



Legislation Text

File #: 2021-0275, **Version:** 2

Clerk 04/05/2022

AN ORDINANCE authorizing the executive to execute a purchase and sale agreement to convey surplus property located at 10821 8th Ave SW, Seattle, Washington, in council district eight.

STATEMENT OF FACTS:

1. The White Center Community Development Association ("WCCDA") is a nonprofit corporation that serves as a consortium of local service providers. Through a competitive process, it was an early recipient of a Communities of Opportunity grant. The project for which WCCDA received its grant was the planning of what ultimately has evolved into the White Center Community "HUB" (Hope, Unity, and Belonging) project, consisting of affordable housing units for those earning sixty percent or less of the area median income, together with commercial grade building reserved for nonprofit, service provider and community facility uses.
2. To assist in making this plan a reality, the executive negotiated with WCCDA for the transfer of property located at 10821 8th Ave SW, Seattle, Washington ("the property"), located within council district eight, and within the unincorporated area of White Center, on which the White Center Community HUB can be built.
3. Before the county entered into a purchase and sale agreement with WCCDA in September 2020 ("the PSA"), the facilities management division completed the surplus property, affordable housing and public notice requirements.
4. On July 13, 2021, the executive transmitted to the council the PSA and the proposed

ordinance authorizing the conveyance of the property. Subsequently, the county reached agreement with WCCDA on a Declaration of Covenant for Affordable Housing and a Declaration of Covenant for Community Use, setting forth requirements for construction of affordable housing and a community facility. These covenants will run with the land. The county also negotiated a Reserved Right of Entry and Power of Termination Agreement.

5. The Declaration of Covenant for Affordable Housing requires that not less than seventy rent-restricted housing units be constructed for occupancy by individuals whose income is sixty percent or less of area median income.

6. The Declaration of Covenant for Community Use requires that each space in the community facility be occupied by or held available for rental to nonprofit organizations providing cultural, educational, artistic, community, social service, medical or recreational use for the benefit of the community of White Center.

7. The Reserved Right of Entry and Power of Termination Agreement provides that construction of both the affordable housing and community facility must begin within ten years of WCCDA owning the property or the county will have the right to rescind the sale and recover all or a portion of the property.

8. Under K.C.C. 4.56.100.A.2., the council may determine that unique circumstances make a negotiated direct sale in the best interests of the public.

9. Providing the opportunity for the creation of new affordable housing is a paramount focus of the county. Providing the opportunity for a local community to preserve and enhance the provision of health and human services is transformational change and a policy that the county has embraced.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings: Unique circumstances exist, such that a negotiated, direct sale to the White

Center Community Development Association of the real property located at 10821 8th Ave SW, Seattle, Washington ("the property") is authorized under K.C.C. 4.56.100.A.2. Those unique circumstances include that this direct sale will require not less than seventy rent restricted, income-based housing units to be built, in addition to a commercial building to house qualified entities that will serve the residents and the community at large. Those obligations are covenants that run with the land. An additional unique circumstance is the county's right of entry, whereby if the construction of these structures are not started within ten years of White Center Community Development Association taking ownership of the property, the county may recover all or part of the property. Transferring that surplus property under these unique circumstances is in the best interests of the public.

SECTION 2. The executive is authorized to execute a purchase and sale agreement substantially in the form of Attachment A to this ordinance, and thereby to convey the real property located at the 10821 8th Ave SW, Seattle, to the White Center Community Development Association. The executive is then authorized to take all actions necessary to implement the terms of the purchase and sale agreement.