



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 119077

Record No.: CB 119077

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125424

In Control: City Clerk

File Created: 09/05/2017

Final Action: 10/05/2017

**Title:** AN ORDINANCE relating to Capitol Hill Housing Improvement Program ("CHHIP"), a public corporation chartered by The City of Seattle; authorizing the Director of the Office of Intergovernmental Relations to enter into agreements with King County, the cities of Bellevue, Federal Way, Issaquah, Kent, Kirkland, Mercer Island, Redmond, Renton, SeaTac, Shoreline, and Tukwila to permit CHHIP to exercise its chartered authority in such jurisdictions; authorizing the Director of the Office of Intergovernmental Relations, after receiving authorization by resolution, to enter into future agreements with other cities located in King County consenting to a request from CHHIP to exercise its chartered authority in such city; and extending the City's powers, authorities and rights regarding public corporations and authorities beyond the city limits for the projects within CHHIP's chartered authority.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Burgess

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att 1 - Agreement

Drafter: patrick.wigren@seattle.gov

Filing Requirements/Dept Action:

### History of Legislative File

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	09/05/2017	sent for review	Council President's Office			
Action Text: The Council Bill (CB) was sent for review. to the Council President's Office							
Notes:							

- 1 Council President's Office 09/07/2017 sent for review Affordable Housing, Neighborhoods, and Finance Committee  
Action Text: The Council Bill (CB) was sent for review. to the Affordable Housing, Neighborhoods, and Finance Committee  
Notes:
- 1 Full Council 09/11/2017 referred Affordable Housing, Neighborhoods, and Finance Committee
- 1 Affordable Housing, Neighborhoods, and Finance Committee 09/15/2017 pass Pass  
Action Text: The Committee recommends that Full Council pass the Council Bill (CB).  
Notes:  
In Favor: 2 Chair Burgess, Member Johnson  
Opposed: 0
- 1 Full Council 09/25/2017 passed Pass  
Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:  
Notes:  
In Favor: 7 Councilmember Bagshaw, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember O'Brien, Councilmember Sawant  
Opposed: 0
- 1 City Clerk 09/28/2017 submitted for Mayor's signature Mayor  
Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor  
Notes:
- 1 Mayor 10/05/2017 returned City Clerk
- 1 Mayor 10/05/2017 Signed
- 1 City Clerk 10/05/2017 attested by City Clerk  
Action Text: The Ordinance (Ord) was attested by City Clerk.  
Notes:
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**Text of Legislative File CB 119077**

**CITY OF SEATTLE**

**ORDINANCE** 125424

**COUNCIL BILL** 119077

AN ORDINANCE relating to Capitol Hill Housing Improvement Program (“CHHIP”), a public corporation chartered by The City of Seattle; authorizing the Director of the Office of Intergovernmental Relations to enter into agreements with King County, the cities of Bellevue, Federal Way, Issaquah, Kent, Kirkland, Mercer Island, Redmond, Renton, SeaTac, Shoreline, and Tukwila to permit CHHIP to exercise its chartered authority in such jurisdictions; authorizing the Director of the Office of Intergovernmental Relations, after receiving authorization by resolution, to enter into future agreements with other cities located in King County consenting to a request from CHHIP to exercise its chartered authority in such city; and extending the City’s powers, authorities and rights regarding public corporations and authorities beyond the city limits for the projects within CHHIP’s chartered authority.

WHEREAS, The City of Seattle chartered the Capitol Hill Housing Improvement Program (“CHHIP”) in 1976 and its current purpose is to assist homeowners, property owners, residential tenants, and residents of the Capitol Hill community and other such areas as approved by the CHHIP Board of Directors in preserving, improving, and restoring the quality of their homes, property, and neighborhood, and to provide additional housing, cultural, social, and economic opportunities and facilities; and

WHEREAS, CHHIP has a long history of successfully fulfilling its purpose both inside and outside its Capitol Hill boundaries; and

WHEREAS, for example, in 2009 The City of Seattle entered into an agreement with King County to authorize CHHIP to partner with Delridge Neighborhoods Development Association to secure tax credits equity necessary for the SOPI Village affordable housing project in unincorporated King County; and

