and provide a recommendation as to whether or not to waive any and all contingencies and to seek Board of Commissioner final approval to consummate the purchase of the Property.

**Section 6:** The Board of Commissioners hereby authorizes the Executive Director to execute any and all applications, agreements, certifications or other documents in connection with the submission of various funding and financing applications, in order to provide all or part of the interim and/or permanent financing of the acquisition of the Property pursuant to this Resolution.

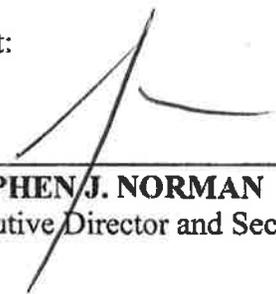
**Section 7:** The Board of Commissioners hereby authorizes the Executive Director, Stephen J. Norman, and in his absence, Deputy Executive Director Daniel R. Watson or Deputy Executive Director Jill Stanton, to execute on behalf of the Housing Authority any and all contracts, agreements, certifications or other documents in connection with the Housing Authority's acquisition of the Property pursuant to this Resolution.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE HOUSING  
AUTHORITY OF THE COUNTY OF KING AT AN OPEN PUBLIC MEETING THIS 17th  
DAY OF AUGUST, 2020.

THE HOUSING AUTHORITY OF THE COUNTY  
OF KING

  
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DOUGLAS J. BARNES, Chair  
Board of Commissioners

Attest:

  
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STEPHEN J. NORMAN  
Executive Director and Secretary-Treasurer

CERTIFICATE

I, the undersigned, the duly chosen, qualified and acting Executive Director and Secretary-Treasurer of the Housing Authority of the County of King (the "Authority"), and keeper of the records of the Authority, CERTIFY:

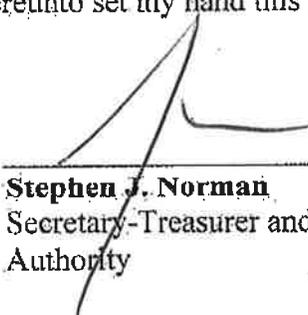
1. That the attached Resolution No. 5661 (the "Resolution") is a true and correct copy of the resolution of the Board of Commissioners of the Authority as adopted at a meeting of the Authority held on August 17, 2020 (the "Meeting"), and duly recorded in the minute books of the Authority;

2. That in accordance with RCW 43.06.220, and the Proclamations of the Governor of the State of Washington, as extended by the leadership of the Washington State Senate and House of Representatives (a) the Meeting was not conducted in person, (b) one or more options were provided for the public to attend the Meeting remotely, including by telephone access, which mean(s) of access provided the ability for all persons attending the Meeting remotely to hear each other at the same time, and (c) adoption of the Resolution is necessary and routine action of the Board of Commissioners of the Authority;

3. The public was notified of access options for remote participation in the Meeting via the Authority's website and email to stakeholders; and

4. The Meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of the Meeting was given; that a quorum was present throughout the Meeting through telephonic and/or internet means of remote access; and a majority of the members of the Board of Commissioners of the Authority present at the Meeting voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 17<sup>th</sup> day of August, 2020.

  
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**Stephen J. Norman**  
Secretary-Treasurer and Executive Director of the  
Authority