

HOUSING AUTHORITY OF THE COUNTY OF KING

RESOLUTION NO. 5797

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF KING, REPLACING RESOLUTION NO. 5792 AND RE-AUTHORIZING THE AUTHORITY'S PARTICIPATION IN THE DEVELOPMENT, FINANCING AND OPERATION OF A MANUFACTURED HOME COMMUNITY IN SKYWAY, INCLUDING THE ACQUISITION AND CONVEYANCE OF PROPERTY, THE MAKING OF LOANS, ONE OR MORE COOPERATION AGREEMENTS, AND OTHER ACTIONS RELATING THERETO, AND DETERMINING RELATED MATTERS.

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

Section 1. **Recitals and Findings.** The Board of Commissioners (the "Board") of the Housing Authority of the County of King (the "Authority") finds and determines that:

(a) **Undertaking of the Authority.** The Authority is the owner of certain undeveloped land located in the vicinity of 5901 S 129th Street, Skyway, Washington in an unincorporated area of King County (the "County"). The Authority has determined that the land, which is located between two mobile and manufactured home parks, is well suited to be developed as a manufactured home community. In order to develop the land, the Authority must acquire by lease or purchase a portion of an adjacent undeveloped parcel of land (together with the land currently owned by the Authority, the "Project Site"), and obtain cooperation from the County in the planning, undertaking and development of the manufactured housing community to be located on the Project Site (the "Project"). The Authority will carry out its powers and purposes under the Housing Authorities Law (as defined below) through its participation in the development and financing of the Project. In order to efficiently develop and operate the Project, the Authority desires to cooperate with Manufactured Housing Community Preservationists, or one or more affiliates thereof (collectively, "MHCP"), in carrying out the Project.

(b) **Statutory Authorization – Housing Authorities Law.** The Authority is authorized by the Housing Authorities Law (chapter 35.82 RCW) to, among other things: (i) "prepare, carry out, acquire, lease and operate housing projects; to provide for the construction, reconstruction, improvement, alteration or repair of any housing project or any part thereof" (RCW 35.82.070(2)); (ii) "own, hold, and improve real or personal property" (RCW 35.82.070(5)); (iii) "lease or rent any dwellings . . . buildings, structures or facilities embraced in any housing project and . . . to establish and revise the rents or charges therefor" (RCW 35.82.070(5)); (iv) "make and execute contracts and other instruments" (RCW 35.82.070(1)); (v) "delegate to one or more of its agents or employees such powers or duties as [the Authority] may deem proper" (RCW 35.82.040); (vi) "make . . . loans for the acquisition, construction, reconstruction, rehabilitation, improvement, leasing or refinancing of land, buildings, or developments for housing for persons of low income" (RCW 35.82.070(19)); and

(vii) “make, purchase, participate in, invest in, take assignments of, or otherwise acquire loans to persons of low income to enable them to acquire, construct, reconstruct, rehabilitate, improve, lease, or refinance their dwellings” (RCW 35.82.070(18)). For purposes of the Housing Authorities Law, “housing project” is defined by RCW 35.82.020 to include, among other things, “any work or undertaking . . . to provide decent, safe and sanitary urban or rural dwellings, apartments, mobile home parks or other living accommodations for persons of low income.”

(c) Statutory Authorization – Housing Cooperation Law. The Housing Cooperation Law (chapter 35.83 RCW) authorizes any state public body (including, without limitation, any city, town, or county) to, among other things: (i) “[p]lan or replan, zone or rezone any part of such state public body; make exceptions from building regulations and ordinances” (RCW 35.83.030(4)); (ii) “[d]o any and all things, necessary or convenient to aid and cooperate in the planning, undertaking, construction or operation of such housing projects” (RCW 35.83.030(8)); and (iii) “[e]nter into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary), with a housing authority respecting action to be taken by such state public body pursuant to any of the powers granted by [the Housing Cooperation Law]” (RCW 35.83.030(10)). For purposes of the Housing Cooperation Law, “housing project” is defined by RCW 35.83.030(2) to mean “any work or undertaking of a housing authority pursuant to the housing authorities law or any similar work or undertaking of the federal government.”