WHEREAS, an important component of CHHIP’s mission is to facilitate and provide safe and affordable housing to low- and moderate-income individuals and families; and

1 WHEREAS, CHHIP has identified certain specific mission-driven projects outside Seattle and  
2 anticipates additional projects in the near future (collectively, “Projects”); and

3 WHEREAS, RCW 35.21.740 provides that a public development authority may not operate  
4 outside of the boundaries of the establishing city unless that city enters into an agreement  
5 with another city or county; and

6 WHEREAS, Seattle Municipal Code subsection 3.110.170.B states: “If authorized by its charter  
7 to do so, a public corporation may undertake projects and activities or perform acts  
8 outside the limits of the city only in those areas of another jurisdiction whose governing  
9 body by agreement with the City consents thereto” and the CHHIP charter so authorizes;  
10 and

11 WHEREAS, the Projects will create new affordable housing in incorporated and unincorporated  
12 areas throughout King County, which is in the interests of The City of Seattle, King  
13 County, and the affected municipalities; NOW, THEREFORE,

14 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

15 Section 1. The Director of the Office of Intergovernmental Relations (“Director”) or the  
16 Director’s designee is authorized, for and on behalf of The City of Seattle, to enter into  
17 agreements with King County and the cities of Bellevue, Federal Way, Issaquah, Kent, Kirkland,  
18 Mercer Island, Redmond, Renton, SeaTac, Shoreline, and Tukwila, substantially in the form  
19 attached as Attachment 1 (“Agreement”), with any modifications or amendments that the  
20 Director deems necessary to implement the purposes of the Agreement subject to the  
21 requirements of this Section 1. The purposes of the Agreement are to consent to a request from  
22 Capitol Hill Housing Improvement Program (“CHHIP”), a Seattle public corporation, to  
23 participate in the development of affordable housing projects in unincorporated King County and

1 the cities specified in this Section 1, and to extend the City's powers, authorities, and rights  
2 regarding public corporations and authorities under state law outside the limits of the City for  
3 CHHIP's activities related to such projects. CHHIP shall, in making an Agreement request,  
4 provide to the Director a resolution of its Board of Directors certifying the Board's authorization  
5 of a project in King County or the identified cities in King County deemed to be consistent with  
6 CHHIP's chartered purpose.

7 Section 2. Upon authorization by the City Council of Seattle by resolution, the Director  
8 or the Director's designee is authorized, for and on behalf of The City of Seattle, to enter into  
9 agreements with other cities or towns located in King County substantially in the form of the  
10 Agreement, with any modifications or amendments that the Director deems necessary to  
11 implement the purposes of the Agreement subject to the requirements of this Section 2. The  
12 purposes of the Agreement are to consent to a request from CHHIP, a Seattle public corporation,  
13 to participate in the development of affordable housing projects in such city or town, and to  
14 extend the City's powers, authorities and rights regarding public corporations and authorities  
15 under state law outside the limits of the City for CHHIP's activities related to such projects.  
16 CHHIP shall, in making an Agreement request, provide a resolution of its Board of Directors  
17 certifying the Board's authorization of a project in the relevant city or town deemed to be  
18 consistent with CHHIP's chartered purpose.

19

1 Section 3. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 25<sup>th</sup> day of September, 2017,  
5 and signed by me in open session in authentication of its passage this 25<sup>th</sup> day of  
6 September, 2017.

7 

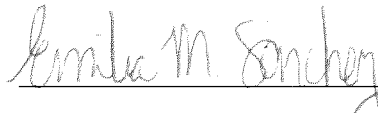
8 President \_\_\_\_\_ of the City Council

9 Approved by me this 5<sup>th</sup> day of October, 2017.

10 

11 Tim Burgess, Mayor

12 Filed by me this 5<sup>th</sup> day of October, 2017.

13 

14 for Monica Martinez Simmons, City Clerk

15 (Seal)

16

17 Attachments:

18 Attachment 1 – Agreement

Attachment 1

AGREEMENT

THIS AGREEMENT is entered into between \_\_\_\_\_, a municipal corporation and political subdivision of the State of Washington, hereinafter referred to as “\_\_\_\_\_,” and The City of Seattle, a Washington municipal corporation, hereinafter referred to as “Seattle”, each being a unit of general local government of the State of Washington.

