

HOUSING AUTHORITY OF THE COUNTY OF KING

RESOLUTION NO. 5818

(Volume Cap Recycling – Kirkland Heights and Trailhead)

A RESOLUTION of the Board of Commissioners of the Housing Authority of the County of King providing for the negotiation, execution and delivery of documents pertaining to the preservation of tax-exempt private activity volume cap for multifamily housing projects, 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:

(a) **Statutory Authorization.** 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) “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)); (iii) issue bonds, notes or other obligations for any of its corporate purpose (RCW 35.82.020(11) and RCW 35.82.130); (iv) “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)); (v) “make and execute contracts and other instruments, including but not limited to partnership agreements” (RCW 35.82.070(1)); and (iv) “delegate to one or more of its agents or employees such powers or duties as [the Authority] may deem proper” (RCW 35.82.040). The phrase “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.”

(b) **Prior Issuance of 2023 Kirkland Heights Bonds.** The Authority previously issued its Revenue Bonds, Series 2023A1, Series 2023A2, and Series 2023A3 (Kirkland Heights Project) (collectively, the “2023 Kirkland Heights Bonds”) pursuant to a Trust Indenture dated September 13, 2023 (the “Kirkland Heights Indenture”), between the Authority and The Bank of New York Mellon Trust Company, N.A., as bond trustee (the “Kirkland Heights Trustee”). The Authority used the proceeds of the 2023 Kirkland Heights Bonds to make a loan (the “2023 Kirkland Heights Bond Loan”) to New Kirkland Heights LLLP (the “Kirkland Heights Partnership”) pursuant to a Loan Agreement dated September 13, 2023, between the Authority and the Kirkland Heights Partnership to finance a portion of the costs of acquiring, rehabilitating, constructing, and equipping an affordable housing project known as Kirkland Heights, located in the vicinity of 13310 NE 133rd Street, Kirkland, Washington (the “Kirkland Heights Project”). In

compliance with the requirements of Section 146 of the Internal Revenue Code of 1986, as amended (the “Code”), the Authority received a transfer of volume cap from the Washington State Housing Finance Commission (the “Commission”) in the amount of \$116,000,000 for the Kirkland Heights Project, \$115,995,270.80 of which was allocated to the 2023 Kirkland Heights Bonds. The private activity bond volume cap transferred by the Commission represented 2023 private activity bond volume cap originally allocated by the Washington State Department of Commerce to the Commission’s Multi-Family Program and reallocated to the Authority by the Commission. The Kirkland Heights Indenture provides that the Authority, the Kirkland Heights Trustee and/or the Kirkland Heights Partnership may enter into one or more recycling agreements with such other parties and in a form determined by the Authority in order to preserve and recycle private activity volume cap under Section 146(i)(6) of the Code, and further provides that payment of principal or redemption price of, and/or interest on the 2023 Kirkland Heights Bonds from funds available under such a recycling agreement will constitute a proportionate payment of the 2023 Kirkland Heights Bond Loan by the Kirkland Heights Partnership.

(c) Anticipated Issuance of Trailhead Bonds. The Authority expects to issue revenue bonds (the “Trailhead Bonds”) to fund a loan to Trailhead Apartments LLLP (the “Trailhead Partnership”) to finance a portion of the costs of acquiring, constructing, and equipping an affordable housing project to be known as the Trailhead Apartments, and to be located in the vicinity of 1550 Newport Way NW, in Issaquah, Washington (the “Trailhead Project”).

(d) Private Activity Volume Cap Recycling. Section 146(i)(6) of the Code allows private activity volume cap associated with a residential rental project to be preserved and “recycled” to permit the issuance of tax-exempt private activity bonds to fund a future project, if certain conditions are met. In order to further the preservation of tax-exempt private activity volume cap for multifamily housing projects in the State of Washington, Authority desires that a portion of the volume cap allocated to the 2023 Kirkland Heights Bonds be applied to the issuance of the Trailhead Bonds or other residential rental bonds issued by the Authority.

Section 2. Authorization of Volume Cap Recycling Documents. The Board hereby delegates to the Authority’s President/Chief Executive Officer, Executive Vice President of Development, and Senior Vice President of Development and Asset Management, and their respective designees (each, an “Authorized Officer” and collectively, the “Authorized Officers”), and each of them acting alone, 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 (acting on its own behalf and/or as general partner of the Kirkland Heights Partnership and/or the Trailhead Partnership) (i) one or more funds exchange agreements (repayment) pertaining to the preservation of volume cap allocated to the 2023 Kirkland Heights Bonds, (ii) one or more funds exchange agreements (new loan) associated with the application of preserved private activity volume cap to the issuance of the Trailhead Bonds or other residential rental bonds to be issued by the Authority, (iii) one or more agreements with fiscal agent(s) selected by the Authority pertaining to the holding and investment funds in connection with the Authority’s volume cap recycling activities; and (iv) any other documents reasonably required to be executed by the Authority, the Kirkland Heights Partnership, and/or the Trailhead Partnership to carry out the transactions contemplated by this resolution (collectively, the “Volume Cap Recycling Documents”). The Authorized Officers (and each of them acting alone) are further authorized and directed to take any other actions and to execute such other documents as may be required to

be taken or executed by the Authority, on behalf of itself and/or as the general partner of the Trailhead Partnership and/or the Kirkland Heights Partnership, under the provisions of or as necessary to carry out the transactions contemplated by the Volume Cap Recycling Documents, including, without limitation, the amendment of any such documents if necessary to further the purposes thereof or resolve ambiguities therein, and appointing one or more fiscal agents under the Volume Cap Recycling Documents.