(d) The Project; Project Site. The Authority intends to acquire by lease, purchase or assignment approximately 0.7 acres of land currently owned by MHCP (the “Adjacent Property”), which is adjacent to the property owned by the Authority located in the vicinity of 5901 S 129th Street, Skyway, Washington. The Adjacent Property will be combined with the Authority’s property and the combined property is referred to herein as the Project Site. The Authority expects that the Project Site will be conveyed (by lease or otherwise), or otherwise made available for development and operation by, MHCP. The Authority anticipates that manufactured homes within the Project will be purchased and installed on mobile home lots within the Project Site. The mobile home pads will be leased, and the homes will be sold, to persons of low income.

(e) Sources of Funding. The Project is expected to be funded with various sources, which may include, without limitation, funding from the County, the State of Washington, proceeds of conduit bonds issued by the Authority, and the Housing Authority Project Loans (as defined below). The Housing Authority Loans (as defined below) are important for the feasibility of the Project and are necessary to enable the Authority to carry out its powers and purposes under the Housing Authorities Law.

(f) State Environmental Policy Act (“SEPA”) Review. The Authority prepared a SEPA checklist on April 21, 2025, and revised the SEPA checklist on June 3, 2025, which determined all Project impacts can be mitigated. Accordingly, the Authority issued a Mitigated Determination of Nonsignificance (“MDNS”) for the Project on May 5, 2025, and issued a Revised MDNS (“RMDNS”) on June 3, 2025, after the closure of the SEPA comment period.

(g) Re-Authorization of Resolution No. 5792. The Board previously adopted Resolution No. 5792 on May 19, 2025, authorizing the Authority’s participation in the Project. This Resolution is intended to replace Resolution No. 5782 and re-authorize the Authority’s participation in the Project.

Section 2. Approval of Real Estate Transactions. In furtherance of its statutory authority to provide decent, safe, and sanitary living accommodations for persons of low income, the Authority is authorized to (i) acquire by gift, purchase, lease, assignment, or other arrangement, the Adjacent Property to facilitate the development of the Project; (ii) convey to MCHP, the Project Site, and/or the Authority's interest in any improvements and personal property located on such land and in such improvements (conveyance of all, or any portion, of such property may be effected via long-term lease, long-term lease with an option to purchase, transfer of fee title, or otherwise); and (iii) if required by Project funders or otherwise necessary or desirable in connection with the development, financing, and/or operation of the Project, encumber the Authority's interest in the Project Site pursuant to covenant agreements and other encumbrances. The Authority's President/Chief Executive Officer, Executive Vice President of Administration/Chief Administrative Officer, Executive Vice President of Development, and Senior Vice President of Development and Asset Management (collectively, the "Authorized Officers" and each, an "Authorized Officer"), and each of them acting alone, are authorized on behalf of the Authority to negotiate, execute, deliver and, if applicable, file (or cause to be executed and delivered and, if applicable, filed) on behalf of the Authority, all agreements necessary or desirable to effect the transactions described in this Section (collectively, the "Real Estate Documents") in such forms as any Authorized Officer may approve. The Authorized Officers (and each of them acting alone) are further authorized and directed to take any other action and to execute such other documents as may be required to be taken or executed by the Authority, under the provisions of or as necessary to carry out the transactions contemplated by the Real Estate Documents (including the amendment of any such documents if necessary to further the purposes thereof or resolve ambiguities therein). An Authorized Officer's signature on a Real Estate Documents or other instrument contemplated by this Section shall be construed as the Authority's approval of such Real Estate Documents or other instrument.