RECITALS

WHEREAS, The City of Seattle chartered Capitol Hill Housing Improvement Program (“CHHIP”) in 1976 and its current purpose is to assist homeowners, property owners, residential tenants, and residents of the Capitol Hill community and such other areas as approved by the CHHIP Board of Directors in preserving, improving, and restoring the quality of their homes, property, and neighborhood, and to provide additional housing, cultural, social, and economic opportunities and facilities; and

WHEREAS, CHHIP has a long history of successfully fulfilling its purpose both inside and outside its Capitol Hill boundaries; and

WHEREAS, an important component of CHHIP’s mission is to facilitate and provide safe and affordable housing to low- and moderate-income individuals and families; and

WHEREAS, CHHIP has identified certain specific mission-driven projects in \_\_\_\_\_ and anticipates additional projects in the near future; and

WHEREAS, CHHIP is a public corporation established under SMC Chapter 3.110; and

WHEREAS, Seattle Municipal Code, Section 3.110.170, states in part: “If authorized by its charter to do so, a public corporation may undertake projects and activities or perform acts outside the limits of the City only in those areas of another jurisdiction whose governing body by agreement with the City consents thereto,” and the CHHIP Charter so authorizes; and

WHEREAS Seattle Municipal Code subsection 3.110.070.B provides that “No public corporation may incur or create any liability that permits recourse by any contracting party or member of the public to or upon any assets, services or credit of the City.”; and

WHEREAS, both \_\_\_\_\_ and The City of Seattle desire to facilitate CHHIP’s undertaking of projects and activities consistent with its chartered purpose and to provide needed affordable housing; and

WHEREAS, by Ordinance \_\_\_\_\_ [and Resolution \_\_\_\_\_] the City Council of Seattle authorized the Director of the Office of Intergovernmental Relations to enter into this Agreement with \_\_\_\_\_ to enable CHHIP to perform the activities described herein;

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING CIRCUMSTANCES, THE PARTIES AGREE AS FOLLOWS:

1. Consents

\_\_\_\_\_ and The City of Seattle (“Seattle”) each consent to Capitol Hill Housing Improvement Program (“CHHIP”), a public corporation chartered by Seattle, developing affordable housing projects located outside Seattle city limits in



\_\_\_\_\_, which may include, without limitation, participating in the financing, ownership, and operation of such projects. The consent provided in this Agreement is intended to satisfy the conditions of SMC 3.110.170 and the Charter of CHHIP for actions outside Seattle, and does not constitute approval of any components of such projects that may be required by any local, state, or federal law or regulation.

2. Powers and Authority

Pursuant to RCW 35.21.740, \_\_\_\_\_ and Seattle agree that with respect to all activities of CHHIP related to such projects and all related property interests now or hereafter held by CHHIP, the powers, authorities, and rights of Seattle to establish, to confer power and authority upon, and to exercise authority over, a public corporation or authority, as expressly or impliedly granted pursuant to RCW 35.21.730 through 35.21.755, shall be operable, applicable, and effective in \_\_\_\_\_, so that CHHIP shall have the same powers, authority, and rights with respect to such activities as CHHIP has within the corporate limits of Seattle, and shall be subject to the same Seattle ordinances and authority of Seattle.

4. Duration

This Agreement and the consents herein shall take effect when both parties have signed this Agreement, and shall remain in effect so long as the corporate existence of CHHIP continues, unless and until modified or terminated by written agreement of \_\_\_\_\_ and Seattle.

4. Miscellaneous

This Agreement represents the entire agreement of the parties with respect to the subject matter hereof. Nothing in this Agreement shall impose any obligation, liability, or responsibility on \_\_\_\_\_ for any liability, action, or omission of CHHIP. The parties agree that any action by CHHIP, or subsequent agreement between CHHIP and \_\_\_\_\_, allowed by this agreement will not result in any obligation, liability, or responsibility for Seattle.

CITY: \_\_\_\_\_:

The City of Seattle \_\_\_\_\_

By: \_\_\_\_\_ By: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_