



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

September 27, 2004

Ordinance 15021

Proposed No. 2004-0430.2

Sponsors Gossett

1 AN ORDINANCE relating to interim use of the community
2 development block grant (CDBG) fund to provide a short-
3 term loan to an experienced affordable housing developer to
4 purchase and develop land which will provide home
5 ownership opportunities for low/moderate income persons
6 and authorizing the King County executive to enter into loan
7 agreements necessary to effect the project, and if required,
8 authorizing the King County executive to enter into
9 agreements to transfer title of property in a negotiated sale to
10 an experienced affordable housing developer.

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13 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

14 SECTION 1. Findings: The council hereby makes the following findings of
15 fact.

16 A. In 1998, the Department of Community and Human Services previously
17 awarded HOME funds for the acquisition of Brooks Village property and executed

18 various agreements with the purchaser for the development of affordable housing for
19 home ownership. The acquisition of the property was funded completely with federal
20 HOME funds.

21 B. The current owner of the property may be unable to complete construction of
22 affordable housing and has entered into negotiations with the executive concerning the
23 affordable housing project.

24 C. As a result of these negotiations, the owner may agree to deed the property to
25 King County.

26 D. If the property owner agrees to deed the property to King County, the
27 executive has recommended that the property be transferred to an experienced developer
28 of affordable housing capable of completing the development affordable housing on the
29 property.

30 E. Because the Brooks Village property was purchased with federal HOME
31 funds, if affordable housing is not constructed on the property, federal HOME regulations
32 would require that any proceeds from the sale of the property be returned to the HOME
33 fund to be used for affordable housing.

34 F. Based on these facts and in accordance with K.C.C. 4.56.100, the council finds
35 that these unique circumstances make a negotiated direct sale in the best interest of the
36 public, if the property owner deeds the property to King County.

37 **SECTION 2. Definitions.** Unless the context otherwise requires, the terms
38 defined in this section shall, for all purposes of this ordinance have the meanings specific;
39 words importing the singular include the plural number and vice versa:

40 "County" means King County, Washington.

41 "Council" means the metropolitan county council of King County, Washington.

42 "Community development interim loan (CDIL)" shall mean the making of short-
43 term financing loans to assist in the development of community development block grant
44 eligible projects.

45 "Community development block grant (CDGB) funds" shall mean those
46 entitlement moneys King County receives through the United States Department of
47 Housing and Urban Development and are dedicated to the CDBG fund.

48 "Brooks Village property" shall mean the fourteen acres of undeveloped
49 residential land located in unincorporated area of Skyway/West Hill more fully described
50 in Attachment A to this ordinance.

51 SECTION 3. The council finds and determines to be necessary and appropriate
52 and in the best interests of the county to make a CDIL in the amount of up to four million
53 dollars to an experienced affordable housing developer. The loan will be used to acquire
54 the Brooks Village property and construct infrastructure on the property. The Brooks
55 Village property is located in the unincorporated area of Skyway/West Hill. The
56 development will create a maximum of fifty-six new units of housing available for
57 ownership to families at or less than eighty percent of area median income. The project
58 is consistent with King County's adopted Consolidated Housing and Community
59 Development Plan. The loan shall be repaid to King County in accordance with the terms
60 and conditions of the CDIL agreement.

61 SECTION 4. In accordance with the regulations of the United States Department
62 of Housing and Urban Development, the county executive is hereby authorized to enter

63 into a CDIL agreement with an experienced nonprofit affordable housing developer. The
64 loan will be repaid within thirty months.

65 SECTION 5. For the purpose of making this CDIL, the sum of four million
66 dollars, or so much thereof as may be necessary to fund this project, shall be disbursed
67 from such unexpended balances as may become available in the King County CDBG
68 fund.

69 SECTION 6. In the event that the current owner of the Brooks Village property
70 agrees to deed the Brooks Village property to King County, the council finds that unique
71 circumstances exist to authorize the executive to enter into agreements to transfer of the
72 Brooks Village property in a negotiated sale. The council also finds and determines it to
73 be necessary and appropriate and in the best interests of the public to authorize the
74 executive to transfer the Brook Village property to the experienced affordable housing
75 developer selected for the CDIL. The property will be transferred subject to an
76 Affordable Housing Covenant Agreement that requires development of housing units
77 available for home ownership to families at or less than eighty percent of area median
78 income.

79 SECTION 7. Should any section, subsection, paragraph, sentence, clause or

Ordinance 15021

RECEIVED

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CLERK

KING COUNTY COUNCIL

80 phrase of this ordinance be declared unconstitutional or invalid for any reason, such
81 decision shall not affect the validity of the remaining portion of this ordinance.
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Ordinance 15021 was introduced on 9/7/2004 and passed by the Metropolitan King County Council on 9/27/2004, by the following vote:

Yes: 11 - Mr. Phillips, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Pelz, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Mr. Irons, Ms. Patterson and Mr. Constantine

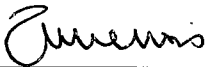
No: 0

Excused: 2 - Mr. McKenna and Ms. Hague

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 10 day of October, 2004.


Ron Sims, County Executive

Attachments A. Legal Description

ATTACHMENT A

The real property legally described as follows:

THAT PORTION OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 23 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, KINGCOUNTY, WASHINGTON, LYING WEST OF RENTON AVENUE SOUTH (E.S. GOODWIN ROAD NO. 2) AS ESTABLISHED BY DEEDS RECORDED UNDER RECORDING NUMBERS 2611920 AND 2623866;

EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF SEATTLE BY DEED RECORDED UNDER RECORDING NUMBER 2640849