Section 3. Authorization to Lend Money; Authorization for Housing Authority Project Loan Documents. The Authority is authorized to make (a) one or more loans to MHCP in a combined principal amount of up to \$1,500,000 to provide financing for costs of the Project; and (b) one or more loans to MHCP in a combined principal amount of not to exceed \$3,000,000 at any one time outstanding to provide temporary financing for the acquisition of manufactured homes to be installed on the Project Site (collectively, the "Housing Authority Project Loans"). The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority to determine the source (or sources) of funds for each Housing Authority Project Loan and the terms of each Housing Authority Project Loan, and to negotiate, execute, deliver and, if applicable, file (or cause to be executed and delivered and, if applicable, filed) on behalf of the Authority, documents pertaining to and evidencing each Housing Authority Project Loan (collectively, the "Housing Authority Project Loan Documents") in such forms as any Authorized Officer may approve. Without limiting the foregoing, as determined by the Authorized Officers, or each of them acting alone: (i) any Housing Authority Project Loan may be structured as a revolving or non-revolving facility; and (ii) any temporary Housing Authority Project Loan made available to finance predevelopment or other preliminary costs of the Project may be amended or replaced with a new Housing Authority Project Loan to provide long-term financing for the Project. The Authorized Officers (and each of them acting alone) are further authorized and directed to take any other action and to execute such other documents as may be required to be taken or executed by the Authority, under the provisions of or as necessary to carry out the transactions contemplated by the Housing Authority Project Loan Documents (including the amendment of any such documents as set forth above, or if

necessary to further the purposes thereof or resolve ambiguities therein). An Authorized Officer's signature on a Housing Authority Project Loan Document or other instrument contemplated by this Section shall be construed as the Authority's approval of such Housing Authority Project Loan Document or other instrument.

Section 4. Authorization to Lend Money; Authorization for Housing Authority Homeowner Loan Documents. The Authority is authorized to develop a program pursuant to which the Authority would make one or more loans, in an aggregate principal amount not to exceed \$1,000,000 at any time outstanding, to persons of low income to provide financial assistance for a portion of the purchase price for manufactured homes to be installed on the Project Site (collectively, the "Housing Authority Homeowner Loans" and, together with the Housing Authority Project Loans, the "Housing Authority Loans"). The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority to determine the source (or sources) of funds for each Housing Authority Homeowner Loan, the terms of each Housing Authority Homeowner Loan and the security for each Housing Authority Homeowner Loan as is necessary and prudent, and to negotiate, execute, deliver and, if applicable, file (or cause to be executed and delivered and, if applicable, filed) on behalf of the Authority, documents pertaining to and evidencing each Housing Authority Homeowner Loan (collectively, the "Housing Authority Homeowner Loan Documents") in such forms as any Authorized Officer may approve. The Authorized Officers (and each of them acting alone) are further authorized and directed to take any other action and to execute such other documents as may be required to be taken or executed by the Authority, under the provisions of or as necessary to carry out the transactions contemplated by the Housing Authority Homeowner Loan Documents (including the amendment of any such documents as set forth above, or if necessary to further the purposes thereof or resolve ambiguities therein). An Authorized Officer's signature on a Housing Authority Homeowner Loan Document or other instrument contemplated by this Section shall be construed as the Authority's approval of such Housing Authority Homeowner Loan Document or other instrument.

Section 5. Cooperation with Public Bodies; Authorization for Housing Cooperation Agreements. The Authority is authorized to cooperate with the County and any other public body to further the development, financing, and/or operation of the Project. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority to negotiate, execute, deliver and, if applicable, file (or cause to be executed and delivered and, if applicable, filed) on behalf of the Authority, one or more cooperation agreements intended to facilitate the development, financing, and/or operation of the Project (collectively, the "Housing Cooperation Agreements") in such forms as any Authorized Officer may approve. Such Housing Cooperation Agreements may be between the Authority and the County and/or any other state public body (as defined in the Housing Cooperation Law). The Authorized Officers (and each of them acting alone) are further authorized and directed to take any other action and to execute such other documents as may be required to be taken or executed by the Authority, under the provisions of or as necessary to carry out the transactions contemplated by the Housing Cooperation Agreements (including the amendment of any such documents if necessary to further the purposes thereof or resolve ambiguities therein). An Authorized Officer's signature on a Housing Cooperation Agreement or other instrument contemplated by this Section shall be construed as the Authority's approval of such Housing Authority Cooperation Agreement or other instrument.

Section 6. Cooperation with MHCP. The Authority is authorized to cooperate with MHCP to further the development, financing, and/or operation of the Project.

