

**HOUSING AUTHORITY OF THE COUNTY OF KING**

**RESOLUTION NO. 5609**

**AUTHORIZING THE AUTHORITY TO ENTER INTO AN AGREEMENT WITH  
SEATTLE HOUSING AUTHORITY FOR THE AUTHORITY TO ACQUIRE AND  
OPERATE A PORTFOLIO OF THREE SECTION 8 ASSISTED PROPERTIES  
LOCATED WITHIN THE CITY OF SEATTLE**

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**WHEREAS**, the Housing Authority of the County of King (the “Authority”) seeks to encourage the provision of long-term housing for low-income persons residing within King County, Washington; and

**WHEREAS**, the Housing Authority of the City of Seattle (“SHA”) seeks to encourage the provision of long-term housing for low-income persons residing within the city limits of Seattle, Washington; and

**WHEREAS**, there is an increasingly serious shortage of affordable housing in King County including within the City of Seattle; and

**WHEREAS**, a group of related entities (collectively, the “Seller” or “Sellers”) own a portfolio of five HUD Project-Based Section 8 housing developments (each, a “Property” and collectively, the “Properties”) located in King County, all of which are a high priority for preservation. Three of the Properties (together, the “Seattle Sites”) are located within the City of Seattle and two of the Properties are located in the City of Kirkland; and

**WHEREAS**, the Sellers wish to sell the Properties as one portfolio specifically to the Authority; and

**WHEREAS**, both the Authority and SHA are concerned with the provision of decent, safe and sanitary housing for elderly and low-income persons within their respective

jurisdictions, and both acknowledge the shortage of such housing and the importance of preserving existing assisted housing such as the Properties; and

**WHEREAS**, RCW 35.82.070(2) provides that a housing authority may “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...”; and

**WHEREAS**, in order for the Authority to acquire and operate property within the City of Seattle, SHA who has jurisdiction to operate within such area of operation must confer on the Authority the right and power to acquire and operate the Seattle Sites; and

**WHEREAS**, the Authority and SHA wish to preserve the Seattle Sites as affordable housing for the long term; and

**WHEREAS**, RCW 35.82.100 provides that “any two or more authorities may join or cooperate with one another in the exercise of any or all of the powers conferred hereby for the purpose of financing, planning, undertaking, constructing or operating housing project or projects located within the area of operation of any one or more of said authorities”; and

**WHEREAS**, RCW 35.82.020 defines “housing project” 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”; and

**WHEREAS**, RCW 35.82.070(1) provides that a housing authority may, among other things, “make and execute contracts and other instruments...”; and

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

**Section 1: Approval to operate within the City of Seattle.** The Executive Director of the Authority is authorized and directed to negotiate and execute a cooperation, interlocal or other

agreement (the “Agreement”) with SHA pursuant to which the Authority: (i) may acquire the Seattle Sites, (ii) operate the Seattle Sites to provide housing for senior and/or low-income households, and (iii) exercise any other powers with respect to the Seattle Sites that SHA could otherwise exercise.

It is the express desire of the Authority and SHA to ensure the Seattle Sites remain as permanent, affordable housing resources for the City of Seattle, and the parties are entering into this Agreement with the understanding that, given its MTW Authority and relationship with the City Office of Housing, SHA is best positioned to provide the maximum amount of resources to ensure the long-term viability of the Seattle Sites. Accordingly, the parties agree to work cooperatively towards ensuring that the long-term ownership of the Seattle Sites will be vested with the party that is most able to ensure this outcome. To facilitate the intent of this agreement, the Authority is hereby authorized to assign or transfer its interests in the Seattle Sites to SHA upon mutual agreement by SHA and upon terms satisfactory to the Authority. The Executive Director of the Authority is further authorized to negotiate and execute any other documents reasonably required to be executed in connection with such agreement.

**Section 2: Government Filings; Other Agreements.** The Executive Director of the Authority is further authorized to execute, deliver and, if applicable, file (or cause to be executed, delivered and, if applicable, filed), on behalf of the Authority or as authorized by SHA, any applications, agreements, certifications, government forms, notices, affidavits, documents and instruments that he determines to be necessary or advisable to give effect to this resolution and consummate the transactions contemplated herein.

**Section 3: Expenditures.** The Authority is authorized to expend such funds as are necessary to pay for all costs relating to the actions authorized by this resolution.

**Section 4: Acting Officers Authorized.** Any action required by this resolution to be taken by the Executive Director of the Authority may, in his absence, be taken by a Deputy Executive Director of the Authority.

**Section 5: Ratification and Confirmation.** Any actions of the Authority or its officers prior to the date hereof and consistent with the terms of this resolution.

**Section 6: Effective Date.** This resolution shall be in full force and effect from and after its adoption and approval.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF KING AT A PUBLIC MEETING THIS 19<sup>TH</sup> DAY OF NOVEMBER, 2018.**

**HOUSING AUTHORITY OF THE COUNTY OF KING**

  
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**DOUGLAS J. BARNES, CHAIR**

**ATTEST:**

  
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**STEPHEN J. NORMAN, SECRETARY**