



Legislation Details (With Text)

File #: CB 119078 **Version:** 1 **Name:** CB 119078
Type: Ordinance (Ord) **Status:** Passed
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On agenda: 9/25/2017

Final Action: 9/29/2017 **Ord. No.** Ord 125420

Title: AN ORDINANCE relating to Historic Seattle Preservation and Development Authority (“HSPDA”), 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 and the cities located within King County to permit HSPDA to exercise its chartered authority in such jurisdictions using Preservation Action Fund proceeds; authorizing the Director of the Office of Intergovernmental Relations, after receiving authorization by resolution, to enter into future agreements with King County and other cities located in King County consenting to a request from HSPDA to exercise its chartered authority in such jurisdictions; and extending the City’s powers, authorities, and rights regarding public corporations and authorities beyond the city limits for the projects within HSPDA’s chartered authority.

Sponsors: Tim Burgess

Indexes:

Attachments: 1. Att 1 - List of King County Cities Eligible for Preservation Action Fund Projects, 2. Att 2 - PAF Agreement, 3. Att 3 - Future Projects Agreement, 4. Summary and Fiscal Note, 5. Signed Ordinance 125420, 6. Affidavit of Publication

| Date | Ver. | Action By | Action | Result |
|-----------|------|--|---------------------------------|--------|
| 9/29/2017 | 1 | City Clerk | attested by City Clerk | |
| 9/29/2017 | 1 | Mayor | returned | |
| 9/29/2017 | 1 | Mayor | Signed | |
| 9/28/2017 | 1 | City Clerk | submitted for Mayor's signature | |
| 9/25/2017 | 1 | City Council | passed | Pass |
| 9/15/2017 | 1 | Affordable Housing, Neighborhoods, and Finance Committee | pass | Pass |
| 9/11/2017 | 1 | City Council | referred | |
| 9/7/2017 | 1 | Council President's Office | sent for review | |
| 9/5/2017 | 1 | City Clerk | sent for review | |

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Historic Seattle Preservation and Development Authority (“HSPDA”), 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 and the cities located within King County to permit HSPDA to exercise its chartered authority in such jurisdictions using Preservation Action Fund

proceeds; authorizing the Director of the Office of Intergovernmental Relations, after receiving authorization by resolution, to enter into future agreements with King County and other cities located in King County consenting to a request from HSPDA to exercise its chartered authority in such jurisdictions; and extending the City's powers, authorities, and rights regarding public corporations and authorities beyond the city limits for the projects within HSPDA's chartered authority.

WHEREAS, The City of Seattle chartered the Historic Seattle Preservation and Development Authority

("HSPDA") in 1974 and its current general purposes are to preserve and enhance the historic heritage of the City of Seattle and specific purposes of, among other things, restoration of historic structures, enhancement of cultural aspects and activities of all types, development of residential and transient housing for all income levels, development of a balanced pattern of transportation and pedestrian areas, improvement of landscaping and open spaces in public areas, and creation of residential-commercial neighborhoods with high standards of environment and quality of life in a diversified urban situation; and

WHEREAS, the HSPDA Charter provides that HSPDA may conduct activities consistent with its chartered purposes outside Seattle where The City of Seattle and the jurisdiction in which the activities will be performed consent by agreement; and

WHEREAS, HSPDA has a long history of successfully fulfilling its purposes; and

WHEREAS, by King County Ordinances 18181 and 18441, King County authorized the King County Executive to enter into an agreement between King County and 4Culture to provide direct funding resulting from the issuance and sale of King County bonds for, among other things, the acquisition, stabilization, or redevelopment of significant but endangered historic properties located within King County but outside of the City of Seattle ("Preservation Action Fund projects"); and

WHEREAS, the agreement between King County and 4Culture anticipates that 4Culture and HSPDA will collaborate in the implementation of the Preservation Action Fund projects, with HSPDA (1) acquiring, (2) executing rehabilitation, and (3) divesting itself of Preservation Action Fund projects and properties, all as consistent with HSPDA's chartered purposes and the Preservation Action Fund project parameters; and

WHEREAS, King County has identified the 35 specific cities in King County and areas in unincorporated King County likely to be recipients of Preservation Action Fund project funding (“PAF Projects”); and

WHEREAS, HSPDA anticipates in the near future for there to be additional non-PAF projects consistent with its chartered purposes but located outside of the City of Seattle (collectively, “Future Projects”); and

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

WHEREAS, Seattle Municipal Code subsection 3.110.170.B states: “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 HSPDA charter so authorizes; and

WHEREAS, the PAF Projects and the Future Projects will result in important restoration and enhancement of properties, including the development of residential and transient housing for all income levels, in incorporated and unincorporated areas throughout King County, which is in the interests of The City of Seattle, King County, and the affected municipalities; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Director of the Office of Intergovernmental Relations (“Director”), or the Director’s designee, is authorized, for and on behalf of The City of Seattle, to enter into agreements with King County and the cities identified on Attachment 1 to this ordinance (the Preservation Action Fund (“PAF”) Cities), substantially in the form attached to this ordinance as Attachment 2 (“PAF Agreement”), with any modifications or amendments that the Director deems necessary to implement the purposes of the PAF Agreement subject to the requirements of this Section 1. The purposes of the PAF Agreement are to consent to a request from Historic Seattle Preservation and Development Authority (“HSPDA”), a Seattle public corporation, to participate in PAF projects in unincorporated King County and the PAF Cities, and to extend the

City’s powers, authorities, and rights regarding public corporations and authorities under state law outside the limits of the City for HSPDA’s activities related to such projects. HSPDA shall, in making a PAF Agreement request, provide the Director a resolution of its Board of Directors certifying the Board’s authorization of a PAF project in King County or the PAF Cities deemed to be consistent with HSPDA’s chartered purpose.

Section 2. Upon authorization by the City Council of Seattle by resolution, the Director or the Director’s designee is authorized, for and on behalf of The City of Seattle, to enter into agreements with King County and other cities or towns located in King County substantially in the form attached as Attachment 3 (“Future Project Agreement”), with any modifications or amendments that such Director deems necessary to implement the purposes of the Future Project Agreement subject to the requirements of this Section 2. The purposes of the Agreement are to consent to a request from HSPDA, a Seattle public corporation, to participate in the development of Future Projects consistent with HSPDA’s chartered purposes in such King County jurisdiction, and to extend the City’s powers, authorities, and rights regarding public corporations and authorities under state law outside the limits of the City for HSPDA’s activities related to such projects. HSPDA shall, in making an Agreement request, provide to the Director a resolution of its Board of Directors certifying the Board’s authorization of a project in the relevant city or town deemed to be consistent with HSPDA’s chartered purpose.

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

Passed by the City Council the _____ day of _____, 2017, and signed by me in open session in authentication of its passage this ____ day of _____, 2017.

President _____ of the City Council

Approved by me this _____ day of _____, 2017.

Tim Burgess, Mayor

Filed by me this _____ day of _____, 2017.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - List of King County Cities Eligible for Preservation Action Fund Projects

Attachment 2 - PAF Agreement

Attachment 3 - Future Projects Agreement