Section 7. Increase in Authority Participation. The Authorized Officers, and each of them acting alone, are authorized to decrease the principal amount of the Housing Authority Loans authorized by this resolution by any amount, and to increase the aggregate outstanding principal amount of the Housing Authority Loans by an amount up to \$500,000 more than the maximum aggregate principal amount for the Housing Authority Loans stated in this resolution.

Section 8. Supplemental Authorization. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority to: (i) determine that any document authorized by this resolution is, at the time such document otherwise would be executed, no longer necessary or desirable and, based on such determination, cause the Authority not to execute or deliver such document; (ii) execute and deliver and, if applicable, file (or cause to be delivered and/or filed) any government forms, affidavits, certificates, letters, documents, agreements, and instruments that such officer determines to be necessary or advisable to give effect to this resolution and to consummate the transactions contemplated herein and/or further the development, financing, and/or operation of the Project; (iii) cause the Authority to expend such funds as are necessary to pay for all filing fees, application fees, registration fees, and other costs relating to the actions authorized by this resolution; and (iv) notwithstanding any other Authority resolution, rule, policy, or procedure, to create, accept, execute, send, use, and rely upon such tangible medium, manual, facsimile, or electronic documents, records, and signatures under any security procedure or platform, as in such Authorized Officer's judgment may be necessary or desirable to give effect to this resolution and to consummate the transactions contemplated herein.

Section 9. Execution of Duties and Obligations. The Board authorizes and directs the Authorized Officers, and each of them acting alone, and all other proper officers, agents, attorneys and employees of the Authority to carry out, or cause to be carried out, all obligations of the Authority under the instruments authorized by this resolution, and to perform or cause to be performed such other acts as they shall consider necessary or advisable in order to give effect to this resolution and the transactions contemplated herein.

Section 10. Acting Officers Authorized. Any action required or authorized by this resolution to be taken by the President/Chief Executive Officer may, in the absence of such person, be taken by the Executive Vice President of Administration/Chief Administrative Officer or Executive Vice President of Housing Operations/Chief Operations Officer of the Authority.

Section 11. Ratification and Confirmation. All actions of the Authority and its officers prior to the date hereof and consistent with the terms of this resolution are ratified and confirmed.

Section 12. Effective Date. This resolution shall be in full force and effect from and after its adoption and approval.

Section 13. Resolution No. 5792 Superseded. Upon adoption of this Resolution, Resolution No. 5792 is replaced and superseded in its entirety by this Resolution.

**ADOPTED AT THE SPECIAL MEETING OF THE BOARD OF COMMISSIONERS
OF THE HOUSING AUTHORITY OF THE COUNTY OF KING AT AN OPEN PUBLIC
MEETING THIS 30th DAY OF JUNE, 2025.**

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



RICHARD JACKSON, Vice Chair
Board of Commissioners

ATTEST:



ROBIN WALLS

President/Chief Executive Officer and
Secretary-Treasurer

CERTIFICATE

I, the undersigned, the duly chosen, qualified and acting President/Chief Executive Officer and Secretary of the Housing Authority of the County of King (the "Authority") and keeper of the records of the Authority, CERTIFY:

1. That the attached copy of Resolution No. 5797 (the "Resolution") is a full, 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 June 30, 2025 (the "Meeting"), and duly recorded in the minute books of the Authority;

2. That written notice specifying the time and place of the special meeting and noting the business to be transacted (the "Notice") was given to all members of the Board of Commissioners by mail, fax, electronic mail or personal delivery at least 24 hours prior to the special meeting (or such longer period as may be required by the Authority's Bylaws), a true and complete copy of which notice is attached hereto as Appendix I;

3. That the Notice was also posted on the Authority's website and prominently displayed at the main entrance of the Authority's administrative office at 600 Andover Park W., Tukwila, Washington 98188 and at the meeting site, if different, at least 24 hours prior to the Meeting;

4. That the Notice was given to each local radio or television station and to each newspaper of general circulation that has on file with the Authority a written request to be notified of special meetings and to any others to which such notices are customarily given by the Authority;

5. That 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 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 30th day of June, 2025.



Robin Walls, Secretary and President / Chief
Executive Officer of the Authority

Appendix I