Section 3. Acting Officers Authorized. Any action authorized by this resolution to be taken by the President/Chief Executive Officer of the Authority, may in the President/Chief Executive Officer's absence be taken by any Executive Vice President of the Authority. Any action authorized by this resolution to be taken by an Executive Vice President of the Authority, may in such Executive Vice President's absence be taken by a duly authorized acting Executive Vice President of the Authority.

Section 4. Ratification and Confirmation. Any actions of the Authority or its officers or employees prior to the date hereof and consistent with the terms of this resolution are ratified and confirmed.

Section 5. Changes to Titles or Parties. While the titles of and parties to the various documents described herein may change, no change to such titles or parties shall affect the authority conferred by this resolution to execute, deliver, file (if required), enforce and perform the documents in their final form.

Section 6. Supplemental Authorization. The Authorized Officers, and each of them acting alone, are authorized on behalf of the Authority (acting on its own behalf and/or in its capacity as general partner of the Kirkland Heights Partnership and/or the Trailhead Partnership) 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, the Trailhead Partnership and/or the Kirkland Heights Partnership, as applicable, 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, applications, 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; (iii) cause the Authority, the Kirkland Heights Partnership and/or the Trailhead Partnership, as applicable, 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 7. Severability. If any provision in this resolution is declared by any court of competent jurisdiction to be contrary to law, then such provision shall be null and void and shall be deemed separable from the remaining provisions of this resolution and shall in no way affect the validity of the other provision of this resolution or the Bonds.

Section 8. Effective Date. This resolution shall be in full force and effect from and after its adoption and approval.

ADOPTED AT A SPECIAL MEETING OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF KING AT AN OPEN PUBLIC MEETING THIS 23rd DAY of FEBRUARY, 2026.

HOUSING AUTHORITY OF THE COUNTY OF KING

By  _____
JERRY LEE, Chair
Board of Commissioners

ATTEST:



ROBIN WALLS
Secretary and President/
Chief Executive Officer of the Authority

CERTIFICATE

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

1. The foregoing Resolution No. 5818 (the "Resolution") is a full, true and correct copy of the Resolution duly adopted at a special meeting of the Board of Commissioners of the Authority (the "Board") held at the Authority's principal administrative offices on February 23, 2026 (the "Meeting"), as that Resolution appears in the records of the Authority, and the Resolution is now in full force and effect;

2. Written notice specifying the time, place and noting the business to be transacted (the "Notice") was given to all members of the Board by mail, fax, electronic mail or by personal delivery at least 24 hours prior to the Meeting or such longer period as required by the Authority's Bylaws (the "Notice"), and a true and complete copy of the Notice is attached hereto as Appendix 1;

3. The Notice was also posted on the Authority's website and prominently displayed at the main entrance of the Authority's principal location and the entrance to the special meeting location (if different) at least 24 hours prior to the Meeting;

4. The Notice was also given by mail, fax, electronic mail or by personal delivery at least 24 hours prior to the Meeting 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; and

2. The Meeting was duly convened and held, and included an opportunity for public comment, in all respects in accordance with law, a quorum was present throughout the Meeting, and a majority of the members of the Board present at the Meeting voted in the proper manner for the adoption of the Resolution; all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed; and I am authorized to execute this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of February, 2026.



Secretary and President/Chief Executive Officer of
the Authority

[Certificate]

APPENDIX I

NOTICE OF SPECIAL MEETING

[Certificate]

**SPECIAL HYBRID MEETING
OF THE
BOARD OF COMMISSIONERS
AGENDA**

Monday, February 23, 2026 - 3:00 p.m.
Webinar ID: 816 0337 3802

King County Housing Authority - Snoqualmie Conference Room, 700 Andover Park West, Tukwila, WA 98188

I.	Call to Order	
II.	Roll Call	
III.	Public Comment	
IV.	Approval of Minutes	1
	A. Board Meeting Minutes – January 20, 2026	
V.	Approval of Agenda	
VI.	Consent Agenda	
	A. Voucher Certification Reports for December 2025	2
	B. Resolution No. 5814 – Appointment of Auditing Officers for the purpose of Certifying Obligations of the Authority is in Accordance with RCW 42.24	3
	C. Resolution No. 5815 – Authorizing Joel Tobin as contracting officer, signator and agent designated to receive claims for damages	4
	D. Resolution No. 5821 – Authorizing Wendy Teh as contracting officer and signator	5
	E. Resolution No. 5816 – Authorizing Changes to the Public Housing Admissions and Continued Occupancy Policy and the Tenant-based and Project-based Housing Choice Voucher Administrative Plans Relating to Transfers and Brookside Apartments	6
	F. Resolution No. 5817 – Authorizing Changes to the Housing Choice Voucher Tenant-based Administrative Plan Relating to the Length of Time a Participant Has to Search for a Unit	7
VII.	Resolutions for Discussion	
	A. Resolution 5818 – Kirkland Heights Bond Recycling for Trailhead	8
	Resolution 5819 – Partnership Formation for Greenbridge Notch	9
	Resolution 5820 – Bond Inducement for Greenbridge Notch	9
VIII.	Reports	
	A. Digital Equity Part II	10
	B. KCHA Relocations Program	11
	C. Third Quarter 2025 Write-Off Report	12
	D. Fourth Quarter 2025 Write-Off Report	13
IX.	Executive Session	
	A. To review the performance of a public employee (RCW 42.30.110 (1) (g)).	
X.	President/CEO Report	
XI.	Commissioner Comments	
XII.	Adjournment	

Members of the public who wish to give public comment: We are now accepting public comment during the meeting or written comments. Please send your requests for public comment to the Board Coordinator via email to kamir@kcha.org 3 days prior to the meeting date. If you have questions, please call 206-574-1206.